

THE
Punjab Legislative Council
Debates.

From 19th February to 23rd March 1934.

Vol. XXIV.

OFFICIAL REPORT.



Lahore :

Printed by the Superintendent, Government Printing, Punjab.
1934.

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

President.

The Hon'ble Chaudhri Sir Shahab-ud-Din, Kt., K.B.

Deputy President.

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

Secretary.

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

Assistant Secretary.

Hakim Ahmed Shujas, B.A.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

I.—EXECUTIVE COUNCILLORS AND MINISTERS.

- The Hon'ble Sir Henry Craik, Bart., K.C.S.I., I.C.S., Finance Member to Government, Punjab.
- The Hon'ble Mr. Miles Irving, C.I.E., O.B.E., I.C.S., Revenue Member to Government, Punjab.
- The Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture (Sikh Landholders).
- The Hon'ble Malik Sir Firoz Khan Noon, Kt., Minister for Education (Shahpur 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.—OFFICIAL MEMBERS.

- Boyd, Mr. D. J., C.I.E., I.C.S., Financial Commissioner, Development, Punjab.
- Din Muhammad, K. B., Shaikh, Assistant Legal Remembrancer.
- Fazl Ilahi, Khan Sahib Shaikh, Director, Information Bureau, Punjab.
- Hearn, Mr. J. W., I.C.S., Home Secretary to Government, Punjab.
- Latifi, Mr. A., C.I.E., O.B.E., I.C.S., Financial Commissioner, Revenue, Punjab.
- Marsden, Mr. P., I.C.S., Secretary to Government, Punjab, Transferred Departments.
- Murphy, Mr. A., O.B.E., I.S.E., Chief Engineer to Government, Punjab, Public Works Department, Irrigation Branch.
- Ogilvie, Mr. C. M. G., C.B.E., I.C.S., Secretary to Government, Punjab, Finance Department.
- Puckle, Mr. F. H., C.I.E., I.C.S., Chief Secretary to Government, Punjab.
- Rahman, K.B., Dr. K. A., Director of Public Health, Punjab.
- Sanderson, Mr. R., M.A., I.E.S., Director of Public Instruction, Punjab.
- Staig, Mr. B. M., I.C.S., Financial Adviser and Secretary to Government, Punjab, Electricity.

III.—NON-OFFICIAL MEMBERS.

- Abdul Ghani, Shaikh, West Punjab Towns (Muhammadan), Urban.
- Afzal Haq, Chaudhri, Hoshiarpur-cum-Ludhiana (Muhammadan), Rural.
- Ahmad Yar Khan, Daulatana, Khan Bahadur Mian (Muhammadan), Landholders.

III.—NON-OFFICIAL MEMBERS—CONTINUED.

- 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.
- Balbir 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.
- 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.
- Faqir Husain Khan, Chaudhri, Amritsar (Muhammadan), Rural.
- Fazl Ali, Khan Bahadur Nawab Chaudhri, O.B.E., Gujrat East (Muhammadan), Rural.
- Ghani, Mr. M. A., Representative of Labouring classes (Nominated).
- 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 Daha, Khan, Multan East (Muhammadan), Rural.
- Jagdev Khan Kharal, Rai, Lyallpur North (Muhammadan), Rural.
- Janmeja Singh, Captain, Sardar Bahadur Sardar, O.B.I., Representative of the Punjab Officers and Soldiers of His Majesty's Indian Forces (Nominated).
- 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 Chand Mehra, Lala, Representative of General Interests (Nominated).
- Labh Singh, Mr., M.A., LL.B. (Cantab.), Rawalpindi division and Lahore division North (Non-Muhammadan), Rural.
- Lekhwati Jain, Shrimati, North-East Towns (Non-Muhammadan), Urban.
- Malak, Mr. Muhammad Din, Lahore City (Muhammadan), Urban.

III.—NON-OFFICIAL MEMBERS—*continued.*

Mamraj Singh, Chohan, Kanwar, B.A., LL.B., Ambala-cum-Simla (Non-Muhammadan), Rural.

Manohar Lal, Mr., M.A., Punjab University.

Mayadas, Mr. Ernest, B.A., Representative of Indian Christians (Nominated).

Mazhar Ali Azhar, Maulvi B.A., LL.B., East and West Central Towns (Muhammadan), Urban.

Mohan Singh, Sardar Bahadur Sardar, Rawalpindi division and Gujranwala (Sikh), Rural.

Mohindar Singh, Sardar, Ludhiana (Sikh), Rural.

Mubarak Ali Shah, Sayad, Jhang (Muhammadan), Rural.

Muhammad Abdul Rahman Khan, Chaudhri, Jullundur (Muhammadan), Rural.

Muhammad Amin Khan, Khan Bahadur, Malik, O.B.E., Attock (Muhammadan), Rural.

Muhammad Eusoof, Khwaja, South-East Towns (Muhammadan), Urban.

Muhammad Hasan, Khan Sahib Makhdum Shaikh, Muzaffargarh (Muhammadan), Rural.

Muhammad Hayat Qureshi, Khan Bahadur Mian, C.I.E., Shahpur West (Muhammadan), Rural.

Muhammad Jamal Khan Leghari, Khan Bahadur Nawab, Baluch Tumandars (Landholders).

Muhammad Raza Shah Gilani, Makhdumzada Sayad, Multan West (Muhammadan), Rural.

Muhammad Sadiq, Shaikh, Amritsar city (Muhammadan), Urban.

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).

Mushtaq Ahmad Gurmani, Khan Bahadur Mian, Representative of General Interests (Nominated).

Muzaffar Khan, Khan Bahadur Captain Malik, Mianwali (Muhammadan), Rural.

Narendra Nath, Diwan Bahadur Raja, M.A., Punjab Landholders (General).

Nathwa Singh, Chaudhri, Karnal (Non-Muhammadan), Rural.

Nazir Husain, Chaudhri, Gujrat West (Muhammadan), Rural.

Nihal Chand Aggarwal, Lala, East and West Central Towns (Non-Muhammadan), Urban.

III.—NON-OFFICIAL MEMBERS—*concluded*.

- 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.
- Owen Roberts, Mr., Representative of European and Anglo-Indian communities (Nominated).
- 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.
- Rahim Bakhsh, Maulvi, Sir, K.C.I.E., Representative of General Interests (Nominated).
- 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, Sheikhupura (Muhammadan), Rural.
- Shave, Dr. (Mrs.) M. C., Representative of the European and Anglo-Indian communities (Nominated).
- Sheo Narain Singh, Sardar Bahadur Sardar, C.I.E., Representative of General Interests (Nominated).
- Ujjal Singh, Sardar Sahib Sardar, M.A., Sikh (Urban).
- Zafrulla Khan, Chaudhri, B.A., LL.B., Sialkot (Muhammadan), Rural.

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PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
64 PLC-540-19-9-34-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 19th February 1934.

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 :—

Shrimati Lekhwati Jain (North-East Towns, Non-Muhammadan, Urban).

Mr. P. Marsden (Secretary, Transferred Departments).

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural).

Mr. A. Murphy (Chief Engineer, Irrigation).

Mr. B. M. Staig (Secretary, Electricity).

Mr. J. W. Hearn (Home Secretary).

Mr. R. Sanderson (Director of Public Instruction).

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer).

Khan Bahadur Dr. Khwaja Abdur Rahman (Director of Public Health).

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban).

Mr. Alma Latifi (Financial Commissioner, Revenue).

STARRED QUESTIONS AND ANSWERS.

PAYMENT OF RENT FOR MUNICIPAL LAND BY KASUR MUNICIPALITY.

***1350. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

- (a) that in the year 1928 the Municipal Committee of Kasur rented a plot of land at Rs. 2 per *marla* per month from one Fazal Din for construction of a terminal tax barrier in preference to Government offer of *nazul* land at Rs. 2 per *marla* per year ;
- (b) that subsequently a member of the committee reported that the land in question belonged to the committee ;

[L. Gopal Das.]

(c) that the above report of the member was confirmed by the Municipal Engineer and another member to whom the matter was entrusted for reports ;

(d) that in spite of the above reports the rent is still being paid to the supposed owner ?

If the replies to the above be in the affirmative, will the Honourable Minister be pleased to state what action he proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) It is correct that the Municipal Committee of Kasur rented a plot of land at Rs. 2 per *marla* per month from one Fazal Din for construction of the terminal tax barrier, but there was no Government offer of *nazul* land for the purpose.

(b) Yes.

(c) It was found that out of 2 *marlas* and 56 square feet of land rented from Fazal Din only 77 square feet belonged to him, while the rest is *nazul* land in charge of the Municipal Committee.

(d) The payment of rent to Fazal Din has since been stopped, but the Committee has not yet come to a decision regarding the recovery of the rent irregularly paid to Fazal Din and the amount of rent to be paid to him in future.

RETRENCHMENT OF GAZETTED OFFICERS.

***1406. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state the number and names of European and Indian gazetted officers retrenched by the Punjab Government as a step to effect economy after the report of the Retrenchment Committee ?

The Honourable Sir Henry Craik : A statement which supplies details of the number of Government servants retrenched, posts retrenched or reduced, etc., during the six months ending 31st March 1932, together with a copy of Finance Department resolution No. 6229, dated 1st March 1933, is laid¹ on the table.

LAND REVENUE REMISSIONS OF *Rabi* 1932.

***1542. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state, per district, the amount of land revenue suspended and remitted in respect of *rabi* 1932 and the amount of water-rates remitted for the same harvest ?

The Honourable Mr. Miles Irving : A statement giving the required information is laid on the table.

¹Kept in the library.

Remission of abiana and suspension and remission of land revenue in rabi 1932.

DIVISION.	District.	Amount sus- pended.	LAND REVENUE.		Amount remitted out of suspended revenue.	ABIANA.	
			Amount remitted out of the demand for rabi, 1932.			Amount remitted out of the demand for rabi, 1932.	
			Ordinary remission.	Special remission.		Ordinary remission.	Special remission.
AMBALA.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
	Hissar ..	1,14,543	..	3,607	46,991	53,237	57,329
	Rohtak ..	1,95,393	..	31,007	3,92,055	18,315	76,231
	Gurgaon ..	2,87,838	..	70,923	10,34,183	..	..
	Karnal ..	1,16,845	404	51,612	63,497	87,245	..
	Ambala ..	71,419	..	1,31,895	11,060	148	..
	Simla ..	2,798	..	..	..	..	..
	Total ..	7,88,836	404	2,89,044	15,47,786	1,58,945	1,33,560
JULLUNDUR.	Kangra ..	18,052	265	26,978	..	..	..
	Hoshiarpur ..	..	414	36,851	34,826	..	..
	Jullundur ..	..	..	37,917	..	..	..
	Ludhiana ..	..	..	10,340	..	980	23,254
	Ferozepore ..	..	..	..	..	47,723	2,56,569
	Total ..	18,052	679	1,12,086	34,826	48,703	2,79,823
LAHORE.	Lahore ..	..	8,606	..	..	15,106	1,74,348
	Amritsar ..	..	..	..	..	2,641	83,142
	Gurdaspur ..	2,785	607	8,789	1,868	588	6,919
	Sialkot ..	4,891	..	24,532	20,516	..	174
	Gujranwala ..	..	..	2,716	..	..	829
	Sheikhupura ..	329	..	1,45,704	207	22,436	1,64,347
	Total ..	8,005	9,213	1,81,741	22,591	40,771	4,29,759

[The Hon. Mr. Miles Irving.]

DIVISION.	District.	Amount sus- pended.	LAND REVENUE.		Amount remitted out of suspended revenue.	ABIANA.	
			Amount remitted out of the demand for rabi, 1932.			Amount remitted out of the demand for rabi, 1932.	
			Ordinary remission.	Special remission.		Ordinary remission.	Special remission.
RAWALPINDI.	Gujrat ..	Rs. ..	Rs. ..	Rs. 69,685	Rs. ..	Rs. 7,880	Rs. 85,518
	Shahpur ..	18,610	..	1,37,943	2,531	40,560	2,11,692
	Jhelum ..	11,796	60	..	14,249	..	..
	Rawalpindi..	2,199	..	..	..	..	..
	Attock ..	..	211	..	148	..	..
	Mianwali ..	..	..	17,038	..	..	..
	Total ..	32,605	271	2,24,666	16,928	48,449	2,97,210
MULTAN.	Montgomery ..	..	..	1,00,593	..	14,21,459	2,88,514
	Lyallpur ..	..	..	7,94,233	..	4,611	5,08,730
	Jhang ..	..	..	61,424	..	31,732	1,73,730
	Multan ..	..	8,468	1,40,042	..	96,928	1,56,359
	Muzaffargarh	6,186	9,438	32,384	16,455	..	..
	Dera Ghazi Khan	5,467	..	43,462	8,280	..	..
	Total ..	11,653	17,906	11,72,138	24,735	15,54,730	11,27,333
GRAND TOTAL		8,59,151	28,473	19,79,675	16,46,866	18,51,598	22,67,685

KHARABA.

*1966. Mian Nurullah : Will the Honourable Revenue Member be pleased to state—

* * * * *

(d) How many applications were received in the Lower Gugera division of the Lower Chenab Canal in 1931, and how many of these were rejected on the ground that they were not put in before a certain date?

The Honourable Mr. Miles Irving :

* * * * *

(d) Fifteen thousand, eight hundred and forty applications were received in the Lower Gugera division in 1931, out of which 391 were rejected as being

time-barred. Attention of all divisional and sub-divisional canal officers and deputy collectors attached to the Lower Chenab East Circle has since been drawn to the fact that no application made during the currency of a crop is time-barred.

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 : The District Board having resolved that the scholarships paid out of the District Board Fund should be awarded only to students who are residents of the area under the authority of the District Board, no scholarship could be awarded to Gian Singh, who, according to the enquiries made by the awarding officer at the time of the award, did not satisfy the condition imposed by the District Board.

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 works 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 : (a) No.

(b) Does not arise.

(c) Does not arise.

HALF FEE CONCESSIONS TO CHILDREN OF AGRICULTURISTS IN TOHANA.

***2217. Khwaja 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's 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 ;

[Khawaja Muhammad Eusoof.]

- (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) memo. no. 12095-R., dated the 12th July, 1930.

(b) Yes.

(c) Famine test works were opened in three central villages of the Tohana *ilaga* from November, 1929, to July, 1930, and at three central villages of that *ilaga* these works were started during the present operations. The remaining portion of the statement regarding labourers is also correct.

(d) Tohana is not the only tract in the province where economic conditions might justify a reduction in the fees of agriculturists and village *kamins*. Government has, however, decided to give in future the half fee concessions as sanctioned in the Punjab Government (Ministry of Education) memo. no. 12095-R., dated the 12th July, 1930, to children of agriculturists and village *kamins* from areas where famine relief works have been started for such period as they remain open.

EDUCATION SERVICE, LAHORE DISTRICT BOARD.

***2280. Rai Bahadur Lala Sewak Ram :** Arising out of question No. 318¹ 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 attention of the honourable member is invited to the reply to Council question no. 318.²

TORIA.

***2322. Mian Nurullah :** Will the Honourable Member for Revenue please state the average yield of *toria* per acre this year?

The Honourable Mr. Miles Irving : The attention of the honourable member is invited to statement No. V in the Season and Crop Report for the year ending the 30th June, 1933, which gives information of the outturn per acre of *rabi* oilseeds. Separate information for *toria* is not available.

¹Volume XXI, page 599.

²Volume XXII, page 20, Appendix.

CROWN LAND 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 Mr. Miles Irving : Necessary information is still being collected, and will be supplied to the honourable member when ready.

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. 87, 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 head master committed certain irregularities, and during his term of office there was wholesale withdrawal of the Hindu boys from his school ;
 - (ii) that on the Education Department having detected irregularities and asked for his explanation, he evaded all this ;
- (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 : Chaudhri Muhammad Hussain is under suspension and the case against him is *sub-judice*. It is not therefore in the public interest to answer this question.

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 ;

[K. B. Mian Muhammad Hayat Qureshi.]

- (e) 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 ;
 - (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 : (a) No.

(b) Does not arise.

(c) (i) F. A. and F. Sc. ..	..	..	..	250
B. A. and B. Sc. ..	..	..	..	190
M. A. ..	..	..	..	Nil

(ii) Question does not arise in case of F. A. because passing in aggregate is not compulsory.

B. A. ..	..	..	..	28
M. A. ..	..	..	..	1

(d) F. A. ..	..	..	..	58
B. A. ..	..	..	..	8

M. A. Question does not arise, there being no compartment system in this examination.

(e) The whole question of University education is under consideration and the points raised by the honourable member will also be considered.

PROMOTION EXAMINATION RULES IN 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 D. B. 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 headmasters 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 headmasters' 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 : (a) No ; the facts are as follows :—

On April 6th, 7th and 8th, 1932, a conference of headmasters and inspecting officers of the Ambala division was held in Ambala City, and the resolutions passed at this conference were forwarded to the district inspectors of schools and the headmasters of all recognised schools of the Ambala division for information.

(b) No circular was issued, but only the resolutions forwarded for information.

(c) Even ordinarily class promotions are made by headmasters of schools under article 189 of the Punjab Education Code. The promotions or failures that the honourable member has in mind are a result of the actions of headmasters who were competent to decide the case.

(d) No.

(e) The resolutions did not receive the approval of the Director of Public Instruction, nor were they forwarded to the headmasters and district inspectors with the previous sanction of the Director of Public Instruction. It may also be pointed out for the honourable member's information that conferences of this nature are often held in divisions and the resolutions passed are forwarded to the various authorities concerned in the division by the divisional inspectors without the previous approval of the Director of Public Instruction. On the occasion under consideration altogether 9 resolutions were passed, and they were all forwarded in the usual course for information.

(f) Promotions have rested with headmasters according to Education Code.

(g) Yes ; the headmaster of the District Board High School, Ambala Cantonment, reports that only 8 boys failed as a result of the application of the new system of promotions based on average of three terminal examinations, but 36 who passed would have failed had the promotions been decided on the basis of the final examination alone.

(h) Yes ; in 1933 resolutions passed in 1932 were amended.

(i) There is a good deal in favour of the suggested change which may lead to efficient teaching on the part of the staff and industry on the part of students throughout the year and prevent undesirable cramming during the last month or two, which must be detrimental to the health of the pupils, particularly the poor ones who cannot provide for themselves proper light or nourishment. The case is receiving the careful consideration of Government.

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 : (a) (i) The voting and population strength of each community in the Moga Municipality is as follows :—

	<i>Voting strength.</i>				<i>Population.</i>
Muslims	1,483				4,964
Sikhs	1,759				5,309
Hindus and others (excluding Muslims and Sikhs)	2,961				7,808

(ii) The number of members to which each community is entitled, on the basis of the formula usually followed, i.e., the mean of population and voting strength, is as follows :—

Muslims	3
Sikhs	4
Hindus and others (excluding Muslims and Sikhs)	5

(b) The number of elected members of each community is as follows :—

Muslims	2
Sikhs	3
Hindus and others (excluding Muslims and Sikhs)	4

(c) The number of nominated members of each community is as follows :—

Muslims	Nil
Sikhs	1
Hindus and others (excluding Muslims and Sikhs)	2 (of whom one is a Christian).

(d) Yes.

(e) Yes.

(f) Moga being a 2nd class municipal committee the Commissioner had full discretion to make nominations.

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 Mr. Miles Irving : A statement giving the information required is laid on the table.

PERCENTAGE OF KHARABA.

Name of Canal.	1931-32.			1932-33.		
	Area irrigated.	Area remitted as <i>kharaba</i> .	Percent- age of remission.	Area irrigated.	Area remitted.	Percent- age of remission.
	Acres.	Acres.		Acres.	Acres.	
Western Jumna ..	942,850	26,682	2·8	869,747	14,097	1·62
Sirhind ..	1,180,387	25,974	2·2	1,213,740	23,985	1·98
Upper Bari Doab ..	1,257,255	56,440	4·5	1,168,437	27,879	2·39
Lower Bari Doab ..	1,205,115	64,169	5·3	1,110,922	47,782	4·30
Upper Chenab ..	533,030	48,035	9·0	547,720	23,184	4·23
Lower Chenab ..	2,398,231	80,753	3·3	2,239,448	125,746	5·62
Upper Jhelum ..	322,701	6,048	1·9	307,335	8,299	2·70
Lower Jhelum ..	824,791	23,969	2·9	822,181	27,589	3·36
Pakpattan ..	455,406	61,435	13·5	465,445	28,255	6·07
Dipalpur ..	337,845	13,227	3·9	347,617	24,709	7·11
Eastern ..	107,935	2,616	2·4	126,423	6,047	4·78
Mailsi ..	243,787	9,965	4·1	242,881	12,070	4·97
Ghaggar Inundation ..	23,617	7,957	33·7	28,360	7,119	25·10
Indus Inundation ..	263,413	126,759	48·1	230,639	106,115	46·01
Muzaffargarh Inunda- tion.	368,054	89,855	24·4	385,434	90,709	23·54
Sidhnai ..	329,516	102,406	31·1	252,490	95,819	37·95
Chenab Inundation ..	196,556	60,506	30·8	197,958	56,625	28·60
Shahpur Inundation ..	65,597	3,429	5·2	70,827	2,940	4·16

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 to 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 Mr. Miles Irving : (a) The following remissions were given by Government in the district of Lyallpur in respect of the *rabi* crop of 1932-33 :—

Remissions under Kharaba Rules.

	Rs.	Rs.
Occupiers' rates	3,44,561	
Land revenue	3,59,297	
Malikana	10,623	7,14,481

Special Remissions.

Land revenue	5,51,991
Total	12,66,472

(b) (i) Reasons for ordinary *kharaba* remissions were generally—

- (1) short supply owing to long rotational closures of canal due to low supply in river and interruption of supply in Jhang Branch owing to the bank being cut by zamindars near Hinduana ;
- (2) hail-storm.

(ii) Special remissions of land revenue was granted on account of fall in prices in districts where current prices were lower than commutation prices.

(c) Yes.

(d) No.

(e) Remission under *Kharaba* Rules—Special Remission—

Water Rate.	Land Revenue.	Land Revenue etc.	Total.
57,161	87,078	6,088	1,00,327

(f) Remissions under the ordinary *kharaba* rules were granted after field inspection and were given where found admissible under the rules. The percentage of remission in the Jhang district was 7 per cent. against 10 per cent. in the Byallpur district as the damage from hailstorm was greater in the latter.

The reason for the difference in the amount of remissions in the two districts will be clear to the honourable member from a perusal of paragraph 2 of the Punjab Government Resolution no. 8110-R., dated the 9th September 1933.

Mian Nurullah : It has been said that special remission was granted on account of fall in prices. May I know whether it was proportionate to the fall in prices?

The Honourable Mr. Miles Irving : No strict proportion was observed. Those districts were taken up in which there was a discrepancy between the present prices and the commutation prices, but their cases were decided on their merits having regard to all the conditions.

LECTURERS, ETC., IN COLLEGES.

***2614. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- whether he will place on the table a statement showing the results of lecturers and teachers working in the degree and intermediate colleges who possess foreign qualifications ;
- how many professors, lecturers or teachers are such whose results are below University average ;
- how many of them are such whose results are persistently bad ;
- what steps the department proposes to take to improve the efficiency of the teaching of such employees ?

The Honourable Malik Sir Firoz Khan Noon : (a) The statement is placed on the table.

(b) Sixty-nine, if the question is taken to apply to all members of the teaching staff.

(c) There is room for improvement in four cases.

(d) The examination results depend on a number of factors, such as injudicious promotions, class being below average, idiosyncrasies of examiners, etc., over which the individual teacher has no control. However, in all cases in which results are below the University average, the teachers and the heads of the institutions concerned are warned to improve their results.

[The Hon. Malik Sir Firoz Khan Noon.]

Statement showing the University results of college professors and teachers with foreign qualifications.

						Per cent.
<i>Laurence College, Ghoragali.</i>						
One teacher	..	..	..	..	..	100
Another	..	..	..	..	..	86
Another	..	..	..	..	..	90
<i>Government College, Lyallpur.</i>						
One teacher	..	..	..	..	..	90
Another—	..	..	..	..	..
Urdu	..	..	..	..	..	93
English	..	..	..	..	..	55
<i>De Montmorency College, Shahpur.</i>						
One teacher	..	..	..	..	..	84
Another	..	..	..	..	..	91
<i>Government Intermediate College, Rohtak.</i>						
One teacher	..	..	..	..	..	100
Another	..	..	..	..	..	83
<i>Ludhiana Government College, Ludhiana.</i>						
One teacher	..	..	..	..	..	77
Another	..	..	..	..	..	42
<i>Lahore College for Women.</i>						
One teacher	..	..	..	..	..	100
Another	..	..	..	..	..	75
Another	..	..	..	..	..	100
<i>Government Intermediate College, Dharamsala.</i>						
One teacher	..	..	..	..	..	74

N.B.—This statement does not include professors of Government College, Lahore, where classes are taught by more than one member of the staff in the same subject.

***2638—2643.**—*Cancelled.*

RECRUITMENT TO THE POLICE.

***2644. Pir Akbar Ali :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that the Deputy Inspector-General of Police, Eastern Range, has issued orders to recruit in the police non-Muslims more than the Muslims to make up their deficiency of 80 per cent. in the Department ;
- (b) if the answer to the above be in the affirmative, whether similar steps have been practically taken to make up the deficiency of the Muslims in the departments in which their percentage is very low ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

***2645—2658.**—*Cancelled.*

WATER SUPPLY IN JULLUNDUR DISTRICT.

***2659. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether there is a "Sufaid Bein" in the district of Jullundur ;
- (*) whether this natural channel of water traverses through the tahsils of Jullundur and Nikodar ;
- (c) whether it is a fact that from times immemorial this Bein was full of running water, but since the irregularity and scarcity of rains, it does not run throughout the year ;
- (d) whether as the result of this, many of the wells of that *ilaga* are getting dry and this shortage of water necessitates further sinking of wells every year, which practically means spending the whole income of the zamindars ;
- (*) whether Government has so far devised any schemes to help the cultivators of the *ilaga* ; if so, what ;
- (f) whether it is possible to divert the water of some of the ever running *chos* of the Hoshiarpur district or of some rivulet or to build a dam or reservoir so that the falling supply may be restored and made permanent throughout the year ;
- (g) the cost of some of these schemes, if taken in hand, and which of these schemes will be practicable ?

The Honourable Mr. Miles Irving : The honourable member is referred to the *communiqué* issued on the 18th May 1933, on the subject of the fall in the sub-soil water-level in the Jullundur and Hoshiarpur districts, a copy of which is placed on the table. He may rest assured that the subject is receiving the earnest and unremitting attention of Government.

PRESS COMMUNIQUE.

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 outturns 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, thanks to its holding up water for percolation to the wells, the fall in the water table of the Jullundur district has been arrested. The 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 ; the Government looks to the leading members of the community to further the common weal.

WATER SUPPLY IN JULLUNDUR DISTRICT.

***2660. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether the Government is aware that due to taking off water from the Sutlej for canals the supply in the so-called " Budda Darya " which passes through parts of the district of Jullundur has gone down to such an extent that the Budda Darya is almost dry all the year round, with the result that the water in the wells of that *ilaga* is scarce and this causes great hardship and pecuniary loss to the owners of those wells ;
- (b) whether Government has taken any action or proposes to take some to help the zamindars of the surrounding *ilaga* ;
- (c) whether it would be practicable to contrive some method to ensure supply in Budda Darya ;
- (d) if so, what scheme would be best and what would be its approximate cost ?

The Honourable Mr. Miles Irving : Will the honourable member kindly specify the precise location of the " Budda Darya " ?

In respect of the fall in the sub-soil water-level he is referred to the reply given to Council question no. 2659.

DESTRUCTION OF CROPS BY RATS IN JULLUNDUR DISTRICT.

***2661. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether Government is aware that due to the unsatisfactory nature of water supply for irrigation in the various parts of the Jullundur district there is an abundance of rats in those fields ;
- (b) whether these rats destroy the whole crop when the field is sown, and are thus the source of ruin to the zamindars ;
- (c) what action Government propose to take or has taken so far to come to the help of the agriculturists of that *ilaga* in this respect ;
- (d) whether it is a fact that the Deputy Commissioner of the district has fixed a " *pukli* week " to get all the *pukli* destroyed by concerted action of all the Government departments and the public of the district of Jullundur because *pukli* was becoming a menace to the agriculturists of that district ;
- (e) whether Government has any such action under contemplation for destroying rats ;
- (f) what other action Government proposes to take to remedy this widespread evil ?

The Honourable Sardar Sir Jogendra Singh : (a) There is an increasing number of complaints about the damage which is being done by rats in Jullundur district. This is not due to the unsatisfactory nature

of the water supply for irrigation. The complaints generally are received from *barani* areas.

(b) Rats do a considerable amount of damage, but no case has been reported where the whole crop has been destroyed.

(c) The Agricultural Department and the District Board through its agency have conducted a number of free demonstrations to show zamindars how to control the rat population. It is now for zamindars to adopt these methods.

(d) Yes.

(e) No.

(f) The Agricultural Department is ready to help by organising rat killing campaigns in such villages as come forward to undertake campaign against this pest.

Mian Nurullah : May I know how far those demonstrations were a success ?

The Honourable Sardar Sir Jogendra Singh : Wherever a demonstration was started, there the rats were destroyed.

AVERAGE HOLDING OF LAND IN JULLUNDUR DISTRICT.

***2662. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

(a) the size of the average holding of land in the district of Jullundur ;

(b) what action Government has so far taken to make the holdings economical ;

(c) how far Government has succeeded in its efforts ;

(d) whether Government is at present doing anything for improving the size of the holdings ; if not, why not ?

The Honourable Mr. Miles Irving : (a) 3 to 5 acres.

(b) Seventy-seven thousand acres have so far been consolidated in the district. Grants to sufferers from congestion have been made in various canal colonies, the latest allotment being in the Nili Bar Colony where 150 rectangles have been sanctioned to relieve congestion in Jullundur district.

(c) This is a matter of opinion.

(d) Government continues to encourage the consolidation of holdings.

***2663—2668.—Cancelled.**

AMENDMENT OF CANAL AND DRAINAGE ACT OF 1873.

***2669. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the Punjab Legislative Council passed a resolution setting up a Committee with a view to amend the Canal and Drainage Act of 1873 ;

(b) what action Government has taken on the resolution so far ;

[Mian Nurullah.]

- (c) whether Government has so far come to a decision to amend the Act ;
- (d) whether it is a fact that Government has admitted in reply to various Council questions that the procedure under various sections and rules is not laid down anywhere in the Act itself or the rules made thereunder ;
- (e) whether it is a fact that most of the work is carried on under instructions laid down in the Revenue Manual which has no force of law ;
- (f) whether there is any section in the Canal Act or the rules which empowers or empower the Chief Engineer to lay down any instructions in the Revenue Manual ;
- (g) whether the deputy collectors, zilladars, and the sub-divisional officers are empowered legally under any section of the Canal Act or its rules to conduct enquiries in cases of " Tawan " and " Ab-i-zia ; "
- (h) if not, whether Government intends to make a provision regularly authorising the above officers to conduct enquiries and record statements laying down full procedure about such enquiries in the rules made under the Canal Act ;
- (i) whether Government is aware that all such enquiries regarding unauthorised irrigation conducted by the zilladars and deputy collectors, etc., are *ultra vires* and illegal ;
- (j) if so, why a provision has not been made in the rules so far legally authorising these officers for recording statements and conducting enquiries ;
- (k) whether Government is aware that the High Court in a ruling has laid down that persons using water for purposes other than irrigation such as constructing pacca houses, etc., could not be run in a court of law under section 70 of the Canal Act, nor can money for such use of water be realised as an arrear of land revenue if such person refuses to pay it ;
- (l) whether Government contemplates amending this Act to remove the defects ;
- (m) if not, what action Government proposes to take in the matter ?

The Honourable Mr. Miles Irving : (a) Yes, the Council passed a resolution suggesting that a Committee should be set up.

(b) and (c) Government has decided not to appoint a Committee at present.

(d) Yes.

(e) Yes.

(f) The honourable member is referred to the reply given to part (d) of Council question no. 1970¹ (starred).

(g) No.

(h) The matter is under consideration.

(i) No.

(j) Does not arise.

(k) The ruling to which the honourable member possibly refers is that quoted in Indian Cases, Volume 64, page 497, where it was held that, although a person used water from a tank, filled from a canal for certain specified purposes, for some other and unauthorised purpose such as the building of a pacca house, no penalty was laid down for such use. The case was decided on its particular facts.

The answer to the concluding portion of the question is in the affirmative.

(l) No, because any lacuna in matters of procedure can be made good by rules framed under the Act.

(m) The question of incorporating some of the departmental rules into the statutory rules is under consideration.

Mian Nurullah : Have the Government realised the necessity for amending the Act ?

The Honourable Mr. Miles Irving : The Government have not so far come to any decision on the subject.

RECOVERY OF MONEY FOR CANAL WATER.

***2670. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state —

(a) whether it is the duty of the zilladar to recover money for canal water used for miscellaneous purposes as laid down in the Revenue Manual ;

(b) what powers a zilladar has to make such realization or what he can do under the Act or the rules if such realization cannot be made ;

(c) under what section of the Canal Act this duty devolves on him ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Recoveries are made before water is given. No special powers are, therefore, necessary.

(c) Under departmental instructions.

UNAUTHORISED IRRIGATION.

***2671. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state —

(a) whether rules 82 and 83 made under the Canal Act regarding use of water at times prohibited by the canal officers or water used in unauthorised manner lay down any procedure regarding conducting of enquiries, recording of statements, checking of irrigation, and issue of notice No. 1 ;

[Mian Nurullah.]

- (b) if not, whether Government will kindly lay down the full procedure regarding the following :—
- (i) by whom the preliminary enquiry is to be made and statements recorded ;
 - (ii) by whom the unauthorised irrigation is to be checked and within how many days ;
 - (iii) by whom notice No. 1 is to be issued and through whom the service is to be effected ;
- (c) whether Government is aware that under the present conditions there is no procedure mentioned in the Act or its rules regarding the preparation of such cases and different practices are being followed on the various canals, even so much so that in some cases zilladar conducts the preliminary enquiry and records statements while in other cases an overseer, who is purely a technical man, is entrusted with this sort of work ;
- (d) if so, whether Government propose to lay down a definite procedure in the rules so that no scope is left for such irregularities ?

The Honourable Mr. Miles Irving : (a) No.

(b) The matter is under consideration.

(c) The procedure is laid down in the Revenue Manual. With regard to different practice being followed on various canals Government has no information.

(d) The honourable member is referred to the answer given to part (b) above.

LABOUR FOR CLOSING BREACHES.

***2672. Mian Nurullah :** (i) Will the Honourable Member for Revenue be pleased to make enquiries and state whether it is a fact—

- (a) that zilladars who fail to produce labour for closing breaches in the canal, etc., are punished with the stoppage of increments and entries of censure ;
- (b) that it is no part of the duty of a zilladar to do this work, and that they are not legally authorised by the Government to press the zamindars for such labour ?
- (ii) if so, that Government proposes to issue instructions in the matter ?

The Honourable Mr. Miles Irving : (i) (a) Not necessarily. If the honourable member has any specific instances in mind he might furnish the Chief Engineer with particulars who will, if necessary, look into the matter.

(b) No. According to departmental instructions, a copy of which is laid on the table, a zilladar's services can be utilized to collect zamindari labour for closing a breach. The reply to the second part is in the affirmative.

(ii) Does not arise.

Copy of sub-paragraph of paragraph 6.7 of the Revenue Manual of the Irrigation Branch of the Public Works Department, Punjab, 3rd edition.

* * * * *

There are occasions when the assistance of the land-owners and cultivators is required in emergent repairs of canal works during a closure or in repairing a breach, and on such occasions it may be necessary to utilise the zilladar and patwari's intimate knowledge of the cultivators to collect them promptly on the work, but this should only be done on special occasions when the ordinary labour supply is inadequate and prompt measures are needed to save the crops. It must be remembered, as a matter of principle, that zamindars are to be paid for all work they do for the Department, the same as contractors are paid.

GRANT OF LAND TO TOWN LAMBARDARS.

***2673. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether there was a letter of Government in 1931 that the town lambardars be granted squares of land on *ghoripal* conditions as follows :—
 - (1) Montgomery and Multan districts without *ghoripal*,
 - (2) Lyallpur district one square of land with *ghoripal* ;
- (b) what action was taken on it ;
- (c) whether it is a fact that in Montgomery and Multan half a square has been given and that it has not been given in the Lyallpur district at all ;
- (d) whether the tahsildars reported that there is land in town areas but within municipal limits ;
- (e) whether in Mian Channu and Chichawatni the conditions were similar ?

The Honourable Mr. Miles Irving : (a) No.

- (b) Does not arise.
- (c) Yes.
- (d) Yes.
- (e) Yes.

***2674—2675.—Cancelled.**

TENURE OF OFFICIALS IN A DISTRICT.

***2676. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a practice that an official should not be allowed to remain in a district for more than three years ;
- (b) if the answer to (a) is in the affirmative, why Rai Sahib Narsingh Das, Excise Assistant to the Financial Commissioner, has been allowed to remain in Lahore for more than three years ?

The Honourable Sardar Sir Jogendra Singh : (a) Not invariably. It depends on the circumstances of the employment.

- (b) Does not arise.

Chaudhri Allah Dad Khan : Is it provided for in the Government Servants' Conduct Rules ?

The Honourable Sardar Sir Jogendra Singh : No.

Chaudhri Allah Dad Khan : Are there any instructions on the subject ?

The Honourable Sardar Sir Jogendra Singh : No.

BOTTLING LIQUOR IN BOND.

***2677. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware that the system of " bottling wine in bond " introduced into the distilleries of the Punjab has resulted in the loss of revenue to the Government by reducing the number of wholesale licenses for the country spirit ;
- (b) if the answer to (a) is in the affirmative, the approximate annual amount of the loss in (a) ;
- (c) if the answer to (a) is in the affirmative, the use of continuing the system in (a) ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) and (c) Do not arise.

UNSTARRED QUESTIONS AND ANSWERS.

COMPLAINT AGAINST ASSISTANT DISTRICT INSPECTOR OF SCHOOLS, CHUNIAN.

438. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

- (a) whether a nephew of Lala Durga Das, Pleader, Chunian, district Lahore, who was a student of the Municipal Board Primary School, Chunian, was examined by the Assistant District Inspector of Schools, Chunian, in 1929 ;
- (b) whether his result was not declared by the Assistant District Inspector along with the result of other students ;
- (c) whether Lala Durga Das submitted a complaint against the Assistant District Inspector concerned ;
- (d) whether any action was taken against him ;
- (e) if so, what ?

The Honourable Malik Sir Firoz Khan Noon : I regret the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

451—453.—Cancelled.

SAVINGS BY RETRENCHMENT.

467. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Finance kindly place on the table of the House a statement showing the retrenchment which has been effected in each department by the reduction of unnecessary posts.

The Honourable Sir Henry Craik : A copy of Finance Department Resolution No. 6229¹, dated 1st March 1933, is laid on the table.

CANDIDATES FOR UNIVERSITY EXAMINATION.

517. Mr. E. Mayadas : Will the Honourable Minister for Education kindly lay a statement on the table showing —

- (a) the number of candidates that appeared for the undernoted examinations of the Punjab University during the last three years, communitywise :—
F.A., F.Sc., B.A., B. Sc., B.Sc. (Agri.), M.A., M.Sc., M.B., B.S. and LL.B. ;
- (b) the number of successful candidates in the above-mentioned examinations communitywise ;
- (c) the number that carried off open prizes for scholarships communitywise ;
- (d) the information regarding women students separately, if possible ?

The Honourable Malik Sir Firoz Khan Noon : The information is attached.

Statement showing the number of candidates appeared and passed communitywise in the following examinations of the Punjab University during the last three years.

(ii) *The information regarding women students is given separately.*

Year.	HINDU.		MUHAMMADAN.		SIKH.		CHRISTIAN.		JAIN.		OTHERS.	
	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.
INTERMEDIATE (F.Sc.).												
1930 ..	1,069	430	337	119	223	151	43	19	12	6	5	..
1931 ..	1,097	452	348	114	360	146	44	20	15	6	4	1
1932 ..	1,040	501	392	144	340	146	45	29	9	5	5	3
INTERMEDIATE (ARTS FACULTY).												
1930 ..	1,592	645	1,069	461	427	183	78	49	39	17	3	2
1931 ..	1,786	758	1,039	535	670	226	66	41	30	15	..	..
1932 ..	1,683	886	1,614	535	500	265	86	42	30	23	9	6

¹Kept in the library.

[The Hon. Malik Sir Firoz Khan Noon.]

YEAR.	HINDU.		MUHAMMADAN.		SIKH.		CHRISTIAN.		JAIN.		OTHERS.	
	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.
B. Sc. EXAMINATION.												
1930 ..	65	46	25	16	33	21	..	..	..	..	..	..
1931 ..	55	36	44	28	27	18	5	3	..	..	..	..
1932 ..	68	24	35	17	17	4	8	6	1	..	..	..
B.A. EXAMINATION.												
1930 ..	1,116	513	750	273	274	125	33	22	18	7	5	..
1931 ..	1,250	617	836	376	338	162	47	19	21	11	2	..
1932 ..	1,267	569	919	319	329	143	59	28	..	..	4	..
B. Sc. AGRICULTURE.												
1930 ..	16	9	10	8	21	16	..	..	1	..	..	..
1931 ..	18	15	21	6	29	19	..	..	..	..	..	..
1932 ..	18	13	27	12	31	10	..	..	..	..	..	..
M. Sc. EXAMINATION.												
1930 ..	16	10	1	..	1	1	..	..	2	2	1	..
1931 ..	22	14	15	8	5	2	..	..	..	..	1	..
1932 ..	10	8	5	2	2	1	..	..	1	..	..	..
M.A. EXAMINATION.												
1930 ..	142	68	68	29	32	18	9	4	2	..	..	..
1931 ..	146	61	67	43	35	23	2	1	5	3	1	1
1932 ..	176	100	88	49	29	14	5	4	3	3	..	..
M.B.,B.S. EXAMINATION.												
1930- ..	17	12	18	5	8	4	4	4	..	..	..	..
1931 ..	25	18	27	15	9	5	2	..	1	1	1	1
1932 ..	19	16	21	15	8	7	3	2	..	..	..	..
LL.B. EXAMINATION.												
1930 ..	190	125	75	44	46	32	5	2	7	6	..	..
1931 ..	154	103	62	39	36	22	4	1	11	9	1	1
1932 ..	156	89	59	31	40	22	2	2	2	2	..	..

YEAR.	HINDU.		MUHAMMADAN.		SINH.		CHRISTIAN.		JAIN.		OTHERS.	
	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.	Appeared.	Passed.
FEMALE CANDIDATES.												
INTERMEDIATE (F.Sc.).												
1930 ..	9	7	3	3	6	4	13	8	..	..	..	..
1931 ..	9	6	4	1	4	1	10	9	..	..	..	..
1932 ..	11	7	5	4	7	7	9	5	..	..	..	..
INTERMEDIATE (ARTS FACULTY).												
1930 ..	31	28	12	9	9	6	27	21	..	..	2	1
1931 ..	51	36	13	7	10	6	25	20	1	1	..	..
1932 ..	64	51	34	21	16	13	29	17	3	3	..	..
B.A. EXAMINATION.												
1930 ..	15	7	..	..	2	2	7	6	..	..	..	..
1931 ..	14	11	6	4	2	..	13	9	..	..	..	..
1932 ..	17	6	12	1	4	3	20	12	..	..	1	1
M.Sc. EXAMINATION.												
1930 ..	..	..	..	..	..	..	..	..	..	..	1	..
1931 ..	..	..	..	..	..	..	..	..	..	..	1	..
1932 ..	..	..	..	..	..	..	..	..	..	..	..	..
M.A. EXAMINATION.												
1930 ..	2	1	..	..	..	..	3	2	..	..	..	..
1931 ..	1	1	..	..	..	..	..	..	..	..	..	..
1932 ..	3	2	1	1	..	..	1	1	..	..	..	..
M.B., B.S. EXAMINATION.												
1930 ..	2	2	..	..	..	..	2	2	..	..	..	..
1931 ..	1	..	1	1	1	1	2	..	1	1	1	1
1932 ..	2	2	1	1	1	1	3	1	1	..	..	..

*B.Sc. girl candidate.

[The Hon. Malik Sir Firoz Khan Noon.]

UNIVERSITY OF THE PUNJAB.

List of Open Scholarships (Communitywise).

MATRICULATION EXAMINATION.

YEAR.	Hindu.	Sikh.	Muham- madan.	Jain.	Christian.
1930	26	6	9	1	..
1931	28	6	6	1	..
1932	37	(Includes one female candidate).	5	..	..

INTERMEDIATE EXAMINATION.

1930	9	1	..	..	..
1931	8 (Includes one female candidate)	1	1	..	..
1932	9	..	..	1	..

B.A. EXAMINATION.

1930	13	1	6	..	1
1931	9	4	6	..	2 (Females).
1932	16	3	3	..	..

UNIVERSITY OF THE PUNJAB.

List of open Prizes Communitywise.

YEAR.	Hindu.	Muham- madan.	Sikh.	Jain.	Christian.
1930	4	1	1	..	..
1931	1	3	..	..	1
1932	4	1	..	..	1

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 school^s and play-ground 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 : I regret the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

CONDOLENCE ON THE DEATH OF MAJOR R. C. MALHOTRA.

Mr. President : It is with deepest regret that I have to acquaint the honourable members of the House of the sad and untimely death of Major R. C. Malhotra, a member of the Indian Medical Service, who was a member of this Council. His death has deprived the Council of a very able and promising member. If you agree, a message of condolence on your behalf may be sent to the members of the deceased's family. (*Voices of 'Yes'.*)

PANEL OF CHAIRMEN.

Mr. President : Under Rule 3 of the Punjab Legislative Council Rules, I nominate the following four gentlemen to form the panel of chairmen for the current session :—

Chaudhri Zafrulla Khan.

Mr. Nanak Chand Pandit.

Khan Bahadur Mian Ahmad Yar Khan Daultana.

Sardar Sabib Sardar Ujjal Singh.

RESOLUTIONS.

ZAMINDARS IN SERVICES.

Mr. Owen Roberts (Nominated non-official): Sir, with your permission, I move—

This Council recommends to the Government to appoint a mixed committee of official and non-official members of this Council, with a majority of elected members, to examine the causes of inadequate representation of statutory agriculturists in the majority of Government departments, and to suggest means whereby an adequate representation of statutory agriculturists in all the departments may be secured within the next five years.

In moving this resolution I am acting as the mouthpiece of my party upon whose benches I am privileged to sit, a party which has placed in the forefront of its policy the safeguarding and development of agricultural interests, a subject upon which I claim to hold convictions quite as strong as my colleagues on these benches, although I am not an agriculturist, statutory or otherwise, nor have I any personal interest in agriculture as such. A few years ago it would have appeared impossible to me that I should at any time either support, much less move, a resolution in this chamber requiring Government to give a larger share of employment in the public services to any class or community as such, without regard to other considerations—because that is really what the resolution amounts to,—but the greater opportunities for observation of these questions I have enjoyed as a member of this chamber and also the opportunities that have been extended to me of studying them as a member of this party have convinced me that the special recognition which Government already extends to this subject and which this resolution seeks to develop, is both justified and proper. You will observe that the resolution itself is most modest. It asks only for “adequate representation,” and by adequate representation I take it we all mean, representation commensurate with the numbers of the body of statutory agriculturists and also with the importance of the functions which they discharge in the field of agriculture to the community as a whole. As this is a party resolution I have taken it for granted that the party in framing it in these terms has satisfied itself that at present the representation of statutory agriculturists in the services is not what it might be or what it should be; and further that it is satisfied that a committee is the best means of investigating the subject. With these words I leave it to others more familiar than myself with the details, to establish these points to the House (*Cheers*).

Mr. President : Resolution proposed—

This Council recommends to the Government to appoint a mixed committee of official and non-official members of this Council, with a majority of elected members, to examine the causes of inadequate representation of statutory agriculturists in the majority of Government departments and to suggest means whereby an adequate representation of statutory agriculturists in all the departments may be secured within the next five years.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muhammadan, Rural) (*Urdu*): Sir, I rise to move the amendment that stands in my name.

Mr. President : May I know the object of the honourable member's amendment?

Kanwar Mamraj Singh Chohan : Sir, my object in moving this amendment is to remove the time limit which has been proposed in the resolution, because I feel that it is in our own interest not to fix this time limit and it will be convenient for the Government as well not to bind them by this time limit.

Mr. President : Does the honourable member mean that the object which the mover of the resolution has in view may be achieved not in five but in more than five years ?

Kanwar Mamraj Singh Chohan : Or even 8 or 2 years. I do not want to fix a limit to achieve that object.

Mr. President : Then it may exceed five years. In that case the amendment would be inconsistent with, if not beyond the scope of, the resolution. But if the honourable member's object is that the period should be less than 5 years, he may say so definitely. The honourable member's amendment, as it stands, is inconsistent with the resolution and is, therefore, out of order.

Kanwar Mamraj Singh Chohan : I shall then speak on the main resolution. It will be admitted that amongst the zamindars, the Hindu zamindars are aggrieved more than others. They are backward in education just as the Muslim and the Sikh zamindars are, but so far very little has been done to encourage them and to recognise their rights in the services. The Muslim and the Sikh zamindars who happen to be in a majority in their own circles are fairly represented in the various services under the Government, but the same is not the case so far as the Hindu zamindars are concerned. It is, therefore, time that steps should be taken to give them their due share. It is my own personal experience that in the case of Hindu zamindars, the appointing authorities never give them preference unless, of course, the latter possess the same qualifications as the other Hindus and it is very seldom that a Hindu zamindar is preferred on the sole ground that he is a zamindar. I would, therefore, take this opportunity to request the Government not only to make a promise that it will in future take good care of the interests of the Hindu zamindars, but that it will see that their rights are practically safeguarded. With these words I support the resolution before the House.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I rise to support the resolution under discussion. In my opinion the resolution is most important from this point of view—that in 1921 this Council passed a resolution asking the Government to give the agriculturists one-third of the total number of posts in the various departments of Government and it was accepted by the Government. During all these 13 years the Government has been doing a little, but it has not done enough and the period of 13 years was quite sufficient for the agriculturists to have reached that proportion in the service of the Government. The honourable member has therefore done well in tabling this resolution and it is a significant fact that the resolution comes from a member who is neither an agriculturist nor follows agriculture as a profession. This point is very remarkable that even a non-agriculturist member is keenly feeling the necessity of securing the number of appointments that the agriculturists deserve in the service of the Government. The other consideration is

[Chaudhri Allah Dad Khan.]

that the agriculturists of this province contribute almost the total revenue of the Punjab Government. The total budget of the Punjab Government is at present about 10½ crores and out of this about 9 crores comes from land revenue and *abiana* and of the remaining 1½ crores, more than one crore is contributed by the agriculturists in various ways, such as stamps, court fees, school fees, etc. The population of the agriculturists is about 76 per cent. of the total population of the Punjab. Besides, it is a fact that during the present census the number of all classes of the population has increased by one-fourth of the previous number and it is quite plain that the zamindar population has also increased to the same extent. Further, on account of the depression the income from land is not at all sufficient to support the agriculturists. With the increase in the family members, the zamindar finds it very difficult to support himself and his family. So, some means must be found to render help to him so that he may maintain the increase in the family. The average land in the possession of a zamindar in the Punjab is very little—it works to 4 or 5 acres per head and the members of a family in the Punjab averages 5 or 6 persons. So 4 or 5 acres are not at all sufficient to maintain a family of 5 or 6 persons. Added to this there is at present the fact that more than half of the income of the zamindar is given away as land revenue. It will not be an exaggeration if I say that the share which the zamindar has to pay to the Government comes to about five-sixths of his income and only one-sixth of the income remains for the maintenance of his family consisting of 5 or 6 members and this is absolutely insufficient. For this reason too the resolution must be received with sympathetic favour.

As my friend from Ambala has said whenever there is a vacancy in Government offices there is such a preponderance of non-agriculturists with influence who are already there that it is very difficult for an agriculturist to have a chance. I do not blame those people who are already there. It is the rule all the world over. There have been many cases in which even the applications of zamindar candidates are not put up for the officers to consider. When a vacancy is filled up very often the officer does not know that there is any agriculturist candidate. Unless the Government makes a serious attempt to fulfil the promise which has already been made in response to the resolution which was passed in 1921 there is no possibility for agriculturists to get into Government service.

The Honourable Sir Henry Craik : What was that resolution ?

Chaudhri Allah Dad Khan : The setting up of a committee which will suggest the Government ways and means to fulfil the promises held out to the agriculturists is the only suitable way of removing this complaint. The interval between 1921 and 1934 is a long one and nothing has so far been done for the agriculturists. The Government must now at least cheerfully accept this resolution and fulfil the promises held out for such a long time.

The Honourable Sir Henry Craik : What exactly was the promise made ?

Chaudhri Allah Dad Khan : The Government accepted the resolution which was a sort of promise.

The Honourable Sir Henry Craik : What was the promise ?

Chaudhri Allah Dad Khan : That the number of agriculturists in Government service should be raised to two-thirds. But never mind the exact proportion. The words here in the resolution are "adequate representation." Zamindars form 76 per cent. of the population in the Punjab and we have made a demand much less than our rights on population basis would justify and for this reason the resolution should not only be accepted but at a very early date a committee should be set up to find out ways and means to help the Government. If the Government is not going to render sufficient help to the zamindars I do not know what will become of them. The plight of zamindars is known to every body and I have to-day shown by facts and figures that zamindars have not sufficient land to live on at this time and for this reason the Government should start at thinking. With these words, I support the resolution.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, I rise to support this resolution. I do not want to take up the time of the House much on statistics. As our honourable friend has just pointed out, a resolution was passed in the year 1921 that the zamindars should get about 66 per cent. of the posts under Government, whereas this resolution only asks for an adequate representation. It is therefore a very fair and modest resolution. We are not in a position to fix up the numbers in certain cadres. They are bound to be a little less in some and a little more in others. When I take this consolidated statement showing the proportionate representation of agriculturists and non-agriculturists in the services in the Punjab as it stood in the year 1933, I find that in the last few years there has been a little progress, but not enough as compared with what was contemplated in the year 1921 and it is much less than what everybody thought it would be after the passing of the resolution. If the same rate continues it will take years to achieve that percentage. While there has been a little increase here and there I find that in some departments there has been definite decrease. For example, I take the temporary engineers in the Irrigation Branch and I find that the percentage has gone down from 26.1 to 6.2, that is, by 20 per cent. There is another instance which has come to my notice. If you turn to part I, Reserved Departments, Provincial Service (c) in the column of assistant superintendents, jails, I find that there has been a decrease of 16 per cent. or so.

The Honourable Sir Henry Craik : Decrease from what ?

Mian Nurullah : We find that agriculturists are very poorly represented in the Department of Industries and further on if you go to the Transferred Departments you find that Public Health is also very poorly represented by agriculturists. Take the district medical officers of health. All their work has to be done in agricultural areas. These men have to move about in the villages and find out the problems of zamindars which cannot be dealt with in the proper way unless these medical officers are thoroughly acquainted with the life of the people and their manners and methods of education, etc. There too you find that the percentage is very poor. District medical officers of health have only 18.9 per cent. of agriculturists. How poor ! In what number of years are we going to reach the percentage of 66 ?

The Honourable Sir Henry Craik : It is a misquotation. It is 27 per cent.

Mian Nurullah : Even 27 per cent is not enough ; it is much less than 66. In my copy it is clearly stated as 18·9 per cent. This is only one instance. In the Education Department too we are very poorly represented. The figures are 27·8, 14·3, 14·7, 7·7, 3·8, 14·3, 26, 50 and 49. On the whole this is very poor. Similarly I find that our representation in the Civil Secretariat is very poor. Even if the policy of Government is to encourage agriculturists in the departments many things happen which the Government does not know. I have got a particular case in view. It was pointed out to me this morning by some retrenched munshi of Eastern Circle of the Irrigation Department, Lyallpur. In consonance with this policy of recruiting agriculturists the Government have been taking some zamindars as munshis in that circle during and before the years 1928-29. By 1929 they had closed the list and taken about 53 such munshis out of which 26 were zamindars. Now these youngmen got the proper training and qualified themselves and were hoping that some day they would be made permanent. But after four or five years, after they had spent the best years of their life they are being told to go away because some of them had exceeded the age limit of 25 although under Fundamental Rule 3·7 it is clearly mentioned that they may be confirmed up to the age of 30. This is perhaps because some non-agriculturists held what I may call key appointments. I have to draw the special attention of Government to key appointments. The reason why we cannot make progress is that the key appointments, such as superintendentship and head-clerkships, are in the hands of non-agriculturists. As soon as you give proper representation to agriculturists in these key appointments the percentage of agriculturists is bound to rise up very quickly. Now these boys have been asked to go. They have nothing to fall back upon and they cannot take to any other line and the reason why they are thrown out of their present posts is that they were not confirmed before the age of 25. This looks to me very unreasonable.

Specially because it is being done in the Eastern Circle only and nowhere else. You will be astonished to know the number of agriculturists who have been asked to go. The thing has been very cleverly brought out. The number that is being asked to go is 38 and out of them 22 are agriculturists. Out of the 15 that remain only 4 are agriculturists and the rest are non-agriculturists. That is how things go on in spite of the vigorous policy of Government to help zamindars in raising their proportion in services. There are many other instances but I should not take the time of the House. I do feel that there is a necessity for appointing a committee to make definite suggestions about this programme.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official, Nominated) (*Urdu*) : Sir, I must first express my gratitude to the honourable mover who is apparently a lover of justice and who, feeling the great need of the time, has brought forward the resolution. I have stood up to support this resolution not simply on the ground that zamindars are as a matter of right entitled to a larger share in the services, but I support the resolution on another very important ground. In the departments of the Government which professedly exist for the interest and welfare of the zamindars, the

zamindars should be recruited in a very large number because they alone can understand and appreciate the difficulties of their brethren and because they alone can satisfy fully the reasonable demands of the zamindars. I am prepared to concede that in the Income-tax Department and other similar departments which are chiefly concerned with the non-zamindars, the non-zamindars suit better. The same can be said of the Accounts Department. But in other departments the non-zamindar candidates do not suit. Take for instance

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the Irrigation Department. This is a department which directly deals with the zamindars. It exists mainly for the benefit of the zamindars. But in this department the number of zamindars is too small. They are not given their due share in it. A zamindar can understand and realise the difficulties of the zamindars but a non-zamindar is not expected to know them. Consequently when a non-zamindar is appointed in some capacity in the Irrigation Department he is not expected to have any sympathy with the agriculturists. It might be said that there are not capable men amongst the zamindars who can be employed in this as well as in other departments. This a statement with which no one can agree. There are capable men amongst the zamindars. Any number of qualified men can be found amongst the zamindars, and they can discharge the duties of almost all the Government departments. If there is any doubt about this statement you can advertise posts and see how many candidates from the agriculturist classes apply. You will receive hundreds of applications from the zamindar candidates. There is no dearth of men amongst the zamindars, but unfortunately it has not been the policy of the Government to encourage them and to take them into service. One cannot believe that even in 1934 qualified candidates are not available among the zamindars. Similar is the case of the Public Health Department. The officers of this department have to live in the rural areas and most of their time passes amongst the zamindars. If you recruit officers for this department from amongst the urban areas, the conditions of life in rural areas will not suit them. A man of Lahore or Amritsar who has become used to all the luxuries of city life finds it difficult to live in the villages. Consequently he will not take any interest in the rural population. *(Interruption)*. I will come to the Education Department also. Recently the University Enquiry Committee presented its report. In this report it is stated that there is a general complaint that zamindars' sons who get their education in the urban areas when they go back to their homes in the villages take no interest in the work of their parents. Such boys generally become useless appendages to their parents. This defect is due to the lack of teachers who are agriculturists and inhabitants of villages. A teacher who does not know anything about agriculture and is not a zamindar cannot educate his pupils in a way that may be beneficial for the rural interests. He will not train them to lead their lives amongst the zamindars. As regards the objection which my honourable friend in those benches took against this resolution, I may say that it nowhere raises the question of distribution of various posts amongst the different communities. I hope the opposition which is at present made by the non-agriculturists to the just and equitable claims of the zamindars will decrease and they will, considering the zamindars to be their brothers, agree to give them their proper share in the services.

[K. B. Mian Mushtaq Ahmad Gurmani.]

Then, there may be objection raised as to the necessity for appointing such a committee as is recommended in the resolution. On various occasions this subject has been discussed in this House and no doubt a sincere effort has been made to give proper representation to the zamindars in the services. But, in view of the figures shown in the various lists of Government servants it is observed that the number of zamindar employees in various Government departments is not satisfactory. It might be difficult for the Government to increase the number of zamindars in its employ at once, for it might necessitate some undesirable action. But it is not difficult to effect it in a specified period. The proposal contained in the resolution moved by my honourable friend is quite reasonable and a practicable one. This proposal will make matters easy for the Government as well as for this House. The Government will have the considered opinion of a committee formed of official and non-official members of this House as to the methods of giving a practical shape to this resolution. This will also save the Government from criticism on the part of the dissenting members of the public. With these words, Sir, I strongly support the resolution which is now before the House.

Chaudhri Bansi Lal (Lahore City, Non-Muhammadan, Urban) (*Urdu*) : Sir, I will take only a minute or two to make one humble submission. It is that all the three communities are zealous to put forth their claims. Their representatives claim their proper share in the posts. But we who are included in the backward communities have not got any one to champion our cause. For all advantageous purposes the Hindu community includes us among themselves but they never care to give us our proper share in the benefits which accrue to them. The Honourable Minister for Local Self-Government who is in charge of local bodies will, on the complaint made by an influential Hindu, gladly do anything to please the Hindus but he will never care whether the untouchables are enjoying their rights without disturbance or not. He will never care to find out whether the municipal committees treat the sweepers employed by them properly. The municipal committees dismiss a sweeper on the least complaint made by a sanitary inspector and never try to find out whether the dismissed sweeper was actually negligent in the discharge of his duties. Sir, I only request that a sympathetic treatment should be offered to us. With these words I resume my seat.

The Honourable Sir Henry Craik (Finance Member) : We have now had seven speeches on this resolution and I confess that I have not heard a single serious argument in favour of it. In fact, I must admit that I have never heard seven speakers display such deplorable ignorance of their subject as the seven gentlemen who have addressed this House. Not one of them knew a single thing about the subject. The honourable mover quite frankly admitted he did not, moved the resolution and sat down. The next speaker confined his remarks entirely to Hindu zamindars, which is only one aspect and a very small part of the problem. The speaker who followed Chaudhri Allah Dad Khan surpassed all his predecessors in his display of ignorance and actually had the effrontery to tell the House that in 1931 it passed a resolution, which was accepted by Government, laying down that zamindars should have 66 per cent. of the appointments in every service. Will the House be surprised to hear that not only did it

never pass such a resolution but that the subject was never even discussed in 1921? That is surely even for the honourable member a slightly astounding mistake. So far as I have been able to discover—and I have given some time to looking through the records of our debates—this subject never came before the House, this reformed Council, at all till the year 1925, when a resolution was moved by a zamindar member, Chaudhri Duli Chand, recommending to the Governor in Council to lay down the following principles (i) that the Government Circular of October, 1919, about the employment of zamindars should be strictly followed, (ii) that so long as the deficiency of zamindars in various Government departments is not made good, the recruitment of non-zamindars should be stopped and (iii) that preference should generally be given to "statutory agriculturists". That resolution was debated in a very thin House and talked out, no vote being taken. That debate left things as they were.

Chaudhri Allah Dad Khan : But it is a fact that there was the resolution of Government of 1919.

The Honourable Sir Henry Craik : There was a resolution published by the Executive Government but there was not a resolution of the Council at all. According to the honourable member, of course, there is no difference between a resolution by Government in 1919 before the Reforms and a resolution passed by this House in 1921! However, let us pass on to facts for a change.

In 1918, the Lieutenant-Governor of the Punjab—there was not then a Governor in Council—appointed a committee to go into this question of the employment of zamindars in the public service. And on the report of that committee, the Lieutenant-Governor issued and published a certain resolution. That was dated the 3rd October 1919. I am certain that my honourable friend from Rohtak will agree with me that that resolution has ever since then always been regarded as the Magna Charta of zamindars in regard to this matter. Does he agree? (*Rao Bahadur Chaudhri Chhola Ram :* Yes.) But not one allusion has been made to that resolution by any speaker to-day. This is a subject in which I happen to take a very deep interest and my interest, I may say, starts from that committee of 1918. We are now going back a long time, nearly sixteen years, and of that committee appointed by Government there are only two survivors in India at the moment. One is that very stalwart champion of the zamindar and particularly of the Hindu zamindar, Captain Chaudhri Lal Chand. The other is, I hope the House will agree, an equally stalwart champion of the rights of the zamindar, and that is my humble self. (*Cheers*). We are the only two survivors of that committee and looking back now, with a memory considerably impaired by years and hard work, my keenest recollection of that committee is that I and the chairman were almost continually in conflict. The chairman was Mr. Maynard, who did not share my views on these subjects. And as the result of that committee and—I think at this distance of time I hope I shall not be accused of boasting if I say that—as a result very largely of the fight which Chaudhri Lal Chand and I put up, Government published this extremely important resolution of 1919, which laid down that in certain of the more

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important services zamindars should definitely secure a precise and specified share. That share was to be secured by new recruitment. It was not possible to lay down precise and specific percentages in the case of every department, particularly in the case of those where technical qualifications are required and for which zamindars were not at that time and possibly are not still coming forward in the requisite quantities. But that document, of which as I have said all to-day's speakers seemed to be entirely ignorant, is the important document in the history of this question. And I claim, and I will prove my claim by figures, that the policy laid down in that resolution has been carried out to the very foot of the letter. I have here a statement giving the figures for the percentage of zamindars in every department. And almost entirely without exception the percentages are higher than the precise percentages that were laid down in 1919. Further, I may say that, as I pointed out to this House in the debate of 1925, the definition of zamindar has been considerably tightened up, which means that there is more strict enquiry into who is and who is not a zamindar when the statistics are compiled. In the original resolution of 1919 "zamindar" was defined as including "all hereditary proprietors or tenure holders of agricultural land mainly dependent thereon and residing in rural areas, as well as actual cultivators of such land." But from 1927 onwards the Government issued executive instructions that when a Government servant who was not a member of an agricultural tribe notified under the Land Alienation Act claimed to be shown as a zamindar, then he had to satisfy the head of his department that he did actually fall within the definition. In other words the onus of proof was put on any Government servant who was not a member of a notified agricultural tribe to show that he satisfied the terms of the definition. Further, the expression "hereditary proprietor" was interpreted not as making a man who had merely inherited from his father, but as a man who had inherited from his grandfather or some more remote ancestor. This excluded from the definition of "zamindars," persons who themselves or whose fathers had purchased lands. So, if there are in some cases a slight falling off from the percentage laid down in 1919, the House should remember that the definition now in force since 1927 is a very much stricter definition than was included in the 1919 resolution.

To come to figures, I will take first the Punjab Civil Service, Executive Branch. The 1919 resolution laid down that after excluding those posts that were held by Europeans and Anglo-Indians, 50 per cent. of the service should be zamindars. That would work out to something like 48 per cent. of the whole cadre but actually 58 per cent. of the whole service is at present manned by zamindars.

In the Judicial Branch it was laid down that two-thirds of the non-competition appointments should be zamindars. How that works out exactly I cannot say. That particular service was the subject of a lengthy debate less than a year ago, when Mr. Garbett went carefully into the matter in reply to a motion by my honourable friend Chaudhri Chhotu Ram and Mr. Puckle is prepared to go into it this time. I confess that I have not had time to master these statistics.

In the Excise Department zamindars were to receive one-half of new appointments. The percentage of zamindars has risen since 1927 from 35 of the total strength to nearly 41½. Tahsildars and naib-tahsildars were to get 66 per cent. of the new vacancies. Actually zamindars have now considerably over 66 per cent. of the total posts in both cadres. In the Agricultural Department the percentage of zamindars has risen since 1927, in the provincial service from 70 to 81, among agricultural assistants from 71 to 74 and among mukaddams from 92 to 98. The Co-operative Department has 87 per cent. zamindars in the provincial service and 93 per cent. in the inspectorate. In practically every department the percentage of zamindars shows, except in one or two small instances, a steady rise since 1927 when the new definition came into force. Almost the only exceptions of any importance are among foresters, who in 1927 were 73·8 per cent. and are now 78 per cent. and deputy superintendents of police who in 1927 were 55·3 per cent. and now are 52 per cent. but very few direct appointments are made to this latter cadre.

The subordinate educational service (clerical and vernacular sections) is stationary since 1927. The provincial engineering service, Public Works Department, Buildings and Roads Branch shows a slight falling off but this service has been recently much reduced in size owing to retrenchment. In the Irrigation Branch of that service there is admittedly a falling off among upper and lower subordinates but recruitment for these cadres has been completely stopped since 1921 and the percentages have no significance.

But speaking generally the policy laid down in the 1919 resolution has been strictly followed, or rather I should say, has been more followed; and Chaudhri Allah Dad Khan, who actually claimed only one-third of the appointments for zamindars, was very wide of the mark indeed. Zamindars have now two-thirds of most of the services and in some their representation is as high as 92 or even 93 per cent.

Now, Sir, in face of these figures I really do not see what case I have to meet, and I do not see what point there would be in appointing a committee. The committee would simply examine these statistics that I have explained to the House and it could only make recommendations that something more should be done in a few departments, that is, that more zamindars should be recruited. Well, I think, on more than one occasion Government has explained that it is its regular practice to remind all departments which do not seem to be giving full effect to the 1919 resolution, to remind them of the terms of the resolution and to ask them to see that these terms are carried out. There is nothing beyond that, that any committee can do. It could hardly suggest the adoption of the remedy proposed by Chaudhri Duli Chand in 1925 that to make up the deficiency of zamindars, the recruitment of other classes should be absolutely closed. That, as I said in the course of the 1925 debate, is not a practical remedy. The deficiency among zamindars occurs only in those departments where technical qualifications are required, such as medical and engineering, and if you close down the recruitment of all but zamindars, you may find yourselves in the position that sufficient number of candidates would not be coming forward to fill the vacancies. That is not really a practical remedy. The only practical course

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is to do what we are actually doing now, that is always to bear in mind the very precise definition of policy laid down in the 1919 resolution and to keep on reminding departments that they must regulate their recruitment on those terms.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural): Sir, I am very glad that this important resolution has secured the first place on the first day of our Budget session. It is a very important subject which has been discussed, only casually in the course of out motions relating to particular departments. But the subject as a whole has not been discussed for the last 8 or 9 years.

It is true that when discussion started there was a good deal of misunderstanding and mis-apprehension in the minds of honourable members as to what was contemplated in the resolution of 1919 to be done for zamindars by Government and also as to the extent to which the intention of Government has been carried into effect. I am certainly most grateful to the Honourable Sir Henry Craik that he has been consistently, so far as his own personality is concerned, in favour of giving just and even generous treatment to zamindars. But I do not agree with him when he says that in almost all departments, except the technical departments, all that could have been done has been done, or that the officers of Government, with whom rests the power of making appointments, are fully alive to the exact intention of Government. I admit that so far as Government itself is concerned, that is, with regard to the posts which come up actually to the local Government, a more or less fair treatment has been given to zamindars. Generally speaking they have got their proper share, in such posts, and that clearly proves that so far as the officers at the headquarters are concerned, they have done all that they could in order to encourage the employment of zamindars. But as soon as you leave the headquarters and come to officers other than those who are in touch with the local Government, that is, with the Governor and the Ministers and Members here, they are found to be less conscious of the claims of zamindars.

I do not want to go into details with regard to every department, but as the Honourable Sir Henry Craik referred to some departments I will make similar reference to some of the departments as typical of the rest where deficiency, and marked deficiency, exists in the share that has so far gone to zamindars.

So far as the history of the question with which this resolution deals is concerned, it has been related by the Honourable Finance Member. In 1919 the Lieutenant-Governor issued a resolution in which certain proportions of appointments to be given to zamindars were laid down in various departments. These proportions are there; but if the Honourable Finance Member would read carefully through what he himself was instrumental in doing in 1919, he will find that in laying down those proportions one of the obsessions with the committee was that it might not be possible to find duly qualified candidates from among the ranks of zamindars for the share that was being allotted to them, and therefore the actual share which could have been allotted to zamindars and which ought in the present conditions be allotted to them was less than what would have been allotted if the state

of educational equipment in the zamindar community had been then anything like what it is to-day. Therefore when he makes a reference to even more than what was allotted to zamindars having been already given to zamindars in certain departments, he forgets that in laying down those proportions the committee was very conscious of the fact that in 1919 it might not have been possible to find a sufficient number of duly qualified candidates from the ranks of the zamindars for the share allotted to them. To me it is plain that that was exactly the reason why the resolution which was issued by the Lieutenant-Governor in pursuance of the recommendations of the committee refrained from laying down any proportion for certain other departments. If we go through the resolution we find that with regard to many departments it has been suggested that the laying down of proportions would not be desirable because a sufficient number of qualified zamindars might not be available. Therefore, on the one hand, I claim that the proportions which were laid down in that resolution do not come up to the mark which really is the zamindar's due. But even apart from that, so far as those departments are concerned, in which no proportions were laid down we find that Government has failed to give even anything like the share which has actually been given to zamindars in departments which are of far greater importance. It will be readily admitted that the provincial service (executive branch) of our province is not inferior either in capacity or in efficiency to the provincial service of any other province, and yet, as has been explained by the Honourable Finance Member himself, the proportion of zamindars in that particular branch of Government service is nearly 58 per cent. to-day. If it has been found possible to obtain duly qualified candidates who are able to discharge their functions with efficiency for the executive branch of the provincial service, there is no reason why equally competent and efficient candidates should not be forthcoming for other departments in our province. A definite suggestion has been made by the Honourable Finance Member that so far as technical branches are concerned, probably the fault lies with the zamindars themselves and not with Government or with the officers of Government who are entrusted with the duty of recruiting for those branches. If the suggestion is true at all, it is only partially true. If the Honourable Finance Member will make a reference to the resolution of 1919 he will find that it has been specifically laid down in that resolution that steps should be taken to see that zamindar candidates are admitted into technical institutions in sufficient numbers and if there are any circumstances which discourage them from seeking admission to technical branches those circumstances should be removed. There was another recommendation, quite definite and specific, that a register should be maintained by the Director of Public Instruction of candidates who seek employment as clerks in offices.

The Honourable Sir Henry Craik : That particular recommendation was not accepted by Government.

Rao Bahadur Chaudhri Chhotu Ram : I think that recommendation is contained in the resolution itself. It is not a recommendation of the committee which proved unacceptable to the Lieutenant-Governor, but the resolution itself, so far as I can recollect, has that specific recommendation embodied in it.

The Honourable Sir Henry Craik : He did not accept that suggestion that the Director of Public Instruction should maintain a register because he did not think it would be of any use. It reads : " He does not think that this remedy suggested by the committee is likely to be very effective or calculated to be--"

Rao Bahadur Chaudhri Chhotu Ram : I thank my honourable friend for the correction that he has made in my statement. Since the issue of the resolution of 1919, the subject was discussed in the reformed Council in 1925, but the resolution was, I understand, talked out. Then there was a further discussion, not on the floor of this House, but among members of Government to which an indirect reference has been made by the Honourable Finance Member. He seems to be under the impression that as a result of this discussion the definition of the word ' zamindar ' was tightened up. What really happened was not the tightening up of the definition so much as it was the tightening up of the steps which were to be taken in order to test whether a particular candidate who claimed to be a zamindar was in fact a zamindar. The definition remained practically the same as it was in 1919, that is, any man who is either a hereditary landowner or a hereditary tenure holder of agricultural land, resides in a rural area and is mainly dependent on agriculture would be regarded as a zamindar. This consolidated statement is prepared on the basis of the word " zamindar " being confined to statutory agriculturists alone, because the definition of a zamindar as contained in the resolution of 1919, was found to be unworkable and the results which were yielded by statistics prepared on the basis of that definition were found to be very misleading, and, therefore, in 1926 with the active assistance of the Honourable Finance Member it was decided that statistics should be prepared on the basis of the word zamindar being confined to the members of statutory agricultural tribes alone. It should, however, be remembered that this change was agreed to only for the purpose of enumeration, and not for the purpose of laying down or specifying the shares which were to come to the zamindar.

Now it has been claimed by the Honourable Finance Member that no committee was really called for, and that all that any committee could possibly recommend was being done by the Government already. I am afraid I must disagree with my friend on that point. So far as this consolidated list is concerned, I may make it quite clear that it does not take cognizance of the Imperial Services ; the Indian Civil Service, Indian Police Service, Indian Forest Service, Indian Educational Service, Indian Agricultural Service, Indian Medical Service, etc., are excluded from the purview of this list. This list deals only with those branches of the public service which the local Government itself is empowered to recruit. From the purview of this list were also excluded constables of police. Menial staff was also excluded, but even as things are, this list deals with a very large number of appointments. With your permission, Sir, I will give these numbers. In the reserved departments this list deals with as many appointments as 29,850. In the transferred subjects this list deals with 7,645 appointments. Under the Ministry of Agriculture there are 2,274 appointments, under the Ministry of Education 4,550 and under the Ministry of Local Self-Government 821, making a total of 7,645 in all in the transferred departments which taken with the number of appointments in the reserved section come

up to 87,495. I have gone through that list and have prepared an abstract of statistics which will I hope be found interesting by this House.

The Honourable Dr. Gokul Chand Narang : What is the year to which those figures relate ?

Rao Bahadur Chaudhri Chhotu Ram : The figures are as they stood on the 1st of January 1934. In all, this list deals with 308 categories or designations. Out of these 308 categories, 77 categories comprising 539 posts are completely monopolised by non-agriculturists, that is, all the appointments under these categories are held by non-agriculturists. Similarly, there are 22 other categories which are under the complete mastery of agriculturists, but here there is only one post under each category. So we are left with 209 more categories. I have further sub-divided most of the remaining categories into several groups, that is, groups in accordance with the share that has actually been obtained by agriculturists and non-agriculturists. For instance, group No. 1 is that in which either class of the population has a representation of more than 90 per cent. The second group is that in which the representation of either class exceeds 80 per cent., but does not exceed 90 per cent. The third group consists of those categories in which either class has a representation exceeding 75 per cent., but not exceeding 80 per cent. The fourth group covers the categories in which the representation of either class exceeds 70 per cent., but does not exceed 75 per cent. The fifth group comprises categories in which the representation of either class exceeds 66 per cent., but does not exceed 70 per cent. and the last group consists of the categories where the representation of either class exceeds 60 per cent., but does not exceed 66 per cent.

Under the first group fall seven categories comprising 158 posts. (*The Honourable Sardar Sir Jogendra Singh :* Carrying a salary of ?) The salary is not given in this list. I should have been very glad to find something indicating the extent of the salary, but I was unable to lay my hands on any document giving this information. In the first group there are seven categories comprising 158 posts which are held by non-agriculturists and two categories comprising 358 posts held by agriculturists. (*Interruption*). It has absolutely nothing to do either with the importance of the post or with the pay of the post. I have simply selected certain categories in which certain percentages are found to exist. Now, you will be surprised to hear that this high figure of 358 posts held by agriculturists has really no meaning, because the number is composed as follows—233 mukadams and 125 inspectors of co-operative societies, while so far as the categories with the same percentage of non-agriculturists are concerned they may fall within a cadre or cadres with a minimum pay of Rs. 500 per mensem. I have simply proceeded on the basis of percentages. (*Interruption*). Any classification based either on the importance of the post or on the extent of salary was impossible. In the second group there are 20 categories comprising 661 posts which are in the possession of non-agriculturists and two categories comprising 48 posts in the possession of agriculturists. In the third group we have 11 categories comprising 996 posts falling to the share of non-agriculturists and two categories comprising 758 posts in the possession of agriculturists. In the fourth, we have 29 categories comprising 3,966

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posts falling to the share of non-agriculturists and 14 categories with 5,402 appointments falling to the share of agriculturists. In the fifth, there are 21 categories comprising 889 posts falling to the share of non-agriculturists and 12 categories with 757 posts falling to the share of agriculturists. In the last category, that is, where representation of either class exceeds 60 per cent., but does not exceed 66 per cent., we have 16 categories comprising 2,276 posts falling to the share of non-agriculturists and three categories comprising 1,814 appointments falling to the share of agriculturists.

But here, the number of appointments is not material. For instance, in some of these groups the number of zamindars seems to be fairly large, but just imagine what the posts comprised in these groups are. Take group 8 with a representation of 75 per cent. and more. Here in the categories which have fallen to the share of agriculturists we have forest guards and reclamation teachers. Similarly in the agriculturists section of group 4 we have 3,077 head constables, 57 zaildars, 1,710 warders and 122 foresters. In the zamindar section of group 5 there are 360 assistant sub-inspectors, 250 zilladars, and 1,814 kanungoes. These are the groups in which the zamindars have a fairly large share; but the posts occupied by zamindars in these groups are petty. In fact in some directions they are almost menial in character. Thus, while there are groups in which the representation enjoyed by agriculturists is fairly large, the appointments held by them are of very minor importance indeed. On the other hand, the posts held by non-agriculturists in these groups are both important and well-paid.

Now, I will pass on to other branches. In the provincial service, executive branch, in 1927 we had 50 per cent. representation of zamindars in the listed posts. That share has appreciated to 60 per cent. now. In the ordinary appointments the share of agriculturists in 1927 was 43.9 per cent., now it stands at 52.7 per cent. That is quite satisfactory. Now, let us take the other branch of the provincial service, the judicial branch. Here so far as listed posts are concerned, the representation of agriculturists in 1927 as well as in 1934 is *nil*. In the ordinary appointments of this branch, the representation of agriculturists was 17 per cent. in 1927 and is 31.9 per cent. now.

The Honourable Sir Henry Craik : Where does the honourable member get the figure from?

Rao Bahadur Chaudhri Chhotu Ram : From the consolidated list for 1927.

The Honourable Sir Henry Craik : The figure for 1927 is 27.8 per cent.

Rao Bahadur Chaudhri Chhotu Ram : Then, I might have made a mistake in respect of the figure for 1927. Anyway that makes my position far stronger than the original figure quoted by me.

Coming to the police branch we find that here the share of zamindars in 1927 was 55.8 per cent., and has now fallen to 50.9 per cent.

The Honourable Sir Henry Craik : Does the honourable member mean the deputy superintendents of police?

Rao Bahadur Chaudhri Chhotu Ram : Yes, the deputy superintendents of police. Among public prosecutors, the share of zamindars in 1927 was 19·2 per cent., now it is 29·71 per cent. In the provincial engineering service, irrigation branch, the share of zamindars in 1927 was 12·3 per cent., now it is 17 per cent. In the provincial agricultural service, it was 69·7 per cent. in 1927 and is 81·25 per cent. now. That is indeed a compliment to the Minister for Agriculture. In the provincial branch of the veterinary service, it was 50 per cent. in 1927 and stands at 60 per cent. now. In the provincial co-operative service, it was 100 per cent. in 1927, but has come down to 85·15 per cent. now.

The Honourable Sardar Sir Jogendra Singh : What does the honourable member mean by provincial co-operative service?

Rao Bahadur Chaudhri Chhotu Ram : I mean the assistant registrars. Coming to the provincial educational service, the share of zamindars in 1927 was 27·2 per cent. and in the course of seven years it has risen to 28·3 per cent.

The Honourable Malik Sir Firoz Khan Noon : The present figure is 30·6.

Rao Bahadur Chaudhri Chhotu Ram : Yes, it is 30·6. I am sorry I made a mistake.

The Honourable Malik Sir Firoz Khan Noon : So, there is a distinct improvement.

Rao Bahadur Chaudhri Chhotu Ram : All improvement at the rate of less than one-half per cent. per annum ! That does not satisfy me in the least.

The Honourable Malik Sir Firoz Khan Noon : But the recruitment is now at a stand still.

Rao Bahadur Chaudhri Chhotu Ram : Then, among the civil surgeons, there is a fall from 33·8 per cent. in 1927 to 11·1 per cent. in 1934. Among assistant surgeons, the representation of zamindars in 1927 was 22 per cent., now it is 29·8 per cent.

Coming to the subordinate services, under the head of police inspectors, the zamindar share at present stands at 50 per cent. as compared with 38·8 per cent. in 1927. Among sub-inspectors of police, the share of zamindars has risen from 61·6 per cent. in 1927 to 64·2 in 1934. Among tahsildars the percentage has appreciated from 54·7 per cent. to 67·5. Under naib-tahsildars, the share has appreciated from 54·7 per cent. to 62·6 per cent. In the Agriculture Department, the agricultural assistants have gone up from 70·6 per cent. to 73·7 per cent. On the other hand we find that veterinary subordinates have come down from 62·3 to 48·2, a drop of 14 per cent. in seven years. (*The Honourable Minister for Agriculture :* That is because candidates duly qualified are not forthcoming). How could they ? In spite of the loudest protests by zamindar members of this Council the Minister for Agriculture has raised the standard of admission to the Veterinary College from the Matric to F.Sc. or F.A., while the length of the course had already been increased from three years to four years. The pay also has been brought down from Rs. 100 to Rs. 61. And yet the Honourable Minister expects that the admission to the college should

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continue to be at the level at which it stood in 1927. This is the service which the Honourable Minister has rendered to the agricultural classes! Among excise inspectors and sub-inspectors, the proportion in 1927 was 35·2; it is now 41·3 per cent. In the subordinate educational service, it was 34·7 in 1927, it has gone up to 37·6 in 1934. Under sub-assistant surgeons, the proportion in 1927 was 24 per cent., now it is 27·7 per cent.

Now, it has been claimed by the Honourable Finance Member that there has been a steady advance. (*The Honourable Finance Member* : Yes). I have indicated at least one branch of the service where there has been actual set back. I shall have more to say on this point presently. In most other branches there has been an increase it is true. But the question at issue is whether this pace of advance can be regarded as satisfactory by anybody, and whether the share which is at present enjoyed by the agricultural classes is adequate. Even among inspectors and sub-inspectors of excise it is below 50 per cent. For the most important of all provincial services the share was fixed at 50 per cent., for tahsildars it was fixed at 66 per cent., for naib-tahsildars, the share was fixed at 66 per cent. (*Mr. F. H. Puckle* : Of recruitment; not of the total service.) For zilladars the share was fixed at 66 per cent. After the lapse of 15 long years when there are hosts of zamindar matriculates, zamindar undergraduates, and zamindar

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graduates applying for these posts, we find the share still at less than 50 per cent. Can that state of things be regarded as satisfactory by anybody? There may have been a slight advance from 35 to 41 per cent. You can call it an advance; it is an advance. But can that advance be regarded as indicative of anything like fair speed? There has been a tremendous advance in the field of education since 1919. Probably there were very few graduates then and most of the graduates turned by the Universities were swallowed by the various provincial branches of the service. But now you can have graduates applying for a post which carries a pay of even 30 or 40 rupees. Therefore to suggest that an increase from 25 to 30 per cent. or from 35 to 40 per cent. ought to satisfy the zamindars and that the committee will have nothing better to say than to make a recommendation that the Government should continue to do what it has been doing is not putting the question as fairly and squarely as it ought to have been done.

Again, there are certain other branches of the service where the zamindars really should be all in all. Take the position of zilladars. My friend on the other side of the House, Mr. Gurmani, stated that in the Income-tax Department we find practically 90 per cent. or even more of the posts going to non-zamindars. That is as it should be. Non-zamindars are responsible probably for 90 per cent. of the income-tax and they are better acquainted with the questions which come up for consideration in that department. In the same way there is no reason why in certain departments under our own Government the share of zamindars should not be in the neighbourhood of 80 or 90 per cent. As a matter of fact, in the co-operative department it was found to be 90 per cent. in 1919 and the Lieutenant-Governor said that that was reasonable, and that it should not be allowed to fall below 80 per cent. in any case. Perhaps he visualised that there would be an

expansion of the department and there would be not only the ordinary credit societies in rural areas, but also other kinds of societies, such as industrial and thrift societies in urban areas. Consequently the Lieutenant-Governor said that the proportion in this department should not be allowed to fall below 80 per cent. Therefore, I can certainly claim that the proper interpretation of the resolution of 1919 is that in all departments where public servants have to come into contact with the agricultural population their share should be in the neighbourhood of 80 or 90 per cent. and not in the neighbourhood of 66 or 50 per cent. which share was prescribed at that time because properly qualified candidates, were small in number in the ranks of agricultural classes. I was just referring to certain posts where the share of the zamindar should be in the neighbourhood of 80 or 90 per cent. The post of zilladars is one of them. The present share here is only 64 per cent.

Even in 1919 the share allotted to the zamindars under this head was 66 per cent. Can it be suggested seriously that zamindars with good academic qualifications are not forthcoming for this post? No, that is not the case. The case is that the appointing officers are surrounded by people who do not belong to the agricultural classes. Take up the list and just look at the figures relating to clerks, senior clerks, junior clerks, assistants, superintendents. They are practically all non-zamindars who greatly influence the course of recruitment. In spite of the loud claims that are put forward by appointing-officers that they pay personal attention to everything, I controvert that proposition. These officers are misled by their head clerks, by their superintendents and others who surround them. I for one fail to ascertain any other reason as to why in spite of the sympathy that does exist in the minds of the heads of departments, the progress made in the zamindar representation in the various branches of public service is so poor. The only explanation that I can think of is that these gentlemen, superintendents, head clerks, etc., mislead their heads of departments.

Now take the case of the appointment of patwaris. In 1927 there were 86.1 per cent. zamindars among patwaris and now they are 44.9. The qualification laid down for patwaris is a vernacular middle pass. Now, can it be believed that the zamindar classes are unable to supply a sufficient number of duly qualified candidates for the posts of patwaris? No. It is not that. The real reason is that many of the revenue assistants are those who cannot distinguish a *bajra* plant from a *jowar* plant and a wheat plant from a barley plant and they are the people who make recommendations to their heads, the deputy commissioners, who are probably too hardworked to pay personal attention. They cannot find time themselves to scrutinise recommendations and will not listen to anybody else if any representations are made. They make it a point of prestige, and any suggestions that are made either by individuals or by associations are regarded more or less as an attempt to interfere in the details of administration. That is the stock argument put forward by officers who have to make selections against any representations that may be made by people belonging to zamindar classes against the system of recruitment that is in force and against the actual results that follow. Take another case, that of munshis. The present representation of zamindars in this category is 46.7 per cent. only. Can it be maintained that matriculates and even under-graduates are not forthcoming

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for these posts from among the zamindars? No. The real reason is that head clerks and superintendents are non-zamindars and it is they who can and do manoeuvre their chiefs into making appointments in such a manner that the lion's share will go to non-agriculturists. Kanungos who were 52·7 per cent. in 1927 have gone up to 62·6 per cent. only. But when we come to the patwaris in the revenue branch the results are still worse. The rise has been from 52·7 per cent. to 57·8 per cent. only. Now can the Honourable Finance Member really believe that this inadequate and meagre representation is due to the fact that duly qualified candidates are not forthcoming from among the zamindar classes? Certainly not. The reason is entirely different.

Now I will draw the attention of the House to those departments where there has been an actual set back as compared with 1927. Among the temporary engineers of the Irrigation Branch there has been a drop from 14 to 7 per cent.

The Honourable Mr. Miles Irving : Only 14 are left.

Rao Bahadur Chaudhri Chhotu Ram : Then the persons who ought not to have been sent away have been sent away and those who ought to have been sent away, namely, those belonging to the non-agricultural classes, have been retained. The principle advocated by me is not novel. It has been adopted by the Government of India in the Railway and other departments. When there was need for reduction and retrenchment there was no reason why non-agriculturists alone should not have been sent out and agriculturists retained.

Among the upper subordinates there has been a drop from 20·4 per cent. to 17·3 per cent. It has been stated that duly qualified candidates are not available.

The Honourable Sir Henry Craik : Recruitment has been stopped altogether.

Rao Bahadur Chaudhri Chhotu Ram : It has been stopped perhaps since 1932, not since before. There is an engineering school at Rasul in existence. I do not think it exists in spite of the fact that there are no candidates joining that school. In 1925 I remember quite well that as Minister I laid down a share of 50 per cent. for zamindars and 50 per cent. for non-zamindars in the matter of admissions and 60 per cent. for zamindars and 40 per cent. for non-zamindars in the matter of appointments. Now what progress has been made in that department? Instead of progress we find retrogression, progress in the opposite direction. Certainly at least 50 or 60 persons join the Rasul School of Engineering every year.

The Honourable Sir Henry Craik : The honourable member is mixing up the subordinate engineering service with the upper subordinates.

Rao Bahadur Chaudhri Chhotu Ram : Does not the Engineering School at Rasul produce people who are appointed as upper subordinates?

The Honourable Sir Henry Craik : No, no.

Rao Bahadur Chaudhri Chhotu Ram : Let us come to the lower subordinates then. 26·5 in 1927 has come down to 25·8 per cent. in 1934.

There is an actual set back. While every man could have reasonably expected to see some progress, we find actual retrogression instead. Then take the case of the clerical establishment of the High Court and our own Punjab Civil Secretariat. In all there are 1,495 posts carrying various scales of pay under the High Court and under the courts subordinate to the High Court. Here the representation of zamindars in 1927 was 30·5 per cent. It has gone down in 1934 to 27·6 per cent. Probably again the result of there being no educated people wanting these posts among zamindars! Take the Punjab Civil Secretariat. There the representation of zamindars even now is only 30·4 per cent. I do not know who is responsible for making the selections for this particular branch, whether selections rest with one officer or with many officers, but at the headquarters under your very nose you have a remarkable instance of چراغِ تہ اندھیرا Heads of departments from year to year hear complaints, very loud complaints, very persistent complaints, that due share is not being given to zamindars and yet at the headquarters of the province we find among the officers—what should I say—indifference, apathy, or negligence towards the interests of zamindars. Lack of active interest is the mildest expression that I can use with reference to the attitude of heads of departments who are responsible for making these appointments.

Mr. F. H. Puckle : What was the figure in 1927 ?

Rao Bahadur Chaudhri Chhotu Ram : It was 24 per cent. It has gone up to 30 per cent. I do not deny that there has been a progress but what I claim is that the pace of progress is very very slow indeed. Perhaps it may be contended by somebody that heads of departments have to consider the interests of efficiency, and probably equally efficient people are not forthcoming from among zamindars. Well, I desire to be allowed to prick this bubble. I will quote an instance to show that there is no such thing as considerations of efficiency entering into the actual selection of candidates. What actually happens is something entirely different. In 1926 a Hindu zamindar applied for the post of a sub-assistant surgeon. The Inspector-General of Hospitals rejected his application on the ground that he had taken 5 years for passing a course of 4 years. I was not Minister for Medical Department at that time. I was in charge of Agriculture. That young man came to me and sought my help. I said that I had nothing to do with those posts, and that as it was a subordinate post I could not even speak to my colleague. He said that he was very poor, so poor that if he had to go back and come to Lahore again he did not possess sufficient money even to pay his fare with. I was very much touched by this and promised to speak to the Inspector-General. I told the Inspector-General in the room behind the Honourable President's chair that if in accordance with the spirit of the resolution of 1919 he could appoint that young man on the principle that among men of equal qualifications preference should be given to a zamindar, I should very much like that he should be appointed. The Inspector-General said, "Sir, I go strictly by the rule of efficiency. I remember the case of this boy; he had made an application before, but as he had passed a four years' course in five years, his application had been rejected and therefore, I cannot reconsider my decision." There was nothing else to be said. However, when the Council sitting was over that boy came running to me to inquire whether I had been able to intercede on

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his behalf. He was quite hopeful about the result. He could not possibly believe that if a Minister spoke to a head of department he would fail in getting him the appointment (*laughter*). I told him exactly what happened and added that if he could give me any instance in which a man who had passed the four years' course in five years had obtained an appointment, then, though I could not speak to the Inspector-General still I would bring the invidious treatment to the notice of Sir Fazl-i-Husain to be taken up as a matter of principle. He said that there was quite a large number of people who had taken five years to complete the usual course and had been appointed. I told him to prepare a list and send it on to me. He prepared a list of 29 persons who had taken varying number of years from $4\frac{1}{2}$ to 8 in passing the 4 year's course and had obtained appointments. I sent that list on to Sir Fazl-i-Husain. As a matter of fact, this consolidated statement is the result of the joint action which we took in consequence of the attitude of the Inspector-General. However, before he was able to take any action, Sir Fazl-i-Husain happened to go to the Government of India and I came to hold charge of both portfolios. I at once wrote a note that the list should be scrutinized and if the facts were found to be correct then something should be done to revise the system of recruitment. I further directed that the result of that inquiry should be placed before the permanent Minister. I held dual charge only for a few days and Sir Abdul Qadir was appointed to succeed Sir Fazl-i-Husain. My note was consigned to the waste paper basket. No notice was taken of it and no inquiry was made. The appointment of Sir Fazl-i-Husain as Revenue Member led to my holding dual charge again in January 1926, and I at once called for a report of what had happened to that inquiry. No notice was taken of that requisition either. The Inspector-General probably thought that I was there only for a fortnight. After three weeks, however, I was actually shifted to the portfolio of Education which also comprised the department of Medicine. I wrote another order calling upon the Inspector-General to submit a report within a week. Then, of course, he came to me, all apology, and said that he was very sorry, the papers probably had been mislaid by some clerk. I asked him to proceed afresh. He said, "it will take months." I said, "I can do the thing in two days. Take up the list of the candidates concerned and just send a letter to the Principal of the Medical College and ask him to give you the years of their admission and the year of their passing out. This can be done easily." He said, "very well, Sir, I will do it." He did it and after perhaps two weeks he came with papers and said, "Yes, Sir, people who had taken 6, 7 or 8 years for a course of 4 years had been appointed, but I am very sorry that was done under the orders of the Minister." I inquired what orders they were. He replied, that the orders were that so long as Muhammadan candidates were available no Hindu, no non-Muslim was to be appointed. I asked him to produce the order. He must have made a very diligent search, no doubt, but the order was not forthcoming. He said "May be that there was an oral order." I said, that I could not believe that. I asked him if he had gone through that list. He said, "yes." I asked him if he knew how many Hindus and Muslims were there in the list. The tenor of my questions made him now feel for the first time that there was something wrong about the list. And there was. You will be surprised to hear that out of 29 men 22 were Hindus and only 7 Muslims.

Sardar Bahadur Sardar Buta Singh : And no Sikhs ?

Rao Bahadur Chaudhri Chhotu Ram : People who had taken 8 years to pass their course had been appointed but the Hindu zamindar had been rejected as inefficient on the ground that he had taken five years to do the same course ! This is the state of things which was revealed to me at least in one instance. I have another instance which is quite interesting but I will not take the time of the House over these instances. But let me assure members of Government and heads of departments that a good deal can be done with their concurrence and under their orders which they would not have done if they had sufficient time to go through the claims of candidates individually. And this claim of paying a great deal of consideration to efficiency is a claim which will be found to be only half correct in a large number of cases and a mere myth in others. Therefore I feel that there is a very good case for a committee being appointed which will be able to go thoroughly into this question without discussing these dirty details on the floor of the House. Very practical and useful suggestions may be made by that committee which will enable heads of departments and members of Government to give a proper share to zamindars.

I admit that so far as Government is concerned, so far as members of Government are concerned and so far as many heads of departments are concerned, there is a genuine desire on their part to secure to zamindars all that is due to them but there are difficulties in their way. There are circumstances of which they are unaware which prevent duly qualified and fully competent zamindars being appointed and, therefore, I repeat that there is a very good case for a committee being appointed.

As I said in the beginning the number of these appointments is very large, nearly 88,000. At an average salary of Rs. 50 per head per mensem the salary bill will come to Rs. 228 lakhs, at Rs. 40 per head per mensem, it will be Rs. 182 lakhs, at Rs. 30 per head per mensem it will be Rs. 136 lakhs and at Rs. 25 per head per mensem the average bill would amount to Rs. 114 lakhs. The monetary value itself is very great. But apart from that, even people holding very minor posts can do a lot of mischief or a lot of good to agriculturists. In this connection I may draw the attention of this House to what has happened in my own district. After the floods of last September 1933, the Governor himself went to Rohtak to see things for himself. He was very sympathetic and he made an announcement that 50 per cent. remission would be granted where the produce was between 8 annas and 12 annas and if it fell below 8 annas complete remission would be given. The principle was laid down there and then, and I have reasons to believe that he made it clear to officers that Government really intended to act generously and even to make allowances for the fall of houses although directly Government could not give any aid to people whose houses had fallen. I know the Financial Commissioner went down himself, the Commissioner went down himself, and from the reports we received through other officers we find that the Governor, the Revenue Member and Financial Commissioner were all very sympathetic. But the patwaris' reports in many cases have upset all the calculations which were based upon the announcement of the Governor. I know as a matter of fact, that there is not a single village in the Rohtak district where produce could possibly

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be higher than 12 annas in the rupee and yet there are many villages where full land revenue is being realized. I know there are villages where even now there are thousands of bighas of land under water and yet full amount of land revenue is being realized. This is what our petty patwaris can do. Therefore, there is a very great importance attaching to the due representation of agriculturists in all branches of the service, high or low, and members of Government should not oppose this resolution. This resolution has not been conceived in a spirit of bitterness or antagonism. It has been tabled because I know that zamindars as a class attach very great importance to the question of Government service and there are very sound reasons why importance should be attached to Government service. Therefore, I submit with your permission Sir, that the House should accept this resolution unanimously.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I rise only to correct the misstatement made by the honourable member regarding admissions to the Veterinary College. I wanted to verify before contradicting him as I know he studies his facts with very great care. It is quite true that the question of raising the standard of admission to the Veterinary College has been considered. A decision was reached but its enforcement has been under suspension. So far the old practice still prevails and we admit boys who are only matriculates. (*Rao Bahadur Chaudhri Chhotu Ram*: As an exceptional measure only?) No. I have verified the facts before making this statement.

Regarding the reduction in the scales of salaries we are ourselves faced with a situation that we cannot afford employment on account of depression. It was decided with the consent of the Finance Department to offer a lower scale of salaries which was accepted by candidates. I do not think this should in any way stand in the way of the zamindars seeking admission, because if other people can come to the College and seek education I do not see why zamindars should refrain from taking advantage of education in a department where they have been so far freely recruited.

Another statement referred to the admissions to the Rasul College. The principles laid down by the honourable member is still followed. The admissions are on the basis which he then determined and recruitment to both the subordinate services as far as I know, in the Buildings as well as in the Irrigation branch, are from the Rasul School on the basis already laid down. The honourable member from Rohtak has himself admitted that so far as the departments in my portfolio are concerned, zamindars are very well represented. In other departments and on the general question I need not go into details, because Sir Henry Craik with his usual frankness and fairness has so fully stated the case that nothing remains for me to say. There can be no question that since 1919 zamindars have been largely recruited and there are only two or three departments in which representation is not at present what it might be. But the reason is that the zamindars are not seeking admission to engineering institutions. I noticed that for Roorkee there were very few zamindars who sought admission. I also noticed, and I should like to state it before this House that the Muslim community which pressed so strongly for a proportion being fixed for them

for admission to the MacLagan Engineering College, the candidates from the Muslim community for the last two years have been very small and we had to admit boys, who were at the bottom of the list to make up communal proportion. Scholarships allowed for B class students no more exist and the result is that the demand for admission has fallen.

As we are on the point I should like to emphasize that if we zamindars are anxious to secure proper recruitment in these services, we should make special arrangements for the admission of zamindars in all the technical institutions. If zamindars refrain from seeking education which gives them the necessary qualification to find admission into technical services it would be useless to complain that the Government has failed to recruit them when no endeavour has been made to bring them into the colleges so that they may qualify themselves for these services.

On the general question I should like to say one word. Zamindars undoubtedly deserve their share in public services. At the same time efficiency in departments such as medical and engineering cannot be sacrificed. Doctors and engineers have to deal with matters affecting human life, and whatever may be our opinion we should see that our services are maintained at proper efficiency and get the best possible recruits. We should at the same time try that men from our classes reach the qualifications required. In that case they ought to get preference in recruitment.

Thakur Pancham Chand (Kangra, Non-Muhammadan, Rural), (Urdu): Sir, the Government has unfortunately divided the people of this province into three different groups: Hindus, Muhammadans and Sikhs. It would have been much better, and more in the interests of the people, if they had been divided into zamindars and non-zamindars and not on the ground of faith or religion. (*An honourable member*: Things are fast tending towards that end.) It is possible this may come to pass very soon and when this becomes an accomplished fact, it will be, as I have said, for the good of all concerned.

It will not be denied that till recently Government has remained indifferent to the interests and just claims of the zamindars in the matter of services under its control although, I believe, not without good reasons. When it first came into power it certainly required the services of a *babu* class to run the work of the administration. With that end in view educational institutions were opened very naturally in big cities and towns and consequently only those people, whether they were Hindus, Muslims or Sikhs, could benefit by these institutions who lived in big cities and towns. Thus fitted, they were easily able to secure and enter into services and for a very long time they continued to monopolise them. The zamindars, on the other hand, who lived far away from these centres of education and who were moreover, content to work with their ploughs, could not benefit by these institutions. The result was what we all know that no zamindars were seen in services. But the conditions have now altogether changed and changed for the better for the zamindars. They now very favourably compare with the people in the cities so far as education is concerned. They now know their rights and they also know how to enforce those rights. It will not, therefore, do to refuse them those rights. The Hindu zamindars, as my honourable friend from Ambala has pointed out, have more to complain

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of in this respect than any other class of zamindars. The reason of it is that amongst the Muslims and the Sikhs there is only a small minority which has not been declared to belong to this or that statutory agricultural tribe. Therefore out of those Muslims and Sikhs who are taken in service, a majority amongst them very naturally belongs to the zamindar class. I should think that out of every four such candidates three belong to one or the other agricultural tribe. But this is not so in the case of Hindu zamindars who are in a very small minority in their own community. So far as the disadvantages are concerned, they suffer equally with the Muslim and Sikh zamindars inasmuch as they are both economically and educationally backward and it is for these reasons that they have not been able to get their due share in the services. It is obvious, therefore, that Government must take more care in future to safeguard their interests if it is anxious to do justice to all alike. With these words, I support this resolution.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (*Urdu*): Sir, I had no intention to take part in this debate but lest my silence should be misconstrued, I feel called upon to support the motion and particularly, the cause of the Hindu and Sikh zamindars which has been so forcibly and with one voice advocated by my Hindu friends. I know I have never missed, an opportunity to urge the claims of the zamindars whoever they might be and if I had remained silent on this occasion it might have been said that I had no love for the Hindu zamindars. There is some truth, though it is not altogether true, in the statement made by some of my honourable friends that the Hindu zamindars have not been able to get adequate share in the services and it is also true that the Sikh zamindars and their rights have been, to a great extent, ignored because the non-agriculturists have succeeded in getting posts by describing themselves as Sikhs and the Jat Sikhs have failed to get any share. It is hoped that Government will see that the wrong is righted in the near future and the discontent amongst the Hindu and Sikh zamindars disappears very soon. With these words I support the resolution.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (*Urdu*): Sir, the honourable leader of our party has said everything that could be said in support of the resolution and there is nothing left for me to add to it. I, however, take this opportunity to convey the impressions that I have gathered from what has fallen from the lips of the speakers that have preceded me. That impression is that the foundation of unity appears to have been laid down. To-day all the members belonging to the three different communities seem to be united and one and all have risen to support the resolution as if it is a common cause. It is undoubtedly true that the question of the zamindars *versus* non-zamindars has gained ground in the province. It is no longer a secret now and it will be futile for any one to deny its existence or to minimise its force. And I believe that as soon as this question is allowed to take its proper place and is brought to the forefront many of the troubles from which the people of the province are suffering will of themselves disappear.

There is no doubt that the zamindars are still backward in education as compared with the non-zamindars. It is also true that there are yet

very few amongst them who are able to take up appointments which require technical knowledge. But I ask, what are those appointments or services for which the zamindars are quite fit and which have been given to the zamindars according to their due share? It will be no exaggeration to say that in the case of services for which the zamindars are pre-eminently fitted, their rights have been ignored. It has been said that there are very few amongst the zamindars who can be safely entrusted with the duties of engineers and doctors. But how can I believe this statement when according to my own limited knowledge a large number of zamindar engineers and doctors are wandering about unemployed and have not been able to enter service?

No opportunity is missed to set up the bogey of efficiency and efforts are always made to make a capital out of it. But I ask, what very high qualifications and what amount of efficiency is required to discharge the duties of petty officials in the district staff? I think every matriculate and even a non-matriculate can be entrusted with the duties of these officials and I will not be wrong if I say that any number of matriculates and even graduates can be found amongst the zamindars whether Hindu, Muslim or Sikh. But as the Government and honourable members will be aware, even these posts are not allowed to be filled by the zamindars to the extent of their due share. The superintendents and other officers in power in the offices of the Deputy Commissioners and Commissioners happen to be non-zamindars and very clever too. They somehow or other manage to call for applications for any vacancies that may occur at a time when either the zamindars are not able to put in their applications or when for some other reason the latter consider that any attempt on their part would result in failure. And even if the zamindars come to know of any vacancies in time and are able to put in their applications, these superintendents manage to put them at places where it becomes well nigh impossible for the heads of the offices to take notice of such applications. In the case of the non-zamindars whom these superintendents want to be employed, their demerits are somehow shown to be as their merits. By their long experience they come to know the habits of their officers and they make use of their experience to the detriment of the zamindars. Sometimes when they know that all other tactics will fail, they put up applications for appointments at a time when the sahib concerned is in a hurry and when he is not in a mood to consider calmly the merits and demerits of the different applicants. At such times only such applications are placed first which these superintendents want not to be accepted and even if in any case the sahib says that such and such applications should be given number 2 or 3, the superintendent concerned will allot that number to some other application and the sahib little knows whether his instructions have been carried out to the letter. I say these head clerks and superintendents are every day violating all rules and instructions from the Government and they are doing so with impunity. Therefore we must first be saved from them if it is really intended to advance the interests of the zamindars. No committees and no instructions from the Government and even no rules will avail so long as proper checks are not placed on these superintendents. What if this resolution is carried and what even if the Government agrees in writing to give the zamindars their due share, unless steps are taken to ensure that in

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practice as well nothing happens amiss? In my own district of Sheikhpura which was only recently created as one and in which there is a preponderance of zamindars the conditions are the same as in other districts. The three superintendents who have come one after the other, happen to be all non-zamindars and by their tact and by their skill they have been successful in filling nearly all the posts in the office of the Deputy Commissioner by men of their own class although it could not be the intention of the Government or even of the Deputy Commissioner concerned. This is why I say, "save us from these superintendents." Before I resume my seat I must say that in departments of Government like the Co-operative Department which are chiefly concerned with the interests of the zamindars and which can be efficiently run by them the non-zamindars should not claim any large share in the administration. Most of the posts in such cases should go to the zamindars. Of course in departments like the Income-tax Department it will not lie in our mouth to claim a large share. We should be content if we get only a small share in these departments, but I repeat that in other departments which exist mainly for the interests of the zamindars we must get something like 75 or 80 per cent. of the posts. With these words, I very strongly support the resolution.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Mr. President, I have listened to this debate with very great interest. I was just wondering what made Mr. Owen Roberts bring forward this resolution. It passed my capacity to understand why of all men, Mr. Owen Roberts should have brought forward a resolution of this kind when we are told by non-official Englishmen that the British are here to hold the scales even between different castes and communities and they are not accustomed to take this side or that. But when I looked at this resolution I started rubbing my eyes. I just want to put a few questions to Mr. Owen Roberts to answer when he rises to make a reply to this debate. First of all, has it been decided as to how many posts are to be given to Muslims, how many to Hindus, how many to Christians and Anglo-Indians and how many to Sikhs? What percentage is to be fixed for each of the different communities so far as the services are concerned? This is the point on which much has been said, much has been written and agitation is still going on from time to time. So far the Government of the Punjab has fixed no percentages. Well, does he want, first of all that there should be a decision by His Majesty's Government in England or by the Parliament on this point or not? If that is so, the second question that we ask him is this, and he must reply, whether he wants the notified agricultural tribes or castes to have their share out of percentages fixed for the different communities. For example, are the Hindu agriculturists to have their share out of the quota which is to be fixed for the Hindus and the Muslim agricultural tribes to have their share out of the quota fixed for the Muslims, and the Sikh agricultural tribes out of the quota which will be ultimately fixed for the Sikhs? Because I know the quotas are going to be fixed for the communities sooner or later. There has been a great deal of confusion of ideas and thoughts in the minds of people in using the word zamindar, for the statutory agriculturists. Zamindar means the owner of land. That is the definitely understood meaning that everybody knows. When you talk of zamindar you mean

an owner of land, but when you talk of a statutory agriculturist you do not mean an owner of land, but you mean a person belonging to a particular caste or castes notified as agricultural tribes under the Punjab Land Alienation Act. The definition, therefore, is not based on the ownership of land. The definition of an agriculturist is based on a person's birth in a particular caste. If I happen to be born a Gujjar I am an agriculturist. If I happen to be born a Chamar I am not an agriculturist. Again if I happen to be born a Brahmin in a particular area I am an agriculturist, and if I were to be born in another place I may not be termed an agriculturist. So these are very important points which Mr. Owen Roberts will please bear in mind when he talks of a statutory agriculturist. He must remember, therefore, that he wants a share in the administration of this country for particular castes and this is an important point which he must bear in mind.

There are certain tribes or notified castes which are called agriculturists. The person who is lucky enough to be born in those castes not on account of the fact that he owns land or cultivates that land, but from the fact that he happens to be born in a particular caste, he becomes a statutory agriculturist. That is the definition which we ought to bear in mind when we talk of zamindar or cultivator. By putting forward this demand you are merely asking for a share of a certain statutory agriculturist caste which had been declared to be agriculturist under the Punjab Land Alienation Act. Therefore, in other words, the question becomes really a question for securing posts for particular castes. There is the communal question in addition. I have already said that on the one side these castes—say 11 or 13 or 15 in one district, 11 in another district and 7 in another—are declared as agricultural castes or agricultural tribes.

One thing more I may submit for my honourable friend's consideration. When he talks of statutory agriculturist he must remember this that it was never the intention of the Punjab Land Alienation Act that it should be made a basis for securing other civic rights in the administration of this province. I would further ask him as to what percentage you really want these agricultural castes to have in the proportion out of the communal percentages which are to be fixed by the Government. I heard people say here 80 per cent., some people say 66 per cent. It is said that the Government was so ungrateful and so unmindful of the rights of the statutory agriculturists that after having declared that they would get 66 per cent. the Government was not giving them that percentage. I am aware of the resolution of 1919; I have looked into this resolution more than once, and it is to be found in the memorandum prepared by Diwan Bahadur Raja Narendra Nath, and which was submitted to the Simon Commission. I have also heard the speech of the Honourable the Leader of the House, Sir Henry Craik. The original resolution does not talk of statutory agricultural tribes. Therefore, my honourable friend will let us know what percentage he wants for Rajputs, Gujjars, Jats, Brahmins and others. What percentage does he want out of the percentages which are ultimately to be fixed for the religious communities by His Majesty's Government or by the Parliament? The question of the rights of agriculturists and non-agriculturists was raised by me before the Joint Parliamentary Committee in my evidence. It is essential that the honourable members of this House, who are devoted

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to constitutional agitation, should give a definite reply as to what percentage for agricultural castes or tribes—who are lucky enough to be born in these castes—they want.

The third point to which I ask a reply is this. There are amongst statutory agriculturists various castes. But I find from my experience of the last 12 years of my political life in Council that out of these 11 or 12 agricultural castes the majority who got these shares are either Rajputs or Jats. Are percentages going to be fixed for agriculturist castes as a whole, or is there going to be specification for each of the castes. Because it is known to you, Sir, that there are some agriculturist castes which have not yet received the benefit of education, fully and have not got any share of these posts. Are they to have their rights specified by the Government? These are the two tribes—Rajputs and Jats—who have got a big share. What happened to Gujjars, Ahirs, Awans and others? Have they to get their proper shares or not according to their population? What is to happen to them? This is the third question which my honourable friend will have to reply. Suppose the answer is that we do not care whether it is the Rajput or the Jat or the Kamboh or the

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Awan or the Tiwana. You do not care certainly, because you belong to the tribe which monopolises all the posts now. But you ought to make it definitely clear, for all these questions are bound to be answered. Are you going to resign your posts and make room for them, when these others make their demands?

There is another point which was raised sometime ago by Sir Geoffrey de Montmorency, our *ex-Governor*. The people that you call depressed classes and who are now called scheduled classes, in course of time they are also going to be vocal. They will have their rights of vote under the new system of Government. Government is trying to give them votes, 10 per cent. of them must be enfranchised. When they go into the Council what is going to happen to them? These are some of the questions that I would like to put to my friend Mr. Owen Roberts. I just put a question to him. What do you want? The word "adequate" conveys no definite idea. It is too vague; it is too indefinite. Can you be precise and tell me what it is you mean by adequate representation? If by that is meant representation on the population basis, say so; so that we may know that the agricultural tribes or castes in the Punjab who are notified agricultural tribes want their share in these posts on the population basis. Then we will understand where they are and where the others are, and the Government will also know. Just let us know what your demand is. Do you want 66 per cent. or 88 per cent. or 75 per cent.? What is the percentage that you want? Or do you want it on the basis of education? That is the next question that I wish to address to my honourable friend Mr. Owen Roberts. Because it gives us the advantage of knowing where the agriculturists stand and where the non-agriculturists stand. I ask him whether it is on the basis of population that he wants this representation, or whether it is on the basis of education or of wealth. And we should know definitely what percentage it is that he wants. And if it is found that the agriculturists

have got in excess of their proper share whether that excess shall be taken away from them. If he agrees to it, then I would certainly support the motion which is before the House. But he must be definite, in order to make me vote on this resolution. He must tell me definitely whether he claims the representation on the basis of population, or whether he claims it on the basis of wealth or whether he claims it on the basis of education. If we have once got to that, we can proceed a little further. These are the questions that I would address to my friend Mr. Owen Roberts for reply.

So far as my own conviction goes, and if Government members were to listen to my advice, I am totally for the abolition of these considerations, because in no civilised country do you find posts being granted to people on the basis of birth or caste. This is the only civilised province or uncivilised province, where demands are made for posts and for political rights on the basis either of religion or of caste. This is an unjust demand for securing rights on the basis of caste, because I can become a Hindu but if I wanted to become a Jat I cannot. Chaudhri Chhotu Ram may desire to become a sweeper—I am going lower down in order to show that it is not possible for a higher caste man even to go into a lower caste, though I do not recognise any caste—he may desire to become a sweeper, but he cannot. If I wanted to become a Chamar, it will be impossible for me to give up my Brahminhood to become a member of the scheduled tribe. Here you are up against a difficulty which you do not find in any other part of the world. A man is born in one particular community. He can change his religion. He may become an atheist. He may become an idol worshipper or he may become a worshipper of God. But he cannot give up his caste which follows him up to his death. If by chance, after transmigration he is born into another caste—though he will not remember his previous birth—then he will say what a lucky or an unlucky man I am. In the Joint Parliamentary Committee members were often unable to understand things easily; I gave an instance and it would be interesting to repeat it to the House. I said, here is my friend Sardar Buta Singh, a representative of a very large community in the Punjab. He is a lawyer, so am I. He lives in Lahore, so do I. He follows the profession of a lawyer, so do I. Chaudhri Zafrulla Khan wants to sell land. Sardar Buta Singh can purchase it, but I cannot. Several members asked me, if that was so. Could I not purchase land under these circumstances? How was that?

Sardar Bahadur Sardar Buta Singh: Because he will pay the price and you will not.

Mr. Nanak Chand Pandit: The honourable member here opens his lips, there he was silent, I do not know why. This is the question which I definitely place before this House. Two members belong to the same profession. If my honourable friend says that his relations are cultivators of the soil, so can I say that a majority of my relations are cultivators of the soil. If my friend says that his forefathers were descendants of a martial race, I can also say that my forefathers fought in the war, sometimes with the British, sometimes against the British as the fortunes of the war carried them this side or that, just as the forefathers of my honourable friend sided in the Mutiny with one party and before the Mutiny with another. Here we are, three of us belonging to the profession of law. Why

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should I be deprived of the right of purchasing land. I am not a money lender. God forbid that I should ever be a money lender. (*A voice: But you are a friend of money-lenders*). I always defend justice whenever occasion demands it. But there you are, those members were unable to understand. And here is a proposition propounded by the honourable member who belongs to a class or a race whose claim is that they are holding the scales even between the different communities in the Punjab, and he comes forward with a resolution of this kind which I entirely fail to understand.

Then another point was made out by my friend who preceded me, that all the heads of departments are non-agriculturists. I do not know about the heads of departments. I am not acquainted with them. But just see, the leader of the House has himself told us definitely that it was he who supported the cause of the zamindars in framing the resolution of 1919, and you cannot call him a non-agriculturist on that score. Then there is another gentleman on his left who is in charge of the Agricultural Department, I mean the Minister for Agriculture. He is a member of a statutory agricultural tribe. Then there is the Minister for Education who is also a member of a statutory agricultural tribe. There is only one solitary example of a non-agriculturist amongst the Government members. Look at yourself, Sir, you are an agriculturist. Your Deputy President is an agriculturist. You will find that practically the Punjab Government is run by members of statutory agricultural tribes. And let us look around. Have you ever counted that out of 71 elected members, right from the beginning of 1921 up to the present day the number of agriculturists has remained between 48 and 50, whereas the number of non-agriculturists is only 21 to 23. That will show that power has really passed into the hands of the class or classes or tribes who lay claim to govern this province on the basis of their caste or on the basis of their birth in particular tribes. That is a very important thing which you will have to bear in mind. Go a little further; suppose this House is composed of 80 per cent. or 90 per cent. of the members belonging to the agricultural tribes and they hold a monopoly of land and debar others from purchasing land under the Punjab Land Alienation Act. Suppose the question comes up to-morrow in this House to cut down *abiana* to 10 per cent. or cut down the land revenue to 10 per cent. What would happen? In a province with communal or caste mentality, the condition will be very bad indeed. What would happen? I would ask Mr. Owen Roberts to reply.

Then there is another point. We know it and I can say very definitely that there is much corruption in the Punjab services. Time after time Chaudhri Afzal Haq in the second Council has spoken vehemently on that subject. A committee of inquiry reported that there was a large number of corrupt officers who took bribes and illegal gratification and so on. Then there was a debate in this House regarding this point, but I had not the good luck to be present at that debate, as I was in England. It is a fact that corruption is increasing. The ordinary peasant, the ordinary person who lives in a village or in a town and who does not care for the posts or service, is sick of corruption that is eating into the vitals of the services. If you fill your posts on the basis of religion, or on the basis of caste, what

do you think is going to happen? What is happening to-day will happen in a greater measure to-morrow. Recruitment on such basis will lead to still greater mal-administration and corruption. There are frequent attempts to screen corrupt and inefficient officials on the ground of their professing a particular religion or of their belonging to a particular caste or class, and things are becoming intolerable. I can speak from personal knowledge that a certain person who was prosecuted for corruption came to me and asked me to speak to His Excellency the Governor to intervene in the case and stop the prosecution. He appealed to me that he was a Hindu and that I as a Hindu must save him. I said that the Hindu community cannot suffer for a corrupt man. I may say that I have never moved in a matter of this kind. But when elections are to take place on the basis of caste and religion, when this House is going to be filled on considerations of religion—for everything in this unfortunate province is to be determined on the basis of religion and caste—what will happen to the services? The result would be that those people whose interests the honourable members will represent would be the very people who would be paying the penalty. If communalism and casteism are to be introduced into the services, that would destroy the very basis on which the administration of a country ought to be based. These are very grave considerations. I know that honourable members on this side and that side of the House who belong to these favoured classes will not listen to me. But I think it is my duty that I should sound a note of warning both to the Government and to the people who espouse the cause of the agriculturist castes and tribes that it is the most dangerous step they are taking when they demand privileges on the basis of caste and religion in matters of this kind. *(Cheers).*

The Honourable Mr. Miles Irving (Revenue Member): Sir, the honourable member for Rohtak at the conclusion of his speech tried to introduce by a side wind and (to mix the metaphor) to carry off on the shoulders of the humble patwari a serious accusation against the land revenue administration in the Rohtak district. He said that the concessions that had been announced by His Excellency during his visit to Rohtak had been practically nullified by the bad revenue administration in that district. That is not a point relevant to the subject before the House, but I only wish to say that I do not accept the accusation. The honourable member, if he had been aware of such a serious state of affairs, should have represented it to me in my late capacity as Financial Commissioner or have informed the Commissioner or Deputy Commissioner of it. There has been no complaint of such gross breach of every rule of administration and, therefore, I am not prepared to accept the accusation. *(Hear, hear).* But I will say this as regards the particular point of patwari. The honourable member wants that there should be 66 per cent. of agriculturist patwaris. Does he really suggest that with the 66 per cent. all is good and with the remaining 34 per cent. all is evil?

While on the subject of patwaris I have got some interesting figures which, if I may tire the patience of the House with figures, will illustrate how inevitably slow is any progress in this matter. The honourable member for Rohtak referred to patwaris and munshis in the Irrigation Department. I find that in 1930 there were 1,195 of these useful officials and in 1934

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there are 1,607 of them, an increase of 112. In these years the percentage of agriculturists has gone up from 39 to 45. The honourable member might say 'a small increase'. But in order to make that percentage go up by 6 per cent. in four years it must necessarily be that over 81 per cent. of the new entrants were agriculturists. That arithmetical truth will be, I think, sufficient answer to a great number of accusations of slow progress.

I have attempted, I am afraid by interrupting the honourable member, to hold him back from drawing inaccurate deductions from certain figures in the Irrigation Branch. When he spoke of the upper subordinates and lower subordinates he spoke of a service which has ceased to be recruited ever since 1921. No more such subordinates are now being recruited and so, no committee can ever increase the percentage of recruits. If you look at the figures for the subordinate engineering service, you will find an increase from 25 to 35 per cent. in seven years which means that new entrants have in a high percentage come from the agriculturists. A similar fallacy lies in his attack on the decrease in the percentage of temporary engineers. The number of these officers have gone down from 43 to 14. Here I wish to repudiate very strongly the suggestion that individuals should be selected for the axe because of their caste or tribe. (*Hear, hear*). That suggestion of the honourable member I see peeping out in several parts of his speech where he spoke of the various categories. The suggestion has been made not merely that recruitment should be based on considerations of caste and tribe, and agriculturists and non-agriculturists, but that further promotions in the service should be based on similar consideration. (*Rao Bahadur Chaudhri Chhotu Ram* : I never suggested that). The suggestion is implied in that part of the speech where he spoke of recruitment for the various categories and the various pay they drew. Government may in certain peculiar circumstances introduce these considerations in the matter of recruitment. I sympathise with the Brahmin who finds himself unable to be recruited. He has the only consolation, if he is a good Brahmin, that he may be reborn a Gujar. (*Laughter*). But there is a limit to which the point can be carried. Once a person gets into service, then, it should not matter whether he is this or that. His promotion depends entirely upon his merit.

Now, let us just turn for a moment to the resolution itself. What does it say? It suggests the appointment of a committee. I confess I am a little tired of government by committees. After all, what do honourable members want? They have got the Magna Charta of agriculturists in the resolution of 1919. That resolution has been well brought to the notice of the Government by a debate that has taken nearly four hours. Honourable members do not suggest that the agriculturists should get greater percentages. I was surprised at the non-agriculturist members keeping quiet throughout the debate until I found Mr. Nanak Chand Pandit rather letting the cat out of the bag by observing that if the resolution was passed the percentage of agriculturists would be considerably knocked down by the committee. I, therefore, counsel the agriculturists: They have ventilated their point; let them be content with the resolution of 1919. We have examined our own figures and there is nothing in it of which we should feel ashamed. If there is any service in which recruitment has

not been up to the mark we shall certainly look it up. For these reasons I cannot see my way to support the resolution. I rather hope that the honourable member who raised this storm will see his way to withdraw it.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders): Sir, I have been listening to the debate very carefully and it has provoked certain thoughts in my mind which I should like to put before the House. I find that the majority of this Council consists of agriculturists and they want a large field for recruitment of agriculturists. The Government had accepted their demand, I should say, had yielded to their demand and, therefore, I thought that it would be useless at this stage to put forward any new point so far as the other side of the question was concerned. Mr. Nanak Chand has already put a few questions and I would, therefore, content myself by supplementing his questions. The one question that I should like to ask is this: What is the proportion of statutory agriculturists and non-agriculturists in this province? As far as I know and as far as I have been able to calculate, the proportion is half and half. What is the proportion of those amplified agriculturists who according to the existing orders have preferential right for recruitment? What is their proportion to the total population? These are the questions to which I should like to have an answer. Again, I should like to ask one question of the Revenue Member. I had an idea of putting it to him at the end of the debate. But having stood up I should like to put the question even now. There is, as far as I can understand it, one grave legal or constitutional defect in the resolution of October, 1919, which is considered to be the Magna Charta of the statutory agriculturists. It is that legal defect which I wish to bring to the notice of the Council and of the treasury benches in particular. As far back as 1833, about 100 years ago, the Government of India Act was enacted. In that Act there was a section very much corresponding, or perhaps exactly identical with section 96 of the Government of India Act, 1919. That Government of India Act was sent with a despatch from the Board of Directors, dated 10th December, 1834, No. 105. In one of the paragraphs of that despatch it was explained that the meaning of the enactment was that there should be no governing caste in India. Now, if 66 per cent., 80 per cent. and 90 per cent. of appointments are reserved for certain agriculturists, what else is it but the creation of a governing caste in this province, at any rate? The Board of Directors was replaced by the India Council and the Secretary of State and it appears that the resolution of 1919 was passed without reference to the Home Government or the Secretary of State. Therefore, so far as the reserved services are concerned, the circular in which the proportion was fixed is *ultra vires* of the local Government. The local Government had no power to alter the clear mandate of the Home Government without reference to that body which replaced the Board of Directors, namely, the India Council and the Secretary of State. There is, therefore, in my opinion a very grave legal defect in the resolution on which so much reliance has been placed.

In the next place, under the new constitution the Governor of the province will be the protector of the interests of minorities and it becomes, therefore, necessary to find out whether the agriculturists form the minority or the non-agriculturists form the minority. In either case, how is the Government of the future constitution going to fulfil its duties and discharge

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its obligations so far as the protection of the minority interests and minority classes is concerned? Further, if the non-agriculturists form the minority, can their right be preserved consistently with the due observation of the proportions laid down in the resolution of 1919? These are the points to which I wish that special attention of the officers of Government and of the Council should be paid.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): Sir, I have listened to the debate with great interest and feelings of great sympathy.

Diwan Bahadur Raja Narendra Nath: On which side?

The Honourable Malik Sir Firoz Khan Noon: On the rural side. There should have been no need to ask that question.

Diwan Bahadur Raja Narendra Nath: Minority or majority?

The Honourable Malik Sir Firoz Khan Noon: I am always with the weaker side. Various honourable members have made remarks about the departments in my charge. I do not wish to quote the figures in detail but for the information of the House I would like to mention that in the Public Health, Education and Medical Departments, since 1929 there has been a progress in favour of the agriculturists. In no case have the figures of agriculturists gone down. In the case of the Public Health Department, among the district medical officers of health there were 27 per cent. agriculturists in 1929 and in 1933 the figure given in the report and quoted by the honourable member from Lyallpur is 18·9. But evidently that is a misprint because in 1934 the figure again goes up to 27. As a matter of fact, the figure must have been constant because there has been practically no recruitment and no reduction in that department from 1929 up to now. It is a new service and the officers recruited to that service were all young and unless they retire it is not possible for Government to increase the number of agriculturists in that service. Another fact to be borne in mind is that at the time of recruitment there were very few qualified people. The qualification laid down was the possession of a diploma in Public Health from London or one of the British Universities and at the moment when these officers were recruited a vast majority of persons who were properly qualified happened to belong to the non-agricultural classes and hence the disadvantage. Recently some improvement has taken place but unfortunately not to an extent which is justified or which the House would like to see achieved. Now we come to the Education Department. Here again there has been constant progress in both the subordinate and provincial educational services since 1929. I worked out the figures only for three years. In the Punjab Educational Service in 1929 the agriculturists were 24·3 per cent. In January this year they stand at 30·6 per cent. which is certainly a considerable increase when we keep in mind that a vast majority of the appointments to the Punjab Educational Service are made by promotion. Up to about a year ago practically all the appointments went by promotion. But Government has now laid down that at least 25 per cent. of the appointments to this service should be by direct recruitment which in a way has helped the agriculturists to have a better representation in this service than has been the case in the past and that is

probably the reason why their number has gone up from 24 to 30 per cent. Similarly in the subordinate educational service the numbers have increased on the anglo-vernacular side from 35 to 36·7 and on the vernacular side from 46·8 to 48 per cent. As far as the Education Department is concerned, nobody in this House can be more keen than the Director of Public Instruction for ruralising the Education Department in the districts. The honourable leader of my party will recollect that two years ago he pressed the Director of Public Instruction to recruit more Hindu agriculturists. On his persistence the Director of Public Instruction issued instructions to the Principal of the Central Training College, Lahore, that practically every Hindu agriculturist who possessed the minimum qualification for admission to the college should be admitted. He could not have gone far beyond that in his endeavours to help the agricultural classes particularly from the Eastern Punjab.

Rao Bahadur Chaudhri Chhotu Ram : He failed to see that those instructions were carried out.

The Honourable Malik Sir Firoz Khan Noon : If the honourable member gives me the names of agriculturist Hindus who possessed the minimum qualifications and who applied but whose applications were rejected, I will be able to bring them to the notice of the Director and see that that mistake is not repeated in future.

Rao Bahadur Chaudhri Chhotu Ram : Non-agriculturists of inferior qualifications were admitted and I gave the names to the predecessor of the present Director, Mr. Parkinson.

The Honourable Malik Sir Firoz Khan Noon : I know that the Director of Public Instruction did issue the instructions to the Principal. I am only trying to show that the good will of the department is there and that there is every wish on the part of the department to try and help the agriculturists.

Coming to the inspection side, among the district inspectors at present there are 44·8 per cent. who are agriculturists. But it has to be borne in mind that district inspectors are promoted from the ranks of assistant district inspectors and the number of agriculturists among the latter class till a short time ago was very small. But I am glad to say that the Director of Public Instruction has raised the number of agriculturists among assistant district inspectors to 65 per cent. with the result that when vacancies occur in the future among the district inspectors of schools there will be more agriculturists promoted to that class. The average in this department works out to 62·3 per cent. which I think ought to satisfy the honourable members of this House. Another honourable member, I believe the member from Muzaffargarh, suggested that we ought to recruit teachers for the rural classes from among the agriculturists. I was surprised to hear that remarks from him because he lives in the mufassil and should have known that nearly 25,000 teachers who are employed in the district board service are employed by the district boards and are mainly agriculturists. The vast majority of teachers in these schools are, as far as my information goes, agriculturists and endeavour is always made to admit as many agriculturists as possible to the training institutions also. The Director of Public Instruction has also instructed the district inspectors to try and recruit, as far

[The Hon'ble Malik Sir Firoz Khan Noon.]

as possible, teachers for these schools from the classes among whom they have to work. That again ought to increase considerably the number of agriculturists in this service. The honourable the leader of the Unionist Party remarked that head clerks and head assistants who had so much to do with the filling of these clerical and other posts did not give as much chance to the agriculturists as they ought to have done. But he will be pleased to remember that the office of the Director of Public Instruction has a head assistant who is an agriculturist. So, on that score he ought to be particularly satisfied with the Education Department.

Now I come to the Medical Department. Among assistant surgeons in 1929 there were 27·6 per cent. agriculturists and in 1934 their number has gone up to 29·8 per cent. which is slightly higher. With regard to this service it should be remembered that first of all vacancies are few. In the second place all the recruitment to this service is made by a permanent selection board which consists of the Inspector-General of Civil Hospitals, the Principal of the Medical College, Lahore and four honourable members of this House, three of whom I am glad to say are agriculturists. Before a selection board like this agriculturist candidates should have as fair a chance as they deserve. But it has to be borne in mind that this is a service in which professional qualifications carry a great weight with all the selecting authorities. When a person falls ill, he naturally likes to go to the best doctor available irrespective of his caste or creed. But in spite of that, the department will always keep in mind this principle that provided other qualifications are the same, the agriculturists should be given a preference. Among the sub-assistant surgeons the percentage in 1929 was only 26·8 and now it is 27·7. It is a very small increase, but the reason for that is that up to a few years ago the Punjab Government used to supply doctors to the North-Western Railway. The North-Western Railway not long ago created a Medical Department of their own and they said they did not want to retain our sub-assistant surgeons who were Government servants and we could not get rid of them, with the result that we came to an arrangement with the North-Western Railway that as vacancies occurred on the Punjab provincial cadre these officers were to be reverted from the North-Western Railway to the Punjab cadre. The result is that there has not been a considerable increase of agriculturists among the sub-assistant surgeons as should have been the case if there had been direct recruitment.

In conclusion I only wish to say that the three departments working under this Ministry have the fullest sympathy with the claims of the zamindars and this debate has certainly been very useful and I am sure that the heads of the departments will keep in mind the wishes of the members of this House and due weight will be given to the claims of agriculturists as and when vacancies occur in these departments.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, very strange questions have been put to my honourable friend Mr. Owen Roberts which I hope he will answer himself. But there was one question to which I can give a reply. The question is this, whether the zamindars will not find themselves divided amongst themselves, Gujars, Jats and others standing out as separate claimants, soon after the Government makes an announcement to the effect that they have been

given adequate representation in all the Government services. A Gujar has stood up to answer that question. It is a matter of regret that the honourable member who asked that question, Mr. Nanak Chand Pandit, is not present in the House. My answer is quite plain and that is this. As soon as we hear that the Government has acceded to our request and made arrangements for an adequate representation of agriculturists in all Government departments we will be satisfied. We will not quarrel amongst ourselves. We will not claim our shares separately as Gujars, Jats and others but will settle all matters amicably like friends. (*Hear, hear*). Then Panditji has felt great anxiety for the sake of the Government. He asked what the Government would do if the zamindars were again divided amongst themselves and demanded representation in services in the proportion of their communal percentages. He seems to be visualising that unhappy moment when one community amongst zamindars will demand 60 per cent. seats and another 40 per cent. out of the total share allotted to the agricultural classes. Perhaps the honourable Pandit is labouring under this apprehension that the zamindars are demanding more than double the share of representation in services. But I assure him that such a moment will never come. So he need not feel any anxiety on Government's account. There is absolutely no danger of Hindus or Mussalmans standing out as distinct communal groups. Zamindars always will demand their rights as zamindars and there is no likelihood of any clash of interest occurring in their ranks. The present resolution, in fact, is a strong argument against such suggestions as have been put forward by Pandit Nanak Chand. If you recognise the zamindars as a separate community and give them their rights irrespective of caste or creed, you would be doing away with the artificial barriers of religious or communal interests. There is not, and never has been, any distinction between Hindu, Muslim and Christian zamindars. They are one and stand or fall together, as a class. Pandit Sahib, on the other hand, ought to have been pleased at the idea of zamindars standing as a distinct group irrespective of religion or caste. Hindus, Mussalmans, Sikhs, Christians, all come within the fold of agriculturist classes. I think Pandit Sahib ought not to have been angry at the prospect of seeing all the communities of the province united under one title. He ought to have been pleased.

He has made another queer suggestion. He wonders how it is that a Brahmin is considered agriculturist in one district and non-agriculturist in another. The answer to this question is also very simple. Anyone about whom there is sufficient evidence and reason to believe that his only means of livelihood is agriculturist occupation and has been so since the time of his ancestors, is considered agriculturist for all purposes of the Land Alienation Act. But a man who has held a shop in the village for a time and has grown rich by trade, or has hoarded immense wealth by taking interest on money advanced to zamindars can never be considered an agriculturist. So the question of the learned Pandit contains its answer as well. I hope I have solved the difficulty of the honourable Pandit.

Zamindars deserve every consideration at the hands of the Government. From time immemorial, ever since the very first Government known to history came into being, the zamindar has been paying and serving it with all his power. It is common knowledge that the first industry known

[K. B. Nawab Ch. Fazl Ali.]

to man, before every other industry, was agriculture. So, from the genesis of civilization onwards the zamindar has been the support of Governments. Even to-day the zamindar contributes a large share to the Government treasury. Even if he earns 2, 3 or 4 rupees he pays the tax to the Government. He pays his liabilities out of his minimum income while others give only at a time when they can save so much out of their big income. The present resolution seeks to help a class that is truly miserable and has actually fallen on evil days. This class of people has always stood by the Government in its hour of need. It is a matter of only yesterday that the zamindars were exposing themselves to the bullets of the enemy in the distant battlefields of France in the service of the Government and the country. And all the world knows that the Pandit Sahib and his community were sleeping snugly in their comfortable homes. (*Hear, hear*). It would be nothing short of ingratitude to deny the zamindar a comfortable living to-day. Our demand is only this. Let us live so that we may be able to serve you in your hour of need. Let not this class of selfless servants perish. Recognise, for Heaven's sake the services of those who have served you with their life's blood in the Great War. Moreover, the Pandit should know that this Council owes its existence to the fact that the zamindars have made sacrifices both at home and abroad. Perhaps the Pandit's complaint is that he is not considered an agriculturist although he is a resident of Hoshiarpur rural area. But every body knows that his means of livelihood are absolutely different from those of a zamindar. Zamindars are those who entirely depend upon land for their livelihood. If there is any loss in agriculture they have to bear it and if, of course, there is any profit thereon they have a right to it. It, therefore, does not behove the gentlemen of Panditji's type to raise such flimsy objections when a demand of the agriculturist is being discussed.

The honourable Raja Sahib has raised the question of safeguards. I want to inform him that it is not the question of safeguard or protection that is being discussed now. It is the question of zamindars' getting their due share in the public services of the province.

Last of all I would like to refer to the very bitter question raised by Pandit Nanak Chand as to why Mr. Owen Roberts, being himself a non-agriculturist, is anxious for the share of the agriculturist in the Government services. He has said that in spite of the fact that some one of Mr. Owen Roberts' community claims to be keeping the balance even between all classes and communities in the country still Mr. Owen Roberts does not really do the same. This according to the learned Pandit, is not fair. I thank Mr. Owen Roberts and think he has every right to champion the cause of the weak and the neglected and, last but not least, the deserving community. The time at my disposal is very limited. I would, therefore, finish with these words.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): Sir, I rise to give my whole-hearted support to the resolution under consideration. I had no mind to speak on this resolution to-day although I fully support it but my worthy friend Pandit Nanak Chand has got a neck of dragging people into discussions. I am afraid my

friend is suffering from a peculiar type of malady of self-praise and he should consult some expert in this connection.

Mr. President : May I ask the honourable member to be impersonal.

Sardar Bahadur Sardar Buta Singh : Since my return from England I have had the chance of coming across many persons with whom Pandit Sahib has talked in a similar tone. In the Joint Committee I was personally there and I was seeing everything and I have a right to tell him that he should be very careful in making certain statements which may not be correct. Secondly Pandit Sahib always tries, in taking part in these debates, to take a superficial view of all things. He never cares to go deep into the things and he always thinks that everything coming from this side must be detrimental to his interests. This is not the case. I am trying to impress upon his goodself that if he had only gone into the facts and then come to certain conclusions he would have been right. He has tried to show that this communalism is a very bad thing and everybody agrees with him that general electorate should be able to combine all communities together, and is the best thing under the circumstances. But when anybody tries to go in for such a thing he will get up and try to find fault with it. My honourable friend from Gujrat has already tried to impress upon him, but he was absent from the House and for his benefit I would tell him that this very resolution tries to do away with communalism and I may assure him that this is the stepping stone for making all parties meet upon the economic basis and not upon communal basis. (*Hear, hear*). I would request him to take note of the Co-operative Department where the percentage of zamindars is rising to their proper strength and I may tell him—because he was complaining of corruption in various Government departments and I am also one with him on that score—that there is absolutely no corruption in the working of the Co-operative Department (*hear, hear*), only because it is manned by zamindars and if he wants that corruption should be done away with he should come and stand by us in this resolution so that more zamindars might be recruited.

Mr. Nanak Chand Pandit : How many convictions have taken place in the Co-operative Department ?

Sardar Bahadur Sardar Buta Singh : Not a single one on the score of corruption, but if anybody has been convicted for misappropriation of money that is another matter (*laughter*). Perhaps honourable members have misunderstood me. What I meant to say was that members of the staff of the Co-operative Department do not want bribes as you find people doing when you go to the Government treasury and such other places. Go to the central co-operative bank or to the mortgage bank, you will not be required to pay anything by way of gratification. I take my stand on this and if there are a few misguided people and they do certain things against the law they should be convicted and their conviction is only right. I would again request the honourable member that he should not try to belittle everything. He always tries to cut jokes and when others do the same thing with him he feels it ill.

Mr. President : I would request the honourable member not to be personal.

Sardar Bahadur Sardar Buta Singh : The honourable member has put the question and I think he should be given a reply.

Mr. Nanak Chand Pandit : On a point of personal explanation I put questions to the honourable mover, Mr. Owen Roberts and not to the Sardar Sahib.

Sardar Bahadur Sardar Buta Singh : The questions were put and any one can reply to them. I am attempting to do so. I whole-heartedly associate myself with the speech of the honourable member for Rohtak. He has tried to lay all the facts before the House. I think most of the heads of departments have also shown their sympathy by stating that they are prepared to make up the deficiency which is still there in regard to the claim put forward in this resolution. Still I would like to remind my honourable friends that there are certain departments in which nothing has so far been done. I would like only to give two or three instances.

At this stage the Council adjourned till 2 p. m. on Tuesday, the 20th February 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 20th February 1934.

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. F. B. Wace (Registrar, Co-operative Societies).

STARRED QUESTIONS AND ANSWERS.

. CONSUMPTION OF LIQUOR.

***2678. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that the system of selling wine in Punjab excise bottles has resulted in the diminution of consumption of wine, due to increased cost and consequently in loss of revenue to Government ;

(b) if the answer to (a) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

COMPLAINTS AGAINST MR. NARSINGH DAS, EXCISE ASSISTANT.

***2679. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that complaints were made against Mr. Narsingh Das, Excise Assistant, to the Financial Commissioner, Punjab—

(1) at Multan when he was Excise Inspector there ;

(2) at Simla when he was Excise Inspector there ;

(3) by Mr. Eduljee, a foreign liquor contractor of Lahore ;

(b) if answers to (1), (2) and (3) are in the affirmative, the result of those complaints ?

The Honourable Sardar Sir Jogendra Singh : (a) (1) Yes.

(2) Yes.

(3) Yes.

(b) (1) The Deputy Commissioner reported that he had raised up a lot of ill-feeling against himself by his exposure of Tirath Das's gang, and

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the Commissioner reported that he had tackled and eventually defeated a powerful combine which had controlled in a highly objectionable manner the sale of opium not only in the Multan district but in some adjoining districts. The combine had and has still powerful friends.

(b) (2) and (8). The accusations by Messrs. Eduljee and Company were proved to be entirely groundless, false and malicious and the investigation into the Lahore allegation showed that the whole matter was a deliberate fabrication. The firm subsequently withdrew its imputations and tendered an unreserved apology on the 4th of January 1932.

***2680—2693.** *Cancelled.*

COMMUNAL REPRESENTATION IN THE REVENUE DEPARTMENT.

***2694. Lala Gopal Das :** Will the Honourable Member for Revenue be pleased to state—

- (a) what instructions, if any, have been issued for recruitment of persons belonging to the three communities, Hindu, Muhammadan and Sikh, in the subordinate service of the revenue department and whether any proportions have been laid down.
- (b) whether any facilities have been prescribed for recruitment of members belonging to minority communities ;
- (c) whether the Honourable Member will be pleased to lay on the table of the House a statement showing for each district the existing communal composition in the revenue department of ministerial officials drawing Rs. 50 or more including field qanungos and canal zilladars ?

The Honourable Mr. Miles Irving : (a) and (b). 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

(c) The attention of the honourable member is drawn to the consolidated statement showing the proportionate representation of communities on 1st January 1933. Government does not think that the preparation of these figures in any further detail would justify the time and labour that would be involved.

***2695—2696.** *Cancelled.*

SALE OF AGRICULTURAL LAND IN BIRWA.

***2697. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that an application for the sale of 440 *bighas* (Kham) of agricultural land belonging to a Rajput of village Birwa, district Hissar, was twice made and twice rejected by the Deputy Commissioner ;

- (b) whether it is a fact that an appeal lies to the Commissioner against an order refusing or granting permission for the sale of an agriculturists' land to a non-agriculturist and that no appeal was lodged by the Mahajan for whose benefit this permission was asked for ;
- (c) whether it is a fact that a third application has since been made for the grant of permission twice rejected before ;
- (d) whether an enquiry was made by the Deputy Commissioner through the Revenue Assistant and Tahsildar on each of these three occasions, and if so, whether the Government has any objection to these reports being placed on the table of the House ;
- (e) whether it is a fact that on the first two occasions when a report was called for the Revenue Assistant and the Tahsildar were agriculturists and on the last occasion both these officers were non-agriculturists ;
- (f) the interval which elapsed between the date of each rejection and the date of the fresh application following rejection ;
- (g) whether the Deputy Commissioner on each of these three occasions was the same or different ;
- (h) when the report of the Revenue Assistant on the last application for permission for sale was received in the office of the Deputy Commissioner ;
- (i) whether the application has been disposed of ; if so, when ; if not, the cause for delay ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) A vendor has a right of appeal against an order refusing permission. There is no published ruling of the Financial Commissioner as to the circumstances, if any, in which a prospective vendee has a right of appeal.

(c) Yes.

(d) Yes. Such reports cannot be placed on the table.

(e) Yes.

(f) The first application for the sale of land was rejected on 17th December 1931, and the second on 29th June 1932. The second application was presented on 2nd March 1932 and the third on 31st October 1932.

(g) The same.

(h) On 26th June 1933.

(i) The application was disposed of on 21st August 1933.

SUSPENSION OF LAND REVENUE IN ROHTAK DISTRICT.

***2698. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list of the villages in the Rohtak district where land revenue had been in suspension for three or more harvests in succession and no remissions were ordered, and state the exact duration of delay in each case and who was responsible for delay ?

The Honourable Mr. Miles Irving : The total amount under suspension in the Rohtak district for three or more harvests at the end of August 1933, was Rs. 1,89,229 (Khalsa only). Government consider that the preparation of a list of the villages would cause extra work and serve no useful purpose.

The question suggests that if the three harvests' rule is not applied automatically, it is due to delay ; but actually this is not so. For the conditions under which the three harvests' rule is applied the honourable member is referred to paragraph 576 of the Punjab Land Administration Manual.

SUSPENSION OF LAND REVENUE IN THE HISSAR DISTRICT.

***2699. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list of the villages in the Hissar district where land revenue has been in suspension for three or more harvests in succession and no remission has been ordered.

The Honourable Mr. Miles Irving : The total amount under suspension in the Hissar district for three or more harvests on 5th September 1933, was Rs. 3,16,346 (Khalsa only). Government consider that the preparation of a list of the villages would cause extra work and serve no useful purpose.

CAPTURE OF DACOITS IN AHULANA.

***2700. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the inhabitants of a village named Ahulana in the Sonapat tahsil of the Rohtak district captured four dacoits red-handed along with two pistols ;
- (b) whether it is a fact that two Brahmin brothers particularly distinguished themselves in the events leading up to this capture ;
- (c) what rewards, if any, have been granted to the village as a whole and to the individuals mentioned in (b) ?

The Honourable Sir Henry Craik : (a) The villagers captured two dacoits only with two revolvers.

(b) Yes.

(c) Government have sanctioned the remission of the land revenue of the village for one harvest as a reward for the services rendered by the villagers. Monetary rewards have also been granted to the injured including the two Brahmins who particularly distinguished themselves.

SALISI DECREES.

***2701. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of *salisi* decrees passed in 1931, 1932 and 1933 in the courts of the Senior Sub-Judge, Junior Sub-Judge and the Honorary Sub-Judge of Rohtak, respectively, as also in the courts of the Sub-Judges at Jhajjar and Sonapat ;
- (b) the amount involved in the court of each of the five officers mentioned in (a) ?

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

Statement.

Serial No.	Name of Court.	NUMBER OF <i>SALISI</i> DECREES.			AMOUNT INVOLVED.		
		1931.	1932.	1933.	1931.	1932.	1933.
					Rs.	Rs.	Rs.
1	Senior Sub-Judge, Rohtak.	190	117	102	2,48,091	1,75,149	1,33,679
2	Junior Sub-Judge, Rohtak.	178	938	343	96,945	5,63,217	2,90,650
3	Honorary Sub-Judge, Rohtak.	79	305	117	15,821	91,513	35,114
4	Sub-Judge, Jhajjar	480	71	46	1,96,763	23,874	21,346
5	Sub-Judge, Sonapat	475	1,456	653	11,517	75,090	15,921
	Total ..	1,402	2,887	1,261	5,69,737	9,28,843	5,01,710

OBJECTIONS UNDER SECTION 60 OF CIVIL PROCEDURE CODE.

***2702. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of cases in the Rohtak and Karnal districts in which objections under section 60 of the Civil Procedure Code were made and the number of cases in which these objections were upheld or disallowed respectively in 1931, 1932 and 1933 ;
- (b) the number of cases in which objections to the attachment or sale of single houses occupied by agriculturists were made in the Rohtak and Karnal districts in 1931, 1932 and 1933 and the number of cases in which these objections (i) were allowed to prevail, (ii) were entirely rejected and (iii) were upheld in respect of a portion of the houses attached ?

The Honourable Sir Henry Craik : (a) and (b). I regret that the information asked for is not available in any of the prescribed registers. Its collection would involve the scrutiny of all files of execution proceedings and this would involve an expenditure of time, money and labour which Government does not consider would be justified by the importance of the subject.

COMPROMISE DECREES.

***2703. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of decrees passed on the basis of compromises in the court of the Senior Sub-Judge, Junior Sub-Judge and the Honorary Sub-Judge of Rohtak and the Sub-Judges at Sonapat and Jhajjar, respectively, in 1931, 1932 and 1933 ;
- (b) the proportion of realization in execution to the proportion of decretal amounts in each of the courts mentioned in (a) in 1931, 1932 and 1933 ;
- (c) the number of judgment-debtors arrested as also the number of cases in which arrest and attachment proceeded simultaneously in pursuance of the orders made by the courts and in the years mentioned in (a) ?

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

Statement.

Name of Court.	(a)			(b)			(c) PART I.		(c) PART II.		
	NUMBER OF DECREES PASSED ON THE BASIS OF COMPROMISES.			THE PROPORTION OF REALISATIONS IN EXECUTION TO THE PROPORTION OF DECRETAL AMOUNTS.			THE NUMBER OF JUDGMENT-DEBTORS ARRESTED.		NUMBER OF CASES IN WHICH ARREST AND ATTACHMENT PROCEEDED SIMULTANEOUSLY.		
	1931.	1932.	1933.	1931.	1932.	1933.	1931.	1932.	1931.	1932.	1933.
				Per cent.	Per cent.	Per cent.					
Senior Sub-Judge, Rohtak	4	6	3	33	35	28	9	3	6	This information is not readily available.	
Junior Sub-Judge, Rohtak	819	696	481	20	18	25	53	48	54		
Sub-Judge, Sonapat ..	224	605	464	27	87	45	5	27	30		
Sub-Judge, Jhajjar ..	358	476	484	15	22	21	9	8	18		
Additional Sub-Judge, Jhajjar.				..	19	20	..	2	..		
Honorary Sub-Judge, Rohtak.	10	64	34	20	19	17	7	16	10		

In pursuance of the orders made by Courts.

CLERKS IN THE OFFICES OF DISTRICT AND SESSIONS JUDGES OF
AMBALA AND LAHORE DIVISIONS.

***2704. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the total number of clerks in the offices of the District and Sessions Judges of the Ambala division and those among them who come from outside the (i) district and (ii) division ;
- (b) the particulars mentioned in (a) in respect of the offices of the District and Sessions Judges of the Lahore division ?

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

Statement.

	AMBALA DIVISION.			LAHORE DIVISION.				
	Office of the District and Sessions Judge.			Office of the District and Sessions Judge.				
	Hissar.	Karnal.	Ambala.	Lahore.	Amritsar.	Gurdaspur.	Sialkot.	Gujranwala.
Total number of clerks ..	18	14	15	16	13	13	17	16
Number of clerks who come from outside the district..	5	1	..	2	1	4	2	3
Number of clerks who come from outside the division	4	3	5	5	1	1	1	2

CLERKS IN THE PUBLIC WORKS DEPARTMENT IN DELHI AND LAHORE CIRCLES.

***2705. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list showing in respect of the offices of the Superintending Engineer of Delhi Circle and the District Engineers in that circle ;

- (a) the total number of clerks :
- (b) the agriculturists and non-agriculturists of each of the three denominations (Hindus, Sikhs and Muslims) among those clerks ;
- (c) those among the clerks who come from outside the (i) division and (ii) circle concerned ;
- (d) the particulars mentioned in (a), (b) and (c) in respect of the Lahore Circle and the divisions included in it ?

The Honourable Mr. Miles Irving : The required list is placed on the table.

Statement.

	WESTERN JUMNA CANAL CIRCLE.			UPPER BARI DOAB CIRCLE.		
	Permanent.	Temporary.	Total.	Permanent.	Temporary.	Total.
(a) Total number of clerks in the Circle	56	3	59	51	3	54
(b) Agriculturists—						
Hindu	10	..	10	..	..	..
Muslim	12	1	13	8	..	8
Sikh	1	..	1	2	1	3
Non-agriculturists—						
Hindu	26	1	27	21	2	23
Muslim	6	1	7	17	..	17
Sikh	1	..	1	3	..	3
(c) Clerks who come from outside the—						
(i) Division to which they are attached ..	..	..	43	..	..	12
(ii) Circle .. ..	..	..	17	..	..	7

CLERKS IN THE OFFICES OF DEPUTY COMMISSIONERS IN AMBALA
AND LAHORE DIVISIONS.

***2706. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state in respect of the offices of the Deputy Commissioners in the Ambala and Lahore divisions respectively ;

- the total number of clerks ;
- the number of the agriculturists and non-agriculturists of each of the three denominations (Hindus, Sikhs and Muslims) ;
- the number of those among the clerks who come from outside
 - the district and
 - the division ?

The Honourable Mr. Miles Irving : Reference is invited to serial nos. 17 and 19 at page 9 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different

[The Hon. Mr. Miles Irving.]

departments of the Punjab Government as it stood on the 1st January, 1933. It will be seen that these statistics have been compiled by divisions including Commissioners' offices and not by districts. Accordingly the replies are:—

- (a) Please see column 3 of the statement referred to.
- (b) Please see column 5 of the statement referred to. In the recruitment of agriculturists the denominations are not taken into account separately.
- (c) Similarly in recruitment there is no discrimination between clerks who come from outside (i) the district and (ii) the division and the labour involved in the collection of this information will be out of all proportion to its usefulness.

CANAL PATWARIS IN LAHORE AND DELHI CIRCLES.

***2707. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list showing—

- (1) the total number of canal patwaris in the Lahore and Delhi circles;
- (2) the number of agriculturists of each denomination among them;
- (3) the number of those among them who come from outside the division in the case of each division in the two circles?

The Honourable Mr. Miles Irving : (1) It is presumed that by "the Lahore and Delhi Circles" the honourable member refers to the Upper Bari Doab and Western Jumna Canal Circles, respectively. The total number of canal patwaris in those circles is:—

Upper Bari Doab Circle	..	..	..	270
Western Jumna Canal Circle	..	..	..	263

- (2) Number of agriculturists:—

Upper Bari Doab Circle.

Hindus	..	..	..	8
Muslims	..	..	..	89
Sikhs	..	..	..	22

Western Jumna Canal Circle.

Hindus	..	..	..	130
Muslims	..	..	..	66
Sikhs	..	..	..	8

- (3) Number of those among them who come from outside each division in the above circles:—

Upper Bari Doab Circle.

Madhopur	..	..	..	1
Majitha	..	..	..	..
Raiwind	..	..	..	15
Jandiala	..	..	..	6

Western Jumna Canal Circle.

Karnal	..	..	..	21
Delhi	..	..	..	26
Rohtak	..	..	..	48
Hissar	..	..	..	18

DEPUTY COLLECTORS.

***2708. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of Deputy Collectors and the number of Hindu, Muslim and Sikh agriculturists among them?

The Honourable Mr. Miles Irving :

Total number of Deputy Collectors	35
Number of agriculturists	{ Hindu	..	1
	{ Muslims	..	14
	{ Sikhs	..	3

COMMUNAL REPRESENTATION IN FEROZEPUR DISTRICT.

***2709. Pir Akbar Ali :** Will the Honourable Finance Member kindly place on the table a statement showing the following in the Ferozepore district :—

- (a) the number of honorary magistrates and sub-judges community-wise with dates of their appointments ;
- (b) the number of licensees, communitywise of revolvers, pistols, rifles and guns ;
- (c) the number of jagirdars and kursinashins communitywise ;
- (d) the percentage of the population of the three major communities (Hindu, Sikh and Muslim) ?

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

(d) The honourable member is referred to page 238 of the Census Report, 1931, Volume XVII, Punjab, Part II.

[The Hon. Sir Henry Craik.]

Statement.

Community.	PART (a).				PART (b).				PART (c).	
	HONORARY MAGISTRATES.		HONORARY SUBORDINATE JUDGES.		NUMBER OF LICENSEES.				Jagirdars.	*Kursina-shins (District Darbaria).
	No.	Date of first appointment.	No.	Date of first appointment.	Revolvers.	Pistols.	Rifles.	Guns.		
Hindus ..	3	(1) 11-10-1906 (2) 18-12-1916 (3) 14-11-1924	1	2-11-1927	20	14	15	348	1	29
Sikhs ..	4	(1) 18-12-1916 (2) 14-11-1924 (3) 19-4-1932 (4) 14-10-1933	1	19-4-1932	34	24	33	608	10	58
Muslims ..	..	..	..	..	19	8	35	592	5	32
Europeans and Anglo-Indians.	..	..	..	..	28	22	81	122	..	..

*Five seats which have recently been added are still vacant.

MUNICIPAL AND NOTIFIED AREA COMMITTEES IN THE FEROZEPUR DISTRICT.

***2710. Pir Akbar Ali:** Will the Honourable Minister for Local Self-Government kindly state the number of nominated and elected members, communitywise, in the municipal or notified area committees of Abohar, Muktsar, Zira, Moga and Giddarbaha, with percentage of the population of each community (Muslim, Sikh and Hindu) ?

The Honourable Dr. Gokul Chand Narang: The required information is given in the statement enclosed :—

Statement.

Serial No.	Name of the Committee.	NUMBER OF ELECTED MEMBERS.			NUMBER OF APPOINTED MEMBERS.			PERCENTAGE OF POPULATION OF EACH COMMUNITY AS PER CENSUS OF 1931.		
		Muslims.	Sikhs.	Hindus and others.	Muslims.	Sikhs.	Hindus and others.	Muslims.	Sikhs.	Hindus and others.
1	Municipal Committee, Abohar.	2	..	4	..	1	1	22·10	2·75	75·15
2	Municipal Committee, Muktsar.	2	2	2	..	1	1	25·93	22·19	51·88
3	Municipal Committee, Moga.	2	3	4	..	1	2 (One is Christian)	28·23	30·19	41·58
4	Municipal Committee, Zira.	3	..	2	..	..	1	55·95	6·56	37·49
5	Town Committee, Giddarbaha.	..	..	5	..	..	1 (Assistant Surgeon (ex-officio).	9·62	10·83	79·55

NAILI TRACT OF THE KARNAL DISTRICT.

***2711. Chaudhri Allah Dad Khan:** Will the Honourable Member for Revenue please state—

- whether it is a fact that Government placed an officer on special duty to investigate the conditions of the Naili (نالی) tract of the Karnal district ;
- whether the official in (a) has submitted his report ;
- what are in a brief detail, the recommendations of the official in (a) about the Naili tract ;
- how many of the recommendations of the official in (a) have been given effect to and what is the intention of Government about the remaining recommendations ?

The Honourable Mr. Miles Irving : (a) and (b) Yes.

(c) The officer on special duty recommended an annual reduction of assessment amounting to Rs. 15,000.

(d) Government have sanctioned a reduction of Rs. 14,670.

SAIYAD FIDA HUSAIN AND TAHSILDAR OF THANESAR.

***2712. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) whether one Saiyad Fida Husain made an application to Government praying for permission to prosecute the Tahsildar of Thanesar, along with a municipal and district board employee, for trespassing on the Muslim graveyards at Thanesar Mandi in the Karnal district in the month of July 1933 ;
- (b) the facts stated in the application in (a) ;
- (c) whether he is aware that the trespass mentioned in (a) has produced intense dissatisfaction among the Muslims of Thanesar ;
- (d) whether the permission in (a) has been granted ; if not, why not ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

(c) No.

(d) Does not arise.

OUTLET NO. 83000 SOMARGOPALPUR.

***2713. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that outlet No. 83000 situated at Somargopalpur village in the Rohtak district is proposed to be shifted to R. D. No. 81,000 ;
- (b) whether the proposed arrangement in (a) is intended to irrigate the area of the Brahmans of the village along with that of the Rajputs ;
- (c) whether he is aware that between 83,000 and 81,000 in (a) there is a pond of water which will prevent the flow of water to Rajputs' area ;
- (d) whether he is aware that the Brahmans have got already an outlet for their lands at R. D. 74,000 ;
- (e) whether he is aware that there is much friction between the Brahmans and Rajputs mentioned in (a) ;
- (f) whether he is aware that the lands irrigated by outlet No. 83,000 belong to the widows and orphans of those that were killed during the Great War ;
- (g) whether he is aware that the Rajputs submitted an application to the Superintending Engineer, Delhi, against the proposed arrangement ;
- (h) if the answer to (g) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Mr. Miles Irving : (a) No, but outlet at R. D. 83500-L, Khanour Distributary, was proposed to be shifted to R. D. 83000-L.

(b) Yes, the outlet at R. D. 83,500-L. already serves both the Brahman and the Rajputs as is apparent from the Chakbandi of the outlet.

(c) Does not arise in view of (a) above ; the Shajrah of the village does not show any pond of water.

(d) No, but they have an outlet at R. D. 74,600-L.

(e) No.

(f) No.

(g) Yes.

(h) The proposal has been dropped.

SALE OF MEAT IN THANESAR MANDI.

***2714. Chaudhri Allah Dad Khan :** With reference to my starred question No. 2504,¹ asked on 27th July, 1933, and the answer to it, will the Honourable Minister for Local Self-Government now state (if necessary after making enquiries)—

(a) whether it is a fact that the Tahsildar of Thanesar in the Karnal district served a notice on Fida Hussain, 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) under what law or rule the said notice was issued ;

(c) whether he is aware that the notice in (a) has produced intense dissatisfaction in the meat-eating public at Thanesar ;

(d) if the answer to (c) is in the affirmative, what action Government intends to take in the matter ?

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

(b) Under regulation 8 of the regulations published with Punjab Government notification no. 15396, dated the 20th May, 1927.

(c) No dissatisfaction amongst the meat-eating public at Thanesar was caused by the issue of this order.

(d) Does not arise.

KHAN SAHIB SAIYED FAIZUL HASSAN, OFFICIATING DEPUTY SUPERINTENDENT OF POLICE.

***2715. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

(a) how much pension per month has been granted to Khan Sahib Saiyad Faizul Hassan, once officiating Deputy Superintendent of Police, who prematurely retired in 1930 ;

(b) the salary he had drawn during the three years preceding his appointment as officiating Deputy Superintendent of Police ;

[Ch. Allah Dad Khan.]

- (c) the salary he received as officiating Deputy Superintendent of Police;
- (d) whether he is aware that during the 28 years' service of the official in (a) there was only one black mark in his character roll;
- (e) whether it is a fact that the services of the official in (a) as Inspector of Police were approved when he was promoted to officiating Deputy Superintendent;
- (f) when the title of Khan Sahib was conferred on him and what medals were granted to him and when;
- (g) whether it is a fact that there was ill-will between the official in (a) and the Superintendent of Police, Amritsar, while the former official was posted there;
- (h) whether he is aware that the treatment meted out to the official in (a) in giving him utterly inadequate pension has produced dissatisfaction in the Indian ranks of the police;
- (i) if the answer to (h) is in the affirmative, what action Government intends to take in the matter?

The Honourable Sir Henry Craik : (a) Rs. 50 per mensem.

(b) From the 1st May 1925 to the 25th November 1926 at Rs. 180 per mensem.

From the 26th November 1926 to the 31st March 1928 at Rs. 220 *plus* Rs. 25 duty allowance.

From the 1st April 1928 to the 30th April 1928 at Rs. 225 *plus* Rs. 25 duty allowance.

(c) From the 1st May 1928 to the 31st October 1928 (Officiating Deputy Superintendent of Police) at Rs. 225 *plus* Rs. 75 officiating pay.

(d) He was reduced in rank in 1908 and again in 1930.

(e) No. He was allowed to act in a local vacancy of a few months' duration in order to save the expense of transferring another officer.

(f) The title of Khan Sahib was conferred on him in January 1928. He was awarded the King's Police Medal in January 1918.

(g) No.

(h) No.

(i) Does not arise.

Chaudhri Allah Dad Khan : May I ask why a pension of Rs. 50 was allowed and not the amount representing the average of the salary of the person for the last three years as under the Rules?

The Honourable Sir Henry Craik : The pension given is the pension due to the person under the Rules.

Chaudhri Allah Dad Khan : As the question states, he has officiated as Deputy Superintendent of Police and he was an Inspector of Police for some time. It was when he was reduced to a sub-inspector's place that he

resigned as a protest. In awarding him pension should not the average salary drawn by him for the last three years be given ?

The Honourable Sir Henry Craik : I must ask for notice.

Chaudhri Allah Dad Khan : I hope the honourable member has prepared his case. The notice is already there.

The Honourable Sir Henry Craik : This question is not included in the original question. I should have notice.

SESSIONS JUDGE, KARNAL.

***2716. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

(a) how much money has been drawn by the present Sessions Judge, Karnal, as travelling allowance since October 1932 up to the end of August 1933 and how much by his staff during the same period ;

(b) what places were visited by the official in (a) and for what reasons, in his tour in (a) ?

The Honourable Sir Henry Craik :

				<i>Amount of Travelling Allowance drawn.</i>		
				Rs.	A.	P.
(a)	Sessions Judge	..	..	1,621	9	0
	Staff	..	..	1,010	10	0
(b)	Places visited were,—			Rohtak, Jhajjar, Sonapat and Narwana.		

Rohtak.—Karnal Sessions Division consists of two districts. In accordance with the usual practice the Sessions Judge visits Rohtak for 10 days in a month to dispose of sessions cases and criminal appeals from Rohtak.

Jhajjar.—For the inspection of the Sub-Judge's court there.

Sonapat.—To enquire into allegations of corruption against a certain official.

Narwana.—In connection with the trial of the Narwana Train Escape Case.

SESSIONS JUDGE, KARNAL.

***2717. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

(a) how many cases have been decided by the Sessions Judge, Karnal, since November 1932 to March 1933 ;

(b) how many cases were transferred by the Sessions Judge, Karnal, from his own file to that of the Additional Sessions Judge, during this period in (a) ;

[Ch. Allah Dad Khan.]

(c) whether it is a fact that the cases in (a) were simple and those in (b) complicated ;

(d) if the answer to (c) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) Fourteen cases.

(b) Five cases.

(c) No.

(d) Does not arise.

COMMUNAL REPRESENTATION IN POLICE DEPARTMENT IN AMBALA DISTRICT.

***2718. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

(a) whether an article entitled the " Blessings of Ramraj in Ambala " published in the *Inqilab* newspaper of 3rd August 1933 as a leaderette in its column 3, page 3, came under the notice of the Government ;

(b) to what community belong the Reader to the Superintendent of Police, his head clerk, the court inspector, police, the district inspector, police, pay officer, police, confidential clerk, the staff of the English office, and the staff of the Deputy Inspector-General, Police, in Ambala district ;

(c) if the answer to (b) shows the various incumbents to belong to one community, the reasons therefor ?

The Honourable Sir Henry Craik : (a) Yes. The article in question, however, appeared in the issue of the '*Inqilab*,' dated the 23rd August 1933.

(b) A statement is laid on the table.

(c) Does not arise.

Staff of office of Superintendent of Police, Ambala.

Reader	..	..	..	..	Jat Hindu.
Head Clerk	..	..	..	..	Dogra Brahman.
Court Inspector	..	..	..	..	Hindu (Khatr).
District Inspector	..	..	..	..	Hindu Rajput.
Pay Officer	..	..	..	..	Brahman.
2nd Clerk (English Office)	..	..	..	..	Muhammadan (Sayad).
Record-keeper (English Office)	..	..	..	..	Hindu (Brahman).
Typist (English Office)	..	..	..	..	Hindu (Khatr).
Despatcher (English Office)	..	..	..	..	Muhammadan (Pathan).

Staff of the office of Deputy Inspector-General of Police.

Head Clerk	..	..	..	..	Hindu.
Range Auditor	..	..	..	..	Hindu.
Senior Clerks (2)	..	..	..	..	Hindus.
Senior Clerks (2)	..	..	..	..	Muhammadans.
Junior Clerks (2)	..	..	..	..	Hindus.

SESSIONS JUDGES, KARNAL.

***2719. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) how many sessions judges have been posted to Karnal since 1914 upto May 1938, communitywise ;
- (b) how many of the officials mentioned in (a) were residents of Delhi ;
- (c) if the answer to (a) shows preponderance of Hindus, the reasons for it ;
- (d) if the answer to (b) shows an unusually excessive number of the residents of Delhi, the reasons for it ?

Mr. F. H. Puckle (Chief Secretary) : (a) Twelve, of whom four were Europeans and the rest Hindus.

(b) Five.

(c) and (d) There are no special reasons. The postings of officers is an administrative function and, as far as possible, officers are posted to districts in which their services can be utilized to the best advantage.

SHANTI SARUP, A CLERK IN THE OFFICE OF THE SESSIONS JUDGE,
KARNAL.

***2720. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) for what reasons was a man named Shanti Sarup, of the Jhang district, employed as a clerk in the office of the Sessions Judge, Karnal, about two years ago ;
- (b) how long did this clerk remain at Karnal ;
- (c) whether this clerk was a relation of Rai Bahadur Nihal Chand then Deputy Registrar of the High Court ;
- (d) for what reasons was this clerk transferred to Jhelum ?

The Honourable Sir Henry Craik : (a) On account of his superior educational qualifications and knowledge of shorthand. As no properly qualified local candidate was available, the post was advertised and Shanti Sarup was considered by the late Sessions Judge to be the best candidate who offered himself.

(b) From the 3rd January 1927 to the 9th February 1930.

(c) No.

(d) A vacancy had occurred at Jhelum, and at the request of this clerk he was transferred to fill it.

SESSIONS JUDGE, KARNAL.

***2721. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) when the present Sessions Judge of Karnal was transferred from the Sialkot district to Karnal ;

[Ch. Allah Dad Khan.]

- (b) whether it is a fact that he appointed his own motor driver as his orderly at Karnal;
- (c) whether he promoted one Khushi Ram, a private tutor of his children, over the head of a B.A., LL.B., who was working there as a clerk, and whose services were dispensed with when Khushi Ram was put in his place;
- (d) the reasons for superseding the graduate in Arts and Law referred to in (c)?

The Honourable Sir Henry Craik : (a) 10th October, 1932;

(b) Yes;

(c) No;

(d) Does not arise.

GRIEVANCES OF MUHAMMADANS IN KARNAL.

***2722. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) if an Urdu tract, entitled 'the Wail of the Muslim' enumerating the grievances of the Muhammadans in the Karnal district categorically has come to the notice of the Government;
- (b) if the answer to (a) is in the affirmative, what action has been taken on the tract in (a);
- (c) if the answer to (a) is in the affirmative, whether any action has been taken in particular on the allegations on page 11, about two contradictory judgments in a criminal case?

The Honourable Sir Henry Craik : (a) Yes.

(b) The pamphlet has been proscribed by Government under section 99-A, Criminal Procedure Code, as it contained matter the publication of which is punishable under section 124-A of the Indian Penal Code. The allegation made against the officer described as "Additional District Magistrate" has since been the subject of a judicial finding, and it has been held that the allegation was entirely unsubstantiated and that the question of irregularity was not pursued by Counsel in the case and there was no question of dishonesty. The Honourable Judges of the High Court to whom a copy of the pamphlet was also sent, have already made enquiries in the matter and have found the allegations made in the pamphlet against the District and Sessions Judge of Karnal to be malicious and founded on statements which, though alleged to be facts, are mostly untrue.

(c) As in (b).

RECRUITMENT OF SAINIS BY SUPERINTENDENT OF POLICE, AMBALA.

***2723. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) if an article entitled the "Blessings of Ramraj in Ambala" published as a leaderette in the *Inqilab* of 3rd August in its column 3, page 8, has come under the notice of Government;

- (b) whether it is a fact that the officiating Superintendent of Police, Ambala, in August 1933 belonged to the caste of Sainis of the Rupar tahsil in the Ambala district ;
- (c) how many candidates for appointment as constables or head constables he accepted during the tenure of his office at Ambala ;
- (d) how many of the candidates in (c) were Sainis by caste and to what community the rest belonged ;
- (e) how much period was spent by this Superintendent of Police on tour while he was in the Ambala district and out of this period how much at Kasauli or Kalka ,
- (f) what was the special need for tour to Kalka or Kasauli ;
- (g) whether Government intends to investigate other allegations in the article referred to in (a) in relation to this Superintendent of Police ?

The Honourable Sir Henry Craik : (a) Yes.

- (b) No.
- (c) Eleven appointments to the rank of foot constables were made.
- (d) Four out of the above 11 recruits were Saini Sikhs and the others were either Muhammadans, Sikhs or Hindus.
- (e) Ninety-seven days were spent by the Superintendent of Police on tour, including 8 days at Kasauli and 25 days at Kalka.
- (f) Investigation, inspection, the control of the barrier staff and arrangements on the visits of His Excellency the Viceroy and other high officials.
- (g) No. Government do not propose to investigate allegations which are clearly wild, scurrilous and malicious.

*2724—2726. *Cancelled.*

UNSTARRED QUESTIONS AND ANSWERS.

RATIO OF LAND RENT TO LAND REVENUE.

695. Shrimati Lekhwati Jain : Will the Honourable Revenue Member be pleased to state the ratio of land rent to land revenue in all the districts of the Punjab during each of the last five years ?

The Honourable Mr. Miles Irving : It is regretted that the information is not available. The labour involved in collecting it would not be commensurate with the usefulness of the results.

Rent is in kind in the greater part of the Punjab and the results, if it would be possible to obtain them, of an enquiry into cash rents would be not of much value.

GIRLS' SCHOOLS WITH HINDI AS MEDIUM OF INSTRUCTION.

696. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state the number of girls' middle and high schools in each tahsil of the Punjab where the medium of instruction is Hindi ?

The Honourable Malik Sir Firoz Khan Noon : A statement giving the requisite information is laid on the table.

Number of secondary schools, where the medium of instruction is Hindi.

<i>Tahsil.</i>				<i>Tahsil.</i>			
Abohar (sub-tahsil)	..	1		Lahore	..	..	8
Ambala	..	..	2	Ludhiana	..	..	3
Amritsar	..	..	6	Lyallpur	..	..	2
Alipur	..	..	1	Mianwali	..	..	1
Attock	..	..	1	Moga	..	..	2
Bhakkar	..	..	1	Montgomery	..	..	1
Chakwal	..	..	4	Muktsar	..	..	1
Dera Gopipur	..	..	1	Multan	..	..	3
Dera Ghazi Khan	..	..	2	Murree	..	..	1
Dinga	..	..	1	Muzaffargarh	..	..	1
Fazilka	..	..	1	Narapur	..	..	1
Ferozepore	..	..	4	Palwal	..	..	1
Gujranwala	..	..	1	Panipat	..	..	1
Gujrat	..	..	3	Rawalpindi	..	..	3
Gurdaspur	..	..	1	Rohtak	..	..	1
Gurgaon	..	..	1	Rupar	..	..	1
Hissar	..	..	2	Sargodha	..	..	2
Hoshiarpur	..	..	1	Shahpur	..	..	1
Indaura	..	..	1	Sheikhpura	..	..	1
Jaranwala	..	..	1	Sialkot	..	..	2
Jhang	..	..	1	Simla	..	..	2
Jhelum	..	..	1	Sujanpur Tira	..	..	1
Jullundur	..	..	2	Talagang	..	..	1
Karnal	..	..	1	Toba Tek Singh	..	..	1
Khanewal	..	..	1	Wazirabad	..	..	1
Kulu	..	..	1				

WORKING DAYS IN GOVERNMENT COLLEGES.

697. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

(a) the total number of working days in the year 1933 in the Government Colleges in the province;

- (b) the average number of lectures delivered by the various lecturers in the year 1933 in these institutions ?

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

GOVERNMENT AIDED SCHOOLS.

698. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in some of the Government aided schools in the province the pay of some of the teachers employed in these schools is shown much more than what is actually drawn by them in order to get a larger amount of aid and this difference is shown as donation to the school ;
- (b) whether any such cases have been noticed, if so, where and in which schools ;
- (c) what action the Government has taken or proposes to take in the matter ?

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

OUTLET No. 24184 OF JETHUWAL DISTRIBUTARY, UPPER BARI DOAB CANAL.

699. Shaikh Muhammad Sadiq : Will the Honourable Revenue Member be pleased to state—

- (a) whether the intensity of water has been decreased on outlet No. 24184 of Jethuwal distributary, Upper Bari Doab Canal, in the Amritsar district during the current financial year ;
- (b) whether the share-holders of this outlet have made a representation that they are in trouble owing to the decrease of water ;
- (c) the action that has been taken on this representation ;
- (d) whether there are any proposals pending in the canal office to attach more area to this outlet, and whether any decision has been announced by the Canal Department in this respect ;
- (e) whether the share-holders of the outlet have objected to the attachment of any further area to the outlet ;
- (f) whether the objectors have urged the following grounds in their representation :—
 - (i) that the outlet is not giving sufficient water for the area already attached to it ;
 - (ii) that the lands proposed to be attached are excluded from *chakbandi* ;
 - (iii) that they are either *chahi* or *ghairmumkin* ; and
 - (iv) that they have no share in the water course ;

[Sh. Muhammad Sadiq.]

- (g) whether it is true that the applications to attach more area to this outlet have always been rejected during the past five years ;
- (h) whether the facts mentioned above have been brought to the notice of the Superintending Engineer by officials when submitting the papers ;
- (i) if not, who is responsible for it ;
- (j) whether the Superintending Engineer and the Executive Engineer concerned are satisfied that—
 - (i) the interests of zamindars have been safeguarded ; and
 - (ii) the departmental rules have not been infringed by their subordinates in this case ?

The Honourable Mr. Miles Irving : (a) Water was decreased on this outlet during this financial year.

(b) Yes.

(c) The statements in the representation were enquired into and checked at site by the Sub-Divisional Officer in presence of the applicants.

(d) No. Two proposals were received and were rejected and decisions were announced to the applicants on 4th January 1984 and 15th/16th December 1983.

(e) Yes.

(f) (i), (ii), (iii) and (iv) Yes.

(g) Yes.

(h) The correct facts were brought to the notice of the Superintending Engineer.

(i) Does not arise.

(j) (i) and (ii) Yes.

INSUFFICIENTLY STAMPED DOCUMENTS.

700. Shrimati Lekhwati Jain : Will the Honourable Finance Member be pleased to state the total amount of money realized by the courts and Deputy Commissioners, etc., on account of penalty levied on insufficiently stamped documents in 1929, 1930, 1931, 1932 and 1933 ?

The Honourable Sir Henry Craik : The information is available by financial years and is as follows :—

					Rs.
1929-30	..	..	..	..	82,721
1930-31	..	..	..	..	1,01,949
1931-32	..	..	..	..	1,68,659
1932-33	..	..	..	..	2,22,978

ABDUCTION OF HINDU GIRLS AND WOMEN.

701. Shrimati Lekhwati Jain : Will the Honourable Finance Member be pleased to state—

- (a) the total number of cases of abduction of Hindu girls and women during the year 1933 in the Punjab ;
- (b) the total number of first information reports lodged in the police station in the above cases ;
- (c) the total number of challans put up by the police and the number of accused so challaned ?

The Honourable Sir Henry Craik : (a) information is not available. Only reported cases are known.

(b) 227.

(c) 115 cases involving 350 accused persons.

REJECTION OF DECLARATION FOR STARTING A PRINTING PRESS.

702. Shrimati Lekhwati Jain : Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that one Dharmpal Ahlowalia, resident Kot Fatuhi, district Hoshiarpur, filed a declaration in the court of District Magistrate, Hoshiarpur, for starting a printing press at Hoshiarpur ;
- (b) whether it is a fact that his petition was rejected by the said district magistrate ;
- (c) if so, whether the district magistrate is empowered to reject the petition for starting a printing press under any provision of the law ;
- (d) whether he will place a copy of the said order on the table ;
- (e) whether there is any other precedent in any district where the petition for starting a printing press has been rejected ;
- (f) whether the requirement of the Press Act has been complied with by demanding suitable security ;
- (g) if so, what action the Government proposes to take in this matter ?

The Honourable Sir Henry Craik : (a) and (b) Dharmpal Ahluwalia applied to the District Magistrate, Hoshiarpur, for permission to start a press. The application was summarily rejected by the District Magistrate.

(c) No.

(d) No detailed order was given.

(e) None, so far as the Local Government is aware.

(f) As far as Government are aware, no declaration under section 4 of the Press and Registration of Books Act, 1867, was ever made. Consequently no security could be demanded under section 3 (1) of Act XXIII of 1931.

(g) The irregularity came to the notice of Government through an article that appeared in a vernacular paper. After ascertaining the facts

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it was pointed out to the District Magistrate concerned that his order refusing permission to start a press was illegal and that he could only demand security under section 3 (1) of the Indian Press (Emergency Powers) Act, XXIII of 1931, for reasons to be recorded in writing.

MURDER OF HINDU AND SIKH MONEY-LENDERS.

703. Shrimati Lekhwati Jain : Will the Honourable Finance Member be pleased to state—

- (a) the number and details of the Hindu and Sikh money-lenders murdered during 1933 ;
- (b) the number of accused that were challaned by the police and the number of such accused who belong to the Muslim community ;
- (c) the number of those who have been convicted by competent courts ;
- (d) the number of those who are undergoing trial ;
- (e) whether there was any case in which the culprits could not be traced at all by the police ;
- (f) whether any allegations were made in any of the above murder cases against the police, that it was not properly investigating the case in order to shield the offender of its community ?

The Honourable Sir Henry Craik : (a) 14 Hindus and 4 Sikhs. Their particulars are given in the list attached.

- (b) 50 including 29 Muslims.
- (c) 9.
- (d) 25.
- (e) 2.
- (f) 1.

List of Hindu Money-lenders murdered during the year 1933.

1. Karam Chand of village Kotla Jan, Police Station Bhakkar, District Mianwali.
2. Rup Lal Sud of village Dalash, Police Station Saraj, District Kangra.
3. Dharam Chand of village Bhojowal, District Gujrat.
4. Banwari Lal of Sirsa, District Hissar.
5. Duni Chand Khatri, of Kucha Kakran, Shahalmi Gate, Lahore.
6. Kundan Lal, son of Devi Chand Bania, of village Jansue, Police Station Sadr, District Ambala.
7. Sunder Shah, son of Sant Singh Sethi, of Pindigheb, District Attock.
8. Total Mal Bania, of Ramwala, Police Station Mehna, District Ferozepore.
9. Gobind Ram, son of Jowala Shah, Arora of Pindigheb, District Attock.
10. Barn, village Ussar, Police Station Urlana, District Karnal.
11. Bhole Mal, village Khanpur, District Sheikhpura.
12. Nathu, son of Thakar Arora, of village Bunga Sahibke, District Montgomery.
13. Thakar Shah of Pindi Saidpore, District Jhelum.
14. Narsingh Dass of village Adhikot, Police Station Nurpur, District Shahpur.

List of Sikh Money-lenders murdered during the year 1938.

1. Karam Singh of village Data Bhat, Police Station Jatli, District Rawalpindi.
2. Jaimal Singh of village Alamgir, District Ludhiana.
3. Harnam Singh of village Shankar, Police Station, Dehlon, District Ludhiana.
4. Hira Singh of Rawalpindi City.

GRADES OF PAY OF PROVINCIAL SERVICES.

704. Shrimati Lekhwati Jain : Will the Honourable Finance Member be pleased to state—

- (a) the present grades of pay for the various provincial services ;
- (b) what were these grades before 1914 ;
- (c) when were these grades enhanced and what were the conditions and circumstances under which these grades of pay were enhanced ;
- (d) whether the same conditions and circumstances exist even at present ;
- (e) if not, what action the Government proposes to take to bring the present grades of pay to the level of those before the enhancement took place ; and
- (f) if the Government does not propose to take any action, why not ?

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

RESOLUTIONS.

Re ZAMINDARS IN SERVICES (concluded).

Mr. President : The Council will resume discussion on the resolution regarding zamindars in services.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh Rural) : Sir, yesterday while supporting the resolution under discussion, I was trying to convince the honourable members of this House with regard to the deficiency in services of my community, the Sikh community, the Sikh members of the notified agricultural tribes. If honourable members have even a cursory glance at the Consolidated Statement containing proportional representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January 1934, they will be convinced that a very stepmotherly treatment is being meted out to the Sikh zamindars. With the possible exception of 1 or 2 departments it will be observed that in all other departments the same treatment, which I have referred to is being meted out to them. I would only give a few instances to convince the House of the truth of my statement. I would refer the House to Part I Reserved Departments—item No. 7— Law Department ; and if the honourable members will very kindly go through it, they will find that there are about 6 heads, namely, government advocates, assistant legal remembrancers, and public prosecutors, and under clerical establishment, superintendents, head clerks and clerks ; and it will be found that out of 46 posts not a single one is held by a Sikh zamindar. Is it not strange ? Should you not call this a stepmotherly

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treatment, as I have already said? Then again leaving that aside, I would draw the attention of honourable members to another department—the Punjab Civil Secretariat. Out of 214 posts only 6 are held by Sikh zamindars. Then again, in the office of the Director of Information Bureau, Punjab, no posts have come to our share. Again, in the Punjab Government Printing, the same tale is being repeated. Out of 517 posts, only 7 are in the possession of the Sikh zamindars. Further, when we come to the Central Jail and the Borstal Institution, it will be seen that not a single post out of 40 is in the possession of a Sikh zamindar.

Coming to Part II—Transferred Departments—Ministry of Education, it will be noticed that in the Public Health Department, there are only 8 posts out of 29 in the possession of the Sikh zamindars. Is it not a glaring defect which should be rectified at an early stage? My honourable friends on these benches, have repeatedly drawn the attention of Government to the paucity of the zamindars in the services in general. I specially draw the attention of the Government members to the distinguished services which my community has rendered to the British Empire every now and then as occasion required. Taking these things into consideration, I submit that the time has come when my community should also get its due share of services under Government.

I may draw the attention of this House to the speech which I made during the Budget discussion last year and point out that no attention has been paid to what I said at that time and no efforts have been made practically, I should say, to make up the deficiencies. At that time I also urged—

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. 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.

Again, I find in the very department, that while, last year the grand total was zero, this year also the total is zero. So, I would request the Honourable Finance Member to take into consideration the claims of my community as well.

I wish to assure the honourable members of this House that while supporting this resolution the intention of members in this part of the House, is not to take away anything out of the due share of anybody else. We want only our due share. As the honourable members are aware, our Guru has also said:—

حق ہر ایا ناکا اُس سو ر اُس گائے

That is to say, we do not want to deprive another person of his due share. We simply want our own share. We want that our due share should be given to us. We have been deprived of our own share. I can prove this. For instance, take the case of public prosecutors. We have been meted out a stepmotherly treatment. Can the Government say that suitable

members possessing the minimum qualifications are not forthcoming? Even on these benches there are 2 or 3 persons sitting, who are fully qualified and entitled to hold that post, and in the countryside also you will find in each and every headquarter suitable persons who will be able to hold this post and discharge their duty most conscientiously and with ability. I would, therefore, request the Government to kindly keep all these facts in mind and do the needful.

Now, there is one more point which I would impress upon the House. I think the honourable mover of this resolution deserves our congratulations for more reasons than one. I think out of two or three things which he mentioned, one was that he was trying to lay the foundation for unity by moving this resolution. He tried to bring on one platform all people, be they Hindus, be they Sikhs, be they Muhammadans or Christians. He tried to do away with communalism and to bring forward a party which would be constituted on more healthier and better organized lines. So, with these few remarks I would request the Government to take the case of the Sikh zamindars into consideration. As I already said, there is no intention of anybody on this side of the House to demand anything which is really due to other people, but we have only come here to claim our own just and due share.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan land-holders): After the wonderful speech and the masterly survey of the situation by our illustrious leader, I think it is useless for anybody to try to speak against the resolution. I have stood up just to say one or two words in reply to certain remarks of my friends on the benches to my left. Yesterday a very strange interpretation was put on the wording of section 96 of the Government of India Act. I call it strange because it was my friend the Raja Sahib, for whom I have very great respect, who brought it forward, and had it been brought forward by some one else I would have called it a preposterous and perverted interpretation. Section 96 of the Government of India Act runs:

No native of British India, nor any subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any office under the Crown in India.

It was argued that the resolution of 1919 was *ultra vires* on account of the enactment of the Act which contains this section. I am not a lawyer, but as far as I have been able to understand this section, it only means that there should be no inherent disability for any one on account of his religion. My friend, the Raja Sahib, when he was pleased to make the remark had not perhaps read the section carefully. Supposing there are 100 appointments in a particular department, and a particular community says, "give us all these appointments," and the Government refuses it. Will the gentlemen who place that interpretation on the section say that it is offended against? Can they ask, "Why should a particular community which claims those cent per cent. seats be deprived of them simply because they are Hindus or Muhammadans or Sikhs?"

My friend, the Pandit Sahib from Hoshiarpur, was surprised that my friend the mover of the resolution who belonged to a class that was expected to keep the scales even should have brought forward this resolution. I could not understand what he meant by "keeping the scales even." If

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he meant that by keeping the scales even they should keep the scales as they were even if they were so very uneven, then perhaps my friend the mover might have been an offender, but I think he has done his duty by moving this resolution to try to have the scales even in this particular branch of administration where the scales are very uneven.

My friend, the Pandit, asked a question from the mover of the resolution and that was this, whether he wanted the zamindars to get all these appointments irrespective of efficiency. This question of special representation is a very complicated one, and those who like myself do not like mincing matters even in politics feel that the thing exists everywhere in the world. We only give it a different name. There are all kinds of special representations. When a country says that posts should go to its countrymen, that is also a kind of special representation for a particular country as against the whole human brotherhood. When in India a few years ago we claimed Indianisation of services, and I do not say it should not have been claimed, we claimed special representation for a particular community or a class on account of some reasons. But we, the zamindars, do not say that you should sacrifice efficiency in giving us posts. We only want to have an equal opportunity along with others; we only want that one particular community should not preponderate in a service to the exclusion of another. We want to have our proper share. I do not know what was the state of affairs in 1919, but I can say without fear of contradiction to-day that as man to man we are prepared to compete with any class living in this province. I was very surprised to hear my friend, Pandit Nanak Chand, expressing horror at the thought that the official benches will soon disappear. Surely, it is an irony of fate that those remarks should have fallen from the lips of a gentleman who is nearer to a class than ourselves who if their activities had succeeded would have seen these men not only out of these benches but out of this country long ago.

I want to press one other point and that is, the taxes and the revenue which is paid by the zamindars. About nine-tenths of the revenue of this province is contributed by the zamindars and only one-tenth is contributed by the general population including the zamindars and non-zamindars. My friends, the non-zamindars only contribute to the provincial revenue when they indulge either in drinking or in litigation, that is to say, the only source of revenue that is contributed to the provincial revenues by that class is either in the shape of excise duty or in the shape of stamp.

The Honourable Sardar Sir Jogendra Singh : That too is mostly contributed by the zamindars. (*Laughter*).

Khan Bahadur Mian Ahmad Yar Khan Daultana : What I was going to say was this that out of one-tenth of taxation which the non-agriculturists are supposed to pay the main portion is paid by us when we indulge in luxury or in vice. It does not lie in the mouth of anybody to say that people who pay nine-tenths to the provincial coffers should not have even their proper representation in the services of that province. I was rather pained to hear that the condition of my non-Muslim zamindar brethren is far worse than that of Muslim zamindars. Personally, I can assure you, and I am proud to say that we are very anxious to see the rights

of our non-Muslim zamindars restored to them and that they must have their proper place in the administration of this province, and we shall always try our best to see that the wrong done to them are redressed and our services will always be at their disposal. We are also ready to help the untouchables in getting them their proper place.

I could not follow one thing and that is, why my friend, Pandit Nanak Chand, brought in corruption in this resolution. I do not know what he meant by it. If he wanted to say that the acceptance of this resolution would help corruption, I must strongly deprecate that view. We have had a lot of discussion about corruption in this House. I do not say that there is no corruption. I admit that there is a lot of it, but I am not prepared to believe that corruption is on the increase. My view is this that about fifteen years ago people did not consider corruption or bribery an evil. Virtue and vice are not absolute terms. They are relative terms. To consider bribery a great social evil or a moral vice was not in the atmosphere twenty years ago as it is to-day. A lot of people consider these payments as a necessary evil and tolerated it thinking that it had to be done to insure safety and bore it with patience. But now, we have got more opportunities for, and effective means of, detection. Before the Reforms there was no platform on which these grievances could be ventilated. This House has given the representatives of the people a platform for the discussion of all such matters which were not discussed before 1921. I think if you carefully study the figures you will find that the Government of this province have taken more effective steps to punish the dishonest officers than was the case before 1920.

Now-a-days it is said that corruption exists in our local bodies. But I have always held and I still hold the view that corruption in local bodies was in no way less when we had official chairmen than it is to-day. About fifteen years ago people had not the courage to say what they can say in these days. There were no opportunities for them to give expression to their grievances. If the whole question is considered carefully, it would be found that there is yet a lot to be done to bring about that state of affairs which may be called desirable. But, I think it is a misrepresentation of facts to say that corruption is in any way on the increase now than it was about ten or fifteen years ago. My friend expressed great horror that these people who form the majority would write off the whole of land revenue and water rates when the official benches disappeared. If the Council debates were carefully gone through for the last twelve years, it would be found that it was this party which, not once, but on several occasions agreed to impose fresh and heavier taxation on themselves when it was possible to do so. These requests for remissions are not old ones. They are new ones. No one can deny that there exists a terrible economic depression. What we want to say is this that we should be asked to pay only so much as can be justified and can be paid by us in the present circumstances. Land revenue is not income-tax. The rate of taxation we have is one which is fixed once for some years and in several cases it was fixed when this terrible depression was not at all anticipated. I am sure it will be agreed by all that it would be a useless attempt on the part of any member of this House to try to impress upon anybody that this section of the House has ever acted in an irresponsible way. Of course there is one thing. Now we

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have got a different kind of government and we also realise sometimes that we are not responsible for our recommendations. It is quite possible that there may be in some cases slight exaggeration in the claims of particular classes, but when a person knows that he is going to be held responsible for the action or for the result of the acceptance of his recommendations, I think it is quite obvious that he would be more careful. (*Cheers*).

Mr. President : The question is—

That the question be now put.

The motion was carried.

Mr. Owen Roberts (Nominated non-official) : Sir, if there is one remarkable feature about this debate, it is the degree of unanimity disclosed in favour of the motion. Hindus, Muslims and Sikhs, if we must have these divisions, have supported it and I am sure that had not the "question" been put Christian support would also have been forthcoming.

What then is the opposition to the resolution? The opposition so far as I have discovered, is confined to two or rather four speeches, two made from the benches directly opposite to where I am standing and two from the Government benches. The Government benches appear, however, to me not to attack the resolution from the point of its underlying principles but to confine their opposition to the administrative difficulty of having more and more committees thrust upon them. That is a matter which I will deal with in due course.

Before I deal with the opposition, I will refer for a moment to the resolution itself. If we look at the resolution it will be found that cutting out everything except the necessary words it amounts to this, that we ask for a "Committee to examine the causes of inadequate representation of statutory agriculturists and suggest means whereby adequate representation may be secured." There is no reference here asking the committee to state what shall be the distribution of posts communitywise nor is there any question here raised as to the wisdom of Government's policy in arriving at the declaration contained in the resolution of 1919. I, therefore, submit, that neither of these points arises out of the resolution either by inference or implication and therefore a discussion of either with the object of arriving at a conclusion is entirely beyond the scope of the resolution.

I will now deal with the speeches made on the front benches. Let me first take the speech of Diwan Bahadur Raja Narendra Nath. He stated that it was a condition precedent to the discussion of the question that we should know what proportion statutory zamindars bear to the whole body of zamindars. That is a point which struck me personally as one on which we might usefully have information and I sought it from a very distinguished member of this House. The answer I received was that the matter has never been explored officially by Government but that there was one statement on record on the subject and that statement had never been questioned. The statement is one for which Diwan Bahadur Raja Narendra Nath himself was responsible, and as he has not given us the figure, we can hope for no assistance from that quarter.

The second and more impressive point he endeavoured to make was that the whole resolution of 1919 was illegal. That is not a point that he can argue with me. If he has any quarrel on the subject it is for him to move a resolution or do whatever he thinks best to have it out with the Honourable Finance Member or the Government of India or with some authority of that sort. It has nothing whatever to do with this resolution or its merits.

I now come to the speech of Pandit Nanak Chand. It is a very great pity that this gentleman did not arrive in the Council earlier. If he had done so, he would certainly have heard much that might have induced him to oppose me on quite different lines. The Honourable Finance Member in his opening remarks for instance told us that the first seven speakers knew nothing whatever of the subject and that I myself was among them. Here the Honourable Member missed, what might have been a point in debate. Then again, the Honourable Finance Member referred to the importance of the resolution of 1919 and the place it occupied in the Government's estimation. He also said something of the history of the conditions under which the resolution came into force and of his own association with the resolution, a point which, I hope, will go down on record in the annals of this Council for all time. Again, if the honourable member had arrived earlier, he would also have heard from the Honourable Finance Member of the steps taken by Government to implement that resolution; and finally he would have heard something of the increasing strictness with which Government had found it necessary to scrutinise claims in recent years of persons claiming to benefit under the terms of that resolution. He would have heard all these things and as a reasonable man that he is he would have approached this subject in a different way. However, I have to meet his points as he put them. He asked me certain questions. He asked me, what I meant by adequate representation. He also asked me my opinion on the question of distribution of posts communitywise and finally he wanted to know how I, as a member of a race claiming to hold the balance even between warring interests, came to promote a debate of this description. I have already answered his first question when moving the resolution. I then defined what I meant by adequate representation and I need not therefore, repeat myself now. The second point, I absolutely refuse to have anything to do with. It does not arise out of the resolution that I have moved, nor is my opinion on the question of distribution of seats communitywise of any value to anybody except to myself. Finally there is the third question and to this question I feel he is entitled to an answer. His colleague drew attention to the Government of India Act and the interpretation to be put upon it. He not only drew attention to the Act but also made a reference to some despatch which accompanied it, and the conclusion he drew and which I took down on my notes at the time, was that the Act was framed, in his opinion, so that there should be no ruling class in India. The meaning I put upon his interpretation is that no class by reason of any natural advantage should be able to create for themselves a monopoly in public service. And I submit that it was the faithful intention of giving effect to the Act that influenced men of my own race in framing the resolution of 1919. They had no other intention in their minds except to ensure to a class that suffered under natural disadvantages,

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a proper share of the administration. Mr. Nanak Chand Pandit may say if he likes that I have been guided in putting myself on this side by instinct instead of reason, and I will not quarrel with him ; in any case I find myself here in very good company.

Before concluding my remarks in connection with Mr. Nanak Chand Pandit's speech, there are two points on which,
 3 P.M. I will say a few words. I feel, as I said before, that if he had been present he would have approached this subject from a different angle of vision. I believe that nobody deplores the communal tendencies which crop up from time to time in this province and even in this Chamber more than Mr. Nanak Chand Pandit does, but I do feel that he is not helping the cause of public peace by drawing the subject into a debate of this description as a device merely to cloud a perfectly clear issue. Communalism has nothing whatever to do with this subject.

I must now turn to Government's objection to the appointment of the committee. The main argument on this point was addressed to us by the Honourable Finance Member. In fact, I think members of the House will agree with me when I say that all the facts of the debate, the hard facts, the fundamental facts of the debate, came from him and from the leader of this side of the House. They literally hurled facts and figures at each other and I came to two conclusions—one that it is impossible to assimilate facts and figures of this description in the course of speeches delivered in this room and the second that in confining myself to a very few sentences in opening this debate I at least exercised very good judgment because the case as presented for this side of the House was most ably presented by the leader of this party and the best that I could have done, although he placed all his facts at my disposal and offered me his personal assistance, would have had a very weak effect as compared with his own accomplishment in this direction. I have here the consolidated statements to which several references have been made. To a man like myself they seem to be open to slightly different interpretations. I must admit that I am quite unequal to grasp large masses of figures and draw useful conclusions from them, as I tend to get boggled by small details. I find, for example, on page 4, under item 4, that the agriculturists have taken over the whole cadre of restorers. I do not know what a restorer in this sense is and wonder what it means. There is no doubt that these gentlemen, the statutory agriculturists, have very slyly acquired the whole cadre of restorers. It might be a very nice point for the committee to decide whether they should not be compelled to disgorge some of their interest in this office, say 30 per cent. and relieve their brethren of the serious responsibility which they now discharge to the public by filling the whole of the listed appointments permanent and officiating shown under item I, Judicial Branch (a). Then again let me take another case, that of the Baluch Levy. Here these sly people have taken over 91·2 per cent. of the appointments. Why should they be allowed to swagger and strut about to the extent of 91·3 per cent. in the uniform of the Baluch Levy and avoid their responsibility as district medical officers of health facing danger and disease and death in the districts? I think the committee might easily go into points of this description. If

I am unable to appreciate the statistical side of this subject, I am at any rate able to appreciate the arguments put forward both by the Honourable the Finance Member and by the leader on this side on other important points. The Finance Member summed up his case by saying that Government had carried out and in some cases more than carried out the policy outlined in the 1919 resolution and to this I think a very effective answer was given by my friend the leader on this side of House, who pointed out during one stage of his speech that the conclusions reached in 1919 regarding the proportions of the various services that could safely be given over to agriculturists were no longer applicable to-day as they did not allow for the progress which this body of persons made since that time. I do not think that Government itself will deny not merely that there is something in this answer but that it is a complete reply to all objections to the formation of the committee. Once more I must congratulate myself on my short opening speech because it enabled me to approach this subject with an unbiassed mind and to appreciate that in the course of the debate three very cogent reasons have been advanced for Government to weigh before they refuse us this committee. The first is that suggested by Raja Narendra Nath of arriving by some method at the number of statutory agriculturists and the proportion they bear to agriculturists as a whole, a subject which I am certain would be much better investigated by a committee than by this House. Incidentally it would relieve the Raja Sahib of the tremendous responsibility of being the only living person who has knowledge on this point. In the second place so far as he is concerned, it might easily lead to the inclusion of certain other classes into the charmed circle, a subject which I know is very near to his heart. The second reason is that it would lead to the study and assimilation of all existing statistics on the subject of what has been done up to date and is being done now in the matter of employment of these classes and finally the consideration and fixing of up-to-date quotas for statutory agriculturists. These reasons for a committee have clearly emerged from the debate; but there is one more reason that cannot be disregarded. Even if this debate had never taken place, is there anything unreasonable in the resolution? I think not. Is it an unreasonable request for this House to make that a committee shall be appointed to consider, or reconsider, if you like, a subject which was considered by another committee 16 years ago and those 16 years in the interval having been probably as epoch making years as any in the history of the province?

The Honourable Sir Henry Craik (Finance Member): Sir, the Prophet Isaac on a celebrated occasion said "The hand is the hand of Esau but the voice is the voice of Jacob." Esau on this occasion has chosen the better part and has compelled me to unmask my batteries before he opened his attack. At the same time he suffered by having a Jacob who was, I am sorry to say, very ignorant of his subject and in fact even at this moment has given us fresh evidence of his ignorance. He has told us that there has never been an estimate of the proportion of zamindars to the total population. Now the *locus classicus* on this subject is the resolution of 1919 and I am sorry to say that from the course of this debate it would appear that there are only two members of this House who have even read that resolution: one is my honourable friend from Rohtak, and the other is myself.

[The Hon. Sir Henry Craik.]

If honourable members had looked at the resolution, they would have seen that in the resolution it is stated:—

Of the total population of the Punjab according to the figure of the last census 90 per cent. live in areas which are classed as rural, while 54 per cent. are zamindars as defined in the last paragraph or their dependants.

Now that estimate of 54 per cent. of the total population may have been more or less guess-work, but at any rate it is founded on census figures, at any rate it has more authority behind it than the Raja Sahib's concealed figure which we have never heard.

Sir, I am sorry that the mover of this resolution has insisted on pressing it notwithstanding the very clear statement I have made on behalf of the Government of its sympathy with the desires of the landed classes to secure a reasonable proportion or if he likes it better, an adequate proportion—of appointments in the public services, because although Government is in sympathy with the spirit underlying this resolution, it must, I fear, definitely oppose the means proposed to give effect to the resolution, namely the appointment of a committee. There is not a single speaker, until the mover of the resolution spoke just now, who has attempted to explain in what particular way a committee of the kind suggested will be of any help to the zamindar. Many of the speakers have borne eloquent testimony to the inadequate share of the spoils of office enjoyed by their own particular community. For instance, Kanwar Mamraj Singh Chohan has spoken on behalf of Hindu zamindars, the honourable the Deputy President on behalf of Sikh Zamindars and so forth. But not a single speaker has pointed out how the appointment of a committee is going to help him or his community. Now I understand from the general trend of the speeches and especially from the speech of the leader of the Unionist Party that there is really no intention of attacking the policy of Government as laid down in the resolution of 1919. The case of my honourable friends is founded not on any dislike of that policy or on any assertion that that policy does not go far enough, but they claim that in certain departments at all events sufficient effect is not being given to that policy. That was a contention which my honourable friend from Rohtak attempted at great length to make, though I cannot say that he convinced me with his 22 categories consisting of 1 person each. That might lead into a sort of game like "beggar-my-neighbour." He might say, "Well now, I will play the care-taker of the Civil Secretariat. He is a non-agriculturist. That is one up to me. I would play the mapper in the Settlement office, Lyallpur. He forms a category that is 100 per cent. zamindar. I can score two more points by quoting the dispenser and the hostel superintendent employed at the Engineering School, Rasul. Both are 100 per cent. zamindars". That sort of argument does not seem to me to bring us very much farther. My point is that if you leave aside individual appointments like those and take the cadre of the services as a whole, especially the larger services, Government's policy has on the whole been given adequate effect to. But be that as it may, even if I am wrong and the honourable member has made out his case, I do not see how the appointment of a committee is going to help. It has become almost a tradition in this House that when anybody has a grievance he asks that a committee of non-officials and officials, always with non-official majority, be appointed to investigate and report on it. Now this is a

cumbrous procedure, a slow procedure and an expensive procedure and I should like honourable members to cast their memories back and try to make an estimate of the number of grievances which have been put right by means of the committee procedure. It surely is a better way of putting things right if you point out, as you have pointed out to-day and yesterday, to Government the departments or places in which you think the grievance exists. You can then always extract from a polite and sympathetic representative of Government like myself a sincere promise that he will thoroughly investigate the matter and that he will consult honourable members freely in the course of his investigations; and if he is satisfied that their grievance is genuine he will insist on the department putting things right. Now, really, is such a committee the ultimate repository of wisdom? Is it the kind of body really best suited to explore this somewhat intricate and technical subject? It seems to me that a committee of this kind will necessarily take a great many months to complete its task properly. That means it will involve a very considerable expense at a time when we are particularly anxious to avoid extra expenditure. It will, in my opinion though possibly not in the opinion of the leader of the National Unionist party, if it is to discharge its task properly, have to travel round the province. If so, it will certainly seriously upset the work of many offices. That cannot be helped. It will dig into all sorts of records, candidates' registers, and so on. It would expose itself to the unpleasant position of having all kinds of local influence, legitimate and illegitimate, brought to bear upon it. It will cost a good deal in respect of travelling allowance, and it will certainly be a very serious disturbance of the ordinary duties of the officials who are appointed to be members. Generally speaking, I foresee a committee of this kind either sitting at Lahore or going round the province stirring up a good deal of mud and not getting anything solid at the end of it. Lastly, it seems to me that one can legitimately object to the appointment of a committee of this sort on the ground that it would form a somewhat embarrassing precedent. This may be a little far fetched. I know that the present subject has not under discussion any question of communal representation but merely a question of the representation of a certain class. The communal question strictly speaking does not arise at all and should be kept out of the discussion, but it does seem to me that if we once agree to the appointment of a committee of this sort on this particular question it would be extremely hard for Government to resist the appointment of a committee of this House to advise it in fixing communal proportions for the services. And this is a position which I do not think Government can accept. Government would be most unwilling itself to have to lay down rigid communal proportions for representation in the services but it may possibly be driven by the stress of circumstances to do that. I sincerely trust that the time will come when all communities will agree on this question, but should such a task be forced on Government, then Government could not agree to shuffle off any part of its responsibility on to a committee, however representative, of this House. It would be most essentially a task which Government would have to discharge itself. Now, Sir, I am prepared, if the resolution is not forced to a division, to give an undertaking that a most careful examination will be made of the statistics exhibited in this annual statement and a most careful comparison will be made of the results there

[The Hon. Sir Henry Craik.]

exhibited with the scales laid down in the resolution of 1919. I am prepared to say that where we find that the proportions laid down in 1919 have not been fully worked up to, we will impress on the departments concerned the necessity of giving immediate and careful consideration to the matter and so regulating their recruitment that those numbers will be attained in the shortest possible time (*hear, hear*). I am prepared to do that if the honourable member will show a spirit of conciliation and make a death-bed repentance. If he persists in forcing this resolution, I am afraid it is my duty to oppose it. We shall probably be beaten in the division lobby, but we, at any rate, have the satisfaction that, though defeated in the lobby, we have won the victory in the debate (*laughter*), for our arguments are unquestionably better than those of our opponents (*hear, hear and cheers*).

Mr. Owen Roberts : I ask for leave to withdraw the resolution.

The resolution was by leave withdrawn.

REMOVAL OF SEX DISQUALIFICATION FOR LOCAL BODIES.

Shrimati Lekhwati Jain (North-east Towns, Non-Muhammadan, Urban) (*Urdu*): Sir, I beg to move :—

This Council recommends to the Government that the sex disqualification for registration on the electoral roll of the municipalities and district boards should be removed in respect of women generally, and they should be allowed to stand as candidates for the membership of the same.

In commending this resolution to the House I think it is not necessary for me to make any long speech or to advance many arguments in its support. I believe that no member of this honourable House, whether he be a Muslim, Hindu, Sikh, Christian, Jain, or Arya or whether he be a patriot or a pro-Government or whether he be a zamindar or a non-zamindar, will rise to oppose this resolution because I feel that the matter is one which can evoke no opposition on the part of anybody. These local bodies came into existence long long ago and I am very sorry to say that during all these years no one has felt the need that women should also take part in the administration of municipal committees and district boards. At any rate, this is what appears on the face of it. It is clearly a serious omission on the part of men. And now when I have brought forward this matter before the House, I hope it will not be understood, or rather misunderstood, that women are trying to step into the field of politics in order that they may be honoured or that they may be able to secure some posts for themselves under the Government. If any one cherishes such an opinion I may say for his information that these are too sordid things to attract women. Women in general can never be actuated by such desires to work side by side with men. They demand this right in order that they may be able to get greater opportunities to serve the towns concerned or the towns people. They are anxious to seek election to the local bodies so that they may be able to protect and safeguard the interests of their sisters for whose welfare the municipalities have so far made little or no arrangements.

It is hardly necessary for me to point out that the management of these local bodies is not good and up to the mark. We see very little attention has been paid to sanitation by men. There are many towns where municipal committees exist and where there are still pools of stagnant water

which give out very bad smell. There are very few committees which have provided maternity homes or hospitals for women who in their absence suffer great pains and many of whom die for want of such arrangements. If we are permitted to participate in the management of local bodies, I am sure that most of these complaints will disappear. I am aware that there are other reasons too which are responsible for this state of affairs, but surely the absence of women from the local bodies is the main reason for many of the troubles from which both men and women are suffering at present.

At the present time members of municipalities are moved by a communal spirit to which is due the defective administration of the committees. I am confident that if women become members of the committees and are also given the right to vote the administration of the committees will improve at once. Women know how to manage things. They have to keep control over a household. They keep things in order in their houses and also see the children live together amicably. This is a sort of a training which they get in the houses. If they become members of the local bodies it is certain that with their ability to keep order and manage things in an efficient way they will succeed in improving the administration of these bodies. I request the Honourable Minister for Local Self-Government to pay a special attention to my remarks. If there had been women members on the local bodies the Honourable Minister would not have got the Black Acts like the Municipal Executive Officers Act, Municipal Committees Amendment Act, etc., passed by the Council. Women have proved their ability to do every sort of work during the last few years by taking part in the various movements which were started in the country. The present Minister for Local Self-Government has been in office for the last four years. In this period he has not been able to achieve what was expected of him. He ought to have by this time given the right of voting to women. In this period he ought to have made women eligible for seeking election to the local bodies. I hope it is within his recollection that at Simla a deputation of women waited upon him, and requested him to try to get for them the right to vote and to stand as candidates at election to municipal committees or district boards. He promised that he would try to accede to their request. I fail to understand why he has not been able to fulfill that promise. The honourable members might perhaps think that women are uselessly agitating to become members of committees and district boards and that they cannot prove themselves of any benefit to these bodies so far as administration and management is concerned. In answer to this I may say that such a thought on the part of the honourable members would be quite unjustifiable. Thanks to the kindness of the Honourable Minister for Local Self-Government at present there are some lady members in the committees and a reference to what they have done and are also doing at present will prove that the idea that women cannot perform any useful work in the local bodies is quite unfounded. There are three lady members in the Lahore Municipal Committee at present and they all three have done good work. Begum Shah Nawaz went to England as a representative of Indian women at the Round Table Conference. There she won the respect of the English people for her ability and also did good work for her country. Women are members of almost all the societies that exist in the country and they are doing their share of the work along with men as efficiently as

[Sh. Lekhwati Jain.]

men do. Women can vote for the Legislative Assembly. They can vote for the local legislatures. They can be sent to England as members of the Round Table Conferences. But they cannot vote for the committees and district boards or become their members. What an anomaly ! If women can work in the legislatures of the country, they can also work in such small bodies as the municipal committees or district boards. Women participated in the Civil Disobedience Movement and they proved that they are as efficient as men in doing political work. I may bring to the notice of the House that in the cantonment boards there are lady members but in the municipal committees there are no lady members. The right to vote and to seek election to the cantonment board is conceded to women and they are also regarded as efficient in the discharge of the ordinary duties of a member but this right is not given to them for the Ambala municipal committee. This is another inconsistency which is beyond comprehension. Jain Conference, Agarwal Conference and many such conferences passed resolutions to the effect that suffrage should be extended to women. Ferozepore municipal committee also passed such a resolution. This shows that there is an enlightened opinion in the country which is in favour of women-suffrage.

Possibly objections might be raised against this resolution on two grounds. First is the, one advanced by Bhai Parmanand who is against women-suffrage, for, that gentleman has expressed his opinion against it on many occasions. He expressed this opinion at the time when I was seeking election to this House. He said that at present our institutions are not unobjectionable, and the presence of womenfolk there is improper and unwise. If we admit that our institutions are really so defective at the present time then the question arises, why they are tolerated at all ? Why are they brought into existence ? How can they be expected to do any good when their morale is so defective ? These are petty objections raised by ungenerous people, otherwise they have got no weight.

The second ground on which an objection can be raised against this resolution is the Muslim point of view. My Muslim brethren may say that their women observe purdah and consequently they cannot come out of their houses to fight election campaigns and that they are not expected to go to the polling stations to give votes. To this my reply is very simple and it is that purdah *de trop* only exists in the cities and in families whose male members have become educated and enlightened. In villages where majority of the population lives there is no such purdah which might be said to be detrimental to women-suffrage. Even if for a moment we admit the relevancy of this argument, does it mean that purdah-observing ladies' opinion has not got any worth and that they need not be consulted ? Women form an important part of the population of the country. They cannot be ignored. Sir, these very enlightened gentlemen who are so much against women-suffrage usually take their daughters, wives, sisters and other women relatives to cinema halls, theatres and other public entertainments. When they can allow their women to go to these places, why should they object to their going to the municipal committees or district boards ? My Muslim brethren ought to be more reasonable and change their views. Without any reason they are prejudiced against women.

The grant of these rights to women is not a new thing in India. In the United Provinces the right to vote exists for women. Women can also vote for the Bombay Corporation, and become its members. Punjab women are comparatively more enlightened, more advanced and more educated. They ought to be given this right. When these very same rights are granted to women in a province like the United Provinces which is so backward in many respects, why should they be not granted to the women of this province?

The Honourable Minister for Local Self-Government might say that in England women secured these rights after much agitation and sincere efforts and that here also, they must sweat first and then obtain these rights. There in England no doubt Women Suffrage Movement was started and much propaganda work was done to secure these rights. If this is the plea for not granting us the right to vote, then women can make the same sacrifice here also. They can agitate; they can start propaganda; they can sweat and perspire. They are not afraid to undertake any of these means in order to achieve the right to vote. But why employ these means when the same end can be achieved by some other methods which might not necessitate agitation, propaganda and such other inconvenient things? Why should not men see the relevancy of our claim and admit it? Is hue and cry always necessary for the attainment of every kind of end? We expect men to be more reasonable and give us what is our due.

Then, Sir, on many political and non-political stages men have compared both the sexes to the two wheels of a cart and said, that as a cart cannot go if any of the wheels is missing, so life considered as a sum total of various kinds of duties cannot pass so long as man and woman do not join hands and collaborate. These expressions are volatile. They become meaningless as soon as they are uttered. I wish men had more faith in what they say.

Again there are things which only require women's handling. For example, if a woman tells her husband that he should in her absence take care of the children and also put the household articles in order, and leaves, it is sure that on her return she will find the children dirty and all in tears and the household articles scattered and misplaced. There are duties for which women are more suited, and they are not only domestic duties but they also include in themselves many public duties. If women become members of committees and district boards it is certain that sanitary arrangements, children's education, etc., will improve. Further, there are no efficient arrangements for the maternity hospitals. Men cannot realise the difficulties of women in this respect and consequently they are negligent in opening maternity hospitals. If women become members of municipal committees and district boards they will surely bring the necessity of such hospitals to the notice of these bodies. Many women die of travail annually. If through the intervention of the lady members maternity hospitals are opened every year, many lives will be saved from death.

Now, I should like to bring my speech to a close. I submit that this has been my first opportunity to speak in this House. I might have failed to come up to the level of the standard of speeches usually delivered in this

[Sh. Lekhwati Jain.]

House, and as my knowledge of the rules of procedure is very limited I might not have conformed to them. Notwithstanding all this the House has listened to my speech very attentively. I am very grateful to it for this, and hope that it will see its way to accept my resolution unanimously. With these words I commend my resolution.

Mr. President : Resolution moved—

This Council recommends to the Government that the sex disqualification for registration on the electoral roll of the municipalities and district boards should be removed in respect of women generally, and they should be allowed to stand as candidates for the membership of the same.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban)

4 P. M.

(Urdu) : Sir, I find myself face to face with two difficulties at the very outset. Firstly, I am suffering from throat trouble and shall not be able to make my voice sufficiently audible. Secondly, I have to oppose, though partially, a resolution moved by a lady member and chivalry demands that one should lay down arms when the opponent is a lady even if there be a fair chance of victory. (Laughter). I have every sympathy with my sister so far as her desire to promote the interests of her sex is concerned, and I am extremely gratified to see that though she has been returned mostly on men's votes the first thing which an Indian lady member of this Council has done, is an effort to remove a great disqualification which her sisters are suffering from. I am glad that she has got an opportunity of championing the cause of her sex in this Council. I, as a Mussalman, fully recognise the legitimate rights of women. In fact there is no Mussalman who will be opposed to the principle of recognising the equal status of women with men. Islam gives even a higher place to women. The Prophet of Islam has said that the Paradise is to be found under the feet of mothers. So the position of a Mussalman in this matter is quite clear. Nor is there any question of women being inferior to men in knowledge, courage or bravery. Who does not know or admit that on many occasions women have furnished remarkable proofs of their intellectual gifts and performed excellent feats of personal valour? The work which Begum Shah Nawaz has recently done in England does immense credit not only to Indian womanhood as a whole but would be a matter of pride for any gifted European lady. But, I am afraid, there will be some serious practical difficulties in carrying out the suggestion of my sister. The wish embodied in the resolution may be good but we cannot afford to shut our eyes to the practical side of the question. We will be glad to see a large number of women holding their own in this Council, in the Assembly and even in the Council of State. We have no objection to women ousting men from all positions of responsibility and monopolising, as it were, the worries of this life. I am a member of a municipality and I have been entrusted with the duties of the Chairman of Public Health Committee. My personal experience is that the streets are very filthy and dirty. I know that women play a very prominent part in making the streets dirty and they persist in adding to their filthiness. If women are given an opportunity of serving on the municipal committees they will at least make amends for the filth-accumulating tendencies of their sex, by their activities in the health department. (Laughter). In short, I take this resolution in

two parts. As far as the first part which aims at removing 'the sex disqualification for registration on the electoral roll of the municipalities and district boards' is concerned, I am absolutely at one with the mover. I totally agree with her and I lend her my support without the least reservation. I would be very glad to see that this Council gives its unqualified assent to this proposal. But so far as the second part of the resolution which deals with the question of women 'standing as candidates for memberships' of the local bodies is concerned, I cannot bring myself to believe in the reasonableness of the suggestion. I am too well aware of the difficulties in this line. I know what a hard task it is to stand for election. One has to deal with the vexatious problem of bogus voters. This difficulty will assume even greater proportions when women step into the election field. All of us know that a vast number of women voters are purdah ladies whose identification at the polling booths would well nigh be an impossibility. You will not be able to appoint the requisite number of lady polling officers or lady presiding officers. It is out of the question that you should ask the women to discard purdah all at once. I, for one, am not sufficiently advanced to make such a suggestion. What will happen under such circumstances? If a person, Mamraj Singh by name, impersonates as a lady voter, you will not be able to expose him. This is the case of a bogus voter. But there will not be less difficulty with genuine voters also. All of us are aware that orthodox Hindu wives, whose number is certainly not inconsiderable in the community, are extremely shy of uttering the names of their husbands. Even if you know the name of a lady voter to be Sita Devi, you will not be able to ascertain her identity by referring to the name of her husband, because she will simply not tell you. If his name is Tota Ram (Tota in English means a parrot) she will, if at all, drop some very wide hints concerning the unfortunate bird whose name forms the part of her not very fortunate husband's name; for instance, that which twitters, that which speaks like man and that which says, "*Mian Mithhu*" and so on and so forth. (*Laughter*). It is not a matter to be laughed away. It is a fact. Even educated Hindu ladies cannot overcome this shyness. Many an educated Hindu lady has had the necessity of disclosing the name of her husband but has most jealously guarded the "secret." Now, if such voters are called to the polling booths the difficulties of the rival candidates can be better imagined than explained. In such circumstances only ten women, if they are determined to figure as bogus voters, can secure victory for their candidate.

Women bogus voters can be the cause of another grave trouble. Everybody knows that persons who attempt to cast bogus votes are prosecuted and convicted. But to get a woman convicted for an identical offence would entail very grave consequences. If anybody is known to have been instrumental in getting a woman imprisoned for attempting to cast a bogus vote her sex will stage a great public mourning (*syapa*) at the door of his house. Though Sir Henry Craik has got *syapa* prohibited by law, nothing will prevent the sympathetic women mourners from making the life a virtual hell for one who causes the arrest or conviction of any member of the fair sex. (*Laughter*). It is idle to think that any system that has worked or is working successfully in England can be safely adopted in this country also. There are some fundamental differences between the culture, social conditions

[Shaikh Muhammad Sadiq.]

and the civilization of the two countries. So, what is sauce for them may not be sauce for us. Similar is the case of England's giving her womanhood ambitious rights of representation. But we Indians cannot afford always to follow in their footsteps. We cannot give the same rights to our womanhood which England has bestowed on hers. It does not mean, however, that I want to exclude women from all public appointments or that I intend to keep them away from all public bodies. It is, on the other hand, my firm conviction that we shall not be able to march forward to our goal, nor shall we be able to attain to that destiny which is the landmark of progress and liberty, unless and until the women of our country are fully prepared for that march. If women are backward the country cannot go forward. But I would ask the honourable mover to proceed with caution. The goal is to be reached through stages. What is at present required is this. She should ask the Honourable Minister to evolve a scheme and think out ways and means by which the desired end may be attained. In England itself where the system of public bodies and popular representation is centuries-old (it is at least of eight hundred years' standing) the right of standing as candidates was given to women only in 1924. I see no reason why we should be made to pass over all the necessary intermediary stages. I would, therefore, suggest that at first two, three or four women members should be taken in local bodies by nomination. After that a like number may be selected by a body of educated people. When these experiments will have stood the test of time we will safely be able to embark on an election campaign. If the system of election of women is introduced now, I assure you, no election will pass without bringing an election petition in its wake. Moreover, the hardships of managing an election campaign are such as are only known to us who have fought elections. It is no fun to stand all the day long, sometimes getting up at three or four in the morning, and face untold botheration. I would request the honourable mover to wait till women are able to cope with such campaigns. She should not make one long tedious stride when two strides can conveniently be made. Furthermore, it is difficult for us to be convinced of the fact that so many lady members will certainly be able to right all the wrongs of the local bodies. There has been as yet no elected lady member in those bodies, so, we cannot say with any amount of certainty that the introduction of elected female element will be beneficial to their working.

The honourable mover has contested one election and can very easily judge for herself if her sex has sufficiently developed election temperament to entitle them to the right of seeking elections. Without meaning any offence, may I ask her whether it is not a fact that for purposes of election propaganda two pictures of the rival candidates were drawn in which Shrimati Bali was shown as wearing silken dress and high-heeled shoes whereas Shrimati Lekhwati was portrayed all in simple homespun and standing with folded hands? This is the case of an election which was, I think, more or less local. Can any one foresee what may happen if the election is a general one and the tongas and lorries full of bogus voters are arriving from all sides? Does the honourable mover think that it will not be very difficult to weather the storm of such an election? I hope she will not lose sight of the facts and will rather request the Honourable

Minister to evolve a system by which the sex disqualification may be removed within a reasonable period, say five or ten years, without taking the risk of too hasty steps. With these words, Sir, I once again assure the honourable mover of my heartfelt sympathy for her cause and I lend partial support to her resolution.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural) (*Urdu*): Sir, I sincerely congratulate Shrimati Lekhwati on her brilliant maiden speech. I believe it must have impressed many to a great extent; but, I am afraid, a man of mature ideas like myself cannot be influenced by such arguments as she has advanced. I am really very sorry to oppose a resolution moved by a lady, but my present convictions have such a firm hold on my head and heart that I cannot bring myself to agree with her. Actuated by a deep sense of sympathy, no doubt, for her sex, she demands equal rights for them; but it is the same sense of sympathy for her sex which compels me to oppose her resolution. Equality of right, as I understand, it means that women should be given entire freedom of action in their own sphere of activity as men have in theirs. But they should not be called upon to assume responsibilities in a sphere that is not meant for them. They should not be saddled with those responsibilities that have never fallen to their lot in the past.

This question came up for discussion in our party meeting but nothing was finally decided about it. Some members opposed the suggestion of giving equal rights of representation to women but others held a contrary opinion. So we refrained from making it a party question, and left members free to speak and vote as they liked. I hope the members of my party will give a deep consideration to this question and will not let themselves be influenced by the fear of adverse press comments or the taunts of those who would like to see all sorts of wild suggestions carried out forthwith.

Equality of rights, I would again emphasise, Sir, does not mean that equal rights for women should be recognised in those spheres of activity which are exclusively meant for men. They are at liberty to exercise every authority and enjoy every privilege within their own province, but we cannot allow them to go about and poke their nose everywhere. God has made men different from women. Society has fixed different duties for men and women. For centuries past both sexes have been pursuing different courses chalked out for them by nature and society. Duties discharged and functions performed consistently for numberless centuries after all produce a great influence on our body, mind, habits, in fact, our very nature. Nobody can ignore these facts. Occupations and vocations followed by men and women through the ages have cast their natures into different moulds. The result has been that they can neither change places nor shift duties.

Let it be clearly understood that when I oppose the resolution under discussion it does not mean that I am lacking in respect for the fair sex. The fact, on the other hand, is that it is the great sense of respect which I have for them that compels me to oppose this resolution and, thus, save them from unnecessary inconvenience, and uncalled for strain on feminine nature. I oppose the proposal of giving women the right of voting at, or contesting elections because I regard with abhorrence the idea of seeing women rubbing shoulders with men at the polling booths.

[R. B. Ch. Chhotu Ram.]

I admit that there are many classes among whom women do not observe purdah. They go out to work on the fields and attend to sundry out-door duties. But even these people would not like to see their women mixing with men at the polling stations. I belong to the community of Jats whose women do not observe purdah. But if you go amongst them and offer their women the right of voting, or the right of elections and all that, they will refuse point blank to avail themselves of such a privilege. Even the women, I daresay, will not be willing to avail themselves of such rights. They will say, " Please leave us alone. We are better away from the scenes of roughness and rudeness." They will never be prepared to mix with strangers. And what are elections after all ? They are, as everybody knows, so many demonstrations of hooliganism. If women are allowed, to mix with men, at elections the latter will not be refined as many of us may be inclined to think. On the other hand there is every danger that women may become vulgarised. Our greatest objection, in fact, is that since women have never worked in this sphere in the past, they cannot safely be entrusted with duties in this line. So, you will not be doing them any service by thrusting upon them entirely new duties.

The honourable mover has told us that women have afforded in the past ample proof of their capability in every sphere of action. They have performed remarkable deeds of valour ; they have presided over the destinies of countries as queens and they have brandished swords on the battlefields. I do admit that some women have done all this. But if some extraordinary times have produced some extraordinary types of women, such exceptions cannot be taken as reflecting the general character and normal nature of women. If Chand Bibi or Ahlia Bai performed really commendable feats of personal valour or displayed unusual qualities of state-craft, it does not follow that all women are equal to men or can surpass them in those qualities. Moreover, if women as a class are not as brave or hardy as men are, this fact does not in any way detract from their greatness. These qualities are such that their absence in women does not matter in the least. This absence is partly accounted for by the fact that they have quite a different sphere of action which does not call for the play of these qualities. Doing all sorts of rough work, coping with the rough and tumble of life, facing difficulties and dangers, dealing with hooligans, rubbing shoulders with them, all these things are best done by men. Women can never be equal to such tasks. Nor have they ever done these things in the past. This is an aspect which deserves very careful consideration.

It has been pointed out that in Europe women have everywhere equal rights with men. They have a right to vote and can stand as members for Parliament. But the House would do well, in this connection, to bear in mind the well-known opinion of sages, that is, East is East and West is West. What is good and practicable there cannot necessarily be good and practicable here. Even in Europe such a right has been given after hundreds of years of experience. Moreover even in Europe for some years past I have been seeing signs of a distinct reaction against this and in course of time you may see a complete swing of the pendulum in public opinion with regard to the right of women for seeking elections, or some Hitler or Mussolini may rise to see the end of it in every country. There is a strong feeling

reasserting itself in the civilized countries at this time that women's duties are to look after their children, serve their husbands, and attend to domestic duties. Their best sphere of activities is considered to be the kitchen and the nursery rather than the Council and the Parliament. If you allow women to meddle with the affairs that are the exclusive concern of men you will be upsetting the whole social system. Everything will get out of gear. Evidently men do not know how to perform certain duties which come so naturally to women. Shrimati Lekhwati herself has admitted that men cannot cope with household duties such as care of children, management of kitchen and looking after guests. If this is a fact I should like to know how husbands will cook meals, look after children, and see to the dusting and cleaning of the house when wives are out to make speeches in municipal and district board halls. (*Laughter*). I would request the honourable mover again to think over this question. I would advise her sex to denounce this field. Women's field of action is a field of affection, love and tenderness while this field is bestrewn with thorns. So, let its worries be reserved for men. The four walls of a house enclose the kingdom of a woman. We recognise her complete independence, her sovereignty in that circle. She may manage things there in whatever way she chooses. Men have no right to interfere or meddle with her 'administration' there. Women should continue to be mistresses of their houses. But they should let politics alone. Their foremost duty is to bring up children in a befitting manner, look after the comforts of their husbands, and of their mothers-in-law and fathers-in-law.

My honourable friend behind me Mr. Sadiq, began his speech in such a strain that I had grave doubts as to which way the wind might blow. But fortunately he has lent only a partial support to this resolution and has expressed his approval of the idea of giving women the right of voting for municipalities alone. I, for one, rue the day when this Council passed a resolution conferring on women the right of voting and standing candidates for this Council. (*An honourable member* : And now you are sorry for that !). Yes, I am sorry that in an unguarded moment the resolution was allowed to be declared as passed. Unfortunately, nobody stood at that time to press for a division and the then President gave his decision. We had made all arrangements and if a division had been called, I am sure the resolution would not have been passed. But if we made a mistake in the past let not that mistake be repeated now.

Lala Gopal Das : Do you fear that women will oust you ?

Rao Bahadur Chaudhri Chhotu Ram : I am very sorry that we made that mistake. I know it full well that *shrimatis* and *khatuns* will denounce me with might and main for opposing this resolution. They will vilify me in the press. But it is my firm conviction that it would be cruelty rather than kindness to saddle women with responsibilities which are not in their line. My honourable friend, Shaikh Muhammad Sadiq, said that we should make an experiment to see if this system can work. He has proposed first to nominate a few women to the municipal committees and district boards and thereafter to arrange for the election of a like number by educated people. But my fears are that if women are admitted into the local bodies the proportion of their representation will produce a corresponding maladministration in those bodies. For instance, if ten or five lady members

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are sent to this Council the work will suffer in the proportion which their number will bear to the total number of members. If in a municipal committee there are four women members out of a total of sixteen the administration will deteriorate by that extent automatically. As far as the district boards are concerned we have resolved not to let women enter them.

The Honourable Dr. Gokul Chand Narang : By force ?

Rao Bahadur Chaudhri Chhotu Ram : Yes, if time calls for it. But I am sure we shall succeed with milder means. We will even entreat them with folded hands to remain out of this vexatious field of politics. I assure my honourable friend that we shall leave no stone unturned to keep women out of a sphere which is not theirs.

I find that young men who have not had much experience are inclined to support such proposals. Perhaps they are afraid of the press criticism or have no courage to stand the rebukes of the fair sex. But we old people are not swayed by such considerations. We will admit only that right of the fair sex which is reasonable to admit. As far as the peculiar circle of the female activity is concerned we are inclined to allow them more rights than they enjoy at present. But how can we allow them to interfere in affairs with which they have nothing to do ?

I am really very sorry to observe that in the sphere in which woman should have complete supremacy she is being maltreated. Her present position in society is not very high. In my opinion she should be mistress in her own house. She should be all in all so far as the internal administration of the house is concerned. But I strongly deprecate the idea of her taking part in the activities of local bodies. I would submit that this evil should be nipped in the bud. You have heard only one speech to-day but if you had heard more such speeches the young and less experienced members might have begun to waver. Of course I have a great regard for the feelings of Shrimati Lekhwati Ji, but I would request her not to tread on delicate ground.

It is said that Islam has granted equal rights to men and women. It is also asserted that woman holds a very respectable position in Hindu society. I have neither read Alquran nor Vedas but generally speaking I would say that there are certain spheres of life in which the fair sex would seem quite out of place. For instance, fighting is the business of men and not of women. I do not say that women never fought side by side with men but what I say is that fighting is normally the concern of men. I would, therefore, submit that women should keep aloof from politics. Domestic sphere of life is quite enough to keep them busy usefully. God forbid that women should begin to enter active politics. But if they take part in political activities as claimed in this resolution it would not be conducive to the welfare of this country, or of this province. I would, therefore, submit with all the force at my command that you should try your level best to avert what I consider a veritable misfortune.

Dr. (Mrs.) M. C. Shave (Non-official, nominated) : Sir, it is with mixed feelings that I rise to support the resolution brought forward by the brave and eloquent woman who has just come into the Council. She makes claims for her sex in general which the average woman if she were honest would

not consider justified and being very much an average woman I am prepared to tell the truth. That women are useful on municipalities, there is no doubt and that on every municipality a sprinkling of women would be a great advantage I feel certain, because I went to a municipal committee myself as I thought that men were making a mess of things and I thought I could point the way to reform. And now that two other women have joined me we have been able to do something. But I think the scope of women in this work is limited and though I do not agree with the reactionary gentleman who has just sat down still I think that it would not be a good thing if committees and councils were flooded with women. There are exceptional women who can do great things but the average woman's capacity is not that of a man in matters of business and allied things. But where women can be of use in municipalities is especially with regard to the planning of towns, the cleansing of cities, the care of women and children, education, sanitation and last but not least the creation and preservation of beauty. Our towns are hideous and men have made them so. Sanitation even in this, our capital city, is appalling. The honourable member from Rohtak is afraid that this resolution will hinder the business of committees and make it impossible for any good work to be done. But on the other hand I think it will carry its own corrections. There will not be many towns where women will come forward to seek election. Women should come in but I think the other way is best. I should prefer that a certain number of women should be nominated to these committees and boards and that they should not be compelled to face the stress and scandal of municipal elections as they are to-day. I am convinced that women will be very useful on such bodies and I strongly support the idea that women should be included in these committees in the way I have suggested.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural), (*Urdu*) : Sir, my honourable friend Chaudhri Sahib has discussed the resolution now before the House at great length. He has particularly emphasised the point that if franchise is granted to women a great calamity would surely befall us. There I fully agree with him. Some people assert that women should be given equal rights with men. Of course I do not deny that some women can do chivalrous deeds and deliver good speeches. But their number is very small. After all woman is woman and man is man. (*Loud laughter*). Dicey has written in his book that the British Parliament can do anything but make a woman a man or a man a woman. We, therefore, need not indulge in these things. We would obviously be traversing the wrong path. Women are already enjoying full rights in the domestic sphere of life. Nothing is being done without their consultation in that sphere. They prepare your food, look after the children and do many other jobs in their houses. In fact they are doing as great a service to humanity as men are doing in other spheres of life. I see that some women are very anxious to take part in politics as well. I think if they are permitted to do that, it will not be conducive to domestic harmony and peace. But my opposition to this resolution is only to this extent. What I mean to say is that when women appear to be so anxious to seek elections to local bodies, let us give them a chance. You know that in Gurdwara elections we have given them rights to vote but in practice they do not exercise their rights. Similarly if you give them rights to vote in elections to local bodies they would soon

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realise their mistake. It is said that in England women got these rights after a great struggle with Government. But what is its result? How many lady members are there in Parliament and to what extent have they been useful to Parliament? They have not done any useful work there. Anyhow let them come to local bodies. Let us not oppose their demand for the present. They will soon feel tired of election campaigns. With these words I resume my seat.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu): Sir, the subject under discussion is of paramount importance and as such we should not be carried away by sentiments. While considering it we should be guided solely by our sense of responsibility. It may be that some honourable members might be under the impression that as Islam favours purdah, no Muslim member of this House would see his way to support the resolution under consideration. So far as Islam is concerned of course it is laid down in Alquran that the activities of the fair sex should be confined within the four walls of the house. But the religion which grants her property rights also gives her right to control that property. While you admit her property rights it is not up to you to say that she should have no voice in the management of that property or in the enactment of laws regulating the management of that property. The resolution now before the House recommends to the Government to remove the sex disqualification so far as municipal and district board elections are concerned. This is a very important question and we should consider it most dispassionately. There are two groups of people in this country. Some of them hold the opinion that women should remain within the four walls of their houses while there are others, who are undoubtedly in a majority, who say that women should also take part in politics. It is therefore not advisable for us to go against the current. A few years back this very House passed a similar resolution with regard to election of women to this Council without any opposition and I wonder why it is now trying to go against that decision. I think it is too late now to reconsider this question when it has been decided once for all by Government to remove the sex disqualification in pursuance of the resolution passed by the central and local legislatures. It appears that the honourable members have not studied the memorandum prepared by the Muslim League. If they study it they will find how much stress is laid therein on the introduction of the principle of adult franchise in elections to various legislatures. My own party expressed itself in favour of adult franchise in 1928. The late Pandit Moti Lal Nehru, while advocating the cause of adult franchise realised the various difficulties that lay in the way of female voters which in his opinion could not be insurmountable. It is not necessary that female voters should record their votes exactly in the same manner in which the male voters record their votes. This problem is not one that cannot be solved by human brain. I think there should be appointed a committee which after fully considering the feelings expressed by my honourable friend from Rohtak and other members should suggest how male and female voters while remaining in different compartments can satisfactorily record their votes. It is a question of public opinion and the term "public" includes both male and female population. If you are opposed to women

becoming members of the legislatures and other representative institutions we ought to educate public opinion. You should say these things before the public at large and make the public agree with your arguments. When the Government has decided to remove sex disqualification so far as elections to legislatures are concerned there is no use now in opposing the enfranchisement of women. If you still persist in making such opposition you would be ridiculing the fair sex and for the matter of that ridiculing yourself. No doubt there are practical difficulties in the way of women franchise. If the Honourable Minister will promise to look into those difficulties and find a way out of it he will have our full support. The question of recording female vote should be threshed in a committee as I have suggested otherwise I am afraid the resolution as it stands will not be quite acceptable.

Mr. E. Mayadas (Nominated non-official) (*Urdu*): Sir, first of all

5 P. M.

I should offer my hearty congratulations to the honourable mover for the able speech she has delivered and for successfully giving expression to her views before the House. We hope that in future too when there will be an occasion for it she would make as good speeches as she has made to-day.

With regard to the resolution itself certain objections have been raised which to my mind are not at all convincing. It has been said that there are separate spheres of life for both men and women to work in and it has been asked, if women are permitted to seek election to local bodies, who would attend to their work in domestic sphere of life and look after their children? If supposing by some chance all the seats of a particular committee should happen to go into the possession of lady members, what then? Does it follow that affairs would become worse than at present? No doubt there are some practical difficulties in our way but by careful planning these can be overcome. These difficulties are not insurmountable and should not deter us from giving to women those rights which are their due.

It has been said that the presence of ladies in local bodies will not be of any use and consequently there is no need to remove sex disqualification for this purpose. But at the same time we are told that the ladies that have joined the Lahore Municipal Committee have done extremely valuable work. If that be so, is there any reason to believe that the same cannot take place elsewhere?

I admit that at present not many women will be found prepared to seek election as members of local bodies. I also concede that in some of the municipalities of the province no women will come forward for membership at present. But at the same time it is likely that in some of the big municipalities a few women will be found ready to seek election and I therefore ask "why should they be deprived of this privilege?" There is no doubt that women in general are not able to tender useful advice in all matters, but in problems like founding and management of maternity homes, education of small children, training of *dais*, sanitation, etc., which are chiefly the concern of women, they can give us most useful advice. For the sake of their valuable advice in these matters if not for any other reason we should allow women to come to local bodies. For the sake of obtaining

[Mr. E. Mayadas.]

expert advice the Punjab Government from time to time nominates special persons on special occasions when matters involving technical knowledge are to be discussed and when persons possessing those technical qualifications only can reply to the debate or give sound advice. I would repeat again that the difficulties that are feared in the matter of election are not such as cannot be removed. Many of these difficulties would probably be overcome by nomination of suitable women by the Government.

The honourable member who preceded me has raised some very important points and advanced some very cogent reasons in support of the resolution and I would like those who are opposed to this measure to reply to those arguments. With these few words I support this resolution.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, I think that if we do not oppose this resolution we shall be going against nature itself. Nature has allocated and allotted different places and positions to men and women in society and they have different duties to perform in their different spheres of action. If we were to allow women to have their way in everything and if we were to grant them similar position and status as men enjoy, who knows that women may ask men to-morrow to give birth to children themselves. (*Laughter*). That, it must be conceded, is impossible and against nature. It is for this reason I say that we should not recognise the claim of women to be allowed to do what men are and have been doing. I know that there is a growing tendency on the part of men and particularly the so-called gentlemen to so shape themselves as to appear like women. They have begun to discard not only beards but moustaches as well, just as some of the honourable members here appear to have done and they are trying against nature to go into the rank of women. (*Laughter*). But that is no reason why we should allow women to step into the fields reserved for men. Nature has created them to give birth to children and to bring them up in a manner worthy of mothers so that when their sons should grow up, they should be able to perform the duties of councillors in a very able and efficient manner. In this connection I am reminded of the great personality of Sir Sayyad Ahmad whose biography I had the good fortune to read sometime back. From that biography I have learnt that he learnt Arabic from his mother and grand-mother who were women of culture and learning. From the study of the life of this great man I am more than ever convinced that if women were to keep to their own station in life and if they were to bring up their children in a suitable manner, surely their sons will shine and make a mark in the world and become the guiding stars for others to follow. That is why I say that we should not allow women to come out of their allotted sphere so that everything may go on as smoothly as before.

In supporting her resolution the honourable mover said that women had been taking part in wars and that they had been fighting side by side with men. But I am sure she will not be able to point out any kingdom in the history of the world where a regular army of women was ever formed to defend any country or its countrymen. If even women are known to have fought, they have fought only in cases where either the armies of men had been defeated or destroyed or in cases where the honour of

womenfolk was at stake. I admit that in such cases they have performed wonders and done deeds of which this sex can rightly be proud. But such cases are rare, and cannot be taken as a ground for giving women the same rights as are being enjoyed by men.

My honourable friend, Chaudhri Afzal Haq, said, "When Islam has allowed a share to women in the property owned by their relations, why is it that women should not be permitted to make laws or to participate in the making of laws governing property?" Lest this statement should create any misunderstanding, I consider it necessary to point out that where Islam has allowed a share to women in property, it has also made exhaustive provisions governing such property. Islam does not ask you to assemble to formulate new provisions, but invites you to sit together to decide things in the light of the already best made regulations. It is, therefore, no plea for recognising the rights of women at this hour to participate in the making of laws.

It has been said that in Europe women have been allowed to seek election as members of parliaments and local bodies, and that sex disqualifications have been removed in all countries in that continent in this respect. But the honourable members must have also read the views of Herr Hitler on the subject, which have been given publicity in the papers. He is of opinion that women should remain within the walls and should not be allowed to come out. I think I will not be wrong if I say that Europe as a whole is tired of the liberty and freedom enjoyed by women of that continent. The women there have made things very hard for men, and this feeling is gaining strength every day. If you want to try the same experiment and if you also want that women in this country should make things very hard for you, you are welcome to give women the same liberty. But I am sure that like sensible people we shall not make the same mistake to repent afterwards. Why on earth should we allow women to become members of municipal committees and district boards and thereby mar the domestic peace and harmony that we enjoy at present? Is it not very likely that when women become members of local bodies or of councils and are busy debating with their colleagues in the chambers, their husbands will very badly miss them from homes, and a sort of bitter feeling will be created between the married couples when men in the absence of their wives will not find any one to welcome them after their labours? Will not the husbands fret and frown when they do not find, in the absence of their wives, the key and the clothes which it is the duty of women to keep? I am sure that if we allow women the liberty that they demand the chastity both of women and men is at stake, and we are sure to find many husbands ready to break the heads of their wives. And I think no one will like to see that things should come to such a pass.

The honourable mover has expressed disapproval of the purdah system amongst Muslims. It appears she is not aware of its advantages. I do not claim to know much of Islamic literature, and hence I am not able to quote anything from it in support of this system. But looking at it from a rational point of view, I think it has many advantages. It will be admitted that there is a sort of magical power in the eyes which attracts you to the person and particularly a beautiful person, whom you happen to see. It makes

[Ch. Muhammad Abdul Rahman.]

you love that person, resulting in spoiling the morals of the man thus attracted and his consequent degradation and this is looked upon in Islam as the worst sin against God as well as society. This purdah intervenes between the power that attracts and the person to be attracted. I shall not dwell on this point as some of my friends seem to be annoyed over it. However, I shall appeal on these grounds and on others that have already been stated that we should strongly oppose this resolution that is now before the House.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Sir, I wish to congratulate first the elected lady member on her spirited speech and the able manner with which she has put her case. I seldom thought that such a resolution would have any opposition. I was surprised to find that the leader of a party, who has at any rate created an impression in the country that the party is in favour of adult franchise, has opposed this resolution. (*An honourable member*: Not as a leader). I agree with Chaudhri Afzal Haq that this resolution should not be discussed in a light-hearted manner. It is a very important resolution which has a far-reaching effect one way or the other. We are on the threshold of a new constitution. At any rate, we do hope that we will get extensive powers, more powers than we at present enjoy in the political sphere, and at this stage if we come forward to say that women should not exercise the same powers as men do, I am afraid it will have a very bad effect. We are copying, western parliamentary institutions, and there is no country in the world where parliamentary institutions exist and sex disqualifications exist side by side. It is only in this country, and that too for the reason that we have not so far exercised powers which western countries do, that we had to discriminate in the beginning. I take pride in the fact that our Council was probably the first reformed Council which passed a resolution in favour of removing the sex disqualifications.

It has been said that men are fitted to do a particular job and women are fitted by nature to do a particular job. I ask my friends whether it is for men to allocate work for women also. It is all very well for men to say that they can do this thing and that thing and this job and that job, and it is for women to say whether they are also fitted to do a particular job. It does not lie with men to point out that women will not be able to exercise all those powers which men are exercising. Apprehension has been expressed, "sometimes seats may be filled by all women, and if that happens what will men do?" I feel that even if all the seats in the municipalities, district boards or the councils are filled by women, the work of these institutions will in no way suffer. It will probably be carried on more smoothly than it has been done hitherto. There would be less communal trouble, there will be less quarrel than we have been witnessing. As a matter of fact, the Women Association in this country was the first to declare that they do not want any communal franchise or communal electorates. There is far less communal quarrel among women than among men, and if women go to the council or municipalities, men will be free to devote all their attention to their fields, to managing their estates, to their own professions and bring more income to the family and to the home.

We must take note of the fact that in all those countries where parliamentary institutions exist, women have got these rights, and these rights have been obtained by women after great struggle. Are we going to see a repetition of these struggles, or should we give these rights ungrudgingly to women also? If you want to avoid all the troubles that have been faced by the westerners, by the Women Suffrage Movement, we must give equal rights to women. Sir, those who are in power seldom want to part with that power. Men are in power in this political sphere, and I think it is that feeling which is preventing them from parting with that power and giving it to women. If you are asking the British Government to part with their power, is it not right that you ought to be prepared to share that power with women? (*Hear, hear*). The British Government and the Britishers say that we are not fitted to exercise these powers that we are not the best custodians of these rights and you may not be able to protect the rights of masses. All the same you want to have that power. Now women say that you are not fitted to protect the rights of women or to do those things which women can do. Is it not right that you ought to accept that proposition and give women equal rights with men?

Well, Sir, the question is whether women can exercise political powers rightly or wrongly. Where reasoning does not help men instinct helps women. It will be a very retrograde step for this Council to oppose a resolution of this nature, when this Council was the first of its kind to pass a resolution in favour of removing sex disqualifications. With these few words I support the resolution.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural), (*Urdu*): Sir, I must first congratulate Shrimati Lekhwati for bringing forward this proposition before the House in such a beautiful and able manner. She deserves our praise because she has been bold enough to take a lead in this matter while we have kept quiet over it during all these 12 years since this Council came into existence. It is hardly necessary for me to say that it is a matter of no ordinary importance, and that we should consider it very calmly and dispassionately. We shall be doing injustice to ourselves if we deal with this question in a light-hearted vein. I am sorry to observe that at this stage of our constitutional fight when we are so loud in asserting that the country is prepared in every respect for self-government, some of us should express disagreement with this resolution. I wonder why the honourable leader of our party has thought it fit to oppose this proposition. He cannot have forgotten that not very long ago he expressed himself in favour of adult franchise while submitting a memorandum before the Franchise Committee. He also laid claim to the fact that the province was quite prepared for full provincial autonomy and in fact for everything. After laying claims to these things it does not lie in his mouth now to say that women cannot be entrusted with any work of responsibility. It is too late in the day to say so. I am particularly sorry to see those honourable members opposing this resolution who are more or less committed to remove the sex disqualification as desired in the resolution, as Council election rules have no such disqualification for women. I wonder what effect the speeches of the honourable leader of our party and others who have opposed the resolution will produce on the outside world.

[K. B. Sardar Habib Ullah.]

I should think they have belied themselves in setting themselves up against this resolution and in treating it in a light-hearted manner.

It has been asked, "who will look after the children and who will attend to domestic affairs if women are allowed to take part as members in the administration of local bodies?" This and other arguments of similar nature are things which have already been exploded. They have lost their force, and carry no conviction with sensible persons. I would like to know if during these years in which we have permitted women the right of vote for the legislative council, any complaint of the misuse of this right by women has been received. I am sure that no such complaints have been received, and if that is so, on what ground can we deny the right that is being sought by this resolution? I am aware that no difficulty has either been experienced by women voters or even by the polling officers in recording their votes of which so much capital is being made by some of the members. In my own constituency about 80 per cent. of the women voters who were mostly *pardadars* came to record their votes and not the least difficulty was experienced in the matter of identification or in any other matter connected with the polling.

You are prepared to make women magistrates, but you are not willing to concede to them the right to vote. The honourable Mrs. Shave is also a member of the Municipal Committee of Lahore. Her worth as a member of the committee has never been doubted. She has done very good work since the time she was nominated to the Lahore Municipal Committee. She has brought to the notice of the committee such matters to which previously no one cared to devote any attention. Another lady member of the Lahore Municipal Committee is the wife of our learned colleague, Mr. Nanak Chand Pandit. You can enquire from Pandit Ji whether he has ever felt any difficulty as regards his domestic affairs and specially when his wife is out to attend the meeting of the Lahore Municipal Committee. Similarly Mrs. Shah Nawaz's absence from her house in order to attend the meetings of the Lahore Municipal Committee I think has never caused any inconvenience to her husband or to her children. Mrs. Shah Nawaz went to attend the Round Table Conference in England, and there she did good work and also impressed the people there by her ability. I need not dwell upon this point at length. It is quite apparent and the honourable members will find quite reasonable.

Recently I happened to read a book about Russia, where women take part in almost all the work that is done by men. By such participation of Russian women in the work of men the bringing up of children is not interfered with in the least. There the women discharge the duties of magistrates and also run the co-operative societies. They participate in every work that are done by men. (*An honourable member*: But have you read Hitler's order). Yes, I have read it. It only says that women should not take part in useless activities. (*Interruption*).

Mr. President: Honourable members should not interrupt when another honourable member is speaking.

Khan Bahadur Sardar Habib Ullah: Such objections are useless, and they have got no force in them. Coming to the subject in hand it is

for the Honourable Minister for Local Self-Government to say whether this change which is desired by the resolution can be effected by bringing in a Bill or by some other method, such as amendment of the rules on the subject. If amendment of the rules will give effect to the recommendation contained in the resolution then I request that necessary amendments may be made and women granted these rights at once. And for the sake of those members who do not agree to this resolution, for the present, these rights may be granted so far as municipal committees are concerned, and after some time when you find that the experiment has succeeded their extension may be made to the district boards also. This would be a step in the right direction.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (*Urdu*): Sir, before I begin to express my views on the motion now before the House I would like to say that the speech of the honourable the lady member was very interesting. She delivered her speech in a very beautiful manner. It made an appeal to all the members. That is why so many members have delivered speeches in favour of her resolution. She said that often on the stages men have compared both the sexes to the two wheels of a cart. This comparison is quite alright, and there is truth in it. As a cart cannot go if one of its wheels is missing so life becomes difficult if man and woman who form the two wheels of the cart of life do not shoulder the duties of life willingly and jointly. The lady member accused men that they never do in practice what they say. This is incorrect. Men have been co-operating with women from the very beginning of the world. There are two spheres of duties. One of these spheres is assigned to women the other to men. Both the sexes have been doing their level best in the discharge of their respective duties. But now by this resolution the honourable the lady member wants that both the wheels of the cart should be placed on one side and thus equality may be restored to them. If such a change were effected the cart will not remain a cart. It will not be even a bicycle. I request that this cart of life which is formed by a man and a woman may be allowed to remain as it is, for, meddling with it will make it unworkable.

The honourable mover said that while women can be elected for councils they cannot be elected for committees and district boards, which are comparatively quite small bodies. I may tell her that the sphere of action of the councils is quite different from that of district boards. The members of the district boards are required to go to different places for discharging their duties. If women become members of district boards they will have to go out to different places for discharging some duties. Now who will be responsible for their safety when they are out? Those countries in which women suffrage is in force are very far away from here, and we do not know what conditions necessitated the grant of this right to them. Besides, the conditions prevalent there in those countries are quite different from the conditions that prevail here. What may be advisable for them cannot be advisable for us here. European people in view of their own needs and circumstances granted to women the right to vote. This does not mean that we should also follow suit without knowing whether the same conditions exist here. It is for us to say what should be beneficial for our women here in India. Here our customs are different, our conditions are different and

[Pir Akbar Ali.]

our traditions are different. Here, if a woman makes a speech in a committee and it is appreciated it would be regarded as a matter of shame by the relatives of that woman. The father will not come out of his house for some time on account of a sense of shame which he would feel at hearing that her daughter made a speech in the meeting of the local body and that it was appreciated. This is the present mentality of our people. You cannot change it in a day or two. The case of the district boards is quite different from the municipal committees. I cannot say about the committees, but I am sure that the relatives of a lady member of a district board will surely feel insulted by her presence in the meetings of the board. Then, Sir, supposing a district board is holding its meeting and a lady member's child begins to cry and wants to suckle. Will she leave the meeting and go out to appease the hunger of the child? The conditions in other countries are different. There, people generally live in hotels. Women are not required to perform domestic duties. Here a woman's absence from her house means a good deal of botheration for the whole house. Here the division of labour is quite on different lines. In India it is necessary that women should remain in houses and attend to household duties while the men are out in the fields.

Again, the honourable mover of the resolution made some remarks about the Islamic purdah. Islamic purdah is good for purposes of morality. It is meant to avoid the coming together of men and women who are not related. According to the Islamic purdah a woman can go to the bazars, to the cinemas, to the meetings and all such other places, but she must go there in purdah as is enforced by Islam.

Next there is the question of identification of women voters at the polling stations. Who will identify them at the polling stations, their husbands or some other relatives of theirs? It is to be remembered that she cannot go out or remain together with a man who is not related to her within prohibited degree.

Mr. President : The honourable member is repeating the arguments already advanced.

Pir Akbar Ali : Very well, Sir, I was saying that Islamic purdah is necessary, and if women become members of a committee or a district board they will have to discard it. This will be quite undesirable from a Muslim's point of view. For the sake of making them members of local bodies purdah, which is enjoined by Islam, cannot be abolished. One of the honourable members sitting on this side of the House made a reference to the division of work. To it the most appropriate answer is the one which was given by my honourable friend Chaudhri Muhammad Abdul Rahman Khan. The division of work has already been effected by nature. Nature has assigned different sets of duties to both the sexes. Men's duties differ from those of women. Men work in the fields and go out for war. Women remain in the houses and attend to children or other household duties. Women cannot be expected to enlist themselves in the army. The allocation of work has been done by nature. If you will change their respective duties, harm will result.

Some gentlemen have been very enthusiastic about the grant of the right to vote to women. These gentlemen notwithstanding all their enthusiasm have never allowed any sort of interference by women in their private work. They themselves manage their properties, and have not allowed their women to manage their properties such as lands, etc. I know the honourable lady member has brought this resolution before the House with the intention of benefiting women, but let me tell her that as her experience, as compared with ours is limited, she had better withdraw her resolution for it will result in a good deal of harm to women. I advise her that in future she should desist from bringing forward such resolutions as the present one. With these words I resume my seat.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*): Sir, before I take up the actual subject under discussion I would like to congratulate the honourable lady member for bringing up this subject for discussion. She also deserves a high complement for the fine speech which she has made, and which must have impressed all the honourable members. The subject appears to have evoked much interest. It is gratifying to find that a larger number of members have expressed their views on it. Much light has been thrown on the subject from various points of view. Now, before I proceed to say anything in favour or against the resolution, I would like to tell the honourable members what the Government have already done in the matter. It will interest the honourable members to know that I took charge of the portfolio on the 16th of October 1930 and raised this question on the 6th of December 1930. It was brought to my notice that this question had been raised some time before I came into office. I called for the papers. They were put up, and after studying them I called a meeting of the Standing Committee of Local Self-Government. The subject was discussed. After consideration it was decided that in the rules of election the word "Male" should be omitted to remove sex differentiation. In accordance with this decision of the Standing Committee a preliminary notification to this effect was published in the *Government Gazette* and objections invited. Three municipal committees, namely, Multan, Jagadhri and Ludhiana supported the action taken. After this but before the final notification was prepared a letter from the secretary of the Unionist Party with a representation bearing the names of 20 gentlemen came to me. These names were typed, and though there were no signatures of any of them I had no reason to doubt their genuineness. All those gentlemen whose names reached me were members of the Unionist Party of the Council and with the exception of two or three are still members of the Council. I am glad to see that one of those honourable members has changed his views, and has made a very eloquent speech in favour of woman suffrage.

Rao Bahadur Chaudhri Chhotu Ram: Of course I am not that member?

The Honourable Dr. Gokul Chand Narang: No. When this letter reached us we were unable to publish the final notification contemplated because a majority of the members of the Unionist Party were not in its favour. Thereupon I referred this matter to the Executive Council, but before so doing enquired from seven other provinces as to what their

[The Hon. Dr. Gokul Chand Narang.]

policy was in this connection. These provinces from whom enquiries were made were, Bombay, Madras, Bengal, United Provinces, Bihar and Orissa, Central Provinces and Burma. We also asked them to send their rules on the subject. Out of these seven provinces six had allowed women to vote for the municipal committees. In Bengal they were not given this right. However, they could vote for the Calcutta Corporation. Even in the United Provinces where conservative element is dominant, women enjoy this right to vote for the municipal committees. In Madras, which is highly conservative, though not backward, there is ample provision to ensure the legitimate representation of women in local bodies. I would like to read out, for the information of the House, the relevant section of the Madras Municipalities Act—

In any municipality the local Government may, in their discretion, from time to time, reserve seats for Muslims, Indian Christians, Adi Dravidas, Europeans, Anglo-Indians or women and determine the number of such seats.

But more than one-fourth of the seats are not to be reserved for these classes. So, when we examine the facts we are convinced that everywhere the principle of giving women some share in the administration of the local bodies is recognised.

At this stage the Council adjourned till 2 p. m. on Thursday, 22nd February 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 22nd February, 1934.

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. C. C. Garbett (Chief Secretary).

Mr. B. M. Staig (Secretary, Electricity).

STARRED QUESTIONS AND ANSWERS.

JOINT ELECTORATES IN SMALL TOWN COMMITTEE, KHARAR.

***2727. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) if it is a fact that ever since the introduction of joint electorates in Kharar a majority of members of the Kharar Small Town Committee have been non-zamindar ;
- (b) if it is a fact that the Muslim element in the population of the Small Town, Kharar, according to the census of 1931, is nearly 40 per cent. and that of Hindus and Sikhs combined 57 per cent. and that the Muslim element in the numbers of voters according to the latest (1933) official list is nearly 42 per cent. and that of Hindus and Sikhs combined, 57 per cent. ;
- (c) if it is a fact that in the years 1924—27 and 1927—30 the strength of Muslim representation in the Small Town Committee, Kharar, was only 28 per cent., i.e., 2 out of 7, and that in the year 1930—33, it was only 14 per cent., i.e., 1 out of 7 ;
- (d) if it is a fact that in the new Small Town Committee, Kharar (1933-36), the strength of the Muslim representation is only 28 per cent., i.e., 2 out of 7 ;
- (e) why the seat to be filled by nomination has been given to a Sikh, as a consequence of which the percentage of non-Muslims has been raised to nearly 72 per cent. ;
- (f) what steps the Government propose to take to increase the representation of Muslims on the Kharar Small Town Committee ?

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

(b) Yes.

(c) Yes.

(d) Yes.

(e) The appointment of the Sikh member was considered the best selection by the Commissioner who has full powers in this respect.

(f) Government do not propose to interfere with the arrangements made by the Commissioner.

INSOLVENCY APPLICATIONS FROM AGRICULTURISTS.

***2728. Mian Nurullah :** Will the Honourable Member for Finance be pleased to state—

(a) how many agriculturists of Lyallpur district applied for insolvency in each of the following years, namely, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932 and 1933 ;

(b) how many were declared insolvent in each year and how many were discharged ;

(c) their total liabilities and assets ;

(d) the area of land owned by the applicants and the liabilities per acre ;

(e) the average yearly income per square of the estate of an insolvent in each of the above years ;

(f) whether this includes the estimated value of the standing crops as well ?

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

Statement showing the applications for Insolvency from Agriculturists of Jagallpur District, their Assets and Liabilities, etc., from 1922 to 1928.

Number	Name of year.	(a)		(b)		(c)		(d)	(e)	(f)
		Agriculturists applied for Insolvency.	How many declared Insolvent.	How many discharged.	Total Liabilities.	Total Assets.	Area of land.	Liabilities per acre.	Yearly average income per square.	Whether the estimated value of standing crops is contained in the figures in column (e).
1	1922	18	1	..	Rs. A. P. 1,500 0 0	Rs. A. P. 305 0 0	..	..	Rs. A. P. ..	Yes.
2	1923	6	1	..	1,256 0 0	357 0 0	..	..	..	Yes.
3	1924	4	1	..	14,470 0 0	5,065 0 0	1½ square	332 8 6	120 0 0	Yes.
4	1925	6	1	..	52,985 0 0	49,443 0 0	2 squares, 7 ghamaons and 2 kanals.	929 8 9	Whole the land is mortgaged with possession for Rs. 33,800.	Yes.
5	1926	4	..	..	..	..	..	..	..	Yes.
6	1927	12	2	..	(1) 30,704 0 0 (2) 2,966 2 9	15,101 12 0 300 4 0	1 square and 2 ghamaons. No land	1,137 2 9	222 8 0	Yes.
	Total	..	..	..	33,700 2 9	16,402 0 0	..	..	..	..

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Ludhiana District, their Assets and Liabilities, etc.,
from 1922 to 1933—contd.

Number.	Name of year.	(a)		(c)		(d)		(e)	(f)
		Agriculturists applied for Insolvency.	How many declared Insolvent.	How many discharged.	Total Liabilities.	Total Assets.	Area of land.	Liabilities per acre.	Whether the estimated value of standing crops is contained in the figures in column (e).
					Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.
7	1928	30	8	1	(1) 6,206 0 0	2,325 0 0	11 bighas	1,128 5 9	Adjudication order annulled.
					(2) 7,026 0 0	3,028 0 0	5 kilsas	1,405 3 2	Land was mortgaged with possession.
					(3) 7,960 0 0	5,029 8 0	11½ kilsas	677 7 3	Mortgaged with possession.
					(4) 13,900 0 0	64,400 0 0	3 squares	185 5 3	Ditto.
					(5) 2,445 0 0	253 4 0	No land	..	..
					(6) 8,560 0 0	1,090 0 0	6 kanals	11,413 5 3	Mortgaged with possession.
					(7) 4,800 0 0	900 0 0	No land	..	..
					(8) 2,197 0 0	200 0 0	No land	..	..
	Total	?	..	..	53,094 0 0	77,225 12 0	3 squares and 21½ kilsas.	..	..

1929	31	5	..	(1) 20,250 0 0	16,130 0 0	1 square and 7 bighas.	735 4 3	212 8 0	Yes.
				(2) 3,072 0 0	5,020 0 0	1 square	245 12 0	Mortgaged with possession.	
				(3) 4,977 0 0	2,172 0 0	7½ bighas	1,284 6 3	Ditto.	
				(4) 19,936 0 0	16,068 0 0	1 square	797 7 0	Ditto.	
				(5) 2,145 0 0	400 0 0	No land	..	..
Total	..	..	..	50,380 0 0	39,778 0 0	2 squares and 19½ kallas.	..	..
1930	63	28	..	(1) 56,684 0 0	47,667 0 0	1 square and 3 ghamsons.	2,020 13 9	75 0 0	Yes.
				(2) 2,070 0 0	518 0 0	2 ghamsons	1,035 0 0	Mortgaged with possession.	
				(3) 25,860 0 0	16,009 0 0	1 square and 19 kallas.	587 8 0	Ditto.	
				(4) 17,060 0 0	16,737 0 0	1 square and 10 ghamsons.	50 0 0	140 0 0	Yes.
				(5) 48,860 0 0	63,530 0 0	2½ squares	781 9 6	Mortgaged with possession.	
				(6) 44,347 7 9	23,200 0 0	1 square	1,779 14 3	Ditto.	
				(7) 14,027 0 0	6,324 0 0	18 kallas	779 4 0	Ditto.	
				(8) 17,610 0 0	11,189 0 0	½ square	926 13 6	285 0 0	Yes.
				(9) 27,585 5 9	9,900 0 0	8½ kallas	3,310 3 9	Mortgaged with possession.	
				(10) 14,080 6 0	4,800 0 0	19 kallas	741 1 3	Ditto.	
				(11) 13,186 12 0	7,149 0 0	½ square	1,055 11 9	Ditto.	

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyallpur District, their Assets and Liabilities, etc., from 1922 to 1933—contd.

Number.	Name of year.	(a) Agriculturists applied for Insolvency.	(b)		(c)		(d)		(e) Yearly average income per square.	(f) Whether the estimated value of standing crops is contained in the figure
			How many declared Insolvent.	How many discharged.	Total Liabilities.	Total Assets.	Area of land.	Liabilities per acre.		
					Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.	
9—contd.	1930	63	28	..	(12) 1,800 0 0	Not mentioned	1 square	144 0 0	Mortgaged with possession.	Yes.
					(13) 13,254 0 0	4,000 0 0	1 square and 3 kallas.	473 5 9	Ditto.	
					(14) 7,800 0 0	5,220 0 0	16 kallas and 3 kanals.	487 8 0	60 0 0	Yes.
					(15) 10,390 0 0	Not mentioned	3 kallas	3,463 5 3	25 0 0	Yes.
					(16) 8,575 0 0	Do.	1 square	347 0 0	Mortgaged with possession.	
					(17) 2,190 5 9	170 0 0	No land	..	..
					(18) 15,181 0 0	23,006 0 0	20 kallas	759 0 0	Mortgaged with possession.	
					(19) 25,973 0 0	The price not mentioned in the list.	2 squares and 11 kallas.	425 12 6	Ditto.	

(20)	24,846	0 0	16,390	0 0	1 square, 10 kil- las and 1 kanal.	708 14 3	Ditto.	Yes.
(21)	9,500	0 0	The price is not mentioned in the list.	1 square	760 0 0	85 0 0		Yes.
(22)	10,280	0 0	Ditto	1 square and 8 killas.	311 8 3	200 0 0		Yes.
(23)	25,498	0 0	Ditto	22 killas	1,159 0 0	149 0 0		Yes.
(24)	19,368	0 0	12,016 0 0	16½ killas	1,173 3 3	Mortgaged with possession.		Yes.
(25)	21,110	0 0	14,885 0 0	1 square and 15 killas.	527 12 0	108 5 3		Yes.
(26)	29,634	0 0	The price is not mentioned in the list.	1 square and 3½ bighas.	1,139 12 3	137 8 0		Yes.
(27)	24,630	0 0	16,636 0 0	2 squares and 15½ killas.	378 14 9	217 12 0		Yes.
(28)	32,096	0 0	13,120 0 0	1 square and 9 ghamaons.	944 0 0	Mortgaged with possession.		
Total ..					2 squares and 23 killas.	..	..
(1) 11,539 0 0					1 square and 5 ghamaons.	384 10 0	Mortgaged with possession.	
(2) 19,010 0 0					1 square	760 6 6	Ditto.	
(3) 16,047 0 0					1 square	1,283 12 0	Ditto.	
(4) 1,750 0 0					No land	..	..
10 1931 ..					71 43 ..	..	..

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyallpur District, their Assets and Liabilities, etc.,
from 1923 to 1933—contd.

Number.	Name of year.	(a) Agriculturists applied for Insolvency.	(b)		(c)	(d)	(e)	(f) Whether the estimated value of standing crops is contained in the figures in column (e).
			How many declared In- solvent.	How many discharged.				
			Total Liabilities.	Total Assets.	Area of land.	Liabilities per acre.	Yearly average income per square.	
			Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.	Yes.
10—	1931	71	(5) 17,248 0 0	The price is not mentioned in the list.	7½ kallas	2,399 11 9	30 0 0	Yes.
ed.			(6) 18,487 0 0	13,506 0 0	1 square and 7 kallas.	577 11 6	Mortgaged with possession.	
			(7) 24,500 0 0	14,012 12 0	27 kallas	907 6 6	Ditto.	
			(8) 30,150 0 0	The price is not mentioned in the list.	17 kallas	1,773 8 6	Ditto.	
			(9) 8,290 0 0	5,175 0 0	15½ kallas	534 13 3	75 0 0	Yes.
			(10) 12,050 0 0	6,719 0 0	1 square	482 0 0	70 0 0	Yes.
			(11) 14,878 0 0	10,780 0 0	2 squares	297 8 9	300 0 0	Yes.

(12)	6,700	0	0	14,443	0	0	1 square	..	268	0	0	Mortgaged with possession.	
(13)	11,416	0	0	5,124	12	0	8 kallas	..	1,426	14	0	Ditto.	
(14)	11,265	0	0	5,121	8	0	8 kallas	..	1,408	2	4	Ditto.	
(15)	13,476	0	0	8,733	12	0	1 square and 3 ghamsans.	3	481	4	6	65 0 0	
(16)	11,212	0	0	7,961	0	0	23 kallas	..	487	7	6	Mortgaged with possession.	
(17)	37,410	0	0	21,840	0	0	4½ squares	..	332	8	6	110 0 0	Yes.
(18)	14,200	0	0	8,283	0	0	1 square and 3 kallas.	3	507	2	3	56 3 3	Yes.
(19)	4,580	0	0	2,565	0	0	3 bighas	..	3,063	5	4	Mortgaged with possession.	
(20)	3,255	0	0	680	0	0	3 kallas	..	1,085	0	0	Ditto.	
(21)	9,161	0	0	The price is not mentioned in the list.		1 square	..	..	782	14	0	Ditto.	
(22)	22,828	0	0			1 square and 19 kallas.	19	..	518	13	0	50 0 0	Yes.
(23)	39,294	6	9	13,360	0	0	2 squares and 16 kallas.	..	595	5	9	65 0 0	Yes.
(24)	12,468	0	0	3,475	0	0	6 kallas	..	2,078	0	0	60 0 0	Yes.
(25)	3,610	0	0	928	8	0	4 kanals	..	7,220	0	0	Mortgaged with possession.	
(26)	1,590	0	0	128	0	0	No land	..	..	..	..	..
(27)	6,520	10	0	2,292	8	0	8 kallas	..	815	0	0	Mortgaged with possession.	
(28)	8,861	0	0	4,700	0	0	20 kallas	..	443	0	0	42 8 0	Yes.
(29)	1,177	13	0	The price is not given in the list.		1 square and 20 kallas.	20	..	26	2	6	Mortgaged with possession.	

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyallpur District, their Assets and Liabilities, etc., from 1922 to 1933—contd.

Number.	Name of year.	(a)		(b)	(c)		(d)	(e)	(f)	
		Agriculturists applied for Insolvency.	How many declared In- solvent.		How many discharged.	Total Liabilities.				Total Assets.	Area of land.	Liabilities per acre.	Yearly average income per square.	Whether the estimated value of standing crops is contained in the figures in column (e).
10-1031	..	71	43	..	Rs. A. P. (30) 7,405 0 0	Rs. A. P. 5,593 0 0	19 kallas	389 11 9	Rs. A. P. 125 0 0	Yes.
					(31) 5,620 0 0	3,069 0 0	8 kallas	702 8 0	Mortgaged with possession.	
					(32) 4,496 2 0	4,500 0 0	1 square	179 14 9	Ditto.	
					(33) 4,535 0 0	1,550 0 0	5 kallas	907 0 0	30 0 0	Yes.
					(34) 1,701 0 0	173 0 0	No land	..	..
					(35) 7,810 0 0	3,549 0 0	1 square	724 12 9	25 0 0	Yes.
					(36) 28,188 11 0	10,228 0 0	1 square	1,127 7 6	70 0 0	Yes.
					(37) 55,849 6 0	35,125 0 0	6½ square	8,935 14 9	Mortgaged with possession.	
			(38) 13,245 0 0	6,788 0 0	1 square and 20 kallas.	294 5 3	115 0 0	Yes.		

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyallpur District, their Assets and Liabilities, etc., from 1922 to 1933—contd.

Number.	Name of year.	(a) Agriculturists applied for Insolvency.	(b)		(c) Total Liabilities. Rs. A. P.	(c) Total Assets. Rs. A. P.	(d) Area of land.	(d) Liabilities per acre.	(e) Yearly average income per square.	Whether the estimated value of standing crops is contained in the figures in column (e).
			How many declared Insolvent.	How many discharged.						
	1932	101	49	..	(9) 11,975 0 0	8,400 0 0	1 square and 17 killas.	Rs. A. P. 374 3 6	Declared insolvent on 18th December 1933, hence the lease is to be given.	Rs. A. P. 130 0 0
					(10) 19,195 0 0	13,734 0 0	1 square and 18½ killas.	446 6 3	Mortgaged with possession.	
					(11) 29,916 14 0	11,068 14 0	1 square and 17½ killas.	712 4 9		
					(12) 11,565 0 0	3,125 12 0	18 killas	642 8 0	Mortgaged with possession.	
					(13) 2,715 0 0	339 8 0	2 killas	1,357 8 0	Mortgaged with possession for Rs. 550.	
					(14) 7,500 0 0	1,136 12 0	3½ killas	2,500 0 0	Ditto.	
					(15) 537 8 6	64 12 0	No land	..	..

11—contd.

(16)	4,265	3 0	3,520	0 0	1½ kallas	..	2,132	9 6	Mortgaged with possession for Rs. 1,400.	
(17)	1,805	0 0	73	0 0	No land	..	..	..	..
(18)	11,510	0 0	7,111	0 0	1½ square	..	371	4 6	Mortgaged with possession for Rs. 4,000.	
(19)	5,060	0 0	637	0 0	No land	..	..	..	..
(20)	9,760	0 0	254	0 0	No land	..	..	..	..
(21)	10,316	0 0	2,530	0 0	8 kallas	..	1,289	8 0	Mortgaged with possession for Rs. 1,600.	
(22)	1,687	8 0	190	0 0	No land	..	..	..	..
(23)	84,155	0 0	69,725	0 0	7 squares	..	480	14 3	Mortgaged with possession for Rs. 20,700.	
(24)	8,799	0 0	The price of assets not given in the list.		1 square	..	351	15 3	Mortgaged with possession for Rs. 5,500.	
(25)	16,293	0 0	2,420	4 0	½ square	..	1,303	11 0	40 0 0	Yes.
(26)	8,601	0 6	3,827	4 0	1½ kallas	..	614	5 9	80 0 0	Yes.
(27)	18,494	0 0	5,352	0 0	18½ kallas	..	973	5 9	Mortgaged with possession for Rs. 12,900.	
(28)	7,291	9 6	4,320	0 0	3 kallas	..	2,430	5 3	20 0 0	Yes.
(29)	17,579	0 0	7,046	0 0	½ square	..	1,405	9 6	35 0 0	Yes.
(30)	2,360	0 0	215	8 0	No land	..	..	..	..
(31)	8,650	0 0	7,000	0 0	1 square and 15 ghamaons.	..	211	4 0	Mortgaged with possession.	
(32)	12,739	0 0	7,560	0 0	1 square	..	509	8 9	40 0 0	Yes.

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyalpur District, their Assets and Liabilities, etc., from 1922 to 1938—contd.

Number.	Name of year.	(a)	(b)		(c)		(d)	(e)	(f)	
			How many declared In- solvent.	How many discharged.	Total Liabilities.	Total Assets.				
1932	..	101	49	..	Rs. A. P.	Rs. A. P.	Area of land.	Liabilities per acre.	Yearly average income per square.	Whether the estimated value of standing crops is contained in the figures in column (e).
					(33) 4,670 0 0	2,423 8 0	1 square	365 9 9	Mortgaged with possession.	Yes.
					(34) 9,532 0 0	6,545 8 0	14 square	221 10 9	290 0 0	Yes.
					(35) 7,366 0 0	3,663 4 0	1 square	589 4 6	25 0 0	Yes.
					(36) 16,150 0 0	The price of assets is not given in the list.	1 square	646 0 0	115 0 0	Yes.
					(37) 4,537 0 0	5,186 0 0	1 square	252 0 0	170 0 0	Yes.
					(38) ..	..			
					(39) ..	..			

[The Hon. Sir Henry Craik.]

Statement showing the applications for Insolvency from Agriculturists of Lyallpur District, their Assets and Liabilities, etc.,
from 1922 to 1933—conold.

Number.	Name of year.	(a)			(b)		(c)		(d)		(e)	(f)
		Agriculturists applied for Insolvency.	How many declared Insolvent.	How many discharged.	Total Liabilities.	Rs. A. P.	Total Assets.	Rs. A. P.	Area of land.	Liabilities per acre.	Yearly average income per square.	Whether the estimated value of standing crops is contained in the figures in column (e).

ABSTRACT FROM 1922 TO 1933.

1	1922	18	1	..	1,500 0 0	Rs. A. P.	305 0 0	Rs. A. P.	..	..	..	..
2	1923	6	1	..	1,256 0 0	Rs. A. P.	357 0 0	Rs. A. P.	..	..	..	..
3	1924	4	1	..	14,470 0 0	Rs. A. P.	5,065 0 0	Rs. A. P.	1½ square	..	..	..

4	1925	..	6	1	..	52,985	0	0	49,443	0	0	2 squares, ghamaons and 2 killas.	7	..	..
5	1926	..	4	..	..	..	..	..	..	..	..	..	..	..	..
6	1927	..	12	2	..	33,700	2	9	15,402	0	0	1 square and 2 ghamaons.	2	..	..
7	1928	..	30	8	1	53,094	0	0	77,225	12	0	3 squares and 21½ killas.	3	..	..
8	1929	..	31	5	..	50,380	0	0	39,778	0	0	2 squares and 19½ killas.	2	..	..
9	1930	..	63	28	..	5,63,356	5	3	3,12,456	0	0	28 squares and 23½ killas.	28	..	..
10	1931	..	71	43	..	5,69,019	2	9	2,96,199	0	0	46 squares and 6½ killas.	46	..	..
11	1932	..	101	49	..	4,78,634	2	6	2,56,572	2	0	33 squares and 11½ killas.	33	..	..
12	1933	..	36	7	..	54,222	3	9	15,483	11	6	3 squares and 6 killas.	3	..	..
GRAND TOTAL OF ABOVE ITEM.		382	146	1	1	18,62,617	1	0	10,58,289	9	6	123 squares and 9½ killas.	123	..	..

DECREES AGAINST AGRICULTURISTS IN LYALLPUR.

***2729. Mian Nurullah :** Will the Honourable Member for Finance please state the total amount of money for which decrees were passed by Civil Courts, Lyallpur, against the agriculturists of the district in the years 1922—1933, and the total value of decrees in execution against them ?

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

Statement.

Year.	Total amount of money for which decrees were passed.	Total value of decrees in execution.
	Rs.	Rs.
1922	5,86,892	3,53,825
1923	5,36,945	4,15,623
1924	4,57,862	2,42,253
1925	9,36,083	3,16,797
1926	7,42,358	3,23,535
1927	6,83,709	4,80,508
1928	8,99,890	4,66,325
1929	8,03,741	4,44,315
1930	5,56,481	4,32,285
1931	6,08,165	4,52,327
1932	6,37,347	4,74,288
1933	6,81,836	4,52,217

LEASE MONEY OF LAND AUCTIONED BY CIVIL COURTS, LYALLPUR.

***2730. Mian Nurullah :** Will the Honourable Member for Finance please state the average annual amount of lease money of land per square auctioned by Civil Courts of Lyallpur in execution proceedings for the years 1922—1933 ?

The Honourable Sir Henry Craik :

Year.	Average annual amount of lease money per square.	Year.	Average annual amount of lease money per square.
	Rs.		Rs.
1922	535	1928	378
1923	616	1929	261
1924	649	1930	224
1925	611	1931	212
1926	630	1932	206
1927	482	1933	173

LAND UNDER MORTGAGE IN LYALLPUR.

***2731. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the total area of land held by agriculturists in the Lyallpur district ? How much of it is under mortgage and for what amount ?

The Honourable Mr. Miles Irving : 1. The total area of land held by agriculturists in the Lyallpur district is 1,327,593 acres.

2. The total area held under mortgage with possession in the Lyallpur district is 92,098 acres (of which 65,415 are held by agriculturists and 26,678 by others) but it is not known how much of it has been mortgaged by agriculturists and for what amount.

AGRICULTURAL DEBT IN LYALLPUR.

***2732. Mian Nurullah :** Will the Honourable Member for Revenue please state the total amount of debt of the agriculturists of the Lyallpur district.

The Honourable Mr. Miles Irving : The Government have no information beyond the fact that Rs. 65,05,860 was on loan to members of agricultural co-operative banks in the Lyallpur district on 31st July, 1933.

AVERAGE HOLDING OF ZAMINDARS IN LYALLPUR.

***2733. Mian Nurullah :** Will the Honourable Member for Revenue please state the average holding of the zamindars in the Lyallpur district in the years 1912, 1922 and 1932 ?

The Honourable Mr. Miles Irving : Figures of the average holding of the zamindars in the Lyallpur district for the year 1912 are, it is regretted, not available. Figures for the years 1922 and 1932 are given below :—

Year.	Average area in acres.			
1922	17
1932	14

HOLDINGS OF ZAMINDARS IN LYALLPUR.

***2734. Mian Nurullah :** Will the Honourable Member for Revenue please state what percentage of the holdings are (a) under 5 acres, (b) between 5 to 10 acres and (c) 10 to 15 acres ?

The Honourable Mr. Miles Irving : The required information will be found at pages 16 and 17 of Publication No. 4 and at pages 14 and 15 of Publication No. 11 of the Punjab Board of Economic Enquiry.

ECONOMIC HOLDINGS IN LYALLPUR DISTRICT.

***2735. Mian Nurullah :** Will the Honourable Member for Revenue please state what area the Government has fixed for the purposes of an economic holding in the district of Lyallpur ?

The Honourable Mr. Miles Irving : Government does not fix any area for the purposes of an economic holding in any district.

SALE OF GOLD AND SILVER ORNAMENTS BY ZAMINDARS.

***2736. Mian Nurullah :** Will the Honourable Member for Revenue please state whether the Government is aware that a large amount of ornaments of gold and silver are sold out by the agriculturists each year ? If so, how much ?

The Honourable Mr. Miles Irving : The Punjab Government receive no returns of the sale of gold and silver ornaments and are unable to supply the required information.

AGRICULTURAL DEBT TO MORTGAGE BANKS.

***2737. Mian Nurullah :** Will the Honourable Minister for Agriculture please state—

- (a) the total number of debtors of the various mortgage banks of Lyallpur district, the total amount of debts, and the area under mortgage with the co-operative mortgage banks, Lyallpur district ;
- (b) the number of debtors who were declared defaulters in each of the years from 1927—1933 ;
- (c) how many of the defaulters had to surrender the possession of their lands to the co-operative mortgage banks on account of their inability to pay their instalments, and what is the average yearly net income per square of such land ?

The Honourable Sardar Sir Jogendra Singh : A statement giving the required information is laid on the table :—

Statement.

	Toba Tek Singh.	Samundri.	Lyallpur.	Total.
(a) (1) Total number of debtors.	159	62	175	396
(2) Total amount of debts outstanding.	Rs. A. P. 3,55,003 11 9	Rs. 1,39,079	Rs. 4,68,218	S. RA. P. 9,52,300 11 9
(3) The area under mortgage with mortgage banks of Lyallpur district.	Acres Ks. Ms. 6,862 7 15	Acres Ks. Ms. 2,257 0 16	Acres 4,229	Acres Ks. Ms. 13,349 8 11
(b) Number of debtors who were declared defaulters in each year from 1927 to 1933—				
1927	3	2	10	15
1928	7	7	27	41
1929	29	2	43	74
1930	27	22	87	136
1931	103	38	155	296
1932	123	45	160	328
1933	115	47	170	332
(c) Number of defaulters who had surrendered the possession of their land to the co-operative mortgage banks on account of their inability to pay their instalments.	23	3	28	54
Estimated average net income yearly per square.	Rs. 170	Rs. 333	Rs. 114	Rs. A. P. 205 10 8

STRENGTH OF AVERAGE ZAMINDAR FAMILY IN LYALLPUR.

***2738. Mian Nurullah :** Will the Honourable Member for Revenue please state the number of members of an average zamindar family in the district of Lyallpur ?

The Honourable Mr. Miles Irving : Information for the Lyallpur district is not available, but a village survey of Kala Gaddi Thamman in that district shows that in that village the size of an average family among Sikh zamindars (Jats) is 6.5 persons and among Muslim zamindars (Jats) 8. It cannot be said whether these figures are typical of the district.

VARIOUS CLASSES OF AGRICULTURISTS IN LYALLPUR.

***2739. Mian Nurullah :** Will the Honourable Member for Revenue please state what percentage of agriculturists of Lyallpur are —

- (a) rent receivers, i.e., non-cultivating owners ;
- (b) actual cultivating owners ;
- (c) rent payers as tenants ;
- (d) agricultural labourers ; and
- (e) those who depend on agriculturists ?

The Honourable Mr. Miles Irving : The honourable member is referred to table X of the 1931 Census Report, part II, beyond which no figures are available.

PROPRIETARY HOLDINGS.

***2740. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state what percentage of proprietary holdings is owned by —

- (a) a single owner ;
- (b) two persons jointly ;
- (c) three persons jointly ;
- (d) four persons jointly ;
- (e) five persons jointly ;
- (f) above five jointly ;

in each of the following kinds of holding—

- (i) quarter of a square, (ii) half a square, (iii) a square ?

The Honourable Mr. Miles Irving : The information is not readily available and the labour involved in compiling it would be out of proportion to its value. The Government regret that they are unable to give a reply.

PRICE AND RENT OF AGRICULTURAL LAND.

***2741. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) the average price per acre of agricultural land in 1912, 1922 and 1932 ;
- (b) the rent per acre in the same years ?

The Honourable Mr. Miles Irving : (a) The average price per acre of cultivated land was :—

- (1) Rs. 123 in 1912.
- (2) Rs. 385 in 1922, and
- (3) Rs. 412 in 1932.

(b) This information is not available as rents in the Punjab are mostly in kind.

Mian Nurullah : May I enquire how the price in (a) is taken ?

The Honourable Mr. Miles Irving : If the honourable member will give me notice I can answer that question. I cannot at this moment recall the exact process of calculation.

LYALLPUR COTTON CROP.

*2742. **Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the area under cultivation, the yield per acre and quantity baled per 100 acres of cotton crop in the year 1912, 1917, 1922 and 1927—1932 in the district of Lyallpur ?

The Honourable Mr. Miles Irving : A statement containing the required information so far as it is available, is laid on the table.

Statement showing acreage, yield, etc., of cotton in the Lyallpur district.

Serial No.	Years.	Total area under cultivation in acres (both Desi and American) according to Season and Crop Report.	Yield per acre (cleaned cotton) in lbs.	Quantity baled per 100 acres in bales of 400 lbs.
		Acres.	Acres.	Acres.
1	1912-13	176,391	Actuals not available.	Information not available.
2	1917-18	166,948		
3	1922-23	135,635		
4	1927-28	252,651	139	34.8
5	1928-29	304,792	131	32.8
6	1929-30	286,210	182	45.5
7	1930-31	279,145	190	47.5
8	1931-32	284,519	150	37.5
9	1932-33	266,613	164	38.5

WHEAT AND TORIA IN LYALLPUR.

***2743. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the area under wheat and toria cultivation, the yield per acre, the quantity brought to all the markets in the Lyallpur district in the years 1912, 1917, 1922, 1927 to 1933 ?

The Honourable Mr. Miles Irving : The information is being collected and will be supplied to the honourable member when ready.

COTTON IN LYALLPUR.

***2744. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the number of gins in all the markets of Lyallpur district, the quantity of cotton (i) American, (ii) Desi, baled in the years 1912, 1917, 1922, 1927—1933 ?

The Honourable Mr. Miles Irving : The number of gins in all the markets of the Lyallpur district is 1,887.

Quantities of cotton baled in the markets in question during the years 1927—33 was as under :—

<i>Year.</i>				<i>Number of bales.</i>
1927-28	..	..	..	87,926
1928-29	..	..	..	100,413
1929-30	..	..	..	130,141
1930-31	..	..	..	133,015
1931-32	..	..	..	99,234
1932-33	..	..	..	102,807

It is regretted that the information for the years 1912, 1917 and 1922 is not available. In the baling returns no distinction is made between the American and Desi cotton, hence separate figures cannot be supplied.

PRICE OF WHEAT, COTTON, SUGARCANE, ETC., IN LYALLPUR.

***2745. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

(a) the harvest prices of wheat, gram, cotton, both American and Desi, toria, maize, and sugarcane in the years 1921—1933 in the various mandis of Lyallpur, specially Lyallpur, Gojra, Toba Tek Singh, Chak Jhumra, Tandlianwala, and Jaranwala ?

(b) the prices of wheat at the time of sowing in the years 1921—1933 in the above mandis ?

The Honourable Mr. Miles Irving : (a) & (b) Two statements containing the required information as far as the Lyallpur Mandi is concerned are placed on the table. Similar information relating to other mandis is not available.

[The Hon. Mr. Miles Irving.]

Statement showing harvest prices of wheat, gram, toria, unginmed cotton, Desi and American, maize and gur in
Lyallpur Mandi in the years 1921 to 1933.

Crops.	1921.	1922.	1923.	1924.	1925.	1926.	1927.
Wheat	Rs. A. P. 6 8 0	Rs. A. P. 5 6 0	Rs. A. P. 3 13 6	Rs. A. P. 4 1 0	Rs. A. P. 4 15 0	Rs. A. P. 4 8 6	Rs. A. P. 4 6 0
Gram	6 9 0	4 10 0	2 13 0	3 1 0	3 14 0	4 5 0	3 15 0
Toria	..	..	6 8 0	..	8 6 0	8 12 0	8 4 0
Unginned Cotton—							
Desi	..	..	..	..	..	..	..
American	6 4 0	2 4 0	3 0 0	..	..	..	..
Maize	9 0 0	5 5 0	6 0 0	7 2 0	7 4 0	6 8 0	5 12 0
Gur	..	..	..	..	..	..	..

Crops.	1928.	1929.	1930.	1931.	1932.	1933.
Wheat	Rs. A. P. 4 7 3	Rs. A. P. 4 0 0	Rs. A. P. 2 9 0	Rs. A. P. 1 8 6	Rs. A. P. 2 3 0	Rs. A. P. 2 11 6
Gram	..	4 0 0	2 9 0	1 12 0	1 13 0	2 5 0
Toria	..	4 7 0	3 6 0	3 8 0	3 12 0	3 7 0
Unginned Cotton—						
Desi	..	6 11 0	4 11 0	7 10 0	6 1 0	4 8 0*
American	..	11 10 0	6 6 0	8 12 0	7 2 0	5 10 0*
Maize	..	3 0 0	1 4 0	1 14 0	2 4 0	1 10 0*
Gur	5 10 0	6 4 0	3 12 0	3 8 0	2 8 0	3 8 0*

*Prices of 30th November.

NOTE 1.—The wholesale prices for the fortnight ending 30th June have been taken for Rabi and 31st December for Kharif crops.

NOTE 2.—The reporting of wholesale prices of unginmed cotton commenced from 1929 and those of toria from 1923. Prices of toria for 1924 and those of maize for 1924 -28 are not available.

Statement showing prices of wheat per mownd at sowing time in Tyalpur Mandi in the years 1921-88.

Crops.	1921.	1922.	1923.	1924.	1925.	1926.	1927.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Wheat	9 11 0	4 12 0	3 6 9	5 0 0	5 0 6	4 10 0	4 6 0
Crops.	1928.	1929.	1930.	1931.	1932.	1933.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Wheat	5 9 0	4 6 6	1 15 6	2 0 6	2 14 6	2 5 0	

NOTE.—The wholesale prices for the fortnight ending 31st October have been taken.

KANUNGO CANDIDATES IN LYALLPUR.

***2746. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the total number of kanungo candidates accepted in Lyallpur in 1932 and 1933 ? How many were agriculturists and how many are related to the ministerial staff of Government officials at Lyallpur ?

The Honourable Mr. Miles Irving : Out of the four kanungo candidates accepted in 1932 and 1933, one is agriculturist. All are related to the ministerial staff of Government officials at Lyallpur.

ESTATE OF MINORS UNDER COURT OF WARDS, LYALLPUR.

***2747. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the yearly income per square of the estate of minors under the supervision of the Court of Wards at Lyallpur in the years 1926—1933 ?

The Honourable Mr. Miles Irving : A statement is laid on the table.

Statement.

YEAR.	SIDHOWAL ESTATE.				MAMDOT ESTATE.			
	Total number of squares.	Total income.	Average income per square.	Total number of squares.	Total demand.	Total collection.	Arrears.	Average income per square.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1925-26 ..	14	8,105	579	21·6	13,906	13,906	..	644
1926-27 ..	14	6,881	491	21·6	13,502	13,502	..	625
1927-28 ..	14	5,259	376	22·8	13,621	13,621	..	597
1928-29 ..	14	8,755	625	22·8	13,621	7,420	6,201	325
1929-30 ..	14	8,261	590	22·8	12,695	300	12,395	14
1930-31 ..	14	3,607	258	22·8	12,695	150	12,545	7
1931-32 ..	14	5,911	422	22·8	2,450	1,888 23,975	562	1,134
1932-33 ..	..	..	..	22·8	4,540	25,863 1,000	3,540	44

NOTE.—Rs. 31,141-6-8 stood in arrears till the end of *rabī* 1931, of which Rs. 7,165-15-7½ were remitted, and Rs. 23,975-6-10½ recovered from the defaulters by purchase and mortgage of land.

EXPENDITURE OF ESTATES UNDER COURT OF WARDS, LYALLPUR.

***2748. Mian Nurullah :** Will the Honourable Member for Revenue please state the yearly expenditure per square of the various estates under the Court of Wards at Lyallpur during each of the years 1926—1933 ?

The Honourable Mr. Miles Irving : A statement is laid on the table :—

Statement.

YEAR.	AVERAGE ANNUAL EXPENDITURE PER SQUARE.	
	Sidhowal estate.	Mamdot estate.
	Rs.	Rs.
1925-26 	26	Nil
1926-27 — 	26	—
1927-28 	26	—
1928-29 	26	—
1929-30 	26	—
1930-31 	26	—
1931-32 	*150	—

*The increase in expenditure in the year 1931-32 is due to the fact that land revenue was paid by the estate whereas in the past it used to be paid by the lessee.

HOUSE SURGEONS FOR MAYO HOSPITAL.

***2749. Mian Nurullah :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of house surgeons selected for the Mayo Hospital in each year from 1927—1933 ;
- (b) the number of agriculturists and non-agriculturists among them ;
- (c) if the number of agriculturists so selected is very small as compared with that of non-agriculturists, the reasons for it ;
- (d) whether there is a dearth of qualified agriculturist applicants ;
- (e) if the answer to (d) is in the negative, the reason for not giving due effect to the Government Resolution of 1919, re recruitment of zamindars in the public service of the province ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b)—

Year.				Number of House Surgeons.	Agricul- turists.	Non- Agriculturists.
1927-28	..	..	..	5	1	4
1928-29	..	..	..	8	4	4
1929-30	..	..	..	6	2	4
1930-31	..	..	..	6	2	4
1931-32	..	..	..	6	3	3
1932-33	..	..	..	9	3	..
1933-34	..	..	..	6	3	..

(c) No.

(d) and (e) Do not arise.

SELECTION OF MEDICAL GRADUATES FOR THE P. C. M. S.

***2750. Mian Nurullah :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of medical graduates selected for the P. C. M. S. during each year from 1927 to 1933 ;
- (b) the number of graduates of Indian Universities among them ;
- (c) the number of foreign qualified graduates among them ;
- (d) whether it is a fact that the number of graduates of the Indian Universities selected for the P. C. M. S. is smaller than that of those with foreign qualifications ;
- (e) if the answer to (d) is in the affirmative, the reasons for it ?

The Honourable Malik Sir Firoz Khan Noon : (a) During the period 1927 to 1933 recruitment to the P. C. M. S. was made only in 1930 and 1932 when the numbers were 20 and 12, respectively.

(b) and (c) All of those selected were graduates of the Punjab University ; and none were graduates of foreign universities but seventeen of them possessed British medical qualifications in addition to the degree of M. B. B. S. of the Punjab University.

(d) and (e) Do not arise. The selection is made by a permanent selection board on which there are four members of this Legislative Council out of a total of six.

AGRICULTURISTS IN THE P. C. M. S.

***2751. Mian Nurullah :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of P. C. M. S. officers in the Punjab ;
- (b) the percentage among them of agriculturists ;
- (c) if the percentage of the agriculturists in the P. C. M. S. is very low, the reasons for that ;
- (d) whether any steps have been taken or are being taken to make good the dearth of agriculturists in the Medical Service ;
- (e) whether the question of recruiting agriculturists in the Medical Service mentioned in (c) is being considered by Government ?

The Honourable Malik Sir Firoz Khan Noon : (a) The number of Punjab Civil Medical Service officers including those in the Women's branch at present is 159.

(b) 45 are agriculturists, i. e., 28·3 per cent. of the total strength.

(c) It is difficult to assign reasons for the existing percentage of agriculturists in the Punjab Civil Medical Service. Apparently sufficient agriculturists could not be found who had as high professional qualifications as those selected by Government for appointment.

(d) The attention of the honourable member is invited to the statement made in this Council on the 19th July 1927, by the Honourable Sir G. F. deMontmorency in regard to the future recruitment to services in the Punjab and to paragraph 15 of the resolution of Government, dated the 3rd of October 1919, on the proceedings of the Committee appointed to consider the subject of increasing the employment of zamindars in Civil Departments under the Punjab Government.

(e) The question can only be considered when vacancies have to be filled next.

POSTING OF RAI SAHIB NARSINGH DAS, EXCISE ASSISTANT TO HIS HOME DISTRICT.

***2752. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether Rai Sahib Narsingh Das, Excise Assistant to the Financial Commissioner, is a resident of Lahore ;
- (b) whether it is a rule in the Government Servants' Conduct Rules that a P. C. S. man or an I. C. S. man shall not be posted to a district in which he resides, or holds landed property ;
- (c) if the answers to (a) and (b) are in the affirmative, why Rai Sahib Narsingh Das has been posted to his home district ?

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

(b) No. It is one of the factors considered when postings are made but has little, if any, reference to officers at the headquarters of Government such as the officer now in question, whose duties extend all over the province and not merely to Lahore district.

(c) Because he was specially selected for the appointment.

Chaudhri Allah Dad Khan : As regards (b) it is a definite rule in Government Servants' Conduct Rules.

The Honourable Sir Sardar Jogendra Singh : No.

POSTING OF RAI SAHIB NARSINGH DAS, EXCISE ASSISTANT TO HIS HOME DISTRICT.

***2753. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that Rai Sahib Narsingh Das, now Excise Assistant, was previously in the office of the Financial Commissioner in charge of the Excise Bureau as Excise Inspector ;
- (b) whether it is a fact that Rai Sahib Narsingh Das was transferred from the Excise Bureau and ordered not to be posted near Lahore by Mr. C. M. King, late Financial Commissioner ;
- (c) if the answer to (b) is in the affirmative, why he has been posted to Lahore again in the office of the Financial Commissioner ?

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

(b) No.

(c) Does not arise.

SALE OF MEAT AND EGGS IN THE KURUKSHETRA FAIR.

***2754. Chaudhri Nathwa Singh :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether one Fida Hussain is keeping a stall within the Kurukshetra fair area in the vicinity of the railway station on which he sells meat and eggs ;
- (b) whether on the complaint and representation of the Kurukshetra Restoration Society, Mr. H. P. Tollinton, Deputy Commissioner, in the month of June 1933, served a notice on the said Fida Hussain, prohibiting the sale of meat and eggs ;
- (c) whether the sale of meat and eggs is prohibited by rules within the Kurukshetra fair area, and that any such sale is bound to injure the religious susceptibilities and hurt the feelings of the local Hindu community and the Hindu pilgrims who visit the sacred place all the year round ;
- (d) whether in spite of Deputy Commissioner's order and service of the notice on Fida Hussain, he is still carrying on the sale of the prohibited articles which may at any moment lead to a breach of public peace ;
- (e) if the reply to above be in the affirmative, what action the Government has already taken or proposes to take to prevent the open defiance by Fida Hussain of the Deputy Commissioner's order and to safeguard the interests of the local Hindu community and the pilgrims to the sacred tanks ?

The Honourable Dr. Gokul Chand Narang : (a) Not now, because Fida Hussain died in January, 1984, and his shop has been closed.

(b) Yes.

(c) The sale of meat and eggs is prohibited within the fair area during the fair days, but not throughout the year.

(d) Does not arise.

(e) Does not arise.

RESOLUTIONS PASSED BY THE ALL-INDIA MUHAMMADAN EDUCATIONAL CONFERENCE.

***2755. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

(a) how many resolutions concerning the education of the Muslims in the Punjab passed at its annual session by the All-India Muhammadan Educational Conference, held at Lahore last year, were received by the Punjab Government ;

(b) what is in brief the purport of each of these resolutions ;

(c) what action has been taken on these resolutions by the Punjab Government (Ministry of Education) ; if no action has been taken, why not ?

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

(b) A copy of the resolutions is placed on the table .

(c) The action taken on some of the resolutions is noted in the statement placed on the table. The remaining resolutions are receiving consideration.

Resolution No. 5.

In view of the backwardness of Muslims in Anglo-Vernacular education and their poverty this Conference is emphatically of the opinion—

(a) that the rules of grant-in-aid should be so amended that the Muslims may get their due share of Government grants;

(b) that all the Muslim schools that are not yet aided may be immediately placed on the grant-in-aid list;

(c) that in the case of Muslim schools the percentage of Government contribution to the net expenditure may be appreciably raised above the minimum;

(d) that in all backward areas where there are not Government or Board schools to cater for the needs of Muslims, the local Anjumans should be encouraged with liberal advance grants to open Islamia schools;

(e) that in accordance with the practice that used to prevail before the present rules came into operation, the Managers of the schools concerned should be present on the occasion of the assessment of the grants.

Resolution No. 6.

In view of the extreme backwardness of Muslims in girls' education this Conference resolves—

(a) that the Muslim representation on the staff of all Government and Board schools for girls should be increased to at least 50 per cent ;

(b) that all Government and Board schools in Muslim districts and areas should be given sympathetic Muslim headmistresses ;

(c) that in the case of Muslim Anglo-vernacular teachers and head mistresses of anglo-vernacular schools, the condition of training should be relaxed as long as purdah training institutions of anglo-vernacular teachers are not established ;

[The Hon. Malik Sir Firoz Khan Noon.]

- (d) that where Government and Board schools do not exist or cannot be immediately started the local Anjumans should be encouraged with liberal advance grants to open Islamia schools for girls;
- (e) that the Muslim element in the Government Colleges for girls, the Lady MacLagan High School and the Queen Mary's College, especially in the senior staff, should be immediately strengthened;
- (f) that in all Government and Board schools Urdu should become compulsory and the medium of instruction should also be Urdu.

Resolution No. 7.

In view of the backwardness of Muslims in Anglo-Vernacular education and their inadequate share in grants to aided schools and also of the fact that the aided schools are practically maintained from public revenues this Conference most strongly recommends that in order to protect the educational interest of the Muslims the proportion of Muslim headmasters and teachers in Government and Board institutions should be considerably increased.

Resolution No. 8.

In view of the poverty of Muslims which has been further accentuated by the present economic depression, this Conference is alarmed at the recent enhancement in the rate of tuition fees in the anglo-Vernacular schools of the province and very strongly recommends to the Government that in order to prevent a set back to Muslim education the rates of fee may be substantially reduced particularly in distinctly poor and backward areas, and further that the proportion of exemptions in fees may be raised by at least 100 per cent. for Muslims, especially the agriculturist, in both schools and colleges.

Resolution No. 9.

In view of the fact that out of more than 20 colleges in the Province under private management of which 7 are aided only one is exclusively for the benefit of the Muslim community, this Conference notes with alarm the extreme inadequacy of the Muslim element in the senior staff of the Government College, Lahore, and the mufassil colleges and strongly recommends to the Government—

- (a) that the proportion of Muslim teachers in the staff of the Government College, Lahore, especially among the heads of the various departments, should be raised to at least 40 per cent. of the total strength;
- (b) that the principals of all Government colleges in pre-eminently Muslim districts should invariably be Muslims;
- (c) that the proportion of Muslims in the staffs of all Government mufassil colleges should be raised to at least 50 per cent.

Resolution No. 11.

This Conference strongly recommends to the Government—

- (a) that the Muslim element in the Text Book Committee be strengthened;
- (b) that the Muslim publishers that have just come into the field and are therefore carrying an unequal fight with the old established firms, be given special encouragement;
- (c) that at least 25 per cent. of the income of the Text Book Committee be set apart for the encouragement of literature, and that of this allotment at least two-third should be specially allotted to Urdu which is the *lingua franca* and the principal vernacular of the Province;
- (d) that the Muslim element in the Text Book Committee's office be strengthened and the head clerk who ever since the inception of the Committee has been a non-Muslim should not be a Muslim;
- (e) that the Text Book Committee contract having hitherto been a monopoly of non-Muslim publishing firms should next time be given to a Muslim;
- (f) that in view of the defective language of the Urdu books approved by the Text Book Committee the Committee should take special steps to see that the books approved by it are written in correct language, and for that object should appoint a Sub-Committee of eminent Urdu writers to review the present books written in Urdu.

Resolution No. 12.

This Conference strongly recommends to the Government—

- (a) that compulsory elementary education up to the VI class be introduced throughout the province at a very early date;
- (b) that in order to ensure even expansion of vernacular education and a successful application of compulsion all over the province especially in rural areas, each district should be given a district inspector of schools and each tahsil an assistant district inspector of schools belonging to the community which predominates in that district and tahsil;
- (c) that in view of the increasing unemployment in the province vernacular education, especially at the secondary stage, be given a strong vocational bias;
- (d) that education up to the lower middle standard being recognised as elementary agriculturists be granted full remission up to that stage in all vernacular schools;
- (e) that in exceptionally poor and backward districts full remission be granted to agriculturists up to VIII class in vernacular schools.

Resolution No. 20.

In view of the extreme educational backwardness of the inhabitants of Multan and Rawalpindi division, this Conference strongly urges upon the Government (Ministry of Education) to raise the present intermediate colleges in Multan, Lyallpur, Gujrat and Campbellpur to Degree Colleges.

Resolution No. 23.

In view of the unsatisfactory state of female education in the Muslim community, it is of the utmost importance that the Government should give every possible help to every Muslim girls' school, and consequently this Conference strongly requests the Government to give a suitable site free of cost for the construction of Muslim Girls' School, Lyallpur.

Statement showing the action taken by the Department on some of the resolutions passed by the All-India Muslim Educational Conference held in April, 1933.

Resolution No. 6.

(a), (b), (c) and (e). Steps are being taken to increase the representation of the non-Christian element in the women's cadre. This will proportionately benefit the Muslim interests. Apart from this a large proportion of the recent appointments made on the anglo-vernacular side of the cadre has been given to Muslims.

Resolution No. 7.

The proportion of Muslims is being increased steadily, but no appreciable progress can be made unless and until new recruitment starts.

Resolution No. 8.

Private schools which cater chiefly for the backward communities or classes are permitted to charge tuition fees at lower rates under certain conditions. The question of raising the number of poverty concessions is under consideration.

Resolution No. 9.

(a) During the last two or three years the following Muslim teachers have been appointed on the staff of Government College, Lahore—

- (1) M. Fazal Ahmad Awan.
- (2) M. Siraj-ud-Din.

(c) This is steadily being done. But no appreciable progress can be made until and unless new recruitment starts.

Resolution No. 12.

(a) This point has been touched upon in the Compulsory Education Report which is under consideration.

(b) It is not always possible to do so. Efforts are, however, made so far as possible to post to an *ilaga* officers of the community which predominates there.

[The Hon. M^r Sir Firoz Khan Noon.]

(c) In Punjab Government (Ministry of Education) C. M. No. 863-G. S., dated 25th August 1923, manual training has been recognised as an integral part of the secondary course, but the object mainly is educational rather than vocational.

Resolution No. 20.

The Government Intermediate Colleges at Multan and Lyallpur have been raised to the degree standard with effect from the 2nd October 1933.

ELECTION OF THAKUR BHAWANI SINGH AS PRESIDENT OF BHIWANI MUNICIPALITY.

***2756. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Local Self-Government be pleased to state whether he has received any representation from the people of Bhiwani with the request that the election of Thakur Bhawani Singh as President of Bhiwani Municipality may be disapproved under section 20 of the Punjab Municipal Act; if so, what action has been taken in the matter?

The Honourable Dr. Gokul Chand Narang : Yes. Government has not taken any action in the matter. The Commissioner has approved the election which has been notified in the Gazette.

RAI SAHIB PANDIT SHREE DATT, HONORARY SUB-JUDGE, BHIWANI.

***2757. Rai Bahadur Lala Sewak Ram :** Will the Honourable Finance Member be pleased to state if he is aware that Rai Sahib Pandit Shree Datt exercises powers of Honorary Sub-Judge in Bhiwani town where he resides, and whether it is not contrary to the usual practice followed by Government; if so, what action does Government propose to take in the matter?

The Honourable Sir Henry Craik : The reply to the first part is in the affirmative and to the latter part in the negative.

UNSTARRED QUESTIONS AND ANSWERS.

CHAMBERS OF COMMERCE.

705. Shrimati Lekhwati Jain : Will the Honourable Member for Revenue be pleased to state—

- (a) whether in almost all the principal commercial towns, chambers of commerce under different names have been registered during the last three years and in which town or cities these chambers are working;
- (b) whether it is a fact that the principal business transacted by these chambers has been speculative wagering forward *badni* contracts;
- (c) whether it is a fact that the commercial communities of the province have suffered a good deal on account of the existence of these chambers;

(d) whether it is a fact that these chambers have become a public nuisance and have demoralized the mercantile community ;

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

The Honourable Mr. Miles Irving : (a) A statement showing the names of companies registered as trading concerns, generally known as chambers, during the last three years, is placed on the table.

(b) Column 4 of the statement will show the registered object of each concern, which is not 'speculative wagering'. Government is unable to say whether any individual concern has in the actual business transacted by it violated the provisions of the law.

(c) and (d) Not so far as Government is aware.

(e) Government does not propose to interfere with any commercial practice unless it is opposed to law or public policy. The business to which the honourable member refers is not confined to the Punjab alone.

Statement showing companies registered under the names of Trading concerns doing commercial business—(Chambers)—during the years 1930-31, 1931-32 and 1932-33.

Serial No.	Date of registration.	Name of company.	Object.	Station.
1930-31.				
1	1st April 1930..	Bharat Krishna Trading Company, Limited.	The export, import and to trade in gold, silver and cotton, etc.	Okara.
2	5th April 1930..	Bhiwani Commercial Company, Limited.	To carry on the business of commission agents in grain, sugar, cotton, etc.	Bhiwani.
3	5th August 1930.	Lakshmi Muslim Company, Limited.	To carry on the business of Arhtis, commission agents and to do trade or any other business.	Sargodha.
4	24th January 1931.	Traders Guarantee Trust Company, Limited.	To carry on the business of merchants and commission agents.	Amritsar.
5	2nd February 1931.	Phularwan Diansatdar Trading Company, Limited.	To carry on business as bankers, merchants and commission agents and to do any trade.	Phularwan.
6	20th February 1931.	Shri Krishna Bhagwan Trading Company, Limited.	To carry on the business of commission agents for dealing in grain, cereals and seeds of all description.	Budhlada.

[The Hon. Mr. Miles Irving.]

Serial No.	Date of registration.	Name of company.	Object.	Station.
1931-32.				
7	11th April 1931	Tandlianwala Central Trading Company, Limited.	To work as commission agents and merchants, etc.	Tandlianwala.
8	14th May 1931	Sandul Bar Trading Company, Limited.	To act as merchants and commission agents.	Do.
9	21st May 1931..	Channu Ganesh Trading Company, Limited.	Ditto	Mian Channu.
10	29th June 1931	Dauji Trading Company, Limited.	To work as commission agents for dealing in grain oil-seeds, etc.	Giddarbaha.
11	6th September 1931.	Sri Jawalamukhi Trading Company, Limited.	To work as commission agents for dealing in grain, oil-seeds, etc.	Do.
12	2nd October 1931.	Electrical Equipment, Limited.	To work as commission agents for dealing in grain, cereals and seeds of all description.	Montgomery.
13	12th October 1931.	Bharat Parkash Beopar Chamber, Limited.	To do the business of Arhtis, commission agents and bankers.	Pattoki.
14	15th October 1931.	Krishna Company (Khanewal), Limited.	To work as commission agents, exporters and importers.	Khanewal.
15	27th October 1931.	Kasur Beopar Company, Limited.	To work as merchants and commission agents.	Kasur.
16	18th December 1931.	Toba Tek Singh Union Trading Company, Limited.	To work as merchants, commission agents and bankers.	Toba Tek Singh.
17	28th January 1932.	Jullundur Trading Company, Limited.	To work as merchants and commission agents and to acquire, buy and deal with the property.	Jullundur.
18	19th March 1932	Bhisham Trading Company, Limited.	To do the business of merchants and commission agents in any article or commodity as the company may deem fit.	Do.
1932-33.				
19	4th August 1932.	Amritsar Produce Exchange, Limited.	To work as bankers, merchants and commission agents.	Amritsar.
20	16th August 1932.	Arifwala Nili Bar Trading Company, Limited.	Ditto	Arifwala.

Serial No.	Date of registration.	Name of company.	Object.	Station.
21	28th November 1932.	Ambala Chamber of Commerce, Limited.	To do the business of commission agents for dealing in cloth and grain, etc.	Ambala City.
22	7th April 1932	Bombay Punjab Syndicate, Limited.	To act as commission agents, brokers for dealing in oil-seeds and grain, etc.	Lahore.
23	12th October 1932.	Bankers Trading Company, Limited.	To deal in grain, cotton, rice, seeds, gold, silver, etc.	Abohar.
24	20th February 1933.	Baha-ud-Din Lakshmi Trading Company, Limited.	To act as merchants and commission agents, etc.	Mandi Baha-ud-Din.
25	4th March 1933	Bharat National Trading Chamber, Limited.	To work as commission agents and to export and import business.	Okara.
26	8th June 1932..	Bar Central Trading Company, Limited.	To work as merchants, agents and bankers, etc.	Gojra.
27	11th October 1932.	Banke Behari Trading Company, Limited.	To work as commission agents for dealing in grain and oil-seeds., etc.	Budhlada.
28	11th October 1932.	Budhlada Trading Company, Limited.	Ditto	Do.
29	8th December 1932.	Chenab Trading Company, Limited.	To work as bankers, merchants and commission agents.	Jhang Mandi.
30	4th November 1932.	Dalmia Trading Chamber, Limited.	To act as merchants and commission agents in grain, sugar, cotton seeds, etc.	Hissar.
31	15th October 1932.	Fazilka Trading Company, Limited.	To deal in grain, rice, cotton seeds, gold, silver and oil-seeds, other cereals, etc.	Fazilka.
32	1st December 1932.	Ferozepore Banking and Commercial Chamber, Limited.	To act as bankers, merchants and commission agents.	Ferozepore City.
33	11th May 1932..	General Beoparis Syndicate, Limited.	To work as Arhtis, commission agents and brokers, etc.	Simla.
34	13th October 1932.	Gopal Krishna Trading Company, Limited.	To act as merchants and commission agents for any trade or business.	Toba Tek Singh.
35	21st October 1932.	Grain and Cotton merchants Company, Limited.	To work as merchants and commission agents.	Ludhiana.

[The Hon. Mr. Miles Irving.]

Serial No.	Date of registration.	Name of company.	Object.	Station.
36	26th October 1932.	Gujranwala Traders' Company, Limited.	To work as merchants, bankers and commission agents.	Gujranwala.
37	27th February 1933.	Gujranwala Merchants Chamber, Limited.	To do the business of commission agents and merchants, etc.	Do.
38	20th September 1932.	Hissar Trading Company, Limited.	To export, import and to deal in grain, rice and gunny cotton and cotton seeds, etc.	Hissar.
39	21st October 1932.	Hoshiarpur Trading and Banking Company, Limited.	To work as merchants, bankers and commission agents.	Hoshiarpur.
40	8th November 1932.	Hansi Bhiwani Trading Company, Limited.	To export and import, buy and sell or deal otherwise in grain, rice, cotton seeds, etc.	Hansi.
41	5th November 1932.	Jagdish Dabwali Trading Company, Limited.	To act as commission agents for dealing in grain, oil-seeds and other cereals, etc.	Mandi Dabwali.
42	22nd February 1933.	Jhang Lakshmi Trading Company, Limited.	To carry on the business of commission agents, bankers and merchants, etc.	Jhang.
43	10th November 1932.	Khanewal Union Trading Company, Limited.	To act as merchants and commission agents in any useful trade.	Khanewal.
44	15th February 1933.	Knolly Ganj Chamber, Limited.	To act as commission agents and merchants, etc.	Kaithai.
45	6th January 1933.	Lakshmi Sewak Trading Company, Limited.	To work as bankers, merchants and commission agents.	Fazilka.
46	3rd May 1932..	Muktsar Business Corporation, Limited.	To act as commission agents for dealing in grain, oil-seeds and other cereals.	Muktsar.
47	14th September 1932.	Malout Dabwali Trading Company, Limited.	To work as commission agents for dealing in grain, cereals and all other seeds.	Malout Mandi (Tahsil Fazilka).
48	17th September 1932.	Muktsar Rama Trading Syndicate, Limited.	Ditto	Muktsar.
49	28th October 1932.	Mandi Baha-ud-Din Trading Company, Limited.	To act as merchants and commission agents in any article or commodity.	Mandi Baha-ud-Din.
50	3rd November 1932.	Malout Merchants Business Company, Limited.	To act as commission agents for dealing in grain oil-seeds.	Malout Mandi.

Serial No.	Date of registration.	Name of company.	Object.	Station.
51	18th November 1932.	Muktsar Trading Company, Limited.	To export and import or deal in grain and cotton seeds.	Muktsar.
52	19th May 1932	Nakodar Trading Company, Limited.	To act as merchants and commission agents.	Nakodar.
53	15th October 1932.	Nurmahal, National Trading Company, Limited.	To work as merchants and commission agents.	Nurmahal.
54	19th February 1933.	New Bharat Trading Company, Limited.	To do the business of merchants and commission agents.	Nankana Sahib.
55	23rd March 1933	Nankana Sahib Hargobind Trading Company, Limited.	To do the business of merchants and commission agents.	Nankana Sahib.
56	2nd June 1932	Phularwan Beopar Company, Limited.	To work as merchants, agents and bankers, etc.	Phularwan.
57	12th September 1932.	Punjab Marwar Trading Company, Limited.	To work as commission agents for dealing in grain, cereals and all other seeds.	Mandi Dabwali.
58	17th November 1932.	Punjab Business Company, Limited.	To work as commission agents for dealing in grain and oil-seeds, etc.	Sirsa.
59	22nd December 1933.	Phularwan Beopar Union, Limited.	To do the work of bankers, merchants and commission agents.	Phularwan.
60	6th February 1933.	Punjab Exchange, Limited.	To do the business of merchants and commission agents.	Wazirabad.
61	1st February 1933.	Punjab Karachi Chamber, Limited.	To work as Artists, commission agents and brokers, etc.	Lahore.
62	24th September 1932.	Rajputana Bankers' Trading Corporation, Limited.	To act as bankers, merchants and commission agents.	Fazilka.
63	17th March 1933	Rahon Trading Company, Limited.	To work as merchants and commission agents.	Rahon.
64	25th May 1932	Satyavan Friends Chamber of Commerce, Limited.	To work as merchants and commission agents.	Phularwan.
65	8th July 1932..	Sudarshan Trading Company, Limited.	To work as commission agents, merchants and to do any kind of trade, etc.	Gojra.
66	14th August 1932.	Sargodha Trading Company, Limited.	To work as bankers, merchants and commission agents.	Sargodha.

[The Hon. Mr. Miles Irving.]

Serial No.	Date of registration.	Name of company.	Object.	Station.
67	20th September 1932.	Sonepat Vaish Trading Company, Limited.	To export, import and to deal in grain, rice and gunny cotton and cotton seeds, etc.	Sonepat.
68	24th September 1932.	Sirsa New Grain Chamber of Commerce, Limited.	To export, import, purchase sell or otherwise deal in grain, rice and oil-seeds.	Sirsa.
69	3rd November 1932.	Swadeshi Trading Company, Limited.	To act as merchants and commission agents.	Sargodha.
70	19th November 1932.	Sawalshah Company, Limited.	To trade in all sorts of grain, sugar, cotton, oil.	Dalmiaganj (Samalkha).
71	18th January 1933.	Sukh Sagar Trading Company, Limited.	To trade in all sorts of grain, sugar, gur, cotton, ghee, oil, cotton, etc.	Trevaskis Mandi (Sonepat).
72	4th November 1932.	Vishnujee Beopar Company, Limited.	To do the business of Arhtis, commission agents and brokers.	Kot Radha Kishan.

CIVIL CASES IN THE COURTS OF MUNSIFS AND SUB-JUDGES.

706. Shrimati Lekhwati Jain : Will the Honourable Member for Finance be pleased to state—

(a) the number of civil cases disposed of in the courts of various munsifs and sub-judges (both stipendiary and honorary) in the years 1910, 1920, 1930 and 1932 ;

(b) the number of sub-judges and munsifs actually working in these very years ?

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

YEAR.	Number of Sub-Judges and Munsifs actually working on the 31st December of each year.	NUMBER OF CIVIL CASES DISPOSED OF IN THE COURTS OF VARIOUS MUNSIFS AND SUB-JUDGES (BOTH STIPENDIARY AND HONORARY).			
		Original.		Appellate.	
		Regular.	Miscellaneous.	Regular.	Miscellaneous.
1910	303	188,640	31,993	31	..
1920	286	195,188	34,147	3,456	605
1930	214	230,162	36,766	3,842	1,286
1932	224	246,771	42,397	3,673	1,328

REVENUE FROM COURT FEE STAMPS.

707. Shrimati Lekhwati Jain : Will the Honourable Member for Finance be pleased to state the amount of total revenue realised from the sale of court-fee stamps in each financial year from 1921 to 1933 ?

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

Statement showing the amount of total revenue realized from the sale of court-fee stamps in the Punjab during the financial years 1921-33.

	Rs.		Rs.
1921-22	50,84,643	1927-28	75,51,054
1922-23	58,37,492	1928-29	78,52,155
1923-24	64,70,668	1929-30	75,45,034
1924-25	77,57,960	1930-31	73,78,879
1925-26	1,10,33,901	1931-32	73,52,450
1926-27	71,11,130	1932-33	76,07,746

The figures of 1932-33 include motor taxation paid in court-fee stamps which previously was paid in non-judicial stamps.

SECURITY FROM NEWSPAPERS AND JOURNALS.

708. Shrimati Lekhwati Jain : Will the Honourable Member for Finance be pleased to state—

- the names of newspapers and journals published in the Punjab from which security has been demanded since April 1930 and the amount of security so demanded ;
- the names of those journals and papers whose security has been forfeited and the amount of such security ;
- the names of such journals and newspapers which stopped publication for non-deposit of security and the amount of security so demanded ?

The Honourable Sir Henry Craik : Statements, giving the information asked for, are laid on the table.

Names of newspapers and journals published in the Punjab from which security has been demanded since April 1930.

Name of Newspaper.	Amount of security demanded.	Year in which security was demanded.
	Rs.	
Haqiqat (Multan)	1,500	1930
Zamindar (Lahore)	2,500	1930.
Pratap (Lahore)	2,500	1930.
Akali (Amritsar)	2,500	1930.
Aali Qaumi Dard (Amritsar)	2,500	1930.
Guru Ghantal (Daily), (Lahore)	2,500	1930.
Tarjuman Sarhad (Rawalpindi)	2,000	1930.

[The Hon. Sir Henry Craik.]

Name of Newspaper.	Amount of security demanded.	Year in which security was demanded.
	Rs.	
Desh Sewak (Jullundur)	5,000	1930.
Kirpan Bahadur (Amritsar)	2,500	1930.
Naujiwan Hindustan (Amritsar)	2,000	1930.
Shahab (Rawalpindi)	2,000	1930.
Jhang Sial (Gujranwala)	2,500	1930.
Haryana Tilak (Jhajjar)	1,500	1930.
Bande Mataram (Lahore)	3,000	1930.
People (Lahore)	1,000	1930.
Naujiwan (Multan)	1,000	1930.
Akali-te-Pardesi (Amritsar)	2,500	1930.
Islah (Lyallpur)	2,000	1930.
Nidharak (Gujranwala)	2,500	1930.
Dharam Vir (Amritsar)	1,600	1930.
Kirti (Gurmukhi) (Amritsar)	5,000	1930.
Kirti (Urdu) (Amritsar)	5,000	1930.
Hamdard (Lahore)	1,000	1930.
Sikh Sangat (Ambala)	1,000	1930.
	(The amount was reduced to Rs. 300 on representation.)	
Milap (Lahore)	1,000	1930.
Mahatma (Amritsar)	500	1930.
Naujawan Bharat (Lahore)	2,500	1930.
Student's Own Magazine (Lahore)	1,000	1930.
Swadesh (Lahore)	1,000	1930.
Dusht Daman (Amritsar)	2,000	1930.
Vir Sandesh (Jandiala, district Amritsar)	500	1930.
Mastana (Ludhiana)	1,500	1930.
Bedari (Ludhiana)	500	1930.
Vir Bharat (Lahore)	2,000	1930.

Name of Newspaper.	Amount of security demanded.	Year in which security was demanded.
	Rs.	
Insaaf (Lyallpur)	1,000	1930.
Ambala News (Ambala)	1,000	1930.
Milap (Hindi) (Lahore)	500	1930.
Fateh (Amritsar)	2,000	1930.
Sachha Dhandora (Amritsar)	2,000	1930.
Panjab Darpan (Amritsar)	1,000	1930.
Melu (Lahore)	2,000	1930.
Hilal (Lahore)	500	1930.
Saini Kashatri (Lahore)	1,000 (The order was withdrawn on the editor tendering an unqualified apology).	1930.
Tamancha (Lahore)	2,000	1930.
Bande Matram (Lahore)	5,000	1931.
Ryasti Dunia (Lahore)	5,000	1931.
Akali-te-Pardeai (Amritsar)	5,000 (Orders were withdrawn as the offending matter was published before the Ordinance came into operation.)	1931.
Comrade (Lahore)	3,000	1931.
Akali Gazette (Gujranwala)	2,000	1931.
Milap (Lahore)	5,000	1931.
Desh Sewak (Jullundur)	5,000	1931.
Punjab Kesari (Lahore)	2,000	1931.
Vir Bharat (Lahore)	2,000	1931.
Kirpan Bahadur (Amritsar)	1,000	1931.
Roznamah-i-Ahrar (Lahore)	500	1931.
Punjab Kesari (Lahore)	2,000	1932.
Desh Sewak (Lahore)	3,000	1932.
Desh Sewak (Jullundur)	3,000	1932.
Akali (Amritsar)	3,000	1932.
Milap (Lahore)	3,000	1932.

[The Hon. Sir Henry Craik.]

Name of Newspaper.	Amount of security demanded.	Year in which security was demanded.
Akali-te-Pardesi (Amritsar)	Ra. 3,000	1932.
Vir Kesari (Lahore)	2,000 (Amount reduced to Rs. 500 on represen- tation.)	1932.
Asli-Qaumi Dard (Amritsar)	2,500	1932.
Vir Bharat (Lahore)	3,000	1932.
Inqilab (Lahore)	2,500 (Amount reduced to Rs. 500 on represen- tation.)	1932.
Vir Bharat (Sialkot edition, Sialkot)	2,000	1932.
Pratap (Lahore)	3,000	1932.
Sadaqat (Lahore)	1,000	1932.
Daler (Okara, district Montgomery)	1,500	1932.
Sadhu Samachar (Amritsar)	2,000	1932.
Desh Bandhu (Lahore)	1,500 (Amount reduced to Rs. 500 on represen- tation.)	1932.
Ahrar (Lahore)	500	1932.
Zamindar (Lahore)	1,000	1932.
Mutalka (Ludhiana)	250	1932.
Zamindar (Lahore)	3,000	1932.
Zamindar (Lahore)	4,000	1933.
Chandan (Lahore)	500	1933.
Akali Patrika (Lahore)	500	1933.
Nawan Jug (Lahore)	500	1933.
Mubahila (Amritsar)	500	1933.
Tiryaq (Lahore)	500	1933.
Nawan Jug (Lahore)	500	1933.
Azad (Lahore)	200	1933.
Dawn (Lahore)	500	1933.
Nawan Jug (Gurmukhi, Lahore)	1,500	1933.
Kirti (Gurmukhi, Amritsar)	1,000	1933.

Names of papers whose security has been forfeited since April 1930 and the amount of such security.

Name of journals and papers whose security has been forfeited.	Amount of security forfeited.	Year in which security was forfeited.
	Rs.	
Pratap (Lahore)	2,500	1930.
Bande Mataram (Lahore)	3,000	1930.
Vir Bharat (Lahore).	2,000	1930.
Ahrar (Lahore)	500	1932.
Zamindar (Lahore)	3,000	1932.

Names of journals and papers which stopped publication for non-deposit of security and the amount of security so demanded since April, 1930.

Name of Newspaper which stopped publication for non-deposit of security.	Amount of security demanded.	Year in which publication was stopped.
Haqiqat (Multan)	1,500	Publication remained suspended in 1930 during the operation of the Ordinance, in 1930.
Akali (Amritsar)	2,500	Publication remained suspended during the operation of the Ordinance in 1930.
Asli Qaumi Dard (Amritsar)	2,500	Ditto ditto.
Guru Ghantal (daily) (Lahore)	2,500	Ditto ditto.
Tarjuman-i-Sarhad (Rawalpindi)	2,000	Ditto ditto.
Deesh Sewak (Jullundur)	5,000	Ditto ditto.
Kirpan Bahadur (Amritsar)	2,500	Ditto ditto.
Naujiwan Hindustan (Amritsar)	2,000	Publication stopped in 1930.
Shihab (Rawalpindi)	2,000	Publication remained suspended during the operation of the Ordinance in 1930.
Jhang Sial (Gujranwala)	2,500	Publication stopped in 1930.
Haryana Tilak (Jhajjar)	1,500	Publication remained suspended during the operation of the Ordinance in 1930.
People (Lahore)	1,000	Publication remained stopped during the operation of the Ordinance in 1930.

[The Hon. Sir Henry Craik.]

Name of Newspaper which stopped publication for non-deposit of security.	Amount of security demanded.	Year in which publication was stopped.
	Rs.	
Naujiwan (Multan)	1,000	Stopped the publication in 1930.
Akali-te-Pardesi (Amritsar) ..	2,500	Remained suspended during the operation of the Ordinance in 1930.
Islah (Lyallpur)	2,000	Publication ceased to exist in 1930.
Nidharak (Gujranwala)	2,500	Ditto ditto.
Dharam Vir (Amritsar)	1,500	Publication remained stopped during the operation of the Ordinance in 1930.
Kirti (Gurmukhi) (Amritsar) ..	5,000	Publication suspended during the operation of the Ordinance in 1930.
Kirti (Urdu) (Amritsar)	5,000	Ditto ditto.
Hamdard (Lahore)	1,000	Stopped publication in 1930.
Sikh Sangat (Ambala)	1,000	Suspended publication in 1930. The amount was reduced to Rs. 500 on re-presentation, but no security was deposited.
Mahatma (Amritsar)	500	Publication suspended in 1930.
Naujawan Bharat (Lahore)	2,500	Ceased publication in 1930.
Student's Own Magazine (Lahore)	1,000	Suspended publication in 1930.
Swadesh (Lahore)	1,000	Ceased publication in 1930.
Dusht Daman (Amritsar)	2,000	Suspended publication in 1930.
Vir Sandesh (Jandiala, district Amritsar.)	500	Suspended publication in 1930 during the operation of the Ordinance.
Mastana (Ludhiana)	1,500	Suspended publication in 1930, during the operation of the Ordinance.
Bedari (Ludhiana)	500	Stopped publication in 1930.
Insaf (Lyallpur)	1,000	Publication suspended in 1930, during the operation of the Ordinance.
Ambala News (Ambala)	1,000	Ditto ditto.
Fateh (Amritsar)	2,000	Ditto ditto.
Sachha Dhandora (Amritsar) ..	2,000	Stopped publication in 1930.
Punjab Darpan (Amritsar)	1,000	Publication suspended in 1930, during the operation of the Ordinance.
Meln (Lahore)	2,000	Stopped publication in 1930.
Hilal (Lahore)	500	Stopped publication in 1930.
Tamaneha (Lahore)	2,000	Ditto ditto.

Name of Newspaper which stopped publication for non-deposit of security.	Amount of security demanded.	Year in which publication was stopped.
	Rs.	
Ryasti Dunia (Lahore) ..	5,000	Suspended in 1931 during the operation of the Ordinance.
Comrade (Lahore) ..	3,000	Stopped publication in 1931.
Akali Gazette (Gujranwala) ..	2,000	Suspended publication in 1931 during the operation of the Ordinance.
Desh Sewak (Jullundur) ..	5,000	Suspended publication during the operation of Ordinance.
Punjab Kesari (Lahore) ..	2,000	Ditto ditto.
Kirpan Bahadur (Amritsar) ..	1,000	Ditto ditto.
Desh Sewak (Lahore) ..	3,000	Stopped publication in 1932.
Desh Sewak (Jullundur) ..	3,000	Ditto.
Akali (Amritsar) ..	3,000	Suspended publication in 1932.
Akali-to-Pardesi (Amritsar) ..	3,000	Ditto.
Vir Kesari (Lahore) ..	500	Ceased publication in 1932.
Asli-Qaumi Dard (Amritsar) ..	2,500	Ditto.
Vir Bharat (Sialkot edition, Sialkot).	2,000	Ditto.
Sadaqat (Lahore) ..	1,000	Suspended publication in 1932.
Daler (Okara, district Montgomery)	1,500	Ceased publication in 1932.
Sadhu Samachar (Amritsar) ..	2,000	Suspended publication in 1932.
Desh Bandhu (Lahore) ..	500	Suspended publication in 1932.
Ahrar (Lahore) ..	500	Ditto.
Mubahila (Amritsar) ..	500	Suspended publication in 1933.
Nav Jug (Lahore) ..	500	Ditto.

JOURNALS ON THE APPROVED LIST.

709. Shrimati Lekhwati Jain : Will the Honourable Member for Finance be pleased to state which papers or journals are on the approved list and receive court advertisements and the total number published of each such paper, the community it belongs to and the date on which it was included in the approved list ?

The Honourable Sir Henry Craik : Government is not prepared to give the information asked for.

PREVENTION OF CHILD MARRIAGE ACT.

710. Shrimati Lekhwati Jain : Will the Honourable Member for Finance be pleased to state the total number of prosecutions under the Prevention of Child Marriage Act (Sarda Act) of 1929 in each of the districts of the Punjab since 1st January 1930 ?

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

Statement.

Name of District.	Number of prosecutions (cases).	Name of District.	Number of prosecutions (cases).
Kangra	36	Lyallpur	4
Gurdaaspur	4	Rawalpindi	4
Rohtak	22	Jhelum	2
Gurgaon	2	Ludhiana .. ..	..
Sheikhpura .. ..	..	Jhang	2
Amritsar	1	Lahore	6
Jullundur	8	Simla	1
Muzaffargarh	10	Sialkot	10
Multan	1	Ferozepore .. ..	..
Karnal	4	Mianwali .. ..	..
Dera Ghazi Khan	7	Hoshiarpur .. ..	..
Gujrat	3	Montgomery	6
Gujranwala	4	Shahpur	11
Attock	3	Ambala	1
Hissar	30		

PRIVATE PRACTICE BY DOCTORS IN GOVERNMENT EMPLOY.

711. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that the doctors in charge of the hospitals and dispensaries (Government or receiving grant from the Government) attend to their private practice during the hours of duty and keep the fees and remuneration thus received ;
- whether it is a fact that the members of other Government services are not allowed to do any private work or engage in any trade or profession ? If so, why men belonging to the medical department are shown this concession ;
- whether there is any scale of fee prescribed by the department or the Government for issuing medical certificates by the various ranks of doctors under Punjab Medical Department ;
- whether it is a fact that the doctors in charge of the Government dispensaries earn a large amount of money by issuing medical certificates ;
- why this income is allowed to be retained by the doctors themselves and not credited to the Government ?

The Honourable Malik Sir Firoz Khan Noon : (a) During duty hours doctors in Government service are not expected to engage in private.

practice, but occasionally of course emergencies may make it necessary, especially if there is only one competent doctor locally available. Government have received no reports on the subject.

(b) In view of the technical qualifications of doctors and the length of period of their education and training their salaries have been fixed at a low figure in view of the fact that they are allowed private practice. If private practice were forbidden their salaries would have to be raised.

(c) Government have prescribed the scale of fees for medical officers of the various ranks for conducting *post-mortem* and medico-legal examinations which do not fall within the ordinary discharge of their duties,—vide paragraphs 595 and 596 of the Punjab Medical Manual. Under paragraph 596 (a) (4) of the Manual, medical officers are permitted to charge reasonable fees for medico-legal work performed in their private capacities; but no fees whatever are leviable in cases in which the Crown is the complainant. No fees are fixed for other certificates issued by medical officers.

(d) Government have no such information. It will interest the honourable member to know that Government have recently issued orders calling upon medical officers under the administrative control of the Inspector-General of Civil Hospitals to keep registers of fees for entering all amounts received on account of treatment in Government, local bodies' hospitals, and of certificates of injuries whether given in or outside hospital premises.

(e) As private practice forms one of the conditions of service of the majority of medical officers, Government have no right to share their income from such practice. But there are cases where Government have decided to prescribe proportions in which certain income is to be divided between an officer and the Government.

CLERKS IN THE OFFICE OF THE INSPECTOR OF SCHOOLS, MULTAN DIVISION.

712. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- (a) the number of clerks in the office of the Inspector of Schools, Multan division, communitywise, Hindus, Muslims, Christians and Sikhs;
- (b) if the number of Muslim clerks is much greater than that of clerks of the other communities what action the Government intends to take in the matter?

The Honourable Malik Sir Firoz Khan Noon : (a) There are eight Muhammadans and two Hindu clerks in the office of the Inspector of Schools, Multan division. In the office of the Inspector of Schools, Ambala division, this number is three and seven respectively.

(b) 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.

CO-OPERATIVE MOVEMENT AMONGST THE DEPRESSED CLASSES.

713. Shrimati Lekhwati, Jain : Will the Honourable Minister for Agriculture be pleased to state the progress of Co-operative movement amongst the depressed classes in rural and urban areas during the last three years, respectively ?

The Honourable Sardar Sir Jogendra Singh : The answer to this question is not yet ready. It will be communicated to the honourable member when ready.

CHRISTIAN DEPRESSED CLASSES AS AGRICULTURISTS.

714. Shrimati Lekhwati Jain : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that converts to Christianity amongst depressed classes of certain villages of Sialkot have been granted the status of agriculturists ;
- (b) if so, the various reasons why the same status is being denied to all castes and sub-castes recognised as depressed classes in other rural areas of the Punjab ?

The Honourable Mr. Miles Irving : (a) No.

(b) Does not arise.

STATEMENT LAID ON THE TABLE.

Secretary :—The following statements are laid on the table :—

(1) Statement showing the action taken by Government on Resolutions passed by the Punjab Legislative Council since November 1932.

(2) Statement showing the action taken by Government on cuts made by the Punjab Legislative Council in original and supplementary demands presented to the Council since November 1932.

(3) Statement showing action taken against corrupt officials in the Punjab for the year 1932-33.

(1) *Statement showing the action taken by Government on resolutions passed by the Punjab Legislative Council since November 1932.*

Serial No.	Terms of resolutions passed.	Volume No. and page of Legislative Council Debates.	Action taken.
1	This Council recommends to the Government that a small committee consisting of official and non-official members of this Council be appointed to suggest necessary amendments in the Northern India Canal and Drainage Act and to overhaul all the rules made thereunder by the Government or the Department of Irrigation.	Volume XXII (No. 9, dated 29th November 1932), pages 653-677.	Government has decided not to appoint a committee at present but the general question is being considered.

Serial No.	Terms of resolutions passed.	Volume No. and page of Legislative Council Debates.	Action taken.
2	This Council recommends to 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.	Volume XXIII (No. 13, dated 21st of March 1933), pages 643—655.	A committee has been appointed to consider and report on the subject.
3	This Council recommends to the Government to give a substantial remission of all Government dues in respect of <i>rabi</i> , 1933.	Volume XXIII (No. 13, dated the 21st of March 1933), pages 655—674.	The question of <i>abiuna</i> has been referred to a committee and so far as land revenue is concerned remissions were granted in districts where the current price of wheat was below settlement commutation price.
4	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.	Volume XXIII (No. 14, dated the 23rd of March 1933), pages 700—712.	The appointment of Projects Engineer has been created by Government, under the Chief Engineer, Electricity, at headquarters. The officer has not yet been recruited, but when secured, he will in the course of his examination of new projects for the use of power from the Mandi Scheme take up in close co-operation with the Agricultural Department the examination of projects in rural areas which may appear to have reasonable revenue prospects.
5	This Council recommends to Government that the powers of the canal authorities regarding the grant of <i>tharaba</i> be taken from them and transferred to revenue authorities on all the canals in the Punjab.	Volume XXIII (No. 24, dated the 27th of July 1933), pages 1076—1093.	The matter is under consideration.
6	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.	Volume XXIII (No. 24, dated the 27th of July 1933), pages 1094—1107 and (No. 25, dated 28th July 1933), pages 1170—1186.	The Government of India has been addressed on the subject.

NOTE.—This information has been published with Punjab Government notification No. 26384 (Home-Legislative), dated the 19th October 1933, in Part I of the *Punjab Government Gazette*.

[Secretary.]

(2) Statement showing the action taken by Government on culls made by the Legislative Council in original and supplementary demands presented to the Council since November 1932.

Serial No.	(i) Major head. (ii) Minor head. (iii) Sub-head.	Reasons for reduction.	Amount of reduction.	Volume Number and page of the Punjab Legislative Council Debates.	Action taken by Government.
1	41—Civil Works, Transferred—Voted—Original Works, Buildings—Jails and Education—European and Anglo-Indian.	To draw attention to the absence from the House of some members of the Legislative Council.	Rs. 27,600	Volume XXII, pages 176-177.	The amount was restored by order of His Excellency the Governor owing to the emergency to safeguard against the deficiency of water supply at Borstal Institution, Lahore, and Lawrence College, Ghora Gali maintained by the Jail and European Education Departments. Demand was withdrawn.
2	60—Civil Works (Capital)—Original Works—Communications.	Ditto	6,170	Volume XXII, pages 177-187.	None.
3	24—Administration of Justice—Civil and Sessions Courts.	(i) To urge the meagre representation of Hindu statutory agriculturists among sub-judges in the Punjab. (ii) To urge upon the Government to issue a notification under section 68, Schedule III, Civil Procedure Code, transferring to the Collectors execution of all decrees involving the alienation of land belonging to members of notified agricultural tribes in the Punjab.	1 1	Volume XXIII, pages 557-577. Ditto	The mover's real grievance was that Civil Courts do not always accept the reports of the collectors when farming land in execution of a decree, but they are under no legal obligation to do so. Section 68 of the Civil Procedure Code is applicable only to sales of immovable property or to sales of interest therein. A notification by the local Government under this section transferring execution work to the collector would not be of any assistance to the members of notified agricultural tribes, since they are already protected

against sales by the Land Alienation Act. A further reason for non-interference with the present system is that during the past four years the advice of the collector has been disregarded in a few cases. In the circumstances no action appeared necessary.

(1) A scheme for an industrial exhibition has been framed by the Department of Industries, and has received the general approval of Government. Government understands, however, that arrangements for such an exhibition are already being made by private enterprise, and awaits fuller information on the subject, before proceeding with its own scheme.

(2) The motion for the cut is of a general nature and the Ministry can only reiterate the assurance it has already given to the Legislative Council that measures for the industrial development of the Punjab receive its unremitting attention.

Volume XXIII,
pages 430-436.

100

(1) To urge the necessity of holding an exhibition of Punjab made goods.

Volume XXIII,
pages 436-439.

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(2) To urge that time has come to help the development of industries in the Punjab.

4 35—Industries (Transformed) ..

[Secretary.]

(9) *Statement showing action taken against corrupt officials in the Punjab for the year 1932-33.*

Head of Department of office.	Offence.	Number and designation of officer punished.	Nature of punishment awarded.
<i>Chief Engineer, Public Works Department Irrigation Branch.</i>	Concealment of irrigation with evil motive.	One patwari ..	Dismissed.
	Ditto	Two patwaris ..	Dismissed and proscribed from further service in the Public Works Department, Irrigation Branch.
	Ditto	Ditto	Dismissed.
	Conniving at fraud ..	One storekeeper (temporary).	Services terminated.
<i>Inspector-General of Civil Hospitals, Punjab.</i>	Dishonest and corrupt practices.	One assistant clerk in a civil surgeon's office.	Dismissed.
<i>Inspector-General of Police, Punjab,</i>			
<i>Superintendent of Police, Gurgaon.</i>	Accepting a bribe ..	One head-constable.	Dismissed.
<i>Superintendent of Police, Simla.</i>	Offering a bribe to his immediate officer.	One foot-constable	Ditto.
<i>Superintendent of Police, Jullundur.</i>	Extorting money ..	One sergeant, one sub-inspector.	Five years' approved service forfeited.
		One head-constable.	Reduced to foot constable.
		One foot-constable.	Reduced from selection grade to time-scale.
<i>Superintendent of Police, Ludhiana.</i>	Accepting a bribe ..	One foot constable.	Discharged.
<i>Senior Superintendent of Police, Lahore.</i>	Receiving illegal gratification.	Four foot-constables.	Dismissed.
	Extorting money ..	Two foot-constables.	Ditto.
<i>Superintendent of Police, Amritsar.</i>	Extorting illegal gratification.	One foot-constable.	Ditto.
<i>Superintendent of Police, Gurdaspur.</i>	Accepting illegal gratification.	One foot-constable.	Dismissed and sentenced to 4 months' rigorous imprisonment.
<i>Superintendent of Police, Sheikhpura.</i>	Extorting money ..	Ditto	Dismissed and sentenced to 6 months' rigorous imprisonment.

Head of Department of office.	Offence.	Number and designation of officer punished.	Nature of punishment awarded.
Superintendent of Police, Shahpur.	Taking a bribe ..	One sub-inspector	Reduced to head-constable.
	Ditto ..	One foot-constable.	Dismissed and sentenced to one month's rigorous imprisonment and a fine of Rs. 10.
Superintendent of Police, Rawalpindi.	Accepting a bribe ..	One foot-constable.	Three years' approved service forfeited for increment.
Superintendent of Police, Attock.	Spoiling a case of riot and murder for dishonest motives.	One sub-inspector	Dismissed.
Superintendent of Police, Dera Ghazi Khan.	Dishonest and corrupt work in a serious burglary in which members of the force were implicated.	Ditto	Ditto.
Railway Police ..	Accepting illegal gratification.	One foot-constable.	Reduced from Rs. 20 to Rs. 19.
<i>High Court.</i>			
Senior Sub-Judge, Hissar.	Accepting a bribe ..	One naib-sheriff	Dismissed.
Senior Sub-Judge, Jullundur.	Receiving illegal gratification.	One process server	Suspended for two months.
Senior Sub-Judge, Rawalpindi.	Ditto	One execution moharrir.	Fined one month's pay.
Senior Sub-Judge, Lyallpur.	Accepting a bribe ..	One candidate process server.	Name removed from the list of candidates.
Judge, Small Cause Court, Lahore.	Receiving illegal gratification (Annas twelve only).	One ahlmad ..	Warned and a note made in his service book.
Chief Secretary to Government, Punjab.	Taking bribes ..	Three extra assistant commissioners.	Dismissed.
<i>Financial Commissioners.</i>			
Ambala division ..	Taking bribes ..	Two patwaris ..	Dismissed.
	Ditto ..	Three patwaris ..	Fined.
	Ditto ..	One Kanungo ..	Degraded permanently.
	Ditto ..	Ditto ..	Degraded for one year.

[Secretary.]

Head of Department of office.	Offence.	Number and designation of officer punished.	Nature of punishment awarded.
<i>Financial Commissioner.</i>			
Jullundur division ..	Defalcation of motor tax money.	One motor taxation clerk.	Dismissed, sentenced to one day's simple imprisonment and a fine of Rs. 100.
	Defalcation from Moga Sub-treasury.	One treasurer's agent.	Agent removed.
	Taking bribes ..	One naib-tahsildar	Dismissed.
	Ditto ..	One tahsildar ..	Entire pension forfeited.
	Ditto ..	One tahsil and revenue accountant.	Dismissed.
Lahore division ..	Accepting illegal gratification.	Motor taxation and license clerk.	Reduced to lowest stage in his time-scale.
Rawalpindi division..	Embezzlement ..	One excise clerk	Sentenced to one year and 9 months' rigorous imprisonment and a fine of Rs. 200.
	Misappropriation of Government money.	One moharrir ..	Increment stopped for two years.
	Taking bribes ..	One chaprasi candidate.	Name removed from the list of candidates.
	Forgery and making fictitious entries in revenue records.	Two patwaris ..	Dismissed.
	Ditto	One junior clerk	Ditto.
	Ditto	One district office candidate.	Services dispensed with and name removed from register of candidates.
Multan division ..	Taking bribes ..	One patwari ..	Dismissed.
	Ditto ..	Ditto ..	Reduced to assistant patwari.
	Ditto ..	One officiating naib-tahsildar candidate.	Name removed from the list of candidates.
	Ditto ..	One field kanungo	Reduced to patwari.
	Ditto ..	One tahsil peon	Dismissed.
	Accepting illegal gratification.	One colony patwari.	Ditto.

Head of Department of office.	Offence.	Number and designation of officer punished.	Nature of punishment awarded.
<i>Inspector-General of Prisons, Punjab.</i>			
Central Jail, Lahore	Accepting illegal gratification.	Two warders ..	Suspended for 14 days on $\frac{1}{4}$ pay.
	Allowing unauthorised interview and receiving illegal gratification.	One warder ..	Fined a week's pay.
Central Jail, Montgomery.	Attempting to receive illegal gratification.	Ditto ..	Reduced to the lowest grade on Rs. 17 per mensem.
District Jail, Rawalpindi.	Introducing prohibited articles into the jail.	Ditto ..	Suspended for 3 months without allowances and the period will not count towards service.
	Ditto	Ditto ..	Suspended for 3 months.
District Jail, Sialkot	Ditto	Ditto ..	Dismissed and sentenced to a fine of Rs. 10.
District Jail, Ferozepore.	Ditto	Ditto ..	Ditto.
District Jail, Ludhiana	Misappropriating money and opium recovered from a convict.	Ditto ..	Dismissed.
	Introducing prohibited articles into the jail.	Ditto ..	Reduced from Rs. 18 to Rs. 17 in the lowest grade. Will get no increment for 3 years and previous service forfeited.
District Jail, Shahpur	Extorting money from prisoners' relatives.	Ditto ..	Dismissed.
District Jail, Delhi ..	Introducing prohibited articles into the jail.	Ditto ..	Dismissed and sentenced to four months' rigorous imprisonment.
	Ditto	Ditto ..	Dismissed and sentenced to four months' rigorous imprisonment and a fine of Rs. 20.
	Taking unauthorised letters out of the jail with corrupt motives.	Ditto ..	Suspended for six months.
Sub-Jail, Kasur ..	Taking illegal gratification.	Ditto ..	Suspended for 6 months with a subsistence allowance of Rs. 4 per mensem.

PUNJAB PROVINCIAL FRANCHISE COMMITTEE REPORT.

The Honourable Sir Henry Craik (Finance Member): Sir, I have received from 12 members a request that time should be allotted for the discussion of the Report of the Punjab Provincial Franchise Committee. My predecessor as Leader of the House, in answer to a question asked in the July session last year, stated that if the House evinced a desire to discuss this report, Government would be glad to afford an opportunity for that purpose and I will of course implement that promise. I find however on inquiry that only 20 printed copies of the proceedings of this Committee are available. If that would be sufficient for the use of honourable members I shall be glad to fix a time within the next few days. If, however, honourable members want more copies it would be necessary to reprint, and that may take some time.

Diwan Bahadur Raja Narendra Nath: We should like to have more copies.

The Honourable Sir Henry Craik: In that case I will have the report reprinted and make an announcement about the day for its discussion later on in this session.

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS.

The Honourable Sir Henry Craik (Finance Member): Sir, I present the Report¹ of the Committee on Public Accounts of the Punjab Legislative Council on the Appropriation Accounts of the Punjab Government for the year 1931-32.

THE PUNJAB TOBACCO VEND FEES BILL.

The Honourable Sir Henry Craik (Finance Member): Sir, I beg to move—

That leave be granted to introduce the Punjab Tobacco Vend Fees Bill.

Chaudhri Allah Dad Khan: Sir, I rise to a point of order. This Bill was given notice of after the 19th February. The previous Bill for which notice was given has been cancelled, therefore this Bill is out of order and cannot be moved just now.

Mr. President: When did the honourable member receive notice of this Bill?

Chaudhri Allah Dad Khan: As a matter of fact day before yesterday, but even supposing that it was received on the 19th.

Mr. President: What standing order is the honourable member now relying upon in support of his contention? The motion moved by the Honourable Leader of the House is that leave be granted to introduce the Punjab Tobacco Vend Fees Bill. Does any standing order stand in the way of the motion being proceeded with? Was its notice insufficient?

Chaudhri Allah Dad Khan: The Bill for which the motion was made was not placed in the hands of the members 7 clear days before the motion.

¹ Printed copies distributed to all members and a copy kept in the Library.

Mr. President : The question of making copies of the Bill available to the members of the Council cannot arise before its introduction. The honourable member appears to be labouring under some misapprehension.

The Honourable Sir Henry Craik : Sir, as long ago as 1924, the Indian Taxation Enquiry Committee proposed tobacco as one of the subjects for taxation, either by means of an excise duty on local manufacture or by means of an increase in the import duty on manufactured tobacco together with a system of licensing the sales of tobacco grown in this country. One of these recommendations were given effect to in the Finance Act of 1927 which raised the import duty on imported tobacco, but further discussion took place between the representatives of the various provinces and the Government of India in 1927, and a little later the subject was raised in the Report of the Simon Commission. Eventually a big conference was called by the Government of India at which all provinces were represented in January 1932 and as a result of that conference there was practical unanimity on certain points. It was agreed first that any form of taxation which took the form of an acreage rate on the cultivation of tobacco was impracticable; secondly, that any kind of control or licensing of the cultivation of tobacco was also impracticable; thirdly, that it was not advisable to impose taxation at any stage intermediate between cultivation and manufacture; and fourthly, that any system of general or local monopoly granted by Government either for cultivation or for sale was out of the question mainly owing to the difficulty of supervision. There remained thus three possibilities—first, a system of licensing the vend of tobacco; secondly, a levy of an excise duty at the factories; or thirdly, some form of taxation in transport. The second of these systems, that is, the levy of an excise duty at the factories, would not help the Punjab Government because we have no factories in the Punjab. I understand that there is one very small power-driven cigarette factory only and that is not of any great importance. A tax on tobacco in transport would in practice mean that the same consignment of tobacco might be taxed three or four times over, between the place where it is produced and the factory where it is sought to be made up, again between the factory and the wholesale dealer and possibly a third time between the wholesale dealer and the retail dealer. So as far as this province is concerned the only immediate way in which we can tax tobacco is by means of a license on retail sale and it is this system, which the Bill I now ask leave to introduce aims at establishing. I admit that the measure is to a large extent an experimental one. The view of the Government of India, and that is a view accepted by, I think, all the provincial Governments, is that this licensing system should be to start with a purely regulating system, designed merely to employ the minimum measure of control for the purpose of obtaining information and of gradually feeling our way towards making this luxury produce some effective contribution to our revenues. It was accepted at the conference of 1932 to which I have already alluded that there should be in all provinces which were prepared to take up the idea a series of experimental measures of this nature, so designed as to give a comprehensive body of information about the tobacco trade generally on the basis of which we should collect statistics which might at a later stage enable the central Government to impose some general form of taxation applying to the whole of the British India.

[The Hon. Sir Henry Craik.]

Thus we are at the moment, if I may put it so, only feeling our way towards some effective system of taxing tobacco.

I think no honourable member will deny the truth of the statement made in the statement of objects and reasons that tobacco is a luxury, the consumption of which can vary both in quality and quantity according to the means of the consumer and that it is a fit subject for taxation in some form or another. In practically every country of the civilized world tobacco is taxed in some way or another. There is a very interesting information on this subject of the taxation of tobacco in different countries in one of the appendices in the Indian Taxation Enquiry Committee Report. As regards India itself some form of taxation is in force in Bombay, in French India and Portuguese India and in no less than 58 of the Indian States including the State of Patiala in the Punjab. And Bills very similar to the one I am now asking leave to introduce have been introduced and, for ought I know, have been passed by the local Legislative Councils of Bombay and the Central Provinces. I do not claim that this Bill will lead to any very important addition to the revenues of the province. But I do claim that it will help us to find out ways in which tobacco may be taxed effectively and profitably, and that a system of licences on retail vend, which is the system contemplated in this Bill, will, at any rate, help us in collecting very valuable information about the trade, and may open the way to more effective methods of taxation in the future.

The Bill is only to apply to municipalities, notified areas, small towns, cantonments and railway stations, and its effective provision is that it will be necessary for every person who wishes to sell manufactured tobacco in those areas to take out a license for which he will have to pay a fee. The amount of the fee will be regulated by rules but it is intended, in the first instance at any rate, to keep the fee a very small one. It will apply to all retailers of tobacco whether in regular shops or hawkers in streets or at railway stations and to restaurants, and so on. I am sorry that I am not in a position to give any close estimate, in fact any estimate, of the amount of revenue which will be produced because the main object of the Bill itself is to enable us to collect information. We have not made any endeavour at present to estimate the numbers of retail shops or retail sellers such as hawkers. But I do not anticipate that the increased contribution to our revenue will be anything very substantial. The Bill is in fact only a beginning in what may be a series of steps designed to secure the effective taxation of tobacco. I may remind the House that the belief of the Government of India founded on the report of the Taxation Enquiry Committee is that tobacco may become in time a very valuable source of taxation. In fact, it was calculated that if a tax were imposed on this commodity with an incidence of only one anna per head of the population in British India, the yield in revenue would be no less than Rs. 1,54 lakhs. Any honourable member who has read the Simon Committee's Report, especially the report of the economic expert who joined that Committee, will realise the supreme importance of expanding the sources of revenue in India with a view to the inauguration of the new constitution, as without some real expansion of the sources of taxation it will be impossible for provinces to make any great advance with their what are called nation-building activi-

ties. It is therefore up to us to examine, so far as we are able and as fully as we can, all possible sources of taxation and it is with a view to such examination that this Bill is put forward.

I have explained the operative clauses of the Bill, namely, the system of compelling all retail traders to take out a licence for which they will have to pay. The other clauses deal almost entirely with the machinery for carrying out the provisions of the Bill. The administrative machinery employed is intended to be the officers of the Excise Department. And they are, under the Bill, armed with powers of search, of initiating prosecutions, of compounding offences and so on, which will enable them to discharge their duties. These clauses are founded on similar sections in one or other of our Excise Acts, mainly on the Punjab Excise Act of 1914, and in one or two cases, I think, on the corresponding sections of the Opium Act. I do not think it is necessary for me at this stage to say anything more and I trust the House will grant leave to introduce the Bill.

Mr. President : Motion moved—

That leave be granted to introduce the Punjab Tobacco Vend Fees Bill.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : I agree with the Honourable the Finance Member when he says that the Punjab Government wants revenue very badly. I think it is only right that some sort of tax should be levied on tobacco. But a Bill of this type, as the Honourable Member himself admitted, will bring very small revenue. And for that very small revenue a number of offences and penalties are created. I am sure there are ways and means by which more money can easily be got from tobacco without the penalties and offences which are found in the Bill. With the penal clauses the Bill will become a nightmare both for the poor peasants and residents of the urban area of the province.

In the first place, tobacco is very widely defined in the Bill. It includes leaves, stalks and stem. Any poor villager who brings two or three seers of tobacco into the municipal precincts will immediately be arrested. He cannot plead that he is taking the tobacco not for sale but for giving as present to his father or brother. It will be impossible for any one who brings even a seer of tobacco into the town to escape arrest, for he will be accused of bringing it for sale. The Bill goes farther and gives the right of search to the Excise Inspector. We do not know what the rules to be made by Government are going to be, but the Government may say, not more than a *chittack* should be kept in any one's house. The Bill allows the right of search to the Excise Inspector on the presumption that more than the limited quantity allowed is kept in any house. Not only is the right of search given on the ground that an offence is likely to be committed but even the keeping of two or three seers of leaves for his use is likely to give him trouble. The Honourable Finance Member knows that this is not Europe where the people only use tobacco manufactured by tobacco firms. Here every house is in a sense a factory. They take half a seer of tobacco, pound it, put a little of *gur* and keep it for their use. To make it an offence would be to hand over the ignorant and unlettered Punjabis to the mercies of unscrupulous excise staff. It is very easy to tax tobacco and get the little revenue that Government seeks to get by this measure without these penalties. You lay down a measure by which all tobacco imported into

[Shaikh Muhammad Sadiq.]

the area of a small town committee, for instance, should pay a duty of Re. 1 per maund out of which four annas will be handed over to the committee and 12 annas will be credited to Government. Without resorting to some such easy means, the Government has created penalties and offences which would let the unwary villager ignorant of the law into the trap and submit him to the severe penalties and punishments. It is alright with cocaine which is difficult to procure. It comes from Europe. It is harmful and Government can very well prohibit its possession. Even so is the case with opium which is a forbidden commodity. The case of tobacco is quite different. You find it grown within 20 yards of a city. If a man brings say 10 seers and steps into the limits of a committee he is liable to be punished. He may not know where the boundaries of any committee lie. There are no wire fences or any landmarks to show the limits of a town. Everything is kept in the hands of Government and they are not even asked to come to this House. The Financial Commissioner, whatever he may think of the Bill now—I do not say a word against him in person—will be obliged to impose on the people of the province rules which would work a great hardship. Two crores and a half of the population are going to be affected and very many would sleep with the fear of punishment haunting them simply because they might have with them one or two *chittacks* of tobacco for use. If the Government wants to bring such Bills they should first, as in Egypt, make it a punishable thing to cultivate tobacco, and confine its use only to adolescents. But Government allows free cultivation and seeks by this Bill to restrict its use. The Bill to that extent affects the liberties of the people. After all, I ask, is tobacco such a dangerous thing that even its possession should be penalised? I have no objection to putting the tax double or even four times the rate at which it is proposed to levy at present. By all means put an additional tax on tobacco grown. But I do object to creating offences like this. An ignorant Jat who cuts his crop, dries it and walks with it but in so doing crosses the road between a city and a district board and is caught by an excise officer.

The Honourable Sir Henry Craik : No. no. The honourable member is misinterpreting the provisions of the Bill. That will be no offence whatever. If the honourable member reads clause 12 of the Bill he will see that only a person who is in possession of manufactured tobacco above the required quantity that would be liable. Unmanufactured tobacco is not at all brought within the Bill. A Jat who brings in his crop from the field will be free from any liability.

Shaikh Muhammad Sadiq : What then is manufactured tobacco? If the tobacco he brings is for his smoking, is it not manufactured tobacco?

The Honourable Sir Henry Craik : If the honourable member will read the Bill he will observe that clause 2 (c) of the Bill gives the definition of manufactured tobacco.

Shaikh Muhammad Sadiq : Because my Honourable friend has introduced the Bill he has perhaps read it thoroughly. I have also read the provision which defines manufactured tobacco as including *bidis*, cigarettes or cigars or tobacco made or prepared in any manner and intended for human consumption or use. My Honourable friend has never smoked the *hookah*.

If he had smoked the *hookah* he would not have made such an ignorant remark. Any dried tobacco if pounded and mixed with some sugar could be kept for use in smoking the *hookah*. Is it manufactured tobacco or not, I ask. Dried tobacco is, I maintain, manufactured tobacco for the use of the *hookah* in this country. I can understand the Honourable Member's ignorance because he does not know the tobacco used for the *hookah* but only smokes manufactured cigars. Before the doubt whether the dried tobacco used for *hookahs* is manufactured stuff within the meaning of the definition or not is cleared, judges would have put in jail hundreds and thousands of people. The language is not plain and unwary people, ignorant people without any legal talent or much of common sense, will be entrapped. I say and I claim that any dried tobacco is a manufactured tobacco for the purposes of the Bill.

The Honourable Sir Henry Craik : On a point of order. I submit that the point the honourable member is making is not a point to take on the motion for leave to introduce a Bill, which contemplates no general debate on the clauses of the Bill. The point is essentially a point to be taken in select committee. If the honourable member thinks that the definition of manufactured tobacco is defective, then that is a point to be taken in the select committee, not at this stage of the Bill. I refer you to paragraph 79 of the Rules of Business.

Shaikh Muhammad Sadiq : I never touched that point. The Honourable Member asked me to read the section. What could I do? I had to oblige him and read the section. What I want to say, Sir, is that this is an obnoxious Bill. I know the intention of the honourable mover. He does not want to give trouble to anybody. It is a luxury and must be taxed. It is taxed in England, Egypt and all other countries except India. It should be heavily taxed but only as a luxury. I must insist that innocent persons should not be harassed. I know it is not the pleasure of the Honourable mover to give trouble to people, but he is levying this tax in the interest of public. Unfortunately the Bill is introduced in order to give Rs. 75,000 a year to the Finance Department to be spent somewhere. Probably a little rush of water made in the river takes away 4 or 5 lakhs of rupees. For about one lakh you are introducing this Bill, keeping thousands of people in dread. I request the honourable members that its drastic provisions should be changed in the select committee. Articles of luxury should have been taxed long ago, but now we should not penalise innocent people.

Mr. President : The question is—

That leave be granted to introduce the Punjab Tobacco Vend Fees Bill.

The motion was carried.

The Honourable Sir Henry Craik : Sir, I introduce the Punjab Tobacco Vend Fees Bill.

The Honourable Sir Henry Craik : Sir, I beg to move—

That the Punjab Tobacco Vend Fees Bill be referred to a select committee.

Chaudhri Allah Dad Khan : On a point of order, Sir. The point is that copies of the Bill should have been made available to us 3 clear days before.

Mr. President : Which standing order prescribes 3 clear days?

Chaudhri Allah Dad Khan : Article 81 says :—

“Provided, and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the day on which the motion is made,.....”

Mr. President : Were not copies of the Bill made available on the 19th ?

Chaudhri Allah Dad Khan : No. They were made available on the 20th.

Mr. President : Do honourable members endorse that statement ?
(Voices : 19th).

Chaudhri Allah Dad Khan : It was delivered on the 19th, no doubt, but still 3 days notice is not complete.

Mr. President : How does the honourable member count 3 days ?

Chaudhri Allah Dad Khan : 20th and 21st, that's all.

Mr. President : Why does the honourable member exclude 19th ?

Chaudhri Allah Dad Khan : Three days have always been interpreted as 3 clear days.

Mr. President : Will the honourable member please quote any precedent ?

Chaudhri Allah Dad Khan : On every occasion this has been the procedure in this House and no ruling is required. Three days are always interpreted as 3 clear days. Even the last time there was a motion of mine for cut which was disallowed because two clear days notice was not given.

Mr. President : In some standing orders the word “clear” is expressly used, e.g., Articles 62, 134, etc.

Thus it is clear that wherever the framers of the Standing Orders wished to insert the word “clear,” they have done so. In Article 81 the word “clear” is not used.

Chaudhri Allah Dad Khan : Sir, this rule applies to every document which is presented to courts.

Mr. President : I see no reason to exclude 19th on which date copies of the Bill were received by members. Besides, the Bill, with the exception of a few lines which have been omitted in the revised copy, was circulated more than 10 days ago.

Chaudhri Allah Dad Khan : That Bill has been cancelled. We did not look at it.

Mr. President : The Bill has been in the hands of the honourable members of this House for more than 10 days.

Chaudhri Allah Dad Khan : Then, is that your ruling, Sir ?

Mr. President : This is my interpretation. Will the honourable member quote any ruling in support of his contention ?

Chaudhri Allah Dad Khan : Sir, in fact such a question never came up for a ruling. This is such an obvious thing that every day action is taken on it. There is no need for any ruling. Again, I raise another point, Sir, The sanction of the Government of India has not been obtained for this

particular Bill. It was obtained for the previous Bill which has been cancelled. That may be similar to the present Bill, yet no sanction has been obtained for it. I may submit that this very point was raised in the case of the Honourable Dr. Gokul Chand Narang's Bill.

Mr. President : The honourable member is not perhaps aware that the sanction of His Excellency the Governor-General was obtained for the revised Bill.

Chaudhri Allah Dad Khan : What about the sanction of the Governor?

Mr. President : My information is that sanction of the Governor also was taken. On that point the Leader of the House will satisfy the honourable member.

The Honourable Sir Henry Craik : Yes, Sir, the sanction of the Governor-General and of the Governor was obtained to this Bill.

3 P. M.

Chaudhri Allah Dad Khan : When was it taken?

The Honourable Sir Henry Craik : The sanction of the Governor-General was dated the 17th of February.

Chaudhri Allah Dad Khan : And of the Governor?

The Honourable Sir Henry Craik : I cannot remember.

Chaudhri Allah Dad Khan : Then it means that the sanction of the Governor has not been obtained.

Mr. President : I think the honourable member ought to take the word of the member in charge.

Chaudhri Allah Dad Khan : He says he does not know on what date it was taken.

Mr. President : In case the sanction was not taken, is there any difficulty in obtaining it now?

The Honourable Sir Henry Craik : There is no doubt whatever about the sanction of the Governor. It was obtained before the sanction of the Governor-General was obtained, naturally.

Chaudhri Allah Dad Khan : The mover says that the sanction of the Governor has been obtained. How can I say that it has been obtained when he is not able to give the date of the sanction?

Mr. President : What is the honourable member trying to make out?

Chaudhri Allah Dad Khan : I have said that any Bill that affects the revenues of the province requires the sanction of the Governor, so, in my opinion the sanction of the Governor is necessary.

The Honourable Sir Henry Craik : It has been obtained, as I have already said.

Chaudhri Allah Dad Khan : On what date?

The Honourable Sir Henry Craik : That does that matter?

Mr. President : Will the honourable member read the preamble of the Bill? It runs as follows:—

Whereas it is expedient to impose and levy a fee on the sale of manufactured tobacco, and whereas the previous sanction of the Governor-General required under sub-section (3) of section 80-A of the Government of India Act and the previous sanction of the Governor required under section 80-C of the said Act have been obtained; is hereby enacted as follows.

Will the honourable member further see that the Bill has been signed by Sir Henry Craik, the member in charge, and Diwan Ram Lal, Officiating Secretary, Legislative Department? Does the honourable member expect that when an official Bill, requiring the sanction of the Governor and the Governor-General, is moved, it should have, as in the case of Bills brought forward by private members, the sanction attached to the copy of the Bill?

Chaudhri Allah Dad Khan : There is no question of suspicion, but I must be satisfied.

Mr. President : Order, order. A statement has been made by the Honourable Leader of the House. The Bill bears his as well as the Legal Remembrancer's signature and the preamble clearly says that the sanction in question has been obtained. Am I to take that the honourable member questions the veracity of these two highly placed officials?

Chaudhri Allah Dad Khan : I do not question the veracity. My point is that the sanction was obtained for the previous Bill, but if the Honourable Member says that the sanction has been obtained for the present Bill, he should state the date on which it was obtained. Unless he gives us the date when the sanction of the Governor was obtained, I will not be satisfied.

The Honourable Sir Henry Craik : Sir, I beg to move—

That the Punjab Tobacco Vend Fees Bill be referred to a select committee consisting of the following:—

The Honourable Mr. Miles Irving,

Khan Bahadur Shaikh Din Muhammad,

Pir Akbar Ali,

Khan Bahadur Malik Muhammad Amin Khan,

Lala Labh Chand Mehra,

Rai Bahadur Mr. P. Mukerji,

The nominee of the Honourable President, and the Mover,

with instructions to report not later than Tuesday, the 6th of March 1934.

Mr. President : The Motion moved—

That the Punjab Tobacco Vend Fees Bill be referred to a select committee consisting of the following:—

The Honourable Mr. Miles Irving,

Khan Bahadur Shaikh Din Muhammad,

Pir Akbar Ali,

Khan Bahadur Malik Muhammad Amin Khan,

Lala Labh Chand Mehra,

Rai Bahadur Mr. P. Mukerji,

The nominee of the Honourable President, and the Mover,

with instructions to report not later than Tuesday, the 6th of March 1934.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural): Sir, I desire to take this opportunity to offer my hearty congratulations to the Government for the awakening consciousness on its part to tax some section of the population other than agricultural and to think of a tax which does not fall directly on the agriculturists. This tax has been long under contemplation, and as has been explained by the Honourable Finance Member even now the first attempt is to be on an experimental basis. Apart from the Taxation Enquiry Committee's recommendation the Punjab Committee on Fresh Sources of Revenue has made a recommendation in favour of taxing tobacco, and I think there were committees subsequent to the Sources of Revenue Committee which also drew the attention of the Government to the tax which had been recommended for being imposed by the Sources of Revenue Committee. I hope that the members on this side of the House will understand clearly that unless we promote and support measures of taxation which affect things other than land, we cannot expect any relief to be given to the agricultural population. From day to day we ask for relief for this population. We ask for remission of land revenue in respect of *kharif*, then we ask for remission in respect of land revenue for *rabi*, and we ask for remission in water rates generally. If we go on asking for remissions and do not support any measure of fresh taxation brought in by Government, certainly we shall be placing ourselves in a very false position. Therefore, I appeal to my friends on this side of the House not to oppose the present motion. No criticism is necessary at least at the present stage. Zamindar members should do everything in their power to support all taxation measures which do not affect them, at least directly. So far as the question of any defective definition or any harsher penalties than those actually needed is concerned, that is a matter for the select committee to go into. If members find that manufactured tobacco has not been properly defined or that there are any penalties sought to be imposed by this Bill which are harsher than they need be, then that would be a matter for decision by the select committee and not for a discussion at the present stage. Therefore, I must whole-heartedly support the present motion and ask my friends not to criticise any individual sections of the Bill at the present stage.

Mr. Owen Roberts (Non-official, Nominated): Before the Bill goes to the select committee, there are a few points that arise out of the Honourable Finance Member's speech which he made on his first motion on which I wish to say a few words. In the first place, his references were to tax on the retail of manufactured tobacco. I hope this does not imply a distinction between the retail and wholesale dealer with the idea of taxing the former and not the latter. Many instances will be found where a man under the cloak of being a wholesaler also carries on retail business, and I regard this tax as one on the sale of tobacco regardless of the quantity that is sold. I also raise this question of quantity now, because I should be very sorry to see this tax develop into a tax varying with the size of the business carried out. The tax in my opinion should be sufficiently low so as to prevent the holder of the licence passing it on to his customers, that is to say it should be a tax which would not justify him in raising the price of the article to the public; I consider this most important. The Hon'ble Member referred to a possible consequence of a transport that it might be cumulative in

[Mr. Owen Roberts.]

character and I entirely agree. We must bear in mind when taxing tobacco that imported tobacco is already very heavily taxed. In fact I do not think there is any difference; if at all, it is a very small difference, in the price of cigarettes in England and of the same cigarettes in India. If you raise your tax to a point where the sale price to the buyer would be affected, you would certainly be inflicting grave hardship to the use of imported tobacco. At the same time I do not think it would be fair to levy a tax which would make the ordinary Indian manufactured article dearer to the consumer. People are sufficiently poor as it is and to add to the cost of the small luxuries they can afford would hardly be a just procedure. I feel that if you levy a tax on vendors, it should be very low; Rs. 10 a year would not be a high licence fee and though I do not know what the Government estimates it would get, I think a tax of Rs. 10 a year would bring in a great deal more than Rs. 50,000 or Rs. 60,000, which I understood one honourable member to estimate.

Diwan Bahadur Raja Narendra Nath: Less use of tobacco due to higher prices has its hygienic advantages.

Mr. Owen Roberts: That is a question of opinion. In fact it is only the presence of tobacco that enables us to walk through some of the streets of the city.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I rise to support this motion. Most of the things that can be said have been put in a nutshell by the leader of my party. I would add only a few words to what he said. The object underlying this Bill is clear from the preamble and the statement of objects and reasons. Government wants to levy a tax on the consumption of tobacco. As has been pointed out by the leader of my party the Government has been granting remissions to a very great extent. In 1931 it was to the extent of 86 lakhs, in 1932 to the extent of 47 lakhs and in 1933, 11 lakhs, and in this *kharif* I think it is about 6 or 7 lakhs. Now the lion's share of the provincial income depends on the realisation of these taxes and if the Government is to go on granting remissions without trying to explore new sources of revenue, I fear our province will soon run on the shores of bankruptcy. In order to balance our budget it is necessary that we should try fresh fields of revenue. We are daily demanding better education, better hospitals, better sanitation, better roads, rural reconstruction and what not. For all these things money is wanted. Where is the money to come from? The only source of revenue is taxation and we should tap that source very carefully. I might have opposed this Bill had it touched the agricultural industry so far as the growing of tobacco in rural areas is concerned. But as may be observed from the Bill and its various clauses, that industry is safe from the attack of this Bill. (Hear, hear). Sub-clause (2) of clause 1 clearly aims a blow only on municipal towns, small towns, notified areas, cantonments and railway stations. Similar taxation is already existing in municipal towns. Under section 121 of the Municipal Act there is a tax levied on *bhusa*. So long as that commodity remains in the village it is immune from any tax. But when it comes to the city it is brought under the head "dangerous trade" and a licence fee is levied on it. Again, similar tax already exists on opium, country liquor and other articles of luxury. I do, therefore, see no reason why a little tax should not be levied on this commodity also.

Another reason why I support this Bill is that it will in some way help to improve the morale of the province. I see every second child of tender age smoking a cigarette in the city.

Sheikh Muhammad Sadiq : Do they not smoke in villages?

Chaudhri Riasat Ali : No, not cigarettes.

Sheikh Muhammad Sadiq : Well, they smoke huggas.

Chaudhri Riasat Ali : When this commodity is taxed, it will as a result sell dearer and some people at least, not affording to buy, will not resort to it and consequently they will be saved so far as their health is concerned.

To some it may seem that this Bill is inopportune at this moment especially when the whole province is passing through financial stringency. I should submit that it is all the more reason why we should support this Bill. Unless we pass this Bill we cannot save the province from its financial stringency. After all, the Bill is only going to a select committee. In the select committee the Bill can be softened by suitable amendments. At this stage I do not see any reason to differ from the views of the Honourable Finance Member who has piloted the financial boat of the province with the accuracy of a true mariner during the past four years. When we trusted him with our finances during the last four years, it is only reasonable that we must follow him blindfold so far as any measure for increasing the revenues of the province is brought forward by him. (Hear, hear).

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muhammadan, Rural) (Urdu) : Sir, I rise to oppose the Bill now before the House and feel a sort of pleasure in opposing it. It has been said that the income derived from the proposed tax on tobacco will be utilized in giving some relief to the zamindars. That is a false hope. Whenever the Government have to resort to fresh taxation they always try to beguile us by holding out to us false promises. We should not, therefore, be duped into false hopes this time also. These are very hard times and we should refrain from further taxation especially when it would hit hard the poorest people whose average daily earning hardly exceeds two annas per head. It is wrong to say that the proposed tax will benefit the zamindars. It has been said that there is a tax levied on tobacco in almost all civilised countries of the world and that, therefore, we should not lag behind them in this respect. I say we are fortunate in having no such tax here. If we agree to this tax it would adversely affect the poor zamindars for every tax levied on any product before it is consumed will have the effect of increasing its prices. Growers produce for consumers and whatever tax is levied on consumers ultimately affects the growers. For instance, in my district the price of wheat varies in different places. In towns where terminal tax is being charged on wheat it sells at a little higher price. I would, therefore, request you to have mercy on the zamindars and the poor urban people for they are already hard pressed by the present general depression. With these words I resume my seat.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (Urdu) : Sir, I would like briefly to allude to the hardships that are likely to result from the proposed tax on tobacco. It would adversely

[Ch. Muhammad Abdul Rahman Khan.]

affect every zamindar male or female, adult or child. I think you are fully aware of the evil consequences of the excise tax. As a matter of fact, you must know that 95 per cent. cases under the excise law are the result of mutual jealousy and enmity of the zamindars. Tobacco law if made will produce far graver consequences. It is tobacco that helps the zamindars a good deal in purchasing the ordinary necessities of life such as oil, salt and many other things. I would have gladly supported this Bill if it had proposed a tax only on cigarettes, cigars and *bidis*. But as it does not exempt the *desi* tobacco from its operation, I do not see my way to support it. The proposed taxation will severely pinch the zamindars, for in most cases the land revenue demand is met from the income derived from the tobacco crop. In the Jullundur district land revenue for the last *kharif* was paid out of the income derived from the tobacco crop.

If you are at all bent upon imposing the proposed tax and thus making your purse heavy, disregarding all the misfortunes that will inevitably follow, I remind you of the oft-quoted proud words that the Government is no less anxious than parents to see her sons flourishing and she at all hours brings into operation all in her power to relieve them of the misfortunes, i.e., a comparison is instituted between the Government and the parents. But the Government should know that parents withhold instantaneously the means if they distress their sons. In view of this the Government should bid farewell to the proposed tax and thus save the poor zamindars from its ruinous consequences.

If this tax is imposed, the zamindars in general and petty zamindars in particular will suffer many hardships. I fear that in that case they will not be able to meet even their most ordinary requirements. You will perhaps be aware that it is generally the case amongst the zamindars to send 10 or 20 seers and in some cases a maund of tobacco to their friends and relatives as a sort of present and in such cases this tax will surely prove a serious menace to them. As the House knows the women and the children of the petty zamindars and peasants are in the habit of taking 5 or 10 seers of tobacco to the shopkeepers to get their ordinary requirements in return and being poor they cannot help doing so. Therefore, it will be no wonder if on this Bill being placed on the statute book, many of these women and children have to go to jails. Add to this the fees of the lawyers and the other expenses involved in fighting the cases that will be instituted against the zamindars and their relation and you will realise how many hardships this proposed legislation is going to bring on the already hard-pressed zamindars. Therefore, I appeal to the Government to desist from passing the Bill and from imposing the proposed tax. With these words I oppose the motion now before the House.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I had no intention to speak on this motion at this stage particularly after the honourable leader of our party had explained the attitude of the party on this question. But as, quite contrary to our expectation, some of the honourable members have opposed the motion under discussion, I feel called upon to make a few observations. I think the proposed tax is such as should have evoked no opposition particularly by any zamindar member as I believe it will have no direct effect.

on the zamindars. I know and I admit that it will have certainly some indirect effect on the zamindars, but that is no reason why we should oppose it. It will be conceded that all taxes must have some direct or indirect effect on the people and it will also be admitted that under the present circumstances when the zamindars are not able to bear the burden of any direct taxation and when they are also to be relieved to some extent, some new taxes must be imposed to run the administration. The proposed tax, in my opinion, is one which will prove least troublesome to the zamindars. Of course, it will have direct effect on the urban people but I am sure they will not grudge bearing this burden in order to afford relief to the zamindars. I do not say that this Bill is free from defects. May be there are some defects in it but they can be removed by the select committee to which the Bill is proposed to be referred. I think it is not advisable to oppose the Bill at this stage.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, I shall be very brief in my observations about this Bill at this stage. I realise that if this Bill were considered clause by clause it would be found that so far as its penal clauses are concerned, they are certainly very dangerous. The penalties prescribed in these clauses are, I believe, out of all proportion to the nature of the offences contemplated to be punished. But I am sure that when this Bill emerges from the select committee to which it is to be referred, we shall find it purged of all the defects that can be pointed out to be present in it at this stage. Otherwise the Bill is one to which hearty welcome should be accorded.

My honourable friend who preceded me said that if this Bill had no direct effect on the zamindars, it would surely affect them indirectly. I differ from him in this view. I think, if at all, it will prove a blessing to the zamindars. In my opinion a pleasanter and a more agreeable Bill could not have been introduced under the circumstances when it is necessary to run the Government and when some relief is also to be afforded to the zamindars. The burden of this taxation will of course be borne by those who deal in this commodity; and to say the least, this class of people, from the petty shopkeepers to the biggest of them are much better off than even the largest growers who are most of them under debt. I am sure they will not grudge bearing this burden and thus sharing the responsibility for running the Government which devolves on all sections of the population alike.

In considering this Bill this fact should also be taken into consideration, that smoking is a mild form of luxury. If you have observed those who are slaves to this habit of smoking, you must be aware, that when their supply is exhausted at places where cigarettes cannot be easily had, they readily pay double and even three times the price to get their supply. And this vice, or whatever you may call it, is increasing day by day and under the circumstances this burden will not be very much felt by those who must smoke at all costs. I say we zamindars should above all others welcome this Bill as it aims at transferring some of the burden on the urban population. The zamindars need have no fear that the proposed tax will have any direct or indirect effect on them and I am really surprised to see some of the zamindar members opposing it. With these words I give my hearty support to this Bill.

Khan Bahadar Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Urban) (*Urdu*): Sir, it never occurred to me that the least opposition would be offered to this Bill at this stage. If there is any defect in the Bill in its present form, that can surely be removed in the select committee or at the time when it emerges from the select committee and is considered again on the floor of this House clause by clause. At that time we shall have ample opportunity to bring forward amendments if it is found that at some places it is necessary to make amendments. As to the fear that it will adversely affect the income of the zamindars, I think that fear is not based on any reasonable grounds. It is possible that this Bill may unnecessarily put those zamindars to trouble who, when going to attend the courts or to attend to any other business outside their villages, may be found in possession of some tobacco for their personal use at a railway station, because generally they take with them some supply when going out somewhere. But I am sure that sufficient safeguards will be provided for such persons by the select committee to which this Bill is to be referred. Barring this and similar other minor defects, which can be removed afterwards, the Bill as a whole is particularly beneficial to the interests of the zamindars.

I admit that on the proposed tax being imposed the zamindars will get a little less price for tobacco, but the advantages that will accrue from the imposition of this tax will surely outweigh the little loss apprehended. This bad habit of smoking is in itself an evil and it is so common amongst the zamindars that it is proving a curse for them. Even the small urchins of the zamindars are falling victims to this bad habit and if one were to compare the income that the zamindars derive from tobacco and the expenditure that they incur in purchasing it from the shopkeepers afterwards, one will find that the zamindars in general are losers and in no way gainers. A few hundreds of rupees that they get at the time of harvest are returned by them with many more hundreds of rupees in purchasing it during the whole year following that harvest. I wish means could be found in order to put a stop to this bad habit of smoking altogether. It is mostly on account of this vice that every work that the zamindars and peasants have to do in the ordinary course of their lives remains unfinished and incomplete. When these people sit down to smoke they forget all about themselves and their work. Many a time thieves have been caught red-handed because they could not but yield to the temptation of smoking on the way with cattles lifted by them (*laughter*). (*A voice*: It is not then a bad thing as it helps in bringing the offenders to justice). I am looking at it from the point of view of those who are slaves to this bad habit. For them it is surely a bad habit. Another advantage of the proposed tax will be that it will not be then necessary to increase land revenue or *abiana* in order to meet the increasing expenses of the administration. That is certainly no small advantage from the point of view of the zamindars. As I have already said if there are any defects in the Bill they can be removed in the select committee. Therefore it is no good opposing this Bill at this stage.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): Sir, I am grateful to the Honourable sponsor of the Bill who, feeling the need of the time, has thought fit to introduce this measure. As for my part I believe that if anything is the cause of the ruin of this

country and its people, it is not so much the liquor or other intoxicants as tobacco. If you were to read the books written by Mr. Calvert on the subject, you will find in what strong and forceful language he has condemned this evil of smoking. In the books that I have written I have also described in detail the injurious effects that it produces on both the body and the mind. If you happen to go to a village the lands of which are mostly owned and cultivated by Sikhs and if you were to compare the crops growing in such lands with those growing in lands in a neighbouring village populated mostly by Muslim and Sikh cultivators, you will find a vast difference between the two. You will find that the crops grown by the Sikhs are far superior in every respect to those grown by cultivators of the other two communities. And it is not difficult to judge the root cause of this difference particularly when there is no difference in the quality of the soil and such other things.

Kanwar Mamraj Singh Chohan : Is the honourable member lecturing on the evil of smoking?

Chaudhri Afzal Haq : I have felt the necessity of saying all this because I think that this Bill does not go very far to meet the requirements of the situation. I wish it had been a little more comprehensive in order to put a check to the growing evil of smoking. Even amongst the Muhammadan cultivators of lands those, who belong to the group named Ahl-i-Hadis, are more hard-working than their Sunni brethren because the one is not addicted to the vice of smoking while the other is. I know it for a fact that if those who are slaves to this bad habit sit down to smoking, they continue smoking up to 12 in the afternoon and till that time they do nothing. I, therefore, say that if this Bill could be revised to make it a little more comprehensive, I am sure that many of our troubles will come to an end.

I should think that those who have offered opposition to this Bill do not appear to have read the statement of its objects and reasons.

Mr. Nanak Chand Pandit : It will affect the sellers and dealers in tobacco and not the zamindars.

Chaudhri Afzal Haq : I do not mind even if it affects the zamindars and the cultivators. I say that smoking enervates its victims so much so that such persons can hardly do as much work as a woman can do. To further illustrate the evil effect of smoking I may inform the House that out of the two men of the same age and of the same physique, one who is not in the habit of smoking, is able to carry one after another 21 *bharis* while the other habituated to smoking is able to carry one after another only 15 *bharis* in a day. This is what I know from personal knowledge. The Sikh Jats of the central districts of the Punjab are more hardy than the Hindu Jats of Karnal, Rohtak and Hissar districts and the reason is the same as I have already mentioned. Therefore there is no need to criticise or find fault with the Bill. If there is any defect in the penal sections of the Bill, that can be removed by the select committee or that part of the Bill can even be deleted and municipalities and district boards can be entrusted with the task of collecting this proposed tax.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan Urban) (Urdu) : Sir, so far as the question of the proposed tax is concerned, I do not

[Shaikh Muhammad Sadiq.]

join issue with the honourable mover or the supporters of the Bill. I am at one with them in this respect. But there is much room for improvement in the penal clauses of the Bill and I take this opportunity to bring to the notice of the members of the proposed select committee some of the hardships that these clauses are most likely to cause to the public in general. I do so because I know, as some of the other honourable members are also aware, that the penal clauses are the essentials of a Bill as they are in the case of all legislations under which revenue is to be raised. I am not prepared to take the advice of honourable member who said that we should support this Bill with our eyes shut. If we were to act in this manner, I think we shall be responsible for creating chaos and anarchy in the country. In that case it is no use our coming to the Council or even making a demand for democratic institutions or self-government. I should think that shutting our eyes and ears in matters like these is equal to our ignoring the voice of conscience. We must be wide awake if we come here to do our part honestly and conscientiously.

Some of the honourable members have congratulated the honourable sponsor of the Bill according to a general practice. But to me it appears that such a law has never been passed before either in this country or in any other country. The framers of this Bill, perhaps, wanted to eclipse, in making this attempt, the framers of Bills all over the world. Section 7 of the Bill is such a dangerous section that with its aid it will not be difficult to involve any person. My honourable friend Chaudhri Sahib said that penal clauses could be done away with if they were so offensive. I wonder if he has dealt with Bills before. Can any law, I ask, be enforced without its penal clauses? Can he explain how it is proposed to realise the proposed tax without some penal clauses? Does he propose that officers concerned should go to the tax-payers with folded hands and solicit them to pay the tax? Or, is it proposed to have a photo of the Minister in which he will be shown to be begging with folded hands for this tax? Penal clauses have to remain because, as I have said, they are the essential part of all legislations and this is my one main objection that in order to raise a paltry sum we are introducing a Bill with penalties which are undesirable. What we should do is to emphasise the necessity of removing the serious defect in them. I shall do better if I read out to the House clause 7 of the Bill so that honourable members may be able to judge for themselves how far it is obnoxious. The clause reads :—

The Collector or any Excise Officer not below such rank as the local Government may prescribe may accept, from any person against whom a reasonable suspicion exists that he has committed an offence against this Act, a sum of money not exceeding one hundred rupees by way of composition for such offence or alleged offence so compounded for.

Now you can see what a novel section it is. If we let it pass as it is, how will it reflect upon us? It has been said that we should not oppose it at this stage because it is to go to the select committee which will set things right. And if the select committee sent it back as it is, as is most likely, and if at that time we objected to the wording of this or that clause of the Bill, we will be asked to keep quiet. At that time it will be said that the members of the select committee were very wise men and if they had found any defect anywhere they would have removed it. I wonder at what

stage we are to offer our criticism or give our opinion. I say this and other such clauses of the Bill are sure to work many hardships on the public particularly because tobacco is such a common thing as to be found in the possession of many people. Even the lawyers in mufassal, I will not include Sheikhpura for fear of offending my friend over there, have come to accept their fees in the form of tobacco (*laughter*). Under the circumstances I feel it my duty, although I am not very much concerned because I have never dealt with this commodity and neither am I likely to deal with it in future, to point out for the good of the general public that this and other similar sections must be amended to make the Bill acceptable.

Again, section 10 of this Bill will work hardship not only upon the actual offenders against it but also upon the public in general. Tobacco is a very common article and found almost in all houses. People in order to satisfy their grudge or enmity will give false reports in order to get the houses of those whom they dislike, searched. Section 10 of the Bill reads :—

If any magistrate or any Excise Officer not below such rank as the local Government may prescribe, upon information received and after such inquiry, if any, as he considers necessary, has reason to believe that an offence under section 3 has been or is likely to be committed by any person, he may issue a warrant for search of any tobacco in respect of which the alleged offence has been, or is likely to be committed.

Now, under this section every person's house can be searched on a report made through malice or ill-will.

Then, again the local Government may prescribe the quantity of tobacco that can be possessed at a time to be one seer. Now, any man found to be in possession of tobacco of more than this prescribed quantity may be hauled up and prosecuted. People keep manufactured tobacco in their houses in a large quantity. Some times they manufacture it in such a large quantity that it may be sufficient for the whole of the year. In such cases it would become difficult to know whether that quantity was manufactured for the purposes of sale. I know the Bill has not been moved with any ulterior motive but after its passage when it comes into force it will work hardship upon many innocent people.

Further, in the statement of objects and reasons it is laid down that this Bill is intended to enable Government to levy vend fees on the sale of manufactured tobacco in municipalities, notified areas, small town committees and railway stations. Apparently it means that this Bill will effect only urban people and not the rural population. It is a fact that 80 per cent. of the population of the notified areas and small town committees, is rural. In notified areas or small towns at the most you come across a few Brahmans or a few khatri shop keepers, and the others are all agriculturists. Hence those honourable members representing rural interests who think that this Bill will affect only the cities and towns should not feel happy over it for, directly or indirectly they will themselves be effected by its provisions. Any zamindar while journeying by railway can be hauled up for the tobacco found with him. He cannot prove that he is carrying it as a present for his relatives whom he is going to see. Such cases will occur in large numbers.

Another bad effect of this Bill will be that many small shops in which cigarettes, betel leaves and tobacco are sold, will be closed down. This will add to unemployment. Government by passing this Bill will only

[**Sh. Muhammad Sadiq.**]

snatch away employment from many small shopkeepers, widows and men of small means. Moreover, on account of this Bill small zamindars will not be able to bring tobacco into the cities for selling purposes. This will also result in a loss to the zamindars. I request the honourable the Leader of the House that he should not try to make such a small matter an offence. People are already hard pressed. It will further add to their troubles and thus help to bring about revolution.

In the end, I would request that amongst the names of the members of the select committee some representatives of urban areas should also be included. I do not mean any reflection on the honourable members who constitute the select committee. All of them are my friends and I have got every respect for their personalities. But it would be better if some other names are also included in the select committee. I suggest the names of Maulvi Mazhar Ali, Chaudhri Allah Dad Khan and Thakar Pancham Chand. Any two of these three names may be added to the list of the members of the select committee. (*An honourable member*: Why do you not offer your own name?) I have opposed this motion and on principle I should not be one of the members of the select committee. (*An honourable member*: What objection have you got against Mr. Nanak Chand Pandit?) I have no objection against him. But he is a lawyer. He may not find time to attend the meetings of the select committee.

Mr. President: Has the honourable member obtained the consent of these honourable members whom he has named?

Shaikh Muhammad Sadiq: Yes. I told them that I would propose their names and they did not say no. As there are no representatives of the urban areas on the select committee I propose the names of Maulvi Mazhar Ali, Thakur Pancham Chand, and Chaudhri Allah Dad Khan to be added to the select committee.

Mr. President: Has the honourable member obtained the consent of the three members?

Shaikh Muhammad Sadiq: I mentioned their names and they did not object. I understand that they have given their consent. If you think it is not sufficient, if you will allow me I shall consult them now.

Mr. President: Their consent should have been obtained before proposing their names.

Shaikh Muhammad Sadiq: I propose the names of Maulvi Mazhar Ali, Thakur Pancham Chand and Chaudhri Allah Dad Khan. There is no objection from the members proposed.

Mr. President: The honourable member may move his amendment.

Shaikh Muhammad Sadiq: I move—

That the names of Maulvi Mazhar Ali, Thakur Pancham Chand and Chaudhri Allah Dad Khan be added to the names already proposed.

Mr. President: Motion under consideration, amendment moved—

That the names of Maulvi Mazhar Ali, Thakur Pancham Chand and Chaudhri Allah Dad Khan be added to the names already proposed.

The Honourable Sir Henry Craik: I oppose the amendment. I consider that the select committee is sufficiently large already for this

not very important Bill, and I see nothing to be gained by adding these three names to it.

Mr. President : Question is—

That the names of Maulvi Mazhar Ali, Thakur Pancham Chand and Chaudhri Allah Dad Khan be added to the names already proposed.

The House divided : Ayes 19 : Noes 33.

AYES.

Afzal Haq, Chaudhri.
Allah Dad Khan, Chaudhri.
Balbir Singh, Rao Bahadur Captain
Rao.
Bhagat Ram, Lala.
Gopal Das, Lala.
Lekhwati Jain, Shrimati.
Mamraj Singh Chohan, Kanwar.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.

Muhammad Eusoof, Khwaja.
Muhammad Sadiq, Shaikh.
Mukerji, Rai Bahadur Mr. P.
Narendra Nath, Diwan Bahadur
Raja.
Nathwa Singh, Chaudhri.
Nihal Chand Aggarwal, Lala.
Pancham Chand, Thakur.
Pandit, Mr. Nanak Chand.
Ramji Das, Lala.
Ram Sarup, Chaudhri.

NOES.

Boyd, Mr. D. J.
Craik, The Honourable Sir Henry.
Din Muhammad, Khan Bahadur
Shaikh.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazl Ishaq, Khan Sahib Shaikh.
Firoz Khan Noon, The Honourable
Malik Sir.
Garbett, Mr. C. C.
Ghani, Mr. M. A.
Gokul Chand Narang, The Honour-
able Dr.
Gurbachan Singh, Sardar.
Hearn, Mr. J. W.
Janmeja Singh, Captain Sardar Ba-
hadur Sardar.
Jogendra Singh, The Honourable
Sardar Sir.
Kesar Singh, Rai Sahib Chaudhri.
Labb Chand Mehra, Lala.
Latifi, Mr. A.

Marsden, Mr. P.
Mayadas, Mr. Ernest.
Miles Irving, The Honourable Mr.
Mohan Singh, Sardar Bahadur Sar-
dar.
Muhammad Sarfaraz Ali Khan,
Raja.
Murphy, Mr. A.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Ogilvie, Mr. C. M. G.
Rahim Bakhsh, Maulvi Sir.
Rahman, Khan Bahadur Dr. K. A.
Ram Singh, 2nd Lieut. Sardar.
Riasat Ali, Chaudhri.
Roberts, Mr. Owen.
Sanderson, Mr. R.
Shave, Dr. (Mrs.) M. C.
Sheo Narain Singh, Sardar Bahadur
Sardar.
Staig, Mr. B. M.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) :
Sir, I rise to oppose the motion made by the Leader of the House. I may explain my attitude towards tobacco smoking. I am not a smoker myself and I do not very much like people who smoke, though the Leader of our Party, Diwan Bahadur Raja Narendra Nath, is a great cigar smoker. (Diwan Bahadur Raja Narendra Nath: I have given it up). He has now given it up under compulsion. But I oppose this Bill on the ground that it is an undue interference with the liberty of the subjects. Unfortunately,

[Mr. Nanak Chand Pandit.]

by this Bill, not only the zamindars will be affected, but you will find that the penalty of this Bill will be paid both by zamindars and non-zamindars. I may say one word more. If this tobacco is to be taxed in a form that will fall on people who use it as a luxury, I will have absolutely nothing to say. The Bill as framed interferes unduly with the liberty of the subject. Section 7 reads thus :—

The Collector or any Excise Officer not below such rank as the local Government may prescribe may accept, from any person against whom a reasonable suspicion exists that he has committed an offence against this Act, a sum of money not exceeding one hundred rupees by way of composition for such offence or alleged offence so compounded for.

This power given to officials is bound to lead to bribery and corruption. It is not denied that corruption exists to a large extent in our services. Even Government is cognizant of the fact that it exists in this province. Now the excise officer enters a man's shop or a house and says : I am going to arrest you ; I am going to haul you up for an offence under the Act. The poor man will have to pay Rs. 20, Rs. 30 or Rs. 50 and thus get himself off. That, I tell you, would be a very bad thing for this province. Government will lose the amount as it will go into the pocket of the official. The result will be that Government will gain nothing. The person who thus receives a visit from the excise officer would be the loser and nobody would be the gainer. That is one of the most grave objections which I have to section 7. It is undoubtedly going to lead to bribery and corruption to a very large extent. It might be argued that we do not trust our excise officers. We know it as a matter of fact—and it need not be repeated over and over again—that bribery and corruption do exist to a large extent in the Excise Department. We find that in cases of opium and other excise cases.

Now turn to section 11 which runs thus :—

Any Excise Officer, who, without reasonable ground or suspicion, enters or searches, or causes to be searched, any building or vexatiously and unnecessarily detains, searches or arrests any person, shall on conviction be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

What would be the effect of it. There would be cases and counter cases against the excise officers, and I fail to see why the collector has been omitted from this clause 11, while his name appears in clause 7. Perhaps the honourable member in charge of the Bill and his officers think that collectors do not take bribes. I would request Government to make an inquiry into this matter and if pardons are given to people, you will find accusations proved against collectors in some cases. I do not see why the collector has been omitted from this clause. As I have said before, the result would be that there would be cases against the excise officers and there would be cases against the subjects. What is the result of this going to be. There is going to be a large amount of litigation, and the Government officers would be attacked, and their prestige is bound to suffer. If you do away with this kind of cases, then there would be a grave injustice because the excise officer and the collector cannot be brought to book. From both points of view clause 11 is a very dangerous clause.

Then you know that factions exist everywhere ; factions and enmities do exist, say, on account of elections for municipalities or the Punjab Legis-

lative Council, and it would be very easy for any person to accuse an innocent person and thus seek the aid of the excise officer or other government official to harm or injure people in that way. We know it as a matter of fact that such kind of enmity and party feeling and factions do exist almost everywhere and there is no place free from such things; the result would be a crop of false cases of prosecution under this Act. What is Government going to gain by bringing forward an Act of this kind which is going to increase bribery and corruption amongst Government servants, and which will result in a crop of cases against excise officers and which is going to result in a large number of cases against sellers of tobacco and other innocent persons?

Then there is another point on which I attack this Bill. There is a large amount of unemployment. There are people who take to selling of tobacco and cigarettes, bidis, cigars and other things. When this Bill comes into force, they will hesitate to take to a profession of this kind, and the result will be that there will be a very great problem created. For all these reasons I think this Bill should be opposed by the House, as I have already said. I have no objection to tobacco in some form or other being taxed, but the present Bill is the most undesirable method of taxing it.

Mr. President : The question is—

That the Punjab Tobacco Vend Fees Bill be referred to a select committee consisting of the following:—

The Honourable Mr. Miles Irving,

Khan Bahadur Shaikh Din Muhammad,

Pir Akbar Ali,

Khan Bahadur Malik Muhammad Amin Khan,

Lala Labh Chand, Mehra,

Rai Bahadur Mr. P. Mukerji,

President's nominee and the Mover.

The motion was carried.

Mr. President : The next question is—

That the Committee be instructed to report not later than Tuesday the 6th of March 1934.

The motion was carried.

The Honourable Sir Henry Craik : Sir, I beg to move—

That the quorum of the select committee shall be five.

The motion was carried.

THE PUNJAB MUNICIPAL (TAX-VALIDATING) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I beg to introduce the Punjab Municipal (Tax-Validating) Bill.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That the Punjab Municipal (Tax-Validating) Bill be taken into consideration at once.

I need not make any speech in commending this Bill to the acceptance of this House. It is a very formal Bill. It appears that in a few places

[The Hon. Dr. Gokul Chand Narang.]

profession tax was levied without obtaining the proper sanction, and as some tax has been realised it would be very inexpedient to refund it, and if it is not refunded there is a possibility of litigation. In order to prevent that litigation and embarrassment to the committees concerned, this Bill is being placed before the House.

Mr. President : The question is—

That the Punjab Municipal (Tax-Validating) Bill be taken into consideration at once.

The motion was carried.

Mr. President : The Council will now proceed to take the Bill into consideration clause by clause. The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That this be the preamble of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Mr. President : Schedule.

Mr. P. Marsden : Sir, I beg to move—

That in the schedule the Municipal Committees of Baghbanpura-cum-Bhogiwal and Sheikhpura, and the Notified Area Committees of Bucha Mandi, Nuh, Sohna and Farrukhnagar shall be omitted, and the word, "Committees" where it occurs after the words "Notified Area" shall be replaced by the word "Committee."

The motion was carried.

Mr. President : The question is—

That the schedule as amended stand part of the Bill.

The motion was carried.

The Honourable Dr. Gokul Chand Narang : Sir, I beg to move—

That the Punjab Municipal (Tax-Validating) Bill as amended be passed.

The motion was carried.

THE PUNJAB SMALL TOWNS (TAX-VALIDATING) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I beg to introduce the Punjab Small Towns (Tax-Validating) Bill.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That the Punjab Small Towns (Tax-Validating) Bill be taken into consideration at once.

The reasons, as stated in the objects and reasons are *mutatis mutandis* the same as those for the other Bill which was just passed. I need not, therefore, take up the time of the Council in going through the same.

Mr. President : The question is—

That the Punjab Small Towns (Tax-Validating) Bill be taken into consideration at once.

The motion was carried.

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

That clause 2 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That this be the preamble of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That the schedule stand part of the Bill.

The motion was carried.

The Honourable Dr. Gokul Chand Narang : I move—

That the Punjab Small Towns (Tax-Validating) Bill be passed.

The motion was carried.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to introduce the Punjab Municipal (Amendment) Bill.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

This Bill also is almost entirely a formal one. Honourable members are probably aware that when the Municipal Amendment Bill was passed last year by this Council there were certain typographical errors left in it. When the Bill was sent to His Excellency the Governor for his assent it was also pointed out that there were these mistakes and he gave the assent with the remark that an early opportunity should be taken to rectify them. The Bill was then sent to the Governor-General and he was given an assurance that these mistakes would be rectified at the earliest possible opportunity. It is to implement that assurance that this Bill has been brought forward before this Council. There are only two clauses which are at all of any material importance, one is the amendment of section 13 of the Municipal Act and the other is a slight change in another clause reducing the figure 40 to 20 and the figure 20 to 10. If there had been any complicated clause or clauses in the Bill I would certainly have moved that the Bill be referred to a select committee. But, as it is, I do not think that the time of the Council need be wasted by requisitioning the services of a select committee for this Bill.

Mr. President : Motion moved—

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

Mr. Owen Roberts : I should like to say a word in connection with this Bill and that is with regard to clause 15.

Mr. President : I think it would be as well if the honourable member makes his remarks when that clause comes up for consideration.

Mr. Owen Roberts : Very well.

Mr. President : The question is—

That the Punjab Municipal (Amendment) Bill be taken into consideration at once.

The motion was carried.

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

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clauses 2 to 9 stand part of the Bill.

The motion was carried.

Mr. President : Clause 10.

Mr. P. Mardsen (Secretary, Transferred Departments): Sir, I beg to move—

That after clause 9 the following shall be added as clause 10, and clauses 10 to 15 be re-numbered as clauses 11 to 16:—

"In section 170-F of the said Act for the figures and letter "170-B" the figures and letter "170-C" shall be substituted."

Mr. President : This amendment should be moved as a new clause.

The Honourable Dr. Gokul Chand Narang : That is what is being done.

Mr. President : New clauses should be moved after the existing clauses have been disposed of. The question is—

That clauses 10 to 14 stand part of the Bill.

The motion was carried.

Mr. President : Clause 15.

Mr. Owen Roberts (Nominated non-official): Sir, in connection with clause 15, I should like to refer to the statement of objects and reasons. According to that, this clause is intended "to give to Government power to make rules regulating the proceedings of any board or inspectorate which might be set up under section 52 of the Act." I understood that the Government was pledged to the principle of creating a board. I should like to have a statement from the Honourable Minister as to whether that is correct or not; or whether this is meant to be merely a case of window dressing. I should like to know whether the Government is really making any effort towards the establishment of a board.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I shall explain the position to the honourable member and also to the House. In a speech which Sir Geoffrey de Montmorency made to the Northern India Chamber of Commerce about two years ago he

made a reference to the condition of municipal committees in the province and pointed out the necessity of bringing about reforms. As a step in that direction he indicated that Government was considering the advisability of appointing a local self-government board or inspectorate. Since then the matter has been under the consideration of Government and it would interest the House to learn that some time ago I called a conference of all the commissioners of the province and laid this proposal before them. The proposal was discussed for a whole day and certain conclusions were arrived at. Those tentative conclusions were really the basis of the addition of a part of the clause, in section 52, as the honourable members of this House would remember. It was provided by that amendment to section 52 of the Municipal Act that the municipal fund might be employed among other things for the maintenance of a local self-government board or inspectorate that Government might establish. This amendment which is now being proposed is supplementary and complementary to that amendment. Now, the very fact that section 52 and section 240 are being amended so as to make provision for the maintenance of a local self-government board or inspectorate and for making rules for the working of that board or inspectorate which the Government might establish, this very fact itself shows that the Government is serious as far as this question is concerned. The case is, in fact, complete. It has only to be considered in the Executive Council. The final decision will be arrived at soon and will be announced shortly.

Mr. President : The question is—

That clause 15 stand part of the Bill.

The motion was carried.

Mr. P. Mardsen (Secretary, Transferred Departments) : Sir, I beg to move—

That after clause 9 the following shall be added as clause 10, and clauses 10 to 15 be re-numbered as clauses 11 to 16 :—

"In section 170-F of the said Act for the figures and letter "170-B" the figures and letter "170-C" shall be substituted."

Kanwar Mamraj Singh Chohan : I rise to a point of order. The notice of this amendment was received only to-day.

Mr. President : I allow the amendment to be moved. The question is—

That after clause 9 the following shall be added as clause 10, and clauses 10 to 15 be re-numbered as clauses 11 to 16 :—

"In section 170-F of the said Act for the figures and letter "170-B" the figures and letter "170-C" shall be substituted."

Has the mover of the clause the permission of the House to move this new clause? *(Voices : Yes.)*

Mr. President : The question is—

That after clause 9 the following shall be added as clause 10, and clauses 10 to 15 be re-numbered as clauses 11 to 16 :—

"In section 170-F of the said Act for the figures and letter "170-B" the figures and letter "170-C" shall be substituted."

The motion was carried.

Mr. President : The question is—

That this be the preamble of the Bill.

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 Dr. Gokul Chand Narang : Sir, I beg to move—

That the Punjab Municipal (Amendment) Bill as amended be passed.

The motion was carried.

THE PUNJAB MUNICIPAL EXECUTIVE OFFICER (AMENDMENT) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to introduce the Punjab Municipal Executive Officer (Amendment) Bill.

The Honourable Dr. Gokul Chand Narang : Sir, I beg to move—

That the Punjab Municipal Executive Officer (Amendment) Bill be taken into consideration at once.

In doing so all that is necessary for me is to point out that since the passing of the Executive Officer Act the Municipal Act has been amended and the order of clauses in various sections has been varied. As reference has been made in the Executive Officer Act to certain sections of the Municipal Act or to certain parts or provisions, it is absolutely necessary to bring the Executive Officer Act in line with the Municipal Act and to introduce a number of formal amendments for the purpose. There is nothing very material in any of these clauses and I do not think it necessary, therefore, to refer the Bill to a select committee.

5 P. M.

Mr. President : Motion moved—

That the Punjab Municipal Executive Officer (Amendment) Bill be taken into consideration at once.

Mr. Owen Roberts : Is it relevant for me to ask at this stage when Government will stop patching this law?

The Honourable Dr. Gokul Chand Narang : Probably never.

Mr. Owen Roberts : It goes on and on and on and I do not believe that anybody here or anywhere else could interpret it. Several additional patches have been added to day and I see another is going to be made. May I know if the Honourable Minister has any intention to go into this matter seriously and give us a consolidated law?

The Honourable Dr. Gokul Chand Narang : That reminds me of an Urdu verse which may perhaps interest some members including my honourable friend :

ہمارے آئینہ خود دیکھتا ہے آئینہ دوسرے
ہم دیکھتے ہیں اور اپنے ہی عیب و خصل کو دیکھتے ہیں

When these Bills were passed it was necessary to see whether, as they say, any *kasar* or defect had been left and I think you will appreciate our efforts that we have not decided to rest on our oars and are still keeping

ourselves at it and have been making an endeavour to make these Acts as perfect according to our lights as we possibly can. The question whether there will ever be an end to municipal legislation, I think, should be answered by a reference to the existing state of affairs in the municipal committees. I think the science of medicine will continue so long as diseases continue in the world and more and more legislation would be necessary with the greater and increasing complications in municipal affairs. As my honourable friend is perhaps aware the Municipal Act has been amended many times. Speaking straight off from memory I think the first Act was in 1891, not counting the regulations or rules in force before 1881. After that there were several amendments and the whole Act, I believe, was recast in 1911. Since then, if I am not mistaken, there have been several amendments, one in 1929, another in 1925 and so on and some sections here and there were amended. Then came of course our Bill which excited a fair amount of attention and then comes this Bill and I am sure, I have no doubt on this point, that my successors will feel the necessity of bringing forward another and perhaps more amending Bills until they think that all that is necessary has been achieved. I do not think one should be ashamed of carrying out reform. So long as there is necessity for reform one should not hesitate to trouble himself or trouble his colleagues. The only thing that is to be kept in view is whether there is a necessity for reform and if the necessity for reform is established then I think nothing should deter those who are in charge of this subject and others who are called upon to co-operate with them from carrying out that reform.

Mr. President : The question is—

That the Punjab Municipal Executive Officer (Amendment) Bill be taken into consideration at once.

The motion was carried.

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

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clauses 2 to 8 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That this be the preamble of the Bill.

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 Dr. Gokul Chand Narang : I move—

That the Punjab Municipal Executive Officer (Amendment) Bill be passed.

Mr. President : Motion moved—

That the Punjab Municipal Executive Officer (Amendment) Bill be passed.

Mr. Owen Roberts : The Honourable Minister just now made a great virtue of the amendments to this Municipal Act and no doubt amendments are necessary so long as it is in its present form. But surely Government might consider the question of dividing municipal administration into compartments and dealing with each under separate Acts. The advantage of that would be that when it is necessary to alter the law in respect of any particular branch under municipal administration, the whole question of municipal administration need not be brought up under debate as it is now. That is the principle followed in England and it would certainly help us a great deal if Government followed it here. It is almost impossible now for anybody who has not got a great knowledge of law and law books to find out what the municipal law on any subject actually is ; if it were dealt with in water-tight compartments as is done elsewhere each dealing with a separate subject, there would be some chance of following it.

Mr. President : The question is—

That the Punjab Municipal Executive Officer (Amendment) Bill be passed.

The motion was carried.

The Council then adjourned till 2 p.m., on Monday, the 26th February 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 26th February 1934.

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

STARRED QUESTIONS AND ANSWERS.

REVISION OF CANTONMENT WARDS OF AMBALA FOR PURPOSES OF CANTONMENT BOARD ELECTIONS.

***2758. Shrimati Lekhwati Jain :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that according to the recent revision of Ambala Cantonment Board Wards, made in January 1931, there are two double-member wards and three single-member wards against seven single-member wards prior to that revision ;
- (b) whether it is a fact that the whole of the Sadr Bazar having a population of about 28,000 is divided into two-member wards, which works to one member for every 7,000 people ;
- (c) whether it is a fact that the three single-member wards comprise the 2 out-bazars of the cantonment, viz., the B. I. Bazar and the B. C. Bazar and the R. H. A. Bazar with some military area attached to each ;
- (d) whether the Government is aware that in the single-member wards referred to in (c) above, there is a member for every 8,000 people or thereabout ;
- (e) whether the Government will explain the great disparity in the Sadr Bazar and the out-bazar members with regard to the number of people each represents ;
- (f) whether the Government knows that in Sadr Bazar, a candidate has to tackle about 8,000 voters against about 1,000 to be tackled in the out-bazars ;
- (g) whether it is a fact that the Hindu Sabha, Ambala, has made a number of representations on this subject, pointing out the above disparity and also the prejudicial effect of the present wards on Hindu representation in the Board ;
- (h) the grievances of the Hindus of Ambala embodied in the Hindu Sabha representations referred to above and the suggestions made therein to redress those grievances. What action has the Government taken on these representations. If not, why not ;
- (i) whether the Government proposes under the circumstances to alter the wards as desired by the Hindu Sabha or in some other manner as may redress the grievances of that Sabha in this connection ?

The Honourable Sir Henry Craik : (a) Yes.

(b) The Sadr Bazar is divided into two double-member wards but the population of the Bazar is not known. The voting strength of each ward at the time of revision was 3,000 approximately.

(c) Yes.

(d) The population of the single-member wards is not known. At the time the wards were revised the voting strength of each single-member wards was 1,000 approximately.

(e) It was desired to secure the return of two members of the minority community, if voting was on communal lines, without having resort to separate electorates. It did not seem possible to achieve this without having a certain amount of inequality in the number of voters per ward.

(f) Yes.

(g) Yes.

(h) The grievance was that the present distribution had a prejudicial effect on the Hindu representation on the Board and various alternative methods of distributing the wards were suggested to redress the grievance. No action is contemplated for the reasons explained in (e) above.

(i) No.

RIGHT OF VOTING IN CANTONMENT BOARD ELECTIONS.

***2759. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that there are some double-member wards in Ambala Cantonment and 2 members are returned from each such ward ;
- (b) whether it is a fact that in the case of a double-ward, a candidate has to tackle and approach double the number of electors ;
- (c) why the double-wards have been created ; their advantages over single-member wards ; the object in view ; and whether the object cannot be achieved by some other method ;
- (d) whether the Government has received any representation from the public bodies of Ambala Cantonment against plural-member wards ; and what action the Government has taken or proposes to take in the matter ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) The honourable member is referred to the reply given to parts (e) and (h) of starred question No. 2758.

(d) 1st part—Yes.

2nd part—None.

SEPARATION OF SADR BAZAR, AMBALA CANTONMENT FROM THE CANTONMENT.

***2760. Shrimati Lekhwati Jain :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the Government has under consideration the question of the separation of the Sadr Bazar, Ambala Cantonment, from the Cantonment ;
- (b) if so, at what stage this matter is and what would be the form of the municipal authority in the separated Sadr Bazar ;
- (c) whether the Government proposes to give the people concerned an opportunity to express their views about the question, if so, when ?

The Honourable Sir Henry Craik : (a) and (b) A committee has been appointed to enquire into the desirability and the possibility of the separation, and among other matters included in the terms of reference is the form of the municipal authority it would recommend if the Sadr Bazar were separated.

(c) Two non-official members have been appointed to represent the interests of the two areas on the committee. The committee will doubtless consider representations submitted by interested persons, and it will rest with the committee to decide whether witnesses will be examined.

GENERAL ELECTIONS OF AMBALA CANTONMENT, BOARD.

***2761. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the 3 years' statutory term of the present Cantonment Board will expire in July, 1934 ;
- (b) whether it is a fact that the Government has intimated the Ambala Cantonment Authority that it intends to hold Cantonment Board general elections in November 1934 ;
- (c) whether it means that the Government is extending the life of the present Cantonment Board. If so, for what reasons and for how much period and under which Section of the Cantonments Act ;
- (d) whether it is a fact that the Hindu Sabha has protested against any such extension of the term of the existing Board and has *inter-alia* informed the Government of the lack of public confidence in some of its elected members ; what action the Government has taken on this protest ; if no action has been taken so far, whether the Government intends to take action, and if so, what ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) The present members will continue in office, under Section 15 (4) of the Cantonments Act, 1924, until the election or nomination of their successors is notified. An extension has been given in order to enable

[The Hon. Sir Henry Craik.]

Government to decide the question of the future administration of this area before a fresh election is held.

- (d) 1st part—Yes.
2nd part—None.
3rd part—No.
4th part—Does not arise.

REVISION OF PUNJAB CANTONMENT ELECTORAL RULES.

***2762. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Government is contemplating a revision of the Punjab Cantonment Electoral Rules ;
(b) whether it is a fact that Ambala Cantonment Board has suggested a number of amendments in the existing Rules and whether the Government has considered those amendments, if so, with what result ;
(c) when the amended rules will be published for public objections ?

The Honourable Sir Henry Craik : (a) No.

(b) Yes—the suggested amendments are under consideration but a further reference to the Cantonment Authority has been necessary.

(c) If and when it is decided to make the amendments.

FEES IN DENOMINATIONAL SCHOOLS.

***2763. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the number of Hindu, Christian, Muslim, Jain and Sikh denominational schools which are enjoying at present the privilege of charging lesser fees than Government rates, and the respective number of students reading in those schools ?

The Honourable Malik Sir Firoz Khan Noon :

Name of community.	No. of Schools.	No. of scholars.
Hindu	5	1,441
Muslim	8	3,596
Sikh	3	1,224
Christian	*4	*1,059
Jain .. ..	..	..

*One of the schools, though permitted to charge lower rates of fees has not so far availed of the concession.

PUBLIC WORKS DEPARTMENT BUILDINGS.

***2764. Shrimati Lekhwati Jain :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the number of Public Works Department buildings which have been unoccupied for more than four months, owing to one reason or another in various districts of the Punjab ;
(b) the amount of loss of rent during the last four months ;
(c) what steps the Government intends to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : I understand from the honourable member that the information is required from 1st July 1933.

(a) 46.

(b) Rs. 3,264-2-0.

(c) Every possible effort is made to let unoccupied buildings but in cases where establishment is reduced or posts are abolished the loss in rent is often unavoidable.

MUHAMMADANS AND CHRISTIANS AS DEPRESSED CLASSES.

***2765. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether Muhammadans and Christians too have been included in the list of depressed classes by the Education Department in any district of the Punjab ;
- (b) if so, the names of the districts as well as the castes and sub-castes constituting the depressed classes amongst Muhammadans and Christians ;
- (c) the number of Muhammadan and Christian depressed class children getting free concessions respectively and that of Hindu and Sikh depressed class children respectively in middle classes of Government schools on 31st March 1938 ;
- (d) the number of Muhammadans and Christians designated as depressed classes in the Punjab according to the last census ;
- (e) whether there is any proposal of the Government to secure them special representation in the future provincial constitution ?

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

FEE CONCESSION TO DEPRESSED CLASSES.

***2766. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of depressed class scholars in high and middle classes of the Government schools of the Punjab, on 31st March 1938, according to the different castes and sub-castes recognised as depressed classes ;
- (b) if the number of such students be small, whether the apathy of these classes is not chiefly due to the fact that they are mostly too poor to avail themselves of half rate studentships awarded to their children in middle classes ;
- (c) whether headmasters are authorised to award them full concessions in fees in deserving cases out of concessions which they are empowered to distribute ;
- (d) whether headmasters are allowed to award the remaining half rate concessions of the depressed classes to deserving boys of other castes and sub-castes of the self-same classes in the self-same departments ?

The Honourable Malik Sir Firoz Khan Noon : The information is being collected and will be supplied when ready.

INSPECTING OFFICERS AND CIRCULARS ISSUED BY THE EDUCATION DEPARTMENT.

***2767. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether inspecting officers see that the circulars issued from time to time by the department are brought to the notice of their staff by heads of various schools ;
- (b) the number of institutions wherein inspecting officers noticed this defect during the last financial year ;
- (c) what action is being taken by inspecting officers to check this evil ?

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

(b) None.

(c) Does not arise.

DAMAGE DONE TO CROPS AND HOUSES BY RAIN IN THE KARNAL DISTRICT.

***2768. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

- (a) whether he is aware that the excessive rains in September last did extensive and serious damage to the houses and the *khari* crop of the following villages of the Karnal District :—

Asandh, Rodh, Habri, Dosani, Muana (in the Kaithal Tahsil) ;

Urlana (in the Panipat Tahsil) ;

Gumthala Roa, Jatiana, Malakpur (in the Thanesar Tahsil) ;

Smana Bhau, Jalwana (Karnal Tahsil) ;

- (b) if the answer to (a) is in the affirmative, what relief has been afforded to the villages in (a) and what remission in land revenue and abiana has been granted to them ; if not, why not ?.

The Honourable Mr. Miles Irving : (a) Yes.

(b) A statement is laid on the table.

Statement showing the relief afforded, land revenue proposed for remission, and abiana remitted in certain villages which suffered from heavy rains in the Karnal district.

1	2	3	4	5	6
Name of tshail.	Name of village.	GRATUITOUS RELIEF AFFORDED.		Remission of land revenue proposed.	Abiana remitted.
		Cash.	Quilts and blankets.		
		Rs.		Rs.	Rs. A. P.
Kaithal	Asanth ..	46	8	One-half of the total demand ..	1,932 12 0
	Rodh ..	..	..	Ditto ditto ..	504 11 0
	Habri ..	199	38	Ditto ditto ..	1,333 6 0
	Dosani ..	5	1	Ditto ditto ..	202 2 0
	Muana ..	16	6	Ditto ditto ..	648 8 0
Panipat	Urlana Kalan ..	722	45	Whole of the total demand ..	3,545 7 0
	Urlana Khurd ..	310	17	One-half of the total demand ..	794 5 0
	Gumthala Rao ..	368	61	Whole of the total demand ..	..
Thanesar	Jatlana ..	92	17	Ditto ditto ..	..
	Malakpur ..	17	4	One-half of the total demand ..	..
	Samana Bhao ..	32	4	Ditto ditto ..	..
	Jalmana ..	90	13	Nil	1,506 7 0
Karnal					
					There is no canal irrigation in these villages.

DACOITY AT STROA IN THE HOSHIARPUR DISTRICT.

***2769. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) whether an article published in the *Mustim Rajput* newspaper, page 12, column 3, of 18th October, 1933, entitled "the riddle of the dacoity at Stroa in the Hoshiarpur District" has come under the notice of the Government ;
- (b) how many accused were challaned by the Hoshiarpur Police in the case referred to in (a) ;
- (c) how many of the accused referred to in (b) turned approvers and how many of them confessed their alleged guilt ;
- (d) what punishments were awarded by the Sessions Judge, Hoshiarpur, to accused referred to in (c) above ;
- (e) what other accused were sent up by the Ambala Police afterwards as having been really concerned in the dacoity referred to in (a) instead of those referred to in (b) ;
- (f) how many of the accused referred to in (e) turned approvers and how many of them confessed their guilt ;
- (g) how many of the accused referred to in (e) were convicted by the Sessions Judge, Ambala, and what were the sentences awarded ;
- (h) what Police officials were concerned in obtaining the confessions mentioned in (c) ;
- (i) how were the false confessions referred to in (c) extorted ;
- (j) what punishments have been awarded to officials who extorted the false confessions ;
- (k) if the answer to (j) shows inadequate punishments or no punishments, what action the Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) Not before the receipt of this question.

- (b) Nine.
- (c) Two turned approvers and four confessed their guilt.
- (d) Two were sentenced to transportation for life and the rest were acquitted.
- (e) Ten.
- (f) Two turned approvers and these two confessed their guilt.
- (g) Two were convicted and sentenced to death ; one of the approvers was required to furnish two sureties of Rs. 1,000 each.
- (h) and (i) There is no proof that they were either "obtained" or extorted. They were made to an Inspector and an Assistant Sub-Inspector.
- (j) Does not arise.
- (k) Does not arise.

Chaudhri Allah Dad Khan : From the answer given to part (i) of the question it is quite clear that there is no proof but that the confessions were obtained somehow. I should like to know whether an enquiry was made and the result of that enquiry.

The Honourable Sir Henry Craik : I have said in the answer that there is no proof that the confessions were either "obtained" or extorted.

Chaudhri Allah Dad Khan : From whom was the information got? Whom did the Government enquire from?

The Honourable Sir Henry Craik : The information was got from the police.

Chaudhri Allah Dad Khan : That is, from those very persons who were concerned in the affair.

The Honourable Sir Henry Craik : I made the enquiry from the Inspector-General of Police.

PUNJAB TEXT-BOOK COMMITTEE.

***2770. 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 1933, 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 ;

[Ch. Nathwa Singh.]

- (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 : (a) Yes.

(b) Yes.

(c) Yes ; on account of half a dozen misprints.

(d) Yes.

(e) The representation was not rejected but it was disallowed on the ground that it was based on information which was deemed to be confidential. The question of the approval of these books was, however, taken up on the proposal of certain members who pointed out that the English Sub-Committee had rejected this series solely on account of a few misprints.

(f) No. The Director of Public Instruction had left the meeting earlier and the Honourable Mr. Justice Jai Lal was presiding at the moment when this representation was disallowed. Perhaps the honourable member has in mind the representation of Messrs Mumtaz Ali and Sons which came up for consideration when Director of Public Instruction was presiding and which was also disallowed because it was based on information which was deemed confidential.

(g) The honourable member is referred to the answer given at (e) above.

(h) No ; the number of series rejected was twenty-five. The bulk of these were published by a firm in Madras and at even a cursory perusal were found quite unsuited for the children of this province.

(i) It is open to any member to question in the general committee any of the decisions arrived at in a sub-committee. A member did raise the point with regard to the Modern English Readers but no member wished to raise a discussion about any other book rejected by the Sub-Committee.

(j) and (k) The books contained some misprints only and the general committee did not consider this a sufficient reason either for rejecting the books or for referring them back to the Sub-Committee or for obtaining fresh reviews.

(l) No irregularity has been committed.

(m) Director of Public Instruction has followed the usual course in this case and Government sees no reason to interfere.

JHALARS AT MUZAFFAR NAU.

***2771. Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state—

- (a) whether there is a flood channel passing through the areas of villages, Muzaffar Nau and Dhariwal (tahsil Hafizabad, district Gujranwala) ;
- (b) whether the people of the above villages had set up *jhalars* (Persian wheels) for irrigation purposes on this *nala* which have been in existence for many years ;
- (c) whether the Irrigation Department have lately converted this *nala* into a seepage drain by throwing into it the *sem* water ;
- (d) if so, since when ;
- (e) whether the landlords of the above villages have been made to pay *abiana* for this *jhalars* water now (after the above conversion of the *nala*) if so, why ;
- (f) whether they paid any *abiana* before this conversion ;
- (g) whether the channel now contains any canal water ;
- (h) whether the villages Muzaffar Kunna, Trigra, Baleke Kuhna, Punj Girahin, Chak Bhatti, Nassowal, Mahmudpur and Raja which are situated beyond the area of the two villages in question, on the same *nala* pay any *abiana* for the use of similar *jhalars* ;
- (i) if not, the reasons for this discrimination ; and
- (j) whether the Government is prepared to take any action, to help the poor zamindars of Dhariwal and Muzaffar Nau, under the circumstances ?

The Honourable Mr. Miles Irving : (a) Yes.

- (b) Yes since canal water passed down it.
- (c) Not recently.
- (d) Since 1914.
- (e) No.
- (f) No.
- (g) Yes. It contains canal seepage water.
- (h) No.
- (i) There is no discrimination.
- (j) Does not arise.

CONSTRUCTION OF A BRIDGE NEAR CHAK BHATTI.

***2772. Chaudhri Riasat Ali :** Will the Honourable the Revenue Member please state—

- (1) whether an application was made by the inhabitants of the bordering villages, for the construction of a bridge on the seepage drain (mentioned in starred question No. 2771) near the village Chak Bhatti (tahsil Hafizabad) ;

[Ch. Riasat Ali.]

- (2) whether the chairman, district board, Gujranwala, applied to the Chief Engineer, Irrigation Branch, for a grant for the bridge ;
- (3) whether the department replied that it could not allow any grant ;
- (4) if so, the reasons for the refusal ;
- (5) whether the Government is aware that the public is suffering badly on account of the absence of this bridge ;
- (6) whether the Government is prepared to take any action in the matter ?

The Honourable Mr. Miles Irving : (1) Yes, though not across the seepage drain but across the natural channel of the Vagh Nallah.

(2) Application was made to the Executive Engineer.

(3) Yes.

(4) Because it was a natural drainage.

(5) and (6) The honourable member is perhaps not aware that the District Board constructed a bridge early in 1933.

GRANT OF LAND TO ZAMINDARS IN GUJRWANWALA DISTRICT.

***2773. Chaudhri Riasat Ali :** Will the Honourable the Revenue Member please state—

- (a) if the Government allotted squares of lands recently to zamindars in the Gujranwala district whose lands were damaged by water-logging or *thur* ;
- (b) whether any land was granted to Sant Ram, son of Mula Mal Arora of Kotli Nau, and Charandas Arora of Kot Nakka ;
- (c) if so, whether any lands of the above gentlemen was so damaged ;
- (d) if not, the services for which they were granted this land ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) One rectangle of land was granted to Sant Ram, son of Mula Mal Arora of Kotli Nau, but no such grant was made to Charan Das Arora of Kot Nakka.

(c) Yes, so far as Sant Ram, son of Mula Mal, is concerned.

(d) Does not arise.

EXTRA ASSISTANT COMMISSIONERS IN THE LUDHIANA DISTRICT.

***2774. Chaudhri Riasat Ali :** Will the Honourable Finance Member please state—

- (a) if there are any rules concerning the stay of an extra assistant commissioner in a district ;
- (b) if so, what is the maximum limit of such stay ;

- (c) if it is a practice to transfer an extra assistant commissioner after three years ;
- (d) the names of the extra assistant commissioners in the Ludhiana district with their respective periods of stay there ;
- (e) if there are any officers who have completed their term of stay already ;
- (f) if so, whether the Government proposes to consider the question of their transfer ?

Mr. C. C. Garbett (Chief Secretary) : (a) No.

(b) Does not arise.

(c) There is no such settled practice.

(d) One since 1929.

One since 1931.

Two since 1932.

Three since 1933.

(e) and (f) Do not arise.

CHAKBANDI ON THE PATHANKE MINOR, NOKHAR BRANCH, UPPER
CHENAB CANAL.

***2775. Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state :—

- (a) whether it is a fact that the *chakbandi* on the Pathanke Minor (Nokhar Branch, Upper Chenab Canal) was effected in 1928 ;
- (b) whether according to the *chakbandi*, water courses were dug up ;
- (c) whether it is a fact that no bridges exist on the water courses of outlets No. 11000, 17000 & 18000 which irrigate the areas of the villages Ahmadnagar and Pathanke (tahsil Wazirabad, district Gujranwala) in spite of the repeated requests in writing of the zamindars ;
- (d) whether it is a fact that the zamindars of these villages have been paying acreage for 7 years ;
- (e) whether the irrigation authorities are now contemplating to curtail the water supply on these outlets on the assumption that the zamindars do not want much water there ;
- (f) whether the Government is aware that the only reason for not using the water has been the non-existence of the bridges which were to be constructed by the department itself ; and
- (g) whether the Government is prepared to build the bridges in question at once and save the poor zamindars from further trouble on this score ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) Watercourse culverts do exist.

(d) Yes.

(e) No.

(f) Government is not aware that this is the only reason.

(g) Further culverts are at present in course of construction.

GRANT OF LAND TO WAZIRUDDIN AND GHAFUR BAKHSH OF AMBALA.

***2776. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

(a) whether he is aware that promises to consider their applications for free grants of land when a call for grants was made by Government were made to Havildar Wazir-ud-Din, No. 393, and Ghafur Bakhsh, a military contractor of Ambala, by the Commissioner, Ambala division, in his letters No. 1588, dated 22nd June 1923, and No. 2810, dated 26/27th July 1932, respectively, and their names were registered by the Commissioner for the purpose ;

(b) whether free grants of land have been made to other people after 1923 ;

(c) whether he is aware that the cases in (a) were never considered or forwarded to Government for consideration ;

(d) to what other men were promises similar to those in (a) made by the Commissioner, Ambala, during the years 1919—1921 and have not been fulfilled ;

(e) if the Government is aware that non-fulfilment of promises in (a) and (d) has produced intense dissatisfaction in the people of Ambala ;

(f) if the answer to (e) is in the affirmative, what action the Government intends to take in the matter ?

The Honourable Mr. Miles Irving : (a) The names of Havildar Waziruddin and Ghafur Bakhsh contractor were entered in 1921 in the register kept as a record of the list of applicants for grant of land. These applicants were informed that when a call is made by Government their applications will be considered with others.

(b) No free grants of land have been made after 1923.

(c) The cases of Waziruddin and Ghafur Bakhsh were never considered or forwarded to Government for consideration in view of the instructions on the subject. The Commissioner was precluded from considering petitions

for land from military pensioners and soldiers. Ghafur Bakhsh, contractor, was not entitled either to a landed gentry grant or to a peasant grant on peasant terms reserved for the relief of those who suffered losses on account of *chos*, nalla or river action or on account of water-logging. Waziruddin was informed in 1929 that military pensioners had nothing to gain by submitting applications for land to civil officials and that the petitioner should apply to the Military Authorities. Ghafur Bakhsh was also informed through the Secretary, Punjab Club, Lahore, in 1928 that up to that time Government had not called for any names of the class to which he belonged and that consequently the Commissioner was unable to consider his case.

(d) It is unnecessary to give a complete list of the applicants whose names were entered in the register mentioned in answer to part (a) of the question. The honourable member asking the question figures in the list.

(e) No promise was ever made that persons whose names were entered in the register would be recommended. Government is not aware of the existence of intense dissatisfaction in the people of Ambala on this account but it is presumed that some of the unsuccessful applicants are disappointed.

(f) Does not arise.

Chaudhri Allah Dad Khan : The answer to (d) appears to be a long list. If the names cannot be given, at least could the honourable member say from recollection the total number ?

The Honourable Mr. Miles Irving : I have no knowledge at present of the number but I imagine that it is very large.

Chaudhri Allah Dad Khan : Extending to over a hundred ?

The Honourable Mr. Miles Irving : I have no idea.

KHAN SAHIB SAIYAD FAIZUL HASSAN, OFFICIATING DEPUTY SUPER-INTENDENT OF POLICE.

***2777. Chaudhri Allah Dad Khan :** With reference to my starred question No. 2715,¹ re Saiyad Faizul Hassan, retired police official, will the Honourable Finance Member please state—

- (a) whether he is aware that S. Faizul Hassan mentioned in the question above has 15 persons to support ;
- (b) whether he is aware that S. Faizul Hassan referred to above put in a service of 28 years ;
- (c) whether he is aware that the official is unable to turn to another profession at this advanced age ;
- (d) whether the amount of the pension granted to the official is less than what is due to him under the rules ;
- (e) if the answers to (a), (b), (c) and (d) are in the affirmative, what action the Government intends to take in the matter ?

¹ Pages 83—85 ante.

The Honourable Sir Henry Craik : (a) Government has no information on the subject.

(b) Yes.

(c) I cannot express any opinion.

(d) No. The pension granted is according to rules.

(e) Government intends to take no action.

Chaudhri Allah Dad Khan : With regard to (a) the answer is that Government has no information. The question has been asked and Government could have easily found out the facts. Has Government made any enquiry or not ?

The Honourable Sir Henry Craik : No.

Chaudhri Allah Dad Khan : May I ask why not ?

The Honourable Sir Henry Craik : Government cannot enquire into the private affairs of any individual.

Chaudhri Allah Dad Khan : But the question has been asked. The person is an official getting pension and has been turned out, and Government is asked to say whether he has got 15 persons to support.

The Honourable Sir Henry Craik : Government has no right to make an enquiry into his private domestic affairs.

Chaudhri Allah Dad Khan : If it could do justice in that way what harm is there if it makes an enquiry ?

I rise to a point of order. When a question is asked, the honourable member of Government cannot say that it relates to a private or public affair but must answer it. It has been held in the Legislative Assembly that all questions entered in the list of questions, unless the President even at this stage disallows any, cannot be left without being answered.

Mr. President : What was the honourable member's question ?

Chaudhri Allah Dad Khan : The question was whether Government is aware that the pensioned officer mentioned in the question had fifteen persons to support, the idea being that the pension of Rs. 50 granted to him was not sufficient. The honourable member of Government says that Government has not made and will not make an enquiry. I maintain that the enquiry should have been made.

Mr. President : Is the number of the family members of an official or a non-official person within the cognisance of a Member of Government ?

Chaudhri Allah Dad Khan : When the question of the amount of pension is involved the members depending upon the official is a relevant question.

Mr. President : Will the honourable member please refer to the rules and standing orders relating to questions ?

Chaudhri Allah Dad Khan : You have allowed this question already and there ought to be some answer to it.

Mr. President : The honourable member wanted to know whether Government was aware of a certain fact and the reply given is in the negative. There the matter ends.

Chaudhri Allah Dad Khan : But there was nothing to prevent the Government from making an enquiry into the matter.

Mr. President : If the honourable member feels so advised and rules permit, he may move a resolution recommending to Government to make the requisite inquiry.

TREATMENT OF PUBLIC BY THE POLICE DEPARTMENT.

***2778. Kanwar Mamraj Singh Chohan :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that during the course of his statement in the court of Pandit Chand Narain, M.A., P.C.S., Magistrate, I class, Ambala, on 20th and 21st July, 1933, Lala Duni Chand, Advocate of Ambala, made very serious allegations (now on record) in the open court against the Police Department as a whole;
- (b) if so, what are these allegations, and whether they are true;
- (c) if these allegations are not true, whether any action has so far been taken to vindicate the prestige and good name of the Police Department;
- (d) if no action has yet been taken whether Government propose to take any action in the matter, and if not for what reasons?

The Honourable Sir Henry Craik : (a) Certain allegations were made.

(b), (c) and (d) The case is sub-judice and obviously I can make no statement regarding the truth or falsity of the allegations.

RELEASE OF BULLOCKS.

***2779. Kanwar Mamraj Singh Chohan :** Will the Honourable Finance Member be pleased to state—

- (a) how many objections were pending on the first day of February 1934, under section 60, Civil Procedure Code, for the release of bullocks in each district;
- (b) how long the oldest objection has been pending in each district?

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

District.	Number of objections pending on the first day of February 1934 under section 60, Criminal Pro- cedure Code for the re- lease of bullocks.	Date of oldest objection.
1	2	3
Hissar	3	12th October 1933.
Gurgaon	3	15th December 1933.
Karnal	15	27th June 1933.
Rohtak	12	27th June 1933.
Ambala	8	22nd August 1933.
Simla	<i>Nil.</i>	..
Hoshiarpur	5	10th November 1933.
Kangra	<i>Nil</i>	..
Jullundur	1	16th January 1934.
Ludhiana	1	8th January 1934.
Ferozepore	3	9th October 1933.
Lahore	1	17th November 1933.
Amritsar	4	14th October 1933.
Gurdaspur	11	25th May 1933.
Sialkot	9	1st August 1933.
Gujranwala	1	7th December 1933.
Gujrat	1	22nd December 1933.
Shahpur	1	15th December 1933.
Jhang	<i>Nil</i>	..
Jhelum	3	20th December 1933.
Rawalpindi	6	8th March 1933.
Attock	2	20th November 1933.
Mianwali	4	1st December 1933.
Montgomery	1	13th December 1933.
Multan	<i>Nil</i>	..
Muzaffargarh	3	14th October 1933.
Dera Ghazi Khan	5	25th April 1933.
Lyallpur	2	19th October 1933.
Sheikhpura	7	14th February 1933.

HAISIYAT TAX.

***2780. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) how much amount still stands as arrears of haisiyat tax in each district board in respect of each year from 1926-27 ;
- (b) how much amount has been written off by each district board in each of these years ;
- (c) whether it is a fact that a considerable portion of the amount written off had been reported to be unrecoverable as the assesseees were too poor to pay ;
- (d) whether the Government intends to suggest a healthy system of taxation and realization ?

The Honourable Dr. Gokul Chand Narang : (a)—(c) The statement giving the necessary information is laid on the table.

(d) Yes. The district boards have been advised to substitute profession tax for haisiyat tax. Rules for the assessment and collection of haisiyat tax by improved methods are under consideration.

[The Hon. Dr. Gokul Chand Narang.]

Haisiyat Tax imposed by District

Serial No.	District Board.	OUTSTANDING ARREARS OF HAIISIYAT TAX.						
		1926-27.	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.	1932-33.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1	Hissar ..	..	..	..	..	2,512	2,942	7,019
2	Gurgaon ..	369	..	..	..	..	..	4,063
3	Karnal ..	187	349	..	..	2,374	8,942	16,325
4	Ambala ..	32	..	..	..	8,317	14,704	..
5	Amritsar ..	44,008	44,005	(No assessments)		39,420	(No assessment.)	36,070
6	Gujranwala ..	(No haisiyat tax was in force)				..	9,351	12,429
7	Sialkot ..	..	..	..	..	3,557	8,524	9,016
8	Gurdaspur ..	69	366	(Tax not in force.)		399	671	929
9	Gujrat ..	(No haisiyat tax has so far been						
10	Shahpur ..	5,462	(Tax was not in force)			1,917	2,034	2,021
11	Attock ..	591	351	Tax not assessed.	2,257	4,184	5,422	5,290
12	Mianwali ..	739	604	..	2,374	6,434	4,807	..
13	Montgomery ..	88	(Tax not in force)			3,210	3,938	6,918
14	Jhang ..	(Haisiyat tax was not in force)				8,000	6,000	14,000
15	Dera Ghazi Khan	..	..	..	..	254	145	444

Boards in the Punjab.

AMOUNT WRITTEN OFF.							Reasons for "write-off."
1926-27.	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.	1932-33.	
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
..	..	..	..	214	209	70	Various reasons including "poverty."
287	..	..	..	..	..	44	Assessee shifted their residence to neighbouring States rendering recovery of tax impossible.
2,349	2,610	..	..	1,080	309	79	Poverty of assessee.
10,933*	..	..	..	2,135	1,564	..	*Poverty ; on "appeals" of assessee being accepted.
1,289	3,020	..	..	970	..	1,365	Inability to trace the whereabouts of assessee, or their emigration or death—and in few cases "poverty."
..
..	..	..	..	528	369	16	Various causes "poverty" being a very rare cause.
1,517	2,861	(Tax not in force.)		333	677	178	Mostly the lack of information regarding the whereabouts of assessee or their death.
assessed by this District Board. Hence no information.)							
42	(Tax was not in force.)			396	447	298	Mostly the lack of information regarding the whereabouts of assessee or their deaths.
919	104	..	..	2,702	551	..	Acceptance of appeals and lack of information regarding the whereabouts of assessee.
26	63	..	71	14	37	..	Mostly on account of acceptance of appeals.
..	..	..	..	..	3,622	5	Lack of information regarding the whereabouts of the assessee who had left the district.
(Halsiyat tax was not in force)				..	..	..	..
..	..	..	..	14	4	14	Death of assessee.

DISTRICT BOARD EXPENDITURES.

***2781. Kanwar Mamraj Singh Chehan :** Will the Honourable Minister for Local Self-Government be pleased to state the expenditure incurred by each district board on matters expenditure on which is a fit and proper charge on the district fund in each of the last five years ?

The Honourable Dr. Gokul Chand Narang : It is regretted that the information asked for cannot be given as its collection would entail an amount of labour out of all proportion to the value of the information. I may observe that it is very exceptional for cases to come to the notice of the local Government in which expenditure by district boards is not a proper charge on their funds.

LOCAL TAXES AT LAHORE CANTONMENT.

***2782. Mr. Mukand Lal Puri :** Will the Honourable the Finance Member be pleased to state—

- (i) what local taxes are levied by the Punjab Government under Section 60 of the Cantonments Act within the limits of Lahore Cantonment ;
- (ii) the rates of various taxes levied on the basis of property, and upon whom they fall ;
- (iii) whether it is a fact that together with octroi tax, all these taxes constitute a very heavy burden on the local tax-payer, in these days of trade depression ;
- (iv) whether it is a fact that this Cantonment Board has a surplus budget ;
- (v) if so, what action or actions the Government proposes to take, in the interests of the tax-payer ?

The Honourable Sir Henry Craik : (i) Octroi tax.

House tax.

House-scavenging tax.

Dog tax.

Water tax.

(ii) A statement is laid on the table.

(iii) Government have no reason to believe that the burden is excessive.

(iv) Yes. In a budget of about Rs. 2½ lakhs for the year 1932-33, the income exceeded the expenditure by Rs. 2,751.

(v) None.

Rates of taxes levied in the Lahore Contonment on the basis of property and upon whom they fall.

Water Tax.			House Tax.	House-Scavenging Tax.
A water-tax payable by the occupiers of all buildings or parts of buildings specified in column 2 of the schedule below calculated on the annual value thereof at the rates specified in column 3 therein :—			A tax payable by the owners of buildings or parts of buildings situated within the Cantonment limits of Lahore at the rate of six per cent. of the annual rental value of such buildings of parts of buildings.	A tax payable by the occupiers of buildings or parts of buildings in respect of which the Cantonment Authority has undertaken house-scavenging as defined in Section 131 of the Cantonments Act, 1924, at the rate of seven per cent. of the annual rental value of such buildings or parts of buildings.
SCHEDULE.				
Serial No.	Nature of buildings.	The rate of the tax per annum.		
1	Any building or part of a building not connected with the water mains, but situated within a radius of six hundred feet from the nearest stand pipe or other pipe from which water is available for the public.	Three per centum.		
2	Any building or part of building not connected with the water mains, but situated within a radius of not less than six hundred and not more than twelve hundred feet from the nearest stand-pipe or other pipe from which water is available for the public.	Two per centum.		
3	Any building or part of a building having water supply connections laid on to it.	Seven per centum.		
Provided that in the case of a building or part of a building specified against Serial No. 3 of the schedule above the minimum amount of water tax to be levied from an occupier shall not be less than eighteen rupees per annum.				
Provided further that the tax to be paid in respect of buildings or parts of buildings occupied by religious or charitable institutions shall be calculated at half the rates prescribed above.				
Provided further that the tax shall not be levied in respect of the following buildings or parts of buildings :—				
(a) buildings the rent of which does not exceed one rupee per mensem.				
(b) godowns and store-houses.				
(c) buildings or parts of buildings occupied by persons entitled to a free supply of water.				

WATER TAX AT LAHORE CANTONMENT.

***2783. Mr. Mukand Lal Puri :** Will the Honourable the Finance Member be pleased to state—

- (i) the rate of water tax at present levied by Punjab Government under Section 60 of the Cantonments Act, in Lahore Cantonment ;
- (ii) whether it is a fact that unconnected houses (even with private hand-pumps) coming within a certain radius of the public stand-post are made to pay water tax at Lahore Cantonment ;
- (iii) whether it is a fact that such heavy rates of water tax do not exist in any municipality, small town, or cantonment board in this province ;
- (iv) if answer to part (iii) is in the affirmative, what action the local Government proposes to take in the matter ;
- (v) whether it is a fact that the Lahore Cantonment Board passed a resolution suggesting reduction in these rates, about a year ago ;
- (vi) if so, what action the Government has taken in the matter ?

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

(ii) Yes.

(iii) With one or two exceptions, the rates in Lahore Cantonment are higher than those in other Cantonments and Municipalities. They cannot be compared with those in small towns as the method of assessment in small towns is different.

(iv), (v), (vi) Government understand that the resolution referred to has been submitted to Government, through the usual channels, but it has not yet reached Government. When it does, it will receive consideration.

A water tax payable by the occupiers of all buildings or parts of buildings specified in column 2 of the schedule below calculated on the annual value thereof at the rates specified in column 3 therein :

SCHEDULE.

Serial No.	Nature of buildings.	The rate of the tax per annum.
1	Any building or part of a building not connected with the water mains, but situated within a radius of six hundred feet from the nearest stand-pipe or other pipe from which water is available for the public.	Three per centum.
2	Any building or part of a building not connected with the water mains, but situated within a radius of not less than six hundred and not more than twelve hundred feet from the nearest stand-pipe or other pipe from which water is available for the public.	Two per centum.
3	Any building or a part of a building having water-supply connections laid on to it.	Seven per centum.

Provided that in the case of a building or part of a building specified against Serial No. 3 of the schedule above the minimum amount of water tax to be levied from an occupier shall not be less than eighteen rupees per annum ;

Provided further, that the tax to be paid in respect of buildings or parts of buildings occupied by religious or charitable institutions shall be calculated at half the rates prescribed above ;

Provided further, that the tax shall not be levied in respect of the following buildings or parts of buildings :—

- (a) buildings, the rent of which does not exceed one rupee per mensem ;
- (b) godowns and store-houses ;
- (c) buildings or parts of buildings occupied by persons entitled to a free supply of water.

COMPULSORY PRIMARY EDUCATION AT LAHORE CANTONMENT.

***2784. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education be pleased to state—

- (i) whether it is a fact that the Lahore Cantonment Board decided to introduce free compulsory primary education, more than a year ago ;
- (ii) whether it is also a fact that necessary preliminaries were completed, and sanction of the Local Government asked for ;
- (iii) if so, when such sanction is expected to be given ?

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

(ii) Necessary preliminaries were completed in November 1933, when the request was finally received back from the Cantonment Committee.

(iii) Sanction was accorded in December 1933.

RECRUITMENT IN POLICE DEPARTMENT.

***2785. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Finance be pleased to state—

- (a) how many candidates have been accepted as assistant sub-inspectors of police during the last three years, in the province community-wise and district-wise ;
- (b) how many candidates have been accepted as constables in Ambala district in 1933-34 community-wise ;
- (c) how many of the candidates referred to in (b) belonged to Ambala district ;
- (d) if the answer to (b) shows that Hindus have not been accepted according to their percentage in the population of the district, reasons therefor ?

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

(b) Seven Muhammadans.

Nine Hindus.

Twelve Sikhs.

(c) Sixteen.

(d) Only the most suitable candidates for Police service are selected.

[The Hon. Sir Henry Craik.]

Statement.

District,	Appoint- ments made during last 3 years.	Hindus.	Muham- madans.	Sikhs.
Gurgaon	1	1	..	..
Karnal	1	1	..	..
Ambala	1	..	1	..
Simla	1	..	1	..
Hoshiarpur	2	1	1	..
Jullundur	1	..	1	..
Ludhiana	2	..	1	1
Ferozepore	2	..	2	..
Lahore	6	1	4	1
Amritsar	5	..	2	3
Gurdaespur	1	..	..	1
Sialkot	2	..	1	1
Sheikhupura	3	..	2	1
Lyallpur	2	1	1	..
Jhang	2	..	2	..
Gujrat	5	2	3	..
Shahpur	3	..	3	..
Jhelum	2	1	..	1
Rawalpindi	5	4	1	..
Attock	2	..	2	..
Mianwali	2	..	2	..
Total	51	12	30	9

LAMBARDARS AND COLLECTION OF LAND REVENUE.

***2786. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the following lambardars of Ambala tahsil in the Ambala district were imprisoned by the tahsildar for arrears of land revenue which were due from other persons ;

(1) Bahadur Hussain of Saha in 1932 (*rabi*).

(2) Amin Singh of Samlheri in 1931 (*rabi*).

- (3) Fakiria of Gola in 1932 (*kharif*).
- (4) Dyal Singh of Mulana.
- (5) Kapur Singh of Mulana in 1932 (*rabi*).
- (b) whether it is a fact that *pachotra* is only allowed to the lambardar after he has deposited the whole of the land revenue, otherwise he loses his right to *pachotra* ;
- (c) whether Government is aware of the fact that lambardars have to borrow to pay these arrears of others and have to pay interest on these loans for several years ;
- (d) whether it is a fact that the Government officials instead of compelling the late payers rebuke the lambardars and zaildars ;
- (e) whether the Government is aware that the late payers are very much encouraged by this system of realization and the task of lambardars is becoming very tedious ;
- (f) what steps Government intends to take to assist the lambardars in the collection of land revenue and in keeping their prestige among the public ?

The Honourable Mr. Miles Irving : (a) Nos. 1, 3 and 4 only were detained in the lock-up.

(b) The *pachotra* on land revenue collected by due date is retained by the lambardar when crediting land revenue into the treasury.

(c) Government have no information.

(d) A lambardar who has shown due diligence can obviate the risk of proceedings being taken against himself by applying for proceedings under Land Revenue Rule 64 against the defaulters concerned.

(e) No.

(f) Government is of opinion that the provisions above quoted afford ample assistance.

EXECUTION OF A CONVICT IN LAHORE JAIL.

***2787. Chaudhri Afzal Haq :** (i) Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that a convict has been hanged in Lahore Central Jail, before time while the relatives of the deceased gave due notice to Government to move the Privy Council for setting aside the execution order ;
- (b) when the Home Secretary sent information to the jail officers to postpone the date of execution ;
- (c) when the jail officers received that information ;
- (d) whether this letter bearing the postponement order was addressed to the superintendent or the deputy superintendent of the jail ;
- (e) who is the officer of the jail who received the cover containing the order ;

[Ch. Afzal Haq.]

- (f) how long after the receipt of the order by the jail authorities the man was hanged ;
- (g) whether the Home Secretary made personal enquiries on phone if that postponement order was received by any responsible officer of the jail ?
- (ii) Will the Honourable Finance Member be pleased to lay on the table the letter and envelope bearing the postponement order and also the peon book showing the signature of the jail official who received the letter ?

The Honourable Sir Henry Craik : (i) (a) It is correct that a condemned prisoner was hanged in Lahore Central Jail after intimation had been received from a relative that he proposed to file an appeal before the Judicial Committee of the Privy Council.

(b) On the morning of the 20th November 1933.

(c) The Jail officials received the letter containing the orders at about 11 A. M. on the morning of the 20th of November, but the orders contained in it did not become known to the jail authorities until the next morning when the letter was opened.

(d) The Superintendent of the Jail.

(e) The Head Clerk of the Jail office.

(f) About twenty hours after receipt of the letter containing the orders.

(g) No.

(ii) I am not prepared to place these papers on the table.

EXECUTION OF A CONVICT IN LAHORE JAIL.

***2788. Chaudhri Afzal Haq :** (i) Will the Honourable the Finance Member be pleased to state—

- (a) the name and designation of the officer who was deputed to enquire into the before-time execution case of the Lahore Central Jail ;
- (b) whether the officer recorded the statements of the Superintendent of Jail and the Home Secretary ;
- (c) whether the Home Secretary satisfied himself that the envelope bearing the postponement order was marked " urgent " ;
- (d) the designation of the officer or officers who are reprimanded or punished in connection with this case ?
- (ii) Will the Honourable Finance Member lay on the table the whole report of the officer or officers deputed to make enquiries into the case ?

The Honourable Sir Henry Craik : (i) (a) Mr. E. P. Moon, I.C.S., Under-Secretary to Government, Punjab.

(b) He recorded the statement of the Superintendent of the Jail but not that of the Home Secretary.

(c) No. It was not his duty to do so.

(d) A Superintendent of the Civil Secretariat, a despatcher in the Civil Secretariat and the head clerk of the Lahore Central Jail Office.

(ii) The report is a confidential document, which I am not prepared to lay on the table.

EXECUTION OF A CONVICT IN LAHORE JAIL.

***2789. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased—

(a) to state whether any before-time execution case as the one that has recently occurred in Lahore Central Jail has ever occurred before in the Punjab ;

(b) to lay on the table the instructions issued by Government to prevent the recurrence of such cases ?

The Honourable Sir Henry Craik : (a) No.

(b) A copy of the instructions is laid on the table. I may explain that the instructions embody the procedure previously in force with such additions and modifications as the most thorough examination showed to be desirable in order to prevent, so far as this is humanly possible, any recurrence of this deplorable mistake.

Office Orders.

1. A special station dāk book shall be kept for all letters sent to the Superintendent, Central Jail, Lahore, in connection with condemned prisoners.

2. The receipt of such letters shall be acknowledged in the dāk book over the signature either of the Superintendent himself or in his absence from the jail of the Deputy Superintendent or in his absence the Senior Assistant Superintendent on duty. These officers shall append their designation beneath their signature.

(II) The Superintendent of the Judicial Branch or in his absence from office, the Assistant who deals with death cases, is personally responsible for the issue in the correct form of all orders commuting or postponing the death sentence and it is his personal duty to take every possible step to ensure immediate acknowledgment by the jail of those orders. If such acknowledgment is not received by the time fixed for closing the office he will bring the matter to the personal notice of the Home Secretary and of the Resident Clerk, informing them at the same time of the date fixed for carrying out the execution. It will then become the personal duty of the Resident Clerk to take all possible steps to obtain an acknowledgment of those orders.

If the orders commuting or postponing the sentence are passed out of office hours, it will be the personal duty of the Resident Clerk on receipt of those orders to take every possible step to obtain an acknowledgment of them from the Superintendent of the jail concerned.

An acknowledgment of the receipt of the envelope containing the orders is not an acknowledgment of the receipt of the orders themselves and must not be accepted as such.

(III) Orders dealing with death sentences are to be addressed to the Superintendent of the Jail by designation and not by name.

(IV) Assistant Secretary should inform Home Secretary of all changes of the incumbent of Resident Clerk to enable him to satisfy himself that the Resident Clerk is fully acquainted with the rules governing death cases and his responsibilities connected therewith. No official should be appointed as Resident Clerk until he has acquainted himself fully with the procedure laid down in regard to these cases.

(V) The Honourable Member for Finance has ordered that in case of the illness of the Home Secretary or his inability for any other reason to deal with a death case or any communication connected therewith of an immediate nature, it shall be submitted to the Financial Secretary for his orders. Home Secretary will inform the Private Secretary to His Excellency, the Superintendent of the Judicial Branch and the Resident Clerk of any proposed temporary absence from the station.

[The Hon. Sir Henry Craik.]

(VI) Superintendent, Judicial, or in his absence the Assistant in charge of death cases shall obtain from the Resident Clerk a written acknowledgment of having handed over to him at the closing of office a death case file requiring immediate action.

(VII) Superintendent, Judicial, or in his absence the Assistant in charge of death cases is himself responsible for placing orders postponing execution or commuting the death sentence in a proper cover and for their being correctly addressed. He will himself frank the covers in token of having done so. He is also responsible for seeing that the messenger entrusted with the delivery of covers containing such orders, where they are sent by hand, understands to whom they are to be delivered.

(VIII) If the Resident Clerk receives after office hours a telegram intimating an intention to appeal to the Privy Council on behalf of a condemned convict, or any other communication necessitating postponement of the execution, he shall immediately go to the Secretariat, get out the connected file and prepare the orders which he considers necessary. He should then send these orders for approval to the Home Secretary together with the file by a special messenger, at the same time informing the Home Secretary, if possible, by telephone that the messenger has been despatched with the file. If the Home Secretary is not at his residence, his night chappassi will be able to inform the Secretariat messenger where the Home Secretary is to be found. The messenger should then go to the place indicated and hand the file to the Home Secretary. If he fails to find the Home Secretary the messenger should take the file to the Financial Secretary. If the latter too cannot be found, the messenger should return immediately to the Resident Clerk who is authorised in such circumstances to issue orders postponing execution. The file should be placed before the Home Secretary first thing on the next day.

(IX) Every death case must have the usual death case label attached to it. In addition those death cases which are of an immediate character must have an immediate slip also attached to them. Such cases are those in which an order postponing execution or commuting the death sentence has to be issued or has issued and they should be treated as immediate until an acknowledgment is received from the jail that the orders have been received and acted on.

(X) When Government is in Lahore, orders to stay execution of condemned prisoners in the Lahore Central Jail shall be conveyed over the telephone to the Jail if these orders cannot be issued before noon on the day preceding the execution. An immediate acknowledgment shall be required and this shall be in the form of a letter addressed to the Home Secretary to the effect that the order has been received and acted upon. The Superintendent (or in his absence the Deputy Superintendent) of the Jail will, unless otherwise directed at the time of telephoning send this acknowledgment to the Secretariat during office hours and to the Resident Clerk out of office hours.

(XI) The Judicial Branch, Punjab Civil Secretariat, shall always have a separate typist-cum-despatcher who will work in the Branch under the orders of the Superintendent and no letter or telegram dealing with death cases should be sent to the Issue Branch for issue but should be issued by this typist-despatcher under the direct supervision of the Superintendent.

2. A special station *dik* book shall be kept for all letters sent to the Superintendent, Central Jail, Lahore, in connection with condemned prisoners.

3. The receipt of such letters shall be acknowledged in the *dik* book over the signature either of the Superintendent himself or in his absence from the jail of the Deputy Superintendent or in his absence the Senior Assistant Superintendent on duty. These officers shall append their designation beneath their signature, and note the time of receipt of letters.

4. Orders in death cases should be despatched in a special cover of pink colour marked "Death Case Immediate." Economy slip should not be used.

5. The order postponing the execution of a condemned prisoner shall be placed by the Superintendent, Judicial Branch, himself in the envelope.

The Assistant dealing with death cases will assume responsibility for all death cases in case Superintendent, Judicial, is absent from office or incapacitated from duty.

(XII) Telegrams are sometimes sent to the Governor intimating the intention of a person condemned to death to appeal to Privy Council, or containing a petition for mercy.

Procedure for treatment of telegrams sent to His Excellency.

2. When such telegrams are received at Lahore, they will be treated as *immediate* and will be sent by the Private Secretary, or the A.D.-C. on duty, in a cover marked "Immediate" to the Superintendent, Judicial Branch, during office hours, or to the Resident Clerk out of office hours. A form of acknowledgment will be sent with the communication and the

messenger to whom it is given will be directed to bring back the acknowledgment duly signed. If Private Secretary or A.-D.-C. is in any doubt about the receipt of the communication by the Superintendent, Judicial Branch, or the Resident Clerk, he will communicate with him by telephone.

3. When such telegrams are received on tour, they will be repeated immediately to the Home Secretary, who will be asked in the telegram to acknowledge receipt by telegram.

Copy of a letter no. 34119-Judl., dated Lahore, the 26th December 1933, from J. W. Hearn, Esq., I.C.S., Home Secretary to Government, Punjab, to the Inspector-General of Prisons, Punjab.

I AM directed to request that orders to the following effect are issued immediately to the Superintendents of all Jails in the Province and that their attention is drawn to the absolute necessity for a very strict adherence to the rules governing the procedure to be followed in regard to petitions from convicts under sentence of death.

2. The Governor in Council has noticed that the certificate required under rule II of section 1 of the Rules for dealing with these petitions is sometimes incorrectly worded. In forwarding a mercy petition the Superintendent should certify that the execution has been stayed pending the orders of the Governor in Council and the Governor-General in Council and not, as is sometimes done, merely pending the orders of the Local Government. Further when acknowledging the orders of the Governor in Council and the intimation that the petition has been forwarded for the orders of the Government of India, the Superintendent should certify that the execution remain stayed pending the orders of the Governor-General in Council.

3. The system under which letters of any kind are allowed to lie in the jail office for a whole day without being opened must be changed immediately. All such letters should be placed before the Superintendent before he leaves office and any which arrive after his departure should be opened before the Deputy Superintendent or an Assistant Superintendent detailed for this duty. Further, all telegrams and all letters marked immediate or urgent or addressed to the Superintendent by name or received by registered post must be placed at once before the Superintendent. There must also be another official designated by name who will be responsible for receiving and opening such communications at any time of the day or night, in cases when the Superintendent of the Jail is not available, whether because of a sickness or leave or absence from the Jail for any other cause.

4. All letters acknowledging the receipt of orders of Government in death cases must be signed by the Superintendent or the Deputy Superintendent of the Jail.

Copy of a letter no. 82-Judl., dated the 2nd January 1934, from J. W. Hearn, Esq., I.C.S., Home Secretary to Government, Punjab, to the Inspector-General of Prisons, Punjab.

I AM directed to request that orders be issued to all jails that when acknowledging any order of Government postponing an execution the Superintendent of the Jail shall state in his acknowledging letter that the execution has been postponed pending the further orders of Government.

[The Hon. Sir Henry Craik].

Copy of a letter no. 17-Judl.-D. C., dated the 4th January 1934, from J. W. Hearn, Esq., I.C.S., Home Secretary to Government, Punjab, to the Inspector-General of Prisons, Punjab.

I AM directed to request that during the course of inspections either by you or the Deputy Inspector-General of Prisons particular attention should be devoted to the perfection of all arrangements connected with the receipt or issue of communications dealing with death cases.

Copy of a letter no. 94-Judl.-D. C., dated the 12th January 1934, from J. W. Hearn, Esq., I.C.S., Home Secretary to Government, Punjab, to the Superintendent, Central Jail, Lahore.

I AM directed to order that any message received by telephone postponing the execution of a convict shall be acknowledged immediately by the Superintendent (or in his absence by the Deputy Superintendent) by letter addressed to the Home Secretary. This acknowledgment should contain a statement that the orders have been duly acted on. The acknowledgment should be sent immediately to the Secretariat during office hours and to the Resident Clerk out of office hours, unless otherwise directed over the telephone. Please acknowledge.

INTERNEES.

***2790. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state the number of persons interned in this province? How many of them belong to this province and how many of them belong to other provinces?

The Honourable Sir Henry Craik : There are 21 persons interned in the jails of the Punjab, of whom eight are Punjabis.

INTERNEES IN MIANWALI JAIL.

***2791. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the names and number of the internees in the Mianwali Jail;
- (b) whether it is a fact that most of them have been ailing for a long time;
- (c) whether it is a fact that several of them applied for transfer;
- (d) if so, what action the Government have taken on their applications?

The Honourable Sir Henry Craik : (a) Four.

- (1) Bhurendra Kumar Datta,
- (2) Arun Chandra Guha,
- (3) Manoranjan Gupta,
- (4) Satya Bhushan Gupta :

(b) None of them has any serious ailment;

(c) Yes;

(d) It was not practicable to arrange for their transfer from Mianwali Jail.

CONSPIRACY PRISONER B. C. BOSE.

***2792. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that a long term conspiracy prisoner B. C. Bose, M.B., B.S., of Calcutta, has been kept without a companion for 11 months in Rawalpindi Jail;
- (b) whether it is a fact that this solitude had a very bad effect on his health;
- (c) whether it is a fact that he made repeated requests to be transferred to a jail where better class prisoners are kept;
- (d) what step the Government are taking or have taken on his requests?

The Honourable Sir Henry Craik : This prisoner was transferred to Calcutta early in April last. For eleven months during his imprisonment in the Rawalpindi Jail he had no companion, but from October 1932 up to the time of his transfer he was allowed to associate with another prisoner. He was not keeping good health while in the 'Pindi Jail and partly for this reason he was allowed a companion.

CONSPIRACY PRISONER B. C. BOSE.

***2793. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Dr. B. C. Bose, a long term conspiracy prisoner from Calcutta, has been prosecuted by Rawalpindi police for refusing to be photographed;
- (b) whether it is a fact that he was not given proper facilities for defence;
- (c) how long the case has been pending in the court;
- (d) what was the result of the prosecution?

The Honourable Sir Henry Craik : (a) Yes.

(b) No.

(c) Three and a half months.

(d) The case was withdrawn in December 1932.

INDEBTEDNESS OF ZAMINDARS.

***2794. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether the attention of the Government has been invited to the increasing debt of the zamindars of the province;
- (b) what steps the Government is taking or proposes to take in this connection?

The Honourable Mr. Miles Irving : (a) Yes;

(b) Government intends introducing a Bill [for relief of debtors as soon as the sanction of the Governor-General is received].

ECONOMICAL CONDITION OF ZAMINDARS.

***2795. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether the Government of India invited the opinion of the Local Government as to the economical condition of the zamindars of the province ;
- (b) whether the Government themselves suggested any remedy to improve the economical condition of the zamindars and asked for special measure to be taken with respect to freight and ratio question ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) The Punjab Government propose to introduce legislation to alleviate the economic condition of zamindars. They have made representations with regard to railway freights but not with regard to the ratio question.

EXECUTIONS.

***2796. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of persons hanged in this province in the year 1933 ;
- (b) the number of persons hanged in districts other than their home districts ;
- (c) why the execution did not take place in their home districts ?

The Honourable Sir Henry Craik : (a) Two hundred and twenty.

(b) Eighty.

(c) There are various reasons, the chief of them being lack of accommodation for condemned prisoners in certain jails and the fixing of the place of execution by the Sessions Judges at jails other than those in the home districts of the prisoners.

PRISONERS.

***2797. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of prisoners released on medical grounds in the year 1933 ;
- (b) the number of those who died in jails in 1933 ?

The Honourable Sir Henry Craik : (a) Nineteen.

(b) Two hundred and ninety.

PRISONERS.

***2798. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of convicts whom the medical officers recommended for release and who died in jail in 1933 awaiting orders of Government ;

- (b) whether the Government is aware of the general complaint that prompt attention is not paid to the medical officers' opinion and the prisoners die in jails before the receipt of Government orders on the opinion of medical officers ?

The Honourable Sir Henry Craik : (a) Two. The question of the release on medical grounds of these prisoners was referred to Government by the Inspector-General of Prisons, Punjab, on the 12th December 1933, but they died in jail on the 18th and 21st of December before orders were communicated.

(b) No. Government is not aware of any general complaint but arrangements have been made to expedite the decision in such cases.

WHIPPING OF PRISONERS.

***2799. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of convicts who were awarded stripes in the year 1933 ;
- (b) the number of persons who were striped in the year 1932 ;
- (c) whether the Government have satisfied themselves that the punishment of stripes is given only in cases of serious disturbances in jails ?

The Honourable Sir Henry Craik : (a) Twenty-four.

(b) Twenty-five.

(c) The Inspector-General of Prisoners, Punjab, has satisfied himself that the punishment of whipping was given only in cases of very serious offences.

CORRUPTION AMONG PROVINCIAL SERVICE OFFICERS.

***2800. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of provincial service officers of civil and police departments who have been departmentally punished for corruption during the year 1933 ;
- (b) what special steps the Government is taking to eradicate corruption in these departments ?

The Honourable Sir Henry Craik : (a) The honourable member is referred to the statement of action taken against corrupt officials in the Punjab for the year 1932-33, which was forwarded to the Council Office on 23rd January 1934 to be laid on the table of the Council. The statement for the year 1933-34 will as usual be placed on the table in the autumn session of the Council.

(b) The honourable member is referred to the answer given to question No. 878^a 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.

RESIGNATION OF EUROPEAN OFFICERS.

***2801. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of European officers who resigned their service at the time of inauguration of the reformed councils ;
- (b) the names and number of officers who have intimated their intention to resign their posts when the next councils under the new reforms will begin to work ?

Mr. C. C. Garbett : (Chief Secretary): (a) None. By March 31st 1924 38 officers had availed themselves of the Premature Retirement Rules.

(b) Nil.

GOVERNMENT ADVERTISEMENTS IN NEWSPAPERS.

***2802. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the names of such daily newspapers as get Government advertisements ;
- (b) whether it is a fact that some of the most widely circulated papers of the province do not get Government advertisements, if so, why ?

The Honourable Sir Henry Craik : Government¹ is not prepared to give the information asked for.

EXECUTION OF A CONVICT IN LAHORE JAIL.

***2803. Chaudhri Afzal Haq :** (i) Will the Honourable the Finance Member be pleased to state—

- (a) whether a convict has been hanged before time in the Lahore Central Jail ;
- (b) whether the Governor in Council or Home Secretary informed the solicitor and the relatives of the man who was so hanged that the execution order was stayed ;
- (c) whether the Home Secretary made himself sure as usual that an acknowledgment receipt from a responsible jail officer had been received in his office ?
- (ii) If so, will the Government be pleased to lay on the table a copy of the letter informing the relatives and solicitor that execution is stayed and a copy of acknowledgment receipt. If not, why not ?

The Honourable Sir Henry Craik : (i) (a) I would refer the honourable member to my reply to part (i) (a) of his starred question No. 2787².

(b) No.

(c) It is not the duty of the Home Secretary but that of another official in the Secretariat to satisfy himself that the orders postponing an execution have been duly received. That official made the mistake of treating the acknowledgment of the receipt of the letter containing the orders as an acknowledgment of the orders themselves.

(ii) Does not arise.

¹ See revised answer in the Debates of the 27th February 1934.

² Page 242 ante.

SUPPLY OF DEPARTMENTAL REPORTS, ETC., TO MEMBERS OF LEGISLATIVE COUNCIL.

***2804. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether all the Government departments send their respective departmental reports and other publications to members of the Punjab Legislative Council ;
- (b) which of the Heads of Government departments do not send the publications of their respective departments to members of the Punjab Legislative Council ?

The Honourable Sir Henry Craik : The attention of the honourable member is invited to the answer given to his own question No. 1268¹ on the 17th of January 1925, to which answer I have nothing to add.

PUBLICATION OF BOOKS.

***2805. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to lay on the table—

- (a) a statement showing the number of Urdu, Hindi and Gurmukhi books published each year since 1921 ;
- (b) how many of these books were approved by the Text Book Committee each year ;
- (c) what special steps the Government is taking or intends to take to encourage a better type of books ?

The Honourable Malik Sir Firoz Khan Noon : (a) This does not now concern the Ministry of Education since the Book Branch of the Education Department has been retrenched.

(b) A statement is placed on the table.

(c) To ensure satisfactory get-up of books certain standards with regard to the paper used for the printing, both of the text and the illustrations, are definitely fixed by the Department and strictly adhered to by the Text Book Committee.

As regards the subject matter, the Department has ruled that no new book is to be placed on the list of approved text books unless it is in some way superior to the existing books. The reviewers are expressly asked to bear this in mind when giving their opinions and existing books are invariably sent to them for comparison. Moreover a sum of Rs. 2,500 is allotted each year to be disbursed as prizes to authors of meritorious works.

Statement showing the number of books approved by the Punjab Text Book Committee, since 1921.

	<i>Books.</i>		<i>Books.</i>
1. 1921-22	139	7. 1927-28	524
2. 1922-23	129	8. 1928-29	276
3. 1923-24	172	9. 1929-30	192
4. 1924-25	135	10. 1930-31	130
5. 1925-26	234	11. 1931-32	102
6. 1926-27	240	12. 1932-33	165

ORIENTAL COLLEGE.

*2806. **Chaudhri Afzal Haq** : Will the Honourable Minister for Education be pleased to state—

- (a) when the Oriental College new building was erected ;
- (b) when the college furniture was last purchased ;
- (c) whether it was ever brought to the notice of the Government that the college furniture is very old and is not suitable for a Government institution ?

The Honourable Malik Sir Firoz Khan Noon : (a) 1926.

(b) The question is not clear, it is however pointed out for the honourable member's information that the old furniture belonging to the Oriental College is replaced from time to time by new furniture from the annual grant of Rs. 200 made by the University. A special grant of Rs. 2,000 was sanctioned by the University in 1925-26 and spent on new furniture.

(c) No. The Oriental College is not a Government institution.

ORIENTAL COLLEGE.

*2807. **Chaudhri Afzal Haq** : Will the Honourable Minister for Education be pleased to state—

- (a) the year in which the Oriental College, Lahore, was first founded ;
- (b) whether it is a fact that students of poor classes attend the college ;
- (c) whether it is a fact that very recently Government have ordered to charge fees from the students ;
- (d) whether he is aware of the general impression that Government not only neglect but systematically discourage the Oriental education and literature ;
- (e) if so, what steps are proposed to be taken to remove this impression ?

The Honourable Malik Sir Firoz Khan Noon : (a) 1870.

(b) Yes.

(c) Government has issued no such orders for the Oriental College is not a Government institution. However the University levies fees at the following rates :—

				<i>Per mensem.</i>		
				Rs.	A.	P.
M. A. Classes	..	..	..	5	0	0
Honours Classes	..	..	..	1	0	0
High Proficiency Classes	..	..	..	0	12	0
English Classes	..	..	..	0	12	0
Intermediate Evening Classes (English only) started in 1932	..	..	..	3	0	0

The tuition fees were first levied in 1924.

- (d) Government is not aware of any such impression.
- (e) Does not arise.

UNIVERSITY COMMISSION REPORT.

***2808. Chaudhri Afzal Haq :** (i) Will the Honourable Minister for Education be pleased to lay on the table the Punjab University Commission Report; and state—

(ii) (a) whether the Government has considered the recommendations of the report;

(b) if not, at what stage the consideration of the report is?

The Honourable Malik Sir Firoz Khan Noon : (i) Copies of the Punjab University Enquiry Committee's report have already been supplied to all members of the council.

(ii) (a) No.

(b) The views of the Punjab University on the recommendations of the committee are awaited. The financial implications of the proposals are being examined by an officer of the Punjab Education Department.

MUNICIPAL EXECUTIVE OFFICERS.

***2809. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the number of municipal committees where the executive officers have been appointed by the Government;

(b) the number of those municipalities which did not co-operate with the executive officers;

(c) whether Government is aware of the general opinion that the executive officers are a source of trouble rather than a help to the municipal administration?

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

(b) The question of non-co-operation did not arise. The Executive Officer is the servant of the Committee.

(c) No.

APPOINTMENTS OF CHRISTIAN MISSION.

***2810. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

(a) whether the Governor in Council makes appointments in the ranks of Christian Mission;

(b) if so, why the Government is pleased to take so much interest in the religion of certain communities?

Mr. C. C. Garbett : (Chief Secretary): (a) No.

(b) Does not arise.

GRANTING OF LAND TO MISSIONARY BODIES.

***2811. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of squares that have been granted to the different religious missions of different communities ;
 (b) the idea underlying the granting of land to missionary bodies ?

The Honourable Mr. Miles Irving : (a) A statement showing the number of squares or rectangles granted to the different religious bodies in canal colonies is laid on the table.

(b) Uplift of depressed classes.

Statement showing the number of squares or rectangles granted to the different religious bodies in the canal colonies.

Name of religious body.	Area allotted.
LOWER CHENAB CANAL COLONY.	
Indian Christians	About 144 squares.
LOWER BARI DOAB CANAL COLONY.	
Arya Megh Udhar Sabha	51 rectangles and 22 acres.
Ahmadiya Anjuman, Lahore	41 rectangles and 7 acres.
Salvation Army	100 rectangles.
Church Missionary Society	25 rectangles.
Certain depressed classes selected by various Christian Missionary Societies.	188 rectangles.

PUNJAB PRIMARY EDUCATION ACT, 1919.

***2812. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) the areas in the province in which the Punjab Primary Education Act, 1919, has been applied in 1933 and the population in such areas ;
 (b) the extent of areas and population where the Act was applied up to 1933 ?

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

DAMAGE BY FLOODS IN TAHSIL GARHSHANKAR.

***2813. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number and names of the villages in tahsil Garhshankar whose lands have been washed away by floods of the river ;

(b) the name and number of those villages in tahsil Garhshankar, district Hoshiarpur, whose buildings have been washed away by the flood of the river ;

(c) what relief has been given to those who have been so affected ?

The Honourable Mr. Miles Irving : (a) Eight villages, namely—

- (1) Kohar,
- (2) Hasanpur Kalan,
- (3) Dobhali,
- (4) Baramad Paragpur,
- (5) Paragpur,
- (6) Sarangpur Panjbheda,
- (7) Mubarikpur,
- (8) Auliapur.

(b) One village, Auliapur, where 54 houses were washed away.

(c) Remissions of land revenue have been granted in deserving cases. A local relief committee collected some money to afford relief to the sufferers of village Auliapur.

FEEs FOR SCHOOL MOTOR LORRIES.

***2814. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Government girls' schools are generally situated outside the towns ;
- (b) whether it is a fact that heavy fee is charged from the girls for the use of school motor lorry ;
- (c) whether the Government is aware of the general impression that Government girls' schools are not meant for poor classes ;
- (d) whether the Government proposes to charge conveyance fee only from the rich class girls and exempt those who cannot afford to pay this fee ?

The Honourable Malik Sir Firoz Khan Noon : (a) Government girls' schools, in a majority of cases, are situated inside the towns.

(b) It is only in the cases of a girls' school in Lahore that fees at Rs. 5 and Rs. 7 per mensem each are charged from girls using a lorry. In other cases the fee varies from Re. 1 to Rs. 3 per mensem each.

(c) No; Government girls' schools are open for admission to all classes—rich and poor alike.

(d) The suggestion cannot be accepted because even now the school lorry service is not self-supporting. If there is any spare money it should be spent on providing new schools for girls where none exist instead of being spent on providing motor lorries for girls who already have a school to go to.

EDUCATION OF MIDDLE AND POOR CLASS STUDENTS.

***2815. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether it has been brought to the notice of the Government that intelligent students of middle and poor classes cannot pursue their studies on account of their poverty-while good-for-nothing upper class students get admission into the Government educational institutions merely because they can pay the fees ;

(b) if so, what remedy the Government proposes to remove the inability of the poor and middle class students in this respect ?

The Honourable Malik Sir Firoz Khan Noon : (a) Government has no information. It is, however, added for the information of the honourable member that the following concessions are given in Government schools to the poor boys of ability :—

- (i) full fee concessions in the primary department upto 25 per cent. of the pupils on rolls of the department ;
- (ii) full fee concessions in the secondary department upto 10 per cent. of the pupils on rolls of the department ;
- (iii) half fee concessions in the secondary department upto 10 per cent. of the pupils on rolls of the department.

(b) A most suitable remedy would be to give scholarships to deserving sons of the poor for higher education, but this course cannot be adopted at present owing to shortage of funds.

AMRITSAR MEDICAL SCHOOL.

***2816. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that for some years past no Muslim house surgeon has been taken in Amritsar Medical School ;

(b) the number of professors and lecturers communitywise in that school ?

The Honourable Malik Sir Firoz Khan Noon : (a) No. There are no house surgeons at the Medical School, but perhaps the honourable member is referring to house surgeons at the Civil Hospital, Amritsar. If so, then one Muslim has been taken every year since 1927 except in 1933 when the only suitable Muslim candidate could not accept the post as he was a Kashmir State scholar.

(b) There are no professors, but there are, including one Indian Medical Service Principal, eight lecturers. Out of these six are Hindus, one Muslim and one Sikh. During the last twelve years only one vacancy occurred and one Muslim was appointed in place of a Muslim that retired from service. Communal disproportion can only be removed when there are vacancies to fill.

Chaudhri Zafrulla Khan : What part of the question has the honourable member answered in part (b) of the answer ? Part (b) of the question asks the number of professors and lecturers communitywise in that school. It has not been answered. The answer read out has nothing to do with the question.

The Honourable Malik Sir Firoz Khan Noon : The number is the same as it was in the beginning. There has been no change at all.

Chaudhri Zafrulla Khan : The question does not refer to any change at all.

The Honourable Malik Sir Firoz Khan Noon : If the object of the honourable member putting the question was to find out how many Muslims and how many non-Muslims there are, I might inform him that there is only one Muslim now as was the case originally.

Chaudhri Zafrulla Khan : One Muslim out of how many professors and lecturers ?

The Honourable Malik Sir Firoz Khan Noon : I am afraid I have not got the figures now. I can give them if the honourable member wants them.

COMPLAINTS AGAINST POLITICAL WORKERS.

***2817. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) the number of political workers against whom police lodged complaints that they interfered with the police in Amritsar ;
- (b) whether Government have been informed that in all such cases in Amritsar defence raised the plea that the accused were not only harassed but also abused by the police officers ?

The Honourable Sir Henry Craik : If the honourable member will give the period to which his enquiry relates, an attempt will be made to obtain the information asked for.

INTERMENT AND EXTERNMENT ORDERS.

***2818. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state the number of persons against whom internment or externment orders were issued in the year 1933 ?

The Honourable Sir Henry Craik : Twenty-four persons were interned under section 2 of the Punjab Criminal Law (Amendment) Act, 1932 ; 44 were restricted to specified areas ; and 20 were externed from certain districts under section 3 of the Punjab Criminal Law (Amendment) Act, 1932.

SECURITY FROM NEWSPAPERS.

***2819. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the names of the papers in the province from whom security was demanded in the years 1932 and 1933 ;
- (b) the names of papers which were paid by the Government in 1932-33 for publishing certain articles on behalf of Government ;
- (c) whether it is a fact that certain gentlemen are specially employed for writing articles in the papers which suit the policy of the Government ?

The Honourable Sir Henry Craik : (a) A list is placed on the table.
(b) None.

(c) There are two article-writers on the staff of the Information Bureau who write articles and notes for the press under the direction of the Director.

[The Hon. Sir Henry Craik.]

If the services of any journalist are required, he is paid at fixed rates per article.

Names of newspapers in the Punjab from whom security was demanded during the year 1932.

- | | |
|---------------------------------|--|
| 1. Punjab Kesri (Lahore). | 10. Inqilab (Lahore). |
| 2. Desh Sewak (Lahore). | 11. Vir Bharat (Sialkot edition), (Sialkot). |
| 3. Desh Sewak (Jullundur). | 12. Pratap (Lahore). |
| 4. Akali (Amritsar). | 13. Sadaqat (Lahore). |
| 5. Milap (Lahore). | 14. Daler (Okara, district Montgomery). |
| 6. Akali-te-Pardesi (Amritsar). | 15. Sadhu Samachar (Amritsar). |
| 7. Vir Kesri (Lahore). | 16. Desh Bandhu (Lahore). |
| 8. Asli Qaumi Dard (Amritsar). | 17. Ahrar (Lahore). |
| 9. Vir Bharat (Lahore). | 18. Zamindar (Lahore). |
| | 19. Mutwala (Ludhiana). |

Names of newspapers in the Punjab from whom security was demanded during the year 1933.

- | | |
|----------------------------|---------------------------------|
| 1. Zamindar (Lahore). | 5. Mubahila (Amritsar). |
| 2. Chandan (Lahore). | 6. Tiryag (Lahore). |
| 3. Akali Patrika (Lahore). | 7. Azad (Lahore). |
| 4. Nawan Jug (Lahore). | 8. Dawn (Lahore). |
| | 9. Kirti (Gurmukhi) (Amritsar). |

UNSTARRED QUESTIONS AND ANSWERS.

NON-HINDU SCOUTS IN KURUKSHETRA FAIR.

715. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that the Solar Eclipse Kurukshetra fair is chiefly a religious fair of the Hindus ;
- if so, whether protests were made by the Hindus that non-Hindu Scouts in Kurukshetra fair should not be requisitioned for this purpose ?

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

(b) Owing to misunderstanding, there was, at first, some criticism regarding the presence of non-Hindu volunteers ; but the excellent work done by volunteers of all communities soon removed all misunderstanding and resentment. A particular feature of the fair was the whole-hearted gratitude of the pilgrims for the services rendered by the volunteers. Where Government are responsible for the arrangements for religious fairs, they will always be ready to pay reasonable regard to the susceptibilities of the community affected ; and this was done in the allocation of duties at the Kurukshetra fair. At the same time, there are many social services at every fair, which can be performed by members of all communities, and it is the policy of Government to encourage the growing movement in favour of such services. They would appeal to the leaders of all communities to give similar encouragement and to welcome such opportunities for the various communities to secure the good-will of each other.

SATTA (DARRA GAMBLING).

716. Shrimati Lekhwati Jain : Will the Honourable Member for Revenue be pleased to state the number of districts where the police received reports of "Satta" (Darra gambling) during the last financial year, and the action taken by the authorities in the matter ?

The Honourable Mr. Miles Irving : Ten. Eighty-four prosecutions were lodged.

NUMBER OF SCHOOL-GOING CHILDREN.

717. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state the number of district boards and municipalities in the vernacular schools of which the number of school-going children has gone down during the last three years ?

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

RECOGNITION OF DENOMINATIONAL SCHOOLS.

718. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state the progress of recognition of denominational schools (middle and high) in the different divisions of the Punjab during the last ten years respectively ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is advised to consult the annual lists of recognised secondary schools in the Punjab issued by the Education Department.

HALF HOLIDAY ON FRIDAY IN SCHOOLS.

719. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- (a) the number of Government schools where Friday is observed as a half day in winter ;
- (b) the number of such Government schools, wherein the number of Muslim students was larger than that of non-Muslim on 31st March 1933 ;
- (c) the number of such Government schools where the permission to close the institution on Friday for half the day in winter was duly obtained by head-masters concerned from the Director of Public Instruction, Punjab, or Inspectors of Schools ;
- (d) the general principles on which this permission is accorded by the Director of Public Instruction or an Inspector of Schools ;
- (e) if these general principles have been departed from anywhere, what action he intends to take in this matter ?

The Honourable Malik Sir Firoz Khan Noon :—

- (a) 48.
- (b) 28.
- (c) One, but permission is not necessary,—*vide* the concluding sentence of article 198 of the Punjab Education Code.
- (d) The general practice is that the headmaster exercises his discretion.
- (e) In view of (d) above, does not arise.

TRAINED AND CERTIFICATED NURSES COMMUNITY-WISE.

720. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- (a) the number of trained and certificated nurses community-wise, Hindus, Muslims, Sikhs and Christians as employed by district boards and municipalities ;
- (b) if the number of the nurses belonging to Hindu and Sikh communities be small as compared with their numerical strength in the Punjab, whether he intends to take any action in the matter ;
- (c) if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (a) No nurses are employed in any of the local bodies' hospitals, but a list showing the information needed regarding midwives, trained *dais* and indigenous *dais* is laid on the table.

(b) The appointments in question are made by each local body concerned and do not require the approval of Government.

(c) Does not arise.

Statement showing the number of trained and certificated midwives, nurse-dais and indigenous dais, community-wise, Hindus, Muslims, Sikhs and Christians as employed by District Boards and Municipalities in various districts in the Punjab.

Serial No.	Name of the district.	Hindus.	Muslims.	Sikhs.	Christians.
1	Hissar .. ..	..	2	..	2
2	Rohtak	1	2	..	5
3	Gurgaon	3	..	..	..
4	Karnal	2	3	..	3
5	Ambala	2	3	..	1
6	Simla .. ..	..	..	..	12
7	Kangra	14	..	..	4
8	Hoshiarpur	6	2	..	..
9	Jullundur .. ..	..	..	..	1
10	Ludhiana .. ..	..	1	1	1
11	Ferozepore .. ..	..	1	..	2
12	Lahore .. ..	..	..	..	1
13	Amritsar	5	3	..	2
14	Gurdaspur	4	1	..	5
15	Sialkot .. ..	..	1	..	..
16	Gujranwala .. ..	..	2	..	..
17	Sheikhupura .. ..	..	..	..	..
18	Gujrat .. ..	..	..	..	..
19	Shahpur	1	1	..	2
20	Jhelam .. ..	..	..	..	..
21	Rawalpindi .. ..	..	..	..	3
22	Campbellpur .. ..	..	1	..	3
23	Mianwali .. ..	..	1	..	..
24	Montgomery .. ..	..	..	..	2
25	Lyallpur	1	5	2	8
26	Jhang .. ..	..	..	..	..
27	Multan .. ..	..	..	..	..
28	Muzaffargarh .. ..	..	..	..	..
29	Dera Ghazi Khan .. ..	..	..	..	..
	Total	39	29	3	57

TEACHING HOURS IN THE CENTRAL TRAINING COLLEGE, LAHORE.

721. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state the number of hours in a week during which the Principal, Vice-Principal and Senior Professors of the Central Training College, Lahore, teach their classes apart from the time they devote to extra-mural activities and the number of hours for which the headmasters, school masters and senior anglo-vernacular teachers of high schools are expected to teach ?

The Honourable Malik Sir Firoz Khan Noon : The following statement gives the required information :—

Class of teacher.	*Periods of teaching work per week.
1. Principal, Central Training College	4
2. Vice-Principal, Central Training College	14
3. Senior professors of Central Training College	12 each on an average.
4. Headmasters of high schools	15 to 24 each.
5. Science masters of high schools	24 to 27 each.
6. Other teachers	30 or more each.

*A teaching period is of 45 minutes' duration.

These figures, however, do not give a correct idea of the actual work done by members of the Central Training College staff. The college is organised on the Dalton Plan and every member of the staff is required to be present in the college and engaged in college work from 9-45 A. M. to 3-30 P. M. It may also be added that the Central Training College is a training college and not a school. Therefore criticism lessons and the supervision of the practice of teaching also require a considerable amount of the staff's time, while the preparation of lectures is a much heavier task than the preparation of lessons. There is only one vice-principal and one principal who is also Inspector of European Schools and is responsible not only for their inspection but also for their administration.

MANUAL TRAINING CENTRES IN GOVERNMENT SCHOOLS.

722. Shrimati Lekhwati Jain : Will the Honourable Minister for Education be pleased to state—

- the total number of Government schools in the Punjab ;
- the number of Government schools having manual training centres ;
- the annual expenditure on the maintenance of these training centres including the annual salaries of manual training staff ?

The Honourable Malik Sir Firoz Khan Noon : (a) 120 of which 28 are for girls.

(b) 32 (boys schools only).

(c) Rs. 49,317 approximately.

As a matter of explanation it may be stated that girl schools also are not without manual training of a suitable sort. In all secondary schools needle work and cookery, both of which involve the use of the hands, are compulsory subjects for the middle school examination while laundry is an optional subject and is taught in most secondary schools for girls. As these subjects are taught by members of the staff of the schools concerned there is no extra expense involved except for a little equipment.

LEASE OF VEGETABLE MARKET BY MUNICIPAL COMMITTEE, SIALKOT.

723. Mr. Muhammad Din Malak : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether the municipal committee of Sialkot has made any bye-law requiring all zamindars to sell their vegetables by wholesale in the market ;
- (b) whether the committee has leased the market to Muhammad Hussain, Allah Lok and certain others who recover from the zamindars *ahrat* fee at the rate of one anna per rupee on the sale of vegetables and also about 1/5th of the vegetables in kind ;
- (c) the terms of the lease granted to Muhammad Hussain and Allah Lok, etc. ?

The Honourable Dr. Gokul Chand Narang : (a) The Municipal Committee of Sialkot has, under sections 197 and 199 of the Punjab Municipal Act, 1911, made bye-laws to the effect that no person shall sell, whole-sale or by auction, any fruit or vegetables in premises other than premises licensed for the purpose by the Municipal Committee in this behalf, and has licensed the Municipal market for the purpose. Other places can similarly be licensed by the Committee.

(b) The Committee has leased the Municipal market to Muhammad Hussain, Allah Lok and Nizam Din who are recovering *arhat* fee at the rate of 9 pies per rupee, and not at the rate of 1 anna per rupee, on the sale of fruit and vegetables. This is, however, a private arrangement between the lessees and the vendors and is not authorised by the Municipal Committee. The lessees do not take any share of the vegetables in kind.

(c) Copies of the terms of the lease and of the agreement between the Municipal Committee and the lessees are laid on the table.

Conditions of lease of Vegetable market for the year 1933-34.

1. The lease will be for 1 year from 1st April 1933 to 31st March 1934.
2. The highest bidder will have to deposit 25 per cent. of the amount of his bid forthwith and the balance upto 15th March, 1933.
3. The contract will take effect after the sanction by the Committee.
4. The contractor will not sublet the contract.

5. The contractor will have to execute an agreement within a week after the sanction of the lease by the Committee.

6. In case the lessee fails to comply with any of the above terms of the lease the Executive Officer will be competent to cancel his lease and to re-auction it at the risk of the former lessee who will not be entitled to any excess amount if the bid for the lease is in excess of his original bid.

7. The lessee will be responsible for any damage to the vegetable market building due to his carelessness.

Copy of agreement executed by Municipal Committee, Sialkot and Messrs. Muhammad Hussain, Allah Lok, etc., regarding lease of vegetable market for the year 1933-34.

We, the undersigned, Nizam Din, son of Noor Din, Lambardar, Allah Lok, son of Muhammad Din, Arain, resident of Mianapura, Sialkot—and Muhammad Hussain, son of Miran Bakhsh, Arain, resident of Atari, Sialkot, lessees of the vegetable market have, in accordance with Committee's resolution No. 810, dated the 8th March 1933, taken this market on lease for the year 1933-34 with effect from 1st April 1933 to 31st March 1934, for Rs. 2,300 out of which Rs. 1,400 have been deposited in the Municipal fund. The remaining sum of Rs. 900 shall be paid to the Committee in six equal instalments of Rs. 150 each to be deposited—in the Municipal fund by the 5th of every month. If we fail to deposit any one of the instalments by the 5th as required by the terms of the contract, the Committee will be entitled to claim the remaining auction money in full and the undersigned will have no objection to such realisation. In case of breach of any of these conditions the Committee shall have every right to cancel the contract. We also undertake to bind ourselves to the terms of the contract, which were read out in public at the time of the auction and to which we have already agreed. We have executed this agreement to complete the record.

Witness—

Faqir Muhammad, son of Allah Din, Jat, Rangpura, Sialkot.

Muhammad Hussain, son of Miran Bakhsh, Contractor, Vegetable Market.

Nizam Din, son of Noor Din, Lambardar, Mianapura, Sialkot, Contractor, Vegetable Market.

Imam Din, son of Noor Din, Mianapura, Sialkot.

LEASE OF VEGETABLE MARKET BY MUNICIPAL COMMITTEE, SIALKOT.

724. Mr. Muhammad Din Malak : Will the Honourable Minister for Local Self-Government please state if the Municipal Committee or Sialkot has made any bye-laws with the approval of the Government under section 188 for the lease of the vegetable market, if so, the number and the date of the Punjab Government Notification with which any such bye-laws were published?

The Honourable Dr. Gokul Chand Narang : The Municipal Committee of Sialkot has not made any bye-laws for the lease of its vegetable market, nor are any bye-laws required for the purpose.

LEASE OF VEGETABLE MARKET BY MUNICIPAL COMMITTEE, SIALKOT.

725. Mr. Muhammad Din Malak : Will the Honourable Minister for Local Self-Government please state, whether it is not a fact that without the authority of any duly approved bye-laws, the Municipal Committee of Sialkot has leased the market and compelled the zamindars to sell their vegetables through *ahratas*, if so, what action, if any, Government propose to take in the matter?

The Honourable Dr. Gokul Chand Narang : The Municipal Committee of Sialkot has leased out the market by a resolution. No bye-laws are required for the purpose. The Committee has made bye-laws to the effect that no person shall sell fruit or vegetables except in premises licensed by the Committee in this behalf, and has licensed the Municipal market for the purpose. Government is addressing the Municipal Committee to consider the advisability of licensing some other premises also for the purpose and is looking into the question of the *ahrat* charged by the lessees.

AHRAT TAX ON VEGETABLES IMPOSED BY MUNICIPAL COMMITTEE,
SIALKOT.

726. Mr. Muhammad Din Malak : Will the Honourable Minister for Local Self-Government please state whether the zamindars of Sialkot have submitted several petitions to local officers and to the Local Self-Government protesting against the imposition by the Municipal Committee of Sialkot of *ahrat* tax on the vegetables sold by auction in the Municipal market, if so, what action has been taken on these petitions?

The Honourable Dr. Gokul Chand Narang : Yes, one petition was received by me. The matter is being looked into.

AHRAT TAX ON VEGETABLES IMPOSED BY MUNICIPAL COMMITTEE,
SIALKOT.

727. Mr. Muhammad Din Malak : Will the Honourable Minister for Local Self-Government kindly state—

- (a) if the Municipal Committee of Sialkot is competent to levy *ahrat* tax on the sale-proceeds of vegetables direct or through its *ahrat*is ;
- (b) whether agricultural income is taxable at all by municipal committees or by the Local Self-Government ;
- (c) if replies to (a) and (b) above be in the affirmative, the sections of the Municipal Act under which such a tax can be imposed, if in the negative, whether Government intends to order the Municipal Committee of Sialkot to refund the *ahrat* fee so far recovered and to cancel the arrangement come to between the committee and Mohammad Hussain Allah Lok, etc. ?

The Honourable Dr. Gokul Chand Narang : The reply to this question is not yet ready. It will be communicated to the honourable member when it is ready.

MUSLIM GIRL STUDENTS.

728. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the number of Muhammadan girls in 1st primary class in the schools in the province is nearly equal to the number of Hindu girls in the same class ;

- (b) whether it is a fact that in the 4th primary class the number of Muslim girl students is reduced to less than one-half as compared with the number of Hindu girls;
- (c) the cause of this reduction;
- (d) what steps Government is taking to remove the causes of this reduction?

The Honourable Malik Sir Firoz Khan Noon : (a) No. The enrolment of Muslim girls in Class I, in 1931-32, was about 75 per cent. of that of the Hindu girls.

(b) Yes.

It may, however, be noted for the honourable member's information that in March, 1929 the enrolment of Hindu girls (higher castes and depressed classes) in Class I was 29,548 against 19,888 Muslim girls and that 21 per cent. of these Hindu girls reached Class IV in 1931-32 against 15 per cent. of the Muslim girls.

(c) Muslim girls are withdrawn from schools, after Class I in larger numbers as compared with their Hindu sisters.

(d) Efforts are being made to retain the students in schools for a longer period than is the case at present.

PUNJAB INDUSTRIES LOANS ACT.

729. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the total number of applicants who received loan under the Punjab Industries Loans Act for the last three years;
- (b) the number of Muhammadans amongst them and the amount granted to them;
- (c) the number of defaulters against whom legal proceedings have been instituted and the number of Muhammadans amongst them?

The Honourable Dr. Gokul Chand Narang : (a) 84 out of 194 applicants.

(b) Number of Muhammadans who received loans	29
Total amount advanced to them	.. Rs. 76,400
(c) Total number of defaulters against whom legal proceedings have been taken	.. 27
Number of Muslim defaulters against whom proceedings have been taken	.. 19

DYEING AND WEAVING FACTORY, SHAHDARA.

730. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government be pleased to state the expenditure and revenue of the institute of Dyeing and Calico Printing, Shahdara, and also the Weaving Factory, Shahdara?

The Honourable Dr. Gokul Chand Narang : The figures of expenditure and revenue for the year 1932-33 are as under :—

	Expenditure.	Revenue.
	Rs.	Rs.
(1) Government Institute of Dyeing and Calico Printing, Shahdara (an educational institution) ..	87,755	24,002
(2) Government Demonstration Weaving Factory, Shahdara (Commercial Side) ..	2,47,936	2,53,280

COMPULSORY EDUCATION.

731. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state—

- whether he will lay on the table the detailed reasons of the Commissioner, Multan, for considering that compulsory education of boys should never be introduced until girls education has made adequate progress (reference to the report on the working of municipalities 1931-32, VIII-Education);
- whether the opinion was referred to the Minister for Education;
- the remarks of the Education Department on the Commissioner's opinion?

The Honourable Malik Sir Firoz Khan Noon : (a) The correspondence of the Commissioner on the subject is demi-official and confidential; thus it is not in the public interest to disclose it. It may, however, be added for honourable member's information that the Commissioner now recognises compulsion as an effective means of keeping boys at school till they have completed the primary course and is not opposed to it as such. His real object was to draw the attention of all concerned to the great desirability of expanding girls' education.

(b) The case was not referred to the Minister for Education as the Department did not contemplate any departure from the present policy of the Government regarding compulsion.

(c) It is not in the public interest to disclose the noting by officers of the Education Department on this case.

CRIMINAL TRIBES.

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

- the number of residents of Sansra, a Criminal Tribe Settlement in Sheikhpura district, who have embraced Islam;
- the number of those who were transferred to the settlements controlled by the Muslim societies;
- the names and the number of Muslim societies which control the Muslim tribes?

The Honourable Mr. Miles Irving : (a) 9 men with 23 females and children.

(b) None as it would have involved loss of tenancy held by them at Kot Adhian Settlement.

- (c) 1. Ahmediya Anjuman-i-Ishait Islam, Lahore.
2. Anjuman-i-Islamia, Lahore.
3. Ahmediya community, Qadian.

CANAL ROADS.

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

- (a) the rules governing traffic of private vehicles on canal roads ;
- (b) whether cars of Government officers other than those of canal officers come in the category of private cars as far as the use of canal roads is concerned ;
- (c) whether it is a fact that the Executive Engineer, Rohtak division, of the Western Jumna Canal in reply to my letter, dated 6th August 1933, refused permit for a motor lorry to use canal road by his letter No. 70/M./4821, dated 9th August 1933 ;
- (d) if so, whether copies of both these letters will kindly be laid on the table ;
- (e) the number of applications of officers (other than canal officers) and of other private persons respectively made to the Executive Engineer, Rohtak and Hissar divisions, for permits to use canal roads and the number of permits allowed to officers and other persons during the year 1931, 1932 and 1933 ;
- (f) the number of permanent permits or permits for a fixed term, if any, allowed to officers and the public in both the above divisions ?

The Honourable Mr. Miles Irving : (a) The Rules governing the use of Canal Roads and the issue of Motor Permits are contained in the *Press Communiqué* issued in September 1929 and letter no. 2748/2765-S. I., dated the 2nd December 1930, from Chief Engineer, Irrigation Works, Punjab, respectively. Copies of both are laid on the table.

(b) Yes.

(c) Yes.

(d) Copies are laid on the table.

(e) and (f) Two statements containing the information required are laid on the table.

The following principles are applied in regulating the use of Canal roads and are published for the information of public :—

1. *Both banks wide enough for roads and boundary roads also exist.*—The road on top of one bank only is reserved for Motor traffic as an Inspection road. No restrictions are ordinarily placed on the use by the public of the boundary roads and the top of the other bank.

2. *Both banks wide enough for roads and no boundary roads exist.*—The road on top of one bank is reserved for Motor traffic as an Inspection road. No restrictions are ordinarily placed on the use by the public of the top of the other bank.

3. *One bank wide enough for road and boundary roads exist.*—The road on top of the bank is reserved for Motor traffic as an Inspection road. No restrictions are ordinarily placed on the use by the public of the boundary roads.

4. *One bank only wide enough for road and no boundary roads exist.*—The road on top of the bank is reserved for Motor traffic as an Inspection road.

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5. *Banks not wide enough for road but two boundary roads exist.*—One boundary road is reserved for Motor traffic as an Inspection road. No restrictions are ordinarily placed on the use by the public of the other boundary road.

6. *Banks not wide enough for roads and only one boundary road exists.*—The boundary road is reserved for Motor traffic as an Inspection road. The above are subject to the following *general rules* :—

- (i) Permits are required for the use of the Inspection road by motors.
- (ii) The use of lorries on the Inspection roads is prohibited.
- (iii) The use of tum-tums, tongas, etc., on the Inspection roads is prohibited.
- (iv) The use of Inspection roads after rains even by motors is prohibited.
- (v) The use of Inspection roads after dark by any kind of vehicle is prohibited.
- (vi) All canal roads are used at user's risk entirely and Government is in no way responsible for any accidents or damage, as the roads are private and not public highways.
- (vii) Government reserves to itself the right of placing restrictions to use of any banks and roads for special reasons at any time.

Copy of a letter no. 2748/2765-S. I., dated the 2nd December 1930, from H. F. Ashton, Esq., Chief Engineer, Irrigation Works, Punjab, to all Superintending Engineers, Irrigation Branch, Punjab.

I HAVE the honour to state that there appears to have been some confusion as to the intention of the orders in Punjab Government letter No. 2041/58-S.I., dated the 17th October 1930, regarding motor permits for canal roads. These orders were issued with a view to effecting economy in the maintenance of canal roads by restricting their use to those—both officials and non-officials—whose business cannot be done without the use of certain reaches of canal roads.

2. I am directed to say that it has now been decided by the Governor in Council that permits for canal roads shall be issued as follows :—

(1) *Permanent permits to—*

- (a) Heads of Departments.
- (b) Commissioners and Deputy Commissioners.
- (c) Deputy Inspectors-General of Police.
- (d) Superintendents of Police.
- (e) Officers of other Departments who have to use canal roads for the proper discharge of their duties.

(2) *Annual permits to—*

- (a) Assistant Commissioners and Assistant Superintendents of Police.
- (b) Civil and Military Officers if Chief Engineers or Superintending Engineers are satisfied that these officers have to make use of canal banks for journeys on duty.
- (c) General Officer Commanding a Brigade—2 permits
- (d) General Officer Commanding a District—4 permits,
- (e) Members of the Legislative Council—for roads in the areas which they represent where they need them to get to their homes and headquarters town.
- (f) Land-owners—big land-owners to enable them to get to their lands, their homes and their headquarters town.

} will be issued by
Chief Engineer
} only.

(3) *Occasional permits to—*

- (a), (b), (e) and (f) under (2) annual permits above—These can be issued by Executive Engineers as well as by Chief and Superintending Engineers.

3. Permits will be in the following forms :—

- | | | | |
|--------------------|----|----|--|
| Permanent permits | .. | .. | Green booklet. |
| Annual permits | .. | .. | Red booklets. |
| Occasional permits | .. | .. | Printed forms on paper as ordered in Chief Engineer's letter No. 2392/2410-S.I., dated 27th November 1929. |

4. The general procedure should be that any canal officer will issue permits for roads in his charge only, i.e., if an applicant wants a permit for use of roads in one division only the Executive Engineer can issue an occasional permit; if an applicant wants a permit for use of roads in more than one division the application should be sent to the Superintending Engineer for issue of permits; if an applicant wants a permit for more than one Circle the application should be sent to the Chief Engineer for issue of permit.

Thus :—

- (a) Occasional permits will be issued by Chief, Superintending and Executive Engineers.
- (b) Annual permits will be issued by Chief and Superintending Engineers.
- (c) Permanent permits will be issued by Chief Engineers only.

All permits will be issued on the understanding that canal roads will not be used when metalled public roads will serve the purpose.

5. I am to request that action may now be taken in accordance with these orders.

Copy of a letter no. nil, dated 6th August 1933, from Lala Jyoti Prasad, B.A., LL.B., M.L.C., Hissar, to the Executive Engineer, Rohtak Division, Western Jumna Canal, Rohtak.

SOME relatives of mine want to go to Ramrah Pindara (Jind) on 20th August in a motor lorry to have a bath in the sacred tank there on the occasion of Solar Eclipse. From Hansi they shall have to go on the Canal Road to Jind via Narnaund. May I request the favour of your kindly granting me a permit for the use of the Canal Road from Hansi to Jind, via Narnaund and back for a motor lorry from 20th August to 23rd August and oblige.

Thanking you in anticipation.

Copy of a letter no. 70-M/4821, dated 9th August 1933, from the Executive Engineer, Rohtak division, Western Jumna Canal, to Lala Jyoti Prasad, B.A., LL.B., M.L.C., Hissar.

REFERENCE your letter, dated 6th August 1933, I have the honour to say that a permit for a motor lorry cannot be issued as the roads are not open to the public for motor vehicles other than private cars with a permit.

Statement showing numbers of applications of officers (other than Canal Officers) and of other private persons respectively made to Executive Engineers, Rohtak and Hissar divisions for permits to use canal roads and the number of permits allowed to officers and other persons during the year 1931, 1932 and 1933.

YEAR.	ROHTAK.				HISSAR.			
	Private persons.		Officials.		Private persons.		Officials.	
	Number of applications received.	Number of permits allowed.	Number of applications received.	Number of permits allowed.	Number of applications received.	Number of permits allowed.	Number of applications received.	Number of permits allowed.
1931 ..	7	5	16	15	13	13	48	48
1932 ..	4	4	14	14	21	21	60	50
1933 ..	3	2	9	9	11	11	16	16

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Statement showing number of permanent and annual passes issued during the years 1931, 1932 and 1933.

YEARS.	PERMANENT PASSES.		ANNUAL PASSES.				REMARKS.
	<i>Rohtak and Hissar combined.</i>		<i>Rohtak.</i>		<i>Hissar.</i>		
	Officers by designation.	Public.	Officers.	Public.	Officers.	Public.	
1931 ..	22	..	5	4	4	2	
1932 ..	8	..	5	4	3	..	
1933 ..	1	..	4	6	2	..	

GAUR BRAHMAN IN CIVIL SERVICE.

734. Lala Jyoti Prasad : Will the Chief Secretary please state—

(a) whether any Gaur Brahman of the Hissar district has ever been taken in Government service as tahsildar or naib-tahsildar or extra assistant commissioner ;

(b) if the answer to (a) be in the negative, the reasons for the same ?

Mr. C. C. Garbett : (a) The labour and cost involved in verifying a reply would not be commensurate with the results obtained. There are four Gaur Brahmans in service as extra assistant commissioners, the number of Gaur Brahmans appointed as tahsildars and naib-tahsildars is not readily available.

(b) Does not arise. The honourable member is, however, reminded that recruitment to Government service is not by districts and sections of tribes.

GAUR BRAHMAN IN JUDICIAL SERVICE.

735. Lala Jyoti Prasad : Will the Honourable Finance Member please state whether any Gaur Brahman has been taken into provincial judicial service from the Ambala division in the last decade or more ?

Mr. C. C. Garbett (Chief Secretary) : The expression "last decade or more" is so vague that it is difficult to give accurate information. It is, however, stated for the information of the honourable member that no Gaur Brahman from the Ambala division has been taken into the P. C. S. (Judicial Branch) in the last 10 years although two Gaur Brahmans from

outside the Ambala division have been taken. One Gaur Brahman of Karnal was accepted as a Munsiff in 1919 and is now an extra assistant commissioner.

POLICE DEPARTMENT.

736. Lala Jyoti Prasad : Will the Honourable Finance Member kindly state the proportion of Hindus and Muslims in Police (Executive, C. I. D. and C. I. A.) in subordinate ranks ?

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

Statement.

Ranks.	Total number of appointments on the 1st January 1934.	Hindus.	Muham-madans.	PROPORTION.	
				Hindus.	Muham-madans.
Inspectors	59	23	36	39·0	61·0
Sub-inspectors	605	185	420	30·6	69·4
Assistant sub-inspectors	305	72	233	23·6	76·4
Head constables	2,813	697	2,116	24·78	75·22
Constables	16,531	3,201	13,330	19·4	80·6
Total	20,313	4,178	16,135	20·6	79·4

BHIWANI-ROHTAK RAILWAY.

737. Lala Jyoti Prasad : Will the Honourable Revenue Member kindly state whether the Punjab Government is in a position to state as to when the construction work of Bhiwani-Rohtak section of North-Western Railway is likely to begin ?

The Honourable Mr. Miles Irving : Government has been advised by the Agent, North-Western Railway, that, owing to financial stringency, the construction of the Bhiwani-Rohtak line has been indefinitely postponed.

PRESENTATION OF THE BUDGET.

The Honourable Sir Henry Craik (Finance Member) : I believe that honourable members generally will prefer that my statement to-day should be brief and businesslike, that I should avoid any meticulous examination of particular heads of our receipts and expenditure, such examination being relegated to the Explanatory Memorandum available for the

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use of members, and that in addressing the House I should confine myself to an attempt to give in broad outline a general picture of our financial position for the current year and what I anticipate will be our financial position in the year 1934-35.

I will deal first with the financial results of the year now drawing to a close, and I will begin with the Revenue Account of that year. When I presented the budget for this year in February, 1933, I emphasized the fact that for the previous year, i.e., for 1932-33, our ordinary revenue would, for the first time for five years, more than cover our ordinary expenditure. I was then, of course, speaking on the figures available at the moment, but unfortunately the final accounts, which are only available some months after the close of the financial year, falsified my expectations, and the actual expenditure of 991 lakhs was just 4 lakhs in excess of our revenue receipts. This was a disappointing result, but it was better than any of the previous four years, during which the smallest deficit balance in any one year was 57 lakhs. For the current year, i.e., for the year ending on the 31st of next month, I am glad to say that I can show a more favourable picture. We budgetted for receipts of 1054 lakhs and expenditure of 1025 lakhs, leaving a surplus of 29 lakhs. So far as I can see at the moment, with some five weeks of the year still to run, the actual surplus should be 23 lakhs. The revenue will be 1041 lakhs or 13 below the budget estimate, while expenditure will be 1018 lakhs or 7 below the budget estimate. We have thus the satisfaction of knowing that for the current year at any rate we have been able to live within our income, and should be in a position to make a substantial reduction in the revenue deficit which has accumulated since the reforms were instituted in 1921.

2. My expectations of a balance on the right side in 1932-33 were falsified mainly by a net drop in irrigation receipts of 22 lakhs, due principally to failure to collect the water rates on certain canals before the end of the financial year. In the current year no such short-fall is expected. Our prospects were distinctly bright up till the month of September last, when excessive and continuous rainfall, such as had never been experienced within the life-time of any one now living, caused severe flooding and serious damage in three districts of the Ambala division. This calamity necessitated special remissions of land revenue and water rates aggregating nearly 21½ lakhs, and at the same time we had to incur heavy unforeseen expenditure under the heads "Public Health," "Agriculture" and "Civil Works." These causes combined to reduce our balance on the right side, which up till then seemed to be likely to be about 60 lakhs, to the figure I have already given, namely, 23 lakhs. Apart from this calamity, the year now drawing to a close has been on the whole a considerably more favourable one than its predecessor. The price of wheat fortunately recovered somewhat during the months of May, June and July when the new crop was coming on the market, and the outturn was distinctly above the average. The other most important crop, cotton, eventually turned out to be much better than was expected, and in most districts the yield was exceptionally good, while the total area under the crop was, according to the latest estimate, 15 per cent. above the decennial average. The price of cotton was unfortunately low, though there has been a slight recovery within the last month. Apart

from the calamitous rainfall of last autumn in the south-eastern Punjab the year was free from serious disaster, and our total revenue receipts are expected to be 1041 lakhs or only 13 lakhs less than was estimated when the budget was framed. Paragraph 9 of the Memorandum gives the details of the differences under the various receipt heads.

3. As regards the expenditure side of the Revenue Account for the current year, the budget which I presented a year ago anticipated a total expenditure of 1025 lakhs, and I now expect that the actual expenditure will be 7 lakhs below this figure. The main saving has been under the head of "Reduction or Avoidance of Debt," and a detailed explanation is given in paragraph 10 of the Memorandum. Other substantial savings have been under the heads "General Administration (Reserved)," "Jails" and "Stationery and Printing." It is, I think, a matter for satisfaction that in spite of considerable expenditure which could not be foreseen, arising out of the disastrous floods of September and October, we have been able by careful economy to restrict our total expenditure on the Revenue Account well within the budget estimate.

4. Turning now to the Capital Account of the current year, the first point of interest is that Extraordinary Receipts exceeded expectations by just over 7 lakhs. There was a good demand for town sites, and, considering the low return from agriculture, the comparatively small amount of agricultural land put on the market sold better than was expected. We now expect to realise nearly 38 lakhs from Extraordinary Receipts as against our budget estimate of 31. In paragraph 3 of the Memorandum it has been explained that with effect from next year it has been decided to treat one considerable item under the head "Extraordinary Receipts," viz., the rents for temporary cultivation, as a purely revenue receipt. This is a change which, I think, requires no justification, as the income from this source is not created by any permanent alienation of a capital asset and logically rent received from land has just as good a claim to be counted as income as rent received for houses.

The total capital expenditure of the current year is now expected to be 114 lakhs, or 1 lakh more than the original budget estimate, the greater part of which will be expenditure by the Irrigation and Hydro-Electric Branches of the Public Works Department. The manner in which this expenditure will be met is explained in paragraph 4 of the Memorandum, and I need not repeat it here. But it may interest honourable members if I give some account of the present financial position of the two projects which, during the last ten years, have absorbed the greater part of our capital expenditure. By the end of the present financial year it is expected that the capital expenditure on the Hydro-Electric Scheme will amount to about 5½ crores. For the budget year 1934-35 a sum of about 84½ lakhs is being provided, of which about Rs. 55 lakhs represents final payments to contractors for work on the main scheme. The bulk of these payments were expected to be made in the current financial year, but this has proved impracticable. Rupees 23 lakhs is provided in the budget for expenditure in various local distribution systems. It has been decided to close the construction estimate on the 31st March, 1934, and already, as will be seen from a perusal of the Schedule of New Expenditure, extensions not covered by the project estimate are being referred to Council for their

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approval. On the technical side the first year of operation has been remarkably successful,—a fact which is particularly gratifying in view of the trying monsoon conditions of last year in the Kangra Valley. Interruptions in supply have been negligible. The revenue estimated to be earned next year is Rs. 12 lakhs. Bulk supply to the Amritsar Municipal Committee from the scheme commenced in April, 1933, and subsequently from time to time local distribution has been started in the majority of the towns provided for in the project. In the near future it is hoped to give bulk supply to the North-Western Railway at Mughalpura and to start local distribution in Ludhiana. In the Schedule of New Expenditure the Council is being invited to approve schemes for the electrification of Qadian and Phillaur.

As regards the Sutlej Valley Project, the construction estimate was closed on the 31st March, 1933. The provincial expenditure up to that date on the project amounted to Rs. 934 lakhs. On the completion of works in progress on that date and for other capital works immediately necessary a sum of Rs. 5½ lakhs is being spent in 1933-34 and a further 2½ lakhs approximately is being budgetted for 1934-35. In addition to these sums it is expected that for the full development of the project a sum of 21 lakhs will have to be spent at some future date on works which are not immediately necessary. These figures indicate a total capital expenditure of 962½ lakhs on the project against the estimated figure of 987 lakhs. The figure of 962½ lakhs will, however, be reduced as certain recoveries on capital account are effected. Expenditure of about 60 lakhs has been incurred on water-courses, and this will, it is hoped, be recovered in due course through the acreage rate. Some small recoveries from the sale of surplus tools and plant may also be expected. If these hopes mature, the net capital expenditure on the Punjab Government's share of the project will be about 902 lakhs. The revenue expected from the project in the year 1934-35 is 40½ lakhs direct and 16½ lakhs indirect. The area irrigated in the *rabi* continues to expand steadily, if slowly. The area irrigated in *kharif* 1933 showed a marked improvement on the previous year largely owing to good river supplies. During the current year the State Canals of the Third Bahawalpur Circle, formerly administered by the Punjab Government, were transferred to the Darbar's control and the Circle was closed down. The result to Punjab revenues has been the saving of a division at Panjnad, which has been now amalgamated with that at Mailsi.

5. I will digress for a few moments to give some account of our very successful flotation in the summer of 1933 of the new 4 per cent. Punjab Bonds. This loan was necessitated by the fact that the 6½ per cent. Punjab Bonds representing a loan raised in 1923 reached maturity on the 16th of October 1933. The outstanding amount of this loan at that time was just about 186 lakhs, and the primary object of last summer's issue was to give holders an opportunity of converting their investments into 4 per cent. bonds which will reach maturity in the year 1948. Of the total amount of 186 lakhs outstanding the holders of slightly over 144 lakhs accepted the conversion, leaving about 41½ lakhs to be discharged in cash at their face value. The annual saving resulting from this conversion operation will be approximately 2 lakhs in a full year.

Apart from the conversion operation, we invited cash subscriptions to a 4 per cent. loan redeemable in 1948. The amount of this loan was stated in the prospectus to be 150 lakhs, and this amount was heavily oversubscribed within a few hours of the loan opening. The total amount applied for was nearly 6 crores and the amount eventually allotted was Rs. 1,78,65,800 face value. Allowing for discount, the cash subscriptions received totalled 171½ lakhs. Of this large sum we have, with the permission of the Government of India, utilized 132 lakhs for the redemption of outstanding loans due to the Government of India which bore a considerably higher rate of interest than 4 per cent., and on this transaction it is calculated that we will save 5½ lakhs annually in interest and capital repayments. The remaining proceeds of the cash section of the loan were used to pay off in cash those holders of the 6½ per cent. bonds who declined the conversion offer.

The total annual saving on this loan transaction will thus be approximately 7½ lakhs per annum. Thus, regarded as a purely financial transaction, the Council will, I am sure, agree that its results were eminently satisfactory. The success of the loan also reflects the high degree of confidence with which investors regard the financial future of this Province, and is, if I may say so, an indirect tribute to the reputation of this Council for common-sense and sobriety of judgment.

6. There will be a further saving in interest owing to the decision of the Government of India to pass on to Local Governments the benefit of their recent conversion operations by a reduction, with effect from the 1st of October, 1933, of the rates of interest charged on loans taken from the Central Government by provinces in certain years. The effect of this change in the case of the Punjab will be, in the current year, a reduction of the amount of principal due on these particular loans by Rs. 1,64,000, and in future years a saving of interest of about 3 lakhs. This saving, coupled with that resulting from our recent loan transaction, will mean that the sum which we have to set aside every year for the reduction of debt and interest will in future be reduced by about 10½ lakhs. This is a permanent and welcome improvement in our general financial position.

7. I will now deal with the budget for 1934-35, and here my first observation must be that, although there are some indications that the worst of the period of economic depression has been passed, and though at the moment there are some slight signs of an upward trend in prices, there is certainly no ground for any complacent optimism as regards the future. It is true that in the year now drawing to a close we shall have managed, unless some totally unforeseen calamity occurs, to have lived within our income, but this is the first year since 1929-30, when the slump began, in which we have succeeded in doing so. Our success may not be repeated. The margin on the right side is still very small, and though it is something that there is a margin at all, it certainly does not justify us in launching out into any large schemes of expenditure. On the contrary, it is still as necessary as it ever has been to insist on rigid economy and to discourage sternly any tendency towards extravagance. We must not lose sight of the fact that the gap between our normal revenue and our normal expenditure is so narrow that, as I observed in presenting the last year's budget, it can be closed by a single dust-storm. We must also bear in mind that

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another fall in the prices of our staple commodities to the disastrously low level of 1930-31 may mean an entire recasting of our estimates and may necessitate measures of economy even more drastic than anything we have hitherto attempted or contemplated. Our guiding principles must, therefore, continue to be the rigid avoidance of any increase in recurring expenditure, at any rate until we can count with certainty on an improvement in our revenue, and, secondly, caution in framing our estimates of income.

8. As regards the income side of our budget, it is of course a truism to say that this depends almost entirely on the prices of our staple products, wheat and cotton. Some interesting observations on this subject will be found in paragraph 13 of the Memorandum. The point which I wish to emphasize is that it is useless in framing a budget to attempt to predict the future course of prices. No prudent business concern would, I suppose, at the present moment in trying to forecast its financial position for the coming year, take as the basis of its estimate any appreciable rise in prices in the near future. On the other hand, it would be practically impossible to frame any budget for the Punjab, where the gap between income and expenditure is always, as I have pointed out, a very narrow one, on the assumption that the coming year will see another big fall in prices, for such a contingency would, as I have hinted, make all our calculations a mere waste of time. We must, therefore, follow our regular practice and assume that the coming year will be a normal one in regard to outturn and that prices will remain somewhere about their present level. I should be the last to deny that in this method there is a wide margin for error. Nevertheless, I am convinced that it is the only method on which calculations, which must of necessity look so far ahead, can be framed.

Proceeding on these premises, we have assumed that our total income on the Revenue Account will be 1066 lakhs or 25 lakhs higher than the revised figures for the year now drawing to a close. Land revenue gross has been taken at 466 lakhs, and this figure may be criticised as unduly optimistic, but it must be remembered that it has on several occasions been exceeded in a good year, and it was very nearly reached even in the year 1930-31, since which date there have been large extensions in the area under irrigation. The next biggest head of the budget is "Irrigation," and in this we have tried to make some allowance for the effect which possible fluctuations in prices may have on the area of crops sown. Our estimate of 434½ lakhs for direct receipts is nearly 20 lakhs below the revised estimate of the current year's receipts. After adding indirect receipts, i.e., land revenue credited to XIII—Irrigation, and deducting working expenses, net irrigation receipts are estimated at 435 lakhs or 3 lakhs lower than the revised estimate for the current year. The estimates under the other principal heads "Excise" and "Stamps" have been cautiously framed. Excise has in recent years been disappointing as a source of revenue. The experiment of lowering the still-head duty has not produced the results hoped for, and we must accept the position that our receipts under this head will probably remain at the present low level till there is an all-round improvement in prices. For further details I would refer honourable members to paragraph 14 of the Memorandum.

9. Our net revenue expenditure in 1984-85 is expected to be 1015 lakhs or 3½ lakhs below the corresponding figure for the current year. Even so we have been able to provide for an increase in the allotment to the beneficent departments of more than 5 lakhs, a large part of which goes to that extremely expensive department "Education—Transferred." That department substantially reduced its expenditure by measures of retrenchment in 1981, but I am afraid the effect of that retrenchment is now beginning to disappear, mainly owing to the progressive effect of the incremental system of salaries for its vast establishment. Apart from certain small savings distributed over a number of heads, the main saving in expenditure, and I am glad to say that it is a substantial saving, will be under the head "Reduction or Avoidance of Debt," which I have already explained.

10. I must here announce the decision of Government to continue for another year the temporary cut of 5 per cent. in the pay of Government servants in receipt of salaries exceeding Rs. 40 per mensem. It is within the knowledge of the House that a short time ago the Government of India announced that the Secretary of State had sanctioned the continuance of this cut up till the end of March 1985 in the case of the All-India services and that the Government of India themselves had decided to continue it in the case of the central services under their own control. Local Governments have, of course, a free hand to continue or abate the cut for their own provincial and subordinate services, but after careful consideration it has been decided that the financial position of the province is not at present strong enough to justify the restoration of the cut to the services under our control. The cost of such restoration would be for all services, i.e., for the All-India services as well as provincial and subordinate services, about 16 lakhs in one year. One-fourth of this sum, or 4 lakhs, represents the saving effected by the cut on All-India services, in regard to which the local Government is of course bound by the decision of the Secretary of State. To restore the cut to services under the control of the local Government would mean an addition to our expenditure of 12 lakhs of rupees, and in view of the uncertainty as to the future, and in view too of the decision of the Government of India, which I understand has been followed by most local Governments, we have reluctantly come to the conclusion that the cut must remain in force for yet another year. I should have been glad to see it restored, at any rate in the case of the lower paid servants of Government, and I regret that it is not possible to do so, but I wish here to draw attention to the fact emphasized in the recent announcement of the Government of India, that the restoration of the cut will be the first obligation on Government when the finances of the country justify this step. The saving of 16 lakhs that will be the result of the cut in 1984-85 cannot therefore be regarded as anything but a temporary saving for a single year only.

11. While on this subject I may remind the House that for the last three years, to be precise, with effect from the 15th of January 1981, all new entrants into services under the local Government's control are drawing salaries 15 per cent. lower than the salaries ordinarily attached to their appointments. This deduction is, of course, made in addition to the 5 per cent. emergency cut. The 15 per cent. deduction applies not only to all new entrants into Government service, but also in all cases of promotion

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outside an official's own line. If an official is promoted from a subordinate to a provincial service or receives any promotion other than that which he is entitled to expect in the normal course, he now draws 15 per cent. less than the ordinary starting pay of the post to which he is promoted. Moreover, with a view to the possible necessity of making even more drastic retrenchments in future, all first appointments to Government service and all promotions outside the normal line have been made in an officiating capacity. The immediate saving resulting from this arrangement is extremely difficult to calculate, but it can be said with certainty that it will of necessity be a progressive saving increasing in amount year by year. The permanent readjustment of the scale of salaries for new entrants to Government service is now under the consideration of Government, but the question is one of great complexity, and I cannot hold out any expectation that a decision will be reached in the near future. The present arrangement is flexible and easy to adjust to the necessities of the position, and there is something to be said for deferring a final decision till the general economic position is less obscure than it is at present.

12. As regards capital expenditure in the year 1934-35, I need only say a few words. The total expenditure is expected to amount to 132 lakhs, of which 84½ lakhs will, as I have already observed, be required by the Hydro-Electric Branch, the greater part of this sum representing final payments to contractors for work already completed on the main scheme. The requirements of the Irrigation Branch are 28½ lakhs, of which more than half represents the provision for the reconditioning of the Khanki Weir at the Headworks of the Lower Chenab Canal. As honourable members are probably aware, very extensive repairs are required to this weir, and these must obviously be carried out with the greatest possible expedition. We cannot afford to run the risk of the collapse of this headwork of the largest and most important of our canal systems. The provision for the commutation of pensions is 9½ lakhs and that for Civil Works the modest sum of 8 lakhs only.

13. Sir, this is the fourth budget which I have had the privilege of presenting to the Punjab Legislative Council and may possibly be the last. I do not think anyone, even its severest critic, can accuse the Finance Department of having had an easy time during these four years. In the first year of the four our revenue receipts fell below 10 crores for the first time for ten years, and we had a deficit on the year's working of 68 lakhs. This was the year in which we felt in full the pinch of the fall in prices. In the second year of the series, 1932-33, our revenue, though slightly better, was still well below 10 crores, but by then drastic measures of retrenchment had been taken and we were able to keep our expenditure almost, but not quite, within our income. To use a racing metaphor, we were beaten by a short head, the short head being in this case about 4 lakhs only. In the third year, that is, the year now drawing to a close, things have been better. Our income has risen to nearly 10½ crores, and by the continuance of careful economy we have won the race by a margin of 23 lakhs. In the coming year we hope that there will be a still further improvement in our income, that economy will produce still further, though slight, reduction in our expenditure, and that the margin of safety will be somewhat larger than

in the present year. On the results of the whole series of four years, so far as these can at present be visualised, we are, I think, entitled to look with a modest degree of satisfaction. We have been confronted with a period of economic depression unparalleled for more than a century. We have not so far imposed a penny of additional taxation: in fact we have had to make enormous remissions of taxation, but so far, at any rate, we have succeeded in winning through on the right side. Many countries and indeed several provinces in India are now practically bankrupt, but our head is still above water, and we are now certainly in a stronger position than we were two years ago.

14. I have alluded to enormous remissions of taxation. Since *kharrif* 1930 special remissions of land revenue and *abiana*, apart from the remissions granted under the ordinary rules, have aggregated more than 278 lakhs, and, in addition to these, 30 lakhs of *tagavi* loans have been written off. Remissions given in the canal colonies on *malikana*, that is, rent for Crown lands, and on leases for temporary cultivation have amounted to over 82 lakhs. Thus the total amount directly remitted comes to 340 lakhs apart from the suspension of claims on account of *nazrana* and acreage rate, the latter being the rate charged for the construction of internal water-courses, amounting to nearly 23 lakhs. In addition, very large concessions have been made to persons who bought land in the canal colonies at auction sales. The total amount of contractual obligations remitted in this way is calculated to be more than 2½ crores of rupees.

The grand total of the amount of Government dues thus foregone within a period of four years comes to the enormous figure of about 613 lakhs of rupees, a figure which is, I venture to think, a sufficient reply to those critics who attack our land revenue administration as inelastic and as making no allowance for bad times.

15. In the management of the finances of the province during the last few years Government has been guided by two principles. The first of these is the necessity of showing its practical sympathy with the cultivator in his present distress by means of remissions of taxation up to the ultimate possible limit. The second principle which we have steadfastly kept in mind is our obligation to conserve our resources so that we shall be able, a year or two hence, to hand over the province to our successors, when the promised reforms are introduced, in a sound financial condition. To secure this end we have been constrained for the last three years to draw our belts tight and to deny ourselves many things which in more prosperous times we should have regarded as indispensable. This policy of rigid self-denial must, I fear, be continued for some time to come, for it is all important that the reformed constitution should have a fair start, unhampered by financial embarrassments.

16. If our financial management during the last few years has attained any measure of success, the credit for this is due principally to Mr. Puckle, on whom has fallen the greater share of the burden of these arduous years. To him more than to any other individual is to be attributed the success with which our measures of retrenchment have been carried through. Mr. Puckle has now laid down the office of Finance Secretary, which he has held with such conspicuous success, and I deeply regret his departure. In

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his successor, Mr. Ogilvie, I am confident that the province will have an equally devoted and vigilant guardian of its interests. I also desire to record my deep obligation to Mr. Staig, the Joint Secretary in the Finance Department. Mr. Staig is unquestionably the willing horse on whom all sorts of burdens are thrust. He receives them all with cheerful imperturbability, and discharges all his duties—and I am almost ashamed to think how numerous these are—with unremitting industry and conscientiousness. I must not omit to record my gratitude to Mr. Grindal, whose great knowledge and experience are an invaluable asset to the Finance Department, and to the clerical staff for their loyal and efficient co-operation.

Sir, I present to the House the Budget for 1934-35.

The Council then adjourned till 2 p. m. on Tuesday, 27th February 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 27th February 1934.

The Council met at the Council Chamber at 2 p. m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

MUSLIM CANDIDATES FOR DIRECT APPOINTMENT AS EXTRA ASSISTANT COMMISSIONERS.

***2820. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) how many Muslims of the Ambala division were accepted as candidates for direct appointment as extra assistant commissioners on Register A during the last twenty years ;
- (b) the figures corresponding to (a) in the other divisions of the Punjab ;
- (c) if the number of Muslims in (a) is almost none or negligible, the reasons for it ?

Mr. C. C. Garbett (Chief Secretary) : Candidates for direct appointment as extra assistant commissioners are not entered on Register A, which is intended for tahsildars and naib-tahsildars and for ministerial servants of Government, i.e., for candidates for appointment by promotion. No part of the honourable member's question, therefore, arises.

Chaudhri Allah Dad Khan : Though I have mentioned Register A, I have also fully explained that I want information about candidates for direct appointment.

Mr. C. C. Garbett : Register "A" does not contain names of candidates for direct appointment, it only contains those of candidates selected by promotion. The question is clear. It only asks information about candidates from Register A.

Chaudhri Allah Dad Khan : It does not matter what register is mentioned, the question also clearly says that information is required about candidates for direct appointment.

Mr. C. C. Garbett : I paid the honourable member the compliment of assuming that he intended the question that he set down, and I have answered it.

HEAD VERNACULAR CLERKS.

***2821. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether he is aware that out of the seven head vernacular clerks of the offices of the Commissioner and Deputy Commissioner of the Ambala division, there are only two Muslims and the rest are all Hindus ;
- (b) whether he is aware that out of the two Muslim officials in (a) one is retiring and has been ordered to be replaced by a Hindu ;
- (c) if the answer to (a) is in the affirmative, the reasons for it ;
- (d) if the answer to (b) is in the affirmative, the reasons for it ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) A list of candidates is maintained, and a suitable candidate is selected to fill a vacancy when it arises.

(d) The replacement of the retiring Mussalman official by a Hindu official happens to take place in the ordinary course of selections.

SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, SIMLA.

***2822. Shrimati Lekhwati Jain :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that in Simla there is a society known as "Simla Society for the Prevention of Cruelty to Animals."
- (b) if so, since when it has been working and how many animals have been detained by this Society and sent to Government Veterinary Hospital in each year since its establishment ;
- (c) whether these animals were treated free of any charge or charged for in any form by the hospital authorities ;
- (d) if they were charged for by the hospital authorities what has been the average charge per animal during the last two years ;
- (e) whether it is a fact that many of the owners of these detained animals could not pay the hospital dues, and for their non-payment these animals were auctioned or otherwise disposed of ; if so, how many such cases there are ;
- (f) whether it is a fact that the *Arti* Association made a protest against the action of the above Society to the Deputy Commissioner, Simla, Chief Secretary to Government, Punjab, and Secretary, Simla Municipal Committee ;
- (g) whether any public meeting was held in Simla protesting against the behaviour of the Society, and whether any resolutions were passed therein, copies of which were sent to the Deputy Commissioner, Simla, and the Chief Secretary to the Punjab Government ; if so, whether the Honourable Minister will be pleased to lay a copy of these resolutions on the table of the House ;
- (h) what action the Government or Deputy Commissioner has taken in the matter ?

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

(b) Since April 1931. The Society have no record showing which animals were actually detained by officers of the Society, and which were voluntarily brought to the veterinary hospital by their owners or other persons, e.g., as strays. The total number of admissions to the veterinary hospital with which the Society has been directly or indirectly concerned have been as follows :—

23rd September 1931 to 31st March 1932	..	221
1st April 1932 to 31st March 1933	..	348
1st April 1933 to 27th January 1934	..	309

These figures include 818 mules, horses and ponies, 45 bullocks, cows and calves ; 2 camels, 5 dogs, 2 monkeys, 2 goats, 2 cats, 1 bear and 1 donkey. These figures show the good work that is being done by the Society.

(c) Treatment is ordinarily free, but the usual hospital dues prescribed by the Municipal Committee with the approval of Government are levied, the hospital being an official one.

(d) Rs. 8.

(e) In a few cases owners have been unable to pay hospital dues, and in those cases the dues have usually been paid by the Society ; they have been so paid in a dozen cases. The above are of course distinct from cases in which a magistrate has ordered under the Act for the Prevention of Cruelty to Animals that the owner shall pay the dues. In three cases, involving 5 animals, the animals have been auctioned to recover hospital dues after the issue by a magistrate of a notice to the owners under section 6, clause 5, Act XI of 1890.

(f) Yes, a protest was received by the Deputy Commissioner of Simla.

(g) I attach herewith a copy of a letter, dated the 11th October 1933, from the *Arti Association*, Simla, which contains the resolutions that are presumably referred to.

(h) The Deputy Commissioner, after consideration, decided that no action on his part was necessary since the animals in respect of which complaint was made appeared to have been detained by a magisterial order. Government has taken no action in the matter, and it has no reason to suppose that the Society is not doing excellent work in the prevention and alleviation of the suffering of animals—work, which I am sure, has the approval of the honourable member.

Copy of a letter, dated the 11th October 1933, from the Honorary Secretary, The Mules Sub-Committee, Artis Association, Simla, to the Deputy Commissioner, Simla.

I HAVE the honour to forward you the copy of the resolution passed unanimously in a public meeting held on the 8th October, 1933, under the auspices of the Mule Sub-Committee (Artis Association), Simla.

Resolution.

" That the traders of Simla and its Hill States strongly protest to the Punjab Government against the present method of treatment by the Society for the Prevention of Cruelty to Animals, Simla, in dealing with the wounded mules and their owners, and requests that the same may be changed as suggested below in order that the trade may not suffer, and at the same time no

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cruslty be done to animals :—

(1) That two members of the Mule Sub-Committee should be appointed for the purpose of inspecting mules in collaboration with the person deputed by S. P. C. A., and only those mules which are considered unfit for work by these three members should be detained. Where a difference of opinion arises between the members then the animal should be sent for medical examination and the doctor's opinion should be final.

(2) In case it is decided that the animal should be medically treated and the owner of the animal happens to be a poor man and unable to bear the hospital expenses of the treatment of the animal, then the Mule Sub-Committee should go into the question, and if they decide that the owner is really poor then the owner may either be permitted to get his animal treated at his own house or be allowed to have it treated in the veterinary hospital *free of any charge.*"

Copies to—

The Chief Secretary to the Punjab Government, Lahore.

The Chairman, Municipal Committee, Simla.

The Secretary, S. P. C. A., Simla.

SATTA SHOPS IN AMBALA CANTONMENT.

***2823. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that there are several *satta* shops in Ambala Cantonment ;

(b) whether he is aware that the people of Ambala are sorely distressed owing to the existence of these shops ;

(c) whether the Government in the circumstances proposes to take some effective action to put a stop to these activities ?

The Honourable Sir Henry Craik : (a) There are no regular shops, but there are some places where, it is believed, *satta* is carried on secretly.

(b) No.

(c) I do not see what effective action is possible.

Mr. Owen Roberts : Will Government kindly consider the advisability of acquiring some degree of control through taxation ?

The Honourable Sir Henry Craik : If the honourable member has any definite suggestion to put up, Government will gladly consider it.

TANGRI FLOOD IN AMBALA CANTONMENT.

***2824. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state—

(1) whether the Government is aware that during the last rainy season, the water of the Tangri twice entered Ambala Cantonment area and did considerable damage to house property ;

(2) whether it is within the knowledge of the Government that the flood water entered almost the whole of the Sadar Bazar and remained in streets and on roads up to a depth of 3 to 4 feet for more than 24 hours ;

(8) whether it is a fact that the whole of Mochi Mandi has been wiped off by the flood and the estimates of loss on account of houses fallen or otherwise damaged has been estimated by the Cantonment Authorities, Ambala, to be over 3½ lakhs ;

- (4) whether it is a fact that the Cantonment Authorities, Ambala, have made an urgent request to Government for the construction of a " Bund " or for similar other measures that may protect the Sadar Bazar from further flood ravages.
- (5) what action the Government has taken in this matter ; if no action has been taken so far, what action Government proposes to take in the matter ?

The Honourable Mr. Miles Irving : (1) to (4) Yes.

(5) The question of constructing protective or river training works is under consideration.

PROMOTION OF TEACHERS IN EDUCATION DEPARTMENT.

***2825. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the procedure adopted for promotion of teachers to the next higher grade in the Education Department in the Punjab ;
- (b) how many men communitywise of the Ambala division were promoted to the next higher grade during the year 1933 ;
- (c) the number of men in each case superseded by those who got promotion ;
- (d) whether all these, whom they superseded were unfit for promotion ; if so, in what respects ;
- (e) whether the Government is prepared to give the right of appeal to those whose rights were thus ignored ?

The Honourable Malik Sir Firoz Khan Noon : (a) The procedure for promotion of teachers is described in Chapter II, paragraphs 5 and 6 of the Report on the Progress of Education in the Punjab for the year 1924-25 to which the honourable member's attention is invited. However, these principles so far as the Classical and Vernacular Section is concerned have now been revised by Government as under :—

- (i) Promotion from Rs. 35—3—50 to Rs. 55—3—70 grade—40 per cent. on the basis of improved academic or professional qualifications and record, and 60 per cent. by merit and seniority ;
- (ii) promotion from Rs. 55—3—70 to Rs. 80—4—100 grade — 25 per cent. on the basis of improved academic or professional qualifications and 75 per cent. by merit and seniority ;
- (iii) promotion to Rs. 110—5—135 and Rs. 140—10—190 grades by merit and seniority.

A similar revision concerning promotions in the Subordinate Educational Service, Anglo-Vernacular Section is under consideration.

(b) Hindus	2
Muhammadans	4
Sikhs
Christians	1

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(c) 1.	7
2.	8
3.	167
4.	172
5.	14
6.	14
7.	70

(d) In regulating promotions many factors are taken into consideration. It is not in the public interest to state reasons for any particular promotion or supersession.

(e) Those superseded have always the right of appeal under the Punishment and Appeal Rules.

CONCESSIONS IN TUITION FEES.

***2826. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- the procedure followed by the headmasters of Government schools regarding the grant of concessions in tuition fees ;
- the date on which the concessions are awarded ;
- the date on which the concessions are advertised ;
- the date on which the unclaimed concessions are awarded ;
- the number of schools where the concessions, kept vacant on account of want of a claimant of a particular community, were never awarded to other communities during the year 1933, and why such concessions were not awarded ;
- what action the Government proposes to take in future in this respect ?

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

HEADMASTERS IN GOVERNMENT HIGH SCHOOLS IN AMBALA DIVISION.

***2827. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- when Mr. Wilson, I.E.S., took over charge of the Ambala division as Inspector of Schools ;
- the number of headmasters communitywise working in the Government high schools, Ambala division, when he took charge of the Ambala division and on 31st December 1933 ;
- the number of teachers working in subordinate capacity who are senior to those working as headmasters in the division and the reasons why the former are not being given the chance of headmastership ;
- who is responsible for decreasing the number of Hindu headmasters in a predominantly Hindu division ?

The Honourable Malik Sir Firoz Khan Noon : (a) 10th October, 1928.

(b) The requisite information is given below :—

ON 10TH OCTOBER 1928.				ON 31ST DECEMBER 1933.			
Hindu.	Muslim.	Sikh.	Christian.	Hindu.	Muslim.	Sikh.	Christian.
11	3	3	..	9	9	..	..

(c) The number of teachers working in a subordinate capacity who are senior to those working as headmasters of Government high schools in the Ambala division is fourteen. It may, however, be added here that many factors (and not seniority alone) are taken into consideration when selecting officials for appointment as headmasters, and that it is not in the public interest to disclose the reasons why a particular official or officials have not been appointed as headmasters.

(d) The number of Hindu headmasters in the Ambala division has not seriously decreased during Mr. Wilson's inspectorship, and, therefore, the question of responsibility does not arise. However, the honourable member should know that the appointments of headmasters in Government schools are made by the Director of Public Instruction in the case of members of the Subordinate Educational Service and by the Honourable Minister on the recommendation of the Director of Public Instruction in the case of members of the Provincial Educational Service. It will further interest the honourable member to know that out of 48 high schools, Government Board and Aided in the Ambala division, 28 have Hindu headmasters, 14 Muslim headmasters, 5 Sikh headmasters and 1 Christian headmaster. The corresponding figures for the province are—total number of high schools—295.

High schools with Hindu headmasters	..	..	125
High schools with Muslim headmasters	..	..	103
High schools with Sikh headmasters	..	..	55
High schools with other headmasters	..	..	12

The honourable member will thus see that the educational interests of the Hindu community both in the Ambala division and in the province are well protected.

CONSPIRACY PRISONER DR. BOSE.

***2828. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- whether a long-time Bengali conspiracy prisoner Dr. B. C. Bose, M.B., B.S., is serving his sentence in Rawalpindi Jail ;
- whether it is a fact that the said prisoner has been ill-treated by the Jailor ;

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(c) whether he made complaints to the Inspector-General of Prisons and the Government ;

(d) whether any enquiry has been made as to his complaints.

The Honourable Sir Henry Craik : (a) No. He was transferred from this province in March 1933.

(b) No.

(c) He made some allegations to this effect, but could not substantiate them.

(d) No. The allegations were entirely vague.

THEFT OF ELECTRICAL ENERGY IN LYALLPUR.

***2829. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

(a) whether the attention of the Government has been drawn to the statements made in the *Siyasat*, dated the 23rd December 1933, regarding several thefts of electrical energy supplied by the Electricity Branch in Lyallpur, resulting in a loss of several thousands of rupees to Government, and the name of the Executive Engineer in charge of the supply ;

(b) whether any enquiry was instituted in the matter, and if so, what was the report received and what action, if any, was taken against the officials found guilty of conniving at these thefts ;

(c) the names and other particulars of the guilty officials and the nature of punishments awarded to each ;

(d) whether the case was entrusted to the police for investigation ; if not, why not ;

(e) when the department first received intimation of the committal of thefts of electrical energy in Lyallpur and through what source ;

(f) whether any report of these thefts was made by the Executive Engineer, Lyallpur division ; if so, how soon after the first occurrence of the theft ;

(g) what steps Government proposes to take to safeguard against recurrence of such thefts of electrical energy in Lyallpur and in other places where energy is to be supplied by Government ?

The Honourable Dr. Gokul Chand Narang : (a), (b), (c), (e), (f) and (g) Government has seen the statements in the *Siyasat* of the 23rd December 1933. In June 1933, the Chief Engineer, Electricity, after perusal of the monthly statistical return of units generated and sold in the Lyallpur Electrification Scheme ordered the Executive Engineer, Mr. Gadkari, to make certain investigations. These have been completed, and Government awaits the final report of the Chief Engineer. Until this has been received and considered, Government is unable to come to findings as to the extent of the loss, if any, and the necessity for disciplinary action against any Government servant or for devising new safeguards for the future.

(d) No ; so far as Government is aware, the matter, at least in its present stage, is one for investigation by the departmental technical officers.

LOSS OF SEALING PLIERS.

***2830. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that a certain number of sealing pliers, used for sealing meters were found missing from the Lyallpur division; and, if so, what action, if any, was taken to investigate their loss, and what are the names and other particulars of the officials in whose charge the sealing pliers were;
- (b) whether any action has been taken against the officials responsible for the safe custody of these sealing pliers and whether the cost of missing pliers has been or will be recovered from them;
- (c) whether the missing pliers are of a uniform type adopted throughout the department, and, if so, what action has been taken to safeguard against the risk of their illegal use in sealing and unsealing meters, again at Lyallpur or other towns supplied with electricity by Government?

The Honourable Dr. Gokul Chand Narang : (a) Yes; the Divisional Executive Engineer has been asked to investigate the loss. The officer responsible for the safe custody of the sealing pliers was the Local Manager, Lyallpur sub-division (Mr. H. S. Bedi).

(b) The matter is under investigation.

(c) No; the type of pliers has been changed at Lyallpur. In all local distribution towns the new type pliers make it possible to detect their illegal use.

ABOLITION OF THE POST OF ADMINISTRATION OFFICER, ELECTRICITY
BRANCH.

***2831. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) the reasons for abolishing the post of Administration Officer which was held by Mr. H. J. Pearson, from the permanent cadre of the Electricity Branch and the creation of a new post of Secretary to the Chief Engineer instead;
- (b) the date from which the post of Administration Officer was abolished and the date from which the Secretary was appointed;
- (c) whether the change referred to in (a) above was made in order to effect economy in expenditure; and, if so, what is the actual saving that has accrued from this arrangement?

The Honourable Dr. Gokul Chand Narang : (a) The post of Administration Officer was abolished and the post of Secretary to Chief Engineer was created in the interests of economy.

(b) The post of Administration Officer was abolished on the 30th June 1933 and the Secretary to Chief Engineer was appointed on the 1st July 1933.

(c) Yes; a saving of Rs. 540 per mensem has accrued by this arrangement.

ADMINISTRATION OFFICER, ELECTRICITY BRANCH.

***2832. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (i) whether it is a fact that Mr. Pearson, Administration Officer, Electricity Branch, was also retained for special duties ; if so, what were the duties entrusted to him ;
- (ii) whether the newly appointed Secretary to the Chief Engineer was originally entrusted with all the work which was his proper charge, but after a short period of his joining the department, a major portion of that work was again transferred to Mr. Pearson, who has also been retained in the department as an officer on special duty ;
- (iii) if the reply to (ii) above be in the affirmative, how long after the appointment of the present Secretary the transfer of a major portion of his work to Mr. Pearson took place and what were the reasons for doing so and how was that work divided between these two officers :
- (iv) whether it is a fact that Mr. Pearson was doing single-handed, up to 30th June 1933, all the work which was originally handed over to the Secretary on 1st July 1933 ?

The Honourable Dr. Gokul Chand Narang : (i) The services of Mr. Pearson have been temporarily retained in connection with the preparation of the completion report of the project and other special duties arising from the closing down of construction (*e.g.*, final payments under large contracts).

(ii), (iii) and (iv) The Secretary to the Chief Engineer was entrusted with all the work which used to be done by the Administration Officer and the Personal Assistant in Chief Engineer's office till the 28th February 1933, by the above named two officers and the Secretary designate to the Chief Engineer till the 31st March 1933 and by the Administration Officer and the Secretary designate till the 30th June 1933, but it was found convenient that budget and accounts work (which constitutes only a small portion of the Secretary's work) should be done by Mr. Pearson so long as his services remained available as the work was too much for any one officer to do alone, and the Chief Engineer had made a strong representation in May 1933 that the work was too much for the Administration Officer and the Secretary designate to cope with. This arrangement was given effect to about two months after the appointment of the Secretary.

ASSISTANT COMMERCIAL OFFICER.

***2833. Chaudhri Afzal Haq :** (i) Will the Honourable Minister for Local Self-Government please—

- (a) lay on the table a copy of the advertisement in which the Chief Engineer, Punjab, Public Works Department, Electricity Branch, invited applications for the post of Assistant Commercial Officer ;
- (b) state whether any of the candidates who submitted their applications in response thereto was considered suitable ?

(ii) If reply to (b) above be in the negative, will the Honourable Minister please say how the appointment in question was then filled?

The Honourable Dr. Gokul Chand Narang : (i) (a) A copy of the advertisement is laid on the table.

(b) No.

(ii) By the promotion on a probationary basis of an officer already serving in the Electricity Branch, who was strongly recommended by the Chief Engineer.

Copy of the advertisement.

Punjab, Public Works Department, Electricity Branch.

Applications are invited for the post of Assistant Commercial Officer in the grade of Rs. 520—40—1,000 (*plus* S. O. P. admissible in the case of persons of non-Asiatic domicile according to age).

Applicants must either be graduates in Electrical Engineering from a recognised University of Electrical Engineers and have at least 5 years' practical experience in Electrical Engineering exclusive of college training. The successful candidate will be required to canvass for the sale of electric power : to negotiate agreements for the supply of power and to assist generally with the management of the Department on the commercial and administrative side.

Further information as to conditions of service and duties may be had from the undersigned.

Applications must reach the undersigned by—————.

H. P. THOMAS,

*Chief Engineer, Punjab, Public Works Department,
Electricity Branch.*

ASSISTANT COMMERCIAL OFFICER.

***2834. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

(a) the respective qualification and experience possessed by Mr. Idnani and those asked for in the advertisement, for the post of Assistant Commercial Officer required for the Electricity Branch ;

(b) whether it is a fact that even in the department there are better qualified and senior officers than Mr. Idnani, who are in receipt of more pay, but have not been selected for the appointment ?

The Honourable Dr. Gokul Chand Narang : (a) Mr. Idnani is a B.Sc. (Bombay), B.Sc.Tech. (Manchester) and has more than six years' experience in the Hydro-Electric (now Electricity) Branch as Overseer, Apprentice Engineer, Assistant Electrical Engineer and Local Manager, grade I. The qualifications asked for in the advertisement were a degree in Electrical Engineering from a recognised University and at least 5 years' practical experience in Electrical Engineering exclusive of college training.

(b) There are in the Electricity Branch Local Managers senior to and drawing higher pay than Mr. Idnani. The latter was selected for the post of Assistant Commercial Officer after very careful examination of the comparative merits of the various officers available.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2835. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the post of Secretary to Chief Engineer in the Electricity Branch was advertised, before the appointment of Lala Ram Rattan to it, an officiating Superintendent in the Civil Secretariat ;
- (b) if the reply to (a) above be in the negative, reasons for not advertising the post ;
- (c) whether it is a fact that the post was not filled by the promotion of any of the existing officials of the Electricity Branch, if so, why ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) The attention of the honourable member is invited to the answer given to Council question No. 639¹ asked by Chaudhri Allah Dad Khan.

(c) The post was not filled by the promotion of an official already serving in the Electricity Branch, because the appointment actually made was considered more suitable in the interests of the public service.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2836. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that an officer of the Electricity Branch applied for the post of Secretary to the Chief Engineer, but his application was returned by the Ministry with the remark that applications for the post of Secretary had not been invited ;
- (b) if the reply to (a) above be in the affirmative, reasons for not entertaining the application in question ;
- (c) whether it is a fact that both the Superintendents in the Chief Engineer's office also applied for the post in question, and, if so, why their claims were not considered ?

The Honourable Dr. Gokul Chand Narang : (a) It is a fact that an officer of the Electricity Branch applied for the post of Secretary to the Chief Engineer, but his application was returned to him by the Secretary without taking the Minister's orders on the ground that no applications had been invited.

(b) No applications were invited, but the claims and suitability of all officials employed in the Hydro-Electric Department during the construction period were considered for employment for the operation of the scheme.

(c) Yes. Applications were received from these Government servants after the appointment had been made. In this connection attention is invited to the reply to portion (b) above of this question, and to the reply to (c) in the honourable member's starred question No. 2835.

¹ Vol. XXIII, page 685.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2837. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (i) whether it is a fact that before his appointment as Secretary to the Chief Engineer, Lala Ram Rattan was an apprentice under Mr. Pearson, Administration Officer, for 4 months at Government expense ;
- (ii) if the reply to (i) above be in the affirmative, why a person possessing the necessary experience of the work of the department for this post was not selected ;
- (iii) if Lala Ram Rattan served a period of probation in this Branch, whether a report regarding his suitability for Secretary's post was obtained from the Chief Engineer on completion of his training period ?

The Honourable Dr. Gokul Chand Narang : (i) No, Lala Ram Rattan was not an apprentice under Mr. Pearson. For four months prior to joining his appointment he worked unofficially with Mr. Pearson with a view to familiarising himself with the details of the work. During this period he was on leave, drawing leave salary and not pay. The arrangement was not therefore at Government expense.

(ii) Does not arise.

(iii) No probationary period was prescribed.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2838. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (i) if Lala Ram Rattan, Secretary to the Chief Engineer, is in receipt of a personal pay of Rs. 50 in addition to his grade pay ;
- (ii) if the reply to (i) above be in the affirmative—
 - (a) the conditions under which personal pay is allowed to Government servants ;
 - (b) whether these conditions existed in the case of Lala Ram Rattan ;
 - (c) if not, the justification for granting personal pay to this officer, especially when most of the work for which he was originally recruited, had to be taken over by Mr. Pearson, officer on special duty ?

The Honourable Dr. Gokul Chand Narang : (i) Lala Ram Rattan is in receipt of Rs. 50 per mensem in addition to his grade pay. This is special pay and not personal pay.

(ii) (a) The considerations in respect of which special pay may be granted are stated in Fundamental Rule 9 (25).

(b) Government considers that special pay is justified by the work and responsibility involved in the duties of the post.

(c) Does not arise, but it is incorrect that most of his work was taken over by Mr. Pearson.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2839. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (i) whether it is a fact that Lala Ram Rattan, Secretary to the Chief Engineer, Electricity Branch, functions only as an Establishment Officer ; if so, whether in making appointments of staff, orders of Government regarding the maintenance of communal balance in services have been observed, since his appointment in the Electricity Branch ;
- (ii) whether his attention has been drawn to the grievances of non-Hindus ventilated through several English and Urdu newspapers of the province, and, if so, what steps have been taken to redress those grievances ;
- (iii) whether it is a fact that since the appointment of Lala Ram Rattan in the Electricity Branch, a large number of Hindus have been recruited in preference to non-Hindus ?

The Honourable Dr. Gokul Chand Narang : (i) Lala Ram Rattan does not function only as an Establishment Officer. He has no powers to make appointments of staff. The policy of Government regarding the maintenance of communal balance in services as explained by the Honourable Finance Member in his statement made in the Punjab Legislative Council on the 19th July 1927 is being adhered to.

(ii) Yes. Government does not consider that the alleged grievances are well-grounded, and no steps have been taken in regard to them.

(iii) No.

MR. M. A. G. CHAUDHRI, SHIFT ENGINEER.

***2840. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (i) whether out of the three existing shift engineers at Jogindarnagar power station, there is one Muslim Shift Engineer, namely, M. A. G. Chaudhri ;
- (ii) whether it is a fact that Mr. M. A. G. Chaudhri, Shift Engineer, has put in over a year's service, during which period no written report against him has ever been made to Government ;
- (iii) whether it is a fact that Mr. Chaudhri has now been served with a notice of discharge, if so, the charges against him ?

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

(ii) Government received a report on Mr. Chaudhri's work within his first year of service.

(iii) Yes. He has been given three months' notice of discharge in accordance with his terms of service. No formal charges were framed against him. If the honourable member presses for further information on this point, Government is prepared to supply it.

MR. M. A. G. CHAUDHRI, SHIFT ENGINEER.

***2841. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (i) whether it is contemplated to replace Mr. Chaudhri (Shift Engineer, Electricity Branch) by one Mr. Sawhney ;
- (ii) whether it is a fact that at present Mr. Sawhney is holding a temporary appointment as a subordinate ?

The Honourable Dr. Gokul Chand Narang : (i) No proposal has so far been received from the Chief Engineer, Electricity Branch, for the filling of the vacancy in question.

(ii) Mr. Sawhney is performing the duties of a Shift Engineer, but is at present employed on the work charged establishment.

SECRETARY TO CHIEF ENGINEER, ELECTRICITY BRANCH.

***2842. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please —

- (i) lay before the House a list of the under-mentioned employees of the Electricity Branch, as it stood on 1st July 1933, when Lala Ram Rattan, the newly appointed Secretary to Chief Engineer, took over charge of the establishment work from Mr. Pearson, late Administration Officer, and on 31st December 1933, that is, after a period of 6 months during which Lala Ram Rattan was responsible for the recruitment of the staff :—

(a) *Gazetted.*

1. Local Managers—Grades I & II.
2. Shift Engineers.
3. Telephone Engineer.
4. Test Engineer.
5. Assistant Commercial Officer.

(b) *Non-Gazetted.*

1. Line Superintendents.
 2. Sub-station Operators.
 3. Sub-station attendants.
 4. Linesmen.
 5. Meter Inspectors.
 6. Other S. & M. Subordinates.
 7. Divisional Head Clerks.
 8. Clerks, cashiers, etc.
 9. Meter Readers.
 10. Unpaid apprentice clerks.
- (ii) state whether any of the above-mentioned posts were ever advertised in any Muslim newspaper, and, if so, with what result ?

The Honourable Dr. Gokul Chand Narang : (i) (a) A statement showing the numbers of the gazetted posts referred to held on 1st July 1933 and 1st December 1933 by members of the various communities is laid on the table.

(b) In regard to non-gazetted posts, the information readily available relates only to the posts numbered 1, 2, 5, 7, 8, on 1st December 1933 and a statement regarding them is laid on the table. The reference in item No. 6 is not understood. In regard to item 10, no statistics are maintained.

The responsibility for appointments to gazetted posts rests with Government, to the non-gazetted posts numbered 1, 2, 5, 7 and 8 with the Chief Engineer, to the non-gazetted posts Nos. 3, 4 and 9 with Executive Engineers and to unpaid apprentice clerkships No. 10 with the head of the office concerned. In no case, therefore, is the Secretary to the Chief Engineer responsible. In view of the facts given, the honourable member will perhaps not press for further details.

(ii) Yes. The result cannot be ascertained as applications frequently contain no reference to the newspaper in which the vacancy is advertised.

Statement showing gazetted appointments.

Nature of appointment.	TOTAL NO. OF POSTS.		EUROPEANS AND ANGLO-INDIANS.		INDIANS.								REMARKS.
	As on 1st July 1933.	As on 1st December 1933.	As on 1st July 1933.	As on 1st December 1933.	Muslims.		Hindus.		Sikhs.		Others.		
					As on 1st July 1933.	As on 1st December 1933.	As on 1st July 1933.	As on 1st December 1933.	As on 1st July 1933.	As on 1st December 1933.	As on 1st July 1933.	As on 1st December 1933.	
Local Manager ..	23	26	..	1	7	7	11	11	4	6	1	1	Mr. T. N. Idnani has been selected for this post.
Shift Engineer ..	3	3	..	..	1	1	..	..	2	2	..	..
Telephone Engineer ..	1	1	..	..	..	..	..	..	..	..	..	..
Test Engineer ..	1	1	..	..	..	..	..	..	..	..	..	..
Assistant Commercial Officer.	

Statement of non-gazetted establishment as it stood on 1st December 1933.

Nature of appointment.	Total posts.	Europeans.	INDIANS.				REMARKS.
			Muham- madans.	Hindus.	Sikhs.	Others.	
Line Superintendents	42	1	10	21	9	1	In the higher paid clerical appointments there are more than 50 per cent. of Muhammadans.
Meter Inspectors	3	..	2	1	..	..
Divisional Head Clerks	5	..	3	2	..	..
Substation Operators	9	..	2	6	1	..	
Clerks and Cashiers	97	1	43	44	6	3	

PERSONS PROSECUTED UNDER SECTION 109, CRIMINAL PROCEDURE CODE.

***2843. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state the number of persons prosecuted under section 109, Criminal Procedure Code, in October, November and December 1933, in Campbellpur and Rawalpindi districts.

The Honourable Sir Henry Craik :

		October 1933.	November 1933.	December 1933.
Attock district	..	1	2	3
Rawalpindi district	..	17	18	18

GIRLS' MEDICAL COLLEGE.

***2844. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is any Girls' Medical College in the province ;
- (b) whether it is a fact that Government gives grant-in-aid to Miss Brown's College, Ludhiana ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, there is one, a private institution, at Ludhiana.

(b) A grant-in-aid is given to the Punjab Medical School for Women, Ludhiana, with which is incorporated the Women's Christian Medical College, to which a hospital is attached. These institutions are owned by the Women's Christian Medical College Society.

COMPLAINT IN " WEEKLY MAIL."

***2845. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state —

- (a) whether his attention has been invited to the " Weekly Mail," dated the 23rd October 1933, page 8, column 3 ;
- (b) whether the Government enquired into the complaint ?

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

(b) Specific instances quoted in some vernacular papers almost similar to those referred to in the " Weekly Mail (Lahore)" of the 23rd October, 1933, were enquired into by the divisional inspector of schools who found them false, and his opinion was shared by the Deputy Commissioner of the district. It is also added for the information of the honourable member that during the period that Sodhi Jagat Singh held the post of district inspector of schools at Sialkot the percentage of Muslim headmasters in the district rose from 52.2 to 55.6.

NOMINATIONS TO LAHORE MUNICIPAL COMMITTEE.

***2846. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state —

- (a) the names and number of persons that have been nominated for the membership of Lahore Municipal Committee ;
- (b) their academic qualifications and their services to the several communities ?

The Honourable Dr. Gokul Chand Narang : (a) The Honourable member has not specified the period to which his question relates, but the following thirteen ladies and gentlemen were nominated to the Lahore Municipal Committee in 1981 :—

- (1) Dr. Mrs. Shave, Medical Practitioner, M.L.C.
- (2) Begum Shah Nawaz, Delegate, Round Table Conference.
- (3) Mrs. Pandit Nanak Chand, B.A.
- (4) Lala Sundar Das, Bar.-at-Law.
- (5) Rai Bahadur Lala Durga Das, Advocate.
- (6) Mr. Alfred Gilbert of the Mufid-i-Am Press.
- (7) Khan Sahib Maulvi Feroze-ud-Din, Proprietor, "Eastern Times."
- (8) Agha Ghulam Hassan Khan, Retired Extra Assistant Commissioner.
- (9) Hakim Nawazish Ali, Special Juror of the High Court, Juror and Assessor of the Sessions Court.
- (10) Shaikh Fayyaz-ud-Din, Rais.
- (11) Mr. Teasdale of the Northern India Chamber of Commerce, since resigned and replaced by Captain O'Sullivan.
- (12) Lala Moti Ram, Merchant, since resigned and replaced by Rai Sahib Lala Sohan Lal.
- (13) Dr. Daulat Ram, Medical Practitioner.

(b) No standard of academic qualifications for nomination to municipal committees is laid down, and these were therefore not ascertained at the time of making nominations. The persons nominated, however, were considered to be fully qualified to do their duty as Municipal Commissioners and to represent various interests on the Committee and all of them are well-educated people. If the honourable member still wants further information about any particular member nominated to the Lahore Municipal Committee in 1981 I shall be glad to supply it.

Chaudhri Afzal Haq : What about their services to the community ?

The Honourable Dr. Gokul Chand Narang : *Dr. Mrs. Shave :* She was a member of the Lahore Municipal Committee before she was re-appointed. She has taken a keen interest in public health, maternity, and child welfare.

Begum Shah Nawaz : Her services are well-known. She has been three times to the Round Table Conference and has taken very keen interest in the uplift of her sex. She has started, as my honourable colleague tells me, a public health centre in Baghbanpura itself. She is also a member of the Red Cross Executive Committee. Her services are too many to be mentioned here.

Mrs. Nanak Chand : She is one of the early lady graduates of the Punjab University and has taken a keen interest in social and educational matters, particularly in the education of women.

Lala Sundar Das : He has been an elected member of the Lahore Municipal Committee for 19 years. He has also been the President of the Local Hindu Sabha.

[The Hon. Dr. Gokul Chand Narain.]

Rai Bahadur Lala Durga Das : He is a fellow and syndic of the Punjab University and has taken very great interest in education both inside and outside the University.

Mr. Gilbert : He has been an European elected member and also is a member of the European Association Executive Committee.

Khan Sahib Maulvi Firoz-ud-Din : He is a proprietor of the Feroze Printing Works and the "Eastern Times." The honourable member would admit that both by his paper and by his other publications he has rendered very useful service to the Muslim community.

Khan Sahib Ghulam Hussan Khan : He is a retired Extra Assistant Commissioner and an accredited representative of the Shia community of Lahore. He along with Hakim Nawazish Ali was nominated as a representative of the Shia community, as a deputation of the Shia community waited upon the Minister and complained that up to that time they had had no representative of their community on the Lahore Municipal Committee.

Shaikh Fayyaz-ud-Din : He is the president of a number of Muslim associations and is also a member of many Muslim associations. First he was educated at a European School and then he was educated under an European tutor at home. His father, Khan Bahadur Shaikh Muhammad Naqi, was a member of the Lahore Municipal Committee for several years, and his services to the Muslim community and as an Honorary Magistrate have been valuable.

Mr. Teasdale : He is no longer a member of the Lahore Municipal Committee. He was a member of the Northern India Chamber of Commerce and his services to the trade and industry of the province are well-known.

Lala Moti Ram : Not possessing very high academic qualifications. He was president of Punjab Merchants Associations and belongs to a family which has made large contributions to charitable institutions.

Dr. Daulat Ram : He is a well-known medical practitioner of Lahore and has rendered very useful services to the poor people of Lahore for many years.

JAIL VISITORS.

***2847. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state the names and the number of all the visitors of jails, giving their academical qualifications, if any, and the basic principle that underlies such nomination, that is to say, how they were considered efficient to become jail visitors ?

The Honourable Sir Henry Craik : A statement giving the names of non-official visitors of jails is laid on the table. The statement does not include their academical qualifications as this is a matter which is not taken into consideration in appointing them. They are chosen on the ground of the interest which they take or are likely to take in prison matters or other social work.

Statements.

Name of Jail.	Name of non-official visitor.	REMARKS.
All Jails in the Punjab ..	<ol style="list-style-type: none"> 1. Khan Bahadur Mian Mushtaq Ahmad Gurmani, M.L.C. 2. Mr. Muhammad Din, Malak M.L.C. 3. Sardar Mohinder Singh, M.L.C. 4. Chaudhri Ram Sarup, M.L.C. .. 5. Chaudhri Riayat Ali, M.L.C. .. 6. Lala Labh Chand Mehra, M.L.C. 	Members of the Standing Committee of the Punjab Legislative Council on Jails.
Central Jail, Lahore ..	<ol style="list-style-type: none"> 1. Lala Amar Nath Chopra. 2. Khan Sahib Mian Amir-ud-Din. 3. Mr. Owen Roberts, M.L.C. 4. Rai Bahadur Lala Sewak Ram. 5. Chaudhri Abdul Karim. 6. Mr. B. R. Kalia. 	
Central Jail, Montgomery ..	<ol style="list-style-type: none"> 1. Mr. Raj Indro Lal Sahni. 2. S. Datar Singh, Rais. 3. Khan Sahib Mian Chiragh-ud-Din. 4. Risaldar S. Krishen Singh. 5. Honorary Captain Sardar Bahadur Attar Khan. 6. Baba Jaswant Singh, Bedi. 	
Old Central Jail, Multan ..	<ol style="list-style-type: none"> 1. Rai Bahadur Diwan Khilanda Ram. 2. Khan Bahadur Rab Nawaz Khan, I.O.M. 3. Thakar Bhana Ram. 4. Raizada Tirath Ram. 5. Khwaja Atta Muhammad Khan. 6. Hakim Ghulam Mustafa. 	
Borstal Institution, Lahore ..	..	(As for Central Jail, Lahore.)
New Central Jail, Multan ..	..	(As for Old Central Jail, Multan.)
District Jail, Multan ..	..	(As for Old Central Jail, Multan.)
District Jail, Rawalpindi ..	<ol style="list-style-type: none"> 1. Sardar Bahadur Sardar Sohan Singh. 2. Rai Sahib Lala Jai Chand. 3. Khan Sahib Subedar Muhammad Azim Khan. 	
District Jail, Ambala ..	<ol style="list-style-type: none"> 1. Chaudhri Bharat Singh. 2. M. Muhammad Yusuf. 3. Rai Bahadur Lala Ganga Ram. 4. Khan Sahib S. Shabbir Hussain. 5. Mir Hamid Ali. 6. Mrs. Paritam Singh. 	
District Jail, Sialkot ..	<ol style="list-style-type: none"> 1. Sardar Sahib Sardar Randhir Singh. 2. Rai Bahadur Diwan Gian Chand Puri. 3. Sardar Sahib Sardar Sohan Singh, Subedar-Major. 4. Khan Bahadur Shaikh Inayat Ullah Khan. 	

[The Hon. Sir Henry Craik.]

Statement—contd.

Name of Jail.	Name of non-official visitor.	REMARKS.
District Jail, Ferozepore ..	<ol style="list-style-type: none"> 1. Khan Sahib Khwaja Gul Muhammad. 2. Lala Goverdhan Das. 3. Rai Bahadur Pandit Daulat Ram, Kalra. 4. Lieutenant Sodhi Harnam Singh. 	
District Jail, Gujranwala ..	<ol style="list-style-type: none"> 1. Sardar Sahib Sardar Rajwant Singh. 2. Dewan Brij Lal. 3. Lala Bhagwan Das. 4. W. H. Morriam, American Mission. 	
Female Jail, Lahore ..	<ol style="list-style-type: none"> 1. Mrs. E. Inglis. 2. Mrs. B. Bhola Nath. 3. Miss K. B. Feroze-ud-Din. 	
District Jail, Lyallpur ..	<ol style="list-style-type: none"> 1. Lala Chaman Lal. 2. S. Ude Singh Dhillon. 3. Rai Mahne Khan. 	
District Jail, Jullundur ..	<ol style="list-style-type: none"> 1. Rai Sahib Lala Tara Chand, Sood. 2. Khan Sahib Risaldar-Major Muhammad Ali Khan. 3. Sardar Gurbachan Singh. 	
District Jail, Jhelum ..	<ol style="list-style-type: none"> 1. Khan Bahadur Raja Muhammad Akram Khan. 2. Chaudhri Feroze Din. 3. Rai Sahib Lala Krishen Lal. 	
District Jail, Gurdaspur ..	<ol style="list-style-type: none"> 1. Khan Sahib B. Sheikh Muhammad. 2. Lala Mukand Lal. 3. Sardar Sahib Sardar Jawahar Singh. 	
Camp Jail, Shahpur ..	NK.	
District Jail, Campbellpur ..	<ol style="list-style-type: none"> 1. Khan Sahib Hasham Khan. 2. Sardar Sahib Thakur Bhagwan Das. 3. Lala Tulsi Shah. 4. Malik Khaki Jan. 5. Thakur Harbans Singh. 	
District Jail, Jhang ..	<ol style="list-style-type: none"> 1. Rai Bahadur Lala Girdhari Lal. 2. Mian Noor Muhammad. 3. Shaikh Elahi Bakhsb. 4. Rai Sahib Lala Bhola Nath. 	
District Jail, Rohtak ..	<ol style="list-style-type: none"> 1. Rai Bahadur Lala Ram Seran Das. 2. Chaudhri Shafi Ali Khan. 3. Rao Sahib Chaudhri Nawaj Singh. 	

Statement—contd.

Name of Jail.	Name of non-official visitor.	REMARKS.
District Jail, Dera Ghazi Khan	<ol style="list-style-type: none"> 1. Rai Sahib Chaudhri Jaimani Dass. 2. Shaikh Faiz Muhammad, M.B.E. 3. Khan Atta Muhammad Khan. 4. Lala Parma Nand Bhutani. 	
District Jail, Ludhiana	<ol style="list-style-type: none"> 1. S. Sant Dass Seth. 2. S. Mohindar Singh. 3. Mr. Sarb Kishan. 4. Major S. Hoshier Singh, M.B.E. 5. M. Roshan Din. 	
District Jail, Mianwali	<ol style="list-style-type: none"> 1. Mian Muhammad Akbar Miana. 2. Khan Bahadur Captain Malik Muzaffar Khan. 3. Khan Bahadur Nawab Muhammad Abdur Karim Khan. 4. Khan Bahadur Khan Sultan Khan. 5. Lala Ishar Das Sapra. 6. Khan Shahwali Khan. 	
Sub-Jail, Kasur	<ol style="list-style-type: none"> 1. Khan Bahadur S. Muhammad Shah Bez Khan. 2. Sardar Bahadur Captain Lakha Singh, O.B.E. 3. Lala Dev Raj Jaini. 4. Miss E. Watson. 	
Sub-Jail, Amritsar	<ol style="list-style-type: none"> 1. Lala Parkash Chand. 2. M. Hafiz Ullah. 3. S. Atma Singh. 	
Sub-Jail, Gujrat	<ol style="list-style-type: none"> 1. Khan Bahadur Nawab Fazl Ali. 2. Rai Bahadur Lala Kidar Nath. 3. Captain Jawala Singh. 	
Sub-Jail, Hoshiarpur	<ol style="list-style-type: none"> 1. Khan Sahib Chaudhri Zahur Din Nizami. 2. Pandit Narain Chand. 3. S. Manohar Singh. 	
Sub-Jail, Sargodha	<ol style="list-style-type: none"> 1. S. Partap Singh. 2. Shaikh Ata Ullah. 3. S. Mahbub Shah. 	
Sub-Jail, Karnal	<ol style="list-style-type: none"> 1. Sahibzada Zulfiqar Ali Khan. 2. Muhammad Atta Ullah Khan. 3. Lala Durga Parshad Jaiswal. 	
Sub-Jail, Dharmasala	<ol style="list-style-type: none"> 1. Honorary Lieutenant Chaudhri Kirpa Ram. 2. Honorary Lieutenant Rana Sher Singh. 3. Lala Hanwant Dass. 	

[The Hon. Sir Henry Craik.]

Statement—concl'd.

Name of Jail.	Name of non-official visitor.	REMARKS.
Sub-Jail, Mozaffargarh ..	1. Rai Sahib Lala Pyare Lal. 2. Malik Qadir Bakhsh. 3. Shaikh Allah Bakhsh. 4. Khwaja Nasir Ali Khan. 5. M. Fazal Karim. 6. Khwaja Abdul Hamid Khan.	
Sub-Jail, Rajanpur ..	1. Rai Bahadur Lala Dhara Lal. 2. Lala Hukam Chandra. 3. Qazi Qasim Ali. 4. Syed Nizam Shah.	
Sub-Jail, Gurgaon ..	1. Rai Sahib Dr. Jughal Kishore. 2. Khan Bahadur Chaudhri Nawab Khan. 3. Subedar-Major Muhammad Umar. 4. Lieutenant Jia Ram, Bahadur, O.B.I.	
Sub-Jail, Sheikhupura ..	1. Khan Sahib Mian Khan Dauran Khan. 2. Lieutenant S. Nannihal Singh. 3. S. Raghbir Singh.	
Camp Jail, Attock ..	1. Khan Bahadur Malik Muhammad Amin Khan, O.B.E. 2. Sardar Bahadur Honorary Captain Ajab Khan, O.B.E., O.B.I., I.O.M. 3. Sardar Bahadur Thakur Bhagwan Das.	
District Jail, Hissar ..	1. Lala Banke Rai. 2. Lala Jai Dev. 3. Khan Abdul Ghafoor Khan. 4. Khan Sahib Subedar-Major Abdul Hamid Khan.	

HONORARY MAGISTRATES.

***2848. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state —

(a) the names and the number of honorary magistrates in the province, their educational and legal qualifications ;

(b) the basic principle which underlies such appointments ?

The Honourable Sir Henry Craik : (a) Their names are to be found in the January issue of the Civil List. I regret I am unable to give their educational and legal qualifications, as the labour and time involved in collecting this information would be out of all proportion to the advantage to be obtained from it. Honorary magistrates are, however, required.

before appointment, to be able to read and write English or the vernacular fluently and to have a sufficient knowledge of law and procedure.

(b) The interests and convenience of the public.

BANASPATI GHEE.

***2849. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether Government is aware that banaspati ghee is manufactured both in India and in foreign countries ;
- (b) whether the Government is aware that banaspati ghee manufactured by foreign firms is sold in tins of a different type than those meant for natural ghee while banaspati ghee which is manufactured in India is put in tins which are ordinarily used for natural ghee, with the consequence that people are duped to take the Indian manufactured banaspati ghee for natural ghee ;
- (c) whether it is a fact that upon the tins containing banaspati ghee manufactured by foreign firms the words " banaspati ghee " are engraved ;
- (d) whether it is a fact that Indian manufactured banaspati ghee tins are labelled in a manner that the labels can be removed and banaspati ghee can pass as natural ghee ;
- (e) whether the Government intends to remove the public grievance in this respect ?

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

(b) Banaspati ghee manufactured by foreign as well as Indian firms is sold in tins which are of the same type as those meant for natural ghee. The tins containing banaspati ghee are however slightly bigger than those used for natural ghee, but the difference in size is so small that it can hardly be detected by the public, who are, therefore, likely to be duped into purchasing banaspati ghee in mistake for natural ghee.

(c) The words " Banaspati Ghee " are, except in the case of certain brands, not engraved upon the tins containing banaspati ghee of foreign manufacture.

(d) Yes.

(e) The attention of the honourable member is invited to the Punjab Pure Food Act, 1929, and to the rules framed thereunder, which were published in Punjab Government Notification No. 32454, dated 5th November 1930. Rule 25 of those rules prescribes modes for marking packages containing banaspatine or charbini, which, if strictly enforced by local bodies, can prevent banaspati ghee from being mistaken for natural ghee. With the necessary employment of this Act in the Province, for which Government is constantly receiving applications from local bodies, it is hoped that all such mal-practices will be greatly restricted.

Mr. Owen Roberts : Will the Honourable Minister refer the question of people marking imported ghee as banaspati ghee to the Customs authorities ?

The Honourable Malik Sir Firoz Khan Noon : If the honourable member thinks that that is necessary, Government are willing to consider the suggestion.

Mr. Owen Roberts : I think the law on the subject is already there, and that where tins containing ghee are imported bearing the words "Banaspati Ghee", they would be confiscated as bearing a false description?

The Honourable Malik Sir Firoz Khan Noon : So far as we are aware, we have no information on the subject on which to base a letter to the Government of India. That would be our difficulty.

UNSTARRED QUESTIONS AND ANSWERS.

RECRUITMENT OF SUB-JUDGES.

738. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the results of the competitive examination held for the recruitment of sub-judges are not published like those of other competitive examinations;
- (b) whether this practice is dictated by some expediency; if so, what is the nature of this expediency;
- (c) whether the results of the next competitive examination will be published for the information of the public; if not, why not?

Mr. C. C. Garbett (Chief Secretary) : (a) It is incorrect to describe the examination for the recruitment of sub-judges as a competitive examination. It is mainly a qualifying examination to assist the Honourable Judges in the selection of candidates. The results are not published in the Gazette but each candidate who sits in the examination is supplied with a copy of the results.

(b) Does not arise.

(c) Each candidate who sits in the examination will be supplied with a copy of the results.

DAMAGE BY THE SUTLEJ.

739. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue be pleased to state—

- (a) the area in the Jullundur and Ludhiana districts damaged by the Sutlej during the last rainy season;
- (b) the total number of villages ruined by the said river;
- (c) whether the Government has taken any steps to relieve the people who have been thus completely ruined;
- (d) if the answer to (c) be in the affirmative, what steps have been taken in this connection;
- (e) if the answer to (c) be in the negative, why no steps have so far been taken?

The Honourable Mr. Miles Irving : (a) and (b) Alluvion and diluvion files are still under preparation and so it is not possible to give the information asked for with any accuracy.

(c) and (d) The relief given so far consists in the suspension of the land revenue amounting to Rs. 7,594 in six villages of the Jullundur district besides the grant of Rs. 1,000 from the Red Cross Society at the instance of the Deputy Commissioner for the relief of these villages.

(e) Does not arise.

DAMAGE BY THE SUTLEJ.

740. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue be pleased to state—

(a) the number of representations received by the Government last year from the inhabitants of *Ilaqa Bait* of Jullundur and Ludhiana districts in general and from the inhabitants of tahsil Nawanshahr in particular, with regard to the damage done to their lands by river action ;

(b) whether any action has been taken on them ; if not, why not ?

The Honourable Mr. Miles Irving : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

GRIEVANCES OF ZAMINDARS OF ILAQA BAIT.

741. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue kindly state—

(a) whether he himself and the Financial Commissioners intend to hold a darbar on the borders of Jullundur and Hoshiarpur districts ;

(b) if so, whether an opportunity will be afforded to the zamindars of *Ilaqa Bait* to ventilate their grievances and whether they will go round the *ilaqa* ; if not, why not ?

The Honourable Mr. Miles Irving : (a) No.

(b) Does not arise.

DISTRICT BOARD HIGH SCHOOL, NAKODAR.

742. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that last year a deputation of the inhabitants of tahsil Nakodar, district Jullundur, waited on both the Honourable Education Minister and the Director of Public Instruction, Punjab, and prayed for the provincialisation of the District Board High School, Nakodar ;

(b) if so, whether the Government is prepared to assume the control of the above-mentioned institution ; if not, why not ?

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

(b) The financial position has made provincialisation impossible in the near future or at any predictable date.

URDU FOR SUB-JUDGES EXAMINATION.

743. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that Urdu is a compulsory subject in the competitive examinations for the Indian Civil Service and Punjab Civil Service examinations and whether the incumbents of the posts in these services are required to do all their work in English ;
- (b) whether Urdu has been made an optional subject in the competitive examination held for the recruitment of sub-judges, and whether these officers have to conduct their court proceedings in Urdu ;
- (c) whether the Government intends to make Urdu a compulsory subject for sub-judges' competitive examination in future ; if not, why not ?

Mr. C. C. Garbett (Chief Secretary) : (a) No.

(b) First part—no.

Second part—not necessarily.

(c) No : because no case for adding to the examination has been made out.

RECRUITMENT OF SUB-JUDGES.

744. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Finance be pleased to state—

- (a) whether it has been the practice in the past to make an announcement with regard to the holding of a competitive examination for the recruitment of sub-judges some four or five months before the actual date of the examination ;
- (b) if so, why a comparatively short notice of only two months was given this year ?

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

(b) The state of work in the Civil Courts of the province was reviewed by the Honourable Judges in December 1933. The number of selected candidates on the list would not have been sufficient to meet all the vacancies anticipated to arise by 1936 if the normal period of notice had been given and it had therefore to be reduced. It is hoped that no grave inconvenience resulted.

MANDI HYDRO-ELECTRIC SCHEME.

745. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) when the power generated by the Mandi Hydro-Electric Scheme will be available in the village Rahon, tahsil Nawanshahr, district Jullundur, for agricultural purposes ;
- (b) what price per unit will be charged for the power supplied for agricultural purposes ?

The Honourable Dr. Gokul Chand Narang : (a) The load possibilities of Rahon are being investigated and on receipt of the Chief Engineer's report, the feasibility of proceeding with a project for supply will be examined. Until a project has been sanctioned and funds provided, it is impracticable to quote a date for supply.

- (b) A copy of the tariffs¹ is placed on the table.

PATWAR-KHANAS.

746. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the Government made an announcement some time ago with regard to the construction of a number of *patwar-khanas* every year ;
- (b) the number of *patwar-khanas* so far built in pursuance of this announcement ;
- (c) if the answer to (b) be in the negative, what action the Government propose to take in this matter ?

The Honourable Mr. Miles Irving : (a) Yes.

- (b) 59.

(c) The construction of new *patwar-khanas* has for the present been stopped in view of the financial stringency. It will be resumed as soon as circumstances permit.

AMENDMENT OF THE ANSWER TO QUESTION No. 2802.

The Honourable Sir Henry Craik (Finance Member): I desire, with your permission, to make a statement regarding an answer which I gave on Monday the 26th instant in reply to question No. 2802² asked by Chaudhri Afzal Haq. I gave the answer : " Government is not prepared to give the information asked for." I should have said, Sir ; " Government is not prepared to give the information on the ground of public interest."

¹ Placed in the library.

² Page 250 *ante*.

THE PUNJAB MUNICIPAL EXECUTIVE OFFICER (AMENDMENT) BILL.

Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban):
Sir, I beg to move—

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

Maulvi Mazhar Ali Azhar,
Mr. Owen Roberts,
Sardar Sahib Sardar Ujjal Singh,
Thakur Pancham Chand,
Mr. M. A. Ghani,
Kanwar Mamraj Singh Chohan,
Chaudhri Allah Dad Khan,
Chaudhri Afzal Haq,
Nominee of the Honourable President and
the Mover.

The Honourable Sir Henry Craik: On a point of order. May I point out that the member of Government to whose department the Bill relates must be a member of the select committee?

Mr. President: Yes. Under Standing Order 41 (Article 85) he must be a member whether his name is proposed or not.

Mr. Muhammad Din Malak: Sir, on the last occasion when this Bill was before the House I had moved that the Bill be taken into consideration at once. But as the amendment of Rao Bahadur Chaudhri Chhotu Ram was unanimously agreed to by the House, the Bill was circulated for eliciting public opinion by the 1st of October 1933. There was, however, no meeting of the Council during the autumn of last year and therefore the further stages of the Bill could not be proceeded with earlier. In a way, I am glad that that was so, because during this interval we have had the benefit of seeing the draft rules framed by the Ministry of Local Self-Government under the Punjab Municipal Executive Officer Act. It cannot be denied that the Executive Officer Act is a contentious measure and it is therefore all the more necessary that we as responsible legislators should dispassionately and calmly consider whatever may be said about it. No arctic conditions need necessarily prevail between this and that side of the House. In my humble opinion it is necessary for those who support the Bill no less than those who are opposed to it to bring to bear upon the measure their best judgment. In a measure like this both sides must be presumed to be actuated by the considerations of public welfare alone.

In order that the House may be able to grasp more fully the situation created by the Executive Officer Act I think it expedient to refer, though very briefly, to the historical development of municipal government in this country. It was in the year 1687 that the Honourable Board of Directors sent orders from England enjoining the formation of a municipal corporation for the city of Madras. This corporation which was composed of Europeans and Indians does not seem to have flourished, due most probably to the stormy upheavals which had just then overtaken the country. About the middle of the nineteenth century the corporations of Calcutta, Bombay and Madras were created when the elective principle was given recognition

to for the first time. Between 1842 and 1862 a series of legislative enactments was passed providing for the constitution of municipal councils in other towns. This was followed by Lord Mayo's Resolution of 1870 which gave a fillip to the system of municipal government; but still the municipal councils, for the most part, remained confined to urban areas. It was reserved for Lord Ripon to lay the real foundations of our present day local bodies. In the helter-skelter of current politics one is apt to forget the circumstances under which our local bodies came to exist and the sustained and strenuous opposition which that great statesman had to encounter and overcome. It is remarkable that the mentality of local authorities towards local bodies in the year 1882 was exactly identical with the mentality of local authorities of the present day. If anything, lately a change for the worse is visible due probably to a desire to discredit Indian capacity for self-government, if not also to a desire to indemnify themselves by depriving the Indians of as much of their existing power and prestige in the lower sphere as Whitehall may be induced to concede them in the upper sphere of local self-government. Lord Ripon's resolution has been acclaimed, universally acclaimed, as a document of great importance. All the authorities who have followed him since have cited this Resolution warmly and have adopted it in their reports almost bodily. I wonder how many of us have ever cared to spare even a cursory glance for this highly interesting and equally highly instructive document. I would like to read it to the House. It is not a very lengthy document—

In advocating the extension of local self-government, and the adoption of this principle in the management of many branches of local affairs the Governor-General in Council does not suppose that the work will be in the first instance better done than if it remained in the sole hands of the Government district officers.

Each sentence of this document is most important, because it enunciates the principles on which local self-government must be run in this country.

"It is not, primarily, with a view to improvement in administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education. His Excellency in Council has himself no doubt that in course of time as local knowledge and local interest are brought to bear more freely upon local administration, improved efficiency will in fact follow. But at starting, there will doubtless be many failures, calculated to discourage exaggerated hopes, and even in some cases to cast apparent discredit upon the practice of self-government itself. If, however, the officers of Government only set themselves, as the Governor-General in Council believes they will, to foster sedulously the small beginning of the independent political life, if they accept loyally and as their own the policy of the Government, and if they come to realise that the system really opens to them a fairer field for the exercise of administrative tact and directive energy than the more autocratic system which it supersedes, then it may be hoped that the period of failures will be short and that real and substantial progress will very soon become manifest."

I would like the official benches to pay special attention to this part of the Resolution—

"It is not uncommonly asserted that the people of this country are themselves entirely indifferent to the principles of self-government; that they take but little interest in public matters; and that they prefer to have such affairs managed for them by Government officers. The Governor-General in Council does not attach much value to this theory. It represents no doubt the point of view which commends itself to many active and well intentioned District officers; and the peoples of India are, there can be equally no doubt, remarkably tolerant of existing facts. But as education advances, there is rapidly growing up all over the country an intelligent class of public spirited men whom it is not only

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bad policy, but sheer waste of power, to fail to utilise. The task of administration is yearly becoming more onerous as the country progresses in civilisation and material prosperity. The annual reports of every Government tell of an ever-increasing burden laid upon the shoulders of the local officers. The cry is everywhere for increased establishments. The universal complaint in all departments is that of overwork. Under these circumstances it becomes imperatively necessary to look around for some means of relief; and the Governor-General in Council has no hesitation in stating his conviction that the only reasonable plan open to the Government is to induce the people themselves to undertake, as far as may be, the management of their own affairs; and to develop, or create if need be, a capacity for self-help in respect of all matters that have not, for Imperial reasons, to be retained in the hands of the representatives of Government."

Now, Sir, this resolution may be called the magna charta of local bodies.

The text of the resolution itself shows that almost identical objections are being taken to the transfer of management of local bodies to popular hands. It will be seen that Lord Ripon never expected any improvement from the transfer of the management of the local bodies. He said he proposed it as an instrument of political and popular education; and as the head of the Government of India he recognised—the Nationalist Benches will note this—that good government is no substitute for self-government. But Lord Ripon's earnest, almost pathetic, appeal to the members of the civil service appears to have fallen on deaf ears. Instead of surrendering their authority gradually, they are out for taking back every vestige of power which happens to be possessed by the local bodies. It is nothing short of an irony of fate that after more than 50 years the Punjab Government should take it into their hands to ruthlessly trample upon and cruelly mangle the very alphabets of local self-government. It may be said that Lord Ripon's Resolution is a thing of the past, or that it is too anti-diluvian to be applied to the new world conditions. Let us, then, examine what position has been allotted to local bodies by the joint authors of reforms. In their report, paragraph 188, pages 122-23, they observe :—

"Let us now consider the principles on which our proposals are based. We have surveyed the existing position; we have discussed the conditions of the problem; and the goal to which we wish to move is clear. What course are we to set across the intervening space? It follows from our premises, and it is also recognized in the announcement of August 1920, that the steps are to be gradual and the advance tested at each stage. Consistently with these requirements a substantial step is to be taken at once. If our reasoning is sound this can be done only by giving from the outset some measure of responsibility to representatives chosen by an electorate. There are obviously three levels at which it is possible to give it—in the sphere of local bodies, in the provinces, and in the Government of India. Of certain other levels which have been suggested, intermediate between the first and second of these, we shall speak in due course. Also since no man can serve two masters, in proportion as control by an electorate is admitted at each level, control by superior authority must be simultaneously relaxed. If our plans are to be soundly laid, they must take account of actual conditions. It follows that the process cannot go on at one and the same pace on all levels. The Secretary of State's relaxation of control over the Government of India will be retarded, if for no other reason, by the paramount need for securing Imperial interests; the Government of India have the fundamental duty to discharge of maintaining India's defence; the basic obligation of provincial Governments is to secure law and order. As we go upwards the importance of the retarding factors increases; and it follows that popular growth must be more rapid and extensive in the lower levels than in the higher."

That is to say that if we do not get self-government in the local bodies we have no claim for self-government being granted either to the provinces or at the centre.

Let us state the proposition in another way. The functions of government can be arranged in an ascending scale of urgency, ranging from those which concern the comfort and well-being of the individual to those which secure the existence of the State. The individual understands best the matters which concern him, and of which he has experience; and he is likely to handle best the things which he best understands. Our predecessors perceived this before us, and placed such matters to some extent under popular control. Our aim should be to bring them entirely under such control. This brings us to our first formula:

'There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control.'

Now, Sir, I would like to ask the official benches generally and the Honourable Minister for Local Self-Government and the Secretary, Transferred Departments, in particular, to apply the policy embodied in this basic formula to the provisions of the Executive Officer Act and the various Municipal Amending Acts which have only recently been passed. It will be seen that this formula goes much further than Lord Ripon's Resolution. The joint authors of the reforms very clearly recognised, fully recognised that interference from above, as far as local bodies were concerned, should not be exercised. They deprecated outside interference and they also deprecated in no uncertain terms constant dictation from above. This is the verdict of the authority responsible for introducing diarchical government, a system of Government from which these gentlemen sitting over there derive their very existence, their power, and their prestige. If they honestly believe that the joint authors of the reforms were wrong in laying down this policy for local bodies, if they think they cannot honestly subscribe to this policy, it is for them to seriously consider the propriety or otherwise of their continuing as members of the Government. As part and parcel of the Government, the members of the Government have got either to accept that policy in its entirety or have nothing whatever to do with it. I should not like to use, as far as possible, any strong words, but I cannot express myself sufficiently strongly on this point. However, if Lord Ripon's Resolution was the magna charta of local bodies this formula may be called their petition of rights.

The administrative system of English municipal corporations is sometimes loosely referred to as if it in any way supported the reactionary policy of the Punjab Government in regard to local bodies. There are certain county boroughs and municipal bodies which in respect of a few well stated matters are subject to the supervision of the county councils. But as far as my knowledge goes, there is no intermediate supervisory agency between the English corporations and the various ministries and they are allowed the largest possible liberty in their own spheres. On this point perhaps I cannot do better than quote from the Report of the Simon Commission. In paragraph 838, the Report says:—

"It is useful here to consider the contrast between local self-government in India as it existed before the Reforms, and that of our own country. Systems of local self-government fall into one or other of two well-defined types, which we may call the British and the continental. In the former, government is decentralised. Local bodies with wills of their own exist. They initiate and carry out their own policies, subject only to such powers of direction and control as are retained by the Central Government. They appoint, subject, it may be to regulations as to qualifications, their own staff, and raise in the main their own revenue. They form, in fact, a detached system. They are not a mere subordinate part of the governmental machine. Under the continental system, on the other hand, government is deconcentrated. The principal local official is not the servant of the elected representatives of the locality, but is essentially

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an official of the Central Government, sent down to a particular locality to carry out part of the work of the Central Government. He may or may not be assisted by an advisory council, to which, perhaps, a few powers of deciding policy have been conceded, but the will that operates in the sphere of local administration is that of the Central Government, not that of the people of the locality. Now, prior to the Reforms, local self-government in India belonged essentially to the second, or deconcentrated, type: it resembled the French, rather than the British, system. The District Officer in India, like the French Prefect of a Department, was an officer of the Central Government operating in a particular district. As Chairman of the District Board, and often one or more municipalities, he was carrying out the will of his official superiors. He was just as much the eyes, ears and arms of the provincial Government as when functioning as revenue officer or district magistrate. Local self-government was just one of his many activities. He regarded his staff as available to assist him in all branches of his work. A single will operated in all spheres of activity in the district."

This is the opinion of the Simon Commission. What astounds one is this. Not only they say here that prior to the reforms the system of self-government prevailing in India belonged to the deconcentrated type but they necessarily imply that since the reforms it is the decentralised type that is, the English type, on which the municipal administration of this country is being run. To bring this home more clearly, I will read another short paragraph from the same Report. Paragraph 399 says:—

"Whatever may have been the intentions of the Ripon Reforms, as expressed in the resolution quoted above, it is clear to us that, in fact "

This refers to the executive officer's attitude.—

" The custom of the country, force of habit, apathy, and lack of desire to assume responsibilities among those elected, together with the natural reluctance of an overworked official, desirous of efficiency, to consume much time in getting things done badly which he felt he could himself do well, combined to prevent real and substantial progress being made in political and popular education in the art of self-government. It is obvious to us that, in the vast majority of districts, local self-government continued to be, as in the past, one of the many functions of a District Officer. No real attempt was made to inaugurate a separate system amenable to the will of the local inhabitants. Even in many towns, the municipality continued to confine its activities to approving the decisions of the official Chairman and, where duties were entrusted to the Vice-Chairman, he generally merely followed the instructions of the official. *It is of the highest importance to bear this in mind in any attempt to appraise the effects of the Reforms in this sphere.*"

Sir John Simon must come to the Punjab if he wants to realise the effects of the reforms in this sphere—

"In effect, outside a few municipalities, there was in India nothing that we should recognise as local self-government of the British type before the era of the Reforms."

Now, according to this paragraph of their report the Simon Commission took it for granted that since the introduction of the reforms our municipalities were being run on the decentralised system. They knew little as to what was to happen to, what was to befall, the helpless Punjab no sooner they had turned their backs on India. From Lord Ripon down to the Simon Commission all the authorities are agreed that official interference must be relaxed in the affairs of the local bodies. They are, also, all agreed that the officials have been rather slow in relaxing this interference. What, however, they could not foresee was that about six or seven years after the introduction of the reforms, the Punjab Government would instead of relaxing this interference, immensely increase it. With the disappearance from most of the local bodies of the official chairman the executive officers must need be thrust upon the committees. They are there to carry

out the official will, although they are the servants of the committee who are their paymasters. The executive officer is appointed under circumstances and under conditions which make him as much the eyes, ears and arms of the provincial Government as if he was functioning as a regular official of the Government. With the device of the statutory majority of five-eighths Government have taken care to see that the executive officer can only be appointed by the Government and can only be dismissed by the Government. This impossible majority is again responsible for the state of things under which the committee who are the masters of the executive officer can neither suspend him nor give him any sort of punishment. There is no provision for them to do so. Being *persona grata* with the Government officials, the executive officer may incur expenditure to any extent and offer any affront he likes and the poor committee has got to tamely ratify his doings and meekly swallow the humiliating insults of this servant. For instance, if a councillor happens to have the temerity to criticise the irregularities of the executive officer, he is at once reported against to the district officers, to the local authorities; of the remaining, some fawn on the executive officer as A. D. Cs., others act as members of a regular squad of C. I. D. and backbite their colleagues. These are the inevitable adjuncts of one man's rule which is developing fast in the local bodies, and Government is responsible for all this.

It is sometimes said that as the corporations of Bombay, Calcutta and Madras have their executive officers there is no reason why the Punjab should lag behind. The differences between those corporations and other municipalities in the country are obvious. Firstly, Bombay, Madras and Calcutta are not only rich presidency towns; but they are also, maritime towns and the nature of duties these towns' corporations have to perform are simply non-existent in the Punjab. To be true to this forced analogy the Punjab might also proceed to build wharfs and queys along the banks of its five rivers and enact legislation for regulating the appointment and the duties of pilot officers. Secondly, although these three presidency towns have got their executive officers, as far as my reading goes, none of the districts of these three presidencies has had executive officers thrust upon it. Thirdly, you have got to remember that when executive officers were appointed in these presidency towns, conditions were different and the atmosphere was also different. There was no immediate hope of India being conceded the rights and privileges of a democratic nature. There were no Minto-Morley Reforms, no Decentralization Committee Reports, no Montagu-Chelmsford reforms. No Indian Central Committee Reports and no Simon Commission Reports. Briefly put, these presidency towns came to have their executive officers more due to historical accidents than to any other single factor. And fifthly, the provisions of the Punjab Municipal Executive Officer Act taken along with the other two Municipal Amending Acts which have recently been passed contain the worst features of the municipal legislation of any of the three presidency towns. For instance, according to the City of Bombay Corporation Act, as modified up to the 1st of July 1930, secretary and municipal officers and servants subordinate to the secretary are expressly excluded from the control of the executive officers. But in the Punjab, the Punjab Government has made the executive officer the lord paramount. He can control not only all the subordinates

[Mr. Muhammad Din Malak.]

and officers of the committee but he can also suspend or punish, according to an order lately issued by the Ministry of Local Self-Government, any officer, although he may be the secretary of the municipal committee, municipal officer of health or the engineer or any one else.

Take the case of Madras. According to the Madras City Municipal Act, corrected up to 1st May 1931, the president is to have access to all the records of the Corporation and no official correspondence may be conducted except through the president. In the Punjab it is the executive officer through whom all the correspondence must be conducted. According, however, to a recent order issued by the Ministry of Local Self-Government such correspondence may be suffered to go to the president which the executive officer of his own sweet will condescends to consider important enough to be laid before the committee. In Calcutta things are altogether different. The Calcutta Corporation employs its own executive officer. He has no statutory powers and can exercise only such powers as are delegated to him expressly by the Corporation. In the Punjab, as we know, to our cost, it is entirely different. The executive officer is vested with statutory powers. He may spend any amount of money. Although the provisions of the Act do not say so in so many words yet the day to day orders issued by the Ministry enable him to spend any amount of money. I am talking about the executive officer of Lahore for the moment. He may spend any amount and he may ride rough-shod over all the servants, officials, municipal councillors, vice-presidents and president of the committee.

We hear sometimes that the municipal administration in India has much deteriorated since the official chairman has come to be replaced by the non-official. I beg to submit that this is a gratuitous libel. The fact is that the official world never cared to criticise the affairs of local bodies so long as they were headed by men of their own class. And then we have also got to remember, in appraising the value of the annual administration reports on the local bodies, that these reports are based on the reports of the district officers, the gentlemen who have been ousted from the headship of those bodies and who now happen to sit in judgment over those who have succeeded them. This is but human psychology. I am not imputing any motives to any one. I would also submit that the non-official chairman has not had sufficient trial and official antagonism has already appeared. In spite of all this maligning propaganda I venture to say that Municipal Administration under non-official chairmen has, on the whole, worked quite satisfactorily. I need only refer to the Indian Central Committee's report in this connection. It says—

"We find that the working of local bodies in recent years has been subjected to adverse criticism, but it does not appear to be sufficiently realized by the critics that responsibility was suddenly transferred from trained officers supported by adequate technical staff and with the resources of the revenue department generally at their disposal for purposes of inspection and check, to unofficial bodies operating in some cases with inadequate technical staff and in an atmosphere charged with resentment against and suspicion of official control. Where in the first years of the reformed constitution advice from experienced officials might have been of great value, to local bodies, the conditions were such that the latter were as little likely to ask for it as the former were certain to feel diffident in offering it. Circumstances thus combined to render the task of local bodies in these first years of their emancipation from official control, one of unexampled difficulty. It would be unsafe as well as unfair to attempt to draw too definite

conclusions as to the future of local self-government from the history of past 8 years. To us the wonder is, not that these bodies should have failed in some instances to maintain their former efficiency, but that their general level of working should have remained so high. Many of the defects, in our opinion, were the inevitable result of the suddenness with which the transition from official tutelage to complete freedom was made. They do not connote an inability on the part of the people to manage their own affairs through the medium of representative institutions."

That is what the Indian Central Committee had to say. I would submit one further point and it is this, if the Government were to appoint an enquiry committee like the Dobson Committee to enquire into the administration of Punjab municipalities at the time when they were headed by official chairmen I would undertake to prove that the municipalities were not run better then than they are now.

The Government, in my humble opinion, made another mistake in having selected the executive officers from the cadre of the Provincial Civil Service. The Indian bureaucracy is unbearable because it essentially lacks the redeeming features of the English type. The English bureaucrat seldom, if ever, lends himself to nepotism and would never join religious or communal factions. The Indian bureaucrat, with all his other vices, is accustomed to take domineering airs and indulge in snobbish proclivities. Of the four executive officers taken from the Provincial Civil Service, I think Rai Sahib Lala Nathu Ram was perhaps the most tactful of all, and we know the nature and the amount of success which attended his efforts to work an unworkable Act at Sialkot. The senior most of the men who have been selected from the Provincial Civil Service cadre is perhaps Rai Bahadur Lala Shankar Das. Whatever the official opinion may be, non-officials are satisfied that instead of improving the condition of the Lahore municipality, he is making things go from bad to worse. [*Dr. (Mrs). M. C. Shave* : It is not true]. Yes, the honourable member will have her say. The same sad tale comes from the Municipality of Multan. In the address presented to the Honourable Minister for Local Self-Government certain very pertinent sentences occur.

"We confess that we have not been able to do for the people of the town what we wished to do. We have not been lacking in our desire for the same but it has all been due to financial stringency. Our financial difficulties have still been increased by the appointment of a highly paid Executive Officer, beyond our means, specially when we have no funds to effect those improvements which he or the committee may desire."

In another important paragraph they say—

Kanwar Mamraj Singh Chohan : On a point of information. Was this address presented to the Honourable Minister and did the Honourable Minister have any opportunity of seeing it before it was printed ?

Mr. Muhammad Din Malak : It is a point raised for the Honourable Minister, perhaps. So far as I am concerned, I need only say that it is printed matter and I propose to lay it on the table of the House¹.

Mr. Labh Singh : Does any sanctity attach to printed matter as such ?

Mr. Muhammad Din Malak : The address reads—

"Allow us to point out that the Executive Officer Act has not proved an unmixed blessing. Very often important differences of principle crop up between the Executive Officer and the Municipal Committee. While framing the rules under the said Act it should be made clear, that it does not mean to do away with the sub-committees that have always been functioning successfully and the general supervisory powers of the municipal committee over all its officers and institutions by means of the appointment of its members to supervise their working.

¹ Kept in the Library.

[Mr. Muhammad Din Malak.]

The term "Chief Executive Officer" used in section 4 of the Act has too often proved a stumbling block in the way of successful co-operation between the Executive Officer and the Municipal Committee. We hope, the rules will solve that difficulty also."

And they will see how this difficulty has been solved by the rules. In conclusion, they say:—

We cannot but express our appreciation for the efforts which are being made by you to reform the municipal administration in the province and we venture to suggest that all future reforms in that direction may be based on the broad principles of democracy so that, local self-government may be a reality in the true sense of the term.

Mr. President : Was this address presented to the Minister for Local Self-Government ?

Mr. Muhammad Din Malak : Yes.

The Honourable Dr. Gokul Chand Narang : It was also replied to. The honourable member has not got the report of the reply.

Mr. Muhammad Din Malak : I may also just refer to the ability and tact of the executive officer of the Ludhiana Municipality. He is also an official. I am talking about official executive officers just at the moment. We have had the other day a more or less graphic account based on the personal experience of my honourable friend Khawaja Muhammad Ensoof from Ludhiana.

I think I have shown that the provisions of the Executive Officer Act, the powers given to the executive officer and especially the manner in which those powers are being wielded constitute a complete negation of local self-government. I have shown that the Executive Officer Act is an unworkable piece of legislation and that all that it has succeeded in doing has been to create new factions and divisions wherever the executive officer has been appointed. I have shown, I believe how the entire onus is on the Government of proving that their activities *vis a vis* the local bodies are not incompatible, and are not inconsistent with the policy embodied in the basic formula laid down by the authors of the Joint Report.

It is for the Government to show that their activities in this particular matter are not unconstitutional. In my humble opinion they are unconstitutional. Nay more, their activities are illegal, which cannot be legalised merely through legislation. If such a thing had happened in any other part of India, in any other part of the world the legality of their position would have been questioned in a court of law. By ignoring and disregarding the implications of the formula laid down by the Joint Authors of Reforms and by flouting the opinions of great constitutionalists like Sir John Simon, the Government are committing a folly of the gravest import: they are setting a practical and living example of civil disobedience and non-co-operation in their ugliest form. They are continuously refusing to carry out the directions of their own superiors.

I have tried to marshal certain facts for the consideration of the House. In the spirit of a missionary I have tried to convince the official benches of the righteousness of the cause of local bodies. I trust and hope they will calmly consider the cogency of the points I have urged. The Bill was circulated for opinions. We have received 87 opinions. Out of these, Sir

22 opinions are against the Bill, 14 have expressed their indifference, 9 are partly in favour and partly against the Bill and 42 opinions are in favour of the Bill. Instead of opposing the motion before the House for the mere sake of opposition, I earnestly hope that the Honourable Minister for Local Self-Government and the Secretary for Transferred Departments would rather take advantage this Bill affords them to so modify the provisions of the Act in the select committee as would make it less pernicious.

The Honourable Dr. Gokul Chand Narang : You have not taken the Secretary on the select committee.

Mr. Muhammad Din Malak : Well, his name may be added now. I asked you yesterday. It is not my fault.

The Honourable Dr. Gokul Chand Narang : I mean the Secretary Transferred Departments.

Mr. Muhammad Din Malak : O ! I see. He can come in now. In the select committee we may, if necessary, modify the provisions of the Bill so as to make it more workable and less offensive. (*Cheers*).

Mr. President : Motion moved—

That the Punjab Municipal Executive Officers (Amendment) Bill be referred to a select committee, consisting of—

Maulvi Mazhar Ali Azhar.

Mr. Owen Roberts.

Sardar Sahib Sardar Ujjal Singh.

Thakur Pancham Chand.

Mr. M. A. Ghani.

Kanwar Mamraj Singh Chohan.

Chaudhri Allah Dad Khan.

Chaudhri Afzal Haq.

Nominee of the Honourable President, and
the Mover.

Mr. Labh Singh (Rawalpindi division and Lahore division North, Non-Muhammadan, Rural) : I should fancy, Sir, that I had no right to speak to the motion before the House, but on account of some very obvious reasons I have to do so. I have not been able to read the Bill in respect of which reference to the select committee is being moved. But I feel that this measure generally seeks to negative the Act which is now in force and which was brought in operation a little more than a year ago. The only excuse that I have to speak to the motion, is that the honourable mover of the motion made a personal appeal to me in his speech. He said or he imagines that this measure of his should be supported by every person who calls himself a nationalist or who called himself a nationalist. I am not ashamed of calling myself a nationalist rather I am surely very proud of it. I take it as a complement that I should be addressed in that name. Even as a member of the Hindu party, I am proud of being reminded of my nationalism.

The question is whether that appeal is rightly conceived. If a nationalist appeals to a nationalist, the response will be certain. Nationalism must meet nationalism not only half but the entire way. But the appeal that has been made is really not based on nationalism but on pseudo-nationalism. Where do the conditions for democracy, where do the conditions for popular self-government exist to which my honourable friend makes a

[Mr. Labh Singh.]

reference? Do we find in this province conditions for nationalism and is he competent to make an appeal in the name of nationalism? Our municipalities, and for the matter of that, our legislative councils, are bodies which can hardly be described in their composition as nationalist. We are here, we all know, as Hindus, or as Muslims, or as Christians or as Sikhs, and not as Punjabis or Indians. Such bodies can hardly deserve to be called nationalistic or democratic.

The long speech that my honourable friend has made may be divided into two parts. One part of his speech I might describe as the learned part, the part which is historical. I quite agree with that historical portion, his references to the famous Resolution of the Government of Lord Ripon and to the extracts which he read to us from the document known as the Montague-Chelmsford Report. All these references are correct, and the historical matter that he has placed before us is correct, and interesting.

Then there is also the idealistic portion of his speech. With that also I am in hearty concurrence. We all want to work for democracy, we all want to work for self-government, we all want to work for popular self-government. All these things are correct. With this ideal also I am in full sympathy. Barring certain minor inexactitudes for example his assertion that the Corporations of Bombay, Calcutta and Madras have maritime functions to perform. I have not differed from his reading of histories. They happen to be maritime towns no doubt but the duties entrusted to their corporations have no relation to any maritime function at all. These functions are entrusted to separately constituted authorities. Therefore, so far as these portions of the speech are concerned, I am in full agreement. But as regards the other portion of his speech I have got one or two remarks to make. Firstly, I would say generally that his premises may be right, his ideals may be right, but the conclusion to which he wants us to drive are erroneous and do not lead to the proposal that he has placed before us. In a speech, which he delivered at the time when the original Executive Officers Bill was taken into consideration, he himself admitted very candidly that there was gross maladministration in the municipalities. I have a strong and vivid recollection that when he made that speech he detailed a long series of abuses that characterise the municipal administration throughout the province. I should have given the details of all these abuses, but I would not succeed half as much as he did. His speech then was perfectly clear and he conceded in full that municipal administration in this province was characterised by abuses of all sorts, and of all descriptions. He, however, opposed the Bill on general idealistic grounds, namely, that it was a negation of popular self-government and so on. He now wants to take away the real purpose from the Executive Officers Act, and he proposes, though not in so many words, but in real essence the abrogation of the measure that is already on the statute book.

The only reason why I oppose this measure is this, that he himself
4 P.M. concedes that abuses are very rampant and that
 the abuses want a remedy. This Council in its
wisdom gave that remedy. It may be that the remedy is worse than the
disease. But you must give the experiment some time before you are in a

position to say that the experiment has succeeded or has failed. The difficulty of the whole situation arises from the fact that we, as municipal commissioners and members of local bodies, were in the habit of exercising petty executive functions along with our legitimate functions on those bodies and are reluctant to part with that power. We were there to frame the rules, we were there to frame the budgets, we were there also to see that the money was spent either on this road or on that institution and so on and so forth, and we were also charged as members with the duty of seeing that these things were executively carried out. The discharge of these duties in a satisfactory manner became impossible either from factiousness, communalism or sectarianism, with the result that executive duties could no longer be carried on either to the satisfaction of the members themselves, or to the satisfaction of the people or to the satisfaction of Government. The result, therefore, was that in municipal committees we were not pulling one way and not pulling together. The executive functions of the municipal committees failed to be carried out and failed miserably. There is nothing inconsistent with democracy and with the principles of self-Government if we make an arrangement by which the executive functions of the local bodies may be carried on by certain officials whom we may call executive officers. This is the entire principle of the Act and my friend seeks to nullify it. All that the Executive Officers Act provided was this and not that the powers from the local bodies should be taken away even in the least. Their powers were to remain intact. The committees should be competent to make rules and to frame regulations for the conduct of the business and also to see that their budgets were properly framed and that general orders and even special orders were passed by them. But once the orders were passed and rules were framed, the securing of obedience to those rules should be entrusted to impartial and competent officers. That is all that the Act says. The reasons for this arrangement were obvious. On the honourable mover's own showing, if you please read his speech on the last occasion, it had become absolutely necessary. To quote two reasons. In the first place, the functions which the municipal committees had to perform had become much more complex. The number of roads had increased and the number of institutions which the municipal bodies had to control had increased, all municipal problems had gained in complexity so much so that it was not possible for individual members to carry out the executive duties incidental to their office. (*A voice : except in Gujranwala*). Gujranwala is comparatively a small town and not a very big town, and we did not object to the Executive Officers Act. Moreover, so far as Gujranwala is concerned, this Council may know that we have had practically no sectionalism or communalism there for the last several years. The second reason is that here the difficulties and complexities arise not only because of the immensity of the municipal problems before us but because of sectional differences and sectarianism. In bigger towns, in Bombay and Calcutta owing to the great bulk and magnitude of the executive functions, they had to resort to separate executive officers. Here in our province we had equally complex and difficult problems to solve, so in order to meet those complexities and to regularise work and procedure we had to take recourse to this special measure, namely the Executive Officers Act. And it is really too early to say yet whether it has failed or whether it has

[Mr. Labh Singh.]

succeeded. I think it would be but fair that we should give it a more extended trial. My submission in one word is this that although I agree with the idealistic and historical propositions of his speech, to the logical parts of his speech, I would simply say that they are fallacious. He must aim first at encouraging the conditions in which nationalism can flourish, in which self-Government can flourish. (A voice : Are you opposed to provincial autonomy ?) I want provincial autonomy on a real national basis, otherwise I do not want it. It is perfectly clear that if we want autonomy in our municipal bodies or in the province, it must be based on nationalism, otherwise I am content with what I have got. This is the position of nationalists and this should be the position of real nationalists, as opposed to that of pseudo-nationalists. We cannot possibly accede to the appeal which my friend is pleased to make. I am unable to say that that appeal is really properly conceived. That appeal would hold water, that appeal would readily meet with response, if the conditions of real democracy and real self-government or real nationalism were there. Otherwise it must fall flat and it is high time that we should say without being ashamed of it that this appeal has no force so far as we are concerned. Nationalism should not be exploited for communal purposes.

Chaudhri Allah Dad Khan (Ambala division, North-East Muhammadan, Rural) : I rise to lend my support to the motion under discussion. In fact, the House having accepted the principle of the Bill a year ago—

Mr. President : When did the House accept the principle of the Bill ?

Chaudhri Allah Dad Khan : It was circulated for eliciting public opinion thereon and the next motion is only the motion—

Mr. President : By agreeing to a motion for the circulation of a measure the House does not commit itself to its principles.

Chaudhri Allah Dad Khan : I want to say that the Bill was circulated a year ago and now the next motion should be only a motion for committing the Bill to a select committee under Article 83 of the Business Manual. The principle of the Bill is so sound and good that no reasonable man can take exception to it. My honourable friend has quoted extensively from the famous authors of the Resolution and from the Montagu-Chelmsford Reforms Report to show that the local bodies or the district boards are a training ground for local self-government, and what was once the training ground has now been taken away from them by the Honourable Minister in charge of local bodies. I refer you to page 127 of the report on constitutional reforms. It says :

Such material relaxation of Government control in respect of taxation, budgets, public works, and local establishments might suggest that the exceptional powers of Government officers in respect of external intervention should, if altered at all, be altered in the direction of greater stringency. But the accepted policy must be to allow the boards to profit by their own mistakes, and to interfere only in cases of grave mismanagement ; and therefore, with certain possible exceptions, which we need not here specify, it is not proposed to extend the power of intervention.

This is the outcome of the learned famous authors of this report and on this the whole spirit of reform is based. The mismanagement which has been made an excuse for thrusting this Executive Officers' Act on municipal

bodies should have been allowed to go on and should have been made a training ground for these municipalities. Government had already extensive powers of interference in the management of local bodies. They can remove elected members, they can suspend any resolution of a municipality which is passed even by an overwhelming majority, they can inspect them, they can supersede municipalities, in fact they can do everything possible with the municipalities. Not only the deputy commissioners and the commissioners, but the Act which was passed two years ago in this very Council specially authorises even the extra assistant commissioners, if they are so authorised, to interfere with the working of municipalities. But by thrusting executive officers on them, Government has taken away what little power there was left with the municipalities.

The document from which my honourable friend has quoted is a document of peculiar importance. The Honourable Minister should treasure it as a memento of his good administration of municipalities and I think he must be proud of it. Looked at carefully, this document is an indictment of his work as the Minister for Local Self-Government. It is laid down in this very address which was presented to the Honourable Minister, that the imposition of the executive officer has made the conditions worse on account of financial stringency. Then later on, it says the appointment of executive officers has been no unmixed blessing and then it says : We expect that in future reforms the principle of democracy should be kept in view by Government and by the Minister in charge. Can there be a greater indictment ? In this document they regard the appointment of an executive officer as an interference and they give a lesson to the Honourable Minister to be more careful in future and not to attempt to bring in such great disabilities on the municipalities and to let them grow as institutions of democracy. I wonder whether the Honourable Minister had read the document before it was presented to him.

The Honourable Dr. Gokul Chand Narang : No.

Chaudhri Allah Dad Khan : If he did not, then he made the greatest mistake possible. Everyone gets an advance copy of the address which is to be presented to him on his arrival in that place, and it is strange that the Honourable Minister did not read the address in which he was criticised to his very face, and when we bear in mind the fact that the majority of the members of the municipality who presented the address were members of his own loyal community—

The Honourable Dr. Gokul Chand Narang : No.

Chaudhri Allah Dad Khan : Anyway the address was unanimously presented by the whole municipality. This was an indictment by men subordinate to him, by a municipality which he can supersede without any difficulty. These were the men who presented him with this document. If such a document had been presented to a deputy commissioner by a zaildar he would have found himself dismissed, but the Minister says he never saw it before it was presented to him.

The Honourable Dr. Gokul Chand Narang : Sir, a copy of it was certainly sent to me when I was at Bahawalpur. They did their duty. But I had absolutely forgotten that it was sent to me. I must take this opportunity of correcting myself. I am very sorry for it.

Chaudhri Allah Dad Khan : I am very glad to hear that the Honourable Minister was forgetful. In any case the point is a very important one. The Lahore Municipal Committee, one of the biggest municipalities in the province, has never approved of the Executive Officer Act and has even condemned it. No other municipality in the province has to my knowledge approved of the Act; and the honourable member who just preceded me said that the present Bill was intended to repeal the Executive Officer Act. I wonder very much how he called this a repealing Bill, a Bill which only sought to remedy certain defects which were noticed while working the Act. To remedy a certain defective Act is not a bad thing.

Then, the honourable member on this side who styled himself as a nationalist, never raised a voice against it. The honourable member who just preceded me is a nationalist member, but in this case he has not heeded the appeal which had been made to him. I have never seen any act of a nationalistic character on his part except the one during the martial law days which brought him to the lock-up.

Mr. President : Order, order. The honourable member should avoid personal references.

Chaudhri Allah Dad Khan : My honourable friend has just now made clear that the reference to select committee is wholesome and that if there was any provision in the Bill which the honourable gentlemen here think should not be there, it is capable of amendment in the select committee. While on this point, I may quote the authors of the Montford Report. At page 59 of the Report they say—

Much of the most solid and useful work in the sphere of legislation is done in the seclusion of the committee room and not in the publicity of the Council chamber. The presence of the official *bloc* may to some extent give an air of unreality to criticism in the Council hall, but to the committee rooms its influence does not extend.

So a reference to the select committee must not be opposed in the present case.

Now, if one looks at the end of the Act, it will be found that all the powers, rather all the important powers of the municipalities are given to the executive officer. The Act is a wholesome measure only to the extent that it puts a check on the powers of the executive officer and also gives enhanced powers to municipality in the matter of the appointment of the executive officer. The five-eighths majority which has been laid down for the appointment of the executive officer has not been achieved by any municipal committee except that of Bhiwani. Therefore, a measure which has been found impracticable by any municipality should be no longer be kept on the statute book. When the Municipal Executive Officer Bill was under discussion before the House a large number of honourable members, quite notably of the National Unionist Party, pointed out that it would be unworkable in practice. They went even so far as to say that if this five-eighths majority was taken away from the Bill they would agree to all the other provisions in the Bill. But this modest request was not accepted. Now, at least after three years' experience the Honourable Minister for Local Self-Government must have become wiser. *Eventus stultorum magister* (The ignorant must be taught by experience). This experience of three

years should be sufficient to prove that the measure which the Honourable Minister thrust on municipalities is wholly out of place and is absolutely a negation of democracy and that even the municipalities that were intended to be benefited by this measure did not want it. Where is the harm if this five-eighths majority is done away with? These municipalities are institutions of the public. Though there may be some nominated members, yet a majority of them are elected and, therefore, to all intents and purposes these institutions are democratic ones. Therefore, all officers that are there to do duty whether executive or administrative, should be those who command public confidence, or should be those in whose appointment the public has a voice. Now, as the law stands at present no municipality has been able to appoint an executive officer and the Government has had to step in to appoint the executive officer. In that way the right of the representatives of the people has been taken away. If that is so, why then call it a municipality or a local self-governing body. It must be called an adjunct or a department of Government so long as the executive officer who has to carry on all the functions of the municipality is a nominee of the Government. And this in spite of the fact that the intention of the higher authorities is that a local body should be composed entirely of representatives of the people. It is the duty of every Government to encourage people to have more and more of the democracy; but the Punjab Government has done just the reverse. They have by introducing this Act taken on themselves the powers which should have rested with the local bodies. For this reason there can be no better condemnation of Government than the introduction of this amending Bill. This Bill which is intended to amend the Executive Officer Act should be passed and that at no distant date in order to take away the sting out of the Executive Officer Act which has been on the statute book now for a considerable period of time. With these words I support the motion.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I must start by congratulating and expressing my thanks to Mr. Muhammad Din Malak for his very interesting analysis of the events that have taken place since the passing of the Executive Officers Act. He has dealt with the question at great length and I feel that, unlike Chaudhri Allah Dad Khan Mr. Muhammad Din Malak has put forward an interesting and suggestive case, which must certainly be answered. I would point out that the Act has not been in force quite as long as he thinks. The Act was actually enforced in October 1931 and the first executive officers were appointed from June 1932 onwards.

As I said, Mr. Muhammad Din Malak has given an interesting criticism of the Act as a whole. I understood that he was going to move two or three amendments of the Act. But instead of doing that, and without dwelling much on the actual amendments which he has proposed, he has gone in for an all-round condemnation of the Act. I must say, there is no doubt that we must agree with Mr. Labh Singh that it is far too early as yet to pass judgment on the Executive Officers Act. A certain amount of good has undoubtedly been done already; and I am quite sure that those honourable members who live in towns where our executive officers are, realise that. I happen to live in the town of Lahore, and I have most certainly

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noticed some beneficial results since the appointment of the Lahore Municipal Executive Officer. I have also noticed that, so far as he can do so, the executive officer has endeavoured to expedite matters about which there had been very great dilatoriness in the past years. For example, there was that terrible delay over the scheme for water works and drainage of which Lahore stands in such dire need. Honourable members will recollect that it is now many years ago, I believe it is as much as twenty years ago, since the Government gave a grant of nine lakhs to the committee of Lahore to assist them in carrying out that necessary work and after all this time nothing has been done on the part of the committee to set aside any funds of their own. (*An honourable member* : The grant has been taken back by Government.) Yes, the Government had to take back the money after a number of years, because it was found that nothing was being done with it by the committee except that for many years the interest was actually being utilised by the committee for other purposes. At least something I notice has been done ; for I read an account in the newspapers of some very definite proposals that have been worked up and put before the committee by the Lahore executive officer and presumably we shall now hear something more of the scheme.

I sincerely hope that there will not be any exhibitions of bitter feeling, or any misunderstandings on the part of the various parties of the House ; and I hope that honourable members now, after the experience of two years, sympathise with the executive officers in the work that they have to do. The work is extremely difficult, and delicate, and it needs a man of great tact, energy, enthusiasm and diplomacy. It is a work in which they certainly ought to receive every sympathy. Mr. M. D. Malak suggested that the executive officers are an undesirable class of men. To begin with, he suggested that they come from the Provincial Civil Service. As a matter of fact, only three out of the 11 come from that service ; and I cannot at all agree with Mr. Malak that *ipso facto* these members are of snobbish ideas, and domineering tendencies, which I think were the actual expressions that he used. I have perhaps seen more of the executive officers than Mr. Muhammad Din has ; and I have realized that most of them have been putting their back into the work which confronts them, and that they have for the most part brought to bear on their task very admirable qualities ; and that the difficulties which are before them are very much more than it appeared they would be, at the time that the Municipal Executive Officer Act was passed. The rules that have lately been framed by the Government, and which will perhaps be discussed in this House, have been framed with the idea of meeting the difficulties, both of the executive officers and of the committees and their presidents, which are at present inherent in the Act.

I do not for a moment suppose that any honourable member except Mr. Muhammad Din supposes that at the back of the Government's mind, more particularly the mind of the Local Self-Government Department, there are those Machiavellian ideas on which he enlarged. He expressed himself as believing that much of the policy of the Government was deliberately designed to show that the country, and the province, and the local bodies, are unfit for local self-government. Such an idea is preposterous, when

one considers all the efforts and the strivings of Government and the Ministry of Local Self-Government during the last few years to bring about greater efficiency in the local bodies; and when one thinks of all the enthusiastic assistance that has been given by Government officers to the local bodies in the performance of their duties, I think one can hardly suppose that Mr. Muhammad Din is serious in his contention. The honourable members opposite, I am quite sure, will be extremely grateful in a few years time when the new system of Government has been introduced, if they find that this problem of inefficiency in local bodies has to some extent been met. If the rules that have to be discussed in the House are passed more or less as they stand, or with amendments made in a spirit of reasonableness; and if every support is given to the executive officers by this House; and if the sympathy of the public, which I believe is veering round to them more and more, is also extended to them, I am quite certain that in one or two years' time there will be seen a very great change in the spirit of local self-government administration. The same honourable member also suggested that there was evident this same Machiavellian policy underlying the annual reviews of the Government on the affairs of local bodies.

Mr. Muhammad Din Malak : The word is not mine.

Mr. P. Marsden : I am supplying a rather better epithet. The annual reviews are based not merely on the reviews of the deputy commissioners, but on the reports of the deputy commissioners and also on the reports of the local bodies themselves. And it is a curious fact that, whereas the honourable member seems to think that it is in the Punjab particularly that there are these Machiavellian designs against the local bodies, there is a curious similarity in the tone of all the reports of all the provinces; and I presume he does not think that in every province there is a combined attempt to prove that there is no fitness in the country for local self-government. The honourable member argued that the Government is anti-democratic. He forgot two facts. One is, that it is now some years since the district boards have enjoyed the power of having elected chairmen; but out of all the districts only two have so far seen fit to have an elected chairman instead of an official chairman. I think this shows that the public also has its doubts whether it is expedient to go in for an avalanche rush of local self-government, and to take away power too suddenly from the experienced hands of administrators. And again, one must remember that even now, after local self-government has been administered by Ministers of various persuasions and various views on democracy, from 1920 till now, there are still between 30 and 40 municipal committees which have official presidents. That is to say, experience has proved to them too, that to a large extent unadulterated democracy is not always in the best interests of the inhabitants.

The honourable member gave us a very interesting history of local self-government starting from what he described as anti-deluvian times; and in the course of that disquisition he compared the systems of local self-government in force in England and in France. He did not, I noticed, go on to mention those of Italy, Germany and Russia. But to confine ourselves to those of England and France, it is perfectly true, as the honourable member stated that experience has proved the suitability of different methods in those two countries. In France you have a very centralised form of

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government, while in England it has been more decentralized. He did not advance to us any reason for supposing that the system of local self-government in France has been a failure; presumably because he is well aware that the contrary is the case. And I would point out that in England there has been a noticeable tendency in recent years towards less decentralization and to a greater centralization of power in the hands of the central Government. Like most tendencies of that sort, it has to some extent been given practical shape by means of a subterfuge, I mean by direct rather than indirect methods. That is to say, by means of its policy in the matter of grants-in-aid the Government in England has been able to insist more and more upon the local bodies submitting to inspections, and to detailed examinations of its affairs by experts and by inspectors. Auditors too have by this means been given very considerable power over the affairs of local bodies.

The same honourable member quoted from the Simon Commission report, and he repeated to us the history that is there given of local self-government during the last few years in India. It was there explained how until the reforms there was, in the opinion of the members of the Simon Commission, an administration of local bodies which was largely run by officials; and the flaws of the administration were found to be the inertness of the elected members on the one hand and the resultant over-work of officials on the other. The honourable member went on to explain that it was the idea of the Simon Committee, and also the idea of everybody else concerned that during the past ten years there has been much greater decentralization. Well, and so there has been considerably more decentralization. But the point is, what have been the results? It is largely because the results were found to be unsatisfactory that a tightening of the municipal administration was found to be necessary. It was suggested by the honourable member that it was too short a time, for any one to tell in 9 or 10 years whether the modified system has proved successful or not. But the honourable member must bear in mind that if ten years was a sufficient time for the whole constitution of India to be put into the melting pot, and for it to be decided whether a further change in the constitution was advisable, we may at least admit that it was possible to ascertain after the same period whether any change was necessary in the form of local self-government in this province.

I have only one or two more points to make, and they are necessary, because I find that in some respects the honourable member, unconsciously doubtless, misled the members of this House, regarding the actual powers of the executive officers. He emphasised the fact that executive officers, as they have to be removed by a large majority, can in actual practice, only be removed by Government, just as in practically all cases they have to be appointed by Government. Well, I would remark in the first place that it is not only one committee that has been able to elect its own executive officer, but that two committees have been able to do so, the committees of Bhiwani and Rupar.

Shaikh Muhammad Sadiq : Congratulations.

Rao Bahadur Chaudhri Chhotu Ram : Out of how many ?

Mr. P. Marsden : Two out of eleven. And this criticism against the Act was rammed home by a quotation from the Bombay and Madras Municipalities Acts. The honourable member stated that at those places the committees have not had executive officers thrust upon them. Of course the exact contrary is the case. In those two cities the executive officers are appointed by the Government, and they can only be removed by a two-thirds majority of the members of the committees. I would also point out a fact, which I think it is only fair for the House to bear in mind and that is that this feature of Government appointing high executive officers of committees, and of a committee not being able to remove them except by a considerable majority, is not a novel feature, even in this province or in the Municipal Act. According to sections 21 and 22 of the Municipal Act presidents can be appointed, if the Government so desires, and as I have said many have been appointed by the Government; presidents can only be removed from office by the will of the members of the committee if these members are able to form a majority of two-thirds and then recommend to Government the removal of the presidents.

The question of the power of executive officers in the matter of correspondence was mentioned, and Mr. Muhammad Din's actual words were :—

According to the instructions sent by Government such correspondence may be sent by an executive officer at his own sweet will whenever he condescends to send it

Now as a matter of fact, the question of the power of the executive officer in the matter of correspondence was very carefully considered by the Government, and if the House will excuse me I will read a circular letter of instructions which were sent through Commissioners, in order that these powers of the executive officers might be absolutely clear and comprehensible to the members of the municipal committees. The letter runs as follows :—

The question has arisen of the extent to which executive officers of municipalities should deal with correspondence without reference to the president or the committee. It has arisen out of the action of certain executive officers in answering on their own responsibility, without reference to the committee or to the president, an inquiry of Government regarding administrative improvement effected since the appointment of executive officers. I am to point out that a question of that importance should certainly be referred to the president for him to consult his discretion about bringing it before the committee, and that the executive officer should similarly deal with all important references relating to the administration of the committee, particularly those which require an expression of the committee's views on any subject. An executive officer should always bear in mind that letters addressed to him are really addressed to the committee, and that he should be exceedingly careful in exercising his discretion in deciding whether the matter under correspondence is one which the committee would desire him to deal with on his own responsibility and, if he has any doubt concerning the matter, he should consult the president.

Mr. Muhammad Din Malak : Who will decide the importance of the matter?

Mr. P. Marsden : If any executive officer should disregard the spirit of these instructions he would be acting in a manner which would be extremely undesirable, and the committee would have every right to consider that he was infringing their privileges and take action against him.

Mr. Muhammad Din Malak : Under what provision of the Executive Officers Act?

Mr. P. Maraden : Nor is there any reason to suppose that any executive officer is not observing the spirit of that letter. I have dealt as far as I can with the actual points against the Executive Officers Act, so far as they were made, though the honourable members did not make many definite points; and I would once more urge that honourable members should agree that this experiment has had a very short life, and that it would be preposterous at this stage to discard an experiment which is designed to meet the difficulties that have confronted us in local self-government administration. It must be remembered that when this Act was being discussed, honourable members opposite did admit some vital flaws in local self-government administration and in the working of the local bodies, and it was agreed that some very radical steps were necessary. Nor was it denied that in some committees there are communal dissensions, which make it necessary for a strong executive officer to run the business of the committees. Therefore I sincerely hope that all members of this House will agree with me that this is not the time to try and abolish this Act, but rather to give their encouragement and sympathy to the executive officers who are trying, under very adverse circumstances to carry on. (*Hear, hear*).

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Every honourable member here, I suppose, remembers the time when the original Bill was introduced in this House. The Bill was opposed at the very time of its introduction, it was opposed at the time when the motion was made that it should be referred to a select committee, it was opposed at the time when the Bill emerged from the select committee, it was opposed at the time when its consideration clause by clause was going on and lastly it was opposed at the time when the motion to pass it into an Act was under consideration. There was some hope held that His Excellency the Governor would not give his assent to the measure but unfortunately for some of us even that hope was shattered when the assent was given. It will be argued that our opposition at that time was premature, but I am glad to say that it has assumed a definite shape and a practical shape in the form of the Bill of Mr. Malik to-day. At the time of the passing of the Bill we were in a fix. We could not judge at that time because we did not know how this would work. At that time we could not imagine what were its implications, we did not know which way the wind would blow, but now after we have seen the working of this Act for a period of three long years we are in a position to say how the Bill has worked. Now the Act has succeeded in only one respect, and that is, that it has created a stir and a party spirit throughout the length and breadth of the province. It has created a tussle between the president and the executive officer, in one town between the vice-president and the executive officer in another and between the members and the executive officer in the third. What has happened at Sialkot? In Sialkot this party spirit led to the removal from membership of various members as well as the president himself, and the learned executive officer also followed suit in no time. He also did not lag behind. What happened at Ludhiana? We learnt the other day from Khwaja Muhammad Eusoof that there was a long tussle between the vice-president on one side and the executive officer on the other. Now I come to the metropolis of the province, the city of Lahore. What is going on here has been sufficiently thrown light upon by Malik Muhammad Din but I may quote one or two

examples which are very relevant to the discussion. One Dhian Singh of Ram Galli applied for the sanction of his building plan in December last. Now that building plan encroached upon nazul land, hence it could not be sanctioned by the executive officer. The building inspector did not report this fact to the executive officer and the plan was sanctioned on the 5th of December 1933 by the latter. Then the matter came to the notice of the president on an application by one Inder Singh of this very city. The executive officer learnt of this through the Superintendent of Land Records.

The Honourable Dr. Gokul Chand Narang : I do not know any thing of these instances, but as a general principle I ask you whether it is not improper that private cases should be brought into the discussion. They may have many aspects and they should really not be discussed on the floor of the House.

Mr. President : How can the honourable member illustrate mal-administration without mentioning some concrete cases ?

The Honourable Dr. Gokul Chand Narang : Is that your ruling, Sir ?

Mr. President : I have given no ruling. I have simply asked a question.

The Honourable Dr. Gokul Chand Narang : The discussion can be carried on on general grounds, not by dragging private cases into the discussion because they may have a legal aspect. Inder Singh and Dhian Singh may not like their private cases to be discussed in the Chamber. They can at least suppress names and give other details of the cases. I do not want to shut out discussion, but private names should not be brought in.

Chaudhri Riasat Ali : Then the question would be whether this thing happened and where this thing happened and how this thing happened and when this thing happened.

Mr. President : If possible, names should be avoided.

Chaudhri Riasat Ali : If they can be avoided, they will certainly be avoided. On the 5th December 1933 the sanction was given. The Superintendent, Land Records, brought this thing to the notice of the executive officer on 22nd December 1933 that is only 17 days after he had passed his orders. The executive officer did not like to get his orders suspended under Section 232 of the Act by the Deputy Commissioner. He did not therefore, move in that matter at all. When the thing came to the notice of the president he put that building inspector under suspension. Now the executive officer has not carried out that order of suspension and has not carried out that order to the present day, inspite of the fact that the president has referred the matter to the local Government. How can a president with the least notions of self-respect round about him, carry on his work in the same office, in the same town before the same subordinates and even peons ? If he has the least notion of self-respect, I think he would resign at once.

Mr. Mukand Lal Puri : Has the president resigned ?

Chaudhri Riasat Ali : In another case a certain clerk was suspended by the junior vice-president. The junior vice-president requested the executive officer to hold an inquiry into the conduct of that man and to

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report the matter to him. The executive officer instead of doing that reinstated the man at once without referring the matter to the suspending authority. This again is disgraceful.

The Honourable Dr. Gokul Chand Narang : Who is this second man, I do not want the name but his designation.

Chaudhri Riasat Ali : Rajab Ali was the name. Very curious indeed that in one case the order of the president was ignored and the man was not suspended and in the other there is the junior vice-president and his order is carried out at once.

Mr. President : Under the rules in force has the vice-president any power to suspend a municipal servant.

Chaudhri Riasat Ali : He was acting as a president at that time.

Mr. President : Then do not say that he was the vice-president.

Chaudhri Riasat Ali : In one case the order was enforced and in the other it was not.

The Honourable Dr. Gokul Chand Narang : May I ask the honourable member which clauses of the Bill will cover this particular instance ?

Chaudhri Riasat Ali : I am coming to that.

Mr. President : Will the honourable member answer the question of the Honourable Minister for Local Self-Government ?

Chaudhri Riasat Ali : My point is that the executive officer acts in a high-handed manner by virtue of the powers conferred under the Act concerning his appointment. Otherwise he is bound to obey the president of the committee. That is my answer.

5 P.M.

What is the reason for all this ? Had the Honourable Minister waited for a minute he would have got the answer to his question. The only reason is the forcing or inflicting of an executive officer on a municipal committee against its will. It is only this clause which hinders the smooth running of municipal administration. If the executive officers were appointed by the committees themselves such a state of affairs would hardly exist. In that case they will think that they are the servants of the committee while now they think that they are the lords of the committee. I cannot understand the position, when a committee is competent to pass a resolution involving an expenditure of thousands of rupees by a mere majority, when a committee can appoint the municipal engineer, the secretary, the health officer or any other officer holding a similar post, why it is considered incompetent to appoint its executive officer. So far as the Government is concerned, I think it can easily depend upon its powers of suspending a resolution, of demanding the dismissal of an undesirable officer and of the powers given to Government under the new Act, of dismissing or suing a member for misbehaviour and also last but not the least the power of supersession which has come to be exercised very often now. It is better for Government to have recourse to these powers than to allow this clause to stand in the Act because

it will bring about the results which I have already mentioned. This provision has butchered the very spirit of local self-government which was recognised as early as the time of Lord Ripon. I ask the Government the question, why should Government give a chance to people to distrust their integrity and why should Government alienate the sympathies of the people by allowing such an undesirable clause to stand in the Act? It is, I should say, against the very spirit of the reforms which we are expecting very shortly. It has been argued by the Secretary for Transferred Departments that we should wait till the reforms come. When we put that argument before Government when the Bill was originally passed, Government never agreed to wait till that time. When the disease itself was not delayed I asked why should the remedy be delayed. This provision is, therefore, out of tune with the present times. We are on the threshold of a new constitution and we should not make such presents as this clause to our successors. Again, we are given to understand, as the Honourable the Minister for Local Self-Government said the other day, that we are very shortly going to have an inspectorate. If that is done I think this provision will be redundant. It does not need to remain on the statute book if we are to have sufficient control over local bodies by means of the inspectorate to be established. The municipal committees in my opinion are quite fit to look after their own interests. People are daily picking up a sense of responsibility and it is better to depend on them than to depend on these drastic measures. My honourable friend from Gujranwala, Mr. Labh Singh, said that as only two years had expired since the Act came into force we should not bring this amending Bill and we should not press it in the House. (Mr. Labh Singh : A year and a half). My answer to that is that there is no time limit under the Indian Limitation Act to stand in the way of the introduction of an amending Bill. My suggestion is that if a Bill is unworthy of its name, if it is bad, it should be wiped out of the statute book the very next day after its becoming law. Why should we wait for such a long time? It is already too long; we have allowed it to disgrace our statute book for a sufficiently long time.

Another argument put forward by Mr. Marsden was that Government had allowed all the district boards to elect their own non-official presidents and that they had failed to do so. It is easy as long as we are sitting here to say that thing. But it is very difficult when we go and sit on the benches of the district board. It is absolutely impossible in the face of the Deputy Commissioner who is the lord of the situation, while sitting on the benches of the district board to elect anybody but the deputy commissioner himself. It will be done in no time if the Government removes the deputy commissioner from the list of nominated members of the district boards. But as long as you have him there it means that you know that he will be appointed and no other man while sitting in those benches, while living in the district, will have the courage to oppose the deputy commissioner. (An honourable member : Secret ballot?) Nobody can go against the deputy commissioner, even behind his back. While speaking of the official chairmen it was said that municipalities were going on very well. But I would remind honourable members that when the officials are the chairmen, they will surely be able to finish the agenda in one minute, not to speak of other things, for no one will have the courage to stand in their way. They will call out : Items

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Nos. 1 to 90 in the agenda : "*Koi uzar hai.*" "*Nahi, janab,*" Item No. 90 to 200—"*Kucch bolta hai.*" "*Kuchh nahi hai, janab.*" The members will not exercise even their right of say in the presence of the deputy commissioners. How can they have the courage to elect another man while the deputy commissioner is there? Compare the condition with that where there are non-official presidents. Free discussion is allowed on each and every point. Members are given full liberty to speak on every resolution before it is carried. I would only suggest that it is better for you to appoint a tahsildar or an extra assistant commissioner as the president of the municipal committees rather than allow this clause to stand in the Act, and thrust the executive officers on the committees, against their will.

I would appeal, in the end, to the Honourable Minister for Local Self-Government not as the Minister but as the Honourable Dr. Gokul Chand Narang, Bar.-at-Law, M.A., Ph.D. of the good old times to accept this Bill. I know that in his heart of hearts he would be agreeing with me and had he been on these benches he would have taken the lead in order to throw out the Executive Officer Act. Change of seat might have resulted in a change of action but certainly not in a change of convictions of ideas. I would request him that he should, as on other occasions he has been courageous to speak and did one way or the other as he liked, on this occasion also accept this little amendment which means a lot and which will, long after this Council has ceased to exist, live in people's memory.

Dr. (Mrs.) M. C. Shave (Non-official, Nominated) : It seems to me particularly unfortunate that this Bill should have been brought forward at this juncture. Speaking only of this town, for I do not know anything about other towns in the Punjab, here in Lahore we are just beginning to establish better conditions. A better feeling is beginning to show itself in the Committee and the presence of the executive officer is now openly resented less than in the past. A spirit of co-operation is being shown and things promise to be a great deal better. This Bill coming in at this juncture will spoil everything and what was promising so well will be destroyed in the very beginning.

Having said that, I would like to go on to say that as far as Lahore is concerned the executive officer has worked wonders. If a plebiscite were taken to-day the city would have an entirely different verdict to record from that put forward by the members who have spoken in support of the Bill that has been put to-day. Wherever I go, and I have to move about this town a great deal in the course of my practice, wherever I go I hear praises of the executive officer and the wish that his activities may be extended and the expectation that more good will result from such extension. People who are honest admit that it has been a very good thing for Lahore that an executive officer has been appointed here. Apart from the revenue returns to which I shall refer later the fact that the executive officer moves about the city and that people can have access to him, represent things to him easily and grievances can be attended to quickly has resulted in immense benefit. Our revenue has increased by several lakhs. Our taxation department is being purged of all corruption that existed before and things are very much better now. The office of the committee is being improved. There is a better spirit among the petty officials. They feel that it is worth

while working as there is a man at the top who can appreciate their work and they feel too that there is something to balance the pressure which is brought to bear upon them by the members. A great deal is talked about the corruption of these petty officials, the men in the office, the sanitary inspector, the building inspector and others. But no one has ever talked about the unfair pressure brought to bear upon these men by municipal commissioners and by people who work through the municipal commissioners. These officials now feel that they have somebody to go to in such a case and the better ones among them are going to the executive officer and are being guided aright. There are still some who would try to tread the old paths and I hope that with an executive officer they will be detected and weeded out and the office will be put on a proper basis.

A few months ago there was an outcry in the papers about the state of Lahore roads. The executive officer has taken the matter in hand and we have now a number of roads in very good condition and likely to remain in that condition for a long time because the contracts have been given to people who have guaranteed that these roads will remain in good condition for a certain number of years.

I said that there was a better spirit dawning. So far as appearances go there was that spirit. People had begun to realise the indecency of continued friction. Though that spirit has just appeared, there are still intransigent individuals who are working in subterranean ways. One result of such activities has been that the giving of these contracts has been criticised in certain quarters. But we who have been in the know of things know that there are no faults to find in the arrangements and that the best arrangements are being made. It is only the disgruntled contractors who were given to such bad ways in the past who still appeal to the municipal commissioners to protest, and set in motion the rumours that have been circulated against the present contractors. Nevertheless it is a fact that we have better roads. We have better building plans. I do not know about the two instances quoted in to-day's debate, but I know that the building plans are scrutinised more carefully to-day than before and that it is not easy for bad plans to get approval. Honourable members who have quoted those individual instances have not talked about the thousands of cases where municipal land had been allowed to be encroached upon freely. I have fifty cases to cite for the one or two cases quoted by the honourable member and everybody knows thousands of such cases. That is why our town is in such a mess to-day; that is why haphazard building has taken place, palaces and hovels side by side, lanes that are five feet here, eight feet there and twelve in another locality. It is because municipal commissioners and building inspectors connived to bring about these encroachments and the Superintendent of Land Records had also his hand in the business. That is why when we now want with increasing motor transport wide roads to travel on we cannot find them. Worse conditions prevail in the newly built suburbs. The honourable member has cited one case against a man who has a tremendous task and I think it is grossly unfair.

I then pass on to sanitation. Here the executive officer has a task that is superhuman. I have been seriously thinking of getting together a deputation of citizens to go to the Governor and to request him to come to our rescue in this respect, because the municipality has not the funds nor the

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capacity to tackle sanitation in this town. Things are becoming horrible. I do not want to go into details. I have most revolting details jotted down to present for study when the time comes but I do not want to go into them now. Our sanitation is in an appalling state and such measures of amelioration as we have received are due to the executive officer. I have been to him several times, pointed out things and he has attended to them promptly and as well as possible with the very limited means at his disposal. But you have a committee composed for the most part of members who have been blind to the development of the town, blind to sanitation, blind to everything, but their own interest. Here comes my last charge against the committee. The townspeople have been indifferent in the matter of elections and allowed any body to be returned who took the trouble to get in and they got the people they deserved. I watched an election conducted in my neighbourhood. Lorry loads of city budmashes were brought down to record their votes and people got in in that fashion. If people send into the committee commissioners of such a type they must expect abuses and while they continue to do so there will be a certain section of the public that will cry out for the appointment of an executive officer to bring them a measure of amelioration of their lot.

Honourable Members : The question may now be put.

Mr. President : A list of a dozen gentlemen who want to speak, has been handed over to me through the Secretary. Out of these only 2 have spoken so far.

Khwaja Muhammad Eusoof (South-East Towns, Muhammadan, Urban), (*Urdu*) : Sir, I rise to lend my whole-hearted support to the motion moved by my honourable friend, Mr. Muhammad Din Malak, that this Bill be referred to a select committee. Hardly a year and-a-half had passed since the Executive Officer Act came into force when it was applied in the case of as many as ten municipalities. Even the Ludhiana Municipal Committee could not remain immune from it. The Act has been applied to that municipality also.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Say inflicted.

Khwaja Muhammad Eusoof : Everybody knows that when this Act was under discussion we had strongly opposed the five-eighth majority proposal of the Honourable Minister. We had pointed out that the fixing of such a majority would negative the very principle of local self-government and would cause great mal-administration. But the Honourable Minister turned a stone-deaf ear to the protests and remonstrances of his helpless countrymen and got that measure passed through the official support. It is a pity that the Government support enabled him to rush through such a worthless piece of legislation. Our party had prophesied that the five-eighth majority condition would entail grave difficulties, and our prophecies have proved to be only too true. Actual facts have established it beyond doubt that the condition has empowered the Government to thrust upon the committees its own favourites. (*Hear, hear*). Out of the ten municipal committees that were faced with the task of selecting an executive officer, nine have signally failed to do so and the Government has appointed its

own officers as their executive officers. This shows clearly enough that the policy of the Government is to convert the local bodies into Government departments and raise the executive officer to the supreme authority in the municipal committees. And the day is not far off when the municipal committees will become lifeless bodies with no freedom and without any right of self-determination, if the present system is allowed to continue without any change or modification. The Government has armed the executive officer with such vast powers that he does not consider himself the servant of the committee. Not only he but his staff also and the ordinary clerks under him do not consider themselves to be the servants of the committee. They, on the other hand, think that they are the servants of the executive officer. Last time I told the House how an ordinary clerk had insulted the vice-president of my municipal committee. I have here another sad story of the same type to tell. I had once to answer a confidential enquiry made by the deputy commissioner. The executive officer had submitted the necessary papers. I took the vice-president along with me and both of us went to the terminal tax barrier. I made an enquiry from the moharrir. But he refused to answer my questions. Here is a corroboration of this statement. I will not mention the name of anybody.

بیان کیا۔ پہلے میٹھ کی ۱۷ تاریخ کو یعنی ۱۷ نومبر سنہ ۱۹۲۳ ع کورات کے تقریباً ۹ بجے ٹکا کشن سنگھ صاحب معائنہ چوکی کے آئے تھے۔ فقیر محمد اور ٹکا کشن سنگھ موجود تھے۔ میں بھی موجود تھا۔ اس موقع پر ان کے ملازم نے کہا کہ میں بیان نہیں دوں گا۔

I told the moharrir that I was the president of the committee and the gentleman with me was the vice-president and that he should answer our questions. But he refused point blank to answer any questions unless he had obtained the permission of his officer that is, the executive officer. He further told us that he knew it alright that we were the president and the vice-president but he refused to recognise us as his officers. I could very easily refer you to many such instances but there are so many confidential things involved that I would refrain from alluding to them. I feel aggrieved, however, to be reminded of various instances of the members being insulted by the staff of the municipal committees where executive officers are at the helm of affairs. It is a very deplorable state of affairs, to say the least of it. We cannot afford to go on quarrelling with the executive officer day in and day out. We have, after all, to attend to our own private affairs besides doing the work of committees. Under the present circumstances it is extremely difficult to cope efficiently and satisfactorily with any of these duties. To refer to the afore-mentioned incident, I wrote to the executive officer.

I have received some papers, from the deputy commissioner, regarding a serious charge against one municipal commissioner. From these papers I find that you sent direct to the deputy commissioner a complaint containing serious allegations against this member without my permission. Please let me know under what circumstances you adopted this unconstitutional procedure.

[Kh. Muhammad Eusool.]

His reply, which I received is this—

President.—I have received your confidential note, dated 23rd December 1933. In reply I submit that the papers in question were brought to me by the superintendent, terminal tax, confidentially and I liked to treat them as confidentially as possible.

The allegations made therein related to the supervisor of the terminal-tax department recently appointed by the committee and the supervisor is a municipal commissioner. I, therefore, thought it more advisable and wise to send it on to the controlling authorities of the local body.

In doing so I did not mean to adopt any unconstitutional procedure as I know there are no rules under which your permission in dealing with such correspondence is required.

I also like to avoid unpleasantness between you and the member and for these reasons I sent it on to the deputy commissioner direct.

This is not a solitary case. The number of such cases is legion. And then we cannot say how many members more may be involved in such cases; how many may have to go out and how many have to undergo untold inconvenience. If a member is appointed as a supervisor and is asked to report on the working of the education department, the arrangement is not liked by the executive officer. He cannot tolerate to see any one actively and effectively participating in the activities of the various departments under the control of the municipal committee, even if the participant be a secretary, president or a vice-president. He wants to make his existence felt everywhere. He wants to be the dominating personality in the administration of a municipality. Recently a member was involved in such a trouble. He was appointed by the committee to supervise the working of the education department. This was, as may be expected, a sufficient provocation to the executive officer. A virtual storm was raised over the innocent head of the member. I received several anonymous letters against him. I knew it full well as to who were the officials responsible for this mischief, and at whose instance these letters were written. I will not disclose the names of those officials. I may do so at another time. But for the present, it would suffice to acquaint the House with the part played by the executive officer in this matter. A letter from the deputy commissioner was received in the municipal office to the effect that the committee should report on the matter. The executive officer at once used his undue influence and took down the statements of the lady teachers and of some other school officials. But as ill-luck would have it, he sent the report to the deputy commissioner by name. Up till then I was totally unaware as to what had happened. But all of a sudden a reminder came from the deputy commissioner's office to enquire as to what had been done in compliance with the previous order of the deputy commissioner. Now you can judge for yourself, that if an unscrupulous executive officer can do this much against a member, can the president remain safe for long from his tricks? I, in short, directed him to put up the papers. But instead of complying with a simple order of mine he sent back the reminder in original thus leaving no trace of it in the records.

Another evil that has spread since the appointment of the executive officer is that the municipal staff have become very corrupt and dishonest. They have formed into a strong *jatha*. They neither care for the orders of the committee nor are they afraid of the public criticism. I would now

like to tell you how the evil of corruption has spread in the municipal administration. There is a terminal tax barrier at each end of the city. When a person comes there with articles subject to terminal tax, the muharrir or the inspector whoever is on duty there asks the said person to pay rupees five instead of rupees ten the actual sum chargeable on those articles and that he will see those articles safely imported into the city. To avoid detection he then issues a transit pass and the muharrir on the terminal tax barrier on the other end of the city certifies that those articles have actually passed out of the municipal limits. A few days back a clerk having taken courage in both hands reported the matter to the executive officer who wrote to the superintendent, terminal tax, to inquire into the matter. Some responsible servants of the committee went to the shopkeeper concerned and persuaded him to cut out the entry from his *bahi*. The clerk who reported the matter came to me and told me all about this. I assured him that if his report was correct he should not fear any harm. This is how the corruption is being encouraged. The matter is still being enquired into by the vice-president.

Mr. President : What has that instance to do with the Executive Officers' Act ?

Khwaja Muhammad Eusoof : I will show that if you take out the words " five eighth majority " all these things will disappear. That is what I mean. (*Urdu*) Five-eighth majority is almost impossible and therefore the executive officer feels quite safe. The tonga sub-committee is very much corrupt. They may issue a license or refuse to issue a license. This all depends on their sweet will.

The Honourable Dr. Gokul Chand Narang : Who are the members of the tonga sub-committee ? Are they members of the municipality ?

Khwaja Muhammad Eusoof : There are some members in the sub-committee, but the committee never meets.

Mr. President : Are any municipal commissioners members of the tonga sub-committee ?

Khwaja Muhammad Eusoof : There are some municipal commissioners on the committee but they do not meet. Licenses are issued by the executive officer and not by the sub-committee. The sub-committee has nothing to do with it. (*Continued in Urdu*) Similar is the case with the building sub-committee.

Shaikh Muhammad Sadiq : You mean to say building department.

Khwaja Muhammad Eusoof : Yes, building department. The president of the committee is now being considered merely a figure-head. The executive officer is all in all. He never cares to abide by the provisions of the Act under which he is employed. For instance, in case of second class municipalities he is empowered to employ persons on Rs. 25 per mensem. He always tries to use his own power in matters of appointment, for he perfectly knows that persons appointed by the committee will not be under his thumb. A few days back a motor driver in the employment of the committee who was drawing about Rs. 35 per mensem died and the executive officer engaged another person in his place on Rs. 20 per mensem.

Mr. Mukand Lal Puri : Then you have got a bad executive officer.

Khwaja Muhammad Euseof : A tahsildar is appointed an executive officer having no experience whatsoever of municipal work. He cannot afford to displease his subordinate staff for he knows that if he would not work in the manner in which the subordinate staff would like him to work he would surely prove a failure. That is why he plays in the hands of the subordinate staff.

Mr. Mukand Lal Puri : How much do you pay that executive officer ?

Khwaja Muhammad Euseof : We do not pay him anything. We are made to pay him about Rs. 400 per mensem. I would also here invite the attention of the House to another important matter. A confidential report on the work of the committee is submitted to the local government every year. Last year I made a similar report to the Government and handed it over to the secretary for transmission to the local Government. I expressed my honest opinion about the work of the various members of the committee in this report. A few days afterwards some members came to me and complained that I had not written commendatory remarks about their work in that report. One of these members was a personal friend of mine and he complained that I had commended the work of a member who had never supported me and who had always been against me while I had not appreciated his work. I asked him how he came to know of it ? He informed me that the executive officer had told him all about it. I think you would now realise how my position was made awkward. I had to clear up my position with great difficulty. I think I should not dilate on these matters any more for I believe that the Honourable Minister for Local Self-Government is already well versed in these things. I would remain content with quoting some extracts from the speeches of Lord Ripon who laid the foundations of the present system of local self-government. It is said that the municipal committees are corrupt and are absolutely good for nothing. About them Lord Ripon remarked as follows in his reply to the address presented to him by the Delhi Municipality—

I have no doubt that there are in India just as there are in England, municipal bodies that are not always wise ; who are sometimes found to obstruct measures of importance and possibly even seriously to neglect their duties. I very well recollect a good many years ago the late Lord Palmerston (who as you know, was a great English Minister) telling the House of Commons, when he was advocating sanitary reform, that there was always in every town in England a clean party and a dirty party—a party that was in favour of a good water-supply and good drainage, and a party opposed to measures of that kind. I have not the least doubt that there is a clean party and a dirty party in the towns and cities of India, and I can quite understand that, to men zealous for improvement, it may often be trying to see important schemes calculated to great benefit on a large community, postponed or marred or laid aside from ignorance or apathy or indifference. But I may venture to say to those who may be not unnaturally impatient at such untoward occurrences, that they should not let their impatience run away with them to the extent of allowing them to obstruct or abandon the principle of self-government. Patience is necessary in the beginning of all things ; it is necessary in the conduct of all public affairs, especially where a more or less numerous body of men have been brought together ; and I would ask those whose favourite schemes may be thwarted, or opposed, to remember that the establishment, development and practical working of self-government is in itself a great benefit to the country ; that is not only an end to be pursued but great object of political education to be attained and therefore, that we may well put up with disappointment and annoyance rather than sweep away those institutions which are calculated in the end—as they become better understood and as the people become more accustomed to work them—to confer large benefits upon the community in general. Gentlemen, I therefore desire, and my colleagues desire with me to

see the powers and independence of local bodies increased and extended as opportunity may offer.

Well Sir, I would prefer to quote another extract from the speech of the same Viceroy in reply to the address presented to him by the Lahore Municipality. He remarked as follows :—

But gentlemen, nevertheless, I do not doubt—as I have already said—that we shall have to encounter, and have to lament, not a few instances of failure. There will be much, I dare say, in many places, to try the patience of local officers and to disappoint the hopes of Government, but this is a matter in which, before all things, patience and gentle handling are required. If having planted this small tree of self-government we are always pulling it up to look at its roots in order to see how far they have got down into the ground, I venture to say that this experiment will be no more successful than those which have preceded it. (*Cheers*). Twenty years ago an eminent man—one of your Lieutenant-Governors, loved, I believe—alike by European and native, I mean Sir Donald Mackend (Cheers)—sketched out the whole of the policy which the Government of India have now adopted ; and if, twenty years ago, his proposals had been accepted and carried out in the spirit in which they were made, the Punjab would now have been at the head of India in this respect.

Here is a book which contains the speeches of Lord Ripon, and if the Honourable Minister has not got the book in his library, I would gladly present it to him. I am sure if Lord Ripon had been here to-day and seen how the self-governing institutions founded by him in this country are being subjected to most unworthy treatment he would have severely felt it. Experience has shown that the Act itself is very defective, and we should, therefore, welcome the amending Bill moved by the honourable member from Lahore. With these words I resume my seat.

Mr. E. Mayadas (Nominated non-official) (*Urdu*): Sir, the duties of a municipal committee, as I understand, are threefold. First it has to levy taxes, secondly, it has to realise these taxes in a fair and proper manner and, thirdly, it has to so control the expenditure that the money realised is spent in the best interests of tax-payers. It has to see how the people in its jurisdiction can be provided with good roads, good education and good sanitation and good drainage. It has further to look after the general welfare of the people. It has to combat diseases and afford reasonable relief and assistance to the people in times of need. So far as my personal experience goes, I can say that the first two duties of a municipal committee are not properly attended to, and as a result of that large sums remain unrealised for a long time. There is also a general complaint of the excessive wastage of public money in almost all municipalities of the Punjab. I would ask the honourable members if they know of any municipality about which there has been no such complaint.

Shaikh Muhammad Sadiq : Amritsar.

Mr. E. Mayadas : I am glad to hear that, but can the honourable member name a municipal committee that pays due care to the maintenance of good roads, schools and an up-to-date system of drainage and about whose general administration there is no complaint whatsoever ?

Chaudhri Zafrulla Khan : But you cannot even point out any system of government about which there can be no complaint.

Mr. E. Mayadas : Well, Sir, who is at fault for this state of affairs ? The tax-payer must naturally say that wastage of public money must be stopped, and that is but a legitimate demand on his part. As a matter of

[Mr. E. Mayadas.]

fact, you know that in elections the members who did bad work previously are very often returned again and again, although there may be occasional exceptions to this rule. But in cases where voters fail to return good and useful members and excessive wastage of public funds ensues, is it not the duty of Government to take suitable action in order to protect the interests of the tax-payer?

It would be grave injustice to the voters if Government failed to do its duty in this respect. If you study the annual reports on the working of the local bodies submitted by the commissioners to the local Government you will find that my assertion as to the excessive wastage of public money in almost all municipalities of the Punjab is perfectly true. We see large sums of money being embezzled year after year. When such is the state of affairs should we not welcome the action that Government has taken to protect the interests of the tax-payer. They have, therefore, passed an Act with a view to improving the present municipal administration. I do not say that it is not capable of improvement, but it is for the house to see whether it has or has not proved useful. We find that since the appointment of executive officers arrears of tax have been realised, roads have been repaired and income has been increased. I do not say that executive officers are angels or that they are incapable of committing mistakes. It is possible that they may have committed some mistakes, and in the light of experience the Act can be duly amended.

Objection has also been raised to the appointment of Provincial Civil Service men as executive officers, but the fact is that the Provincial Civil Service men always try their level best to work honestly and satisfactorily, for, they being on deputation, clearly know that their future success in life depends largely on the success which they achieve in the discharge of their new duties. But that is not the case of those executive officers who do not belong to any regular service. For, in their case there is the constant temptation to make hay while the sun shines.

Chaudhri Zafrulla Khan : Eight out of the eleven such officers belong to the latter category.

Mr. E. Mayadas : Therefore in view of the fact that income has been increased and municipal work is going on more smoothly than before, the only conclusion that one can draw is that the Act has proved useful. I am therefore, of the opinion that the Act should be given a fair trial. With these words I strongly oppose the Bill under consideration.

The Council then adjourned till 2 P. M. on 1st March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 1st March 1934.

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. D. Macfarlane (Chief Engineer, Public Works Department, Buildings and Roads).

Mr. H. R. Stewart (Director of Agriculture).

STARRED QUESTIONS AND ANSWERS.

CINEMA FILMS.

***2850. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that cinema films which are shown in the province are first censored by the Government ;
- (b) whether it is a fact that several films have been objected to by different communities as these were against their religious or historic susceptibilities ;
- (c) what steps Government is taking to keep more vigilant eye on every new film ?

The Honourable Mr. Miles Irving : (a) All films manufactured in the Punjab are censored by the Punjab Board of Film Censors. All other films have been censored by either the Bombay or the Bengal Board of Censors before they are shown in the Punjab, and the Punjab Board of Censors also examines such of them as are reported or believed to be objectionable.

(b) Yes.

(c) Holders of licenses under section 3 of the Cinematograph Act, 1918, have been required to supply the Punjab Board of Film Censors and the District Magistrate concerned a synopsis of any film which they propose to exhibit at least 48 hours before such exhibition and instructions have been issued to district magistrates to require the private exhibition of any film to which a *prima facie* reasonable objection is taken and, if necessary, to prohibit its exhibition under section 7 (5) of the Cinematograph Act pending the orders of Government.

UNEMPLOYMENT.

***2851. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the attention of the Government has been invited to the growing unemployment in the province ;
- (b) the estimated number of unemployed in the province ;
- (c) what steps Government is taking to remove unemployment amongst the people ?

The Honourable Mr. Miles Irving : (a) No.

(b) Government have no information.

(c) Government are doing what lies in their power to stimulate agriculture, industry and trade in the province.

INDEBTEDNESS COMMITTEE REPORT.

***2852. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state what steps Government have taken on the report of the Committee on Indebtedness, 1932 ?

The Honourable Mr. Miles Irving : A bill with the object of relieving indebtedness is being introduced.

ALL-INDIA MEDICAL CONFERENCE.

***2853. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the Government's attention has been invited to the resolutions of the All-India Medical Conference held in Bombay in December 1933 ;
- (b) what steps Government is taking to give practical shape to these resolutions ?

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

(b) Does not arise.

SATTA GAMBLING.

***2854. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of *satta* gambling cases that have been challaned by the police during the last one year ;
- (b) the number of cases that were proved true ;
- (c) whether the Government intends to take some more stringent measures to check the *satta* gambling ; if so, what they are ?

The Honourable Mr. Miles Irving : (a) 78.

(b) 57. In addition six cases are now pending in court.

(c) As the honourable member is doubtless aware, the Public Gambling Act of 1867 was amended in 1929 in order to penalise *satta* wagering. Government are always ready to consider any suggestions which may be made to put a stop to this form of gambling.

PRISONER, MUNSHI AHMAD DIN.

***2855. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Munshi Ahmad Din, President, Naujawan Bharat Sabha, Amritsar, has been sentenced to nine months' rigorous imprisonment by a criminal court of Amritsar;
- (b) whether it has been brought to the notice of the Government that Munshi Ahmad Din was suffering from a lung disease;
- (c) whether he is properly treated in jail;
- (d) his present weight and his weight when he was first admitted to the jail?

The Honourable Sir Henry Craik : (a) Yes.

(b) He is not suffering from any lung disease.

(c) Yes.

(d) His present weight is 131 lbs. His weight on admission was 140 lbs.

COMMUNAL REPRESENTATION IN THE ELECTRICITY BRANCH.

***2856. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state whether the Government have assured themselves that, so far as the communal representation in the cadre of Public Works Department (Electricity Branch) is concerned, the officers are guided by letter no. 457-E., dated the 18th October 1932, from Mr. A. R. Astbury, C.I.E., Secretary to the Government Public Works Department (Electricity Branch)?

The Honourable Dr. Gokul Chand Narang : There is no letter in this connection bearing the number given by the honourable member but if he means letter no. 467-E., of the same date, the reply is in the affirmative.

WATER RATE AND LAND REVENUE.

***2857. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that zamindars of Lyallpur district time and again assembled in big meetings to protest against the imposition of heavy water rate and land revenue;
- (b) whether the Government decided to reduce the water rate and land revenue as the zamindars desired?

The Honourable Mr. Miles Irving : (a) Yes, some meetings were reported in the press.

(b) The question of *abiana* is under the consideration of the Government and as regards land revenue, settlement operations are going on.

ARMS ACT.

***2858. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether sword^s have been exempted from the operation of the Arms Act ;
- (b) if not, why not ;
- (c) how long Government proposes to take to exempt sword from the operation of the Arms Act throughout the province ?

The Honourable Mr. Miles Irving : (a) and (b) Yes, in all districts of the Punjab except six.

(c) Until they consider it safe to do so.

RECLAMATION OF LAND IN CHAKANWALI TRACT.

***2859. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) how much land has been reclaimed in Chakanwali tract ;
- (b) the cost of reclamation ?

The Honourable Mr. Miles Irving : (a) Up to the end of the year 1932-33 a total area of 991 acres was reclaimed. A further area of 511 acres is under reclamation in the present year.

(b) The Farm is essentially a research station for investigating various methods of reclamation, the economics of the work on a commercial scale cannot therefore be worked out.

GENERAL ELECTIONS.

***2860. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the Punjab Government is in communication with the Government of India on the subject of new Reforms ;
- (b) whether Government has decided on the exact dates of the next general elections ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) No. It would be premature to do so.

Chaudhri Zafrulla Khan : Could the Honourable Member state approximately the date on which it may be expected the Joint Select Committee would report to the Parliament ?

The Honourable Mr. Miles Irving : No, Sir.

CONSPIRACY PRISONERS.

***2861. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the number of conspiracy prisoners of 1914-15, who are not still released, and how long Government proposes to detain them in the jail ?

The Honourable Sir Henry Craik : The number of 1914-15 conspiracy prisoners who are still serving their sentences in jails is nine.

With regard to the latter part of the question, I am not at present in a position to make any statement.

MARTIAL LAW PRISONERS.

***2862. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the number of Martial Law prisoners who are still in jails, and how long Government proposes to detain them in jails ?

The Honourable Sir Henry Craik : 16. I am not in a position to make any statement in reply to the latter part of the question.

AMRITSAR MEDICAL SCHOOL.

***2863. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Muslim and non-Muslim surgeons, physicians and demonstrators in the Amritsar Medical School ;
- (b) the number of Muslim and non-Muslim scholarship holders in that school ?

The Honourable Malik Sir Firoz Khan Noon : (a)—

Surgeons :—

Muslims	..	..	..	..	Nil.
Non-Muslims	Three.

Physicians :—

Muslims	Nil.
Non-Muslims	Two.

Demonstrators :—

Muslims	Five.
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Non-Muslims :—

Hindus	3	} Seven.
Sikhs	3	
Christian	1	

(b) *Scholarship holders :—*

Muslims	Twenty-eight.
Non-Muslims	..	..	..	..	Thirty-six.

HOUSE PHYSICIAN IN THE AMRITSAR MEDICAL SCHOOL.

***2864. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the present House Physician in the Amritsar Medical School is going on pension very shortly ;
- (b) whether the name of some efficient Muslims will be considered while filling that post ?

The Honourable Malik Sir Firoz Khan Noon : (a) The honourable member's question cannot be understood. There are no House Physicians at the Medical School, Amritsar. If he means the House Physicians at the hospital there cannot be a possibility of their going on pension as they hold office for twelve months only and earn no pension.

(b) Does not arise.

ZAMINDARA CONFERENCE IN CHAK NO. 77, LYALLPUR DISTRICT.

***2865. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) whether the attention of Government has been invited to the resolutions of the Zamindara Conference held in Chak No. 77, Lyallpur district, under the auspices of Settlement Committee on 9th, 10th and 11th December 1933 ;

(b) whether Government have given or are going to give practical shape to those resolutions ?

The Honourable Mr. Miles Irving : (a) The Government have not received any authoritative copy of the resolutions mentioned.

(b) Does not arise.

PREMATURE EXECUTION OF A PRISONER.

***2866. Mr. Muhammad Din Malak :** With reference to their *communiqué*, dated the 5th December 1933, will the Honourable Member for Finance be pleased to lay on the table the report made by the special officer deputed to enquire into the circumstances in which their orders to the Superintendent, Lahore Central Jail, staying execution of a condemned prisoner were duly communicated on the 20th November 1933 and yet the prisoner was executed on the 21st November 1933, i.e., on the date originally fixed for his execution ?

The Honourable Sir Henry Craik : The attention of the honourable member is invited to part (ii) of my reply to Council question No. 2788.¹

PREMATURE EXECUTION OF A PRISONER.

***2867. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state—

(a) as to why the stay orders were not communicated to the Superintendent, Lahore Central Jail, immediately on the receipt of the telegram on the 18th November 1933, from the father of the condemned man signifying his intention to file an appeal in the judicial committee of the Privy Council, particularly when it was known that on the 19th November there was a holiday ;

(b) whether the Superintendent of the Lahore Central Jail does not attend to his duties in the jail on a holiday ; and, if so, why ;

(c) whether it is not the practice for at least some of the clerks in each Government office to attend office during the holidays for the

purpose of receiving letters through post and of despatching those which had been disposed of but not despatched on the preceding working days ;

- (d) whether there is not a resident superintendent attached to the Punjab Civil Secretariat ; if so, what are his duties and why he could not despatch the stay orders on the 19th November 1933 ;
- (e) whether none of the jail staff in the Lahore Central Jail attends to his duties on a holiday ; if so, why ; if not, why could not the stay orders have been delivered on the 19th instant ;
- (f) if the Superintendent of the Lahore Central Jail and his deputy do not visit the jail on a holiday, whether there is any rule forbidding the delivery of their official dāk at their private residences ;
- (g) the time at which the Superintendent of the Lahore Central Jail ordinarily attends to his official dāk daily ;
- (h) the time at which the letter conveying the stay orders was actually delivered in the Lahore Jail ;
- (i) the name of the official to whom the letter in question had been delivered by the special Secretariat messenger ;
- (j) whether ordinarily the letters from the Civil Secretariat are opened by the Superintendent of Jail himself, by his deputy or by some one on the jail staff ;
- (k) whether ordinarily letters from the Civil Secretariat to the Superintendent of the Lahore Central Jail are addressed by name or by designation ;
- (l) whether ordinarily the stay of execution orders issued from the Civil Secretariat are addressed by name or by designation to the Superintendent of the Lahore Central Jail ;
- (m) whether the stay of execution orders in this particular case had been addressed by name or by designation to the Superintendent of the Lahore Central Jail ;
- (n) whether it is not the practice for the Civil Secretariat to address such letters by name as require immediate personal attention by the Superintendent of the Lahore Central Jail ;
- (o) if the letter conveying the stay of execution orders had been addressed by name to the Superintendent of the Lahore Jail, on what date and at what time he opened it ; if it had been addressed by designation the name of the official who opened it, together with the date on which and the time at which he opened it ;
- (p) whether it is not the duty of the Superintendent of the Lahore Central Jail to be personally present to superintend the arrangements made for the execution of the condemned prisoners ;

[Mr. Muhammad Din Malak.]

- (g) whether it is not the duty of the Superintendent of the Lahore Central Jail to satisfy himself that everything in connection with the execution of a condemned prisoner was in order ;
- (r) whether it is not the duty of the Superintendent, Lahore Central Jail, to personally satisfy himself immediately before the execution of a condemned prisoner that no orders for staying his execution had been received by the Superintendent or his office ; if not, why ; if it was his duty to take all these precautions, what steps did the Superintendent take in this particular case to satisfy himself that no stay orders had been issued by the Government or received by him or his office ;
- (s) what steps did the Government take to satisfy themselves that their orders of the 20th November 1933 had been duly received and in time by the Superintendent of Jail ;
- (t) whether the officer under whose signature the stay orders were issued was in Lahore on the 19th November ; if not, please state where he was and how he was kept engaged on that day ;
- (u) whether the Superintendent of the Lahore Jail was in Lahore on the 19th November ; if not, please state where he was and how he was kept engaged on that day ;
- (v) whether the officer, issuing the stay orders, did satisfy himself on the phone that the stay orders had been duly received by the Jail Superintendent ;
- (w) the name and the designation of the officer under whose signatures the stay of execution orders had been issued to the Jail Superintendent ?

The Honourable Sir Henry Craik : (a) The draft order reached the Home Secretary late on the evening of the 18th November. He signed the order on the 19th November. The Home Secretary considered it safer that he himself should hand over the letter for despatch to the Superintendent of the Secretariat on Monday morning, the 20th November, rather than send it by the hand of his chaprasi to the Resident Clerk for despatch to the Jail office on a Sunday when the Jail office would be closed.

(b) The Superintendent of the Central Jail does not ordinarily attend his office on a Sunday.

(c) Not on close holidays such as Sundays.

(d) There is a Resident Clerk but the orders were not sent to him for issue on Sunday, the 19th November 1933, for reasons I have already explained.

(e) No, but the Jail office is closed on Sundays.

(f) The ordinary practice is that official communications addressed to the Superintendent of the Central Jail are delivered at the jail and not at his private residence.

(g) After the morning round in connection with his executive duties, i.e., in the cold weather about 10 A. M.

(h) About 11 A. M.

(i) The Head Clerk of the Jail office. I am not prepared to give his name ;

(j) The practice was for the Superintendent himself to have letters opened in his presence.

(k) By designation.

(l), (m) and (n) The practice had been to address such communications by name, though in this case this practice was not followed and the envelope was addressed by designation. After full consideration of the advantages and disadvantages attached to the two modes of address, Government have decided that on the whole it would be safer to address such communications by designation and this practice will be followed in future.

(o) It was opened by a warder along with other letters in front of the Superintendent at about 10 A. M. on the 21st of November 1933.

(p) Yes.

(q) Yes.

(r) Neither the Superintendent nor any official of the jail was aware that these orders were lying in his office in an envelope which had no indication on it that it contained orders of an urgent nature.

(s) The Superintendent of the Secretariat satisfied himself that the envelope containing the orders had been received by the Head Clerk of the Jail office. He, however, made the mistake of treating the acknowledgment of the receipt of the letter containing the orders as an acknowledgment of the orders themselves.

(t) and (u) The Home Secretary and the Superintendent of the Jail were in Lahore on the 19th November, though the Home Secretary did leave the station for a short time during the day.

(v) If the honourable member refers to the Home Secretary the answer is in the negative. It was not his duty to do so. If the honourable member refers to the Superintendent of the Secretariat the answer is also in the negative. He satisfied himself by examination of the peon book and by questioning the special messenger that the letter had been delivered to the jail office, but he made no enquiry on the telephone.

(w) The Home Secretary whose name is already known to the honourable member.

EXECUTION OF A PRISONER.

***2868. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state what alterations in the existing procedure have been recommended by the special officer deputed to enquire into the recent unwarranted execution case in Lahore Jail with the object of precluding the possibility of a repetition of such cases in future, and whether the Government have adopted these recommendations in their entirety or in a modified form ?

The Honourable Sir Henry Craik : The alterations of procedure will be found in the set of instructions which I have laid on the table, as asked in Council question no. 2789.¹

¹Pages 243—246 ante.

EXECUTION A OF PRISONER.

***2869. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state with reference to their *communiqué*, dated the 19th December 1983,—

- (a) whether the letter itself conveying stay of execution orders had been marked urgent ; if not, why ; and whether it was the duty of the clerk or clerks who drafted it and typed it to mark it urgent or of the officer who signed it to see and make sure that it was so marked ;
- (b) whether official letters themselves not marked urgent must be despatched in covers marked urgent ;
- (c) what were the respective duties of the two clerks said to have been found guilty of not having marked the envelope as urgent, and what portion of guilt has been allocated to each in this particular matter ;
- (d) the precise nature of the disciplinary action taken against the two clerks found guilty ;
- (e) whether the report of the enquiry making officer has completely exonerated—
 - (i) all the officers of the Civil Secretariat ;
 - (ii) the Superintendent of the Lahore Central Jail ;
 - (iii) the Deputy Superintendent of the Lahore Central Jail ;
 - (iv) the staff of the Lahore Central Jail ;
 - (v) the Superintendent concerned of the Civil Secretariat ;
 - (vi) the Assistant Secretary to Government, Punjab ; together with the reasons given for their exoneration ?

The Honourable Sir Henry Craik : (a) The letter itself was not marked as urgent, but the file on which it was contained was marked as " Immediate " and " Death case".

(b) Yes, if they deal with urgent matters.

(c) The Superintendent failed in his duty in not making sure that an acknowledgment of the orders had been received. The despatcher failed in his duty in not marking the cover as urgent.

(d) In the case of the Superintendent, withholding of increment : in the case of the despatcher stoppage of promotion.

(e) The report found that the only two officials who failed in their duty were the two persons mentioned in reply to part (c). The jail staff followed the usual practice, which has since been altered. The head clerk of the Jail office was reprimanded for a subsidiary matter arising out of the enquiry.

EXECUTION OF A PRISONER.

***2870. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state—

- (a) the age of the prisoner who was wrongfully and unlawfully executed on the 21st November 1933 ;
- (b) his status and vocation in life ;
- (c) his nationality and caste ;
- (d) whether he was a bachelor, a married man or a widower ;
- (e) whether he is survived by a widow and orphan children, together with the number of the surviving children ;
- (f) whether his parents have any other sons ;
- (g) whether his parents or any other relatives depended on him for their livelihood ;
- (h) whether it is proposed to award suitable monetary compensation to his survivors either from the officers and subordinates through whose negligence he was wrongfully executed on the 21st November 1933 or from Government Treasury or from both.

The Honourable Sir Henry Craik : (a) The age of the prisoner was 22.

(b) and (c) He was a *Teli* by caste. Government have no information regarding his vocation.

(d) A widower. He murdered his wife.

(e) Government has no information whether he had any children.

(f) and (g) Government have no information.

(h) No claim for compensation has been made.

MUNICIPAL EXECUTIVE OFFICERS.

***2871. Mr. Muhammad Din Malak :** With reference to the reply to two supplementary questions to starred question No. 1718¹ wherein the Honourable Minister for Local Self-Government has stated that questions relating to—

- (a) the competency of executive officers to dismiss or suspend such officials of the committee as were not appointable by them ;
- (b) their competency to close municipal offices on non-public holidays ;
- (c) their competency to correspond with the Deputy Commissioner or the Commissioner without the permission or the knowledge of the committees or the presidents ;

required legal advice, will the Honourable Minister for Local Self-Government please lay on the table the legal advice ?

The Honourable Dr. Gokul Chand Narang : The legal advice is to the effect that—

- (a) The Executive Officer cannot dismiss officials of the committee whom he has not the power to appoint, but he has the power to suspend any official.
- (b) He has the power to close the municipal office in virtue of his being vested with the executive power for the purpose of carrying on the administration of the municipality, subject to the provisions of any rules made under the Executive Officer Act or the Municipal Act. Specific provision for general control of the municipal office by him has been made in rule 2 of the draft rules published with Punjab Government notification No. 3360-Committees, dated the 30th January 1934. I need hardly add that an Executive Officer who exercises such a power is not expected to act without very good reason.
- (c) As regards the powers and duties of Executive Officers in matter of correspondence, the honourable member is referred to rule 5 of the draft rules above mentioned.

SIMLA EXODUS.

***2872. Mr. Muhammad Din Malak :** In view of the answer to part (d) of starred question No. 1712¹, namely, "All heads of departments are allowed a recess during the summer. As long as this practice continues there is no reason for excluding the Director of Industries from its scope," will the Honourable Member for Finance please state—

- (a) whether the case of every head of the various Government departments for the purposes of Simla exodus should not be treated on its merits ;
- (b) whether in view of continued financial depression, it is not the duty of the Government to disallow recess to the Director of Industries and such other heads of departments whose presence at the summer headquarters was not quite necessary ?

The Honourable Sir Henry Craik : (a) Yes.

(b) The convenience of having the Director of Industries and other heads of departments available for a part of the summer at the headquarters of Government more than compensates for the very slight expenditure involved, and in practice probably results in a saving of money, as were these officers not to be allowed recess they would be granted travelling allowance whenever it was necessary for Government to summon them to its headquarters.

SIMLA EXODUS.

***2873. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state the distinctive attributes of a "wanted officer" and a "recessing officer" for the purposes of Simla exodus, particularly---

- (a) the duration of time a recessing officer may spend in Simla ;
- (b) whether the tours made from Simla are to be included in the time for which a recessing officer may have his headquarters in Simla during the summer ;
- (c) the number of staff a recessing officer may take with him to Simla and
- (d) whether there is any difference in the rate and the kind of allowances drawn by a "recessing officer" and a "wanted officer" and their respective staff ; if so, what ?

The Honourable Sir Henry Craik : Officers whose presence in Simla is indispensable in the interests of Government are classed as "required officers" while those whose presence is desirable only for a portion of the stay of the local Government are classified as "recessing officers".

- (a) Three and-a-half months.
- (b) No.
- (c) A clerk, a stenographer and two peons.
- (d) Permission to recess in a hill station is subject to the condition that Government is not put to any expense thereby on behalf of the officer himself. The establishment accompanying such an officer to Simla is allowed to draw hill allowances at the usual rate for a period not exceeding 3½ months.

TOUR PROGRAMME OF THE DIRECTOR OF INDUSTRIES.

***2874. Mr. Muhammad Din Malak :** With reference to the tour programme of the Director of Industries for the months of July and August 1932 supplied to the House in reply to starred question No. 1712,¹ will the Honourable Minister for Local Self-Government please state---

- (a) the necessity for his coming to Lahore *via* Palampur and Baij Nath ;
- (b) the nature of the official business transacted by the Director of Industries between the 11th August and 14th August 1932, at Palampur and Baij Nath ?

The Honourable Dr. Gokul Chand Narang : (a) The journeys to Palampur and Baij Nath were made in the interests of the public service. (b) The visit related to matters of industrial interest and was necessary.

I must say that I do not consider that such questions are proper, and as they are apparently based upon the imperfect information supplied by some one in the office they are subversive of discipline.

STANDING COMMITTEE MEETINGS.

***2875. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state the number of meetings held by each Standing Committee during the financial year 1932-33 and also during the current financial year so far ?

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

Statement showing the number of meetings held by the Standing Committee of the Punjab Legislative Council.

Name of Standing Committee.	Number of meetings held during the year 1932-33.	Number of meetings held during the year 1933-34 upto 10th February 1934.
Standing Committee on—		
(1) Education	1	3
(2) Jails	1	..
(3) Excise	1	1
(4) Land Revenue	2	..
(5) Finance	6	4
(6) Canals	1	1
(7) Local Self-Government	1	6
(8) Public Health .. .. .	..	..
(9) Industries	2	..
(10) Police .. .. .	..	..
(11) Agriculture	1	1
(12) Co-operative Societies	1	..

STANDING COMMITTEE MEETINGS.

***2876. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state if any of the following Standing Committees has held any meeting during the current year—

- (i) Jails ;
- (ii) Industries.
- (iii) Police.

If the reply be in the negative, the reasons why no meeting has so far been held ?

The Honourable Sir Henry Craik : No meetings of the Standing Committees in question have so far been held during the current year. There has been no subject for the Jails Standing Committee to discuss ; there has not been sufficient work to justify a meeting of the Standing Committee on Industries, and there have been no matters of importance to lay before the Standing Committee on Police.

CANAL STANDING COMMITTEE.

***2877. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state as to why no second meeting of the Canal Standing Committee has so far been called to finish the unfinished agenda left over at the meeting called in Simla during last summer ?

The Honourable Mr. Miles Irving : In order to meet the convenience of the non-official members, a meeting of the Canal Standing Committee is being held during the time the Council is in session on the 21st March 1934 to consider the items brought over from the agenda of the meeting held in Simla in June 1933.

ABDUCTION CASES.

***2878. Mr. Muhammad Din Malak :** Will the Honourable Finance Member be pleased to lay on the table a statement showing community-wise the number of abduction cases in the province during the last 5 years, and also state—

- (a) in how many cases the accused were convicted and what punishments were awarded to them ;
- (b) whether cases of abduction are more often than not accompanied by riots, even murders ?

The Honourable Sir Henry Craik : I am afraid that it is impossible, without very considerable expense, which it is difficult to justify, to give the full information desired by the honourable member, but the total number of abduction cases and the total in which convictions were obtained are as follows :—

				Cases.	Convictions.
1928	..	..	..	525	322
1929	..	..	..	569	330
1930	..	..	..	507	256
1931	..	..	..	553	313
1932	..	..	..	504	281

- (b) Statistics are not available on this point.

DISSOLUTION OF MARRIAGES.

***2879. Mr. Muhammad Din Malak :** Will the Honourable Finance Member please state—

- (a) if it is a fact that women seeking dissolution of their marriages ordinarily resort to the expedient of temporarily changing their religion ;
- (b) the number of such cases communitywise during the last 5 years ;
- (c) the number of cases in which dissolution of marriage was granted on account of change of religion ;
- (d) if it is a fact that a recent ruling given by the Honourable Mr. Justice Dalip Singh of the Lahore High Court has laid down that the *bonâ fides* of the motive for conversion was immaterial ?

If the replies to the above be in the affirmative, do the Government propose to so amend the law as would put a stop to fictitious cases of conversion ?

The Honourable Sir Henry Craik : (a) to (c) It is regretted that the information cannot be given, as the time and labour involved in collecting it would be out of all proportion to the advantage to be obtained from it.

- (d) Government have not seen the ruling referred to.

UNSTARRED QUESTIONS AND ANSWERS.

WATERLOGGING IN VILLAGE FATEHPUR.

747. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the total area of village Fatehpuri on the Chuharkana canal under cultivation in the year 1920 ;
- (b) the population of the village in the year 1920 ;
- (c) the area, which has been made unfit for cultivation since 1920 ;
- (d) to what extent the population of the village has been reduced on account of water-logging ;
- (e) a rough estimate of the income per head per year now in the said village ;
- (f) whether the Government intend to compensate the people for the heavy loss which they have incurred on account of water-logging ;
- (g) whether there is any safeguard for the future to save the arable area from water-logging ;
- (h) how many months out of a year the pools of water are stagnant round about the village ?

The Honourable Mr. Miles Irving : (a) Five hundred and eighty-eight acres.

(b) Three hundred and thirteen souls in 1921. Figures for 1920 are not available.

(c) The area unfit for cultivation because of water-logging is 223 acres at present. Figures for 1920 are not available.

(d) The population in 1931 was 375, i.e., an increase of 62 over that in 1921.

(e) Government have no information.

(f) The undamaged area in this village is greater than the cultivated area before the canal was dug ; so no question of compensation arises.

(g) Government are at present working up drainage schemes in this area to carry off the surface water which collects and these schemes are expected to improve conditions considerably.

(h) Water collects in depressions in the vicinity of the village nearly every year during the monsoon season.

WATER-LOGGING.

748. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the number of public meetings which have been held in the district of Sheikhupura for the remission of land revenue and for taking effective measures to prevent further action of water-logging ;
- (b) the total number of villages which have been affected more or less by water-logging ;
- (c) what measures the Government intend to take for preventing the water-logging besides the drainage system ?

The Honourable Mr. Miles Irving : (a) Government have no information.

(b) Two hundred and ninety-four.

(c) Apart from a comprehensive system of drains for the rapid removal of storm-water from the land, which is regarded as the best preventive against water-logging, the only other measure under consideration is the shutting down of canal irrigation in Sheikhu pura town and replacing it by tube-wells worked by electricity from Mandi.

NOMINATIONS TO SMALL TOWN COMMITTEES.

749. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

(a) the qualifications for nomination of persons as members of small town committees ;

(b) what sort of record the candidates for nomination are expected to produce before the authorities ;

(c) whether the public has any voice in the suggestion of names for the nomination ; if not, whether the Ministry intends to consider this point for future nominations ?

The Honourable Dr. Gokul Chand Narang : (a) No particular qualifications are prescribed for the appointment of persons as members of town committees. As a rule only such persons are nominated whose presence on the committee is desirable in the public interest.

(b) The candidates are not expected to produce any special record of qualifications or services before the authorities. Appointments are made first and foremost in the interests of the local body concerned and are not regarded as a means of rewarding general services unconnected with local self-government administration. It is only when other relevant qualifications are equal that consideration is given to the services rendered by candidates in other spheres of administration. In the appointment of new members to local bodies due regard is paid to the extent to which they have displayed interest and initiative in promoting the cause of education, medical relief, public health, veterinary relief, improvement of stock breeding, development of scientific agriculture, co-operation or any of the other causes with which the promotion of civic progress and prosperity is bound up. Candidates are expected to be men of some status whose opinions will command respect. In the re-appointment of an existing member, in addition to the consideration of the matters referred to above, particular attention is devoted to his conduct while a member, and whether he has been assiduous in attendance at meetings of the committee or sub-committees, whether his contributions to the discussion of questions brought before sub-committees or the committee have been of any value or not, and whether he has displayed any initiative in recommending measures of progress and reform. Sometimes it is desirable to use the power of appointment in order to secure the representation of a particular community or section of a community, but no such appointment is made unless a candidate otherwise well qualified can be found to represent the particular community or section of a community.

[The Hon. Dr. Gokul Chand Narang.]

(c) Commissioners keep in view public opinion when selecting persons for appointment as members of town committees.

TORIA.

750. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the yield per acre of the *toria* crop in the year 1921-22 in the tahsil of Sheikhpura ;
- (b) the rate per maund of *toria* in that year ;
- (c) the total area under *toria* cultivation in 1922 ;
- (d) the rate for the sale per maund of *toria* at present ;
- (e) the causes for its becoming very cheap ;
- (f) whether it is a fact that a certain kind of ghee is made of *toria* in the Agricultural College, Lyallpur ;
- (g) if so, the gain per maund, if it is converted into ghee ;
- (h) whether there is any good market for *toria* out of India ;
- (i) the total amount of *toria* in maunds which is being exported from the Punjab to Bengal ?

The Honourable Mr. Miles Irving : (a) Five maunds and 38 seers :

(b) Rs. 5-12-0 per maund ;

(c) 43,345 acres ;

(d) Rs. 2-12-0 to Rs. 2-15-0 per maund.

(e) The fall in the price of *toria* is due mainly to the general economic depression and probably also to less demand in foreign countries.

(f) and (g) No experiments have been carried out at the Punjab Agricultural College, Lyallpur, connected with the manufacture of ghee from *toria*.

(h) Statistics relating to the sea-borne trade and navigation of British India show that during the 5 months, ending 31st August 1933, the United Kingdom was the best market for rape oilseeds which include *toria*. Other importing countries are Germany, Netherland, Belgium, France and Italy.

(i) No separate figures showing the exports of *toria* are available. *Toria* is included along with other oilseeds of the Brassica family such as rape and mustard, and from the accounts relating to the inland (rail and river-borne) trade of India for June, 1933, it appears that 859,003 maunds of rape and mustard were exported from the Punjab from the 1st April to 30th June 1933, and out of that quantity Bengal imported a total of 17,796 maunds. Data regarding exports prior to this period are not available as the publication of the accounts referred to above was only recommenced from April 1933.

CULTIVATION IN VILLAGE GAJIANA.

751. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the total population of village Gajiana in the tahsil of Sheikhpura ;
- (b) the area which was under cultivation in the year 1920 in the said village out of its total area ;
- (c) the total area now under cultivation in which *Hari* crop stands ;
- (d) the area in acres, where green fodder stands in the said village ;
- (e) the present state of crops in the said village ;
- (f) how many cattle have perished during the current year ;
- (g) whether it is a fact that there is no green fodder at all in the village ;
- (h) how far the excessive fog has destroyed the prospects of *senji* and *mainan* fodders in the said village ;
- (i) whether he intends to tour through the different tracts of land which are lying waste on account of water-logging in the district ?

The Honourable Mr. Miles Irving : (a) The population according to the census of 1931 is 3,221.

- (b) 4,465 acres out of a total of 6,779 acres.
- (c) As the *rabi girdawari* is not yet complete, the information is not available.
- (d) Approximately 444 acres are reported to be sown with fodder crops.
- (e) Below average.
- (f) A little over 500 according to a rough estimate.
- (g) There is scarcity of green fodder in the village.
- (h) Out of 186 acres sown with *senji*, 47 acres are reported to have matured. *Mainan* is a spontaneous growth and is poor this year.
- (i) I have not so far proposed any such tour.

PADDY CULTIVATION IN NARANG.

752. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the daily receipt of rice or paddy in the market of Narang, tahsil Shahdara ;
- (b) the rate per maund in the said market at present for the sale and purchase of paddy ;
- (c) the yield of paddy per acre in the *kalar* in the *khari* crop of the current year ;
- (d) whether it is also a fact that in *kalar* generally there is only one crop in a year and that is paddy ;

[Ch. Shah Muhammad.]

- (e) whether it is also a fact that the average yield of paddy per *killa* is three *manies* in *kalar* tract of Shahdara tahsil ;
- (f) whether after deducting the expenses of sowing, growing and paying taxes, any margin was left for the tiller of the soil in the case of the last crop ;
- (g) methods whereby the lot of paddy growers in the said *ilaga* may be improved ?

The Honourable Mr. Miles Irving : (a) About 625 maunds.

(b) The rate varies from Re. 1-9-0 to Rs. 2-0-0 per maund according to the quality of the paddy.

(c) About 18 maunds.

(d) Paddy is the main *kharif* crop in the *ilaga*, but sometimes *rabi* crops are also raised.

(e) Yes.

(f) On the basis of average outturn given at (c) above a tiller after defraying all expenses of cultivation and Government dues is estimated to derive a net profit of Rs. 6-8-0 to Rs. 7 on 1st class rice and Re. 1-12-0 to Rs. 2-9-0 on 2nd class rice per acre.

(g) Apart from a rise in prices, which is beyond the control of Government, the profits of rice cultivation can be improved by following the methods adopted in the experimental rice farm at Kala Shah Kaku and using the seed tested by the Farm experts.

SUGARCANE INDUSTRY.

753. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the total number of sugarcane mills in the province ;
- (b) the rough estimate of the capital, which is invested for carrying on these concerns ;
- (c) whether there is any mill which is aided and supported by the Government ;
- (d) the steps which the Punjab Government is taking to encourage the sugarcane industry in the province ?

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

AGRICULTURAL FARM, KALA SHAH KAKU.

754. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the total area sown for the paddy crop last year in the Agricultural Farm at Kala Shah Kaku in the Sheikhpura district ;

- (b) how many different kinds of rice were sown last year in the farm for the experiment ;
- (c) the total cost for ripening one acre of rice in the farm ;
- (d) the kind of *khad* which is used to improve the quality of the soil ;
- (e) what steps the agricultural assistant at Kala Shah Kaku takes to circulate or broadcast the information on the subject among the paddy cultivators in the *ilaga* ;
- (f) the total amount which is being spent yearly on the farm ;
- (g) the net income which is derived from the farm ;
- (h) how many pairs of oxen are being kept in the farm ;
- (i) how often the officer in charge goes out to deliver lectures and speeches for the good of cultivators every month ?

The Honourable Sardar Sir Jogendra Singh : (a) The total area sown under the rice crop during *kharif* 1933 at the Kala Shah Kaku farm was 306 acres.

(b) Over 500 varieties and selections of Punjab rice and about 60 varieties of rice from other parts of India and foreign countries were sown at the farm during *kharif* 1933 for experimental purposes.

(c) The rice Farm exists primarily for research purposes, and the cost of production varies according to the nature of the experiment. It is calculated that the cost of production on the tenants' area of the farm is Rs. 38-2-0 per acre excluding land revenue.

(d) Manuring is not a regular practice at the farm. Poor land is generally manured with farm-yard manure once in four years. Green manuring in conjunction with chemical manures appears to be useful for improving poor rice soil, but this treatment is yet in the experimental stage.

(e) The Farm Manager at Kala Shah Kaku is a research officer, and it is not his duty to circulate information amongst cultivators. This work is done by the district staff of the Department with whom the Farm Manager is in touch. Important results obtained at the Rice Farm are also broadcasted in the press and published in various publications of the Department.

(f) The expenditure on the Farm other than the pay of staff, was Rs. 6,124 during the year 1932-33.

(g) The income from the farm credited into the treasury during the same year was Rs. 4,304. This does not include the value of the rice seed supplied to departmental officers for distribution and the stock in hand on 1st April, 1933. If the value of this seed is included the income becomes Rs. 7,155.

(h) Nine pairs of bullocks are maintained for the area under direct cultivation during the rice season. This number is reduced to 5 pairs during the remaining part of the year. The tenants maintain 40 pairs of bullocks.

(i) The Assistant Cerealist, who is the Officer-in-charge of the farm, is employed on research work, and it is not his duty to do propaganda work. He has, however, delivered five lectures during the last ten months on special occasions, such as Agricultural Association meetings.

CONGRATULATIONS TO HIS EXCELLENCY THE GOVERNOR.

Diwan Bahadur Raja Narendra Nath (Punjab, Landholders, General) : Sir, we are pleased that the Honourable the Finance Member has taken the place of the Leader of the House and we are equally pleased to find that the Leader of the House has been elevated to the position of the officiating Governor of the province. (*Cheers.*) We, the members of the Council met the other day and resolved that His Excellency should be invited to a social function. It seems to me the fittest thing to do that our invitation to His Excellency should be preceded by a message of congratulations from the members of this House and I believe that in asking you to convey our message of congratulations, I am giving expression to the unanimous desire of the members of this House. (*Cheers.*) To me, Sir, owing to past associations it is a source of special gratification—

Chaudhri Afzal Haq : On a point of order, Sir, is this a discussion on the budget? On what point is the honourable member speaking?

Diwan Bahadur Raja Narendra Nath : I am coming to the discussion of the budget immediately, but in the beginning I am making a few observations regarding the elevation of Sir Sikander Hyat Khan to the exalted office of the Officiating Governor of the Punjab. I request you, Sir, to convey to His Excellency our message of congratulations on his appointment. I hope that in making this request I am giving expression to the unanimous desire of the whole House.

Chaudhri Afzal Haq : That is not the discussion of the budget.

Diwan Bahadur Raja Narendra Nath : Owing to past associations, it is a matter of special gratification to me to see the advancement of the members of the family of the late Nawab Muhammad Hyat Khan, specially when his descendants have followed in his foot-steps.

Chaudhri Afzal Haq : On a point of order, Sir. What is before the House? There is nothing in the budget which the honourable member is discussing.

Mr. President : Diwan Bahadur Raja Narendra Nath has moved that a message of congratulations be conveyed to His Excellency Sir Sikander Hyat Khan on his appointment as the Governor of the province.

Chaudhri Afzal Haq : It was never put before the House by the Chair.

Mr. President : It will be put.

Diwan Bahadur Raja Narendra Nath : Sir, the descendants of the late Nawab have followed in his foot-steps and observed the same breadth of mind and of outlook as characterised the Nawab. It gives me the greatest pleasure, therefore, to request you to convey to His Excellency a message of congratulations on behalf of the honourable members of this House on his appointment as Governor.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadian, Rural) : Sir, I am very glad that Diwan Bahadur Raja Narendra Nath has brought up a subject which ought to prove very gratifying to every member of this House. On behalf of the National Unionist Party I associate myself whole-heartedly with the remarks that have been

made by the Raja Sahib. It is a matter of peculiar gratification to me and to every member of the Unionist Party that His Excellency Sir Sikander Hyat Khan should once again be elevated to the Governorship of one of the most important provinces.

The Honourable Sir Henry Craik : The most important province.

Rao Bahadur Chaudhri Chhotu Ram : Yes, the most important province. It is a matter in which every member of this House, every Punjabi and every Indian may feel a peculiar gratification. His Excellency Sir Sikander Hyat Khan being an Indian, it is a matter of gratification for us all as Indians that he should be entrusted with the destinies of the Punjab. As a Punjabi, as a zamindar and as a member of the Unionist Party, of which His Excellency was himself a distinguished member for years, I feel peculiar gratification on his elevation to this exalted office.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban) : Sir, I wish to associate myself whole-heartedly with the remarks of the Diwan Bahadur Raja Narendra Nath and the honourable Rao Bahadur Chaudhri Chhotu Ram, and on behalf of the Sikh members I wish to congratulate His Excellency Sir Sikander Hyat Khan on his elevation to the Governorship of the province. He is one of those few gentlemen who have endeared themselves to the members of all communities by their qualities of head and heart and it is a matter for very great satisfaction to us all to see him occupying such a high position.

The Honourable Sir Henry Craik (Finance Member) : Sir, I think it would be unfortunate if the officials were left out of these congratulations. I am certain that we, who have served as his colleagues and subordinates, wish to associate ourselves in the fullest possible way with what the honourable Diwan Bahadur Raja Narendra Nath has said. We are all gratified to find that a colleague of ours and an officer of the Government should have received this very well-earned promotion.

Mr. President : Is it the unanimous wish of the honourable members that I may convey their congratulations to His Excellency Sir Sikander Hyat Khan? (*Voices : Yes, yes, yes.*)

POINT OF ORDER *RE* ALLOTMENT OF DAYS FOR DISCUSSION OF BUDGET AND ORDER OF ARRANGEMENT OF DEMANDS FOR GRANTS.

Chaudhri Afzal Haq : I want to raise one or two points of order. My first submission is that the budget was presented to the Council on the 26th of February and the following day was a working day. There was only one day left to the members of the Council to read the budget, the statement of new expenditure and the Memorandum on the budget. The general practice in previous years used to be that at least five clear days were given to the members to go through the budget and the memorandum, to discuss them with their party. But this time I am sorry that Government has not taken this matter into its consideration and has curtailed the interval much to the inconvenience of members.

My next point is that since 1921 up to this time eight days have been allotted for the voting of demands for grants. Though it is laid down in our Manual that twelve days may be allotted for the purpose and though

[Ch. Afzal Haq.]

every year guillotine has had to be applied to several demands, the same period of eight days are given this year also for the voting of demands. I submit that more days should be allotted. The period of twelve days specified in our Manual for the purpose is not in my view much. So far as I am given to understand twenty days are given in Parliament for the consideration of the budget.

The third point which I wish to raise is that Government never consults the members of the opposition when it allots days and puts the demands in the order of their presentation to the Council. No member of the Council is taken into its confidence on the question how the demands should be arranged and what, from the point of view of the opposition, are the subjects considered most important for discussion. The result is that sometimes we spend many days on unimportant subjects so far as the opposition is concerned.

I think that you would be good enough to give your rulings and suggestions on the points I have raised.

The Honourable Sir Henry Craik : The honourable member's points are sprung upon me as a surprise. As regards the first point, namely, that a long enough interval has not been given between the date of presentation of the budget. I think that was the honourable member's point and the days allotted for the general discussion, I would beg to point out that the days appointed for the general discussion of the budget are appointed by His Excellency the Governor. I have no say in the matter. But speaking entirely from recollection, I have not had the time to verify the figures, my recollection—and I think I have been a member of this Council at least as long as the honourable member—is that we have followed the usual practice this year and that in allowing an interval between Monday and Thursday we have allowed the usual number of days. If the honourable member had told me that he was going to raise this point I should have looked up the facts. My recollection is that the practice this year has been just the same as in previous years.

(The Secretary informed the House that last year the budget was presented on the 25th February and the general discussion started on the 28th February ; the year before, the budget was presented on the 8rd March and the general discussion took place on the 7th March.)

Mr. President : The honourable member is aware that these dates are fixed by His Excellency and not by any Government Member present in the House. Had the honourable member's objection come in time, it would have received the consideration it deserves ; but it is too late now.

The Honourable Sir Henry Craik : The second point the honourable member raised was that though the rule says that not more than 12 days may be allotted by the Governor for the discussion of demands for grants, His Excellency has this year allotted only eight days. I do not remember any occasion on which more than eight days have been allotted for this purpose, and I think that in the first few years of the reforms the period was slightly less.

(The Secretary stated that the number of days allotted for voting of grants has always been eight but on one or perhaps two occasions the voting of demands was finished in a smaller number of days than those allotted so that the remaining days allotted had to be cancelled.)

The Honourable Sir Henry Craik : That has certainly happened at least on one occasion since I have been Finance Member. I never remember any request being made, as far as I am personally concerned, for more than eight days. If it is the general wish of the Council that in future years more than eight days should be allotted, I would be happy to submit that request for the consideration of His Excellency. I have no authority in the matter myself.

About the third point raised by the honourable member, the position as far as I recollect in regard to the order in which demands for grants are taken has been for some years that in alternate years they are taken from demand No. 1 and so on and in alternate years beginning at the end and working backwards. And that convention was, as far as I recollect, settled in consultation with the leaders of the various parties in the House and had their general approval. Apparently there is nothing laid down in our Manual of Business and Procedure as to the order in which the demands should be taken. But my recollection is that the present arrangement had the approval of all parties in the House when it was brought in and has been maintained with their approval.

Chaudhri Zafrulla Khan : This order was originally adopted with the consent of all parties and the object was that the demands should be discussed in the reverse order each alternate year so that it should be possible to discuss all the demands within the days allotted. Experience has shown that the actual result is that the demands in the middle are very seldom discussed and I have no doubt that the Honourable the Leader of the House would be willing to consult opinion upon this matter again, not with regard to this budget, it may be too late, but with regard to future years so as to accommodate the members in their wishes that they might be able to discuss the different demands during the course of two or three years as the case may be.

The Honourable Sir Henry Craik : If the leaders of the various parties would let me know their views, I shall be very happy to consider them with regard to future years. But I foresee that some members may wish to discuss one grant, other members another and so on. If I am to alter the order it will have to be by the unanimous or practically unanimous wish of the House.

Chaudhri Zafrulla Khan : It need not necessarily be the procedure that the order should be changed each year. There are several ways of achieving the object in view. For instance the discussion may be continuous as it were and if demands 1 to 11 have been discussed this year the discussion may start from demand 12 next year. There are several such ways by which the same object can be achieved.

Mr. President : Our rules are silent on the point, all we have got is Article 129 (8) which runs as follows :—

Subject to the rules the budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Council.

[Mr. President.]

It is clear that "form" is not the same thing as "order." I remember, however, that this point arose two or three years ago. Parliamentary practice is that the opposition is given an opportunity to choose the order in which they would like to discuss the demands for grants. In 1931 I said as follows:—

The other day when the question regarding the admissibility of the motion relating to the reduction of Ministers' salaries was being discussed I suggested to the Government to so arrange the order of budget demands for grants as to give for certain the opposition the opportunity to discuss the demand relating to the salaries of Ministers. I take this opportunity to point out that according to Parliamentary practice it is immaterial in which order demands for grants are taken, and that the Government readily cedes to the Opposition the right of choosing a particular demand for grant to be taken on a particular day. If necessary reference may be made to pages 92—94 of Campion's Introduction to the Procedure of the House of Commons.—(Page 531 of Punjab Debates, Volume XVIII).

According to Parliamentary practice it is the duty of Government to give the opposition an opportunity to choose the order in which they would like to discuss the demands for grants. I do not think that Government will be loser if they follow that practice.

The Honourable Dr. Gokul Chand Narang : Is there any rule there corresponding to our rule?

Mr. President : If the elected members of the Council wish to discuss estimates in a different order from that fixed by Government, I think the Government will be well advised to give in.

The Honourable Dr. Gokul Chand Narang : I was not questioning the practice at all.

Mr. President : I think it is in the interest of all concerned that the wholesome parliamentary practice should be followed. If the House wants to discuss estimates in a certain order, why should Government object to that order being followed? It is only fair and just that members should discuss the demands in such order as they choose, and I hope, that the Government will, even now, if the majority of elected members so wish, allow the demands to be discussed in such order, as they choose.

The Honourable Sir Henry Craik : I shall be glad to consider any such request.

GENERAL DISCUSSION OF THE BUDGET.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, in dealing with the budget I wish to make a few remarks. I wish to explain my position first of all. I am not one of those who think that there is a conflict of interest between the urban and the rural classes. I think, and I am firmly of opinion, that the prosperity of the urban classes depends upon the prosperity of the rural classes and *vice versa*. I am not one of those who would gloat over a measure of taxation on the ground that it affects one particular class. It seems to me that if you cripple the resources of consumers who are not producers, if you reduce their purchasing power, you reduce the price of the article which the grower or the producer puts for sale. The two therefore are inter-connected. The sort of disunion

which characterises the mental attitude of some of the members of this Council is not to be found anywhere outside the province,—that disunion of which I am sorry to say the Unionist Party is the chief protagonist. Other provinces, such as the United Provinces, Bihar, Central Provinces, Bombay and Madras contain many large towns. The urban population is very large in each of these provinces and it goes without saying that the whole of India is agricultural, and that agriculture forms the main industry of the country. But in spite of that this diversity of interest never comes to the forefront. There are some peculiar circumstances in this province which have introduced this diversity. Although I do not champion those circumstances, and I do not support those conditions, yet I think that the condition of the agriculturists deserves our favourable consideration. I have made these remarks in order to clear my position and to ask the members of my party, some of whom have no conflict with agricultural interests, that they should look upon every proposal for the relief of agriculturists in a judicious spirit, in a dispassionate manner and in a detached manner. They should not attempt to retaliate those invidious remarks and discriminatory innuendoes which are to be found in the speeches of some of the members on the opposite side.

Coming to the budget itself, I find that the Honourable Finance Member has stated that there is no ground for "complacent optimism." I would say that there is every ground for positive pessimism. The conditions of the province are such as to deserve special consideration of the claims of agricultural classes at the hands of Government. The conditions are these. At the time of the sowing of the *rabi* there was sufficient rainfall with the result that enough of *barani* crop was sown. But had it all come to maturity, there would have been a bumper crop, but the winter rains have failed and there has been a prolonged period of frost. If there had been good rains there would have been a bumper crop, but in that case there was every reason to anticipate that prices would go down very low. I was thinking that perhaps in rural areas wheat and gram would be sold at half the price at which they are being sold at present. Winter rains have failed and the winter has been the severest on record since 1929. The period of frost has been longer this year than it was in 1929, with the result that the *barani* crops will give a very poor yield and the *nehri* crops also will not be of the best. The present prices may be maintained but even this level of prices is very low. The *Abiana* Committee sat for a long time and submitted a report which was almost unanimous, asking for relief and asking for remission of the *abiana* dues. There is no reference made to the recommendations of the *Abiana* Committee in the statement of the Honourable Finance Member, although it is a very important point to which reference should have been made. I know that orders by Government have not yet been passed, but still there should have been some provision made in the budget to meet the demand if it was considered that that demand was reasonable. Then there is no reference in the budget as to the expected yield from the new tax which it is proposed to introduce. When I was on the *Abiana* Committee, I took a cautious line; I did not propose any special sum which should be given by way of remission. I wanted prompt relief but *kharif* has passed and *rabi* is coming. The conditions in *kharif* have been such that, the smaller landholders have had to sell their movables in order to meet Government demand. The bigger landholders have had to resort to overdrafts on their

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banks. I can say something from my own experience on a board of trust which owns several villages. That board of trust imposes a cash rent. The tenants have refused to pay cash rent because they cannot pay and the board is not going to have recourse to litigation because little will come out of it. The board cannot resort to the coercive processes which Government can employ,—processes the fear of which makes the zamindar do what he can to meet the Government demand. That is the present position. If the present prices continue and the conditions which I have described continue to exist, will the zamindars be in a better position to meet Government demands of the next harvest? My answer is decidedly no. I would therefore in view of the fact that we have not been able to get any relief for *kharif* ask Government to give relief to the extent of 23 lakhs plus 51 lakhs, the surplus which Government expects in the present year and in the next, plus the proceeds of taxation from tobacco to give the whole of that by way of remission to the zamindar by reducing the rates of *abiana*.

It seems to me that the price of food grains will not rise for years to come. The only crop which I think may show some rise of prices is cotton, if the negotiations with Japan terminate in a satisfactory manner and if Britain also indents upon Indian cotton. Foodgrains will not command a higher price for years to come than they get now. Mr. Ogilvie in his memorandum has in paragraph 13 referred to the effect of the colonisation of Sind under the Sukkur Barrage. Every kind of crop, all kinds of food grains and even cotton will be the copious product of that colony when it is fully developed and when the whole area comes over cultivation. I therefore expect no rise of prices in the near future. As regards the world conditions and world economics, I do not profess to understand them and I leave that to some economist member to tell us what prospects there are of any relief in the world conditions which will have effect in India, but one matter is clear and that is, that foodgrains are being produced in very large quantities and they are not being exported. All other countries in the world are equally productive and consequently there being no export from here, the whole produce has to be consumed in this province itself with the result that the prices are not likely to rise. The conditions appear to me to be somewhat permanent. Therefore, a permanent remedy has to be devised. The Honourable Finance Member has referred to the fact that certain remissions have been granted and that our revenue system is not as elastic as people think it to be. It is elastic only in extreme cases. The case of *abiana* is very different. *Abiana* is a commodity which Government supplies and if the price of everything has gone down, there is no reason why the price of water should be maintained at the same level. These are grounds on which the zamindars demand relief and deserve relief and I hope that the surplus money to which the Honourable Finance Member has adverted will be utilised by granting relief to the zamindars.

There is no reason why 23 lakhs and 51 lakhs should go to decrease the public debt, why Government should utilise these sums for reducing its own debt and allow the zamindar to accumulate his debt. There is a well known Persian verse which says:—

رعیت چو بخت است و سلطان درخت
درخت اے سپر باشد از بخت ستمت

The peasant or the people are the root and the Government is the tree and the tree attains its firmness by the firmness of the root. If the peasant and the people of the province are in straitened circumstances, there is no reason why money should be utilised for the purpose of reduction of public debt.

There are two other points to which I wish to refer. It seems to me that there are two white elephants in the province which Government is called upon to feed. One is the Sutlej Valley Project and the other, the Mandi Hydro-Electric Scheme. I would refer the House to page 41 of the Appropriation Accounts of the Government of the Punjab for the year 1931-32 and the Report of the Accountant-General thereon. It is stated here that the percentage of profits anticipated in 1928 from the Sutlej Valley Project was 12.06 whereas the actual percentage of actual loss is 2.07. Now, when is this loss going to be replaced by a gain? The report of a committee has been promised but has not yet been prepared. When prepared I submit that it should be laid before the House.

The second scheme is the Mandi Hydro-Electric Scheme. We hear of the electrification of certain towns, but that was not the object with which the scheme was started. When is the scheme going to bring us adequate profits? A statement like the one promised for the Sutlej Valley Project should be prepared for this scheme also. The electrification of a few towns such as Ludhiana, Kasur, etc., was not the object with which the scheme was undertaken. These towns would have been electrified even by private companies in course of time. Now in certain places the supply from the Mandi Hydro-Electric scheme is replacing the supply by private companies. That was not the object of the scheme. The object was to make the power available for the industrial development of the province, but the industrial development continues to be practically in a backward condition. The only important industry in the province is agriculture and therefore a large volume for electricity should be made available for agriculturists. It cannot be placed at their disposal unless the charge per unit is considerably reduced. The power can be utilised by agriculturists in two ways, one for raising the sub-soil water and the other for increasing the fertility of the soil and increasing the outturn of the soil. Experiments will, of course, have to be made with reference to these two points by the Agricultural Department. I have heard of certain experiments made in America, but I do not know how far their conclusions have been supported by the Agricultural Department of our province. It is, therefore, a matter for investigation by the Agricultural Department. But certainly power can be used for raising the sub-soil water. The Irrigation Department need not be influenced by imaginary fears that their own schemes of irrigation will be wrecked. I think there is sufficient scope in the province for both, for water supply from the irrigation channels and for water-supply from the sub-soil of every village. Probably if the electricity from the Mandi Hydro-Electric Scheme is made available for the purpose of lifting water, the canal department will be enabled to extend its irrigation considerably by contracting the water-supply in each State. Therefore, they need not fear the consequences of raising with electricity the sub-soil water for irrigation purposes. But the possibility of raising the sub-soil water is doubtful until

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the rate per unit is considerably reduced. The prices of agricultural produce are so low that the zamindars cannot afford to pay high irrigation charges.

Another department on which I should like more money to be spent is the Department of Industries. It appears to me that the fate of agriculture in the province, as also in the whole country, is doomed, whatever other people may say to the contrary. The only remedy for the economic salvation of the country lies in the development of industries. If the industries are properly developed there will be employment found for a large number of people who are now unemployed, and there will be some means found for feeding and nourishing the increasing population of the country that has now to fall back upon the greatly decreasing share of holdings in the land. I think any money spent on the development of industries will be productively spent.

Before I resume my seat I should like to strike a personal note and it is this. The Honourable Finance Member said that the budget which he presented two days ago would perhaps be his last. He probably believes that he would be so easily let off. But I would not allow him rest until he finds a solution for all the conundrums that I have put before him and I would even go to the length of finding a constituency for him and get him elected to the new Council so that he may be able to take part in the working of the new constitution.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Sir, it is in no mere conventional manner that I begin my remarks by congratulating the Honourable Finance Member and the Finance Secretary, both the present incumbent and his predecessor, and the whole of the finance staff for the budget, they have presented to this Council. This budget, I think is as satisfactory as one might expect in the trying circumstances through which we are passing. My admiration for the Finance Member and for Mr. Puckle is all the more when it is remembered that they have handled in a most admirable manner the finances of the province through very difficult times. As I have said, the budget is as sound as one can expect under the circumstances. The most creditable part in the budget is the reduction—permanent reduction—of 10½ lakhs under debt interest. That is a good bargain that the Finance Member has struck. It is gratifying to find that the budget of 1934-35 shows a surplus of 51 lakhs. But we must not be very optimistic, because in 1932-33 we did start the budget with a surplus of 56 lakhs, but at the close of the year the surplus was converted into a deficit of four lakhs. I am quite conscious of the circumstances under which the income was reduced; but I cannot understand why under such circumstances the expenditure which was budgeted at 982 lakhs was allowed to rise to 991 lakhs. The expenditure in that year, instead of going down had actually gone up. As the Honourable Finance Member himself has said, this gap is too short and even one duststorm would be sufficient to close the gap.

There continues to be a great and urgent need for retrenchment. I do not see why all the recommendations of the Retrenchment Committee have not been carried out. As far as I know not even half the recommendations of the Retrenchment Committee have been carried out. (*The Honourable*

Sir Henry Craik: More than two-thirds of the recommendations have been given effect to.) I do not know to what extent as a result of the Retrenchment Committee's recommendations the expenditure has been reduced. If the Honourable Finance Member can supply the House with exact figures by which the expenditure has been reduced in accordance with the recommendations of the Retrenchment Committee, it would really be of interest. (*The Honourable Sir Henry Craik*: That has already been done.)

Sir, the finances of this province depend mostly upon the condition of agriculture. The peace and prosperity of this province depends upon the condition of the agricultural classes. It is true that we are passing through a period of unprecedented depression. It is also true that this is a world-wide problem which cannot be tackled by one province or even one country alone. But it must be remembered that every country is trying its utmost to fight this depression. The Punjab is not an isolated unit. We are part of the whole and the financial policy of the central government affects us vitally. In other countries this depression is being fought in various ways. The price level has been raised by many devices. One device which for the last one or two years has been found by some countries to be of some value is the depreciation of their currency. As a matter of fact in these days very few agricultural countries are left on the gold standard and almost all agricultural countries have their currency depreciated. On this account we find that we cannot stand in competition with those countries which have depreciated currency. The United States of America with the aid of depreciated dollar has been successful in raising the prices of cotton; that price has to some extent benefitted us, but the benefit has gone more to the United States. Again by reducing the cultivation of cotton they have also tried to raise the price level. Japan since 1931 has depreciated its currency and consequently her exports have tremendously increased during the last two years. In fact there is no other country where the price level as a whole is so low as in India. (*An honourable member*: Price level of what?) The average price level of all commodities. (*An honourable member*: The price level of wheat is higher than anywhere else.) I do admit that the price level of wheat is slightly higher. Here I have got a statement published in the *Punjab Government Gazette* which shows a fall in prices as compared with the pre-war prices. Wheat has fallen by 29 per cent. from the pre-war price. The pre-war price was Rs. 3-6-8 per maund and now it is Rs. 2-6-0. These are Lahore prices. Cotton has fallen by about 45 per cent. These are the two principal commodities in this province and on the whole the price level has fallen between 20 and 45 per cent. from the pre-war prices. While by the fall in prices the agricultural classes have suffered tremendously, their obligations in cash have not only remained the same, but in some cases they have increased.

Their burdens in the shape of tax, rent and interest on debt have increased in proportion to the fall in commodity prices. Unless some measures are adopted by which measured in rupee the gain to the agricultural classes increases, there is no hope of any relief to the agricultural classes. Sir George Schuster sometime back admitted that even "Australia by her courageous banking policy, diminished exchange and drastic cuts in expenditure got out of the mire and in 1933-34 budget remitted taxation to the

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extent of 7½ million pounds." We have not been able to remit anything to the agricultural classes by way of general remission or by way of reduction in the rate of *abiana*. But their burden measured in commodity prices has considerably increased. The other method by which we can raise price level and help the masses in general is by reducing the railway freight. I was glad to learn from the Honourable Revenue Member in answer to a question that the Government have made representations to the Government of India in this connection. I do not know why the Punjab Government is not taking any interest to make a similar representation for depreciating the currency. I was surprised to read in the Memorandum a passage with regard to this question of railway freight. It is stated there that "the fact that it costs 11 annas a maund to transport wheat from Lyallpur to Karachi is, according to one view, the factor which keeps local prices comparatively high." Does it mean that the prices in Lyallpur are high because of the freight to Karachi? It is impossible to think that on account of the high railway freight the price level in the Punjab is higher.

The Honourable Sir Henry Craik : The price level in Lyallpur has been for months higher than that in Karachi.

Sardar Sahib Sardar Ujjal Singh : The price of wheat in Karachi is higher than the price of wheat in Lyallpur.

The Honourable Sir Henry Craik : No, no.

Sardar Sahib Sardar Ujjal Singh : The price of wheat in Lyallpur according to Karachi parity is higher, but not the absolute price. For example the price of wheat is Rs. 2-2-0 a maund in Lyallpur. The railway freight is 11 annas and so it ought to be Rs. 2-13-0 in Karachi, but it is actually about Rs. 2-8-0 in Karachi.

The Honourable Sir Henry Craik : The honourable member is wrong. It is lower in Karachi relatively and absolutely than in Lyallpur.

Sardar Sahib Sardar Ujjal Singh : I beg to differ. You will find that I am right. Karachi price is about Rs. 21 per candy. The price level in Lyallpur is generally higher than the price level in other mandis because of the existence of 4 or 5 flour mills. Always the price in Lyallpur is 2 to 3 annas higher than in other colony towns. But as compared with the Karachi prices, the prices in the Punjab markets are certainly lower and when we ask for a reduction in the railway freight it is not only the freight from the Punjab to Karachi but to other ports such as Bombay and Calcutta. If the railway freight is reduced the benefit will certainly go to the grower. On one or two occasions this Council has made a special representation to the Government by means of resolutions that the railway freights ought to be reduced and I hope that the Punjab Government will continue to press on the Government of India for a reduction in the railway freight.

There is another way by which, so far as wheat is concerned, the Government can help the agriculturist. In wheat, as we all know, India has not got any exportable surplus and we generally consume all our crop in this country. If Government were to export a certain quantity of wheat and bear the loss then the prices are bound to rise. That would certainly amount

to subsidising directly the agricultural industry. But it is well to help the zamindars to every possible extent. Another way by which Government can help to raise the price level and to improve the conditions of the masses is by the promotion of industry in this province. Our province is endowed by nature with all the raw material that is necessary for industrial development. This province has also got Hydro-Electric power part of which is lying idle. If the Government were to give power at concession rates for industrial purposes private enterprise will be coming forward and a net work of industrial concerns will be set up, the result of which will be a comparative rise in the price level. Government should also move the Government of India to reduce the import duty on machinery. Unless the price of machinery is reduced it is not possible for capitalists to come forward and invest money in industrial concerns. Government should also help in the matter of acquisition of land for industrial purposes. If any public or private company comes forward for the establishment of an industrial concern, Government should help it by acquiring land for that purpose.

Then the Government instead of opening more Arts colleges and wasting money on them ought to spend more money on technical education and on industrial schools. I fully realise the necessity of higher education; but young men should first be equipped to earn their living. When we find that thousands of young men are unemployed it is no use swelling their ranks by spending money on opening more Arts colleges. The money will be more usefully spent on technical education.

I now pass on to a matter which concerns my community. The Sikhs are beginning to feel that Government is indifferent to the claims of the community and this is so, particularly in regard to recruitment to public services. The agitation has been going on lately in the Sikh press that their claims in public services are being ignored. Sikhs have been agitating in vain for the last many years for the appointment of a judge on the Bench of the High Court. It is a matter on which I do not like to say much because one should not dilate upon personalities, or upon the qualifications required for such an exalted office. Comparisons are certainly odious, but I would impress upon the Government that if they have the will to find a man from the Sikh community, the community can certainly give not one but two or three, who can adorn the Bench of the High Court with distinction and credit. I do not want to say much on the subject of public services, but if the Government were to look through the list that they supply in regard to the recruitment to the various services, they will find that the total percentage of the Sikh community in the services comes to near about 10 or less than 10; in some departments it is about 5 or 6. (*Chaudhri Zafrulla Khan*: And in some more than ten.) The average, I have said, comes to about ten per cent. During the course of negotiations with leading members of other communities, it was conceded that the Sikhs should get 20 per cent. of the total recruitment. (*Chaudhri Zafrulla Khan*: Which talks? Who has admitted and on whose behalf?) I do not like to disclose the names, but those who have been negotiating admitted that Sikhs should at least get twenty per cent. share. (*Chaudhri Zafrulla Khan*: No.) A convention was also established in the first Reformed Council in some departments to appoint 20 per cent. Sikhs; but this 20 per cent. share is not

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given to the Sikhs in any department now. With the exception of one or two departments the Sikhs hold from 5 to 13 per cent. of the posts. And I would impress upon the Government the necessity to look to this matter and to remedy the genuine grievance of the community. My Honourable friend, Sir Firoz Khan Noon, knows that there is not a single Sikh Inspector of Schools and for many years we have been representing in vain to the Honourable Minister for Education and the Director of Public Instruction.

In the end I would like to stress again on the need for rigid economy. The way to recovery is far off. No one can foretell when the depression will end. If recovery comes at all and there is a surplus, that surplus should well be utilised in giving relief to the agricultural classes whose need for relief at this time is greater than that of any other section of the people.

Mr. Manohar Lal (Punjab University): I think Raja Sahib struck a very happy note in initiating the general discussion on the budget this afternoon. I have no such intimate rural associations as Raja Sahib possesses, but I have come to a deep-rooted conviction after much reflection that the prosperity of this province, if not of India as a whole, is so remarkably bound up with the prosperity of the agricultural classes that I for one would be prepared to meet them more than half-way in any demand on their part to improve their position. We had the other day a resolution moved by Mr. Owen Roberts, unfortunately I was not able to take part in it. I would say straightaway, considering the demand on the part of the agriculturists for increased measure of employment in Government services and considering the likely effect if this demand is not met, I would offer every single Government employment to members of the agricultural classes. And I say so in all seriousness, for, thereby we put an end to a wholly unnecessary and unfortunate difference that exists at present between the agricultural classes on the one side and urban on the other. I would for my part offer but one condition if the agricultural classes would accept it—I do not press any conditions on behalf of the urban people—and that is this. Lay down your standards of efficiency, whether physical, moral, educational or otherwise. Lay down your standards, provide your tests. Find out then people satisfying those standards by the tests that you yourself have laid down and then without respect to whether a person is A, B or C let the best be selected according to those standards. Let every post be so filled, may be every single post may go to Muhammadans, Sikhs or others. Given the standards, have the best. We in this province, whatever its importance might be, are none too rich and, while I will be prepared to exclude the urban people from employment by Government, because after all it represents but a small fraction of the total employment that exists in any country, I believe that it represents not more than 1 per cent., will be prepared to offer every single post in Government employment to the agriculturists, and exclude from the sphere of competition on satisfying those tests, the urban people. I would ask in all humility that when you have kept your employment within these circumscribed limits, of your own choice, let us have the best and I am not afraid that, if you were to so limit it merely to the agricultural classes, you would on the whole or on the average get any the worse material. And why not? Because after all is said and done the

agriculturist represents not only an important class on whose prosperity the prosperity of this province depends, but also a very numerous class, a very large percentage of our population and a very large number of our educated graduates of the present day. That is the position, and the sooner we accept it the better, and I say so after much careful thought and in no light spirit, for thereby may come peace and good-will, and national advance.

Coming to one or two other matters, the honourable member who has just sat down, and who speaks naturally on agricultural and economic matters with a certain measure of authority, has referred to one or two devices that have been recently employed in countries abroad in order to get out of the present difficulty of economic depression. As one who has attempted to study economics concerned with the means of increasing prosperity and of meeting adversity in matters of wealth, I am free to confess that economists have never spoken with a less certain voice than in recent years. One may pretend to diagnose the reasons which have brought about economic depression. Learned formulæ are easily evolved. But one has not come across any even partially satisfactory method on which economists are agreed by which these troubles can be got over. May I refer with your permission to an economist who holds a leading position in the world at the present time, a name with which we are all familiar, one who belongs to the University which I am proud to belong to myself, that is, the great Mr. J. M. Keynes. He put forth the startling proposition only about eighteen months ago that one way of getting out of this mischievous situation, one way of breaking through this vicious and ever-tightening spiral of depression would be for the State to launch upon large public works measures on borrowed capital. That is, let the State borrow a great deal of money and start public works and thereby employment would be given to a large number of people, and then somehow these mischiefs would be cut down and we shall be all marching once again on the road to prosperity. Every word that Mr. Keynes writes is immediately translated at least in twelve languages of the world, and yet one has not yet, in spite of the high authority with which he speaks, found that he has been followed; his opinion has not been respected in any country in the world which I know of.

A more direct reference has been made by Sardar Ujjal Singh to depreciating our currency as some sort of short cut to prosperity. I happen myself to think on economic matters rather along conservative lines, and I should certainly be chary to advise any friends of mine who have influence in this matter to advocate a policy of monetary depreciation. Time was when it was thought that a Government that played with your currency was doing something of the most odious that a bankrupt old king or prince could indulge in. That of course one can say no longer. The richest country in the world, the United States of America, has recently entered upon a career of depreciating its currency. But is opinion quite so clear as to the wisdom of what has been done in the United States of America? Firstly, we do not yet know exactly the steps that have been taken, and we are certainly far from knowing that that has led in any manner whatsoever to any kind of prosperity. What we do know for certain is that the best opinion in America is seriously divided on the question. It may be within the recollection of honourable members that the President of the United

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States of America, in whose dictator-like hands for the moment the country has given over the solution of a problem so serious, has no unchallenged support. Professor Sprague, who occupied the very high position as his adviser immediately left that office, and we have one professor divided against another and, as I said, it is not clear at all that a country would be safer in following the footsteps, certainly not our country, of the United States of America, with its peculiar situation, with its remarkably strong economic position, and with its executive and the senate constituted as it is. Our voices in India, the political voice in particular, speaks in no certain and definite manner and once we enter upon the idea of depreciating our currency I think it is my friends the agriculturists who would be the most sorry for a step of that description.

With your permission I should refer to two matters before I resume my seat. It has been said that the finances of our province suffer from the depression from which they are suffering at the present moment because of two extremely expensive schemes with which we stand burdened, the hydro-electric scheme with its large capital expenditure which was supposed to initiate an era of industrial advance and from which we can only see small profits and budgetary depression for the present, and the Sutlej Valley Project of which I have no particular knowledge. I wish to refer not to two expensive elephants which are depressing our finances. I propose with your permission to refer to two poor starvelings. One is the Punjab Public Library and the other is what the Punjab Government spends or does not wish to spend on, higher technical education.

It is realised everywhere that a public library is the people's university. That is one thing. I think it requires no demonstration to-day that in Lahore, and in the Punjab generally, education has proceeded apace. So much so that even I, intimately associated as I am with the Punjab University, cannot keep count of the rapidity with which our numbers in the colleges are increasing, and it is news to me every two years or so, that I enquire, the rapidity with which our graduates are being turned out. Now, would it be news to you, I am sure it would be news to members of this Council, that we that are the custodians of the intellectual equipment and the general prosperity of the young men of this province, we that are so anxious that our young men should not remain unemployed, particularly our educated young men, that in spite of the fact that we have annually fresh graduates to the extent of 2,000 or thereabouts, not to consider people at the lower rung of education, not to consider those who are taking their education and reaching their highest in the vernaculars and in the Indian classics and so on, in spite of that the library remains housed in a place, that was never meant to be a library, for the last thirty or forty years till there is not an inch of space, literally not an inch of space. We have gone on in this unsuitable building, and this is a matter which has been seriously before the Government, to my knowledge, for the last ten years.

To me, Sir, it argues bankruptcy on the part of Government not to provide for the essential needs of our young men of this province. The Library is getting from the Government as an aid every year of about Rs. 16,000, which is utterly inadequate for the needs of the library, and even at that we are in constant danger of its being reduced. After provisions

have been made for lighting, furniture, for binding, journals, etc., we are left with a paltry sum of about rupees three or four thousand. It is our duty, when we have a large army of graduates, a large number of educated people who are not able to find employment, to furnish them at least with reading material. In this rich and important province of India we ought to have a properly housed and well-equipped library. Of that there can be no question. If the public library cannot be located in a commodious and adequate building in the gardens next door, some other suitable place may be found, and the question of at least a moderately adequate recurring grant must be seriously considered.

This is one matter. The other, if I may say so, is this. We talk of higher technical education. We speak of the necessity of schools which will remove unemployment, which will divert our young man from following this very vicious course of purely arts education. Does the Government not spend an adequate amount of money on higher technical education? They were opposed to the arts course often described as useless and harmful, but the total grant for higher technical education, which is provided in this fat volume of the Budget is Rs. 20,000, the contribution which the Government made to the Foreman Christian College, Lahore. But, even that paltry sum of Rs. 20,000 is in danger of condemnation at the earliest possible opportunity. If the Government cannot spend even Rs. 20,000 on higher technical education, does it lie in the mouth of any single member of the Government to say that our education is in vain, that we are not providing employment for our people, that we are not giving them proper education? Does it lie in the mouth of Government to say so?

These are the matters that lie very near my heart, particularly the Public Library, for which I should say one more word. That is the library on which, under the Ministry of Education, a large number of honourable members have the privilege to serve—High Court judges, principals of colleges, vice-chancellors of the University, members of the Bar, Director of Public Instruction and engineers, and so on and so forth. I happen to be one of those persons who devote every week about two hours in selecting books for the Library—a function not easily discharged—with the extremely exiguous financial limits of about Rs. 4,000 a year. A large number of persons are giving honorary services and undertaking arduous work, and yet this is the manner in which we are treated. That is a claim that I am putting forward on behalf of urban people. If the Government is going to finance one library, Lahore is obviously the only place in which that can be done, but it should be done properly.

One word more and I shall have done. There again it is my personal feeling.

(At this stage Mr. President left the chair and it was occupied by Chaudhri Zafrulla Khan).

The Sanitation of Lahore has been a matter of some agitation in this House. I returned to Lahore from Calcutta in the year 1913 and took a house on the bank of a little open stream that used to have water only during the monsoon seasons, good clean rain water, and that state of affairs continued for 10 or 11 years, but thereafter little streamlets of dirty water and filth began to enter and then what not. Now it has become a permanent sewer of the

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worst description that flows right near one of the biggest colleges, past our cinema grounds, crosses the Mall, traverses the whole of the Fane Road on which, as you are aware, important members of your metropolitan society live. This is in spite of what Dr. (Mrs.) Shave might have said about the improvement of sanitation of Lahore. That one drain with its increasing filth is a greater menace and danger to the people of Lahore than all the doctors put together could meet and attack. (*Laughter*). It is a perfect disgrace that in our principal town, in our principal thoroughfare we are having this filthy and dirty stream on the bank of which one of the members of the Royal Commission, that came to devise and formulate our reforms, had to live for about 4 or 5 days. Is it not the imperious duty of the Government—science cannot be so bankrupt,—is it not absolutely the first duty of the Health Department to terminate this pestilential nuisance? When I had little influence I invited the head of the Health Department to visit that place. Can the municipality do nothing, the municipality that has allowed this deplorable state of affairs, this grave public danger to arise? The Minister has been approached. Is anything being done? I say, the sanitation of Lahore is in a most deplorable condition. I refuse to believe that anything whatever has been done to improve our sanitation, because I see no signs of improvement anywhere. I say something must be done to check the increasingly worsening situation. I should not finish on this note of filth and dirt.

I should like once more to express, at any rate, on my behalf, that I associate myself whole-heartedly with my rural friends. The prosperity of a province or of the country is a function of mutual co-operation, support and working together of the various members of the community, and I for one am prepared to concede and give way to every single reasonable demand of theirs without any reserve whatsoever.

Dr. (Mrs.) M. C. Shave: On a personal explanation, Sir. The honourable member who has just sat down was not correct in stating that I had said the sanitation of Lahore was improving. The sanitation of Lahore is worse than it has ever been. What I said was that I am thinking of organising a deputation of the citizens of Lahore to wait upon the Governor and to request him to come to our rescue. The Executive Officer within the limited means at his disposal is doing all that he can to improve the sanitation of Lahore.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural): Sir, but for the preliminary remarks, with which Diwan Bahadur Raja Narendra Nath opened his speech there was a great deal in that speech with which he would have found me in agreement. A greater measure of agreement between the Raja Sahib and myself has not been found possible during the last 10 years than it would have been found to-day, but for his preliminary remarks. His preliminary remarks deal with a subject of very great importance and very extensive scope. In view of the largeness of that question I should not like to attempt to answer the points raised in his preliminary remarks. However, I should like to repudiate the suggestion that it is the Unionist Party which is prone to speak in a manner which leads to disunion. As a matter of fact, if any dispassionate reader of the debates in this Council would go carefully through

those books lying on the table of the Secretary he would find that each time that there has been a friction or unpleasant feelings in this House, it was created by somebody on those benches, particularly, Pandit Nanak Chand and the Honourable Dr. Gokul Chand Narang.

The Honourable Dr. Gokul Chand Narang : No, no. I repudiate that statement. I challenge you to prove. I have always spoken on the defensive side.

Rao Bahadur Chaudhri Chhotu Ram : If the Honourable Minister would just look through those books, he will find that most violent things, most bitter things have been said by Pandit Nanak Chand and himself in an aggressive manner. The Honourable Minister for Local Self-Government has really always been on the aggressive, not on the defensive side. If you would excuse me, Sir, I would draw your attention to the speech which he made on the Executive Officers Bill last year. There was not a single word of communal import or controversial nature which was said by anybody with regard to that measure before he rose and made his speech. He was the first to introduce communalism. If he would consult those proceedings, those debates, he would find himself standing in the position of a self-condemned person.

With the remarks which were made by Raja Narendra Nath that the
 4 P.M. interests of agriculturists and non-agriculturists,
 or the interests of rural population and urban
 population, are inter-connected with each other, I have no quarrel. There is no doubt that the interests of urban population and rural population are inter-connected and inter-related and inter-dependent. But I may be allowed to suggest that it would serve no useful purpose to ignore conflicts of interests where they exist. The interests of capital and labour are perfectly inter-dependent, inter-connected and inter-related. The prosperity of capitalists would in some measure conduce to the prosperity of labourers. The prosperity of labourers may in certain measure conduce to the prosperity of capitalists, but no one would contend that there is no conflict between the interests of labour and capital. The same is the case with urban and rural interests. That is all I should like to say on this subject for the present.

However, Raja Sahib made some further remarks which in a way make amends for his opening remarks. He advised the members of his party that they should consider dispassionately any measure that is brought forward for the relief of indebtedness among agricultural classes. That was a very welcome suggestion, and I personally and on behalf of the members of my party thank Raja Sahib sincerely for the hint that he has dropped to the members of his party. Even more than with Raja Sahib's I find myself in agreement with the speech that has been made by Mr. Manohar Lal. He has broken his silence after a very long time, but having once broken it he has made a speech which ought to go to the heart of everybody who has listened to that speech. It should be particularly welcomed and considered dispassionately by the members of the party to which he himself belongs. He says that so far as he himself is concerned, he would offer every single vacancy that occurred in any department to agriculturists,

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provided agriculturists agreed to one condition, that of laying down a particular standard of efficiency which should be reached by every candidate who desired to be appointed. I am in absolute agreement with him there. I am very glad to find an awakened sense of justice in the mind of an urban member towards the classes which have not so far received anything like a fair treatment from Government. But I may be permitted to remark that this sense has awakened rather late in him. He was a member of Government in charge of the Education Department for four long years. I wonder whether in any single instance he acted in the spirit to which he has given expression to-day. However, better late than never. If he has come to recognise the force of the claims which are put forward by the members of my party, by members belonging to agricultural classes or by members who are interested in the welfare of agriculturists, I should welcome that change of mentality in him. He was very careful to add that he was not making this offer on behalf of anybody but himself. He was careful enough to safeguard the attitude which might be adopted by the members of the party to which he belongs. However, even though he has spoken from a personal point of view he has said things which do make me feel personally grateful to him and for the sentiments which he has given expression to.

I will now make certain observations with regard to the subjects which were dealt with by the Honourable Finance Member in the speech which he made while introducing the budget for 1934-35. The first point to which I wish to draw the attention of the House relates to the decision of Government to treat receipts from rent in respect of temporary cultivation as a part of ordinary revenue. I think it was in 1924 or 1925 when it was decided for the first time not to treat these receipts as part of ordinary revenue, but to assign to an entirely different category all the receipts which accrue from crown lands whether in the shape of sale proceeds or in the shape of rent in respect of land given out on temporary cultivation. Personally I do not think that the decision which has been come to by Government is at all a wise decision. I will just draw the attention of the Honourable Finance Member to the fact that we are now on the eve of fresh reforms, and so far as the allocation of financial resources is concerned, the Government of India will have to give a very important decision with regard to the sources of revenue to be allotted to provincial governments and those which are to be retained by the central Government itself. If the finances of the Punjab Government at the time when this question comes up for decision present an appearance of great prosperity or even relative prosperity which they are bound to present if these receipts are taken as part of ordinary revenue, then we as Punjabis are likely to suffer very greatly. As a matter of fact, even on the last occasion the Punjab did suffer very materially from the fact that the finances of the Punjab seemed to be very prosperous at the time when the Government of India gave its decision with regard to allotment of sources of revenue. If receipts from rent in respect of colony lands are treated as part of our ordinary revenue, history may repeat itself over again. Therefore I would suggest for the consideration of the Government that at least for some time to come these receipts should continue to be treated as extraordinary receipts. They should not be incorporated into our ordinary revenue. Personally I have not been able to see the

reasons which have led the Government to come to this decision. What need was there for this change to be made at all? After all, these 18 lakhs or 20 lakhs were coming into the coffers of Government right enough, whether it was classed as extraordinary receipts or as ordinary revenue. The Punjab Government as a government did not stand to lose by the present classification of receipts. Therefore with a view to avert the contingency of our revenues giving a false appearance of prosperity at the time when the Government of India comes to a decision with regard to the allocation of the sources of revenue, we should revert to the classification of our revenues which has been in force for the last ten years.

The second point to which I would address myself now is the Hydro-Electric Scheme. It has been described in the press and also in some of the speeches in this House as a white elephant. Not only as a member of this House am I interested in the welfare of the scheme, but there is a further factor which causes me to take unusual interest in this scheme. I was responsible in a large measure for the initiation of this scheme. I was in the hands of experts. I could not naturally go against the wishes of the experts. I was a perfect layman and did not know much about electricity or the works which were necessary to generate electric current. I was advised by experts, and advised by scores of them, that this scheme would be a very profitable scheme and was a perfectly feasible scheme. So far as feasibility is concerned, their expectations have been fulfilled, but financially the scheme does not promise any very good return. Naturally as I was responsible for the initiation of this scheme I feel a great deal of anxiety and apprehension with regard to its prospects. It has been stated in the speech of the Honourable Finance Member that so far as the technical side of the scheme is concerned, it has proved very successful in the opening year of its working. So far so good, but the prospects of revenue from this scheme do not seem to be at all bright. For the year 1934-35, 12 lakhs is the estimate of income from the working of this scheme. The total amount which has already been spent on this scheme is a little more than six crores and a quarter. On this capital, 12 lakhs would give a little less than 2 per cent. of gross income. That can hardly be called encouraging. I hope that as time passes the scheme will be more profitable than it is expected to be in the opening year of its operation. In any case I request the Honourable Minister who is in charge of this scheme to be very careful in respect of any expense that can be avoided. He should see that rigid economy is observed in the working of the scheme, and if he can find use for the supply of electricity on more remunerative terms he should look out for those avenues.

The third point to which I will turn now is the case of the Sutlej Valley Project. It has been stated in the speech of the Honourable Finance Member that the share of money which the Punjab has so far spent on this scheme is just over 962 lakhs. Out of this, 60 lakhs has been spent upon the construction of water-courses in respect of which Government will be able to recover an equal amount from zamindars by the levy of an acreage rate; some recovery will also be possible by the sale of tools and plants, and so on. Thus he expects that the total expenditure on this scheme, so far as the Punjab is concerned, will be 902 lakhs. The income which he expects from this scheme in 1934-35 is 57 lakhs. That means a gross return of

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6·3 per cent. on the capital spent. That, I consider, is fairly encouraging. We never expected that of the Sutlej Valley Project during the last few years. We have had very bitter experience of the working of the Sutlej Valley Project, and the expectations were that this scheme would continue to be not a source of strength to the Punjab finances, but a source of considerable embarrassment. Therefore the gross return of 6·3 per cent. on the Punjab share of the money spent on it is definitely encouraging, and I hope that, as cultivation on this project expands and the prices of agricultural produce improve, we might be able to get a far better return than we have been able to get in the past or we expect to get in 1934-35.

I congratulate the Honourable Finance Member on the success of the loan floated by him in the open market. The loan was unusually successful. It was over-subscribed within a few hours. I am told that in one hour as much as six crores was subscribed. That is a compliment not only to the Punjab and its Government but also, as explained by the Honourable Finance Member in his speech, to the sanity and sobriety of judgment of the Council. The people outside the Punjab have full faith in the sanity of judgment which has been displayed by this Council in the past and which will continue to be displayed by it in the future. The members of this Council have never been reluctant to assume responsibilities when they found that it was their obvious duty to shoulder those responsibilities. They have willingly taxed themselves on more than one occasion, and if, God forbid, it becomes necessary again to tax itself, I can assure the Honourable Finance Member that this Council will gladly tax itself, that is, tax the people whom it represents over again. However, the net result of the floating of this loan has been very satisfactory indeed. It has enabled us to save as much as 7½ lakhs under the head 'Avoidance and Reduction of Debt'. With this saving of 7½ lakhs we have also to take into account a further saving of 3 lakhs which has been rendered possible by the fresh concessions which have been allowed by the Government of India to the Punjab Government in respect of certain other loans. The Government of India itself raised certain loans at a lower rate of interest, and as the Government of India stood to gain by the fresh loans raised by it, it gave us corresponding benefit of lowered rate of interest at which it was able to borrow for its own purposes.

I also congratulate the Punjab Government on its decision to continue the present five per cent. cut. Of course, the members of the permanent services, both those who are highly paid and those who are not so well paid, would have liked to see this cut disappear. But in the present stage of the finances of our province it would have been unreasonable to do away with the present five per cent. cut. Personally I feel that the full ten per cent. cut ought to have been retained in force. As things are, the scales of salary, at least for future entrants, should be much lower than those which are now in force. Something in the way of consideration has been done in that respect, but the Punjab Government has not so far been able to come to any decision in view of what the Honourable Finance Member said, uncertainty of the situation. I do not know where uncertainty comes in. I am certain of one thing, that our finances have been very low for the last four or five years and that the prices of agricultural produce have gone

down very substantially. I am also certain of the fact that the prices of agricultural produce are not likely to recover to any great extent in the immediate future. Therefore there ought to have been no reluctance on the part of the Punjab Government to come to a definite decision on the question of lowering the rates of pay for future entrants. I understand that some other provincial governments have laid down definitely lower standards of pay for future entrants. The Punjab Government also would have been well-advised to come to definite conclusions on this subject and announce its conclusions and also give effect to those conclusions.

The Honourable Finance Member has taken credit for the fact that the Punjab Government has not been compelled to impose a penny of fresh taxation. That claim, though not strictly correct, may be regarded as substantially correct. Probably the small amount of fresh taxation which has been imposed upon the land-owning classes has escaped his attention. The land owning classes, like Mr. Staig, are unquestionably the willing horse on which all sorts of burdens are thrust in season and out of season. Even in these days of low yields and lower prices of every agricultural produce, so far as the unfortunate classes I represent here are concerned, they have been subjected to a fresh burden. It may look a small one. But there it is. I mean that the fee for inspection of patwaris' records has been levied for the first time—

The Honourable Sir Henry Craik : Not in my time.

Rao Bahadur Chaudhri Chhotu Ram : It refers to the Honourable Finance Member's time. For that figure appears for the first time in the budget prepared last year. I also understand that there has been a slight increase in the scale of mutation fees in respect of certain classes of agricultural land. These are the two fresh burdens placed upon the back of the agricultural classes. I only hope that they will not prove the proverbial last straw on the camel's back.

Kanwar Mamraj Singh Chohan : Sir, I rise to a point of order. I see the Deputy President in his seat, and I think that it is he that should occupy the chair in the absence of the President and not anybody else.

Mr. Chairman (Chaudhri Zafrulla Khan): The Deputy President was not present when I was called upon to occupy the chair.

Rao Bahadur Chaudhri Chhotu Ram : Now, although the remarks which I am going to make may appear to be rather contrary to the spirit which was exhibited by Mr. Manohar Lal and also to some extent by Raja Sahib, I should like to remind the Honourable Finance Member of the existence of the other horse, though perhaps an unwilling horse or even a kicking horse—I mean the urban population. (*An honourable member :* It is not a horse at all.) Then call it a mule. (*Laughter.*) While I am certainly opposed to any taxation which is not called for, even if it is placed on the shoulders of the urban classes, I should certainly welcome some new sources of revenue to be explored by the Punjab Government. The Punjab Government has been very very reluctant indeed so far as the exploration of fresh sources of revenue is concerned. I suggested one source of revenue, the entertainment tax and it was remarked by certain people that the tax

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might prove to be unpopular, and that it would not bring much money. Is there any tax in the world which is popular? None. If you impose a single penny on me, however rich I may be, I would resent it. I would certainly not welcome it. Any tax is bound to prove unpopular. But the tax I suggest is a very reasonable one and falls on the shoulders of those who have the capacity to bear. There are as many as twenty cinemas in Lahore. Is there any reason why the people who pay Rs. 5 a night or even Rs. 2 a night should not pay, say, four annas per ticket towards the general revenues of the province. I am absolutely sure that if an entertainment tax were imposed it would bring in more money than the Tobacco Vend Fees Bill. Therefore, I urge very strongly upon the attention of the Honourable Finance Member the imposition of at least this tax as quickly as possible. Of course, I know that this tax will fall on persons who have a great deal of influence, who can talk, who can go to the Press and who can agitate. The Honourable Finance Member may be surrounded by a very large number of persons who may not like this tax and may say to him, Sir, "what are you doing? This is the only recreation open to us. Do you want to deprive us of this recreation or do you want to make this recreation more expensive than it already is? After all nowadays people are in a very uncomfortable position financially, and you should not therefore add to their burdens." But my contention is that if it has been found necessary to add, however, very slightly, to the burdens of the agricultural classes, there is no reason why there should not be some addition to the burden of those who are in a position to bear this additional burden. This tax on entertainment will fall absolutely on that section of the population which is rich and well-to-do and spends its money thoughtlessly.

Now, I come to that portion of the Honourable Finance Member's speech which deals with the extent of remissions which have been made. The total amount which has been remitted by the Government during the last few years in various forms amounts to 613 lakhs. That appears to be a very large figure; and I am certainly most grateful to the local Government that it has remitted these large sums. In ordinary times they would appear to be very large. But let us not forget that the 613 lakhs remitted in the course of the last four years means no more than 150 lakhs a year. What proportion does this amount bear to the total amount of our budget? It would be about 10 or 12 per cent., not more than that. I admit that it is not easy to forego even 10 or 12 per cent. of our total annual revenues. That is perfectly true. But at the same time I would add that these 613 lakhs do not represent a very high amount when we take into consideration the factors which have made the position of agriculturists so precarious during this period. Let us not forget that in boom years the zamindar was getting Rs. 5 or Rs. 6 per maund for his wheat. It is not so very long ago that the zamindar was getting as much as Rs. 20 or Rs. 25 per maund for his *kapas*. It is not more than five or six years ago when the zamindar was getting as much as Rs. 5 or Rs. 6, per maund for his *gur*. What is the position now? Wheat has gone down to a level in the neighbourhood of Rs. 2 per maund. *Kapas* has gone down to a level in the neighbourhood of Rs. 4 or Rs. 5 for *desi* and Rs. 6 or Rs. 7 for American cotton. *Gur* came down very low last year. Nobody would purchase it even at Rs. 1-8-0 per maund in the South-

East Punjab. I am glad to say that so far as the present financial year is concerned, prices have been slightly better, but nothing like the prices which the zamindar used to get four or five years ago. Therefore, when you take into consideration the extent to which the income of agricultural classes has fallen these 613 lakhs of remission may be regarded a mere flea bite.

I may perhaps be allowed to make some reference to the *Abiana* Committee. The recommendations which have been made by this committee are naturally confidential. As we have been assured by the Honourable Finance Member that those recommendations have not yet been considered by the Government, we cannot expect him to announce the decision of the Punjab Government. But in view of the high level of water rates and in view of the fact that the *Abiana* Committee was appointed by Government to examine this important question, it was only reasonable for us to expect that some sort of reference would be made in the Finance Member's speech. So far as the Committee's report is concerned, strict silence has been observed by the Finance Member in his speech. I am sure that when he comes to make a reply to the criticisms that have been offered by the various members he would be able to make some sort of reference to this subject.

Mr. Chairman (Chaudhri Zafrulla Khan) : How much more time is the honourable member likely to take to finish his speech ?

Rao Bahadur Chaudhri Chhotu Ram : If you will allow me I shall take another twenty minutes.

Mr. Chairman : The honourable member is aware that certain honourable members made a request that if possible they should be allowed to speak to-day in view of to-morrow being a day of religious festival for them. So far as they are concerned, they would be grateful if the honourable member compresses the remaining portion of his speech in as short a space of time as possible.

Rao Bahadur Chaudhri Chhotu Ram : Very well, Sir. I shall try to be very brief in respect of those points which still remain to be dealt with. I shall now refer to the subject of remissions that have been given as a special measure in the South-Eastern Punjab. The total amount of those remissions is 21 lakhs, again a fairly large sum. But I should like to draw the attention of the Honourable Member for Revenue and the Financial Commissioner that even this amount falls far short of what was really due to be remitted. I can assure the Honourable Revenue Member that there are villages to my personal knowledge where the yield could not possibly have been eight annas in the rupee and where attempts are being made to realise revenue in full. There are villages where thousands of *bighas* of land are still under water and where there is a proposal to realise sixteen annas in the rupee of land revenue. I do not know what has been wrong with the estimates which were prepared by patwaris, girdawars and tahsildars, but the relief given in the Rohtak district has been both uneven and inadequate. Where it was due to the extent of sixteen annas it has been given to the extent of say eight annas, where possibly only eight annas in the rupee, would have supplied larger remissions have been given while there are villages where full or fifty per cent. remission was badly needed, but none has been

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given. But I can assure the Honourable Revenue Member and the Financial Commissioner that there is not a single village in the Rohtak district where the produce has even approached 12 annas in the rupee. Therefore, in accordance with the spirit of the announcement which was made by His Excellency the Governor when he went to Rohtak every single village ought to have received at least 50 per cent. remission. But it will be surprising to hear that there are a fairly large number of villages in respect of which realisations are being made on a scale of 16 annas in the rupee. The Honourable Revenue Member the other day happened to remark that I did not bring any specific complaint with regard to this point to his notice. But the truth is that scores of applications, written applications, were sent to him by various villages, written applications were sent to the Financial Commissioner, to the Commissioner and even to the Deputy Commissioner. If those applications failed to be brought to his notice, it is not my fault or the fault of anybody else, it is the fault of the people in his own office.

Now, I shall turn to the subject to which pointed reference was made by Mr. Manohar Lal in his speech, the subject of services. Here I would not indulge in any detailed comments. I would simply quote certain figures. Ordinarily my line of attack has been on the basis of agriculturists not getting a sufficient share in Government service. To-day I am going to take another line of attack and that line of attack is not tribal but territorial. If honourable members were to go carefully into the History of Services of Gazetted Officers a copy of which can be found in the Library of the Council they would be surprised to find that one division of the province has been treated in a most step-motherly manner. I mean the Ambala division. I shall just give the relevant figures relating to various cadres. The number of Indian Civil Servants is 37, that is, of those of Asiatic origin. Out of these 37, 15 come from outside the Punjab. With regard to the rest, Lahore division gets 11, Jullundur gets 5, Rawalpindi gets 4, Multan gets 1 and Ambala gets none. (*Interruption.*) I do not want to be interrupted. Coming to the uncovenanted civil service, we have 15 posts. (*An honourable member:* What division does the present Chief Justice belong to?) He belongs to the Ambala division. I am very proud of the fact that a gentleman belonging to my division has been presiding for 15 years over the destinies of the judicial service. But my friend knows what he has done for agriculturists. The honourable member ought not to have provoked this remark from me to-day especially when the Chief Justice is very shortly to retire. But if he provokes me further he will get a suitable answer from me. I was speaking of the uncovenanted civil service. There are 15 posts under this head out of which three go to non-Punjabis, three to Lahore division, three to Jullundur, four to Rawalpindi, two to Multan and the share of Ambala is nil. Coming to the next important office, that of extra assistant commissioners, we have as many as 228 posts and of these 19 posts go to those who come from outside the Punjab, that is, those who come from other provinces, mostly from Indian States. Of the remaining, 84 posts go to Lahore division, 20 to Jullundur division, 59 to Rawalpindi division, 30 to Multan division and only 17 to Ambala division. The next important post is that of tahsildars. Here again we have as many as 156 posts, of which 12 appointments go to those who do not belong to the Punjab.

Of the remaining 144 posts, the distribution according to divisions is as follows :—

Lahore division	..	..	..	26
Jullundur division	..	..	..	25
Rawalpindi division	..	..	..	30
Multan division	..	..	..	22
Ambala division	..	..	..	16

I shall now come to that branch of the service which is presided over by the Honourable Chief Justice who comes from one of the districts in my own division. I mean the cadre of sub-judges. Here the number of appointments is 170, of which 20 go to people who come mostly from Indian States or from Delhi. Out of the remaining 150 appointments, 61 go to Lahore division, 34 to Jullundur division, 24 to Rawalpindi division, 15 to Multan division and only 14 to Ambala division.

Now I shall give the House certain percentages which I have worked out in respect of the distribution of all the above appointments according to divisions. The total number of existing posts is 636 out of which 69 go to non-Punjabis. The remaining 567 are distributed as follows :—

Lahore division	..	185 posts, that is 32·6 per cent. of the total posts.
Jullundur division	..	87 posts, that is 15·4 per cent. of the total posts.
Rawalpindi division	..	121 posts, that is 21·4 per cent. of the total posts.
Multan division	..	69 posts, that is 12·2 per cent. of the total posts.
Ambala division	..	47 posts, that is 8·3 per cent. of the total posts.

Can anybody say that this is anything but a most niggardly treatment, a most step-motherly treatment which is being given to the Ambala division, a division which is as much a part of the Punjab as the Lahore division, as the Jullundur division or as the Rawalpindi division is? The people residing in that division are just as much the subjects of His Majesty's Government and of the Punjab Government as anybody else. We pay land revenue and we pay water rates, just as much as other people do. We make our humble quota to His Majesty's forces when those forces are required for service beyond the seas, on the frontiers of this country or within the limits of this country itself. What reason is there that the people of the Ambala division, Hindus, Muslims and Sikhs, agricultural classes and non-agricultural classes, urban people and rural people, get such an unfair and unequal treatment from the Government in whose eyes all subjects should be alike?

Another feature to which I may draw the attention of Government and of this House is the uneven division of those appointments, very valuable appointments, between one class and another class. Raja Sahib was speaking the other day that the agriculturists of the Punjab were trying to create governing caste in this province. That is far from the truth and the

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desire of the agricultural classes or of the members who are actually representing the agricultural classes in this House. What we wish is that no particular class or community should be in a position to preponderate in any particular branch of the service to such an extent that it may mean a menace to the other classes, or to the Government itself. But as this could not be secured in any other way, more or less precise proportions had to be laid down for zamindars. But if the share which goes to khattris, aroras, mahajans, vaish, agarwals is restricted within reasonable limits I personally would be willing to share the rest with all the others. Out of these important appointments, 686 in number, khattris, aroras, vaish and agarwals get as many as 210 appointments. A certain number of them, I think about 15 appointments, are those in respect of which particulars with regard to the tribe of incumbents have not been given. Therefore, I am not in a position to say whether they are khattris, aroras, mahajans or jats or rajputs. But I may safely calculate the number of khattris, aroras and vaish among them to be 10 or 12. Having regard to the proportions which have been secured by them in other branches of the service, 10 or 12 out of 15 is very likely the correct proportion to take. But even this 210 means as much as 33 per cent. So far as khattris by themselves as a class are concerned, they absorb as many as 114 appointments in these cadres which means nearly 20 per cent. If we calculate the share of khattris in the share of these three classes put together it will come up to 54.3 per cent. Does that disclose a satisfactory state of things? Certainly not. These three classes taken together do not so far as I can recollect, amount to more than 15 lakhs in the population of the Punjab. That would probably mean about 5 or 6 per cent. of the total population. Is it right, is it fair, is it politic that classes which represent only 5 or 6 per cent. of the total population in the province should get as much as 33 per cent. in the services, and in the services which are most important from the administrative as well as political point of view?

I have so far been able to speak only of the non-technical branches of the service. There are technical branches such as engineering, medical, education and so on, in which the preponderance of these classes is even more marked. I have not been able to get very accurate figures with regard to the technical services except the Education Department. Therefore, I am not going to waste the time of the House over the figures which relate to technical branches. I may, however, draw the attention of Government generally to the fact that there are certain classes in the population of this province which have a very predominant share in these appointments and further that there is a part of the Punjab which has been under the rule of the Punjab Government for the last 70 or 80 years or perhaps more, which has not received anything like its fair share of these appointments. The share of the Ambala division does not amount to more than 8 per cent. Is that a fair division of these appointments? The Chief Secretary last year was pleased to remark that he goes personally into the merits and demerits of the claims of individual candidates for all the appointments. It is true as I admitted when I made my last speech on the 19th February that so far as appointments made by Government in the P. C. S. are concerned, zamindars have been able to get a fair share. But I would certainly

request the Chief Secretary to enquire from other officers whether they take an equal amount of interest in making selections for these appointments, whether they pay sufficient attention to the factors to which I have drawn attention, particularly in respect of the Ambala division.

There is just one thing more. We have had this institution of a consolidated list for the last eight years in this province. This list is prepared and is corrected up to the 1st of January every year. We all receive copies of that consolidated statement. But I can assure the Chief Secretary and other members of the Government that there are many heads of departments who have not even taken the care to know that such a statement is in existence. If for instance superintendents of police and deputy inspectors-general of police do not know even of the existence of these statements how can they be expected to hold the balance even between members of one class and another, between the members of the services coming from one part of the province and those coming from another part of the province. Therefore, I earnestly request the Chief Secretary and heads of departments and also the Members and Ministers to pay special attention to the factors to which I have drawn their attention. This is not a trivial matter. It is all very well for people to say service is *ghulamī*. It is not. Its predominant feature is *hukumat*. While we know that these posts are meant for the exercise of governmental authority in varying degrees we ought to understand how much influence for good or evil these appointments can exercise.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I must at the very outset join in the chorus of tributes that have been paid to the Honourable Finance Member for the able and lucid statement that he has made in presenting the budget to the House. As we all know it is no fault of his if his assumption of office synchronised with the unparalleled fall in prices. And therefore, it is all the more creditable to him and to his able Secretary that they have been successfully managing the Punjab finances. It has been made clear that it is not an easy task to prepare a budget in a province like ours where almost nine-tenths of the budgetted income comes from land revenue and irrigation charges, because we know that there are certain uncertain factors in the whole budget. The estimated income chiefly depends upon the tax-payer's capacity and when we know that the condition of the agricultural classes is very deplorable and that they have fallen on very evil years it can well be imagined that the budgetted estimates cannot be anything but uncertain. We have seen that certain remedies have been suggested by certain honourable gentlemen who have preceded me. But I think I should not indulge in making any sort of suggestion in that direction because I myself find that there was a suggestion from a member who was seated just by me, Sardar Sahib Sardar Ujjal Singh. He said that in order to raise prices the currency should be depreciated. There came a positive denial of that suggestion from the honourable member for the Punjab University who certainly enjoys the reputation of being an authority on Economics. All that we are concerned with is that sometimes when we have to ascertain whether this fall in prices is peculiar to India or whether it is a world feature, we sometimes fail to understand the various suggestions that are made in this direction. When we consider, for instance, the fall in the price of wheat we are told that in 1918 when the Great War was fought to its bitter end the British Government and their allies hit

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upon the plan that the import of wheat into Germany should somehow be checked and we are told that they did it so successfully that that factor alone contributed largely to the fall of Germany. Since then, the eyes of all European countries have been opened and they have tried to be as self-dependent and as self-reliant as possible. You will be astonished to recollect that while in 1929-30 we had a fall of no less than 60 per cent., the prices were stationary in Germany and in France.

(At this stage Mr. President resumed the Chair.)

Moreover we find that in 1930, England alone bought wheat worth no less than Rs. 10 lakhs from India and in the succeeding year, in 1931, you will be surprised to know that England bought wheat worth Rs. 11 only and in the next year it came down to Rs. 7 only. Therefore, we have to see that after all we have to tackle our own problems and that we cannot take shelter behind the comprehensive phrase which we hear often repeated, that the world-wide depression is also affecting India. We have to see that we must make the peasantry of this province self-reliant. And we should have expected the Honourable Minister for Agriculture—I am sorry he is not here—to have pursued a cut and dry plan of development and expansion, a three year or a five year plan as it is being resorted to in some European countries and also if I rightly recollect a similar plan has been launched in our neighbouring province, the United Provinces.

Now, Sir, after the elaborate speech that has been made regarding the deplorable condition of the zamindar by the honourable Diwan Bahadur

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Raja Narendra Nath and also by the honourable Chaudhri Chhotu Ram, I do not think that

I should advert to the conditions that are prevailing in the country-side, but I must make clear to the Government the desirability of taking sympathetic view of the conditions of the zamindars. Our friends sitting on those benches have made it clear that they would support any measure that might be launched from this section of the House. It is for the Government to seriously consider what they can do to mitigate the sufferings of the zamindar. I can say about the zamindar that in peace-times he contributes to your exchequer, in war times he fights your battles and those are the services that we can enumerate about him. Therefore, I would suggest that something tangible should be done to help him in this distress of his. I was surprised to come across a passage in the speech of Mr. Boyd, which he is reported to have made last year on the occasion of the budget discussion. He is reported to have said:—

There was no case for special remission unless it was clear that settlements had been affected 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.

This passage needs no comment. Thus, the honourable Financial Commissioner has drawn the conclusion or rather he has cited it as a conclusive proof that because the people of a certain division, say Jullundur

division, have been prompt in paying their liability, therefore, no remission of any kind should have been or could have been granted to the people of those divisions. My submission, in this respect is that this is, what I should say, a perverse inference that has been drawn. We are not told whether this prompt payment was due on account of the yield which the zamindar had got from his holding or it was due to his mortgaging of his land or selling his land or parting with his gold which he might have hoarded after great struggle and labour. Therefore, instead of getting a sympathetic treatment, these people have been characterised as people not standing in need of any general remission. That is the attitude of the Government which we on this side certainly cannot accept.

Now, it has been admitted by the Honourable Finance Member that during the last 4 years the Government has granted a remission amounting to six crores of rupees not of land revenue alone but of all the Government dues put together. If the Honourable Finance Member thinks that this remission was absolutely necessary during the last 4 years, there is absolutely no guarantee that this remission will not be necessitated during the coming year. We have had no rain and it is evident that the crops have deteriorated to a large extent and it would be a miracle if the Government can get even 50 per cent. of the land revenue from the people. In this connection, therefore, my submission is that the Government should have made some definite arrangements for giving general relief to the zamindars. We know that in 1932, some relief was given to the zamindars on a general scale, but next year the Government changed its policy in *kharif* of 1932, *rabi* 1933 and *kharif* 1933. For these three crops we have had no general remission. As a matter of fact, people of those *ilqas* those *barani ilqas*, specially of the Hoshiarpur and Jullundur districts, are absolutely in need of substantial relief. My submission is that some substantial provision should have been made in the budget for relief in this direction.

Next, I come to the question regarding the poverty and the heavy indebtedness of the zamindar class. A committee of this House was appointed to go into this question and that committee reported the matter about 8 or 9 months back. That report was discussed on the floor of the House. As a matter of fact, certain zamindar members repudiated that committee on the plea that zamindar members of the committee did not do justice to the zamindar claims. Therefore, they requested that another committee should be appointed to go into the question. I was one of those people who claimed that it was a sheer waste of time to appoint another committee. Sufficient material had been placed at the disposal of the Government. They should take into consideration the report of the Agricultural Commission and other valuable reports and after having heard all sections of the House, they should accede to the wishes of the zamindars. We are told that the Government have made up their mind and they are asking for the sanction of the Government of India to legislate for the relief from the heavy indebtedness under which the zamindar is groaning. Well, I welcome that piece of legislation for the removal of the heavy indebtedness of the zamindar.

This question brings me directly to the question of education. Because after all there are certain disabilities under which these masses are suffering, the appalling poverty and appalling illiteracy. As regards the education

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of masses, we are told by the Ministry of Education that some inefficient primary schools are being closed down. That, in my view, is not the true reason. My reading is that they are being closed for want of funds, want of help and want of sympathy from the Education Department. As a matter of fact, the eyes of the education authorities should have been open to the crying need of the masses' education. We are further told that the percentage of the fourth primary students is going to fall up to 28 per cent., that is, if in the first class there are 100 students by the time they reach the fourth class, they are reduced to 28. Well the Punjab Government, Ministry of Education, should have thought that that is worthwhile even if it costs them some funds. They should have undertaken that cost and acceded to the wishes of the crying masses.

Then comes the secondary education. There too the tale is the same. The Ministry of Education told us that the number of students in the secondary department was falling and the reason which they assigned to it was that because there was no use of getting education, because the educated people could not get employment therefore their number was falling. They have also assigned another reason and that other reason is that perhaps on account of economic depression also they cannot afford to pay for the education. Well, so far as the second reason is concerned, I am one with the Government. But so far as the first reason is concerned, I differ. The Punjab Government, Ministry of Education, should not say that people are unwilling to be educated because they have come to think of employment. The Punjab Government should at least think that education is in its own way an employment, where they do not get employment. It is the duty of the Punjab Government to educate the people. It is for the Punjab Government to see ahead of the lines and devise some plan for the advance of technical education for the masses. I know that after all it is a question of finance, but the Honourable Finance Member was pleased to remark that he has given no less than 5 lakhs, for the purpose, probably more than what he gave last year. Thus far as regards secondary education.

Now comes the University education. There you will remember a certain section of the House —whose leader is here but most of the members of which party are absent at the moment—asked for an enquiry into the working of the University with a flourish of trumpets, their request was accepted by the Punjab Government. There was a section of the House which was opposed to that sort of inquiry but the Punjab Government welcomed the request and the inquiry committee was set up. As regards its personnel, I may be allowed to say that the Government ways are certainly very strange and it is difficult to fathom them, because on that committee there was only one Punjabi, I mean the Deputy President, who was fortunate enough to represent the Punjab and the Punjab educationalists, and there was no other Punjabi on that committee. I know that educationists of all-India fame were invited by the Punjab Government and they gave us their advice, but after all, how can people unconnected with the Punjab be expected to tackle the problems of this province successfully. That is only incidental. The report has come and we are also told that the University is having that report under consideration and that they have not as yet come to any final

decision. There is one peculiar fact that the report seems to have lost its charm for even that section of the House which was so enthusiastic over the inquiry and for the removal of defects in the working of the University, so much so that they have not even asked the Punjab Government to allot a day for the discussion of the proposals of the Punjab University Inquiry Committee.

I was reading the other day in the papers that two proposals, if I remember aright, were before the Senate the other day. One very important proposal was that the degree course should be extended from 14 to 15 years. That was one of the very important proposals, and if I recollect correctly, I think that has been toppled down by the Senate and very rightly too, because when we are thinking that education is so costly and that too when it takes 14 years for a Punjab student to get a degree, why should the number of years be raised to 15? Is there any sacredness about the figure 15, or 16 or 20?

The other proposal was regarding the appointment of a board of studies and that also was toppled down, for it did not find favour with the Senate. We do not know what would come out of the other proposals that have been made by the inquiry. I think the Punjab Government would have been well advised to spend this amount of money in a more useful way and not wasted it on this inquiry committee. They would have done better by spending it on higher education or by helping the poor students in their secondary education. This is the way they spend the money. On the other hand, grants have been reduced to a considerable extent, so much so that I can say positively that the whole private enterprise has been killed. (*A voice: No.*) We know that private enterprise had done much to spread the education and when it was time for it to reap the fruits of its labours and money that had been spent on it, there come the wholesale reductions in the grants given by Government to these private schools.

The Honourable Malik Sir Firoz Khan Noon: But their fee income has gone up.

Sardar Arjan Singh: Have not the fees been increased with a view to put a check on the spread of education? Government should have left the private enterprise to carry on as before, but to reduce the grants after three or four stages of education have been gone through is not to show its sympathy.

There is one question which I would, with your permission, bring to the notice of the Honourable Minister for Education. Our Deputy President, Sardar Bahadur Sardar Buta Singh, brought to the notice of the Honourable Education Minister last year that the *jhatka* form of meat is not allowed in Government schools. If I remember aright, the reply of the Honourable Minister was that some people in Government schools objected to *jhatka*, others objected to beef and there were still others who objected to *axan*. He also remarked that he had not allowed any innovations to be introduced in the schools at that stage. I may remind the Honourable Minister that *jhatka* could not by any means be bracketted with beef. *Jhatka* is a method of preparing meat and it must be bracketted with *halal*, while beef is the flesh of an animal and it must be bracketted with pork. The third question

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was the objection to *azan*. That question goes with prayers either in *dharam-sala* or in a *gurdwara*.

The Honourable Malik Sir Firoz Khan Noon: It is your community that objects most to *azan*.

Sardar Arjan Singh: In your Government boarding houses?

The Honourable Malik Sir Firoz Khan Noon: There was nearly a riot the other day.

Sardar Arjan Singh: The Honourable Minister need not mind what is going on in the countryside, because that is a sphere of the Honourable Finance Member who will look into such riots. We can give credit to the Honourable Finance Member for looking after peace and tranquility in the province, peace which the province had not witnessed during the last five or six years. Therefore, we might leave that question alone. I was referring to a Government boarding house. That is a trivial matter, but I would request the Honourable Minister to seriously consider this question, whether it is a question in which the grievances of a certain class of people should go unredressed.

Next I will confine myself to the sphere of activities of Government which are concerned with the zamindars, I refer to the Co-operative Department under the charge of the Honourable Minister for Agriculture. My submission is that this department has replaced a much maligned *sahukar*. We have heard so much against him and we are told that he must be replaced by the co-operative societies. So far as the motive goes, it may be all right. But we know that in their actual working the co-operative societies have not satisfied the zamindars to the extent to which they were expected to do. You will excuse me if I remind the House of the large amounts of embezzlements which are committed by illiterate people. You have made illiterate people and not, I should say, very scrupulous people as presidents of co-operative societies and unions. I remember in my district the president of a union was charged with having embezzled a sum amounting to no less than Rs. 29,000. We were told that the employees of the department, the sub-inspectors and inspectors did pay their visits, and it came out afterwards that the hospitality of the gentleman had blindfolded all these people and they were not able to exercise their control well. The result was that the man was charged and tried and convicted in a court of law. That is a simple fact, but the question is what has been done for the recovery of Rs. 29,000 which had been subscribed to by poor societies and poor zamindars? They did not even take into consideration that simple book, the Co-operative Societies Act. They did not even draw proper attention to its simple sections. What did they do? They got an award and they tried to get it executed in the court of a sub-judge. The plea taken and rightly so, was that the award could only be given between a member and the co-operative society and not between the president and co-operative society. That plea was given effect to and they came to the High Court and the appeal of the society was rejected. The Honourable Minister must remember what they have done now. They have done nothing, because as a matter of fact, they have wasted a large amount of money in criminally prosecuting that man and then in fighting that award in more

than two courts, first in the court of a sub-judge, then in the court of a district judge and then in the highest court, that is the High Court. Either they thought that the suit was time barred or perhaps they thought that nothing could be recovered and they have given up all attempts. That is the way in which co-operative societies are worked. Therefore, my submission is that more power of supervision and control should be given to the department, and they should also be asked to exercise those powers which are already possessed by them properly.

The Honourable Sardar Sir Jogendra Singh : I entirely agree with you.

Sardar Arjan Singh : That is about the working of the co-operative societies. I would not indulge in the generalities that have been talked about regarding the personnel of services. My friend Raja Narendra Nath is opposed to any ruling class being created, and perhaps he forgets that it is the very thing we are fighting against. We are, as a matter of fact, fighting that not only that a class may not be created, but that a class has already been created and if we from this side of the House bring to the notice of Government and also to the notice of that important section of the House our grievances, they should accept them in the spirit which Mr. Manohar Lal has exhibited in his speech to-day. As a matter of fact, the apprehensions of the zamindars are that bureaucracy which is being indianised might not be replaced by a certain brown bureaucracy, that is the only objection that we have on this side of the House.

One thing more and I have done. I draw the attention of the Finance Member to the need for some reduction in the police cadre. As I have already submitted, there is profound peace and tranquility in the province, and, therefore, it is high time for him to consider seriously the question of making a reduction in the cadre. The question of a reduction in the number of posts of the Deputy Inspector-General from 3 to 2 has already been debated upon on the floor of this House. But at that time we rightly appreciated the fact that there were disruptive forces at work in the province and therefore, it was considered very advisable that there should be officers to deal with cases immediately after they had been brought to notice and, therefore, it was at that time considered that perhaps three posts were absolutely necessary. Now I will bring it to the Honourable Member's notice that this is a question which might be seriously considered by him.

There is another question and that is that recently a circular has been circulated by the Government to the effect that magistrates should spend perhaps a fortnight outside the headquarters. The result is that cases are taken outside the headquarters and those who are practising on the criminal side—and I also may claim to have some sort of practice on the criminal side—might say that they are gainers. If a litigant has to take me from Hoshiarpur to Garhshanker he might have to pay me Rs. 40 or 50. But what is the saving to the Government? Absolutely none. The poor witnesses who come to depose, either as prosecution witnesses or defence witnesses are the people who suffer and it is no exaggeration to say that if they have to travel a distance of 20 miles to get Rs. 2, they would welcome it; they will come on foot; they know the value of their time and they know what they are to get. So far as the Government is concerned, whatever little money

[S. Arjan Singh.]

they save in this direction, it is paid in the form of travelling allowance either to the public prosecutor or the trial magistrate. Therefore, my submission is that though there was a time when the Government had to keep in mind the agitation that was going on in the country-side and it was perhaps absolutely necessary for the magistrates to be in touch with their *ilagas*, now that time is gone and in the normal times it is enough if they pay a visit to their *ilagas* once in a month. That should be sufficient and the poor litigant should not be subjected to an extra expenditure on this account.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): Sir, I take this opportunity of saying a few words to-day in case a large number of my colleagues on this side wish to speak to-morrow.

Mr. President : Will they ?

The Honourable Malik Sir Firoz Khan Noon : I hope so. First of all, I must congratulate the honourable members of this House for the moderation of their language in criticising the Government or making suggestions for the improvement of the administration. I have listened to all the speeches with great interest particularly the speeches that have been made in connection with the departments with which I am associated. With your permission I would just like to make a few observations with regard to some of the points that have been made. The most important point that has been raised is by my friend from Hoshiarpur who has just sat down. I know that the question of *jhatka* is a religious question with the Sikh community and a very large number of Sikh friends have often approached me on the subject of *jhatka* in schools. Council questions have also been asked. It is with me a very cardinal principle of my own faith that as far as religion is concerned, there should be no compulsion and everybody should be allowed to practise his religion with perfect freedom. That is my belief not only as Minister but also as a Muslim. So far as my personal feelings are concerned, nobody will be more pleased than myself to see absolute freedom granted to all sections of the people in this province as far as religion is concerned. I will, however, place before my honourable friends opposite the difficulties which have confronted Government in the past. In a school in the Gurgaon district, I think it was a normal school, if I remember aright it was at Palwal, some of the Muslim students said *azan* to say their prayers. But this the non-Muslim students objected to. They said, we do not want to hear this. Very likely they did not know what *azan* meant. Otherwise they would have been pleased to hear *azan* as it was a call to prayer. Again in the case of a school in Khanewal, a Government school, not only the Muslim students but also the Muslim public all round Khanewal—most of the chaks there are inhabited by retired Muslim military officers—whom you know as well as I do to be very strict in these matters—objected to *jhatka* being introduced in the school there. Honourable members of this House will remember that not long ago there was a serious situation created at Khanewal railway station because somebody tried to sell *jhatka* on the railway premises. I am trying to put these things before you only to demonstrate how the public mentality does not progress as far as it should. Having been confronted with these difficulties, Government came to this conclusion that the

best course was to keep up past practice, so that if *jhatka* had been allowed in any place in the past it must be allowed now; if *azan* had been said in the past, it must be allowed in the future. If any innovation is made and objected to by other communities, then Government must step in and prevent it and continue to prevent it till the time is reached when the members of the public are liberal-minded enough to let each person do what he likes in such matters. I also agree with the honourable member opposite that if you look at the question of *jhatka* and *halal*, *jhatka* is only a method of killing the animal and so also is *halal* and they ought to be on the same footing. But it is not what I feel or what the honourable members opposite feel; it is what the ignorant public feel. It is a matter of public feeling and Government cannot ignore public feeling. Not long ago there was a ruler, not far from this place, who wanted to modernise his country very quickly and wanted to go a quick pace and eventually he and his country parted company. I am also reminded of a story where a minister told his king "to-morrow a wind will blow which will turn everybody mad". So the king and the minister shut themselves up in a room and the wind blew the next day and turned everybody mad. The king and the minister then came out thinking they were very wise men. But the whole public was of one view and the king and the minister were of a different view. So they put the king and his minister into prison. I only wish to point to honourable members that it is impossible for Government or for any body to ignore public opinion or the backwardness of public opinion. As far as I am personally concerned, nobody will be more pleased than myself to agree to *jhatka* being introduced in all the schools in the province. As I have already said in my opinion every person should have perfect freedom as far as eatables are concerned. I only wish to point out that it is best to go slowly and let public opinion and broad-mindedness grow up so that we do not achieve this advance at the cost of human lives or breaking of heads.

The same honourable gentleman said that we had cut down grants of private schools. He also suggested that some of the schools in district board areas had been closed and the number of boys had been reduced in the schools. That criticism is perfectly just. But on the other hand he has to remember that last year or the year before last, the Education Department had to surrender not less than 25 lakhs of rupees owing to financial stringency and the reduction of expenditure had to be made somewhere, with the result that some of the uneconomical schools were affected. Without that we could not have surrendered those 25 lakhs. That was inevitable. The rise in the education budget for the next year, the rise of 5 lakhs is not really due to any extra dole given to us by the Finance Department for the expansion of education but that is really due to the expenditure to which we are already committed, for giving increments to district board employees. Fortunately or unfortunately sometime ago the district boards changed their system of fixed salaries to a graded system, with the result that the Government are now committed to an increased expenditure every year on account of the salaries of the district board employees. We do not know where that will end. These 5 lakhs are, therefore, due to the annual increment in their salaries and not to any extra grant given to us for expansion of education.

The same honourable member suggested that on the University Enquiry Committee there were no Punjabis. Of course there was one dis-

[The Hon. Malik Sir Firoz Khan Noon.]

tinguished Punjabi who is the Deputy President of this House. The President of that Committee was Sir George Anderson who can claim to be a Punjabi—as far as education is concerned—as much as anybody. He was aware of the educational problems of this province more than any body else and we had Mr. Abdulla Eusuf Ali who has for several years been the Principal of the Islamia College, Lahore. On the other hand the House must remember that it is sometimes better to bring in fresh blood. If we have only Punjabis who know only the Punjab point of view and who know only the Punjab system, they could not give you any fresh ideas and in such a case it is desirable to bring in people who have experience of other universities also, so that they can tell us how we can bring up our education to the standard prevailing in other and better Universities. On the whole I feel that the House ought to be satisfied with the constitution of the committee. We had not only Punjabis on it but also distinguished educationists from outside the province who were of great assistance in the deliberations.

My honourable friend representing the University raised three points in connection with this Ministry. First of all he pointed out the financial difficulties through which the Public Library was passing. The Public Library Committee have my entire sympathy. But the House will remember that the honourable member himself said that the Public Library Committee had been experiencing these difficulties for the last ten years and I take it that out of these 10 years he was the Minister for at least 4 years. So he wants this Ministry to do in very straitened circumstances as we are what he could not achieve himself when he was a Minister in charge of Education. The policy that this Government has been following during the last few years is to more or less mark time, to spend money on stark necessities and unless that policy had been followed by the Finance Department, I am certain that this province would have been in financial difficulty. Considering the restricted means at our disposal, it should be no surprise to the House that we have not been able to give to the Public Library the grant-in-aid for constructing a new building. I have no doubt that when the financial position improves, the Public Library will receive the consideration that it deserves at the hands of the Punjab Government and the Finance Department.

My honourable friend then referred to the sanitation of Lahore. That is a point in which I whole-heartedly associate myself with him as Minister in charge of Public Health. I feel that the sanitation of Lahore is in a most disgraceful condition and it is only the Lahore public or the Indian public that can stand that kind of insanitary life. In any other country I am sure there would have been riots before a condition like this was allowed to continue. As Minister of Public Health I have from time to time pressed the Lahore Municipal Committee to do something to improve the sanitation of Lahore. But the Municipal Committee have done nothing. If the House were to know the number of cases of consumption that exist in Lahore, I am sure it will make their hair stand on end. We have had a survey of tuberculosis carried on a small scale in Mozang area which is as compared with the heart of the city a healthy spot but the condition there is also appalling. I gave the figures in my Annual Red Cross Report. It was with

the courtesy of the Red Cross Society that that survey was carried out. The condition there is most deplorable. The prime need of the Lahore city is a sewage system. All the drains in the city are open and there are drains which can be seen within three feet or even one foot of eatables on sale, over which there are no covers at all. Everybody, women and children are eating them and millions of germs are carried along these drains. Flies sit over them and then on food. The Punjab Government sometimes ago gave the Lahore municipal committee 10 lakhs of rupees. They said, here are 10 lakhs; do something to improve the water supply and sanitation of Lahore. The municipal committee kept that money locked up in a bank, used up the interest in their ordinary budget and when we pressed them for several years that they must do something, they did nothing and the money had to be withdrawn. Two or three years ago it was suggested to the committee that they should have a first class water borne sewage system or the ordinary sewage system and a good water supply and they could if necessary impose house tax. Officers were also appointed to carry out a survey for the whole city but the municipal commissioners have not the courage to impose that taxation. How can you expect to have the sanitary condition improved in these conditions? How can the sanitary condition be improved when the representatives of the city are not prepared to pay for it? Do they mean to say that Government is to tax the poor villagers living in mud hamlets in our villages to come and pay for the sanitation of Lahore? I should be the last person to advise that course to the Government?

Mr. Nanak Chand Pandit : What is the remedy you suggest?

The Honourable Malik Sir Firoz Khan Noon : The only way of carrying out the sanitary works is this. The whole scheme is cut and dry. The Public Health Department had planned a sewage system and an improved water supply. It only requires money. And as far as that is concerned, Government have already promised to the municipal committee that whenever the committee wants to do the thing seriously they would give back those 10 lakhs of rupees. Work could be started with those 10 lakhs. Then the only way is either to raise more funds by the committee itself that is, by imposing a house tax. If the municipal committee does not do this and if the House wants to have better sanitary conditions in Lahore, then there is no other alternative than to introduce a Bill here authorising the Local Government either in the Ministry of Local Self-Government or the Ministry for Public Health, to impose house tax in Lahore, set up an Improvement Trust of two or three members and carry out the reforms on behalf of the committee and on behalf of the people.

Mr. Nanak Chand Pandit : Government has ample authority already.

The Honourable Malik Sir Firoz Khan Noon : No, not to impose that taxation. On the other hand I feel that in matters like this Government should leave this to the public. Let the public opinion grow up against the insanitary condition in Lahore city—and I am glad that there are already signs evident in Lahore of public opinion raising their voice against the unhealthy conditions. I should have liked to have taken some honourable members to a place behind Shadi Lal buildings where very respectable people

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live and shown them the condition there. What has the municipal committee done there? Nothing. You cannot blame the Ministry of Local Self-Government for not providing funds because funds cannot be provided by the Punjab Government if you want to improve the health of Lahore. Lahore must pay. There should be a law passed here to collect house tax, otherwise you cannot get the sanitation of Lahore improved. I suggested to have a trust just like the Calcutta Improvement Trust consisting of three or four officers. They have handed over to the Trust the whole income from terminal tax amounting to about 23 lakhs and all the slums of Calcutta which used to be the dark spots of that city have been removed and beautiful lawns have been planned out with houses all round, built according to plans. It gives you pleasure to walk through those places. That is done by the money raised by the people themselves for themselves. Unless the public of Lahore are prepared to pay for their amenities they cannot have them.

I have only one more point to refer to. The honourable member from Mian Channu suggested that we should close down Arts colleges and some of the schools, because they were not needed. My own feeling is that if you close down the Arts colleges and some of these Government schools, there would be plenty of schools to educate the children in the cities because some of the private schools in the cities are well organised and they can carry on their education without the aid of Government help. But if Government close down their institutions a very large number of zamindars or people living in the villages who are now benefitted by this education will lose that education and when they are uneducated there will be less opportunities for them to be employed in services. And my friends on my right will say that because the zamindars have not qualified themselves in education, they cannot be taken into the services. It will be a pity to close down Government institutions which are non-communal. The private schools are mostly communal, whether they are Hindu, Sikh or Muslim and I personally think that it is not in the best interest of this province as a whole to close down the non-communal schools and to encourage the communal schools which are to a certain extent alleged to be the cause of preaching communalism in the province.

Mr. Owen Roberts (Non-official, Nominated): Before I make a few remarks on this budget, I should like to express my deep admiration for the manner with which the Raja Sahib opened his speech this afternoon and also for the way in which it was followed by the honourable member who represents the Punjab University. I say this because I think the time has come when one should assist the promotion of well being of this province by something more than mere words. Opportunity is waiting at our doors on every side, as I hope to show later on and I am very glad to see the spirit in which leaders on every side of the House are prepared to co-operate on lines which have found expression to-day. I would also like to associate myself with the remarks on the depreciation of currency made by the honourable member for the Punjab University. I associate myself with him in those remarks not because I lay any claim to being an economist or a financial expert, but because there is just one point about the currency depreciation theory that always strikes me and that is that nobody can

show us the bottom of the game. I remember having purchased a ten thousand mark German note in Piccadilly for six pence and two days later I found I paid four pence too much. If you are going to compete with Japan or any other country in depreciation of currency you must have an agreement with them that there is a point beyond which neither of you will go, an agreement I am sure which would never be followed in practice. So until some great economist comes along and says definitely where the bottom of this game is and that it is not going to hurt anybody, until that time, I prefer to stand on the side of the honourable member for the Punjab University.

There is another point which I should like to clear up and that relates to the subject of prices. My honourable friend, Sardar Ujjal Singh, did not seem to me to be at all clear on the actual course of prices during the past year. It is a fact that from April last year up to the present time, until a day or two ago, the price in the Punjab and not in Lyallpur but in the Lyallpur district has been between two to three annas per maund above the parity of the same wheat in Karachi. It is necessary to reduce the value in both cases to the same terms. There was only one occasion during the past season when it would have been possible to purchase wheat in the Punjab and send it to Karachi and sell it at a profit even some weeks later. In the last day or two prices here have fallen so rapidly as to overtake the fall at the Port. Only a day or two ago the price in the Lyallpur district was actually on the parity of the Karachi price but it was only because the price fell quicker than the Port price. To-day the information is that the Karachi prices have again fallen and that there will again be a substantial difference. That clears up the question relating to the ratio of prices as between the Punjab and Karachi.

I now refer to the speech with which the Honourable Finance Member introduced the budget. He put our financial position absolutely in a nutshell when he pointed out that the gap between our normal revenue and normal expenditure is so narrow that it can be closed up by a single sandstorm. He spoke out of experience, experience that we will all recollect. But one must bear in mind that a sandstorm is after all an act of God and the hand that gives you a sandstorm can also give you a first class *barani* crop to balance the results. But there are other matters associated with agricultural conditions that cannot be compensated for. And primarily, the worst of those conditions that we know is the financial depression through which we have passed and we are still passing. For that one can see no compensation whatever.

The matter has been lightly dealt with in the Memorandum to the budget in paragraphs 7 and 13 and in regard to those remarks I will only say one thing, and that is, that I hope that Government will not press on the railways the view that keeping railway freights up protects us from Australian wheat because railways have a tremendous staff which is devoted to nothing else but to discover reasons why they should not revise rates and if we present them an additional reason. I am afraid we are only bringing trouble upon ourselves. The extent to which we are dependent upon agriculture for our resources is brought out very clearly in the graphs that

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precede the Memorandum. But the question that these graphs have brought very clearly before my mind is whether land revenue and irrigation are not already overburdened as sources of revenue.

That I think is one of the questions that is agitating everybody who is interested in this subject at the present moment. Because if it is correct not only is there no possibility of any expansion of our activities but it would seem extremely doubtful whether we shall even be able to continue our expenditure on its present scale. I have been led to examine the situation from two points, firstly from the point of view of the conditions under which our present taxation was levied and next from the point of view of the possibilities of development of alternative and additional sources of revenue. Because if we are to hold our own and if it is a fact that the income we derive from agriculture to-day is more than we can afford to pay I think we are bound to co-operate with one another to find Government the means to carry on the administration at least upon the present scale. And I take it that the capacity of the zamindar to pay his tax must be always largely determined by the value that he can get for his crops. I have, therefore, devoted my attention in the last day or two particularly to going into the question of the value of wheat over a period of the last 70 years. The authority on which I have relied is a publication by the Board of Economic Enquiry, by Mr. W. H. Myles, " Sixty years of Punjab Food Prices " from 1861—1920.

At this stage the Council adjourned till 2-30 p. m. on Friday, 2nd March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 2nd March 1934.

The Council met at the Council Chamber at 2-30 p. m., of the clock.
Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer).

STARRED QUESTIONS AND ANSWERS.

MUSLIMS IN THE VETERINARY DEPARTMENT.

*2880. Mr. Muhammad Din Malik : Will the Honourable Minister for Agriculture be pleased to state —

(a) whether it is a fact that the Superintendent of the office of the Director, Veterinary Services, the Head Clerk of the Punjab Veterinary College, the Head Clerk of the Hissar Cattle Farm, the Head Clerks of the Superintendents, Civil Veterinary Department, Rawalpindi and Ferozepore Circles, are all non-Muslims ;

(b) if the reply to (a) be in the affirmative, what action Government intends to take in order to redress the inadequate representation of the Muslims in the superior ministerial staff of the Civil Veterinary Department ?

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

(b) 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

MUSLIMS IN THE VETERINARY DEPARTMENT.

*2881. Mr. Muhammad Din Malik : (i) Will the Honourable Minister for Agriculture be pleased to say whether it is a fact —

(a) that all the three Superintendents of the Civil Veterinary Department, viz., Ambala, Ferozepore and Rawalpindi Circles, are non-Muslims ;

(b) that the Assistant Superintendent attached to the Rawalpindi Circle is also a non-Muslim ?

(ii) If the replies to (a) and (b) be in the affirmative, what action does Government intend to take in order to redress the inadequate representation of the Muslims ?

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

(b) Yes.

(ii) 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

ASSISTANT IN FINANCIAL COMMISSIONERS' OFFICE.

***2882. Mr. Muhammad Din Malak :** (i) Will the Honourable Revenue Member be pleased to say whether it is a fact—

(a) that the assistant dealing with the Excise establishment in the Financial Commissioners' office, was not allowed to cross the efficiency bar in the grade of Rs. 100—10—200/10—300 by the late Senior Secretary to the Financial Commissioners ;

(b) that the said assistant appealed to the late Financial Commissioner, Development, against the above order, but his appeal was rejected by him ;

(c) that after the lapse of a year the said assistant submitted a second appeal to the present Financial Commissioner, Development, and his appeal was accepted ;

(d) that under rule 14 of the rules relating to the Financial Commissioners' office, Subordinate Service Rules, 1932, the said assistant was not entitled to submit a second appeal to the same appellate authority ;

(e) that under the proviso to rule 14 he could only submit a second appeal to the local Government in case his penalty were increased by the first appellate authority ;

(ii) if the facts stated above are correct, what action does Government intend to take so as to ensure compliance with the provisions of rule 14 ?

The Honourable Mr. Miles Irving : (i) (a) Yes.

(b) Yes.

(c) No second appeal was presented. An official not allowed to pass the efficiency bar one year may apply to be allowed to pass it in a subsequent year. The official in this case made such an application.

(d) and (e) Do not arise.

(ii) Do not arise.

MUSLIMS IN VETERINARY DEPARTMENT.

***2883. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state whether it is a fact —

(a) that in 1928, Government issued orders to the Director, Veterinary Services, that he should take steps to redress the inadequate proportion of the Muslims in his office ;

(b) that the number of Muslims in the said office has rather gone down as compared with that of 1928 ;

(c) that two vacancies resulting from the death of Muslims were filled by non-Muslims instead of by Muslims ?

(ii) If the replies to (a), (b) and (c) be in the affirmative, what action does Government intend to take in order to ensure compliance with its orders conveyed to the Director ?

The Honourable Sardar Sir Jogendra Singh : (a) In 1929.

(b) The number of Muslims in the office of the Director, Veterinary Services, has gone up as compared with 1928, but has gone down as compared with 1929.

(c) Yes.

(ii) The attention of the Director, Veterinary Services, is being drawn to the orders of 1929.

HEAD CLERK, VETERINARY COLLEGE.

***2884. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state whether it is a fact—

(a) that the present incumbent of the post of Head Clerk, Punjab Veterinary College, Lahore, is a Hindu ;

(b) that prior to his appointment the post was held firstly by the father-in-law of his father and secondly by his own father ;

(c) that when the permanent incumbent goes on leave, the officiating appointment is also held by a Hindu ?

(ii) If the replies to (a), (b) and (c) be in the affirmative, will Government consider the desirability of appointing a suitable Muslim as Head Clerk in future ?

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

(b) No. The post was first held by the brother-in-law of the present incumbent's father and then by his own father.

(c) Yes, because the next senior man is a Hindu.

(ii) The present head clerk is only 48 years of age, and is not yet due to retire. It is, therefore, premature to consider the question of the appointment of a Muslim head clerk in his place just at present.

COMMUNAL REPRESENTATION IN FINANCIAL COMMISSIONERS' OFFICE.

***2885. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member be pleased to say —

(a) whether it is a fact that the Excise Assistant to the Financial Commissioners, the Superintendent, Excise Branch, the assistant dealing with the Excise establishment and the record assistant are all Hindus ;

(b) if the reply to (a) be in the affirmative, what action Government intends to take in the matter ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) None.

COMMUNAL REPRESENTATION IN FINANCIAL COMMISSIONERS' OFFICE.

***2886. Mr. Muhammad Din Malak :** (i) Will the Honourable Revenue Member be pleased to say whether it is a fact —

(a) that the total number of junior clerks in the Financial Commissioners' office stand at 32 ;

(b) that only 8 posts are held by Muslims and the remaining twenty-four by non-Muslims ?

(ii) If the reply to (b) is in the affirmative, what action does Government intend to take in the matter ?

The Honourable Mr. Miles Irving : (i) (a) No.

(b) No.

(ii) Does not arise.

AGRICULTURISTS IN PUNJAB VETERINARY SERVICE.

***2887. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state —

(a) the total number of temporary posts in the Punjab Veterinary Service, Class I ;

(b) how many are held by members of *bond fide* agricultural tribes ;

(c) if their representation is inadequate, what action Government contemplates to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) Seven posts have been created pending the formation of the Punjab Veterinary service Class I.

(b) Two.

(c) When a vacancy occurs Government will consider whether it is possible to appoint a member of an agricultural tribe.

MUSLIMS IN THE OFFICE OF PRINCIPAL, VETERINARY COLLEGE.

***2888. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to say whether it is a fact—

(a) that there are six permanent posts of clerks in the office of the Principal, Punjab Veterinary College, Lahore ;

(b) that all these posts are held by non-Muslims ?

(ii) If the reply to (b) is in the affirmative, what action does Government contemplate to take in order to redress the inadequate proportion of Muslims in the ministerial staff of the college ?

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

(b) Yes.

(ii) 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

HOSHIARPUR INTERMEDIATE COLLEGE.

*2889. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state—

- (a) whether Government appointed any commission of enquiry to examine the administration of the Hoshiarpur Intermediate College ;
- (b) the exact terms of reference of the commission ;
- (c) whether the Honourable Minister will table the report of the commission ?

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

(b) and (c) Do not arise.

HOSHIARPUR INTERMEDIATE COLLEGE.

*2890. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state —

- (a) whether the commission appointed by the Government recommended to make the Intermediate College, Hoshiarpur, a degree college ;
- (b) if so, whether Government have decided to make that college a degree college ?

The Honourable Malik Sir Firoz Khan Noon : The attention of the honourable member is invited to the reply to his starred question No. 2889.

HONORARY MAGISTRATES.

*2891. Chaudhri Afzal Haq : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that honorary magistrates are generally appointed in spite of the protest of the people of the *ilaga* in which they are appointed ;
- (b) whether it is a fact that representations after representations are made by the inhabitants of the *ilagas* concerned against the appointments of honorary magistrates ;
- (c) whether the Government is considering the desirability of ending the institution of honorary magistrates ?

The Honourable Sir Henry Craik : (a) No.

(b) No.

(c) No.

EDUCATION.

*2892. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state whether there is any permanent staff or standing committee of educationists which advises the Government and keeps them informed as to the educational progress of different countries and the methods adopted by the Governments of those countries for educating their people ?

The Honourable Malik Sir Firoz Khan Noon : No, but special committees of educationists are appointed by Government when necessary to advise on specific matters. The state of education in other countries is judged from their annual education reports, comments in the press, etc. The International Bureau of Education, Geneva, is also rendering great service in this connection.

GOVERNMENT POULTRY SCHOOL, GURDASPUR.

***2893. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that there is a Government poultry school at Gurdaspur;
- (b) the qualifications of each member of the staff;
- (c) how many students communitywise have been so far admitted into the school?

The Honourable Sardar Sir Jogendra Singh : (a) No. Two short vernacular courses are given at the Poultry Farm, Gurdaspur, for the benefit of the general public.

(b) The Poultry Expert who after having a 8 years' course in theoretical and applied general science, physics and chemistry at Huddersfield (1910-14), had four years' practical experience of poultry breeding and farming in India, conducts the course assisted by an 'A' class Agricultural Assistant who has received training under the Poultry Expert.

- (c) A statement giving the information is laid on the table.

Statement.

Period.	Number of students.	Sikh.	Hindu.	Muslim.	Others.	Total.
7th to 28th February 1930 ..	18	7	7	4	..	18
18th January 1931 to 8th February 1931 ..	21	6	7	8	..	21
15th February 1931 to 8th March 1931 ..	19	7	4	8	..	19
29th November 1931 to 19th December 1931 ..	20	7	2	8	3	20
10th January 1932 to 30th January 1932 ..	9	2	2	5	..	9
9th December to 23rd December 1932 ..	15	8	2	5	..	15
23rd January 1933 to 6th February 1933 ..	13	6	2	5	..	13
7th December to 21st December 1933 ..	14	5	3	6	..	14
8th to 22nd January 1934 ..	7	2	4	1	..	7

LORRY INSPECTORS.

***2894. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) the names and the numbers of lorry inspectors in the province ;
- (b) whether it is a fact that almost all the lorry inspectors are Anglo-Indians ; if so, why so ?

The Honourable Sir Henry Craik : (a) The honourable member is presumably referring to the motor vehicle inspection staff. There are four inspectors, five sergeants, five clerks and three head constables on that staff. I am not prepared to give their names.

(b) The inspectors and sergeants are all Europeans or Anglo-Indians. The appointments to these posts are made by the Inspector-General of Police, who, I understand, has found that these classes are the best suited for supervision of traffic control.

Mr. President : The Honourable the Leader of the House has just said in answer to a part of the question that " he is not prepared to give names." According to Parliamentary Practice, he might have refused to mention names on the ground of public interest.

The Honourable Sir Henry Craik : I correct that, Sir. It is not in the public interest.

Chaudhri Afzal Haq : Why is the name of the public servant not in the public interest ?

Mr. President : The Government Member, I think, is the sole judge of that matter.

Chaudhri Afzal Haq : He is a public servant.

The Honourable Sir Henry Craik : I may say, Sir, that the Government is anxious that a convention should be established in this House that when questions are asked about subordinate Government servants, their names should not be mentioned in the House. It is most unfair that subordinate officers should be referred to by name.

Mr. President : If a question contains a subordinate officer's name with a statement of facts about him and the honourable questioner undertakes responsibility as to the accuracy of those facts, what would happen then ?

The Honourable Sir Henry Craik : If the name of the subordinate officer is mentioned in the question we cannot help it. But when I am asked for the name of a particular subordinate officer, it is the considered policy of Government that his name should not be given.

Chaudhri Afzal Haq : Questions are framed according to the regulations and the Honourable Member has no right to object to the question.

Mr. President : He has not objected to the question.

Chaudhri Afzal Haq : Then we should follow that practice in future.

Mr. President : On this point I will give my ruling later.

PROVINCIAL EXPENDITURE.

*2835. **Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) the total amount of provincial expenditure per year since 1928-29 and the amount of non-voted expenditure for the same years ;
- (b) whether it is a fact that non-voted expenditure is increasing and total expenditure is decreasing ;
- (c) whether Government is considering the desirability of reducing the non-voted expenditure ?

The Honourable Sir Henry Craik : (a) The required information is available from the appropriation accounts of the Punjab Government, copies of which, with the exception of the accounts for the year 1932-33 which are under preparation, have already been supplied to the Council. Details are furnished in the statement which I lay on the table. It should be explained that for the purposes of the appropriation accounts certain items are included twice over, firstly in the regular account and secondly in what are described as Debt Heads, in order to satisfy technical book keeping requirements. In the statement laid they have been counted once only.

(b) Yes. It must be remembered that non-voted expenditure includes interest on capital expenditure, the Debt Services and the Famine and other funds.

(c) Every possibility of retrenchment is always borne in mind, but non-voted expenditure includes many charges which must be met, and which are not ordinarily susceptible of reduction by the Provincial Government.

Statement.

Year.	Total provincial expenditure.	Amount of non-voted expenditure (included in column 2).
1	2	3
	Rs.	Rs.
1928-29	16,07,06,097	2,04,65,718
1929-30	16,22,31,488	2,30,01,809
1930-31	15,68,76,302	2,45,18,558
1931-32	14,21,01,284	2,53,88,528
1932-33	13,45,98,016	2,78,19,835

GOVERNMENT DEMONSTRATION WEAVING FACTORY, SHAHDARA.

***2896. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state the number of students communitywise in Government Demonstration Weaving Factory, Shahdara, in A, B and C classes ?

The Honourable Dr. Gokul Chand Narang :—

Class.	Hindus.	Muslims.
A	5	—No Muslim ever applied for this class.
B	12	—Six Muslims applied for this class. All were taken and left after receiving training.
C	14	16.

DISTRICT BOARD, AMRITSAR.

***2897. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- the population of Muslims and non-Muslims in Amritsar district excluding the town ;
- the number of elected members in Amritsar District Board and Muslims amongst them in the last three elections ;
- whether the Government is in possession of any reason for the Muslims not getting adequate representation in the district board elections ?

The Honourable Dr. Gokul Chand Narang : (a) The population of Muslims and Non-Muslims in the district excluding municipalities and small towns is as follows :—

Population.

Muslims	373,805
Non-Muslims	442,299

(b) The number of elected members of the District Board of Amritsar is thirty. The number of Muslims elected to the Board during the last three general elections of 1927, 1930 and 1933, was 4, 2 and 5 respectively.

(c) The reason for the Muslims not getting adequate representation by election is their low voting strength which stood at 13,700 in 1933 against 42,996 of Non-Muslims.

FRONTIER CRIME REGULATION COMMITTEE REPORT.

***2898. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state whether Government have taken any steps on the Report of the Frontier Crime Regulation Committee ?

The Honourable Sir Henry Craik : This Government have communicated their views on the report to the Government of India.

CORRUPTION.

***2899. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to—

- (a) lay on the table the number of public servants who have been dismissed from service on account of corrupt practices during the year 1933 ;
- (b) state whether the Government is considering the advisability of informing the public by press *communiqué* as to the action taken by the Government against corrupt officers ?

The Honourable Sir Henry Craik : (a) The honourable member is referred to the answer given to his question No. 2800¹.

(b) No, but the statement of action taken against corrupt officials is incorporated in the proceedings of the Legislative Council which are available to the public.

ALIENATION OF LAND IN MANDI BAHADUR-DIN.

***2900. Chaudhri Afzal Haq :** With reference to the reply given to starred question No. 2452,² will the Honourable Revenue Member be pleased to state—

- (a) what disciplinary action was taken against the officer who was responsible for the loss of the list of mutations ;
- (b) the designation of the officer against whom the disciplinary action was taken ;
- (c) whether it has been brought to the notice of the Government that breaches of the Alienation of Land Act in the district of Gujrat still continue ;
- (d) whether the question No. 2452 as well as its answer was sent to the district officer for information ;
- (e) whether the Government intends to make a further enquiry if the permission for the sale of agricultural land to non-agriculturists is granted too frequently and for improper reasons in Gujrat district ?

The Honourable Mr. Miles Irving : (a) and (b). It has appeared on further enquiry that replies to parts (c), (d), (e) and (f) of Council question 2452 (starred) were based on a misapprehension. There is no evidence to show that any regular file was prepared and that it was lost. The question of disciplinary action, therefore, does not arise.

(c) Government has no information that breaches of the Alienation of Land Act still continue.

(d) Yes.

(e) The matter is engaging the attention of the superior Revenue authorities.

¹Page 249 ante.

²Volume XXIII, page 980.

ALIENATION OF LAND IN MANDI BAHADUR.

***2901. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state who were the revenue officers referred to in answer to question No. 2452¹, dated 11th April, 1933, who sanctioned mutations without obtaining the sanction of the deputy commissioner?

The Honourable Mr. Miles Irving : Government do not think that any public purpose would be served by giving the information asked for.

ALIENATION OF LAND IN MANDI BAHADUR.

***2902. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state whether the lands of the agriculturists referred to in answer to question No. 2452¹, dated 11th April, 1933, have been restored to the owners; if not, why not?

The Honourable Mr. Miles Irving : No. It is open to the parties aggrieved, if they are so advised, to seek relief in due course of law under the provisions of the Punjab Alienation of Land Act, 1900.

ALIENATIONS OF LAND.

***2903. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to lay on the table a statement showing—

- (a) the names of districts in which alienations of agricultural land have taken place in contravention of the Alienation of Land Act since 1925;
- (b) the area with the kind of soil so alienated in each district?

The Honourable Mr. Miles Irving : It is regretted that the information required cannot be obtained without examining every alienation that has taken place since 1925. The labour involved in so doing would not be commensurate with the usefulness of the results. If the honourable member has a particular district in view I would try to secure the information if he would mention the district.

RECRUITMENT TO SERVICES.

***2904. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) whether the Government fixed a certain percentage for the recruitment of the different communities in services;
- (b) whether there is constant complaint that that proportion is not kept in view by the officers when recruiting for the services;
- (c) whether the Government reprimanded any officer for neglecting the due share of communities while recruiting for the services?

The Honourable Sir Henry Craik : (a) Certain percentages are in practice observed in the Judicial Branch of the Provincial Civil Service, in the Subordinate Services of the Irrigation Branch of the Public Works Department and also in the matter of admission to certain educational

[The Hon. Sir Henry Craik.]

institutions. In other services there has been no further definition of the principles announced by Sir Geoffrey deMontmorency as Honourable Member for Finance in the Legislative Council on July 19th, 1927. The honourable member is referred to the proceedings of the Legislative Council, Volume X-B, page 877.

(b) Not to the knowledge of Government.

(c) When there has been reason to believe that an accusation of partiality to any particular community was well-founded, Government has drawn the attention of the officer concerned to the allegation. So far as I have been able to ascertain, only one such instance has occurred and that happened nearly 4 years ago.

COMMUNICATIONS BOARD.

***2905. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether his attention has been invited to the disparity of Muhammadans on the Communications Board ;

(b) whether the Ministry have since made up the deficiency on the Board ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

VERNACULAR EDUCATION.

***2906. Kanwar Mamraj Singh Chohan :** (a) Will the Honourable Minister for Education be pleased to place on the table a list of trained graduates employed in the Education Department bearing special vernacular qualifications inasmuch as their having passed the J. V., S. V. or Honours in vernacular examination in each district ?

(b) How many of them are assigned the work of looking after the vernacular education of the province in the shape of being employed to work as—

(i) headmasters of normal schools,

(ii) district or assistant district inspectors of schools,

(iii) deputy inspectors of schools deputed to organise the vernacular education of the division,

(iv) inspectors of vernacular education who are solely in charge of the spread and improvement of vernacular education of the province ?

(c) Does Government intend to encourage the trained graduates by asking them to qualify themselves in the vernacular side before giving them any of the above posts or by extending preferential treatment to those already in service ?

(d) Does the Government intend to prefer trained graduates of special vernacular qualifications while making selection for any of the above posts ?

The Honourable Malik Sir Firoz Khan Noon : (a) There are nineteen trained graduates with vernacular qualifications in the Department.

(b) (i) One.

(ii) One assistant district inspector of schools.

(iii) Nil.

(iv) Nil.

(c) and (d) These posts being important are filled by selection and in filling them seniority, administrative capacity and several other factors are taken into consideration.

LAMBARDARS IN ZAIL KAITHAL.

***2907. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue be pleased to state—

(a) how many lambardars there are in zail Kaithal, district Karnal, how many of them are Jats and how many are Khatriis ;

(b) to what community the sufedposh of the zail belongs ;

(c) whether it is a fact that a Khatri (non-agriculturist) has been recently appointed as zaildar in this zail ;

(d) reasons which led the Government to select the candidate of a minority community ?

The Honourable Mr. Miles Irving : (a) There are 88 lambardars in zail Kaithal. Out of these 62 are Jats and one is a Khatri.

(b) Sayed.

(c) Yes.

(d) Appointment of village officers is not made by Government but under the Land Revenue Act by the Collector as the statutory authority, subject to appeal and revision to the Commissioner and the Financial Commissioner respectively.

PUNITIVE POLICE AT PUNDRI.

***2908. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Finance be pleased to state—

(a) whether it is a fact that punitive police was posted at Pundri in Karnal district in 1932-33 ;

(b) from what persons and of what locality the cost of this police was proposed to be realized by the local officers under Panjab Police Rules 4-12 (1) ;

(c) from what persons and of what locality the Government had decided to realize the cost of this police before the police was actually posted ;

(d) whether any persons have been exempted or added after the first decision of the Government ;

(e) if the answer to (d) be in the affirmative, reasons for the same ?

The Honourable Sir Henry Craik : (a) Yes, along with three other villages, Pai, Fatehpur and Habri ;

(b) and (c) From the inhabitants of these four villages.

(d) The Hindus of Habri were exempted.

(e) It was found that the Hindus of Habri took no part in the riot of the 2nd June 1932, or in harbouring offenders afterwards.

INDUSTRIAL SCHOOLS.

***2909. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Local Self-Government be pleased to state with reference to Council question no. 2408¹ (starred)—

(a) whether it is a fact that the Government did not intend to close any class in industrial schools, up to 31st March 1934 ;

(b) whether it is a fact that this year the first industrial class has been closed in several schools ;

(c) whether it is a fact that several vernacular teachers have been given notice of discharge in October 1933 ;

(d) whether any arrangement has been made by the Government to provide posts for these discharged vernacular teachers in other departments ?

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

(b) No classes were closed in 1933-34, but the First Industrial Class ceased to exist in certain schools due to the fact that pending introduction of the revised scheme of studies there were no pupils available for recruitment. Recruitment to the First Industrial Class is, and always was, limited to two categories of pupils :—

(i) boys who had read through the primary department of a Government Industrial School.

(ii) boys who had completed the primary course in a school for general education, and who had subsequently passed through the preparatory class of a Government Industrial School.

The primary classes in Government Industrial Schools were abolished in 1931.

The preparatory classes attached to Government Industrial Schools were closed in 1932.

Consequently in 1933-34, there were no pupils qualified to enter the First Industrial Class and the pupils who were in that class in 1932-33 being promoted to the Second Industrial Class, the First Industrial Class ceased to exist by efflux of time.

(c) Yes.

(d) The Education Department and the Chairmen of District Boards have been requested to absorb the retrenched vernacular teachers in their schools, if possible.

INSPECTORS IN CO-OPERATIVE DEPARTMENT.

***2910. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Agriculture be pleased to state how many candidates have been accepted this year for the inspectorship in the Co-operative Department communitywise, with their names and the districts to which they belong ?

The Honourable Sardar Sir Jogendra Singh : Seven candidates were accepted this year for the post of Inspector of Co-operative Societies ; their names, community and the districts to which they belong are given below :—

Name of candidate.	Community.	District to which they belong.
1. Chaudhri Diwan Ali, B.A., LL.B.	Muhammadian	Sialkot.
2. M. Bashir Ahmed, B.Sc. Agri.	Do.	Gurdaspur.
3. M. Abdus Satar, B.Sc. Agri.	Do.	Lyallpur
4. M. Ghulam Muhammad, B.A.	Do.	Jhang.
5. S. Ujagar Singh, B.A., LL.B.	Sikh	Ferozepore.
6. Rajindar Singh, B.A.	Do.	Hoshiarpur.
7. Mahipal Singh, B.A.	Hindu	Delhi.

Mr. Mukand Lal Puri : Why were only Muslim and Sikh agriculturists appointed to these posts, and why was not any Hindu member of the statutory agricultural tribe appointed ?

The Honourable Sardar Sir Jogendra Singh : Mahipal Singh is a Hindu Jat.

DEBT.

***2911. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Agriculture be pleased to state—

- the total debt in each district due from ' C ' class credit societies ;
- the total debt in each district due from ' D ' class credit societies ;
- the total debt in each district against societies under liquidation at the end of the year 1932-33 ?

The Honourable Sardar Sir Jogendra Singh : (a) The information is not readily available and its collection would involve an amount of labour out of proportion to the value of the result.

(b) and (c) A statement giving the required information is laid on the table.

[The Hon. Sardar Sir Jogendra Singh.]

Statement.

Serial No.	District.	Total debt due from 'D' class credit societies on the 31st July 1933.	Total debt against societies under liquidation on the 31st July 1933.
		Rs.	Rs.
1	Hissar	5,14,428	22,500
2	Rohtak	2,73,051	90,388
3	Karnal	87,899	42,792
4	Gurgaon	3,77,278	88,723
5	Ambala	83,734	46,203
6	Ludhiana	1,14,207	20,228
7	Simla .. ..	..	..
8	Kangra	6,495	9,874
9	Hoshiarpur	70,873	11,945
10	Jullundur	44,902	66,265
11	Ferozepore	2,17,420	78,845
12	Lahore	1,98,767	1,25,879
13	Amritsar	2,55,269	24,258
14	Gurdaspur	2,99,756	78,661
15	Sialkot	5,69,849	2,10,242
16	Gujranwala	1,63,579	1,03,968
17	Sheikhupura	1,39,976	53,907
18	Shahpur	3,32,061	80,928
19	Gujrat	62,580	31,285
20	Rawalpindi	35,461	20,403
21	Jhelum	42,278	17,575
22	Attock	94,304	15,502
23	Mianwali	89,565	817
24	Multan	92,431	42,927
25	Montgomery	1,59,875	68,317
26	Lyallpur	3,40,981	1,66,505
27	Jhang	35,984	15,533
28	Muzaffargarh	59,854	49,020
29	Dera Ghazi Khan	43,329	6,481

CREDIT SOCIETIES.

***2912. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the numbers of A, B, C and D class credit societies in each district at the end of the year 1932-33 ;

(b) how the numbers of A and B class societies compare with those of the last year, and reasons for the same ?

The Honourable Sardar Sir Jogendra Singh : (a) A statement giving the required information in respect of the years 1931-32 and 1932-33 is laid on the table ;

(b) The totals show that there has been an increase of 13 in A class societies and a decrease of 72 in B class. The deterioration of 59 B class societies is almost entirely due to the continuance of low prices.

Statement.

(a)

Serial No.	District.	A.		B.		C.		D.	
		1931-32.	1932-33.	1931-32.	1932-33.	1931-32.	1932-33.	1931-32.	1932-33.
1	Hissar	4	4	25	18	479	490	188	177
2	Rohtak	..	..	8	8	420	418	92	98
3	Karnal	..	..	14	7	344	342	45	55
4	Gurgaon	1	1	29	25	719	687	130	187
5	Ambala	8	13	114	123	485	500	39	47
6	Ludhiana	13	30	113	133	350	350	30	39
7	Simla	6	7	9	14	2	1	..	..
8	Kangra	7	7	64	88	317	313	9	4
9	Hoshiarpur	29	30	177	199	736	708	13	24
10	Jullundur	42	46	200	193	897	830	19	19
11	Ferozepore	22	18	87	75	607	653	101	87
12	Lahore	10	13	54	51	572	585	105	103
13	Amritsar	4	6	65	62	500	511	64	63
14	Gurdaspur	10	10	125	111	830	852	108	115
15	Sialkot	5	6	86	70	759	694	163	233
16	Gujranwala	8	11	75	55	496	500	26	49
17	Sheikhpura	2	5	42	24	303	499	39	64
18	Shahpur	7	9	44	42	527	522	107	108
19	Gujrat	12	10	46	47	439	443	28	23
20	Rawalpindi	31	30	99	105	308	312	18	22
21	Jhelum	28	30	126	99	291	312	17	20
22	Attock	6	5	52	56	349	352	48	47
23	Mianwali	1	2	15	29	380	389	55	50
24	Multan	6	6	33	21	301	313	42	46
25	Montgomery	10	10	52	46	365	363	62	71
26	Lyallpur	49	39	149	126	472	473	38	58
27	Jhang	6	4	32	32	149	156	35	32
28	Muzaffargarh	1	..	9	9	132	142	53	45
29	Dera Ghazi Khan	1	..	16	20	196	211	33	28
Total		329	342	1,980	1,883	12,824	12,901	1,709	1,904

UNSTARRED QUESTIONS AND ANSWERS.

TRANSFERS OF CLERKS IN HYDRO-ELECTRIC DEPARTMENT.

755. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it has been brought to the notice of Government that the newly appointed Secretary to the Chief Engineer, Hydro-Electric Department, has reverted one of the senior Muslim clerks and transferred him to a place from where another clerk gets discharge ;
- (b) whether the Muslim clerk who gets his discharge by this arrangement is senior to Lala Kundan Lal, officiating clerk, who is most junior in the department ; and if so, why the latter was not discharged instead ?

The Honourable Dr. Gokul Chand Narang : (a) The senior Muslim clerk referred to was officiating in a leave vacancy in the scale of Rs. 75—5—125/6—155. As his work was reported to be unsatisfactory he has been reverted by the Chief Engineer to his substantive post in the scale of Rs. 40—3—85/4—105 and has proceeded on leave. On his return to duty the clerk officiating in his place will, so far as can be seen at present, be discharged.

(b) No. Lala Kundan Lal is senior to the Muslim clerk as he has longer service in the Public Works Department and is officiating against a permanent post while the latter is officiating in a temporary leave vacancy.

APPOINTMENTS IN ELECTRICITY BRANCH.

756. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that since the appointment of Lala Ram Rattan, as Secretary to the Chief Engineer, approximately 100 appointments have been made among the non-gazetted staff of the Electricity Branch, out of which only 30 junior appointments have been given to Muslims ;
- (b) if reply to (a) above be in the negative, the correct number of appointments (not the nominal roll) showing the name of the community, to the members of which the posts have been given ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) Since 1st July 1933, the date of the appointment of Lala Ram Rattan, as Secretary to the Chief Engineer, 35 non-gazetted appointments of which 27 are on the technical side have been made to the permanent operating staff. Out of these 9 are Muslims, 18 Hindus, 6 Sikhs and 2 Anglo Indians and Christians. The smaller number of Muslims is due to the paucity in that community of candidates with the necessary technical qualifications.

LINE SUPERINTENDENTS, ELECTRICITY BRANCH.

757. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government kindly —

- (a) lay before the House a statement showing the number of Line Superintendents community-wise who are at present employed in the Electricity Branch ; and

(ii) state—

- (a) how many of each community have been recruited during the time of the newly appointed Secretary to the Chief Engineer ;
- (b) how far the orders of Government regarding the recruitment of 50 per cent. Muslims have been complied with in this class of establishment ?

The Honourable Dr. Gokul Chand Narang : (i) Muslims 11, Hindus 22, Sikhs 7 and Others 2.

(ii) (a) Muslims 3, Hindus 9, Sikhs 5 and Others 1.

(b) Every effort is made to give effect to the orders of Government, but hitherto in regard to this particular class of technical employee, the dearth of qualified Muslim candidates has proved a serious practical difficulty.

APPRENTICE CLERKS, ELECTRICITY BRANCH.

758. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

- (a) the number of apprentice clerks who have been allowed to work in an unpaid capacity by the newly appointed Secretary to the Chief Engineer in his office since he took over the charge of his duties ;
- (b) how many of these are Muslims and how many Hindus ;
- (c) how many of each category have since been given paid posts and how many have been discharged without the orders of the Chief Engineer ?

The Honourable Dr. Gokul Chand Narang : (a) 12.

(b) Muslims 6, Hindus 6.

(c) With the exception of short leave vacancies no permanent post has been given to any of them. One Muslim apprentice clerk has been discharged.

APPOINTMENTS IN ELECTRICITY BRANCH.

759. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

- (a) whether Government have laid down that in making appointments in the Electricity Branch of the Public Works Department qualified students of the 'A' class MacLagan Engineering College should be given preference over other qualified candidates ;
- (b) whether it is a fact that promotions are given to those members of staff who are fully qualified for appointment as Local Manager, but who are holding non-gazetted appointments in the department ;
- (c) if reply to (b) above be in the affirmative, what are the reasons for not promoting one Mr. Mazhar-ul-Haq, who is a fully qualified 'A' class student of the MacLagan Engineering College and B.Sc., Punjab ?

The Honourable Dr. Gokul Chand Narang : (a) In making the appointments in question Government have laid down that persons holding the A Class Diploma of the MacLagan Engineering College should be specially considered.

(b) There is no rule on the point. Some vacancies in Local Managers' posts were filled by promotion from non-gazetted ranks.

(c) The claims of Mr. Mazhar-ul-Haq were carefully considered on the last occasion when such promotions were made.

APPOINTMENTS IN ELECTRICITY BRANCH.

760. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

(a) whether it is the practice in Government offices to fill temporary officiating vacancies by the promotion of junior officials in the department ;

(b) if reply to (a) above be in the affirmative, whether it has been brought to the notice of Government that the following appointments have been made by the Secretary to the Chief Engineer, by recruiting non-Muslims from open market and by transfer from other departments :—

1. Budget Assistant	..	(75/155)	Chief Engineer's office.
2. Assistant Clerks	..	(40/105)	Ditto.
3. Record Clerk ..	..	(85/70)	Ditto.
4. Typist ..	..	(85/70)	Ditto.
5. Typist ..	..	(40/105)	Ditto.
6. Head Clerk ..	..	(75/155)	Lahore division.
7. Clerk ..	..	(40/105)	L. M., Bhagbanpura.
8. Assistant Draftsman	..	(50/70)	Ditto ditto.
9. Assistant Clerk	..	(35/70)	Amritsar division.
10. Clerk ..	..	(40/105)	L. M. Office, Amritsar.

The Honourable Dr. Gokul Chand Narang : (a) Yes, if they are considered suitable.

(b) All these appointments were made by the Chief Engineer and must be presumed to have been made in the best interests of the Department.

With respect to Nos. 1 and 2 it is reported that none of the men in the office was considered suitable and experienced hands from the Buildings and Roads Branch were appointed.

As regards Nos. 3 and 4, these are appointments in the lowest grade and no question of promotion could arise.

No. 5—No typist in the said grade has been appointed.

As regards No. 6, when the appointment was made it was not known that the vacancy was temporary officiating, and an experienced hand from the Irrigation Branch was imported.

With respect to Nos. 7, 8, 9 and 10 the report is that these are not temporary officiating vacancies.

COMMUNAL REPRESENTATION IN SERVICES.

761. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government kindly state—

- (i) whether articles appearing in the press from time to time regarding complaints of various communities with regard to communal representation in services and other such like matters are brought by the Press Branch of the Punjab Civil Secretariat to the notice of the departments concerned ;
- (ii) if so, whether this practice has been followed in the case of articles relating to the Electricity Branch of the Punjab Public Works Department ;
- (iii) if reply to (ii) above be in the affirmative, whether any action has been taken on those articles which have been appearing in both English and vernacular newspapers for the last few months ? If so, with what result ?

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

(ii) Yes.

(iii) The articles in question regarding the Electricity Branch fall into two categories :—

(a) Those containing the general allegation that in recruiting establishment for the Branch due regard is not paid to the claims of the various communities. In this connection the honourable member's attention is invited to the reply given to part (i) of his starred question No. 2889.¹

(b) Those making specific allegations against individual officers in regard to matters with a communal aspect. The statements in one or two of these have been investigated and the allegations have been found to be entirely groundless.

ELECTRICITY BRANCH, PUBLIC WORKS DEPARTMENT.

762. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that none of the officials responsible for dealing with the establishment cases of the Electricity Branch staff in the Chief Engineer's office, Electricity Secretariat, Finance Department and the Minister for Local Self-Government office, are Muslims ;
- (b) if reply to (a) above be in the affirmative, whether Government intends to take any steps to safeguard the interests of the Muslim community by appointing Muslim officials to some of the posts in question ?

The Honourable Dr. Gokul Chand Narang : (a) In the Chief Engineer's office, the Assistant in charge of the Establishment Section and one of the senior clerks are Muslims. Finance Department has no special staff for dealing with establishment cases of the Hydro-Electric Branch and the Minister has no office establishment at all. He has only a Personal Assistant.

[The Hon. Dr. Gokul Chand Narang.]

(b) Government does not consider that the interests of the Muslim community are prejudiced by the existing arrangements. No steps to modify them are, therefore, proposed.

LOCAL MANAGERS, HYDRO-ELECTRIC DEPARTMENT.

763. Mr. Nanak Chand Pandit: Will the Honourable Minister for Local Self-Government kindly state how many local managers in the Hydro-Electric Department have been discharged, dismissed, reduced from one grade to the other or otherwise made to leave the Hydro-Electric Department since their appointment in spring last and how many of them were Hindus, Muslims, Sikhs or Christians?

The Honourable Dr. Gokul Chand Narang: Three months' notice of discharge was served on one Hindu local manager on the 8th January 1934. No other local manager has been discharged, dismissed, reduced from one grade to another or otherwise made to leave the Department.

MR. SUKHBASHI RAM, SAHGAL, LOCAL MANAGER, HYDRO-ELECTRIC DEPARTMENT.

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

- (i) whether one Mr. Sukhbashi Ram Sahgal was appointed as a local manager in the Hydro-Electric Department and was placed in the first grade;
- (ii) the academic qualifications and previous experience of Mr. Sahgal;
- (iii) what pay he was offered in the Hydro-Electric Department;
- (iv) whether it is a fact that a three months' notice of discharge has been served on Mr. Sahgal after he had put in nearly a year's service in the Department;
- (v) if the answer to (iv) above is in the affirmative whether any formal charges were framed against Mr. Sahgal?

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

(ii) M.A.I.E.E., Associate I.E.E. About 18 years previous experience in Bombay, Public Works Department, and Lahore Electric Supply Company, Limited, etc.

(iii) Rs. 200 per mensem in the scale of Rs. 200—20—600.

(iv) Yes, he has been given three months' notice of discharge in accordance with his terms of service.

(v) No.

765. Cancelled.

GENERAL DISCUSSION OF THE BUDGET.

Mr. Owen Roberts (Non-official nominated): When the House rose last evening I was on the point of producing some figures illustrating

the course of prices during the 60 years ending 1920. During that period the price of wheat fell below Rs. 2 in 18 years. It was over Rs. 2 and under Rs. 3 in 26 years, and over Rs. 3 during 16 years. I placed the average at about Rs. 2-8-0 per maund for the whole period of 16 years, but find that the actual arithmetical average is Rs. 2-7-0 or nearer Rs. 2-12-0, rather more than I anticipated. I have presented these figures in this way to remove once and for all the idea that the production of wheat is sufficient *per se* to make a price for it as it is clear that the average value to-day is considerably lower than the figure quoted.

The enquiry by Mr. Myles has been continued by the Board of Economic Enquiry and I have figures for the years 1921 to 1930. The average price during those years for wheat was Rs. 5-28 per maund and if we add to this the price of wheat for the previous six years we get an average of Rs. 5-132 and it is my suggestion that our present taxation is largely based on the assumption of the prices which prevailed during those 16 years. In other words, we are asking for the collection of taxes now which were levied when prices were more than double what they are to-day. You cannot dismiss this argument by saying that the actual level on which assessment is made has nothing to do with these figures, and that assessment was based on a much lower figure. I will put the question another way and that is whether

the same tax which was levied when the people were getting Rs. 5 per maund of wheat can be levied when wheat is selling much under Rs. 3; and in connection with this question due regard must be had to small landowners. The big landowner can make a great deal of sacrifice and still have sufficient left to live upon. He can also, as the Raja Sahib said yesterday, draw on his credit resources, whereas the small landowner has nothing whatever to draw upon but his day to day production upon which to live.

I turn to the second part of my enquiry; the examination of additional and alternative sources of taxation. The first point that I want cleared up here is the question of income-tax. It has been stated to me that distribution of the burden of taxation is a perfectly just one, that is to say, the landowner pays *abiana* and revenue charges, the people who are not landowners pay income-tax and I have got together some figures on this subject. In 1932-33 the total urban population is put down at 3-06 millions who pay income-tax, after deducting the assessment from Government servants, of 82-7 crores; the incidence *per capita* comes to Rs. 2-8. The rural population of the province is 20½ millions roughly, and if we estimate the revenue that would be derived from it at an incidence of 2-8 *per capita*, they would contribute in direct taxation rather 4-92 crores or say 5 crores. During 1932-33 they actually paid 8-7 crores in direct taxation on land so that comparing the income-tax paid by the whole urban population and taking the incidence of that tax on the urban population, there is no doubt at all that the agriculturist is very severely burdened. (*An honourable member*: What is *per capita* which the rural population has to pay?) I have not worked it out but they would pay on the same basis about five crores, and the excess collected from the rural population on this basis is 3-72 crores. (*An honourable member*: Is this taking both *abiana* and land revenue?) Yes.

[Mr. Owen Roberts.]

Another point that struck me is the great preponderance of the tax that we derive from land to our revenue as a whole. It does seem to me that something should be done to remedy this. In approaching this subject we should strive to lay down a definite line of policy. Having taken the income-tax figures for 1982-83, I will now refer to the budget of 1982-83 and particularly the expenditure on beneficent departments; Education, Medical and Public Health between them accounted for 2.05 crores of rupees. It seems to me that all charges of this description should be borne not by direct taxation, but through a system of rates. This in itself would not give great relief to the agriculturists and still leave open the question of new sources of taxation. Here, I would suggest without hesitation to Government the propriety of taking away from municipalities the right to levy octroi or terminal taxes. These taxes, if taken over by the province would yield at least a crore of rupees without any difficulty and with less friction than they yield to-day. The alternative would be to compel the municipal committees to derive their revenue through rates. I have the Lahore Municipal Committee budget with me, not with any intention of pillorying Lahore specially, but time will not admit of my quoting figures. There is no doubt that the municipal committees do not take advantage of the sources of taxation that they have at their disposal. They tend to rely upon indirect taxation and will not levy rates which they are perfectly entitled to obtain from the people.

Dr. (Mrs.) M. C. Shave (Non-official nominated): Sir, it was with a feeling of positive exhilaration that I listened to the speech of the Honourable Minister for Education and Public Health yesterday. These frank admissions and definite statements as to possible, if not, probable, means for improvement sent a thrill through me and made me feel that relief clouds were hovering on our droughty horizon and that we might feel the blessed rain of sanitary improvement at no very distant date. The stentorian eloquence of Mr. Manohar Lal succeeded where my feeble and halting piping though commenced long ago and frequently renewed since, had signally failed; and I am further handicapped, as that brilliant speaker could never have been, by confusion of thought when I am on my feet facing a large audience. But futility is the *kismet* of some of us and we just grin and bear it as best as we may.

It was most interesting, although such details must of necessity excite repulsion, to hear the Honourable Minister describe the discoveries he has made for himself with regard to the sanitation of this town. At the risk of proving ineffectual once again and more than a little ridiculous also, once again may I offer to the Honourable Minister a few humble suggestions?

But I must preface these suggestions with a little personal history. In one of those lucid intervals that come to the nervous insolitude and stung into clear thought by a remark of Mr. Dobson (for some cerebration works like that) I wrote a long memorandum to the Dobson Committee. It was, as far as I remember, sixty closely typed pages of foolscap and the gracious president of that committee though he referred to it as lengthy in his report was pleased to say in a letter—I do not know what prompted him to write it—that it was very interesting and that he and his colleagues were studying it. But that proved as futile in the final issue as most other things I have

attempted. It is, with shameless persistence, from that memorandum that I shall quote now; and as quotation must be from memory—I did not keep a copy—and the conditions I require for lucidity do not obtain at the moment I crave your indulgence and close attention.

The Honourable Minister's ideas for improvement were all contained in one form or another in that memorandum and if I had a shred of vanity left I should have claimed that great heads bob together (or do so after one another); but alas! I can make no such claim. Drains, conservancy, water-carriage systems, new taxation, improvement trusts, I shall leave them all alone now in view of the Honourable Minister's remarks, and confine myself to urging—

(1) That municipalities be compelled not to sanction building plans until a system of town planning which will allow of proper grouping of houses according to the means of their owners so that palaces and hovels should not any longer be placed side by side, that indeed the man who can only build a hovel be discouraged from building at all. For these people tenements should be built and rented to them at low rates by the municipality and by capitalists with a social consciousness who surely exist among us and only require to be stimulated into activity.

(2) That municipalities be compelled to leave wide roads in the humbler as well as the richer localities of every town so that congestion be avoided and vehicular traffic of every description may pass unimpeded everywhere and no poor man be compelled to carry a sick or injured relative slowly and laboriously through gullies and narrow lanes before proper transport can be reached.

Chaudhri Allah Dad Khan : Is the honourable member reading from notes?

Dr. (Mrs.) M. C. Shave : Yes, but they are entirely my own notes.

(3) That everywhere open spaces be preserved where poor women and children may enjoy fresh air within an easy distance of their homes.

(4) That all encroachments be removed and the culprits severely dealt with. In the new *abadis* the Lahore Municipality had fresh ground to break and the Government did nothing while the development of these proceeded on the same horrible lines as Lahore city.

(5) I heard the Director of Public Instruction say one day when extravagance with regard to school building was complained of that he would be content to run a school under a tree. I do not agree with him. Schools should be as fine as we can possibly make them, places that scholars may remember with pride and affection in after years; and in these schools ought to be taught first and foremost that cleanliness, order and beauty are the first essentials if the human spirit is to grow to full stature housed in a body that will prove no handicap afterwards in the grim struggle that for most of us life must mean to-day. No real sanitary improvement can be obtained without the help of education. The public, that sleepy monster that is just beginning to rub its eyes, must be taught the rudiments of clean living in the most literal sense of that term by a publicity campaign. Will the Honourable Minister forbid any schools to be run that do not provide proper sanitary arrangements for their pupils? At present there are many such.

[Dr. (Mrs.) M. C. Shave.]

(6) The Honourable Minister mentioned the increase of tuberculosis and here I am tempted to make use of what is said to be women's favourite remark "I told you so." For I prophesied an increase of tuberculosis and even of epidemics long ago and we have both now. For, influenza and epidemics of sore throat and bronchial catarrh (a frequent precursor of tuberculosis) are regular visitants to this town. I put this down to the dust nuisance and the insanitary habit of expectoration anywhere and everywhere which is the curse of our people and also their method of attending to their noses. I may remark in this connection that it is absolutely useless in towns to metal and tar a strip in the middle of a road and leave a *cutch* portion on both sides, to be ploughed up by the outer wheels whenever two vehicles cross one another, raising clouds of dust. It is into these strips that all the dried sputum helped by the sweepers' brooms finds its way and this is among the commonest sources of tubercle, sore throat, sore eyes and the chronic "colds" from which people in this town suffer.

In closing I may say that I am glad to infer from the Honourable Minister's awakened interest that I need not worry about a deputation to the Governor. It is difficult for me who am a wage earner to find time for public work. But if the Honourable Minister will enable me to redeem my futile political career which is drawing to a close by helping me to put forward that Bill for house taxation which he mentioned and so raise funds for sanitary improvement, it will be a great comfort. For, I shall have been able to do something definite to remedy matters in this town where I have lived and laboured so long.

By way of postscript the *Civil and Military Gazette* to-day quotes the Minister as having said that provincial revenues could not be used to provide towns with "amenities." I did not hear the Honourable Minister use this word, but if he did, I should like to tell him that it is not amenities we are pleading for, but vital necessities without which by his own admission premature death must overtake a good many.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I think I must begin by paying a tribute to honourable members who initiated the discussion on the budget, I mean Raja Narendra Nath and Mr. Manohar Lal. The high level of debate that has been maintained cannot be too highly applauded. I think it would be useful, as Sardar Arjan Singh suggested, for the Ministers to give a detail of their policy even though very briefly. It would interest the honourable members to know the increase in production that has taken place between the Census of 1921 and 1931:

					Mds.
Wheat	..	..	..	..	1,292,012
Gram	..	..	..	..	698,608
Rice	..	..	..	..	1,447,129
Gur	..	..	..	..	477,801
Cotton	..	..	..	..	3,027,528

The total increase in production has been 8,884,950 maunds. If we take an average price of wheat, gram and rice at Rs. 2, *gur* at Rs. 8 and cotton at Rs. 5, the annual gain is as follows :—

	Rs.
Wheat	25,84,024
Gram	18,96,016
Rice	28,94,258
<i>Gur</i>	14,88,408
Cotton	1,51,37,640
Total ..	2,34,45,341

To this must be added the increased profit on 174,770 acres of cane at Rs. 20 an acre, giving an increased yield of Rs. 84,95,400, which brings the grand total to Rs. 2,69,40,741.

This is, however, only one side of the picture. You will be surprised to hear that the population has outstripped production. Though production has increased, the population has increased to such an extent that the quota per head of population of production has fallen. The following are the figures per head of population as they prevailed in 1910-11 to 1919-20 and as they were in 1920-21 to 1929-30.

	1910-11 to 1919-20.	1920-21 to 1929-30.
Wheat	4·1	3·9
Gram	1·29	1·26
Rice	0·54	0·58
<i>Gur</i>	0·43	0·43
<i>Bajra</i>	0·41	0·426
Rabi oilseeds	0·23	0·23
Cotton	0·24	0·39

The pressure of the population on land has increased. In 1926 there were 560 workers out of every 1,000 engaged in cultivation. In 1931 there are 608. In all other countries, the pressure on land has decreased while in our province the pressure on land during the last two censuses has enormously increased.

Mr. Manohar Lal : What is the remedy ?

The Honourable Sardar Sir Jogendra Singh : I am going to ask the honourable member himself to suggest a remedy. Yesterday when the honourable member spoke he spoke with all the authority of a great economist and he left us wondering whether there was any possible remedy. He said the sound policy was not to meddle with money, a verdict to which it is not possible to take an exception. But could he guarantee that the money will not be allowed either to appreciate or depreciate ? But if money is all the time to appreciate or depreciate in response to English money, how can we stand alone, and allow the money to appreciate and refuse to depreciate it in the interest of the people ?

Chaudhri Zafrulla Khan : He probably meant artificial depreciation.

The Honourable Sardar Sir Jogendra Singh : Can the honourable member define what he means by artificial depreciation? Perhaps my meaning regarding money will become clear when I say that whereas in 1928-29 the gross value of the produce was Rs. 74,64,82,608, in 1932-33 it declined to Rs. 40,83,11,479, registering a decrease of income per head of population from Rs. 31.6 to Rs. 17. The late Mr. Barry, as settlement officer, calculated that the food required per head of population was 5.87 maunds for a year and according to General Megaw, Director-General, Indian Medical Services, who has given an interesting report on Public Health in India "In India as a whole the dispensary doctors regard 39 per cent. of the people as being well-nourished." I am trying to hurry through because I have got only eight minutes to speak. These figures tell you what the economic condition of this province is. The question before the House and before the Government is what we can do in the first place to give proper food to our population, in the second place to relieve it from the heavy burden of debt and thirdly to bring money charges in relation to the present commodity prices. The most urgent need of the present time is that our population must be properly fed. When a machine does not run properly, we oil it and recondition it. In the same way human machine must be properly fed and reconditioned to become fully productive. The Ministry of Agriculture in England has been invested with powers which the Minister is using to improve internal prices of agricultural produce. Mr. Elliot, the Minister for Agriculture in England, has great powers, which he has been using unreservedly in the interest of agriculturist. Here we have no power to improve prices. There can be no question that unless we can either raise the price of agricultural produce to a level which would meet our money charges or reduce the money burden on the people, there is no other alternative if we are to secure a better and more prosperous life for the people.

In the matter of research and investigation Sir Daniel Hall remarks "However much we look over the field of agricultural science and research work in connection with it, we are sooner or later up against the big economic problem. What is the good of all our science and what is the good of all our research, if the fundamental basis of agriculture, as a means of enabling men to live by tilling the soil and raising animals, is wrong, if the farmer cannot get a living, and if the improvements that we can promise from our science weigh so little that they cannot overcome these fundamental economic problems? This point of view is something that those of us who are dealing with research in agriculture cannot afford to put out of their minds."

If you will permit me I will say one or two words with regard to the co-operative movement and the Hydro-Electric Department. I shall not take more than three minutes.

Mr. President : Do the honourable members agree?

(The members agreeing).

The Honourable Sardar Sir Jogendra Singh : With regard to the Co-operative Department, I will say just a few words. The co-operative movement is a movement which is spiritual in its essence. It is the only

movement in the province which invites men and women of all castes and creeds to come together and reap the advantage of co-operation. Co-operative movement is a movement of the people and carried on by the people themselves. It is a movement which has positive good to its credit. There may be defects in it; what human movement is free from defects? But there can be no doubt that if we learn to co-operate, we can do a great deal for our province.

Regarding the hydro-electric power, people have talked about it as a white elephant. But I think it can be a real *Kardhen* if we know how to make use of this power. We have power knocking at the door. Sardar Ujjal Singh was wrong when he said it was cheap. It is not cheap at present. You have to make it cheap by using it and by increasing the output. If you do so, I can promise that the scheme will not be a white elephant, but a real cow which will give you real and good milk and which would make the province prosperous.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): Sir, I offer my warmest and sincerest congratulations to the Honourable Finance Member and his most capable Finance Secretary. The way in which they have prepared and presented the budget clearly shows, when we take into consideration the conditions of the people and the times through which we are passing, that some miracle has been done by these people. But I thought the times were past when miracles were used to be performed. The budget presented to this House is very lucid and instructive. The Finance Department has tried to cut the coat according to the cloth. When we go to the countryside and see the condition of the people, we are at once convinced that their sufferings during these four years of depression and financial stringency can better be imagined than described. In spite of this fact some good things have also been accomplished by the authors of this budget, for instance, as Chaudhri Chhotu Ram said, the conversion of the short term loans and some other things such as the grant of Rs. 25,000 to the Punjab University and a grant of Rs. 15,000 to the women's hospital at Ludhiana. There are also certain other very good features too, for instance, the sums to be spent on consolidation of holdings under the Co-operative Department about which Sardar Sahib has just now spoken. The one thing which is really tangible and is doing good to the zamindar is the consolidation of his holdings. On the one hand while I congratulate the Finance Department, on the other hand I have got a very serious complaint to make against them and that is that year after year the provision made in the budget for the industrial development of the province is very meagre. The time has come when everybody has come to the conclusion that though agriculture is the mainstay of the people of our province, yet with the development of the province through agriculture there must be some other means of improving the condition of the people and I think the only means of doing so is by developing our industry. Look at the five years plan in Russia. The competition with other countries is a very hard one. As the time at my disposal is very short, I shall be very brief.

The second point which I wish to bring to the notice of the House is about that white elephant the Hydro-Electric Scheme. Last year a resolution was moved that cheap power should be made available for the benefit

[S. B. Sardar Buta Singh.]

of the zamindars and the Honourable Minister for Local Self-Government was pleased to remark that it was very difficult to earmark the share which should go to the zamindars and the share which should go to the non-zamindars. I agree that it might be difficult to apportion the electric power between the different sections of the population of the country. But one thing to which I would draw the attention of the Honourable Minister is that he could have very conveniently at least copied from the other departments, as the proverb says :

Nakal ra chih akal.

If one has nothing original one can at least copy and if copying from others is useful one should at least do it. The Honourable Minister for Local Self-Government has done nothing to popularise this scheme among the zamindars. He could have done this by means of issuing posters, through the columns of the Press, by holding meetings such as is done by the Education Department, and by means of rural Community Council. There are these and other ways of carrying on propaganda. Last though not the least is that he should have by now opened model demonstration farms in order to educate the people of the countryside in the benefits to be derived by the application of electricity to agriculture. Although it is a white elephant :

اب پچھتائے ہوت کیا جب چریان چگ گئیں کہیت

Whatever it is, we must now bear with it and try to take as much advantage out of it. I hope that the Honourable Minister would do something in this direction. In the end I would also appeal to the Honourable the Financial Commissioner, Mr. Boyd—as he is reputed to be sympathetic towards the zamindars and as he is in charge of this department—that he should do something to popularise the use of electric power and to demonstrate the benefits to the zamindars by the scheme so that they might be able to make full use of it.

I agree that much has been done by way of retrenchment but still there is much more to be done in this direction. I would content myself with giving just two instances relating to the detailed administration of government. In the first place, my honourable friend the member from Hoshiarpur pointed out that the hearing of cases on the spot was not really beneficial to any one, neither to the Government nor to the people concerned, while on the other hand it entailed a great deal of hardship on the litigant public. As I find that my time limit is over I shall resume my seat.

Chaudhri Allah Dad Khan (Ambala division, north-east, Muhammadan, Rural) : The fact that the year that is drawing to its close has a surplus of Rs. 28 lakhs is a fact which should give satisfaction to every one who has been anxious for the sound financial condition of the province. This pleasure would have been more real than apparent if this saving had been effected without adding to the difficulties of the already oppressed zamindar. The claim of the Honourable Finance Member that not an additional penny of tax has been imposed on the zamindar is not tenable. I would refer to the fee for inspection of patwaris' records and for fards. This

has been doubled and it has brought in more than a lakh of rupees. This is a tax which has fallen very heavily on the zamindar who is already groaning under the burdensome taxation weighing him down. I took the occasion some time ago to point out that the zamindar was the most hard pressed of all people in the world in the matter of taxation. For while other people can show a good deal of saving after the demand of the State has been met, the zamindar has no such margin. If he gets a rupee he has to pay annas eight and all the numerous imposts made on him. That being the fact the claim that no additional taxation has been imposed on him does not hold good at all. The reason is that it is only the poor zamindar that is in the grip of the Government and he happens to be taxed to the full. I wonder if Government has got the power to levy any kind of tax upon such a big class in general.

The Government claims that very heavy remissions have been given. In paragraph 14 of his speech the Honourable Finance Member has been very clever to show to great advantage the little that has been done for the zamindars. He has shown that Rs. 278 lakhs have been given as general remission and that the crown land rent has been remitted up to the extent of Rs. 32 lakhs. As regards remission in rent, the concession has not been a general one but confined to particular areas and particular crops. After all rent is paid by the zamindar on the produce that he is able to get from his land and if the zamindar does not get his full produce and is quite unable to pay it, it must be remitted; therefore if remission in rent is given, it is no credit to the Government at all. It must have been given. But the only thing which would have redounded to the credit of the Government would be a remission on a more generous scale in land revenue. The remission granted is very little, only Rs. 340 lakhs. To this the Honourable Finance Member has added the sum of 2½ crores remitted on the price of land that people have bought. This again is no credit to Government. For every one can charge price according to the capacity of the payer. Now prices have fallen so low that what was sold at heavy prices in better times can only realise very much less, and the reduction in the price of land is no credit to Government. After all, it has been only Rs. 340 lakhs by way of remission of land revenue and the Rs. 2½ crores by way of remission of the sale price of land, goes to purchasers. Whenever the question of remission to zamindars is raised Government urges that the sanctity of contracts should be maintained between the zamindars and Government and that prices play no part in the calculation of land revenue. The latter claim has been made not once, nor twice, but several times. This objection that the land revenue demand that is imposed at the various settlements is not calculated with reference to the prices of commodities is absolutely wrong. I can show this from the statements made in the settlement reports of a number of districts and for want of time I shall only quote from three of them. (*An Honourable Member of Government*: We have never said that.) I remember very well that Mr. Calvert when speaking in this House has always maintained that prices are not the main factor in fixing land revenue rates at settlements. As a matter of fact, prices are the main factor. I am glad that the Government admits this now because the reports are actually in my hands now. I am glad to hear the Government deny that previous assertion. If you admit that prices are the main factor in the

[Ch. Allah Dad Khan.]

calculation of land revenue, then I ask, why has not land revenue been remitted by half? Mr. Owen Roberts and other members have shown that prices have fallen to more than one-third of what they were between 1910 and 1925. The prices prevailing at that time were three times as much as the prices of commodities in these days. Has the land revenue been remitted to that extent? A two-third remission on each crop should have been given without any demur, and that would have been in accordance with the sanctity of the contract into which Government and the zamindars have entered. The terms of the contract were settled in accordance with the prices prevailing at the time the contract was made. When there was obtaining a price of Rs. 16 per maund of cotton for which now the price is only Rs. 5 or 6 a certain amount of land revenue was imposed on the zamindar. Therefore, when the prices fell to one-third of Rs. 16 only one-third of land revenue should be levied. During the last *khariif* which was wretchedly bad and the crop was even insufficient for the maintenance of the zamindar and his family there was no general remission throughout the province. Every one expected that the Government would not be blind to the difficulties of the zamindar but that there would be some general remission. I cannot understand for what the zamindar should be thankful to this Government. According to the very argument of Government about the sanctity of contracts, Government was bound to give a general remission. Of course the sanctity sought to be maintained is urged only when it touches the zamindars.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural) : The budget that has been presented to the House seems to me to be more a picture of illusion than of reality, especially on the receipt side. It has been estimated that our income will amount to Rs. 1,066 lakhs. For this sum we depend mostly on the realisation of land revenue to the extent of Rs. 466 lakhs and on the realisation of *abiana* to the extent of Rs. 435 lakhs. I must submit at the very outset that it is practically impossible to realise these dues to this extent from the zamindar. If we are to pay these sums I assure the House that we are already drenched up. The zamindar for the last four or five years has not been paying his land revenue and *abiana* from his income but from his capital, by selling his ornaments, by laying his hands on whatever he could get, by selling even the utensils and necessities of the house. He has been paying the dues because he is loyal and he wants to continue to be loyal. That is the only reason. Otherwise he has nothing to pay from. We have seen that in *khariif* 1933, as mentioned in the budget itself there were abnormal rains, rains which could not be recollected within living memory. After that, as my honourable friend the Raja Sahib said yesterday there has been frost for more than thirty or forty days. After that there is unusual heat now. The result of all these is that the crops cannot be expected to give the proper yield; they have not had sufficient water; they have been damaged by the frost and the heat. In *rabi* 1934 we have practically nothing left and it will be practically impossible for the Government to realise the dues on which Government depends during *rabi* 1934.

With this state of affairs we should see, what is the remedy to balance the budget, to make both ends meet.

My suggestion, as that of other honourable members, is that the only remedy lies in the curtailment of expenditure and nothing else. So far as this is concerned, we are told by the Honourable Finance Member that 5 per cent. cut would bring us about 16 lakhs of rupees and then there is another cut of 15 per cent. for those who newly enter service. In my opinion this 5 per cent. cut will not do and has not done any good as yet. It should have gone to the extent of 10 per cent. as before. Besides, I would suggest that we should not delay in the curtailment of services both of the provincial civil service and the subordinate service. The pay of our officers both executive and judicial branch is more than we can afford to pay. I suggested the other day that a grade should be fixed at Rs. 150 up to Rs. 600 in the provincial service. Those who are getting a pay beyond one thousand rupees, such as sessions judges and deputy commissioners should stop at that sum, this being the maximum. Officers who are drawing higher pay should surrender at least half of it voluntarily. But in the case of new entrants a grade should be fixed at half the present scale, if not more. As the time is too short, I shall not dilate the point. As I suggested the other day, the administration should curtail the pay, allowances and everything of its subordinates in order to make our financial position better.

I would now like to turn my attention to the departments of my friends, the Honourable Ministers, which have not been touched so far. Our Ministers, I see, are more rigid and more inflexible even than our Executive Councillors. Our Executive Councillors always pay some attention to our resolutions, to our cuts which we carry here. But so far as the Ministers are concerned, they do not care a fig whatsoever. The only reason is, I think, that they know us too much, or they know their powers too much (*Laughter*). One of them, the Honourable Minister for Agriculture, happens to be so influential that in his case, in the budget, the demands are so arranged that whether we begin with demand No. 1 or whether we begin with demand No. 42, we never reach his demands. Now he says that the only way out of the difficulty is to increase the price of agricultural produce. I will give him a *nuskha*, a sort of prescription and that is this. If you want to increase the financial position of your province, abolish the district agricultural farm. That is the only remedy. They have taught us nothing, as they have nothing to teach. There has been a farm in my district for the last 13 years. The agricultural industry of my district, I assure you, has not improved even an *iota* by this farm. Remove them. That is the only remedy. Some departments are organized simply to justify the existence of a Ministry. (*Laughter*).

Coming to the departments under the control of the Honourable Minister for Local Self-Government, the Department of Industry has done nothing for the province. We must have two assistant directors as the head of the department is known as Director. We do not want these Directors and Assistant Directors. Change the designation and save us from ruin.

Now the Honourable Minister for Agriculture said as regards the Co-operative Department, three words, I should like to say four words. (*Laughter*). But as my time is over, I shall resume my seat.

Chaudhri Afzal Haq : On a point of order, Sir. Neither the Honourable Minister for Local Self-Government is here nor his Secretary.

Shaikh Muhammad Sadiq : This is the sort of Local Self-Government.

Mr. President : That is unfair no doubt. But it is equally unfair that when a Government Member makes his speech in reply to the criticism of an honourable member, the latter should not be in the House.

Shaikh Muhammad Sadiq : May I ask whether the gentleman who speaks first is to take the trouble of sitting here for two days till he is answered ?

Mr. President : In fairness he ought to.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : Sir, the honourable gentleman, who has just sat down, promised during his speech on Tobacco Vend Fees Bill to follow the Finance Member blindly, but I am glad that he has changed his mind and is now criticising the budget. Within this short space of 10 minutes allowed to members to speak it is impossible for one to say all what he would like to say on any important matter. The most important matter, which is really engaging the attention of the whole world, is depression. I am sorry that nobody in this House has touched that point so far. Then there is the subsidiary question, the question of unemployment in the country. But after all what have the Government done in this connection ? This point has already been discussed in this House. We are passing through a very unprecedented period of depression. Unemployment is so important in England that we find people are coming to London from all cities and there the Government is doing all it can to help the unemployed and to ameliorate their condition. But here what is the Government doing ? It is doing nothing. Its energy has been exhausted ; its money has been spent in meeting either the non-co-operation movement ; or costly buildings and unworkable schemes but it is doing nothing for these poor unemployed people. Government wants some sort of agitation to open its eyes and then it will realise the danger of the situation. Hundreds of thousands of young men are without any work. What can these young men do ? They do some mischief unless they are usefully employed. We find that Government is absolutely blind to this important matter. In England more than 30 or 40 crores of rupees worth are spent every year on unemployment. But here what is the Government doing ? It is doing nothing. That is one of the most important matters which is engaging the attention of every civilised country in this world to-day ; but the Government in this country does not seem to pay any attention to this matter. Is it not the duty of the Government to devise means to meet the crying needs of the day ? Is the Government only to keep law and order in this country ? These schools and colleges, they are throwing out thousands of educated young men into the street without careers, why can not we open technical schools ? What will these youngmen do. They will beg or borrow or steal. The function of the Government then will be to spend more money for jails. Then this Jail Department which Mr. Gandhi popularised so much but which has lately been not much in favour will become popular again. It is said that ' when Rome was burning Nero was playing on his harp '. Similarly we are singing our swan song, though the edifice of our economic structure is crumbling before our very eyes.

Now take another very important matter. Countries like France, England, Germany, United States—they are importing gold into their countries. But here what is our Government doing? Do they think that the flow of gold into those countries from India is for the good of this country? But opinions may differ. Is it that our Government thinks that it is very wise in allowing flow of gold from here and that the Governments of other countries are foolish in stopping export of gold from their countries and in trying to swab gold from India?

Then there is another very important matter. Our friends ask Government for remission. What is remission? Remission means giving up of collecting revenue when a person has nothing to pay. Even a *bania* will not press for payment if the debtor has got no money to pay, so there is no question of thankfulness for granting remissions which Government would not get in any case. But what I ask from Government is reduction and not remission. There is difference between remission and reduction. No reduction has been made for the last 5 years and not a single penny has been reduced. Reduce taxes reduce extra expenditure.

Now, you see how much money the Forest Department is wasting. We have thousands and thousands of acres of land, but what is the income? Not a penny? Why? Because the Forest Department is not run on commercial lines. You find that the North-Western Railway is using iron sleepers for the rails in the province. It has facilities to import iron sleepers from outside. North-Western Railway makes a lot of money from this province. But here again our Government is doing nothing. We must make a representation to the Government of India that they must not use iron sleepers at all whether from Bengal or Europe. But here, in our province the North-Western Railway must not use iron sleepers, but they must be compelled to use wooden sleepers from our own forest. Sir, if the North-Western Railway will make use of sleepers from the Punjab, and similarly encourage the use of our products in Government buildings and private buildings you will find that prices will jump up. Production will also jump up. Our departments have very good administrators no doubt, honest officers no doubt, but no commercial head. Government do not take into confidence such people of this country who understand business. In fact there is no co-operation between the Government and industrialists. Take for example, Mr. Puckle. He is an honest gentleman and a very good administrator—I am not flattering anybody—but so far as his commercial capacity is concerned, it is *nil*. He was a good Deputy Commissioner and is an excellent Finance Secretary no doubt, but he does not know what commerce is. Government and its Secretaries must have experienced commercial men to help them and thus our revenues can be increased. Again we must decrease our expenditure.

Now, Sir, I come to the industry of the province. It is also in a deplorable condition. The Honourable Minister for Local Self-Government has done nothing to improve the conditions of our industries. During the whole of the year not a single meeting of the Standing Committee for Industries has been called. He is in charge of industries. There is a lot to be said in this connection, but I am sorry that the time is very short at my disposal. It is impossible to touch even the fringe of

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the matter. I wish the Honourable Minister for Local Self-Government were here to explain why he did not call even a single meeting of the standing committee on industries during the year.

Shrimati Lekhwati Jain (North-East Towns, Non-Muhammadan, Urban) (Urdu): Sir, I do not consider myself worthy of discussing this budget before the highly learned members of this House.

4 P.M. But still I would like to lay before the honourable members a few points. First of all I must congratulate the Honourable Finance Member for presenting to us a surplus budget. He has laid the whole province under a deep debt of gratitude for this budget. He has done it without having recourse to imposing new taxes on the people. I would take up the points which I want to bring to the notice of the honourable members one by one. The first point is with regard to the fat salaries given to the Government servants. At present no trade, no occupation or profession is lucrative. The people are in the grip of financial stringency. It is only the Government servants who have escaped from the effects of this slump in the market. I see no reason why they should be allowed to live in luxury when the people for whose benefit they are employed are so acutely suffering from the present world-wide depression. In no country of the world are the salaries granted to the various Government servants so excessive as here in India.

The next point I want to place before the honourable members is that the number of officers to carry on the work of any one department is larger than the number actually required to cope with the work. For example, previously there used to be only one sub-judge at Rupar and one at Jagadhri but now there are two sub-judges at Jagadhri and two at Rupar. The amount of work is the same as it used to be but the number of the sub-judges has been increased. The same may also be said with regard to Ministers. The same work which is at present done by all our Honourable Ministers was discharged in pre-reform days by a few officers. This is sheer wastage of public funds. It is not only a question of wastage of public funds but also it encourages communal spirit. There are three Ministers, one Muslim, one Sikh and one Hindu. They represent their own respective communities. This incessantly reminds people of the three factions to which they belong.

Then, the next point to which I wish to draw the attention of the House is that this process of dividing people into various classes and creeds is being encouraged more and more. Members persist in speaking of zamindars and non-zamindars, urban and non-urban, etc. This question has further divided the people who are already divided. This question of zamindar and non-zamindar owes its origin to Rao Bahadur Chaudhri Chhotu Ram. I have not got time to dilate upon this question and to show how injurious this schism is which has been created by Rao Bahadur Chaudhri Chhotu Ram. It would have been some consolation to us if this question of zamindar and non-zamindar had been sincerely created for the benefit of the poor zamindars. This question helps not the poor agriculturists who really deserve help but it helps the few rich zamindars. The honourable members always press upon the Government to recruit zamindars in its

various departments. By the word zamindar they mean the rich landlords who do not cultivate with their own hands but depend upon their tenants. If it is urged by the members that only those may be recruited into services who have tilled land with their own hands for three years I would be the first to agree to this suggestion.

Another point I want to urge upon the attention of the House is with regard to education. Colleges have been opened in the cities and the young students instead of getting education in them learn different fashions of dress. Instead of producing capable men these colleges teach them only how to become dandies. The students care more for their boots and ties than for their books. Instead of opening so many colleges if the Government had opened primary schools it would have largely helped the people in becoming literate. The Government have paid no attention to the education of girls. At present the percentage of the literate among the women population of the country is not more than 3 per cent. according to the report of the Hartog Committee. This is so because no attention is paid to the education of women. As compared with the expenditure that is incurred for the education of boys not even its 10th part is devoted to give education to girls.

As I have got no time left to continue my speech, I would conclude by again laying stress upon the curtailment of the expenses that are incurred for the maintenance of the different departments. The salaries of the officers should be cut down sufficiently in order to give relief to the suffering masses. So long as the Government does not act upon the advice of Mahatma Gandhi and make it a rule that no Government servant should draw a salary more than Rs. 500 so long the poor zamindars cannot be relieved. It may be urged that if this suggestion were to be given effect to much unrest will appear amongst the Government servants. There may be some truth in this but what is more important is to see that unrest does not appear among the people. Curtailment of salaries is necessary for the benefit of the people who are so acutely distressed on account of the present depression.

Chaudhri Nazir Hussain (Gujrat West, Muhammadan, Rural) : Sir, the budget that has been presented to this House is very interesting from this point of view that a very lucid statement of our finances has been presented to us. The explanatory memorandum reads as an interesting piece of literature but the actual picture of our finances that has been given to us is far from inspiring. Indeed the burning question of the day in our province is the prevailing depression and one sees in vain through the pages of that memorandum for any attempt made by the Government to remedy this depression. It has become more or less one of the regular features of the business of this House to ask for relief to the agriculturists in some form or another. Some time ago a committee was appointed to go into the question and to see whether the *abiana* rates were excessive. That committee finished its labours somewhere in December and Government has not been able to make up its mind during the three months as to what action it has to take.

The Honourable Mr. Miles Irving : The report was presented on the 20th of February.

Chaudhri Nazir Hussain : There were two reports. One was signed by the members in December.

The Honourable Mr. Miles Irving : It was presented on the 15th of February.

Rao Bahadur Chaudhri Chhotu Ram : Presented by whom?

The Honourable Mr. Miles Irving : By the non-official members.

Chaudhri Zafrulla Khan : What happened between the 15th of December and the 15th of February?

The Honourable Mr. Miles Irving : I have no idea. It was being signed, I think.

Chaudhri Nazir Husain : So you took two months to get the report signed?

Rao Bahadur Chaudhri Chhotu Ram : That is no credit to your department.

Chaudhri Nazir Husain : The report was signed by most of the non-official members I think somewhere in December and in January; about the 12th, I got a note from the Secretary to the effect that he was sending a copy of the report for my signature. I had already signed the report and it surprised me to be called upon to sign a second time. What happened was probably this, that the report had once been signed in December and the officer in charge forgot that the report had already been signed and he sent round another copy to various members to their homes for signature and that naturally took a lot of time. Anyhow, the Government did know of the recommendations of the committee in time and, therefore, these two months and more were enough time for the Government to have given their consideration to the matter and we expected that there would be some reference to the labours of that committee in the speech. But this matter of the reduction of *abiana* is only one aspect of the question. It is not for me to say what action Government will take on the report of the *Abiana* Committee, but I may well surmise that these 52 lakhs which the budget shows will be the surplus at the end of the year is likely to be swallowed up by the reduction that might be made in the *abiana* and, therefore, we have no cause for rejoicing at the fact that there is on paper a certain surplus in the budget.

This question about the present condition of the zamindar is one that need not be laboured. Things have come to such a pass that the zamindar's case has earned commiseration at the hands of even the opposite benches as is evident from the speeches that have been made by them for the first time now bewailing the lot of the zamindar. (*A voice :* Entirely wrong; this is not the first time). At least this is the first time when I think they are serious that there should be some relief given to the agriculturists. The two important agricultural products are wheat and cotton. There is over-production of wheat in the province so far as the needs of the province go, and unless wheat is exported the price of wheat cannot be kept at any sufficiently high level and as no export of wheat is taking place, the price of wheat has gone down to the figure at which it stands at present.

As regards cotton the prices at the present time are somewhat better, but in future with the development of the province of Sind and probably the development that is likely to take place in Manchukuo where large tracts for cotton are being acquired by Japan, the conditions as regards cotton might become the same as they are at present in regard to wheat, and the

the condition of the province will become extremely hard to bear, and probably large tracts of the province will go uncultivated. The real remedy for these matters is that there should be reduction of the incidence of taxation on the agriculturists, and I think that unless the expenses of Government can be curtailed by another two crores, the condition of the province will not improve. With the budget expenditure of about 8 crores it is possible that this province might get along but if the expenditure is anywhere more than 8 crores, it will in the near future, be impossible for the province to make both ends meet. But there is another side of the picture, and that is that efforts might be made to raise the earnings of the people by developing the industries of the province. Sometime ago a committee was appointed to go into this question, the Committee on Indebtedness. That committee made a unanimous report that some efforts should be made to develop the cottage industries in the Punjab. On that point the committee was definitely unanimous; and yet it is strange that the Government has taken no action on that recommendation of the committee. As a matter of fact, there is nothing in the budget to show that any sum has been set apart, however small, for tackling this question. I think it is high time that Government should take up that suggestion of the committee.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, I have listened very carefully to the speeches that have been delivered to-day. I thought that after the very admirable speeches of Raja Narendra Nath and Mr. Manohar Lal, their tone of friendship would be kept up. Instead of that, the honourable member for Rohtak (Rao Bahadur Chaudhri Chhotu Ram) made a personal attack on me and the Honourable Minister for Local Self-Government. I regret that the honourable member has got a very short memory and that he did not understand what was said in this House on behalf of the zamindars by the members on this side. I just want to remind the House that there are two projects which have been regarded as very expensive by the Government and by the zamindar party, namely, the Sutlej Valley Project and the Mandi Hydro-Electric Project. The Hydro Electric Project was initiated when the honourable member for Rohtak (Rao Bahadur Chaudhri Chhotu Ram) was in charge of the department. He might even recall that it was we, members on this side that made a well-informed criticism and warned the Government that it was going to be a very expensive business and that it would not bring in any benefit to the zamindars. Not only I, but Dr. Gokul Chand Narang, Professor Ruchi Ram and every member of our party who spoke on the project warned the House that the zamindars would be hardest hit by this Project. But to-day Chaudhri Chhotu Ram says that he was misled by the experts. We sympathise with him. But it must be clear to every one in this House that if the zamindars are suffering to-day it is not on account of the criticism that we made on this scheme, but it is because of the folly that was perpetrated on that day by the members of that party which in season and out of season talks of zamindars every day, but is not prepared to follow their professions by actual practice.

Take again the Sutlej Valley Project. On that question we did not even open our lips for fear lest the zamindars should accuse us of standing in the way of the zamindars promoting their interests. That scheme too has since become a losing concern. (*Interruption*). If the finances of the pro-

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vince are to be improved that cannot be done merely by developing agriculture. Agriculture and industry go side by side. There is really no divergence of interests between the rural people and the urban people. If the cultivator brings corn to the market the industrialist manufactures it into biscuits. The cultivator is benefitted if the cotton grown by him is bought and manufactured into cloth by the manufacturer in India. The cultivator and the industrialist are thus both benefitted. But unfortunately the mentality that has been exhibited from time to time by saying that there are Hindus, Muhammadans and Christians—not only that, but there are agriculturists and non-agriculturists, and rural and urban members with conflicting interests, it is the mentality shown in drawing such distinctions that is responsible for the present state of finance in the province.

I cannot congratulate the Honourable Finance Member on the state of the finances of the Punjab. I said sometime ago that the Punjab is steadily going towards bankruptcy. The main source of income of the province is land revenue and water rates; and the prices of cotton and wheat have fallen beyond what could have been dreamt by anybody and none can say when they will rise again. The only way of tackling these two problems is to tackle the industrial problem along with the agricultural problem. I think Rao Bahadur Chaudhri Chhotu Ram might have been happy when we on this side offered to support his motion for agriculturists in the services and when we asked what percentages of services he would like to have for the agriculturists. But he is always out to create new divisions. First Hindu, Muslim and Sikh interests, then, naturally as he cannot bring up that question now on account of the limitations that are placed on him, being a member of the other party, he takes up the question of agricultural and non-agricultural tribes. He is not satisfied with this division alone, but he wants to introduce a new distinction in the services and, that is, territorial distinction in services. He raised the question of the number of people of the various territorial divisions in the public service and their percentages. Probably he will next take up the question of the distribution of services according to the various districts in the province and probably according to villages even. There is no knowing where this sort of thing is going to end. I assure the House and I assure the honourable member for Rohtak that so far as we are concerned, we have done with these things. We are not in favour of distribution of posts according to any fixed proportions for different interests. But I must warn the House that the services must go to the most efficient men in the state. The interests of the country require that the best men should be employed irrespective of their religion, caste or race. That is the only solution of the problem. Otherwise you will be landing yourself in difficulties. As I have already said, corruption and other mal-practices will grow. Let the honourable member take heed of this warning.

Coming next to the subject of education, I submit that there is wasteful extravagance due to the attitude of the zamindar party. When first the policy of provincialisation was adumbrated in this Council, Professor Ruchi Ram Sahni and myself opposed that policy. To-day we find that 85 schools have been provincialised. (*The Honourable Malik Sir Firoz Khan Noon* : But not one during the last four years.) I just wanted to tell the House

how difficult the Government finds itself when the same kind of education costs Rs. 36 in Government schools, Rs. 10 in municipal schools and Rs. 7 in private schools. This means that there is woeful extravagance in Government schools. I am sorry that my time is limited. Otherwise I might have shown by more illustrations how extravagance is practised by Government in various departments.

Chaudhri Zafrulla Khan (Sialkot, Muhammadan, Rural): Sir, there is not the slightest doubt that a greater part of our difficulties at the present moment is due to the very low level of prices of commodities. It is to this subject that we should address ourselves, because this alone can in the end afford any kind of permanent relief. I am aware that this is a world problem. I am also aware that the efforts of no one Government can lead to any very material amelioration in the position. I am also aware that any efforts that may have to be made on behalf of the Government of this country so far as any direct action with regard to them is concerned, do lie in the central government rather than in the provincial Government. Yet I must give expression to a sense of disappointment that neither the speech of the Honourable Finance Member nor any of the documents accompanying the budget statement has even referred to any efforts that the Government of this country has made or the Government of this province has urged upon the central Government in this respect. I am afraid the responsibility of the Government of this province does not end with provincial subjects alone. If the Government finds that factors are in operation in the country which affect the sources of their revenue, then, surely they are in duty bound to take whatever action may be possible to take in this respect and to explain to this House what efforts at least they have taken in that direction. I may perhaps be permitted to express a hope that the Honourable Finance Member when replying to this debate will take the House into his confidence and tell the House what efforts his Government has made in this direction. I have already granted that direct efforts are not to be expected from the provincial Government, but surely when the provincial Government is satisfied that in certain matters progress is retarded and that progress can be accelerated only by the central Government, then it is the duty of the provincial Government to persistently urge those matters upon the attention of the central Government and we are at least entitled to know to what extent that urge has gone. I do not claim to be an expert in these matters. Yet all of us are compelled to pay some attention to some aspects of this question. I have generally found that I am blamed for being very conservative in my views in regard to whatever might affect policy in any matter and that I have never advocated and that I am never prepared to advocate rash course. Yet, even I am convinced that the time has come when certain changes must be adopted even though we may not be perfectly certain with regard to their effects. I would not go so far as to urge artificial depreciation of currency. Not that I am convinced that it may not afford a great deal of relief, but because I find that where even experts differ so radically as they do in this matter, it would be futile on my part to say either one group is right or the other is right. But apart from the general question of depreciation of currency there is the question of the ratio and exchange between the rupee and the sterling. Without artificially depreciating the rupee surely the provincial Government can adopt som

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attitued with regard to this question. If they are agreed with the unanimous opinion of the people of this country that the ratio ought to be altered in favour of the sterling that is to say the value of the rupee in terms of sterling should be reduced from 1s. 6d. to 1s. 4d., then, we are entitled to know from them what action they have taken in this direction in urging that change upon the central Government and the Secretary of State. And if they are not agreed with the unanimous opinion of the people of this country, we are entitled to know the reasons for which they withhold their assent to this proposition. This is a technical question and I do not wish to enter into any explanation of it here particularly at this stage. But it is perfectly obvious that so long as the rupee continues to be linked to sterling the only benefit which may be derived from depreciation of currency can come with corresponding depreciation in the value of sterling and the currency of other countries. But there can be no benefit derived by India as against England so long as the rupee continues to be linked to sterling at a fixed rate of exchange as high as 1/6. There would be a double benefit to the country if the rupee is depreciated in value to that extent both as against England and as against outside world, operations of India with outside world being through the sterling. That is one suggestion which I most unhesitatingly make.

With regard to the budget this year and I am afraid with regard to the budget of many years to come, the position is this. It would be an extremely optimistic view to take to imagine that the yield particularly from land revenue and *abiana* will continue at the rate at which it has continued during the last 4 or 5 years in spite of depression. Congratulations have been paid with which I associate myself, to the Honourable Finance Member and his secretaries and their staff, for the very hard task imposed upon them during the last 4 or 5 years. But I add to them my congratulations to the Punjab peasant for the gallantry and statesmanship that he has displayed during the last 4 or 5 years in trying to pay Government revenues (*cheers*). He has tasted the sweet for many years and for some years now he has been tasting the bitter and he has not so far complained. But the time is fast approaching when it will not be possible for him even by tasting the utmost bitterness to discharge his obligation towards the Government and we must do something to at least retard if not altogether avoid such a contingency arising. Remissions have no doubt been made, but remissions have been made just to keep alive the peasant. They have not been made to an extent or for a time or on a basis which will afford him some degree of permanent relief (*hear, hear*). And the time has come when that must be done and if it is not done within a year or two, the Government will find that it will have lost its milch cow altogether instead of merely being content with the reduced quantity of milk from him. In order to be able to afford relief to the peasant there must be drastic and permanent reductions in our expenditure, at least till such time as the wheel of finance has taken a very big and a very favourable turn, so that we can then expand our expenditure again. I suggest reductions in all departments and in all items. But I wish to draw attention to one aspect of the matter. I have no doubt again that the provincial Government is doing all it can in the sphere it has power to carry out such reductions and retrenchments as are possible. For instance, we

have been told that the salary of future entrants into the provincial services has been drastically reduced. No doubt the grades and the initial salary have not been settled permanently yet, but the salary that is being offered is substantially less than that enjoyed by people who entered service more than two years ago, that is, those who enter the grades of Government service of Rs. 100, 150, 200, 250, 300 and so on will now get substantially reduced salaries. But what has the provincial Government done to urge on the central Government and upon the Secretary of State to afford relief with regard to the cadre of services which are yet much more highly paid than extra assistant commissioners, sub-judges and other provincial servants? We are entitled to know from the Honourable Finance Member, the efforts in that direction. So far as my knowledge goes, not only nothing has been done in that direction but no protest has been made—and if any has been made we wish to be told—against the action of the Secretary of State in filling up all the Imperial cadres rapidly and to their fullest extent. Now, Sir, we are passing through a period of emergency not less grave and in some respects much more grave than the time of the Great War and if during the Great War the administration of this province could be carried on with a very much reduced number of Imperial officers than we do at present, there is not the slightest reason why we cannot carry on with a much more reduced cadre of imperial servants than we are doing at present. Again, I am entitled to appeal to the Honourable Ministers and to ask them to inform the House in what respect they have personally set an example to this House and to those outside the House of sympathy with the under-dog, of relief to the poor and true patriotism and to what extent they have merely clung to a mere sense of vanity in thinking that if the pay of two of their colleagues on their right cannot be reduced without an Imperial Statute they shall not voluntarily surrender any portion of their pay. My submission is that this is a time when mere talk will not do. Two years ago, I believe I suggested to the Honourable Ministers themselves a voluntarily reduction in their salaries. They were most indignant over it. Then came the cut. They had to submit to it. If they had voluntarily agreed to give what the cut forcibly took away from them subsequently, their action or their voluntary submission would have had a great deal of grace added to it.

Again with regard to the question of railway freights a great deal needs to be done. Again this is a matter in which the provincial Government cannot take direct action but this is a matter with regard to which the Honourable Finance Member can say that efforts have been made in the past and efforts continue to be made in order to obtain a concession in the matter. We give them credit to the extent to which the matter has gone and we hope that they will not in future relax their efforts in that direction which might help the peasant in this province. The condition of the peasant is that he has already utilised all his resources in order to meet the Government demand and also in order to meet his current expenditure and the time is fast approaching when there will be no resources left to meet except what he might get by a sale of the commodities which he produces. With regard to that we know that the conditions are that although the prices might improve subsequently in the year, at the time when the harvest is gathered prices are generally at their lowest and the first claim is the claim of the Government. It has got to be met in cash and the peasant is there fore,

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compelled to sell the greater part of the yield of his crops at whatever price ruling at that time in order to satisfy the claim of the Government in the first place and the claim of the money-lender in the second place. As I have said, his ornaments having failed, his cattle having failed, all his other resources which he might have saved during years of prosperity having failed, all that he will be able to offer, unless in the meantime there is a great deal of relief or a great revolution in the price of commodities, is the portion of a produce of his lands when the harvest has been gathered rather than anything in cash. And you are also faced with this contingency that your expenditure under the budget must continue to rise in spite of economies effected at various places—because there are grades of pay with regard to which you must go on paying more. And there is the envisaged new constitution which, if it does come about, is bound to add to your expenditure. The members of this House will be more than double including the official members who will not be members of the next House and there will be many other items of expenditure added and you will be faced by a constantly increasing scale of expenditure and I am very much afraid, with a constantly dwindling source of land revenue and *abiana*. Unless you take some drastic steps, however, unpalatable they may be, public opinion at least will acquit you as trustees of the finances of the province, that you had done the best that in you lay to afford relief in matters in which you have power and to urge relief in matters which do not lie within your sphere of power or authority.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*) : Sir, I have not stood up to deliver a lengthy speech. I only want to make a few observations. First of all I should like to refer to one thing. A charge has been laid at my door to which I will not reply because I think that silence is the best reply to such indictments. Exception was taken, moreover, to my absentsing myself for a while from the Chamber. But I want to assure the House that I left after requesting one of my colleagues to take down notes of anything requiring an answer from me. I am sorry nevertheless for having given any of my honourable friends cause for anxiety.

Chaudhri Allah Dad Khan : It is more often than not that you are absent from the House.

The Honourable Dr. Gokul Chand Narang : I sometimes take refuge in absence. I came and saw the honourable member speaking and I went back. (*Chaudhri Zafrullah Khan* : As the honourable minister is now speaking, we go out.) I am told, that my honourable friend Sardar Buta Singh said something about the Hydro-Electric Scheme and also made a passing reference to *gur*, etc. But I think that he himself was not clear as to what he was saying. So I need not say anything in this respect. Chaudhri Chhotu Ram has urged upon the Government the desirability of all round economy. I assure him that the Government have done and will continue to do all that lies in their power to effect economy as far as possible. Then Shaikh Muhammad Sadiq expressed his dissatisfaction with the very little work done in the sphere of industries. But I can do no better than to refer him to the proverb :—

ننگی لہانگی کیا اور نچوڑی کیا ؟

The grant for Industries is very very small and we are doing what we can with the grant at our disposal.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): The question of lessening the burden of taxation on agriculturists is the question which looms large in front of this House. I shall not touch any aspects of this question except two. One is that of land revenue. I leave water rates and also other minor taxes on the agriculturists for the present. When taxing the land we have to consider one important principle; that is, that there should be equitable and just distribution of the burden of the expenses of the State on all the citizens of the province. We generally ignore this point and I want to press it with all the power I can command on this occasion. We should always remember that the agriculturist is the poorest citizen of the State and as such we should try to remove as much burden off his back as we can. The other point is his capacity to pay. We have talked a good deal about gold flying from the country and also about the indebtedness of the agricultural classes. Why is gold going out in such large quantities? It is because people cannot pay the land tax from their income. They are consequently giving away all their hoards, the little that they had hoarded, i.e.; which had accumulated for about a century. After giving away all the gold and silver, we have entered into heavy indebtedness and the debts in the aggregate go up to millions of rupees. We feel dumb-founded when we think how we are going to meet all our liabilities. When we have thus paid our revenues with the gold and silver, that we had, and when we have gone into heavy debts, the next stage is that of actual breakdown beneath the weight. Are Government prepared to face that situation? Are they prepared to give some facilities to lighten the great burden which the agriculturist has all along borne, so that he may be able to pass through this critical stage and some day may be in a position again to start the building up of the province with the same resources which he had had a few years back?

The question of co-operative societies is more or less linked with the indebtedness of the zamindars. I quite admit that the co-operative societies have done useful work for the agriculturists but the only criticism that I have to make against them is this, that the rate of interest has been very high. It is generally 9 per cent. and the individual borrower gets it at the rate of Rs. 12-8-0. (*The Honourable Minister for Agriculture*: But half of it is credited to the society itself). Yes. The central bank advances at the rate of about 8 per cent., the village societies lend to the individual members at about Rs. 12-8-0. Certainly it is a very high rate. I notice that this year some societies have reduced this rate because money lately has become cheap in the banks. For example the Central Co-operative Bank at Lyallpur had reduced it to 6 per cent. and the other societies in their turn might be able to lend at 8 per cent. But even this is very high. The land mortgage banks which are being financed mainly by the money got from the Government are also charging as much as 9 per cent. The department that is giving these reliefs to the zamindars should study the conditions of the financial world and compare the rates of interest charged by the Co-operative Societies with those charged by the Sahukars whom we all condemn here. If Government and this House are prepared to make these institutions really useful, then it is absolutely necessary that the rate of interest should be reduced considerably. I have not much sympathy with those people who are making

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this movement unpopular simply on the ground that the societies and banks are trying to realise the money which they have advanced. No bank, no society can run if it would not think of getting back the money advanced. Though the time is very short I should like to make one suggestion. The mortgage banks in our province are quite different from those which have been started in other parts of the world.

(At this stage the member resumed his seat as the time allotted to him was over.)

Mian Nurullah (Lyallpur South, Muhammadan, Rural): It is remarkable how the current year has come out. Both the main crops, the *kharif* and the *rabi* had exceptional outturns. But the question is, can we reasonably expect, that the year under consideration would have the same prosperity and the same outturn. I am very doubtful about that. I wish to draw the attention of the House to the bottom of page 8 of the Honourable Finance Member's speech in which he counts upon a normal year. The two main factors are the outturn and the prices. I leave for the present the question of prices except that I might remark that there is no hope of a rise in prices for the next few years. About the outturn I am a pessimist. The *rabi* crop of this year has already been affected by a severe frost. It has damaged *toria*, and destroyed *rai* and *sarsu*. Fodder has been affected a good deal and the early wheat crop has been damaged too. There has been no rain during the last two months and this was the time when we badly wanted rain. This is going to affect us very adversely. Then there was a little dust storm last week. It was very conspicuous and prominent on the very day this budget speech was made by the Honourable Finance Member. If he was here in the House just now I would tell him that had he been a zamindar he would even then have realised how that small dust storm was going to adversely affect the standing crops. He mentioned in his budget speech what one dust storm like that of 1928 could do to turn the tables and put our finances in a very bad plight. Under the circumstances instead of getting Rs. 25 lakhs over and above this year's revised estimates, as the Honourable Finance Member puts it, I am afraid that we might be out by much more than that amount. The Honourable Finance Member does not know that in spite of the very good outturns of this year we have been able to pay our revenues with a good deal of difficulty. Whenever we could not make anything out of our crops we had been obliged to go to our capital and we have already drawn too much upon our capital that we have hardly any more assets left to fall back upon.

The question of prices is a very big question. I am rightly or wrongly in favour of inflation. It may be introduced in the way suggested by Professor Keynes as referred to by the honourable member for the University, namely by starting public works on borrowed capital, or it may be done as was suggested by Sardar Sahib Sardar Ujjal Singh, through a depreciation of our currency. To my mind that is the only way to relieve the zamindar from his indebtedness. I am confident that if we can decrease the value of money and increase the value of the commodities and raise prices within three or four years, the effect would be that 50 per cent. of the burden of our indebtedness will go. If I may be allowed to dictate to

the Honourable Finance Member of the Government of India I would put it to him that the depression would have ended much earlier if that course had been resorted to. The 18d. ratio has been stuck to in spite of the united opposition in the press and on the platform, of statesmen, politicians and economists and even lately by the zamindars of the rural areas. If the ratio is brought down, if our link with gold sterling is cut, we would be happier much sooner than we would otherwise be.

Coming to our own budget and the finances of our province, on the whole I feel that the Finance Department and the Honourable Finance Member have done very well over a number of trying years through which we have passed. I must give them credit for it. I should, however, enquire from them why, when during the last conversion loan operation they were able to get applications for about 6 crores, why could they not utilise more than 1½ crores? Was there any special reason standing in their way of converting more of our loans, loans on which we pay more than 4 per cent. interest? Could not that have been done? Finding that our next year is not going to be very prosperous I do feel that the continuation of the cut was a very desirable thing and that the other step that is, the 15 per cent. reduction for all new entrants is a step in the right direction. But I am astonished to find that our revenues from the two big projects that we have just completed, the Uhl River Project and the Sutlej Valley Project, are not what we should desire them to be. The policy of the Government in regard to the energy produced by the Uhl project seems to be not quite a satisfactory one. I think Government would do well if they would allow a more liberal use of the Uhl river energy on terms paying or not paying, so long as we have got spare energy.

I was disappointed to find in the budget speech no mention whatever of the *Abiana* Committee Report. We were expecting a substantial reduction of *abiana* along with a reasonable reduction in land revenue at Lyallpur during the settlement period. These two things combined would have made another big hole in the budget. I further feel that unless we are able to show a surplus in spite of these reductions under *abiana* and land revenue settlement at Lyallpur, in some way by reducing our expenditure, it would not be right to say that we are handing over the province to our successors of the new constitution as very sound financially. In the end I would like to say a word of appreciation for the Honourable Finance Member because it might be his last budget speech and I do feel that he has done creditably well during his tenure of office.

Thakur Pancham Chand (Kangra, Non-Muhammadian, Rural) (Urdu): Sir, before I begin my observations on the budget I would like to express my appreciation of the labour and pains that the Honourable Finance

Member and the Finance Department have taken in the preparation of the budget. As a matter of fact, it is prepared and passed with certain modifications every year. But the most important matter that calls for our immediate attention is the present financial position of the province. The honourable members ask questions as to how many Hindus, Muhammadans and Sikhs are employed in a particular department to which the Government usually reply stating “(a) yes, (b) no and (c) does not arise.” When we ask such questions we think that our duty ends there. But we are mistaken. Our duty is more

5 P.M.

[Thakur Pancham Chand.]

sublime. We should look after the general welfare of the province as a whole. I am glad to see that the honourable members have expressed to-day the same views about the financial position of the province as I had expressed two years ago. I think it is now time for me to appeal to you in the name of the rural people, in the name of this province that you should not work on communal lines but rather try to approach all public matters from the point of view of a true Punjabi. No doubt the Government have now realised the difficulties of the zamindars and in consequence have granted remissions to them. But remission of two or four annas in a rupee of land revenue cannot afford adequate relief to the zamindars. The Government cannot afford to remit the whole land revenue, for, in that case they cannot run the administration. There was a time when besides agriculture there flourished many other industries in this country. I am sorry that I have not enough time at my disposal to describe how the indigenous industries were crushed by the foreigners especially the East India Company. Ninety years have elapsed since the Punjab was annexed to the British Empire. The zamindars of this province are now under a debt of 150 crores of rupees (*An honourable member* : 200 crores of rupees). When this is the state of affairs can Government justify its existence? The Honourable Minister for Agriculture remarked that the co-operative movement was started for the ultimate good of the zamindars and had in fact done great good to them. I do not want to contradict him for I believe that the honourable members are already aware how far this movement has benefitted the zamindars. I would also like to say one word about education. Personally speaking I am against the present system of education. But even that is not without an advantage. Let the percentage of literacy increase which would naturally result in the increase in the number of the unemployed who will have then to take to industry by force of circumstances. I had to say only this much.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, I offer my heartfelt thanks to the Honourable Finance Member and the Finance Secretary for the preparation of the budget in general and for having effected a permanent annual saving of about 10½ lakhs by resorting to the recent conversion operations in particular. This is a welcome improvement in our general financial position. Many of the honourable members have discussed at length the miserable plight of the zamindars and the present weak financial position of this province. I would not waste the valuable time of the House in harping upon the same tune for, I believe the honourable members of the House are perfectly aware of our manifold difficulties. I have studied the budget estimates and heard the speech of the Honourable Finance Member but I am sorry to remark that no suitable remedy for the present general depression is suggested. When the general depression began it was said that it would be a temporary one, and in consequence the Government granted remissions in land revenue from time to time. But now after experiencing it for the last four or five years we are convinced that it would not end very soon. It would, therefore, be in the fitness of things to devise some suitable means to cope with it. To urge upon the Government the desirability of remitting one-half or one-third of the land revenue every now and

them will not help us. It is high time now that Government should earnestly and seriously consider this problem. The *Abiana* Committee have recently submitted a detailed report to the Government in this respect. They have suggested to Government to grant certain concessions to zamindars. But the question arises, if these concessions are to be granted to them wherefrom the money would come to run the administration. In reply to this question we can only say that our expenditure should be further retrenched. You may resort to fresh taxation but that should be on a small scale. The income derived from such taxation and the saving effected by further retrenching our expenditure would certainly help us a good deal. I am of opinion that if the connecting links and unnecessary links connecting the different departments are done away with, a good deal of saving can be effected. I understand that in France and in some other countries as well there is a lottery system the income from which is utilised to feed the beneficent departments. If that system can be introduced here in the Punjab with advantage, many of our difficulties can be solved.

Chaudhri Shah Muhammad : It will encourage gambling.

Khan Bahadur Mian Muhammad Hayat Qureshi : I shall now proceed to make some definite suggestions relating to different departments of the Government by acting upon which expenses can be brought down to a desired level. I shall take first the Irrigation Department. I am aware that in the course of the last two or three years a good deal has been done in the way of retrenchment of expenditure in this department, yet there is further scope for effecting economy in expenditure. For example, if tenders are invited for almost every work and if the contracts are not given for these works as they are given at present, I think Government can save a lot of money. In these days when there is so much depression and when contractors are prepared to undertake these works even when there is a very little margin of profit, it will be in the interest of economy if tenders are invited. I realise that it is not possible to get every work done on tender system, but it will be conceded that many of the works under the Irrigation Department can be got done by tender system and thereby much saving in expenditure can be effected. There is another item under this department under which income can be made to increase. Perhaps the Government is aware that the trees on the boundaries of the canals are not yielding as much income as the same kinds of trees are made to yield by the district boards. I see no reason why the Government should not be able to get from these trees as much income as the district boards are getting. Then retrenchment can be effected in the remodelling of the canals and their branches. Although this work of remodelling is done for the benefit of the zamindars and although there are instructions by the Government that remodelling should be done only in cases when zamindars express their desire and willingness to have such remodelling done, yet in practice officers of the Government, perhaps for gaining their own ends, undertake this work in very many cases against the wishes of the zamindars and without any benefit to them. This should be avoided. As my time limit is over I shall not dilate the matter further. I shall accordingly resume my seat.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-Official Nominated) (*Urdu*) : Sir, it is a matter of gratification and pleasure that

[K. B. Mian Mushtaq Ahmad Gurmani].

in the present period of unparalleled economic depression we have been able to control the situation and keep well in hand our financial position. The credit for this goes to all concerned alike. I congratulate the Government for this, because obviously it has done its best to place before us a balanced budget. Next to that the zamindars deserve our praise who in spite of serious financial and other difficulties and trying circumstances and in spite of the fact that everything appeared to go against them, have risen to the occasion and have unflinchingly done their duty to the Government and the country. I consider the other part of the population no less worthy of our praise because by remaining peaceful and by respecting law and order, it has not added to the difficulties of the Government and has not compelled the latter to incur unnecessary expenditure. It is also creditable for us that in the constitutional advancement of the country and in asking for further rights for ourselves we have not lagged behind any other province. We may not have taken any part in any destructive work, but we can certainly claim to have done much constructive work and I am glad to say that our representatives entrusted with the work of constitution building have acquitted themselves well and have proved worthy of the confidence reposed in them.

To discredit the zamindars it has been urged every time a demand is made by them that land revenue and *abiana* should be reduced, that if this is to be their attitude, how they will bear the increased burden that is going to be placed on them in the near future. This contention is wrong as it is mischievous. By supporting the Tobacco Vend Fees Bill the other day they have clearly shown that they will never grudge bearing a burden which is placed on them in view of the exigencies of the time. They knew that this Bill when passed would touch their pockets, but they willingly gave their support to it. The opposition, on the other hand, came from that class of people which is already in enjoyment of so many concessions and which has never been taxed except for luxuries.

I take this opportunity to sound a note of warning. So far we have considered the zamindars as the centre of our hopes and our attitude betrays that even now we consider them as the centre of our hopes. Up till now most of the attention has been concentrated on land revenue and *abiana* as the main source of our revenues and little or no effort has been made to find out other sources of income. It will also be conceded that the paying capacity of the zamindars has reached the extreme limit and we cannot rightfully hope to get a pie more out of them. In the circumstances when I visualise the future before my mind's eyes, when the expenses of the administration will certainly go up, I begin to see darkness all around. I am really very much disappointed. I, therefore, say that we should take time by the forelock and try to find such other sources of income as will enable us to meet the increased burden of expenditure in future years. It is hardly necessary for me to add in this connection that the zamindars are now so much exhausted that they will very keenly feel the burden of even such taxes that indirectly touch them.

The honourable members are aware that not a very long time ago the Government refused to accept the conditions on which the Congress was prepared to come to a compromise with it on the ground that it did not like

the idea of a parallel government to be run by the Congress. It was no doubt a praiseworthy attitude of the Government. But I wonder why it has so far taken practically no step to bring to an end another organisation stronger in one respect than itself that is, the class of money-lenders. With so much prestige and with so much power at its disposal the Government has not been able to collect revenues more than 4 crores and a few lakhs, but this class of money-lenders, which has no naib-tahsildars, tahsildars, deputy commissioners or financial commissioners to support it, is getting every year as many as 18 crores of rupees in the form of interest mostly from the zamindars. It is time that something should be done to check this evil from which the zamindars are suffering.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, Non-Muhammadan, Rural) (*Urdu*): Sir, as the time at my disposal is very short I shall have to be very brief in my remarks. As has been pointed out before most of the settlement operations took place at a time when wheat was selling at Rs. 7 and Rs. 8 per maund and when similarly other agricultural products could fetch high prices. As these prices have very much gone down it has been rightly demanded that the rates of land revenue and *abiana* should be proportionately reduced. As for the indebtedness of the zamindars, of which so much has been made, perhaps this fact has been lost sight of in considering this question that the recovery of these debts has become a very difficult problem. Now that justice has become very dear and the officials of the courts demand gratification at every step and in the parlance of the villages even the walls of the courts desire some gratification. Very few sahu-kars go to seek the help of these courts of law for the recovery of the debts due to them. We shall be glad if some such step is taken as will satisfy both the creditors and debtors and I am sure that sahu-kars will welcome such a step.

I shall now say a word about the education of our youngmen. In my opinion a sufficiently large number of privately-managed colleges have come into existence and the money that is being spent by the Government in the form of grants-in-aid to these colleges is sufficient to ward off any blame that may be laid at its door for doing little for education. I would, therefore, suggest that all Government colleges should be turned into industrial institutions so that our youngmen may be better equipped to earn their livelihood and thus become better citizens. If this suggestion is acted upon it will help to remove many of the differences and much of the tension that we witness to-day between the Hindus and Muslims, zamindars and non-zamindars and between the rural and the urban people. The Government should seriously consider this question particularly when education in these arts colleges has become so dear and not paying at all. We see that each student in these colleges spends not less than 40 or 50 rupees per month and most of them, on completing their education, have to accept posts of police constables and other such posts carrying a monthly salary of Rs. 17 or Rs. 20 at the most. Even for these posts they have to beg from door to door. And when their parents are asked as to whether their sons have been provided for, they take pride in saying that they have been able to get a post carrying a salary of Rs. 17 per month with some income extra. Now it can be very well guessed that these youngmen can never help to raise the efficiency of services. It is, therefore, in the interest of

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services as well in the interest of these youngmen that instead of reading in the arts colleges they should be provided opportunities to learn industries.

The Government has gagged us and our papers and will not tolerate our making a feeble representation through the press. I am here reminded of an apt couplet in Urdu which is as follows :—

م آہ بھی کرتے ہیں تو ہو جائے ہیں بدنام
وہ قتل بھی کرتے ہیں تو چرچا نہیں ہو

You will also permit me to relate a short story which appropriately describes the present state of affairs. Once a king happened to pass a hut of a *faqir* on his way to his capital. As he was thirsty he asked the *faqir* to supply him with water. The *faqir* instead of supplying him with water, took out a pomegranate and squeezing it filled a tumbler with its juice. The king was pleased as the juice besides being delicious quenched his thirst. But he was at the same time surprised to see that the juice of one pomegranate sufficed to fill a glass. When he reached home the first thing that he enquired of his minister was whether any tax was being charged from these pomegranates and when the reply came in the negative he ordered that this should be done at once. A year or so after that the king again happened to pass that hut and again wanted to be supplied with that delicious drink. But this time he was disappointed to see that even the juice of many a pomegranate could not fill one glass. He asked for the reason whereupon he was told that, as a tax had been imposed on it, the ill intentions of the king had influenced in this way. The same are the conditions in the countryside. I do not say and in fact I cannot say that Government is responsible for this state of affairs. But this I cannot help saying that much of the prosperity or adversity of the people depends upon the good or bad intention of the officers entrusted with the work of administration. Before I sit down I shall again request the Government to take early steps to give our youngmen right sort of education so that they may be able to earn their livelihood like respectable and honourable people.

The Honourable Dr. Gokul Chand Narang : Sir, during a previous speech I made a side remark which has probably been misunderstood by some members. I did not mean any offence, but if any gentleman has taken an offence at it, I am very sorry.

Mr. President : What words did the honourable member use ?

The Honourable Dr. Gokul Chand Narang : I said that I sometimes take refuge in absence.

Chaudhri Zafrulla Khan : Sir, I did not take it as an offence and I know it was not meant for me. In fact I enjoy immensely some of the retorts by the Honourable Minister, but when he said "the honourable member takes refuge in absence sometimes" I thought the remark was personal and was not made in good taste, but I know that it was not meant for me and I never took it ill.

The Honourable Sir Henry Craik (Finance Member) : Sir, I have now sat here for something like six hours being shot at and I am glad to acknowledge that the force of the artillery has not altogether battered

down my lines of defence. In fact I gladly recognise that among the bullets aimed at my head there are several bouquets. Though they were not perhaps as many as more prosperous budgets would have evoked, still for those that were, I gratefully acknowledge.

The debate has, if I may venture to say so, and I speak now from long experience of this Council, been initiated and maintained at a high level. Perhaps there were one or two brief, but not serious, lapses into a more acrimonious tone. The debate has ranged over a very wide variety of subjects and I fear that in my reply I shall have to speak in a rather disconnected and disjointed way, as I feel that I must reply to certain of the more important but very varied points made by speakers. Before I do so, there is one general observation I wish to make and that is that the main criticism levelled against the budget is that it is too optimistic, especially as regards the receipts expected for the next year. I have attempted to make clear in the speech with which I presented the budget to the House, I think the expression I used was 'I should be the last to deny that there is a very serious margin for error in these estimates.' But I defy any honourable member of this House to frame any budget for a year which has not yet commenced in the present economic situation which would not have a very large margin for error. I admit the charge that it may be too optimistic, but I can at any rate claim that for the year now drawing to a close my estimate does not bear that out. In fact the margin of error there was so small that it has astonished even myself.

Now, to deal in turn with some of the more important points raised by various speakers yesterday and to-day, I will begin first with my friend the Raja Sahib who put forward a definite proposal that the balance of the present year of 28 lakhs and the anticipated balance of next year of 51 lakhs gross *plus* the proceeds of the tax which the House is going to raise on tobacco, and I suppose, *plus* the proceeds of any new tax which may be imposed, should all be devoted to lowering the rate of *abiana*. The only observation I wish to make upon that proposal is that the Raja Sahib is counting his chickens before they are hatched. It is true that I anticipate in the present year a balance of 28 lakhs, but it will be some months before I know for certain whether we will have that or not. It is always some months after the end of the financial year that the final accounts are presented to us. It is also true that I anticipate in the next year that our expenditure will fall below our income by 51 lakhs. But that again is even more uncertain as I have just tried to explain. Besides, of these 51 lakhs it must be remembered, as I pointed out in introducing the budget, that 16 lakhs represent the saving resulting from the cut in salaries which we are not justified in looking upon as a permanent saving or indeed as a temporary saving beyond one year. However, there is no doubt that whatever we can save, will, so far as I can at present foresee and in the absence of any unexpected emergent calls on our purse, be devoted to the relief of taxation. There is no intention, as my honourable friend seemed to apprehend, that it might be our idea to devote it to the reduction of debt. That is not the intention. Such savings as we can effect will certainly be devoted to the reduction of taxation, I mean taxation on land. The only other point in the honourable member's speech was his very kind offer to find a constituency for me for the Council under the new constitution. If he will also

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undertake to pay my election expenses I will consider his proposal very seriously.

The next speaker I should like to refer to is Sardar Sahib Sardar Ujjal Singh. Unfortunately he is not present here now. One of the main points which he made was that it was urgently necessary—and here I entirely agree with him, in fact it is the most urgent problem—to raise the prices of primary commodities. That is the object of us all. He suggested two means by which this might be done, the first being the reduction of railway freights and the second a bounty on exports, I take it, mainly on the export of wheat. Now, as regards railway freights, I think the House is aware that in season and out of season we have repeatedly urged that on the attention of the Government of India and that too with a certain amount of success. We did succeed in getting reduced the freights, temporarily at any rate, both to Karachi and to Calcutta. I can also assure the House that when we feel convinced that reduction of rates would assist the Punjab in getting rid of all its surplus stocks we shall press the point with all the vehemence that we can command. We must, however, be sure of our ground. The honourable member for Mian Channu suggested a reduction of freights from the Punjab, or from Lyallpur, to Karachi. That, so far as I am aware, would at present be of no benefit, because as I mentioned in the course of the honourable member's speech, the prices of wheat at Karachi have for many months been considerably lower, three or four annas lower, than the prices in Lyallpur. That is a fact which I admit I was surprised to learn from a very good authority, but it is so. It means of course two things. The first is that no Punjab wheat can be going to Karachi or can for many months have gone to Karachi, and the second is that if you lower the freights from Lyallpur to Karachi you must also lower the freights from Karachi to Lyallpur, and then there would be a very great danger of Sind wheat appearing in the Punjab and lowering our price. I merely mention that as an illustration of the necessity of being absolutely sure of our ground before we press on the Government of India the desirability of lower freights. In this connection the House may be interested to know that we are greatly hampered in all these matters by the terrible lack of knowledge as to what actually does happen to our crops. It is extremely hard to find out, for instance, what is the surplus carry-over in the Punjab from last year, and what happens—this is even more important—what happens to the wheat that is not consumed in the Punjab. I confess I do not know this and I find great difficulty in finding it out. Honourable members may have noticed that Sir George Schuster in his budget speech announced that the Government of India had decided to appoint an expert marketing officer to deal with this kind of question and to try to make suggestions regarding the marketing of crops which would have the effect of raising the prices. We in turn will do our best to co-operate with this officer and it is probable that some months hence, when we have done some preliminary spade work in the collection of such statistics as are available, we shall appoint an officer who will deal with the subject in co-ordination with the officer of the Government of India. The result of this, I hope, will be really valuable in regard to the marketing of our principal crops.

The Leader of the National Unionist Party, Rao Bahadur Chaudhri Chhotu Ram, spent a large part of his speech in discussing a subject on which we had a discussion last week also, the representation of various communities and various tribes in the services. I will not, on this account, attempt to follow him into that highly contentious subject, but I will deal only with those parts of his speech which referred more closely to matters arising out of the budget. One point he made was to deprecate the decision that one item in our so-called extraordinary receipts, namely rents from temporary cultivation of crown lands, should be treated as ordinary revenue, the ground he took being that this would represent to the central Government or higher authority an unduly unfavourable picture of the Punjab finances which might be prejudicial when the financial settlement required by the new constitution comes to be made. I am afraid that reason does not very much appeal to me. I really think that in these matters when laying our financial position before the higher authorities honesty is unquestionably the best policy. We must not attempt to conceal anything or to make our position out to be worse than it really is; and on the ground of general principle I really see no reason why we should not treat this particular item—after all it is rent collected from year to year, it represents no permanent alienation of capital assets—as what it really is, namely income.

The honourable member made one or two suggestions for additional taxation on interests other than land. In particular he mentioned the possibility of an entertainment tax. I am not disposed to think that there is very much revenue to be got out of that form of taxation, but it is a point that has been already engaging our attention. The question is somewhat complicated by the claim of certain local bodies to impose such taxation in their own interests, a claim which has given rise to certain differences of opinion between myself and my colleague the Honourable Minister for Local Self-Government. But the point is not one which has escaped consideration. There are, of course, various other possible sources of taxation, possibly more profitable than this particular one.

One or two honourable members have complained of the total absence in my written speech of any reference to the report of the *Abiana* Committee. Honourable members must remember that a speech such as the speech introducing a budget is not the sort of thing you can sit down and dictate in half an hour. It means a good deal of study of figures and so on and it takes me—I may be very slow and stupid—but it certainly takes me the best part of the week beforehand to prepare. It was delivered on the 26th of February and I got really down to it about the 19th. So far as I am aware, on that date no authentic copy of any report of the *Abiana* Committee reached Government. It is true, and I do not for a moment wish to deny, that I had seen but only a few days before an unsigned and apparently uncorrected copy of a report prepared on behalf of some members of the committee, but even to that I recollect there were two or three minutes of dissent. However that may be, the serious consideration which Government must pay to an important document of that kind had not even begun when I began to prepare my speech. But it was of course at the back of my mind, when I was forecasting my estimates of revenue and expenditure, that next year undoubtedly something would have to be provided as a

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result of that report and I attempted in framing my estimates to indicate in a very broad manner the sort of amount that might be, if all goes well, made available for that purpose. It would have been completely out of place for me to attempt either an examination of the report or still more any estimate of the amount of reduction which it may be possible for the Government to agree to.

Sir, among other suggestions for retrenchment—because obviously if we have to remit permanently large amounts in taxation we must either replace them by something else or we must reduce our expenditure—among other suggestions for retrenchment, there has been put forward from more than one quarter what I may describe as that hardy annual, the suggestion that very great savings can be effected from retrenchment in salaries. Now I should have thought that the idea—I am not denying that some savings might be effected—the idea that all our difficulties can be solved by cutting down the pay of Government servants had been exploded once for all by the very full statement on the subject made by Mr. Puckle in this debate last year; and I would ask honourable members who keep on putting forward this suggestion time and again—I am wearied of the sound of it—to study that speech carefully. He has there shown that of the total salary bill in the Punjab, considerably over one-quarter goes to people drawing less than Rs. 35 a month and very nearly two-thirds go to people drawing less than Rs. 400. I have never heard it suggested that we should reduce the pay of those of our servants who are drawing less than Rs. 35 a month and I do not think anybody would seriously put forward that suggestion. But unless we do that, the saving that would result even from a steeply graded cut running up as high as 33½ per cent. in the higher grades, and starting at 5 per cent. in the case of lower salaries, that is salaries above Rs. 35 a month, the saving would be at the very outside something like 31 lakhs of rupees, which is considerably less than one anna in the rupee of land revenue. I would ask honourable members to study those figures with some care, because I am certain that they will convince them that no very large savings, such as might be absolutely necessary if the price of wheat were to fall down to one rupee six annas, no large saving under this head can be effected, even if it were practicable and even if it were in our power, which it is not, to make such a cut. Should a calamity of that sort occur, I have said in my budget speech that retrenchment will be necessary on a far more drastic scale than anything we have yet attempted or contemplated. I do not want to try and fill in the outlines of that picture but I would like the House to realise that retrenchment on the scale that would be required is not possible in the salaries of Government servants. You would get nothing like the amount you want. If the province really does—which Heaven forbid—fall into a situation of that sort, then the only kind of retrenchment that will bring us the savings that will be necessary will be the drastic abolition of certain departments of Government altogether. Nothing short of that. It would mean a clean wipe-out and we would have to decide to do without medical relief on the present scales, without schools, hospitals and roads, without an agricultural department and so on. We would have to carry on only with absolutely dire necessities. It is idle to think that you are going to get the money that would be necessary—2 or 3 crores would be necessary

in such a case—from cutting the salaries of Government servants. It simply is not there.

Now, Sir, I come—and I am very nearly at the end of my time—to Chaudhri Zafrulla Khan. But before I deal with him I will mention one point referred by a subsequent speaker, the honourable member from Lyallpur. He acknowledged the successful nature of our loan conversion and asked why we did not do it on a bigger scale. I should have been glad if we could have been allowed to accept the whole of 586 lakhs, or whatever the exact sum was, subscribed in Calcutta and Lahore when our loan was opened. But unfortunately in these matters we are not our own masters. We have to do what the Government of India, who control these loan operations and who in the long run must control all loan operations in the open market, ask us to do. We have to take their advice and are bound by that advice. Otherwise I should have been too delighted to allot up to the whole amount that was subscribed, and to have used it to wipe out older loans which bear a higher rate of interest. But there again the consent of the Government of India would have been necessary and they would not very naturally agree to reduce the rate of interest on loans which they raised in the open market at a higher rate of interest and which have not yet matured.

Chaudhri Zafrulla Khan : You might try again in the current year to do something more in that direction.

The Honourable Sir Henry Craik : I shall certainly do that. If the market is favourable we shall try to do something more.

I now come to the honourable member Chaudhri Zafrulla Khan who in a speech of great ability went at some length into the ratio question. I do not for a moment pretend to be an expert in these matters. In fact I am exactly the opposite. I confess to a most lamentable ignorance, not only ignorance, but constitutional inability to understand the intricacies of currency questions, and as regards the net which the honourable member has spread before me, I must entirely refuse to be drawn into it.

Chaudhri Zafrulla Khan : I am a layman myself. I do not understand any more than you do.

The Honourable Sir Henry Craik : The honourable member has made a suggestion that the ratio of the rupee as compared to sterling should be changed and if I understood him right, the ratio of the rupee as compared to other currency such as the dollar, the franc, the yen, should remain where it is.

Chaudhri Zafrulla Khan : I did not say so. It will automatically be affected if it is done with regard to sterling. I said I was not advocating any artificial depreciation of the rupee. For one thing I cannot advocate it for the Secretary of State has decided to keep it linked with sterling. But between the sterling and the rupee I suggested that the value of the rupee could be depreciated to 1s. 4d. instead of 1s. 6d. That will have a corresponding effect on others.

The Honourable Sir Henry Craik : I am sorry if I misunderstood the honourable member. But even so, I am not competent really to argue that point and in any case it is not our affair. The Local Governments have

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no say in such matters. They can merely represent opinions received by them or expressed in legislative councils, but they are not in practice even consulted in such matters.

Chaudhri Zafrulla Khan : It is always open to them to urge.

The Honourable Sir Henry Craik : The honourable member spoke of the unanimity of opinion of the country on that point. I am not quite sure that it is quite as unanimous as he thinks. I have certainly seen pretty considerable and weighty bodies of opinion in the opposite sense.

Another point the honourable member, Chaudhri Zafrulla Khan, made when he asked why, although we have announced
 6 P. M. what we were doing as regards reducing the pay for future entrants in the services under our own control, we had not disclosed what was happening about the pay of future entrants into the all-India services. All I can say about that is that the matter has been the subject of recent correspondence with the Government of India and we have represented our views. We, of course, are only one and many other provinces have to be consulted and the decision rests not with us nor even with the Government of India but with the Secretary of State. (*Chaudhri Zafrulla Khan :* Are those views favourable to the points of view submitted by me?) I think, certainly we want the services made cheaper than at present.

The honourable member also suggested that as the country managed to carry on during the War with very depleted cadres especially of the all-India services, it could, during the present crisis which, he said, was as serious or even more serious than the War, do the same thing again. Within limits I agree; and that is to a considerable extent what we are doing now, to the best of my belief. I have not got the figures at the moment. But I think that most of the all-India services are considerably below their theoretical strength and certainly in the case of the Indian Civil Service in the Punjab we are seriously below the strength that we used to have formerly. We are specially short of experienced officers of between 8 and 25 years of service.

Finally I come to what was the honourable member's most serious indictment and that was the absence in my budget speech of all reference to the economic situation. As I said in the opening words of my speech, I thought the House would appreciate it if I kept to my usual practice and made my statement when introducing the budget as brief and business-like as possible and confined myself to an attempt to give in broad outline a general picture of our financial position. I expressly refrained from being led astray into any discussion of the general economic position which I admit is an infinitely wider and more important issue than the financial position of any Government. But I did that quite deliberately. And the honourable member must not infer from that silence that the economic situation is not a matter which is engaging the constant and anxious attention of Government, practically I may say from day to day. It will be within the recollection of the House that only last summer His Excellency Sir Herbert Emerson in his first address of welcome to this House confined his speech almost entirely to a review of the economic situation in the province. But

it did seem to me and I admit that it still seems to me, that it would have been out of place for me in my budget speech to be drawn into any lengthy discussion of that situation. And events, I think, have justified the opinion I formed because only the day after I delivered my speech, India was presented with a review of the economic situation of infinitely greater ability and infinitely greater authority than I could possibly have made on Monday. That happened on Tuesday. On Tuesday Sir George Schuster presented his budget in the Assembly and he there devoted a very large part of his speech to a review of the economic situation and of the measures which the Government of India in consultation with the local Governments had taken to deal with it and what they were proposing to do. The review is so interesting that I would ask honourable members, if they can, to devote half an hour to its study. It begins at paragraph 56 and it ends about paragraph 70 of Sir George Schuster's budget speech. And if I may be allowed to say so, it is a most masterly and complete review of the economic problems with which India is confronted at present, especially of the problems which confront agricultural India. Summing up the particular problem of agricultural indebtedness he said—this is quite a short quotation :—

There are three main problems, first, how to deal with the increase in the real burden of the fixed money payments of the agriculturist due to the fall of prices and the accumulation of debt which has resulted therefrom ; secondly, how to increase the internal demand for India's agricultural produce ; and thirdly, how to improve the external demand.

And he proceeds to discuss those particular points at considerable length, but there is one sentence which I think will interest the House. He said :—

“ We have throughout watched the situation carefully in close consultation with provincial Governments and we have now, with the cordial approval of those Governments, arranged to have a conference early in April at which we can together review the whole situation and consider the problem of indebtedness together with all possible lines of concerted action to improve the general economic situation.”

That conference is to begin on the 3rd of April and the Punjab Government will be strongly and, I trust, efficiently represented on it. (*Cheers.*)

THE PUNJAB TOBACCO VEND FEES BILL.

The Honourable Sir Henry Craik (Finance Member) : Before the House adjourns I present the report of the Select Committee on the Punjab Tobacco Vend Fees Bill, to the House.

The Council then adjourned till 2 P. M. on Monday, the 5th March 1934.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

392 PLC—540—3-4-34—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 5th March 1934.

The Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

ABSCONDERS IN ROHTAK DISTRICT.

*2913. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Finance Member kindly state—

- (a) the number of absconders in the Rohtak district on the 15th of January 1932 and on the same date of 1933 and 1934 ;
- (b) how many of these absconders are accused of murder and how many of dacoity ;
- (c) the number of absconders who were arrested in November and December 1933 and January 1934 ;
- (d) the number of absconders arrested by police officers and the number arrested by others ?

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

Statement.

(a) 15th January—						
1932	..	..	..	..	..	96
1933	..	..	..	..	..	71
1934	..	..	..	..	..	78
(b) 1932—						
Murder	..	..	..	..	..	7
Dacoity	..	..	..	..	..	26
1933—						
Murder	..	..	..	..	..	9
Dacoity	..	..	..	..	..	11
1934—						
Murder	..	..	..	..	..	14
Dacoity	..	..	..	..	..	8
(c) November 1933						
December 1933	..	..	..	..	..	17
January 1934	..	..	..	..	..	18
(d) By Police officers						
Others	..	..	..	..	..	11
						21
						20

MURDER BY MUGHLA SHEIKH.

***2914. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) the number of murders which Mughla Sheikh of Sanghi, district Rohtak, is suspected of having committed in the districts of Rohtak, Hissar and Karnal ;
- (b) the names and status of persons alleged to have been murdered by Mughla ;
- (c) whether action under sections 87 and 88 of the Criminal Procedure Code was taken against Mughla, and, if so, when ;
- (d) the number of persons who have been prosecuted for harbouring Mughla together with the dates of their arrests ?

The Honourable Sir Henry Craik : (a) Eight.

(b) .		Names.		Status.	
(1)	Chaudhri Raj Mal	..	..	Zaildar and	Honorary
				Magistrate.	
(2)	Matu	..	..	Zamindar.	
(3)	Chandgi	..	..	Zamindar.	
(4)	Sher Singh	..	..	Sufedposh.	
(5)	Jage	..	..	Zamindar.	
(6)	Risallo	..	..	Zamindar.	
(7)	Baroo	..	..	A menial servant.	
(8)	Abdul Majid	..	..	Police Constable.	

(c) Yes, on 1st September 1931 and 20th September 1932, in the Rohtak and Hissar districts, respectively.

(d) Forty—

22 on the 6th January 1934.

16 on the 7th January 1934.

2 on the 22nd January 1934.

CONSTABLES.

***2915. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of constables recruited in the Eastern Range between 15th January 1932 and 15th January 1934 ;
- (b) the number of Hindus, Muslims and Sikhs among the recruits referred to in (a) ;
- (c) the number of Hindu Jats among the persons referred to in (a) ;
- (d) the number of Hindu Jats belonging to the district of Rohtak among the persons referred to in (a) ?

The Honourable Sir Henry Craik : (a) 653.

(b) Hindus, 211.

Muslims, 318.

Sikhs, 124.

(c) 69.

(d) 36.

PROSECUTING INSPECTORS AND SUB-INSPECTORS OF POLICE.

***2916. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of prosecuting inspectors and prosecuting sub-inspectors of police on the 15th of January 1932, 15th of January 1933 and the 15th of January 1934;
- (b) the number of Hindus, Muslims and Sikhs among the individuals referred to in (a) and the number of statutory agriculturists under each head ;
- (c) the number of Hindu Jats among the individuals referred to in (a) ?

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

Statement.

(a)						<i>Prosecuting Inspectors</i>		<i>Prosecuting Sub-Inspectors.</i>	
15th January 1932	..	..	..	..	..	31	65	68	73
15th January 1933	..	..	..	..	..	30	68	68	73
15th January 1934	..	..	..	..	..	28	73		

(b)	INSPECTORS.						SUB-INSPECTORS.					
	<i>Hindus.</i>		<i>Muslims.</i>		<i>Sikhs.</i>		<i>Hindus.</i>		<i>Muslims.</i>		<i>Sikhs.</i>	
	Total.	Agriculturists.	Total.	Agriculturists.	Total.	Agriculturists.	Total.	Agriculturists.	Total.	Agriculturists.	Total.	Agriculturists.
15th January 1932	19	..	8	7	4	3	33	9	19	13	13	5
15th January 1933	20	2	6	5	4	2	33	7	19	12	16	8
15th January 1934	17	3	8	7	3	2	35	5	16	9	22	10

(c)						<i>Inspectors.</i>		<i>Sub-Inspectors.</i>	
15th January 1932	..	..	..	..	..	..	1	1	1
15th January 1933	..	..	..	..	..	1	1	1	1
15th January 1934	..	..	..	..	..	1	1	1	1
Total						1	1	3	3

SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS OF POLICE.

***2917. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of sub-inspectors and assistant sub-inspectors of police recruited directly in 1931, 1932, 1933 and 1934, respectively ;

[R. B. Ch. Chhotu Ram.]

(b) the number of Hindus, Muslims and Sikhs with the number of statutory agriculturists under each group among the individuals referred to in (a) ?

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

Statement regarding Sub-Inspectors and Assistant Sub-Inspectors of Police.

Rank.	1931.						1932.					
	HINDUS.		MUHAM-MADANS.		SIKHS.		HINDUS.		MUHAM-MADANS.		SIKHS.	
	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.
Sub-Inspectors ..	2	2	2	1	1	1	..	..	..	..	1	..
Assistant Sub-Inspectors.	4	4	13	5	4	..	..	..	1	..	..	..

Rank.	1933.						1934.					
	HINDUS.		MUHAM-MADANS.		SIKHS.		HINDUS.		MUHAM-MADANS.		SIKHS.	
	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.	Agriculturists.	Non-agriculturists.
Sub-Inspectors ..	..	1	2	..	..	2	..	1	2	1	..	..
Assistant Sub-Inspectors.	1	3	9	2	4	1	..	..	..	..	..	..

DEPUTY SUPERINTENDENTS OF POLICE.

***2918. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

(a) the number of deputy superintendents of police on the 15th of January 1934 ;

- (b) the number of Hindus, Muslims and Sikhs among the officers referred to in (a) and the number of statutory agriculturists under each of the three main groups ;
- (c) whether any selection of candidates for the post of deputy superintendent of police took place this year ;
- (d) whether among the candidates there were any statutory Hindu agriculturists ;
- (e) whether all the Hindu agriculturist candidates were graduates ;
- (f) the names and qualifications of the candidates actually selected ;
- (g) the grounds which prevented the selection of a Hindu agriculturist in spite of the fact that the representation of Hindu agriculturists among the deputy superintendents of police is nil ?

The Honourable Sir Henry Craik : (a) 53.

				Number of statutory agriculturists.
Hindus, 12	..	..	..	Nil.
Muslims, 22	..	..	..	21
Sikhs, 9	..	..	..	6

- (e) A selection board sat in November 1933.
- (d) 9.
- (e) Yes.
- (f) Mr. B. L. D. Lincoln, B.A., who is appearing in the M.A. examination in April 1934.
- (g) The fittest and most suitable candidate was selected.

LAND REVENUE IN ROHTAK DISTRICT.

***2919. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state —

- (a) the total land revenue demand in the Rohtak district in respect of *kharif* ;
- (b) the total amount of remission of land revenue granted on *kharif* crops of 1933-34 in the districts of Rohtak, Gurgaon, Karnal and Hissar ;
- (c) the total number of estates in the Rohtak district ;
- (d) the number of estates in which full remission of land revenue was granted ;
- (e) the number of estates in which remission of half the land revenue was granted ;
- (f) the number of estates in which remission of less than 50 per cent. of land revenue was granted ;
- (g) the number of estates in which no remission of land revenue was granted ?

The Honourable Mr. Miles Irving : (a) Rs. 9,15,184.

(b) The following amounts are proposed to be remitted :—

<i>District.</i>				<i>Amount.</i>
				Rs.
Hissar	..	..	..	..
Rohtak	..	..	..	4,64,154
Gurgaon	..	..	..	7,95,380
Karnal	..	..	..	2,89,390

(c) 773 estates.

(d) 193 estates.

(e) 392 estates.

(f)

(g) 188 estates.

FLOOD IN ROHTAK DISTRICT.

***2920. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly place on the table of the House a statement showing—

- the number of human lives lost in the September flood in the Rohtak district ;
- the number of cows, bullocks, buffaloes and calves which lost their lives during the flood ;
- the number of goats and sheep which lost their lives during the flood ;
- the total number of houses in each of the four tahsils of the Rohtak district ;
- the number of houses which collapsed (i) wholly and (ii) partially in each of the four tahsils of the Rohtak district ;
- the total amount of stocks of grain lost during the flood ?

The Honourable Mr. Miles Irving : A statement is laid on the table—

Statement.

- None.
- and (c) 2,459 including sheep and goats.
- | | | | | |
|---------|----|----|----|--------|
| Rohtak | .. | .. | .. | 40,969 |
| Jhajjar | .. | .. | .. | 43,693 |
| Gohana | .. | .. | .. | 86,126 |
| Sonepat | .. | .. | .. | 37,734 |
- | | | | |
|----------------|-----------------|----------------|-----------------|
| <i>Gohana.</i> | <i>Sonepat.</i> | <i>Rohtak.</i> | <i>Jhajjar.</i> |
| (i) 400 | 9,771 | 17,795 | 17,000 |
| (ii) 19,395 | 8,000 | 9,000 | 21,000 |
- 257,000 maunds.

RABI CROPS IN ROHTAK DISTRICT.

***2921. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the latest date by which the sowing of *rabi* crop is ordinarily completed in the Rohtak district ;
- (b) the total area which was sown with *rabi* crops by this date in the Rohtak district in the current *rabi* ;
- (c) the area, if any, placed under *rabi* crops after the date referred to in (a) and the amount of culturable land which remained unsown in the present *rabi* on account of not getting dry in time, in each of the four tahsils of the district of Rohtak ?

The Honourable Mr. Miles Irving : (a) 30th November.

(b) and (c) It is regretted that it is not possible to give the information asked for, but it is reported that the total area sown in *rabi* 1933-34 is in excess of normal.

KHARIF CROPS.

***2922. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether any instructions were issued by higher authorities to district officers in the districts of Rohtak, Gurgaon and Karnal as to the principles on which the produce for *kharif* (1933-34) was to be calculated ;
- (b) if the answer to (a) is in the affirmative, whether Government has any objection to placing a copy of these instructions on the table of the House ?

The Honourable Mr. Miles Irving : (a) Instructions were issued for the use of tahsildars and revenue assistants to help them in making recommendations for special remissions, but no instructions were issued as to the principles on which the produce for *kharif*, 1933-34, was to be calculated.

(b) Does not arise.

KHARABA.

***2923. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether district officers in the district of Rohtak were instructed to calculate *kharaba* in each of the three *kharif* harvests preceding the present one and to adopt the average of this *kharaba* as normal and deduct it from the total *kharaba* in the last *kharif* in order to arrive at the losses suffered in the last *kharif* on the basis of the surplus remaining after the deduction of that normal *kharaba* ?

The Honourable Mr. Miles Irving : Revenue officers in the Rohtak district were instructed by the Commissioner not to overlook the fact that normally there is some *kharaba* during the *kharif* and that the average of the *kharabas* of the 3 preceding harvests would indicate what is usual. This was borne in mind by the revenue officers concerned not in order to form a basis of the surplus but merely to determine whether in *kharif*, 1933 the crop in each village was below an eight anna crop or a crop between twelve anna and eight anna.

REMISSION OF ARIANA.

***2924. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the total amount of water rates remitted in respect of the *kharif* crops, 1933-34, in the districts of Rohtak, Gurgaon, Karnal and Hissar, respectively ?

The Honourable Mr. Miles Irving : The information required is given below—

					Rs.
Rohtak	..	..	..	..	2,64,885
Gurgaon	..	..	..	..	1,43,674
Hissar	..	..	..	..	44,541
Karnal	..	..	..	..	2,15,182

CORRUPTION AMONG PATWARIS AND ZILLADARS.

***2925. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of patwaris (revenue) and zilladars against whom action, if any, was taken on the ground of their having taken bribes in the course of making their estimates of produce or making their recommendations for remission of land revenue and water-rates, respectively, in respect of *kharif* 1933-34 in Rohtak, Gurgaon, Karnal and Hissar ?

The Honourable Mr. Miles Irving : Action is being taken against four revenue patwaris suspected of corrupt conduct in the preparation of estimates of produce. It is not a patwari's function to make recommendations for remission of land revenue.

As regards zilladars, the *girdawari* was re-checked wherever there was suspicion of unfair work and enquiry is still in progress ; but so far no proof of corruption has come to light.

DEATHS IN ROHTAK DISTRICT.

***2926. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly lay on the table of the House a statement showing—

- (a) the number of deaths in each of the four tahsils of Rohtak district between the 15th of September and 15th of succeeding January in 1930-31, 1931-32, 1932-33 and 1933-34, respectively ;
- (b) the number of deaths referred to in (a) due to (i) fever, (ii) stomach trouble and (iii) pneumonia ?

The Honourable Malik Sir Firoz Khan Noon : A statement showing the information required by the honourable member is laid on the table.

STATEMENT.

Statement showing the number of deaths in each of the four tahsils of Rohtak district from 15th September to 15th January 1930-31, 1931-32, 1932-33 and 1933-34.

Name of Tahsil.	NO. OF DEATHS FROM 15TH SEPTEMBER 1930 TO 15TH JANUARY 1931.			NO. OF DEATHS FROM 15TH SEPTEMBER 1931 TO 15TH JANUARY 1932.			NO. OF DEATHS FROM 15TH SEPTEMBER 1932 TO 15TH JANUARY 1933.			NO. OF DEATHS FROM 15TH SEPTEMBER 1933 TO 15TH JANUARY 1934.			Total.
	Fever.	Dysentery.	Respiratory.	Fever.	Dysentery.	Respiratory.	Fever.	Dysentery.	Respiratory.	Fever.	Dysentery.	Respiratory.	
Rohtak ..	1,260	39	227	1,308	20	136	1,162	11	108	1,888	37	105	6,301
Jhajjar ..	1,616	85	216	1,556	64	148	1,280	49	167	2,244	53	141	7,610
Gohana ..	1,148	10	139	1,207	10	78	899	9	99	2,456	32	110	6,197
Sonepat ..	1,417	8	84	1,306	11	46	1,126	2	97	2,529	25	97	6,748

DISTRICT BOARD SCHOOL BUILDINGS, ROHTAK.

***2927. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state—

- the number of District Board school buildings which collapsed in the Rohtak district during the last floods;
- what steps have been taken by Government to enable the District Board to reconstruct these buildings?

The Honourable Dr. Gokul Chand Narang : (a) Sixty-six.

(b) The matter is under consideration.

FLOODS IN ROHTAK DISTRICT.

***2928. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state—

- whether he has received an estimate of the damage done by the last floods to the Rohtak district board buildings and roads; and, if so, what is the extent of this damage;
- whether the District Board of Rohtak has made an application for cent. per cent. grant in respect of the loss referred to in (a);
- whether Government has acceded to the request of the District Board of Rohtak, and, if so, when and to what extent?

The Honourable Dr. Gokul Chand Narang : (a) Yes. The damage done to the buildings is estimated at Rs. 80,000 and that to the roads at Rs. 85,081.

[Hon. Dr. Gokul Chand Narang.]

(b) An application has been made to Deputy Commissioner, but has not yet reached Government.

(c) Does not arise.

PUBLIC WORKS DEPARTMENT RATES.

***2929. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

(a) whether he advised the Executive Engineers of the province to consult the non-official representatives of the district boards for the purpose of reducing Public Works Department rates ;

(b) if the answer to (a) is in the affirmative, whether the Executive Engineer in charge of the Rohtak and Gurgaon districts held any meeting and whether any non-official representatives of the district boards concerned were invited to the meeting, and whether any non-official representatives actually attended this meeting ;

(c) the decision reached at this meeting ?

The Honourable Sardar Sir Jogendra Singh : (a) No. The Superintending Engineers were addressed.

(b) A meeting was held but none of the non-official members of the district boards of Rohtak and Gurgaon attended although the Chairmen of the boards were informed.

(c) The Committee was of the opinion that except for a few alterations the rates proposed by the Public Works Department were quite fair and allow only a reasonable margin of profit to the contractors.

VETERINARY COLLEGE.

***2930. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

(a) the number of admissions to the Veterinary College in 1931, 1932 and 1933, respectively ;

(b) the qualifications laid down for candidates seeking admission to the Veterinary College ;

(c) the initial salary which has been allowed to the products of the Veterinary College during 1932 and 1933 ;

(d) whether Veterinary assistants are allowed to practise privately ?

The Honourable Sardar Sir Jogendra Singh : (a) 20, 10 and 12, respectively.

¹(b) Intermediate examination in the Arts or Science Faculty of an Indian University, or an equivalent test.

(c) Rs. 51 per mensem.

(d) Veterinary assistants are not allowed to engage in private practice unless they are employed as assistants at the College in which case they may take up private practice subject to certain conditions.

¹ Vide the explanation of the Honourable Minister at page 484 *infra*.

MEDICAL SCHOOL, AMRITSAR.

***2931. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the qualifications laid down for candidates seeking admission to the Medical School, Amritsar ;
- (b) the initial salary which has been allowed to the products of the Medical School, Amritsar, during 1932 and 1933 ;
- (c) whether sub-assistant surgeons are allowed to practice privately ?

The Honourable Malik Sir Firoz Khan Noon : (a) The qualifications laid down for candidates seeking admission to the Medical School, Amritsar, are that—

- (i) they should be residents of the Punjab unless nominated by outside administrations and Indian States ;
- (ii) they should be between the ages of 16 and 21 years ;
- (iii) they should have passed the matriculation and school leaving certificate examination or any higher examination in Arts or Science of a recognized University ;

(b) The scale of pay prescribed for sub-assistant surgeons in the Punjab is Rs. 70—4—130 per mensem, but the recruitment to the cadre was stopped in 1928. The passed medical pupils who were recruited as house surgeons and house physicians in the Civil Hospital during the years 1932 and 1933 were allowed pay at Rs. 70 less the 15 per cent. cut prescribed for all new entrants in Government service and the 5 per cent. emergency cut.

(c) Sub-assistant surgeons are allowed private practice provided it does not interfere with their hospital duties.

PROVINCIAL SERVICE.

***2932. Shrimati Lekhwati Jain :** Will the Honourable Member for Finance be pleased to state how many members of the provincial service in Punjab have completed their 55 years and served the full term but have been granted extension ?

Mr. C. C. Garbett (Chief Secretary) : Two ; one belonging to the Punjab Civil Service (Judicial Branch) and the other to the Punjab Police Service.

ABOHAR MUNICIPAL COMMITTEE.

***2933. Lala Nihal Chand Aggarwal :** (i) Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Dr. Lehna Singh, sub-assistant surgeon, Abohar, district Ferozepore, who is a whole-time servant of the Abohar Municipal Committee, is also a non-official nominated member and the president of the said committee ;
- (b) whether it is a fact that the said sub-assistant surgeon is liable to be transferred to some other station at any time ;

[L. Nihal Chand Aggarwal.]

(c) whether it is also a fact that Mr. G. H. Lincoln, as Deputy Commissioner of Ferozepore, in his inspection note, dated the 16th September 1933, remarked that the appointment of a whole-time servant of the committee, as its member and his also being the president of the same, was extraordinary?

(ii) if the answers to the above (a), (b) and (c) be in the affirmative, will the Honourable Minister for Local Self-Government please state what steps, if any, he is going to take to stop such extraordinary appointments in local bodies, especially in municipal committees?

The Honourable Dr. Gokul Chand Narang : (a) No. Dr. Lehna Singh is a Government servant and an *ex-officio* appointed member of the Municipal Committee of Abohar. He was elected as President of the Committee.

(b) Yes.

(c) Yes.

(ii) Does not arise.

AGRICULTURAL ASSISTANT, CHAKWAL.

***2934. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please state—

(a) whether Chaudhri Ata Muhammad, Manager, Agricultural Station, was reduced from Farm Managership and posted as an Agricultural Assistant at Chakwal in 1928-29; if so, on whose report;

(b) whether Chaudhri Ata Muhammad brought forward a complaint of non-payment of Rs. 200 lent by him to Sardar Sahib Sardar Kharak Singh and was dismissed from service in 1929;

(c) whether Chaudhri Ata Muhammad on his representation to Local Government was later declared to have retired on pension;

(d) whether Pandit Chandan Ram, Agricultural Assistant, who was appointed Manager, Agricultural Station, in place of Chaudhri Ata Muhammad mentioned above, had a good record of service, and whether it is a fact that Pandit Chandan Ram was held up at the efficiency bar;

(e) whether Sardar Kharak Singh was Deputy Director of Agriculture, Gurdaspur, from 1927 to November 1932;

(f) whether Pandit Chandan Ram was allowed to cross the efficiency bar on the recommendation of Sardar Kharak Singh;

(g) whether Pandit Chandan Ram was transferred from Gurdaspur to Multan by the Director of Agriculture and the reasons for his transfer?

The Honourable Sardar Sir Jogendra Singh : (a) Chaudhri Ata Muhammad, whilst Manager of the Gurdaspur Farm, took leave and on return from leave was posted as Agricultural Assistant, Chakwal.

(b) Yes; the complaint on investigation was found to be false;

(c) On appeal it was declared that Chaudhri Ata Muhammad should be considered to have been removed from the service, and he was granted a compassionate allowance ;

(d) Pandit Chandan Ram was held up temporarily at the efficiency bar, but was later allowed to cross it.

(e) Yes.

(f) Yes.

(g) Yes ; the transfer was made in the interests of work.

HARNAM SINGH, SUB-INSPECTOR, POLICE.

***2935. Chaudhri Riasat Ali :** Will the Honourable Finance Member please state—

(a) whether Harnam Singh, Sub-Inspector, Police, No. C/156, was dismissed from service in the year 1929 ;

(b) if so, the charges proved against him ;

(c) whether there were some other subordinates charged along with him ;

(d) whether the latter were examined as P. W's. in this case ;

(e) whether this case was referred to the Deputy Commissioner, Montgomery, for opinion ;

(f) if so, what was the Deputy Commissioner's opinion ;

(g) whether any petition was filed by Harnam Singh for revision to the Local Government ;

(h) if so, with what result ;

(i) whether Government is prepared to reconsider the matter in view of the hardship to the sub-inspector in question ?

The Honourable Sir Henry Craik : (a) No. He was dismissed on the 29th May 1928.

(b) Recording a false report in the daily diary.

(c) No.

(d) Does not arise.

(e) Not for opinion.

(f) Does not arise.

(g) Yes.

(h) It was rejected.

(i) No.

LADY HARDINGE MEDICAL COLLEGE, DELHI.

***2936. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education kindly state—

(a) the percentage of passed candidates of M.B.B.S. of the King Edward Medical College, Lahore, and that of the Lady Hardinge College, Delhi ; if the difference is a marked one, what the reasons are for the disparity ;

[Sh. Lekhwati Jain.]

(b) whether it is a fact that no arrangements for oral and clinical examinations exist at present in Delhi ;

(c) whether an arrangement for the professional university examination of students from the Lady Hardinge Medical College, Delhi, cannot be made in Delhi ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (a)—

(a) Name of examinations.	PERCENTAGE OF PASSED CANDIDATES IN THE VARIOUS EXAMINATIONS IN	
	(1) King Edward Medical College, Lahore, in 1933.	(2) Lady Hardinge Medical College, Delhi, in 1933.
	Per cent.	Per cent.
Final Professional Examination held in October	53	28·5
Final Professional Examination held in April ..	67	77·7
Third Professional Examination held in April ..	83	100
Third Professional Examination held in October	100	80
Second Professional Examination held in May ..	75	58·8
Second Professional Examination held in October	57	85
First Professional Examination held in May ..	54	66·3
First Professional Examination held in October	47	75

The difference in the percentage of results in the various examinations of the institutions referred to above does not appear to be a marked one.

(b) Yes.

(c) The Principal, Lady Hardinge Medical College, Delhi, has intimated that arrangements for the professional university examinations of the students of the College can be made in the Lady Hardinge Hospital, New Delhi, should the University of the Punjab approve of such an arrangement and appoint examiners.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2937. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) if it is a fact that one Ram Rakha, judicial stamp vendor of Nawashahr, district Jullundur, has constructed a retaining wall 50' x 2½' without the permission of the Small Town Committee, Nawashahr Doaba (Jullundur) ;

(b) whether the previous committee ordered its removal ;

- (c) whether the man concerned is a relative of the president of the committee ;
- (d) whether the retention of the wall has been allowed on charging a nominal penalty of Rs. 10 only ;
- (e) whether the public path has not been narrowed and passing of carts made difficult by this wall ;
- (f) if the answers to (a), (b), (c), (d) and (e) be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) What actually exists on the spot is not a wall but steps about 2 feet high extending along the wall of the house. These buttressing steps measure 47 feet \times 2½ feet. The Committee by its resolution, dated the 2nd June, 1981, allowed the structure to remain in existence. Ram Rakha admits that the ownership of the site of the step vests in the Committee.

(b) The Committee ordered the removal of the structure excepting a platform 4 feet \times 1½ feet by its resolution, dated the 18th January 1981.

(c) The President of the committee denies relationship with Ram Rakha.

(d) Yes. The Deputy Commissioner in his letter no. 8353, dated the 29th May, 1980, suggested to the Committee the desirability of imposing a greater penalty than Rs. 5. The Committee enhanced the penalty to Rs. 10.

(e) The public path has been slightly narrowed. Carts can easily pass along this path. At its narrowest portion the street is 12 feet wide.

(f) No action appears necessary.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2938. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is not a fact that Mr. Bhim Sain, a pleader of Nawashahr has been allowed to build a platform 40' \times 9' adjoining his house on the public ground ? If so, why ;

(b) whether it is also a fact that the said pleader had to pay a penalty of Rs. 25 under the orders of the previous committee for encroaching on the public land about one foot in length ?

The Honourable Dr. Gokul Chand Narang : (a) The Committee permitted Lala Bhim Sain to build a culvert over a drain which runs in front of his house. As the culvert covers the drain and does not extend on to the road, no objection to its construction was taken.

(b) Yes.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2939. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Small Town Committee, Nawashahr, allowed one Uggar Sen, broker, to build a platform in front of

[Sh. Lekhwati Jain.]

his house but later finding that Mr. Smily, Assistant Commissioner, Jullundur, had given a judgment declaring the ground in front of Uggar Sen's house the common property of all *mohallawalas* and had forbidden the use of the same by a single individual exclusively, the Committee served a notice on the said person before he could raise the platform to abstain from doing the same, but Uggar Sen did not care, and built the platform ;

- (b) whether it is a fact that he preferred an appeal against the above notice before Rai Bahadur Lala Arjan Das, Deputy Commissioner, Jullundur, which was rejected and the orders for the removal of the platform were upheld ;
- (c) whether it is also a fact that on the transfer of the said Deputy Commissioner and expiry of the term of the Committee, the district office demanded the reasons for not taking action against Uggar Sen and the Committee wrongly informed the district office that the platform had been built with the permission of the Committee ;
- (d) whether the platform does not stand till now ;
- (e) if answer to the above be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) The Committee sanctioned the erection of the platform, but by a subsequent resolution reversed the previous decision.

(b) Yes.

(c) No ; but the Committee passed a resolution to the effect that no action need be taken.

(d) Yes.

(e) The Commissioner's attention has been drawn to the matter.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2940. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state whether it is not a fact that the present Small Town Committee, Nawashahr, has allowed Sadanand and Phero, sons of one Kunj Lall, to build a house on municipal land without any charge ? If the answer be in the affirmative will the Government be pleased to explain the reasons ?

The Honourable Dr. Gokul Chand Narang : The house in question was not constructed on municipal land, but it appears that a platform attached to the house encroaches on municipal land, and the Commissioner has been asked to consider the advisability of taking action.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2941. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Small Town Committee, Nawashahr, has allowed the construction of a platform on the public path to the wife of a certain potter Phero who lives in front of the office of the President of the Small Town Committee, Nawashahr ;
- (b) whether it is a fact that the Committee exclusively employs the asses of this woman when other ass-keepers offer their services at much lower rates ;
- (c) whether it is not a fact that the members of the committee have represented the desirability of employing asses at lower rates but the president rules it out ; if so will the Government be pleased to investigate the reasons that lead to such squandering of public money ?

The Honourable Dr. Gokul Chand Narang : (a) Phero was given permission to construct the platform in question. It does not encroach on a public street.

(b) No.

(c) So far as the Government have been able to ascertain, no.

SMALL TOWN COMMITTEE, NAWASHAHR.

***2942. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state whether it is not a fact that Mr. Amar Nath Behal has been allowed the construction of a platform over an area of 200 square feet of municipal land by the Small Town Committee, Nawashahr, Doaba ?

The Honourable Dr. Gokul Chand Narang : No.

METAL INSTITUTE, AMBALA CITY.

***2943. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether there is an institution by the name of Metal Institute existing in Ambala city ;
- (b) when did it come into existence ;
- (c) the total cost of its maintenance per annum since it was started ;
- (d) the number of students who have qualified from this institute ;
- (e) the number of students actually on the roll at the end of each academic year since it was started ;
- (f) the number of those qualified who have got employment ;
- (g) whether there was any strike by the students of this institute ;
- (h) if so, the causes of this strike and the nature of the grievances of the students ;

[Sh. Lekhwati Jain.]

- (i) if so, what action has been taken by the authorities to redress those grievances ;
- (j) whether any representation was made by the qualified students to the authorities concerned to the effect that the diplomas and certificates given were not such as promised in the prospectus of the Institute ;
- (k) whether the Honourable Minister will lay a copy of the diploma and certificate and the prospectus on the table ;
- (l) whether it is a fact that great discontent is prevailing amongst the students of the institute as a result of the facts mentioned in this representation ?

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

(b) On 1st April 1930.

(c).		<i>Expenditure.</i>	<i>Income.</i>	<i>Net.</i>
		Rs.	Rs.	Rs.
	1930-31 ..	13,448	202	13,246
	1931-32 ..	13,064	286	12,778
	1932-33 ..	17,587	446	17,141

(d) Four.

(e) Number of students on 31st March 1931	..	51
Number of students on 31st March 1932	..	68
Number of students on 31st March 1933	..	50

(f) Out of the four students, two are employed and two are working on their own account.

(g) Yes.

(h) The students wanted the wording of the diploma awarded on passing the final examination, changed.

(i) The matter of the revision of the wording of the diploma is now under consideration.

(j) No representation was submitted, or received, before the strike. No undertaking as to the specific form of certificate that was to be granted was given in the abridged prospectus. There was only a reference therein that a diploma would be awarded.

(k) Copies of the existing form of diploma and of the abridged prospectus are laid on the table.

(l) No.

DEPARTMENT OF INDUSTRIES, PUNJAB.

GOVERNMENT METAL WORKS INSTITUTE, AMBALA CITY.

PROSPECTUS.

1933-34.

The Government Metal Works Institute, Ambala City, is financed by the Punjab Government and runs under the general control of the Director of Industries, Punjab.

OBJECT.

The object of the Institution is to provide a thorough and all-round theoretical and practical training in mechanical engineering, trade courses of mechanist and foundry work and to give students a complete knowledge of mechanical drawing.

The practical course is based on the production of pumps, internal combustion engines and other objects, the manufacture of which is contributory to the training necessary to enable the students progressively to work up to the advanced standard required for the production of such goods. The practical course is based on the following training :—

Pattern making, smith's work, foundry work, fitter's work, turning and machining, erection and finishing.

EQUIPMENT.

The Institute is equipped with the most modern type of power machines and hand tools such as oil engine, lathes metal and wood turning, planer, shaping machine, milling machine, polishing and grinding heads, bandsaw, hacksaw, etc., fanforges, cupola, annealing and case hardening furnaces and electroplating plant, etc.

COURSES OF TRAINING.

There are two courses of training at present :—

- (1) Advanced course in forging, fitting, turning and machine works. Duration of course—3 years.
- (2) Advanced course in foundry works, moulding in brass and cast iron and pattern-making. Duration of course—3 years.

During the course of study, students have to undergo training in the crafts, such as, machine work, polishing and electroplating, foundry shop work, pattern making, blacksmithy, fitting work and engine driving, mechanical drawing and theory go on side by side with practical work throughout the course.

In practical works, students are required to prepare the jobs like small oil engines, lathes, water pumps, drilling machines, screw jacks, vices, fans and every sort of machinery.

The duration of course is three years for industrial middle pass students. Candidates who have passed the vernacular final or any superior examination in general education may be admitted to these advanced courses after passing one year in a special preparatory class of this Institute.

CONDITIONS FOR ADMISSION.

Admission to these courses begins from 1st April each year. The number of admissions is limited. All applications should reach the Head Master by the 1st of April on printed forms (available from this office) together with the following certificates :—

- (1) A certificate showing the examination passed by the candidate. (Minimum qualification being vernacular middle pass).
- (2) An attested certificate of age of the candidate.
- (3) A certificate of good moral and character.
- (4) A medical certificate showing that the applicant is of good health.
- (5) A certificate to the effect that the applicant is joining the Institution with the express permission of his father or guardian.
- (6) Artisan certificate if so.
- (7) A certificate to the effect that the candidate is a resident of British Punjab territory.

N.B.—Applicants for admission above the age of twenty years cannot be accepted without special sanction of the Inspector of Industrial Schools, Punjab, which should be applied for through the Head Master.

HOURS OF WORK.

Summer	..	..	7.00 to 14.00
Winter	..	..	9.00 to 17.00

One period recess is allowed.

FEES.

Each student is required to pay the following fees :—

Tuition Fee.—Annas twelve per mensem.

Games Fee.—Rs. 1 per year.

Institute Security.—Rs. 10 at the time of admission. This is to be refunded when the student leaves the Institution.

LIBRARY.

A library is attached to the Institute which is open to the students free of charge. Books are issued to students in accordance with the rules framed for the purpose.

[The Hon. Dr. Gokul Chand Narang.]

HOSTEL.

There is a hostel attached to the Institution for outstation students.

Each boarder will have to pay the following fees :—

Hostel Fee.—Annas four per mensem. Artisan students are exempted from payment of Hostel Fee.

Security Deposit.—Rs. 2 once on admission. To be refunded on his leaving the hostel. Monthly expenditure of students is low ; in addition to the usual fees already mentioned the mess expenses are on the average between Rs. 5 and Rs. 6.

GENERAL.

1. A limited number of scholarships and stipends may be awarded to deserving and poor students in accordance with the rules governing the award of such scholarships and stipends.

2. Students of mechanist and turner's course and foundry worker's course who pass the Final Departmental Diploma Examination of this Institute receive a diploma showing that they have completed the full course of studies in the Institute, under the countersignature of the Director of Industries, Punjab.

CHARANJIV RAI SYAL, B.Sc.,

(*Mechanical and Electrical Engineering*), Headmaster.

EXISTING FORM.

GOVERNMENT METAL WORK INSTITUTE, AMBALA CITY.

DEPARTMENT OF INDUSTRIES, PUNJAB.

Certified that _____ aged _____ years, son of _____ resident at _____ has satisfactorily completed a course of training in Metal Working by Modern methods of _____ years duration, at the Government Metal Work Institute, Ambala City, and has passed the Final Examination of the Institute in the _____ Division and gained _____ marks in the following subjects :—

PRACTICAL WORK.

Fitting.

Turning and Machining.

TECHNICAL DRAWING.

Dimensioned Sketching.

Measured Drawing.

Workshop Drawing.

THEORETICAL SUBJECTS.

Technical Arithmetic.

Estimating.

Theory of machines.

Mechanics.

Headmaster, Government Metal
Works Institute, Ambala City.

Inspector, Industrial
Schools, Punjab.

Director of Industries,
Punjab.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, with reference to the answer I gave to part (b) of question No. 2930¹ I have a word of explanation. The qualifications given in the answer are according to the prospectus, but subsequent orders were passed not to enforce those qualifications.

SHORT NOTICE QUESTION AND ANSWER.

PRISONER KHAN ABDULLA.

Chaudhri Afzal Haq : Will the Honourable Member for Finance be pleased to state :—

- (a) whether it is a fact that Khan Abdulla, Frontier prisoner, is lying in precarious condition in Multan New Central Jail ;
- (b) whether he was transferred to Sialkot district jail on the plea of health where his condition improved ;
- (c) whether he was recently transferred back to Multan New Central Jail where his health has become hopeless ;
- (d) why he was transferred to Multan ; and whether the Government have taken necessary action to release the said prisoner at once ?

The Honourable Sir Henry Craik : (a) His condition is reported to be serious.

(b), (c) and (d). He was transferred to Sialkot in the beginning of June 1933, as he was suffering from B coli and a slight rise in temperature and it was considered that the hot weather climate of Sialkot would be less trying to the prisoner than that of Multan. His health, however, did not improve and tuberculosis was suspected in July 1933. The Inspector-General of Prisons, reported in December, 1933, that it was a definite case of tuberculosis and recommended the prisoner's transfer to Multan for the rest of the cold weather as better facilities exist in the New Central Jail at that place for the treatment of this disease. This proposal was sanctioned in consultation with the North-West Frontier Province Government on the understanding that the prisoner would be returned to Sialkot for the hot weather, if this were found desirable on medical grounds. The release of the prisoner rests with the North-West Frontier Province Government. I may point out that the prisoner can secure his release immediately if he furnishes the security in default of furnishing which he is in jail.

Maulvi Mazhar Ali Azhar : Could not the Government order immediate transfer of the prisoner from the Multan Jail to avoid the present situation ?

The Honourable Sir Henry Craik : The prisoner is suffering from tuberculosis and the Multan New Central Jail is the jail where tuberculous prisoners are kept and where they can be treated. As he is suffering from tuberculosis, there is a risk that he might spread infection in any other jail where non-tuberculous prisoners are confined.

GOVERNMENT DEMANDS FOR GRANTS.

The Honourable Sir Henry Craik (Finance Member): I have to communicate to the Council that all motions for appropriation contained in the Order Paper are made on the recommendation of His Excellency the Governor.

LAND REVENUE.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 36,62,000 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, 1935, in respect of Land Revenue.

Mr. President : Motion moved—

That a sum not exceeding Rs. 36,62,000 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, 1935, in respect of Land Revenue.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural): Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 22,880—reafforestation.

Those of us who have read the report of the Denudation Committee or who have seen the very useful note by Mr. Holland of the Forest Service will know the importance attached to our forests, particularly low hill forests. Without going into details of the importance attached to those forests on account of our canal water supply I will submit that in the plains we are very much concerned with the supply of our canal and river water and also in certain areas like Hoshiarpur with the *chos* and lands which are being spoilt by the hill torrents. While I was working as a member of this committee just referred to I came to know that sufficient attention is not being paid to the planting of new forests, particularly in the low hills. I cannot say whether this is due to lack of funds or lack of keen interest taken by the Forest Department. However, whatever the cause may be, as it is a very important matter which concerns the wealth of this province and as we altogether depend on the supply of good and sufficient canal water, I have brought this matter for consideration before this House and also before Government and authorities concerned so that they will take immediate action and wherever new plantation of forests is necessary they will take it in hand at once, however short we may be of funds, and if there is any need of a new staff or of fresh supply of money it will be provided.

Mr. President : Motion moved is—

That the grant be reduced by Re. 1 with respect of the item of Rs. 22,800—reafforestation.

The Honourable Mr. Miles Irving (Revenue Member) : I believe that the honourable member has mentioned the right remedy for denudation. It is the only remedy that is strongly advised by the Forest Department. If he will refer to the remedial measures suggested in one of the appendices to the report of the Erosion Committee he will see that the Forest Department's opinion is that while welcoming co-operation of engineers they emphatically believe the first steps lie in afforestation and not engineering. Of course the great difficulty about afforestation is expense. That is practically the difficulty. This matter really relates less to the subject of lan-

revenue than to that of forests because any measure of afforestation would involve handing over an area into the hands of the Forest Department. The experiment was tried in the Pabbi Hills, and I understand with great success, and it simply had to be discontinued on account of lack of funds and I am afraid there are indications that the forest is deteriorating. That is the situation, and our unfortunate financial position does not really throw any hope of large schemes of afforestation by means of planting. There is, however, one method which I came across in the Jhelum district to which I draw the attention of those who are interested in sub-montane districts, that is partition of *shamilat*. In the Jhelum Salt Range I found one village in which bunds have been erected and a very good forest growing up profitably to the zamindars and useful in preventing denudation. I am grateful to the honourable member for having drawn attention of Government to the matter. I feel that if circumstances improve, his motion will be an assistance to Government in bringing forward a more comprehensive scheme of re-afforestation as funds permit.

Khan Bahadur Sardar Habib Ullah : Sir, I am afraid that the answer given by the Honourable Revenue Member is not very encouraging. Although there is the difficulty about funds, still it is a very important matter. I want the Government and also this House to note that if immediate action is not taken in this respect, we will suffer badly. However, as the Honourable Member has said that as soon as funds improve, he will give the matter his very best consideration, I do not want to press this motion to a division. I accordingly beg leave to withdraw the motion.

The motion was by leave withdrawn.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 2,78,900—Total colonization operations.

Sir, my object in bringing forward this motion is to draw the attention of Government to those new settlements that are taking place now or will take place in the near future in certain districts. I need hardly draw the attention of this House to the agricultural conditions that are prevailing nowadays as we have sufficiently been discussing this for the last two days and the plight of the zamindars is well known to all. During the general discussion of the budget we have heard a lot from members coming from different parts of the province putting forward the points of view of the agriculturists. My object is to economise these settlement operations and also to accelerate them so as to save money in this respect. It does not only save Government money, it also saves a large amount of the money of zamindars.

When a new settlement is started certain information and certain data are collected before hand. Of course that information and those figures are collected very carefully by expert officers of the district. Most of the districts are fully developed and the information and those data are already in hand. It should not take long for the authorities to arrive at the right conclusion. Of course I do not mean to say that there have been no changes and that things remain in the same position as they were during the previous settlement. But most of the data remain just the same and therefore the colonization and settlement officer need hardly go from village to

[K. B. Sardar Habib Ullah.]

village to ascertain whether the information which they have been supplied is correct or not. They need not cover that whole field over again. This no doubt causes extra expenditure not only to the Government but also to the zamindars. I also understand that when the settlement officers go out on their investigations they do not use the labour provided by the zamindars but employ their own labour costing a good deal of money to the villagers of that locality. I do not know what difference they observe in going through these operations over again as compared with the information which is supplied to them as a result of the investigations by officers in the very beginning. There may be slight differences in some places. But that difference can easily be ascertained by local authorities and the whole of the settlement officer and his staff need not move from one place to another covering a lot of time and expense.

The other point I want to make is this, in these new settlements there is hardly any need for having a very expensive staff. The question is whether an Indian Civil Service officer must be appointed for the purpose. I observe that an Indian Civil Service officer of a few years' standing is preferred by the Government to a Provincial Civil Service officer who has greater knowledge of the locality and who may perhaps be more useful. I therefore suggest that this highly expensive machinery should be avoided if possible. If a Provincial Civil Service officer is appointed for this purpose he will cost the Government less and probably he will be able to accelerate the matter much more than an Indian Civil Service officer who does not know the locality at all. These are the two points to which I should like to draw the attention of the Government. I hope that in future settlements these two points will be borne in mind.

Mr. President : The honourable member's motion refers to the item of Rs. 2,78,900 out of which Rs. 32,400 are non-voted. I propose, therefore, to put the motion after deducting the non-voted portion.

The motion is—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 2,46,500—Total colonization operations.

Mr. D. J. Boyd (Financial Commissioner) : Sir, since the honourable member made his speech I have not had time to verify the actual facts with regard to the colonization operations. I rather think that his remarks were beside the mark so far as colonization is concerned. The honourable member spoke of the expense of settlement operations and not of colonization operations. I am not sure whether he was in order or not, but I hope I will be permitted to say a little about the cost of settlement operations. The only settlement operations at present in progress are the settlements of the Lower Bari Doab Canal Colony and the Lower Chenab Canal Colony. The former settlement is practically finished. It is awaiting the orders of Government and I hope that at a later stage I will have an opportunity of communicating to the House some interesting information with regard to the orders passed on this settlement. I am referring to the question of introducing a sliding scale of assessment so as to deal with the difficulty presented by the fall in prices. I think I will be called upon to explain that question at a more suitable opportunity. Except for the order of the local

Government the Lower Bari Doab Canal Colony settlement is finished. The Lyallpur settlement has just been taken in hand ; that is the settlement of the Lyallpur district and the Rakh branch of the Sheikhpura district. With regard to this settlement I think I should remind the honourable member that it will be a settlement for forty years according to the new amended Land Revenue Act. Settlement for forty years is not an affair which should be rushed through in any way. It is an affair which should be undertaken with the greatest possible deliberation and completed with the greatest expedition possible but only so far as expedition is compatible with real good work which is fit to last for forty years. In this connection perhaps I may be permitted to remind the House of my experience as a settlement officer in the Sialkot district. I must confess that at the beginning I was fed up with the settlement work and the people also were fed up with it. We put our heads together and I made an offer. At a district board meeting at which the Deputy Commissioner permitted me to be present I made an offer to the people of the district saying that I would close down the settlement operations *ek dam* if they agreed to an increase of 25 per cent. of their land revenue at once. 'Splendid,' they said. Then I asked them if they were quite satisfied with the existing maps and records. They replied, 'No, no, they must be revised. We must have these maps and records revised, because we constantly have to go to the law courts owing to disputes'. That is an absolutely and literally correct statement of what occurred at the Sialkot District Board meeting. I confess I was surprised that they had the sense to foresee the trouble that might arise for the next 30 or 40 years or whatever the period might be if their records were to remain in the stage in which they were before the settlement.

Now with regard to this settlement of the Lyallpur district which has just begun, before the work started I asked the Director of Land Records to go down to Lyallpur and look into the state of maps and records to see whether there could be a short cut to the settlement. He and his assistants went down and made a very careful check indeed. I cannot say how many villages they checked, but I may say that they visited a large selection of typical villages. As a result of their careful check they advised that the maps and records should be revised, not necessarily every map, but the staff would have to test every map to see whether it was fit to be used for forty years. The House will have to bear that point in mind. In view of the fact that the next settlement is to last for forty years, these maps and records should not be *kachcha*. They should be such as will first of all secure just and accurate assessment of land revenue and secondly, will secure to the people really correct and decent maps so that they may not be involved in litigation on account of bad settlement maps and records. The matter is one of the greatest importance.

The next point referred to by the honourable member related to the collection of preliminary information before settlement takes place. The preliminary information that is collected is not of the kind that can be used at all seriously by the settlement officer. The preliminary information is required to ascertain whether settlement is worth doing. If the existing revenue is fairly high and not too high and if it is fairly divided over the different villages and different holdings, then no settlement should be undertaken and Government does not want to undertake any settlement which

[Mr. D. J. Boyd.]

costs money both to the people and to the Government and a lot of trouble to both. That is the first object of these forecast reports, the collection of preliminary information referred to by the honourable member in his speech. Another object of these preliminary operations is the ascertainment of the extent to which re-measurement and revision of records will be necessary. With regard to re-measurements, nowadays in most of the districts the maps are fairly correct. Only in very few cases is it found that the condition is so bad that no reliance can be placed upon them for recording the rights of the people concerned. But with regard to the revision of records, it will be found that in every district the revision of records is wholly necessary because no matter how much supervision is exercised between settlements, in the case of mutations a great deal remains concealed which can only be brought to light when there is a full staff in the district. The preliminary information is only directed to ascertain whether a settlement is necessary and what work should be done during settlement. But it is not work of such a nature as can be used to any great extent during settlement.

There was one more remark made by the honourable member which I did not quite understand. Probably he said that the preliminary operations have become a costly feature. Am I correct? (*Khan Bahadur Sardar Habib Ullah*: I meant the later operations). Well, to a certain extent I must confess that that is true. When you send patwaris and qanungos to villages to re-measure and revise the records, undoubtedly a considerable amount of hospitality has to be shown to them according to the custom of the country. It is very sad that people have to be burdened, but it is the custom of the hospitable country.

Then again, the honourable member criticised the expense of the staff which is deputed to do settlement work. He suggested that instead of appointing an Indian Civil Service officer to do settlement it would be better to appoint a Provincial Civil Service officer who is already well acquainted with the tract. There is no doubt about it that a good many Provincial Civil Service officers can turn out an excellent settlement. I may be forgiven if I mention one or two names. We all know that Malik Nur Muhammad, the present Deputy Commissioner of Muzaffargarh, is capable of doing a settlement. There are many other officers of the Provincial Civil Service capable of doing excellent settlement work. But we have two services. The Indian Civil Service and also the Provincial Civil Service. The object of the more highly paid Indian Civil Service is, I presume, that on broad questions, questions of policy and so on, you may have an exceptionally well trained intellect studying the matter. Unless the person who has to solve these broad questions of policy has been trained well, it will be difficult for him to deal with them satisfactorily. You must therefore train your Indian Civil Service officers so that they may be fit for the higher jobs that await a great many of them later on and it is for that reason that you allot certain settlements to the officers of the Indian Civil Service. In the case of the Lyallpur district we have selected an officer who has proved that he had ability, I think I might fairly say, of an unusual order and we sent him to Lyallpur partly because it is the most important settlement in the province

and partly because in time he may have to work as Financial Commissioner or any other officer of the kind with very big questions to deal with and in which his training as settlement officer will be practically useful.

Mian Nurullah (Lyallpur, South, Muhammadan, Rural) (*Urdu*): Sir the Financial Commissioner has made a special reference to the Lyallpur district and has said that the Director of Land Records went there and proposed that the measurements be revised. This means that only those fields ought to have been measured where partition has taken place and where a few changes have occurred. But what is being done there is this that the measurement of the entire area has been commenced.

Mr. D. J. Boyd: On a point of order. Will this not come in in connection with a later motion when I shall be able to reply? There is a later motion on the subject on which the honourable member is speaking at the present moment.

Mian Nurullah: Then I will reserve my remarks for that motion.

Khan Bahadur Sardar Habib Ullah: I am thankful to the Financial Commissioner for explaining to me the whole of the system on which he has based his new settlement. I only wanted to make one thing clear and that is, I never meant that I. C. S. officers are not competent to do this job. No doubt some of them are very very competent, particularly the person whom the Financial Commissioner has mentioned and who is now doing settlement at Lyallpur, is a very capable officer and is very sympathetic towards zamindars. What I wanted to point out was that a saving in expenditure might be made, that in these hard times some money can be saved by appointing provincial officers instead of the Indian Civil Service officers. However, in view of the explanation given by the Financial Commissioner, I beg to withdraw the motion.

The motion was by leave withdrawn.

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. 29,13,350—Land Records (ii) (a) Pay of Establishment.

The object of this motion is to draw the attention of Government to the inadequate representation of statutory agriculturists (particularly among Hindus) in the cadre of qanungos and patwaris. Possibly some members who have nothing to do with rural life and who know very little of rural life and the difficulties of the agricultural population will be tempted to smile at this motion. They may be inclined to ask, "Is this Council really meant to be used for the purpose of ventilating grievances with regard to such humble fries as patwaris and qanungos?" They may even say, "It is inconsistent with the dignity of this House to speak of such a petty body of officials as patwaris and qanungos". So far as their point of view is concerned, they can very well laugh at the motion, and they may think that the mover of the motion is himself lacking in a sense of proportion. But I can assure those gentlemen that their feelings, if they are what I am now describing them to be, are really based on their ignorance. The patwari is a very mighty person in rural areas. I am speaking from personal experience which is of a very recent origin. Last autumn we had very heavy floods and excessive rain in the South Eastern districts of the Punjab, that is, in Rohtak,

[R. B. Ch. Chhotu Ram.]

Karnal, Gurgaon and also Hissar. The damage done was very extensive and the Governor himself went to the spot to see things for himself. The Financial Commissioner also paid three or four visits in succession. The Governor made an announcement which was heartily welcomed by the people and the people thought that for once in their life they were going to have universal remission at the rate of at least 50 per cent., because they knew quite well that within the terms of the Governor's announcement they were entitled to a remission of 50 per cent. The terms were that wherever the yield failed to reach a standard of 12 annas in the rupee half remissions should be given and that where the yield failed to reach a standard of annas 8 in the rupee total remissions should be granted. The head of the province could not lay down in detail the lines along which these concessions were to be calculated. He could have laid down only the general principle which was to be applied by local officers. The collector and the revenue assistant entirely depended upon the reports which they received from patwaris. I admit that elaborate arrangements were also made to see that patwaris did their work honestly and efficiently. Extra assistant commissioners and tahsildars were appointed to check the work that the patwaris were doing. But apart from general supervision these officers could not do anything. In the first instance the zamindars naturally felt that they need not please the patwari at all and when the patwari suggested that he should be paid something in order to prepare an estimate of the yield which would entitle a particular estate to remission, at full or half rates, the zamindar would say that the Governor himself had been to the place and suggested remissions at certain rates and, therefore, they were not going to pay anything to the patwari. The patwari said, "the Governor is nothing; the Revenue Member is nothing; the Financial Commissioner is nothing, the Deputy Commissioner is nothing. It is my pen which is the Governor, which is the Financial Commissioner, which is the Revenue Member, which is the Deputy Commissioner. Let us see whether it is my pen which rules things here or the announcement made by the Governor." In the end you will be surprised to hear, Sir, that it was the patwari who won the challenge and the Governor came out only second best. There were others who offered the same advice to the villagers, that is, that they should not pay anything to the patwari. Among those who gave that advice I was one. I found after some time clusters of people from various villages coming to the headquarters of the district and saying, "We refused to give anything to the patwari and we find that we are not going to get any remission or in cases where we are entitled to the full relief we are recommended only for a 50 per cent. relief, whereas the people of other villages who pleased the patwari by paying him something got full remissions where they were entitled only to 50 per cent." This is the issue of the fight between the Governor and the patwari. I have drawn the attention of the House and the official members of the Council to these matters in the hope that they will be better able to realise the effect which the actions of these petty officials can produce on the welfare of the country side. In spite of the fact that they are not very well paid, their practical powers seem to be unlimited. So far as the country side is concerned, they are practically all in all. That is the chief reason why I have given notice of this motion.

Now I may be allowed to draw the attention of the House to the representation of statutory agriculturists under the heads of qanungos and patwaris.

Among qanungos the general percentage of statutory agriculturists is 62·6 and among patwaris, 57·8. This is definitely a low percentage of representation for statutory agriculturists. I may remind the House that the resolution of 1919 laid down a representation of 66 per cent. in respect of munsifs on the ground that munsifs had very much to do with litigation relating to zamindars. If even that proportion were to be applied then among patwaris and qanungos the representation should be appreciably higher. As a matter of fact, there is another department the representation in which ought to be a better guide to the representation of zamindars in the cadre of patwaris and qanungos than the representation laid down for them among munsifs, and that department is the Department of Co-operation or the Department of Agriculture. In respect of the Department of Co-operation the representation which was enjoyed by agriculturists in 1919 was 90 per cent., and that degree of representation was characterised by the Lieutenant-Governor of the day as reasonable. He was careful to add that that representation should not be allowed to fall below 80 per cent. in any case. Therefore, I can reasonably contend for a representation of at least 80 per cent. of statutory agriculturists in the cadre of patwaris and qanungos.

I have also added in the notice of this motion that the share that has fallen to statutory Hindu agriculturists is even more meagre than that of statutory agriculturists in general. I will quote figures and show that my contention is correct. Take the cadre of qanungos. Among Muslims we have 359 agriculturists to 61 non-agriculturists. Among Hindus we have 73 agriculturists to 191 non-agriculturists. Among Sikhs we have 35 agriculturists to 26 non-agriculturists. In the cadre of patwaris this representation falls lower still. Among Muslims there are 3,804 agriculturists as compared with 757 non-agriculturists. That is more than five times the number of non-agriculturists. Among Hindus there are only 1,100 to 2,922 non-agriculturists. That is only a little more than a third of the number of non-agriculturists. Among Sikhs the number of agriculturist patwaris is 498 and of non-agriculturist, 250. Therefore I think it will be readily granted that so far as Hindu agriculturists are concerned, their share is extremely inadequate. I hope that the Financial Commissioner will take special notice of this and issue instructions to the effect that a much larger share of these posts should go to agriculturists in general and to Hindu agriculturists in particular than it has been possible in the past to allot to these classes.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 29,13,350—Land Records (ii) (a) Pay of Establishment.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, for once the great hunter of fame has left the chase of elephants and tigers and turned to that of hares. But I am not sure that his bag is very good on this occasion. I am not really going to be drawn off my track by his indictment of the patwari of Rohtak because I am not quite sure that it is relevant

[The Hon. Mr. Miles Irving.];

to his motion unless he can show—and he has not attempted to show it—that all patwaris who were bad on that occasion were non-agriculturists, and that none of the persons who asked for money were agriculturists. His indictment of the patwaris is as a whole and not of any particular class of them. I think really that his whole case is an illustration of how unexpectedly these various communal percentages work. The unfortunate official has got to select his candidates for various posts. He has two considerations to bear in mind. First of all, he has got a percentage, whatever it is, of agriculturists and non-agriculturists and then he has got to bear in mind some vague proportion between Hindus, Muslims and Sikhs. Supposing the percentage is, say, up to two-thirds, he is not told that there must be of his Muslims, agriculturists two-thirds and non-agriculturists one-third, and so on with respect to the other communities. The result is that it very often happens that when he hunts to get his Hindu quota he has got to use his non-agriculturist quota for filling it up. I may illustrate it, if you imagine the position of the Deputy Commissioner, say of Mianwali. He has got to find practically so many Hindus and he looks round for the Hindu agriculturists in Mianwali. And they do not exist. If the honourable member took the figures in the various divisions he will find that the situation exists. It is perfectly true that over the whole province the percentage of patwaris who are Hindu agriculturists is only 12. But look to the Ambala division; it is 31 per cent. there. In the Multan division there is only one per cent. and I am surprised that they have been able to find so many Hindu agriculturists there. Therefore, I feel rather strongly that Government has gone really as far as it can with these discriminations. I have mentioned the percentage in the Ambala division. I have got the figures of agriculturists patwaris in Rohtak. It is 50. That percentage has been increasing. But we have to remember that we are dealing with people who live in villages, among whom literacy in the agriculturist class has not reached what it is among non-agriculturists, and we have also got to remember that a good lot of these posts are inherited. After all, all our land records of eighty years ago are due to the old Amin, the old agriculturist patwari, and he has left sons, grandsons and great grandsons, and it is difficult to pass over them. Therefore, my conclusion is that the growth in the percentage of agriculturist patwaris is by no means unsatisfactory, that the limitation of agriculturists who happen to be Hindus is based on local considerations, and that where the agriculturist Hindus as in the Ambala division exist in large numbers, the proportion as I have shown in Ambala, is by no means unsatisfactory.

Rao Bahadur Chaudhri Chhotu Ram : I am really surprised to hear the reply that has been made by the Honourable Member for Revenue. He says that the Deputy Commissioner of Mianwali has to make a hunt for Hindu agriculturists and even for Hindus while in the Ambala division the percentage is 31 which he thinks is quite satisfactory. I think it is stupid on the part of anybody to make a hunt for people who do not exist. Why do officers not make a good bag where there are numerous people from among whom selections can be made? There is no dearth of Hindus, either agriculturists or non-agriculturists in the Ambala division. My complaint refers particularly to the meagre representation of agriculturists in general and

Hindu agriculturists in particular. Can the Honourable Revenue Member really contend that men of sufficient education are not to be found among the ranks of agricultural Hindu tribes in the Ambala division, and does he really feel that the percentage of 31 in the Ambala division is satisfactory? If he thinks so, I can only say that we differ very fundamentally. He has also taken refuge behind the ordinary argument that the Government cannot go further than this and Government cannot go further than that. He says that percentages are more or less definite so far as agriculturists are concerned. Then he makes a reference to the more or less vague and indefinite percentages for Hindus, Mussalmans and Sikhs. What really happens in practice is that very definite regard is paid to communal proportions, and very little to class proportions. What that is due to I do not know. But the fact is that percentages are first fixed on communal lines and the other line of cleavage which is certainly less unhealthy if it is not entirely healthy, is practically completely ignored. That is probably due to the inspiration which appointing and selecting officers derive from the general trend of Government policy. The inspiration may equally come from higher officers of the Government or from a mistaken idea that Government prefers these communal cleavages to exist. But apart from the source of inspiration, the fact which is observed in practice everywhere is that much greater regard is paid to the communal line of cleavage than to the economic line of cleavage by the officers of Government. (*The Honourable Dr. Gokul Chand Narang*: That is only the difference between tweedledom and tweedledee). That is the Honourable Minister's view, not mine. Anyway, my contention is that Government ought to be more anxious and keener to act upon the line of cleavage which is economic than on the one which is communal. The Honourable Revenue Member has admitted that the percentages laid down for agriculturists are more or less definite. If the percentages are more or less definite let those percentages be worked up to. What do they exist for if they are not meant to be worked up to? (*Interruption.*) Oh, I can make out a case for the greater honesty of agriculturists as compared with the honesty of non-agriculturists. Patwaris are very petty officials, but they have plenty of power to do harm to the poor agriculturists. That is the only point which was necessary for me to establish in connection with the present motion. I hope, I have been able to do so. (*Interruption.*) This is the ordinary convention. Government officers decline to accept the truth of a proposition which is really undeniable. These petty officials can make or mar the prosperity of the country-side. They prepare our records, they prepare estimates of annual produce. They prepare records of prevailing prices of commodities. Upon these estimates of produce and upon these records of current prices, depend our land revenue assessment, which last for 40 years. Therefore, it is of vital importance that in the cadre of patwaris and kanungos agriculturist classes should be duly represented. (*Interruption.*) I am sure that at least 80 per cent. agriculturists are more honest than non-agriculturists. However, I should not like to stretch that point. I would only say that normally speaking, patwaris drawn from among agriculturists will be more sympathetically disposed to zamindars than non-agriculturists, and that fact should be quite sufficient for the purposes of my demand that their greater representation in these two cadres is very essential.

[R. B. Ch. Chhotu Ram.]

As I said in the very beginning I had no intention to press the motion to a division. I simply wanted to draw the attention of Government and its officers to the meagre representation of agriculturists in general and that of Hindus in particular. I am afraid the answer of the Honourable Member for Revenue is entirely disappointing. However, as it is a very petty matter, I would not like to press the motion for division. Therefore, with the permission of the House I wish to withdraw this motion.

The motion was by leave withdrawn.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadian, Rural): Sir, I beg to move—

That the total grant be reduced by Re. 1.

Here again the object of the motion is simply to draw attention of the Government to many instances of violation of the true spirit of the Punjab Land Alienation Act. It is particularly necessary during the present period of depression that the Land Alienation Act should not be allowed to be encroached upon in the ordinary day to day administration. I have read in newspapers that a very large number of alienations have been allowed by deputy commissioners which are definitely in contravention of the Punjab Land Alienation Act. Many instances have been quoted in the Press with regard to the district of Gujrat. I am not acquainted with the details of the alienations which took place in that district and which were allowed by the deputy commissioner under his special powers. I understand the deputy commissioner or the commissioner was requested to make a special enquiry into the allegations which were made against this class of alienations. What the result of that enquiry is, I do not know. But there was a good deal of agitation and some of the instances which were quoted go to show that the Land Alienation Act has been encroached upon very seriously. I also read of some of the instances which related to the district of either Attock or Mianwali. But I am not quite sure with regard to the district or the exact nature of the transactions which were allowed to take place in contravention of the Land Alienation Act. I can certainly quote one instance relating to Hissar district, which definitely came to my knowledge. In that case the collector allowed the spirit of the Land Alienation Act clearly to be violated. A zamindar was persuaded by his creditor to make an application to the collector that he should be allowed to sell 440 *bighas* of his agricultural land to his creditor. That application was naturally referred to the tahsildar for enquiry. The tahsildar made an enquiry and reported that no circumstances justifying the alienation existed and therefore he would not recommend that permission should be granted for sale. The revenue assistant supported the recommendations of the tahsildar and the collector refused permission. After some time the same application was repeated by the same man. Again the tahsildar and the revenue assistant were ordered to make an enquiry. After due enquiry they repeated their old recommendation that permission should not be granted. Nothing had happened in the interval to show that there was any justification for permission being granted for that sale. The collector again refused permission. After 3 or 4 months, when the tahsildar and the revenue assistant, who were both agriculturists, happened to be transferred from the district, the

zamindar was persuaded again by his creditor to make an application. The collector referred the application to the tahsildar and the revenue assistant who were both non-agriculturists this time. They recommended that the sale should be allowed and the sale was allowed, a sale in respect of 440 *bighas* of land. I had occasion to study the details of that transaction. I have absolutely no doubt in my mind that that was not a case in which any collector, if he had taken a dispassionate view of the matter, would allow a sale or would give permission under his special power for the sale of an agriculturist's land. One of the grounds urged by the tahsildar and the revenue assistant was that this zamindar owed a debt of three or four thousand rupees to some creditors. Well, is there any zamindar here who does not now owe a debt to any creditor? I do not think there are even 5 per cent. zamindars in the province who are free from debt in these days of depression. If the land of a zamindar were allowed to be sold on the ground that he owed a debt to some creditor, then you might be called upon to permit the sale of three fourths of the land belonging to zamindars. It was not a sale of a few *bighas* required for charitable purposes or required for industrial purposes for which the collector could give sanction, but it was a request for the sale of as much as 440 *bighas*.

Mr. A Latifi : This case is *subjudice*.

Rao Bahadur Chaudhri Chhotu Ram : I am sorry. I did not know if this case was *subjudice*. I withdraw my remarks.

The Honourable Mr. Miles Irving : I think this particular case to which the honourable member is referring, is before the Financial Commissioner or was before him.

Mr. President : Does the Financial Commissioner decide cases as a judge?

The Honourable Mr. Miles Irving : I ask the honourable members not to make reference in this House to a case in which the discretion of revenue officers is to be exercised. Particularly such cases, in which they have to give a decision, should not be ventilated on the floor of the House.

Mr. President : I agree with the Honourable Member ; but the point is whether the Financial Commissioner is a court of law? Article 112 says :—

Every resolution shall be in the form of a specific recommendation addressed to the Government, and no resolution shall be moved in regard to any of the following subjects, namely—

Any matter which is under adjudication by a court of law having jurisdiction in any part of His Majesty's dominions.

This much about resolutions. Article 59 contains the following general provision :—

A member while speaking shall not refer to any matter of fact on which a judicial decision is pending.

The Honourable Mr. Miles Irving : May I elaborate that. Recently a case came before the Governor in Council in which the Financial Commissioner acting under the Land Alienation Act had decided an appeal which is similar to this. The person aggrieved went to the Governor in Council to over-rule him, and the Governor in Council advised that he had no power to over-rule the Financial Commissioner in his judicial capacity. The Financial Commissioner has to decide whether the deputy commissioner or the commissioner has come to a right decision under the law.

The Honourable Sir Henry Craik : This procedure is peculiar only to the Punjab. Nowhere else is this distinction maintained. Therefore, as a judicial decision has to be reached by the application of the law to particular instances, the function is judicial. There is no doubt about it.

Mr. President : If two persons refer a matter in dispute between them to an arbitrator appointed by them will the matter in dispute be *subjudice* ?

The Honourable Sir Henry Craik : It will.

Rao Bahadur Chaudhri Chhotu Ram : There is a definite distinction between the Financial Commissioner acting as a court and the Financial Commissioner acting as a revenue officer alone. Whether the Financial Commissioner in dealing with a case of that nature is acting as a court or as a revenue officer only is rather difficult to say.

Mr. President : The wording of the rule is "refer to any matter of fact on which a judicial decision is pending." Which matter of fact was the honourable member referring to and which matter of fact is pending consideration of the Financial Commissioner ?

Diwan Bahadur Raja Narendra Nath : The matter of fact whether under the existing law transfer to a non-agriculturist is justified.

Rao Bahadur Chaudhri Chhotu Ram : I will not call it a matter of necessity. I should say whether under the circumstances it was desirable.

Mr. President : What circumstances ?

Rao Bahadur Chaudhri Chhotu Ram : The circumstances that a particular man was induced by his creditor to make an application to the deputy commissioner to allow him to sell 450 *bighas* of his land to his creditor in order to discharge his debt in a period of acute depression.

Mr. President : But the honourable member referred to necessity.

Rao Bahadur Chaudhri Chhotu Ram : I think I did make an indirect reference. I was saying that in these days of depression the zamindar is in a helpless condition and if this precedent were to be followed in other cases then more than half the land in the province would be sold.

Mr. President : Perhaps the Honourable Revenue Member will throw some light on the facts of the case.

The Honourable Mr. Miles Irving : I am in a position to say what the facts are. The Financial Commissioner, in respect of the particular case mentioned by the Rao Bahadur, asked the Commissioner to report if the case was such a one as should be revised.

The Honourable Dr. Gokul Chand Narang : If I remember correctly, the honourable member started by saying that in certain cases the spirit of the Land Alienation Act had been violated : he did not say that the Act had been violated, but only the spirit. If the objection is based on the ground of the violating of the spirit of the Act, I would ask him to apply the analogy also to the spirit of the rule. The spirit of the rule is certainly being violated, though literally there may be a distinction.

Rao Bahadur Chaudhri Chhotu Ram : Personally even if the matter is doubtful I should be in favour of the question not being discussed in the Council.

Mr. President : That is my view too. The honourable member will avoid reference to the facts of the pending case.

Rao Bahadur Chaudhri Chhotu Ram : I have done with that particular case, though I could have given a few more details. So far as cases in the Central Punjab, North-Western Punjab and South-Western Punjab are concerned, I would prefer to leave their discussion to those who are in a better position to throw light on those questions. I am not.

Mr. President : Motion moved is—

That the total grant be reduced by Re. 1.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muham-madan, Rural) : I rise to support the motion. The manner in which this Act has been violated in all the districts is nothing compared to the manner in which it has been violated in the Gujrat district. In Mandi Baha-ud-din and in Gujrat itself and in Dinga village a large amount of land has been allowed to pass from notified agriculturists to non-agriculturists. This process went on from 1922 to 1925 and the deputy commissioner there imagined that the Alienation of Land Act did not apply to Small Towns and Notified Area Committees, and when in 1925 the Director of Land Records went to Gujrat he pointed out that this was an erroneous view, but by that time a big amount of land had passed from the hands of the notified agriculturists to non-agriculturists. It was thought that the evil which had been done should be undone somehow or other. So the next deputy commissioner, Mr. King, who came to Gujrat ordered that a list of such sales which had taken place in contravention of the Act should be prepared. It took several months to prepare the list and when it came to the office it was dropped and the Revenue Member in answer to a question of mine No. 2451 said that the list was lost. But if the authorities had been really anxious to maintain the provisions of the Act another list would have been prepared. It seems that they wanted that they should get out of the trouble somehow or other and no trouble was taken after that and the result was that even after that a large amount of land continued to pass into the hands of non-agriculturists from the hands of notified agriculturists. I brought up the matter of all these alienations by means of questions Nos. 2451, 2452, 2604, 2605 and they clearly show how this Act has been violated in the Gujrat district. The amount entered in question No. 2451 in 1922 is 426 mutations in a single year of sale of land in favour of non-agriculturists by the agriculturists. Imagine the number 426 in a single year—that is perhaps as high as can be imagined by any man who is the most bitter opponent of the Act—in a single district. In 1923 the number was 44; in 1924 it was 212; in 1925, 187; in 1926, 319; in 1927, 378; there is a note against this item to say that area of 111 mutations is not at present available. Then in 1928, the number was 233; in 1929 it was 348; in 1930, 333; in 1931, 444. These figures continued even after it was pointed out by the Director of Land Records that the views of the authorities were erroneous and that such a large number of violations of the provisions of the Act should not have been permitted. The thing went on and there was no check to it. Even after 1926, when the figure was 319, the figure remained as high as 378, 233, 348, 333 and 444 in 1931 and 429 in 1932 and 102 in 1933. This was a deliberate attempt on the part of some of the officials—I do not blame

[Ch. Allah Dad Khan.]

the deputy commissioner—to continue to violate the provisions of this Act and to continue to allow the land of the agriculturists to fall into the hands of non-agriculturists. There was no attempt to stop and there was no reason why it should not have been stopped when the Director of Land Records had pointed out the error. The deputy commissioner was unfortunately transferred shortly afterwards and there was nothing to prevent the violation of the provisions of the Act from taking place and no effort was made to prevent such sales cases even right up to 1933. I ask, if this Act is to be maintained, why are the authorities so cold about it? Why do they not move their little finger to stop such a state of abuse in the district? The thing is that whenever any abuse is brought to the notice of higher authorities, they simply try to shelve the matter and do not punish the offender. If they were really in earnest about it, I do not think that the thing could not have been stopped. While I say this I proceed to point out that when last year I pointed out these instances of the violation of the Land Alienation Act, the Revenue Member was ready to admit and he admitted this on page 980 of the Debates. He admitted that these sales were the result of a mistake and added that orders had issued that in future such mistakes should not be allowed to occur, and that they should be treated as usufructuary mortgages. After that eight persons of the Gujrat district reported that their land which had been alienated permanently should be restored to them or it should be allowed to operate as usufructuary mortgages. The applications were sent to the tahsildar and he made the report that the alienations were against the provisions of the Land Alienation Act, but when this report came to the deputy commissioner it was pointed out that there was an order of the late deputy commissioner who considered that the Act did not apply to a small town and therefore that order was a sort of sanction. Imagine the absurdity of this view. The deputy commissioner had said that the provisions of the Land Alienation Act did not apply to Mandi Baha-ud-din as it was given a sanction for the alienation of land of the agriculturists to the non-agriculturists, and this fact came before the commissioner. He said that this view was absolutely wrong. A search was made for that order of the deputy commissioner, but that order was not forthcoming, but on the assumption that there was an order and on the verbal testimony of some people it was held that those alienations which took place in view of the order which was not traceable should be taken as the cases of alienations in which the deputy commissioner had given sanction, but the commissioner did not uphold this view nor did the Financial Commissioner. But when the file came to the Financial Commissioner he held that there was no appeal from that order and that at the same time there was nothing to prevent him from hearing such a revision though in a case under the Land Revenue Act it has been held that matters come to the notice of the Financial Commissioner whether by application or he could treat it as a revision and could interfere. I notice the failure of the Financial Commissioner to interfere in that case. If these applications were not appeals and no appeals lay under the rules, there was nothing to prevent him from hearing these applications as applications for revision. But the case still hangs on. So much area has changed hands in a single district and it can be imagined how much would have changed hands in other districts.

I also remember another case in the Ambala district where sanction was given by the commissioner to a widow to alienate 800 bighas of land, that is about 700 kanals of her land in favour of a school. This is also a proof, if proofs were needed, to show the apathy of the Government officials in this respect and their deliberate attempt to whittle down the provisions of the Land Alienation Act. When the matter went to a civil court it upset the transaction and said that such a big area could not be alienated by a widow in favour of a school. Even civil courts have greater regard for the provisions of the Alienation of Land Act than the revenue officers whose duty it is to maintain and observe the principles of the Act. Therefore unless something is done by the Government to preserve the provisions of the Act and their proper observance, the Act will become no more than a scrap of paper. Recently there was a decision of the High Court in which it was held that *benami* transaction is legal transaction and that the *benamdar* can maintain a suit against all people except the actual beneficiary. In another case it was held that such a transaction was absolutely right. I hope the Revenue Member will kindly look up these rulings and do something to preserve the Land Alienation Act just as his predecessor, who is now the Governor of the province did, by amending the Act when a ruling inconsistent with the spirit of the Act was given by the High Court. If the Government is not prepared to do anything in the matter it may as well repeal the whole Act. As long as there are such loopholes which enable the law to be evaded, it is nothing more than a scrap of paper. With these words I support the cut motion.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, most of the things that I wanted to say have been said already and I am astonished that in spite of all these things having been brought to the notice of the Government it is still indifferent to the matter and has taken no action whatever. I may draw the attention of the House to question No. 2452 just referred to by the honourable member from Ambala. The first part of the question is :—

Whether it is a fact that alienations of agricultural land took place in Mandi Baba-ud-Din in contravention of the Alienation of Land Act.

The reply to this was 'Yes.' So, it is admitted that alienations have taken place illegally. Part (b) of the question is—

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.

And the answer is—

(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.

In answer to part (i) of the question, the Government replied :—

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.

[Mian Nurullah.]

One of my honourable friends here asks me what is meant by usufructuary. It is derived from latin and means the use and the fruit, that is, it cannot be permanently alienated. It can be alienated just for a number of years so that some advantage can be taken out of this land. In spite of all these answers and the decidedly admitted fact that the Alienation of Land Act has not been followed, I am astonished to find that there has been no action taken in respect of this matter. I should like to know what was the result of the enquiry mentioned in this answer to part (i). Secondly, I should like to draw the attention of the House to one more fact and that is the alienation of land in Dhaul in the district of Gujrat. Of course it is a commonplace thing throughout the province. Somebody is behind the scene who is anxious to buy the land. Some *benamdar* is found to purchase the land and he is financed for the purpose on his giving a promote. This *benamdar* continues to be an instrument in the purchase of more and more lands; and when the debt swells into thousands an application is made just in the interest of the man who has been buying land that he cannot pay the loan and that he must sell his land to the creditor. Ultimately what happens is that sanction is granted for the alienation of land and it eventually passes into the hands of a non-agriculturist through the *benami* agriculturist. This sort of thing I want particularly to bring to the notice of this House. It is this sort of thing which I should like to check. With these remarks I beg to support the motion moved by the leader of my party.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*): Sir, the question under discussion has already been dealt with at some length and I shall, therefore, be content with making a few observations. The Government, in answer to a question already referred to, has admitted that the local authorities made a mistake in thinking that land in a notified area was excluded from the operation of the Punjab Land Alienation Act and that the alienations of land sanctioned in the district of Gujrat were in contravention of the law on the subject. On account of this misunderstanding unauthorised alienations continued to take place for 8 or 10 long years and I say *unauthorised* because the alleged order sanctioning these alienations could not be traced on the file. When this matter was brought to the notice of the Government in 1933 by means of a question, the Honourable Revenue Member in his reply to part (i) of the question said :—

The Collector has been reminded that under the operation of section 14 of the Punjab Land Alienation 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.

From the list that was supplied with the answer to the question, it appears that only 8 aggrieved persons out of 24 could take up this matter to higher authorities. The remaining 16 could not move in the matter apparently because they had not the money to engage the services of some lawyer to file on appeal. And even in the case of 8 persons who went up to higher authorities, their grievances have not been redressed. The deputy commissioner forwarded their case to the tahsildar. The tahsildar reported in their favour, but the deputy commissioner held that as a previous collector had held that the Alienation of Land Act did not apply to notified areas,

that order must be presumed to accord sanction to the alienations. Appeals were preferred to the commissioner against this decision, but he, while holding that such sanction was not sufficient and that specific sanction for each alienation was necessary, was of the view that no appeal was competent and therefore dismissed the appeals without condescending to treat them as revision petitions. Revision petitions in these 8 cases have, I am told, been lodged before the Financial Commissioner, and I need say nothing further till the petitions are finally decided. But as regards the other sixteen alienations I understand that so far no step has been taken by the Government. If the Government is really anxious to keep the Land Alienation Act on the Statute Book, as it professes it is, it should feel its duty to take initiative in such matters. It should not wait for any individual to take the initiative. When the Act was passed the Government were of the view that a section of the people could not be trusted to look after their own interests, and that if their power to alienate, by mortgage or sale, their own lands was not restricted, they would enter into suicidal transactions and ruin themselves. If the Government thinks

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that the operation of the Act is still essential, it should guard against the encroachments on its letter and spirit very jealously. And if it thinks that such an Act is not now necessary, it should make its intentions clear, and after giving sufficient notice to the zamindars, should have the Act repealed. It is no use creating ill-feeling among the zamindars by allowing them to think that Government is not taking sufficient steps to enforce the letter and spirit of the Act, and creating ill-feeling among the non-agriculturists by allowing them to complain that an Act like the Alienation of Land Act is on the Statute Book.

Sanctions are given by deputy commissioners so profusely that honourable members of this House are being compelled to give notice of Bills amending the Alienation of Land Act in such a manner that the deputy commissioner should not have the power to sanction alienations, but that the power should be given to the Financial Commissioner. The Bills have not yet come before this House but they will come in course of time. It is, therefore, advisable for the Government to collect statistics from the whole province and look into the whole matter with a view to afford relief not only to the zamindars of Gujrat but of the whole province.

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer): The honourable member from Ambala in the course of his speech referred to a recent full bench ruling of the High Court, Lahore, dealing with the question of *benami* transactions.

Chaudhri Allah Dad Khan: That is not a full bench ruling.

Mr. President: Will the honourable member please give the number and page of the book containing the ruling referred to by him?

Chaudhri Allah Dad Khan: The judgment was given by Justice Hilton; it was not by a full bench.

Mr. President: Please give the page and volume.

Chaudhri Allah Dad Khan: I made a reference to it in passing. I have not got the book just at present. I said I will bring it in proper time in connection with another motion.

Khan Bahadur Shaikh Din Muhammad : There appears to be some misapprehension in the minds of some agriculturist members of this Council so far as the effect of that ruling is concerned. If I am permitted, I would just place before the House the exact significance of that ruling. The question referred to full bench was that if in the case of a *benami* transaction an agriculturist for the benefit of a non-agriculturist enters into a fraudulent transaction with another agriculturist, whether the real beneficiary can in a subsequent suit raise a plea of fraud to expose the fraud perpetrated on him. This question was discussed before a full bench consisting of five Honourable Judges of the High Court and they came to the conclusion that for the better protection of the agriculturists who are daily defrauded in this manner, a beneficiary should be permitted to raise this plea, so that justice might be done. Now this plea, if allowed to be raised, as was remarked by the Honourable Judges of the High Court, would help to bring to light all such cases of fraud and enable the deputy commissioner to take action under section 9 or section 21-A of the Land Alienation Act as the case may be. All such transactions which take place in contravention of the provisions of the Act are revisable by the deputy commissioner.

Chaudhri Allah Dad Khan : Will the honourable member kindly quote the page of the book ?

Mr. President : Is that a point of order ?

Chaudhri Allah Dad Khan : When he asked me to quote the page he must be able to quote.

Khan Bahadur Shaikh Din Muhammad : Now, Sir, section 9 of the Land Alienation Act says :—

If a member of an agricultural tribe makes a mortgage of his land in any manner or form not permitted by or under this Act, the Deputy Commissioner shall have authority to revise and alter the terms of the mortgage so as to bring it into accordance with such form of mortgage permitted by or under this Act as the mortgagee appears to him to be equitably entitled to claim.

The Honourable Judges of the High Court remarked that if this plea was adjudicated upon, the civil court will be in a position to come to a finding that fraud has been perpetrated and on this finding the whole matter will be re-opened by the deputy commissioner under the provisions of section 9. Then, under section 21-A of the Act, a civil court is bound to send a copy of the decree or order to the deputy commissioner, so that he might be able to see whether the order passed by it is not in contravention of the provisions of the Land Alienation Act. If it was not a case of mortgage but that of a gift or sale for instance, then section 21-A will be invoked and the deputy commissioner will be able to have an illegal transaction set aside in which one agriculturist has entered with another agriculturist for the benefit of a non-agriculturist. In order to remove the wrong notion about that ruling from the minds of the honourable members of this House, I have, with your permission, conveyed to the House the gist of that full bench authority which is being referred to as a ruling sanctioning *benami* transactions and thus harming the agriculturists. It is altogether incorrect to say that if that ruling is allowed to stand, the provisions of the Land Alienation Act would be violated in future with impunity. That is not so. It is rather in the interests of the agriculturists that that decision has been arrived

at, as I have already told the House, by five Honourable Judges of the High Court; and, the illuminating judgment of Mr. Justice Tek Chand, if any honourable member of this House takes the trouble to read it, would show that that is written rather in the interests of the agriculturists than otherwise.

Thakur Pancham Chand (Kangra, non-Muhammadan, Rural) (Urdu): Sir, the Land Alienation Act was passed in order to safeguard the interests of the zamindars but the money lenders and other such classes who are not agriculturists have been since the day of its passage trying to make it ineffective. The High Court has on many occasions ruled that the trees and other such things which are attached to the land of an agriculturist cannot be attached or auctioned in satisfaction of a decree against him. All these rulings were given under section 2 sub-clause 3 of the Land Alienation Act. But some time back a ruling was given by a division bench that trees, etc., are not covered by section 2, sub-clause 3 (b) of the Land Alienation Act. This ruling is printed on page 885 of 5 Lahore. This section reads, "A share in the profits of an estate or a holding." This ruling to which I have referred to is against the spirit of the Land Alienation Act, and shows the possibilities of attempts at contravening the provisions of the Land Alienation Act. In October last I wrote a letter to the Honourable Revenue Member requesting him to take some steps to remove the possibilities of the High Court giving such decisions which go against the spirit of the Land Alienation Act. In reply the Honourable Revenue Member wrote that such decisions had already been brought to the notice of the Government and that the Government intended to take steps to amend the Act in such a way that trees and other such property of the zamindars may come under the said section of the Act. But I am sorry to remark that up to this time nothing has been done in this direction. So long as the Government will not take steps to amend the Land Alienation Act in this behalf the interests of the zamindars cannot be safeguarded. Another ruling was given by Justice Dalip Singh in an insolvency case. Although the ruling was set aside later, at that time the land of one zamindar was actually auctioned in an insolvency proceedings. On my advice the zamindar referred to, put an application against it.

Khan Bahadur Shaikh Din Muhammad: On a point of order. Will you be pleased to permit a discussion of the High Court rulings on the floor of this House? Moreover, there are several cases pending before the High Court in which this question is involved and it appears to me that it would be inadvisable if a discussion is allowed to proceed in respect of such cases.

Mr. President: Decisions of the High Court cannot be discussed by this Council. I was just going to say that the honourable member was not in order in bringing in the name of one of His Majesty's Judges and criticising his judgment.

Thakur Pancham Chand (Urdu): Sir, I only wanted to say that steps may be taken to avoid the possibility of such rulings being given by the High Court. I did not want to discuss the *bona fides* of the Honourable Judges of the High Court. I was telling the House that a zamindar whose land was auctioned in an insolvency case put an application against that order. The sub-judge in whose court this application was made ordered

[Thakur Pancham Chand.]

that he is not authorised to interfere in the case although the sale of the land had taken place in contravention of the provisions of the Land Alienation Act. Thereupon the zamindar referred to filed an application in the court of the deputy commissioner. The deputy commissioner referred the matter to the district judge. But some months after, the deputy commissioner allowed the sale of the land. He also sent a letter to the district judge—

Mr. President : The honourable member has no right to criticise a ruling of the High Court. He cannot question the impartiality of the Judge or the legality of his judgment. He is not sitting here as a member of the Judicial Committee of the Privy Council.

Thakur Pancham Chand (Urdu) : Sir, I am not questioning the judgment of the High Court. I am only saying that the deputy commissioner after filing revision against the order of sub-judge on the application of that zamindar whose land was auctioned in insolvency proceedings sanctioned the sale and also wrote a letter to the district judge. Mutation was effected by the tahsildar according to this decision of the deputy commissioner. All this happened on account of the ruling that was given by the High Court. I only submit that section 2 sub-clause (3) of the Land Alienation Act should be so amended that the interests of the zamindars are safeguarded.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-nadan, Rural) : I wish to support this cut on various grounds. I know from my own experience that there are many ways of getting land belonging to agriculturists pass into the hands of non-agriculturists. The primary and the common method is to apply to the collector for the change of caste. Although this has not been referred to by honourable members who have preceded, I daresay they should have been familiar with this practice. An ordinary application is made and the applicant states that he belongs to a community closely allied to the agriculturist community and that his caste has been wrongly entered in the revenue registers. The application ordinarily and very often finds favour with the revenue officers, small revenue officers like qanungoes, patwaris and tahsildars. I even venture to say that these officials are consulted before the application is made. The application then goes to the collector of the district. He finds that favourable opinions have already been recorded by the lower officials and believing the applicant to be a *bona fide*, innocent creature, sanctions the change and orders entry in the records that the applicant belongs to the community known as agriculturist. In my district, a very poor district, in which money lenders act with great high-handedness, the allegation from the other side is that the moneylenders are often killed and murdered; but I will only submit that it is only a reflection on them, that their ways and means adopted in the realisation of their money and their general treatment of their debtors are reflected in these offences. The debtors who once used to be under a great obligation to the moneylenders take the sword in their hand and apply it to those who once used to be their benefactors. I hear my honourable friend by my side remarking that I am justifying those murders. I am not justifying them. Far from doing so, I should like very amicable relations to exist between the two classes. But my point is that the fault is not entirely that of the debtor.

Mr. President : I think the honourable member is not speaking to the motion under discussion.

Kanwar Mamraj Singh Chohan : I was referring to the method commonly adopted by which agriculturists' land passed into the hands of non-agriculturists and I admit that I have been digressing from the point.

There is another method by which a debtor is asked by the creditor to get the land of another debtor mutated in the creditor's name. It is a *benami* transaction. Suppose a piece of land stands in the name of a debtor A as sold or mortgaged by B. The money actually comes from the common creditor himself and the creditor takes the necessary steps to realise all the dues from the person who is actually in occupation of the land. When the burden of the debt so increases that the debtor is no longer able to pay it, an application is made to the collector as was referred to by my honourable friend that the debts are too much and cannot be discharged and that the collector should be pleased to sanction the mutation in favour of a non-agriculturist.

There is yet a third method by which some honest persons of some influence and authority are made parties to the transaction. The creditor approaches a friend and asks that some land of a debtor be mutated in his name for a short time only. Then an application is made to the collector saying that this land is not ancestral but was only acquired and that he could realise a good deal of money by selling it to a non-agriculturist and the sale be allowed. (*An honourable member :* How can any law prevent it ?) If there is good faith there can be a law to prevent it. If a wrong has to be remedied, Government can surely find out ways and means and I can suggest remedies. The ordinary enquiry that a collector, if he happens to be a conscientious officer, is contented to make is to find out whether the land is ancestral or not, whether any of the collaterals of the applicant are prepared to buy the land and whether the land could get the same value as is alleged to be offered by the non-agriculturist, in the open market. The reply is ordinarily in favour of the creditor, in favour of the financier and the land slips without any notice into the hands of the non-agriculturist. There are two ways in which the application is made to the collector. One is to apply for the sanction beforehand and then get the land mutated in favour of a non-agriculturist. The other method is, a mutation is sanctioned but the sanction for sale to non-agriculturist is given later. In the first case there is some record which can be referred to. But in the latter, there is no record with the revenue authorities and if a question is put in Council, or the revenue authorities themselves make an enquiry, no information will be forthcoming.

The first step Government should take is to make it compulsory for such sanction to be taken previous to any mutation is sanctioned by the revenue officer. In that case the revenue officer can see how much land is thus passing into non-agriculturists' hands. The case which has been referred to in Gujrat has to be viewed leniently. I would not take such a strict view of the case. For, in that case the agriculturists were fortunate in getting their lands mutated in favour of non-agriculturists without the sanction of the collector. I think that is a correct fact. There is a loophole in their favour and they can make use of it within the period of limitation.

[Kanwar Mamraj Singh Ohoban.]

But the mischiefs I have alluded to are practised elsewhere in very many cases and poor agriculturists are the sufferers and Government should come to their relief.

The Honourable Mr. Miles Irving (Revenue Member): I have looked with some attention at the actual motion before the House which is to draw attention to instances of the violation of the Land Alienation Act. And I regarded with growing concern the remarks of some honourable members which seemed to suggest that the High Court have been guilty of violation of that Act. I may say that I do not find it within the terms of the motion to discuss to what extent the Act requires amendment. This motion is not intended to draw the attention of Government to the necessity for the amendment of the Act but to instances of its violation. I may classify the cases of violation of the Act which have been brought up in the course of the debate into two. One class consists of a certain number of cases of the type of those that occurred at Pindi Bahauddin in the district of Gujrat. There, there is an unfortunate pronouncement of the deputy commissioner that the Land Alienation Act did not apply to the town of Pindi Bahauddin. That, of course, was simply a misstatement of the law because the Act does apply to the town. And in consequence of that pronouncement certain misguided money-lenders were induced to do what they thought was the purchase of a certain land from certain zamindars. They will, in course of time, find, to their surprise and annoyance, that under section 14 of the Act any permanent alienation of that kind shall, until sanction is given, take effect as a usufructuary mortgage quite automatically. Unless sanction has been given to these alienations, which I understand is not the case, these lands are in point of fact not being sold but are now only under a usufructuary mortgage. It seems to me that the persons who have been bitten by the transaction are those who thought they were buying the land.

I now come to the cases in which it is said that the deputy commissioner has given sanction in circumstances in which honourable members think that sanction ought not to have been given. But I would like to point out that that is not a violation of the Act. The deputy commissioner, under the Act, is a statutory authority with power to give or withhold sanction. He has got to apply his mind to each case. Honourable members seem to say that if they do not like the way in which he has decided a particular case, that he has violated it, whereas he has not violated it but has only carried out the law and done what the law required him to do. Therefore when honourable members ask Government what they are going to do about a case in which they may think that the legal discretion has been exercised in a wrong way, all I can say is that the Government are powerless.

The Financial Commissioner, on the other hand, has power under the Act to exercise his power of revision and pass orders. Government certainly cannot tell the Financial Commissioner what to do. The deputy commissioner under the Land Alienation Act has statutory authority, and if he exercises his discretion under the law and sanctions a sale, it is not a violation of the Act. It has been suggested that the power of sanction

should be conferred on the Financial Commissioner. This would be the worst possible solution, as in practice he would have to accept the recommendation of the deputy commissioner, and thus be deprived of his power of revision. Government has been sympathetic to the zamindars in the matter of the Land Alienation Act. It has been asked, what has the Government done to achieve the objects of the Act. I have the best reasons for knowing as only recently I, as Financial Commissioner, inquired the method in which the Act was being carried out, and found only a few cases in which sanction had been given in cases in which it was perhaps not desirable. It was generally the big zamindar who was harrassed by his creditor and who on account of his fear of arrest went to the deputy commissioner and said "For God's sake, allow me to sell my land."

I quite agree with the honourable member who said that if general sanction was given for sale on account of unsecured debt, a great part of the land of the province would be sold. The deputy commissioner has statutory power to give sanction, and Government cannot, without infringing on the powers of the legislature, lay down that the sanction be not given in a certain class of cases. Government has gone as far as it can, and it has given a list of cases in which sanction may be given; and I may add that the Government has recently ordered monthly statements of sanctions to be sent by commissioners to the Financial Commissioner, so that the situation may be watched. I, therefore, think that the House will agree that Government realises the situation and is taking all reasonable steps to see that the Act is rightly administered.

Rao Bahadur Chaudhri Chhotu Ram : I will admit at the very outset that so far as the Punjab Land Alienation Act is concerned, the attitude of Government has throughout been one of impartiality. I should even go further and admit that it has been quite sympathetic to the zamindar. Therefore, generally speaking, the zamindar section of the Council or the zamindar public outside the Council has no complaint to make in respect of the general attitude of Government towards the Land Alienation Act. In fact whenever any contravention of the Punjab Land Alienation Act has been brought to the notice of Government, it has, as a whole, acted in a reasonable manner. In some cases the defects of the law, as pointed out by High Court judgments, were brought to the notice of Government. Zamindar members urged that it had been found under the law as it stood, that the provisions of the existing Land Alienation Act lent themselves to a contravention of the spirit underlying that Act. When these defects were pointed out Government was found willing to amend the Punjab Land Alienation Act in respect of the provision in which the existing wording of the law was found to be in contravention of the spirit which actuated the initiation of that legislation. Therefore on behalf of the zamindar members of the Council as well as on behalf of the general zamindar public I sincerely thank Government for its general attitude of sympathy and a fair deal in respect of the Land Alienation Act.

The object of the present motion was particularly to draw the attention of Government to certain cases or class of cases in which there had been, on the part of executive officers, a definite contravention of the law as it exists now. One or two instances were also quoted by some of the members

[R. B. Ch. Chhotu Ram.]

to show that the law, as it stands, and as it has been interpreted authoritatively by the High Court is such that zamindars feel justified in drawing an inference that it cannot be regarded as consistent with the spirit which actuated the initiation of this legislature. These are the only two categories of cases which have been brought to the notice of Government by various speakers. I felt rather perturbed when I heard the Honourable Revenue Member saying that some honourable member had suggested that the High Court had been guilty of the contravention of the Land Alienation Act—these are the exact words which I remember he used in referring to the subject. I must reply to this at once—not a single member of the House has suggested that the High Court was in any way guilty of a contravention of the law as it stands. Well, the business of the High Court is to interpret law as it exists. The interpretation which has been placed on any provision of the existing statute may or may not be convenient to the zamindar public or non-zamindar public; that is entirely a different thing. But there has been no reluctance on the part of any member to accept the validity of the decision which has been given in any judgment of the High Court. As a matter of fact, one full bench ruling was quoted by Khan Bahadur Shaikh Din Muhammad to show that the High Court was taking a view of certain cases involving fraud, which will prove definitely of advantage to the zamindar public. If in any case of a *benami* transaction, a creditor is allowed to raise a plea of fraud and is able to establish that plea, then the establishment of that plea of fraud would entitle the zamindar to re-open the whole question. They may, in many cases of this character, get an alienation already made upset. So, that being the decision given by the High Court, it will operate to the advantage of the zamindar and not to his disadvantage. Apart from that, I feel that the impression formed by the Honourable Revenue Member of certain remarks made by certain members who spoke in favour of this motion was absolutely incorrect. Thakur Pancham Chand was making a reference to a contravention of the law, not by the High Court or any other judicial officer, but by executive officers. He made it quite clear. I do not know what accounts for the Revenue Member's erroneous impression. The suggestion made by Thakur Pancham Chand was not against the Judges of the High Court or against the High Court itself or against any judicial officers. He was referring entirely to the action of certain deputy commissioners.

There was another class of cases to which attention was drawn by Kanwar Mamraj Singh. Certain people made use of certain favourably inclined officers in order to get their tribe as recorded in revenue papers changed. That part of the criticism has not been answered by the Honourable Revenue Member. If it is true that certain officers are too ready to listen to the applications of this character, the tendency can be checked by the Financial Commissioner or even by the Commissioner by taking suitable action on the executive side. If, however, a man goes to court and prays that he may be declared as a Rajput or a Jat or a Gujjar and gets a declaration to that effect, that is a different thing entirely. But if executive officers on the revenue side give decisions favouring a change in the designation of the tribe of an owner as given in revenue papers, then certainly higher executive authorities can intervene. No reply has been

made to that criticism. I am sure, however, that failure to reply to that part of the question is not at all due to any lack of sympathy on the part of executive Government, because I know that all through the attitude of Government has been quite fair, impartial and even generous to the zamindar community in this respect. So we may rest assured that suitable action will be taken to put a stop to this particular category of illegitimate transactions also.

With regard to the alienations that have been allowed to take place within the municipal limits of Pindi Bahauddin a remark was made by the Honourable Revenue Member which does not appeal to me at all. He says that under section 14 of the Punjab Land Alienation Act if a transaction in contravention of that Act takes place, then automatically that transaction will operate as a usufructuary mortgage. But he forgets that if the alienee has definitely set up adverse possession to the knowledge of the man to whom the land originally belonged, then from that day limitation will start and on the lapse of 12 years no remedy will be left to the original owner. Therefore the cases which have been cited in respect of Pindi Bahauddin or the Gujrat district require a different treatment altogether. As a matter of fact, if I recollect correctly the answer which was given to a question put in this Council that answer seems to suggest that Government had already made its intentions clear to the effect that the revenue authorities of the district should see that wrong entries were set right. If, however, the local revenue authorities have failed to carry out those orders, it is the business of the local Government to see that those orders are carried out now. But let it be clearly understood that if those transactions still continue to be shown as sales in the revenue records and the original owners have disappeared from the column of ownership, then it is essential that Government should insist that those entries of sales should be replaced in revenue records by entries of usufructuary mortgage. Unless that is done after twelve years from the date that the alienee set up a claim of adverse possession no remedy will be left. The Financial Commissioner on the revisional side can take action and see that suitable mutations are now entered. These are the remarks I wished to make and having made them I beg for leave to withdraw my motion.

The motion was by leave withdrawn.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): Sir, I beg to move—

That the total grant be reduced by Re. 1.

With effect from the year 1932 a new burden has been imposed upon agriculturists and that burden takes the shape of certain fees levied in respect of the inspection of patwaris' records. I made a reference to this question in my speech on the general discussion of the budget. As I stated then there is no justification whatever for the imposition of this fresh burden upon agriculturists. After all even Government has had to admit more than once that no fresh taxation should be imposed on any section of the population during this period of depression. In view of that attitude of Government in respect of general measures of fresh taxation I fail to understand why the poorest section of the population should have been saddled

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with a fresh burden. After all agriculturists are not richer than non-agriculturists. They do not earn more money than other sections of the population. Their income has not increased. Their produce has not gone up and they do not get higher prices for their produce than before. In view of the fact that seasons have been, generally speaking, unfavourable to the agriculturists and also having regard to the fact that prices have been definitely and markedly lower than they used to be before, it is entirely and absolutely unjustifiable that any fresh fees should be levied from the agricultural section of the population.

(At this stage Mr. President left the chair and the Deputy President occupied it.)

Mr. Deputy President : Motion moved is—

That the total grant be reduced by Re. 1.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) : I oppose this motion because it means a great hardship for the patwari. Inspection fees and copying fees consist of two things, one, the share which goes to the patwari and the other, the share which goes to Government. With regard to the first my submission is that by abolishing the dues of the patwaris you will be doing the greatest injustice to the patwari and you will hit him very hard. The patwari, as you know, is a very valuable member of Government. He is not called a Government official, but really the whole revenue system of the Punjab is based upon the patwari. He is often a member of a statutory agricultural tribe and you will find further that he is given wages which a person would be ashamed to give even to his menial servant. He only gets Rs. 15 or Rs. 20 and if you know the details of the kind of work he does you will see how hard worked he is. Not only has he to get the revenue records in order and to look to the mutations, he has further to note down all the incidents whether connected with land or not, all the incidents that take place in the village. For instance, if A gives shoe beating to B, he has to report that in his village A gave shoe-beating to B. Similarly the patwari has to make every kind of report in his *roznamcha*. I have had occasion to preside over the three conferences of patwaris which they held in the Punjab, and I also had occasion to look into the many *roznamchas* that are kept by patwaris and I saw all kinds of reports. If it rains, the patwari has to report that it has rained and how many inches it has rained and so forth. The patwari has to note down every kind of incident. He has to measure the fields. During the day when the sun is burning hot, he has to do *girdicari*. If there is any political offence committed he has to make a report of that. As a matter of fact there is no kind of work which the patwari in the village has not to perform. In addition to all this he has to prepare the voting list for the legislative councils and district boards. He has to prepare long lists of people and sometimes he gets all sorts of abuse for omitting this man or that from the list of electorate. This is the man who is going to be penalised by Rao Bahadur Chaudhri Chhotu Ram if this proposal is accepted. He has to take *jamabandis* and big *bastas* to the tahsil on his own head. He is really a very hard-worked man, and I cannot understand if a man wants certain work to be done, if he wants certain revenue records to be copied,

why he should not pay the man who does it. If the copying fees were abolished, you would find that the poor patwari will be flooded with requests from zamindars and non-zamindars to copy out this revenue record or that record, and then there will be all sorts of complaints to the effect that the patwari was asked for a list of documents or a copy of certain mutations and he would not give it. The life of the patwari will thus be made very miserable.

The second part of the motion relates to fees taken by Government. That is a matter which can be debated upon on its merits and demerits. We should be told what is the income which Government is receiving from fees, and why Government should impose this new burden on zamindars and even non-zamindars, when this burden did not exist in 1930. Previous to this these things were not in existence, so I think the motion does not fall into two parts and there is no option for me, but to oppose the motion as it stands.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the motion under discussion. My friend who just preceded me said that if this fee is abolished the patwaris will get nothing. That is quite true, but the Government can give compensation to them by raising their pay. It is not necessary that the patwaris should be allowed to squeeze the zamindars and prey upon them. The zamindars are already overburdened and it is really a pity that out of every rupee they get out of their land they have to pay eight annas to Government. Just consider whether such a state of affairs prevails in any other part of the world. When he has to pay such heavy taxation to Government why should he be burdened with this fee also. The only result of the raising of this inspection fee is that the zamindars have given up bringing suits and consequently a large number of them have lost the right which they would have secured through a court of law if this heavy fee had not been imposed. This fee is quite iniquitous and should not have been imposed at all upon the poor zamindar. (*An honourable member*: What about the rich zamindar?) 'Rich zamindar' is a contradiction in terms. Rich and zamindar are contradictory expressions. There is no zamindar who is rich. Unfortunately this fee happens to be levied when there is so much financial stringency, the greatest since the Government took over the Punjab. If this fee was not levied at the time when the province was taken over by the Government, it should not have been levied now when the people are not in a position to pay it. It is most unwise on the part of the Government to levy this impost just when the people are starving. Now is the opportunity for Government to help the zamindar by relieving him of this impost. If the Government did that it would inspire confidence in the people that Government is really sympathetic towards the zamindars. The other day it was said that the zamindar was groaning under the heavy weight of taxation and surely this fee is an additional burden. The imposition of this fee really amounts to this, that he is deprived of his rights.

I am very sorry that this impost should have been made just when my honourable friend the Revenue Member took up office as Financial Commissioner. When he took up that office everybody including even myself felt that he would be sympathetic to the interests of the zamindars and

[Ch. Allah Dad Khan.]

they prayed for his long life and prosperity. It is as a result of their prayers that he has since been elevated to the Revenue Membership. The actual return he has done to them for their prayer is this impost. In this connection I am reminded of a story of a prospective sub-inspector of police. A man applied for the post of sub-inspector and his mother asked him what he would do for her if he was appointed a sub-inspector. He replied, 'The first thing I will do will be to put you in the lock-up.' This is an exact illustration of what has been done by the Financial Commissioner. Our Financial Commissioner, now the Revenue Member, was well-known for his sympathy for the zamindars and yet the first thing he did on his becoming the Financial Commissioner was to impose this fee on the poor zamindars who are already groaning under the heavy burden of taxation. I use the word 'heavy' advisedly, because the zamindar's income from his land is very little and he has no other source of income and therefore the tax falls very heavily upon him. I hope the Revenue Member will either abolish this fee immediately or at least give a promise to this House that he will abolish it at the earliest possible opportunity. If he does not agree to do so, we are determined to vote for this reduction motion unanimously. I have answered the difficulty raised by Mr. Nanak Chand Pandit that if this fee is abolished the patwaris will lose the fee they were getting hitherto. The Government can give them adequate compensation by raising their pay. With this difficulty removed, I am sure all sections of the House will vote for the motion if the Government declines to give the undertaking which I have asked it to give.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): Sir, I want to make only one point, and that is this, that it is not in the way of taxation that this fee affects the public, but it affects them in another way which is perhaps more harmful to the litigant agriculturists than any other kind of taxation. These agriculturists have to go to patwaris for getting copies of *jamabandis* in order to contest their claims in law courts or to execute documents about their rights in particular lands. In view of the present conditions and the general poverty of the agricultural classes it would be very hard on them if any fees are imposed on them for getting such copies. On account of such imposition of fees they will not be able to contest their claims in law courts. It is, therefore, absolutely necessary that the fee which is now chargeable for the supply of copies of records should be reduced to its former level at least to enable these poor people to contest their rights in law courts against those who infringe their rights.

Mr. Miles Irving (Revenue Member): Sir, the fee which the honourable member has objected to is one which the patwaris have been enjoying for a long time. What happened in 1932 was this. The Retrenchment Committee, in which I believe there were certain honourable members of this House, suggested to Government that they should double the present fee for copying and inspection of records and that half of this fee should go to Government, and that if this was done, Government would get a lakh and a half of rupees. Accordingly Government doubled the fees, one-half going to the patwaris as usual the other half going to Government. While the Retrenchment Committee expected a lakh and a half, the actual receipts which have been put in the current year's budget are only Rs. 60,000. As

regards the proposal now before the House, if the honourable member would withdraw his proposal for the total abolition of the fee and would confine it only to reverting to the previous *status quo* in which Government will get nothing and the patwaris will get their usual fee, I am in a position to make the promise that Government will consider the matter. The opinion of this House will be given weight to. That is only so far as I can promise, especially when my honourable friend, the Member for Finance is not here for consultation.

Rao Bahadur Chaudhri Chhotu Ram : So far as the criticism of Mr. Nanak Chand Pandit to the first part of my motion is concerned, I must admit that it is perfectly legitimate. In fact, as I was in a hurry to leave for Rohtak I made a mistake in drafting the motion. I never meant that the copying charges which were levied prior to 1932 should be abolished. The only object which I had in view was that that portion should be abolished which has been added to the fees already in force in 1932, namely, the portion which was intended to go to the coffers of Government. As, in respect of this, the Honourable Revenue Member has given at least half a promise (*The Honourable Revenue Member :* It is only a promise to consider the proposal). I interpret that as half a promise the promise to consider the matter is good enough. I consider that promise quite sufficient for my purposes and I have no hesitation in asking for leave to withdraw the motion.

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.

My object in moving this motion is to draw the attention of the Government to the rates of *malikana* ranging in the country which, I think, are not based on equity and justice. I understand that these rates were fixed some time ago when the price of produce was very high and the prices of lands were much higher than what they are now.

Kanwar Mamraj Singh Chohan : Will the honourable member please explain what he means by *malikana* ? It has got different meanings in different provinces.

Khan Bahadur Sardar Habib Ullah : I thought that most of the members knew what *malikana* was. It is levied on peasant grantees in colony areas. It has nothing to do with the areas in Rohtak or Hissar or that part of the country. When Government granted land to the peasants—I think one square was the minimum—they were given these lands on certain fixed price—and were asked to pay *malikana* which in most cases is Re. 1 per acre per crop, in others it is Rs. 2 and in some other cases it is Rs. 3 per annum. It is another name for interest. Now, why I have brought up this question before the House is this. Those peasant grantees, who are really poor, have done very good work in the colonies. The rate of interest charged from them is excessive. When the prices of all crops have fallen down as well as the cost of land, it is not justifiable to keep on charging the same rate of *malikana* from them. Another grievance is that *malikana* is being charged from them in full till they acquire the proprietary rights and till the full price is paid which, I think, is not justified because after a

[K. B. Sairdar Habib Ullah.]

man has paid half of the price, he ought to be charged only half the *malikana*. But he keeps on paying the full *malikana* till he has got the full proprietary rights and even though a small portion of the price remains he must pay full amount of these charges. This, I think, is not proper. The poor agriculturists would be hard hit. Some concession I suggest will be a great help to them and it will be very much appreciated. As the prices and rate of interest have considerably been reduced, it is right that Government should reduce the rate of interest to its tenants. It is just in the fitness of things that *malikana* rates should be reduced.

(At this stage Mr. President resumed the chair.)

Mr. President : Motion moved—

That the total grant be reduced by Rs. 100.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : This motion which has been moved by my honourable friend is a very reasonable one. No argument is required for urging a reduction of these rates. These rates are a share which Government gets on certain lands and they were fixed when better times existed, when the produce of land fetched better prices and was levied in happier times than at present. They fall very hard on the zamindar now. They took up the lands from the Government when prices were three times more than what they are now. That means they are now paying three times more as compared with 1925. For this reason these rates should be reduced. In doing this Government is not doing a favour or showing any generosity. It is only just and proper that the zamindars as tenants of the Government in cultivating these lands should get this concession in terms of the prices prevailing now. If not, sooner or later, these men will have to leave the land and then the Government will think of reducing the rates. What is the good then? If they do it now, it will be with a good grace. A thing which they are going to do out of necessity in a short time can now be done with good grace. The zamindar will appreciate it, and all reasonable men will appreciate it. The Government should consider this. Government should do it without waiting to have the bitter experience of finding no cultivators for their land and in that case they might even lose what the reduced rate might now bring. When there is nobody willing to come in they might offer very much reduced rates than what they are now asking. For this reason it is in the interest of the Government to reduce the rates so that they can have a steady income and in order that the tenants might be content and in order to have people willing to take land on rent. For these reasons I support the motion and I hope it will be accepted.

Mr. D. J. Boyd (Financial Commissioner) : I think there has been a certain amount of confusion of thought or at any rate confusion with regard to the meaning of the word *malikana*. The honourable mover of the motion spoke of it as though it was some kind of fee or dues levied upon peasant colonists while they are paying the price of their lands. This is not quite correct. *Malikana* is levied from peasant colonists whether they intend to purchase their lands or not. It is part of the rent taken by Government for Crown waste land. The entire rent consists of an element corresponding to land revenue *plus malikana*, because land revenue cannot legally be levied.

upon Government's own land. The rate consists of land revenue *plus malikana* and the whole question is whether Government is taking a fair rent or not. I think it might well be contended that in the public interest Government ought to take the maximum it can get out of Crown land, so that the burdens on the people who do not choose to cultivate the Crown lands may be lessened. For instance, I am quite sure that the honourable mover of this motion would not ask Government to reject a high tender of *malikana* for temporary cultivation. His motion would apply to that case of *malikana* as well as the ordinary fixed *malikana* paid by Crown tenants (*An honourable member* : No, no). I am sure the honourable member wants the highest tender we can get for temporary cultivation. Last year you will remember one company took land in the Nili Bar colony at the rate of Rs. 21-4-0 per acre matured. That offer was naturally accepted. Now if it is justifiable to take Rs. 21-4-0 per acre matured, is it not justifiable to take from the peasant agriculturist in the Lower Bari Doab Canal Colony Re. 1 per acre matured? That is all we take from them. They pay the land revenue which at the present moment is Rs. 2 per acre matured, *plus malikana* Re. 1 per acre matured. That is all that is taken from them. But if we put them on temporary cultivation, we can get very much higher rates. Is it justifiable for Government when they get a better offer to say no? People do not take land unless they need it. But in some cases the rates of *malikana* are even lower than what the honourable member has mentioned. In the Lower Chenab Canal Colony, for instance, it is 6 annas per rupee of the land revenue. In the case of horse-breeding grantees in the Lower Jhelum Canal Colony it is 2 annas per rupee of land revenue. In the case of the Lower Bari Doab Colony it is Re. 1 per acre matured. In the case of the Nili Bar it is Rs. 3 per acre allotted. That was the rate fixed in the Nili Bar but it has not been levied in recent harvests owing to the depression at present prevailing and Government has levied *malikana* at half rates in the Nili Bar on the matured acre and not on the allotted acre.

In the case of the perennial area it is levied at the rate of Rs. 1-8-0 per acre matured and in the case of non-perennial area, at the rate of 12 annas per acre matured. When we know what we can get from temporary cultivation I think it must be admitted that these rates are exceedingly lenient, very lenient indeed. It has often been suggested to Government that we should raise the *malikana* instead of reducing it with the object of inducing people to remain tenants for as short a time as possible and to purchase the proprietary rights of their lands. As most members are aware, in the case of the Lower Chenab Colony it was decided to sell proprietary rights to Government tenants at the absurdly cheap rate of Rs. 12-8-0 per acre. But in spite of this absurd rate there is still quite a large area in the Lower Chenab Canal Colony in which tenants have not taken the trouble to buy proprietary rights on the land but they go on paying *malikana*. If that *malikana* were a little bit higher, probably they would say, why not get rid of this burden straightaway and buy the land. When you are talking about the heaviness, the severity of the charge of *malikana* it must be remembered that in the Lyallpur district a great many people did not take the trouble to get rid of it by paying Rs. 12-8-0 per acre. I think that is a very strong argument to show that the rate of *malikana* levied is as lenient, as low as it can be. Whether it will ultimately be decided to

[Mr. D. J. Boyd.]

raise *malikana* in order to induce Government tenants to purchase their lands or not I cannot say. For the present, Government has turned down that proposal and does not intend to raise *malikana* with that object. The matter is coming under consideration again in connection with the Lower Bari Doab Colony settlement. But there again we are in bad times and I do not think that Government will be at all severe to its tenants.

I think I have said enough to show that the charge of *malikana* as levied upon Government tenants is not severe.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): This levy of *malikana* is really causing a great trouble in some parts of the colonies. The honourable mover when speaking about *malikana* probably had in view the Pir Mahal extension. I think there perhaps he himself has had to pay it. I do not know on what authority in that area they are charging *malikana* on the whole area, whether sown or not. There are areas which are allotted to people and which are never cultivated and people are asked to pay *malikana* on those areas even. Some lands have not been brought under agriculture on account of scarcity of water or bad soil or perhaps on account of its high elevation. There the peasant himself is not to be blamed. Still he has to pay *malikana* for those areas though he is not charged land revenue or water rates. The honourable Financial Commissioner has advanced the argument that because people are not coming forward to pay Rs. 12-8-0 and acquire proprietary rights evidently they find it easier or perhaps it pays them to continue giving *malikana* and not acquire proprietary rights. I happen to live in that district and I know that the people are not acquiring proprietary rights at the rate of Rs. 12-8-0 per acre for two reasons. First, they are very poor, and cannot afford to pay Rs. 12-8-0 per acre. Just for that reason it would be necessary to exempt them from *malikana* as well. These people, despite the fact that they have to pay so much as *malikana* every six months, are not paying Rs. 12-8-0 per acre to acquire the proprietary rights and stop paying *malikana* altogether. That by itself shows the urgency of the matter, how necessary it is that these people should be exempted from *malikana* as well. The second reason is that there are several joint *khatas*, and one brother out of perhaps two or three wants to acquire proprietary rights while the others do not want it. According to the present rules, it is very difficult and it is generally in very rare cases that Government allows one brother in such joint *khatas* to acquire proprietary rights. I think if more facilities are provided to the people in such joint *khatas* for the acquisition of proprietary rights they would be acquired in almost every case.

In view of these few submissions I would urge that in cases of grants, peasantry or otherwise where eventually those people have to acquire proprietary rights, and they are not acquiring them simply on account of one of the reasons I have mentioned, *malikana* should be abolished altogether.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu): Sir, this *malikana*, whether it represents interest or rent as the honourable Financial Commissioner has tried to show, is being keenly felt by the zamindars as an unbearable burden in this period of unparalleled depression. I believe the honourable mover of this motion

did not mean, as he might have been taken to mean, that this *malikana* should not be charged even on temporary grants. What he means, I think, is that the rates of *malikana* should be revised so far as the peasant and gentry grants are concerned. I admit that at the time when the present rate of *malikana* was proposed, the circumstances justified the rate. At that time the prices of land and its produce were sufficiently high and in view of the profits that accrued to the zamindars this charge was cheerfully met. But now when the lands have ceased to be profitable and when it is difficult for the zamindars to pay land revenue and *abiana*, it is necessary that these rates of *malikana* should be so revised as to fit in with the present circumstances. The honourable mover does not mean as I have said before, that *malikana* should be done away with altogether. What he wants is that the present rates being very high, they should be reduced.

The honourable Financial Commissioner tried to show that as the grantees were not prepared to pay Rs. 12-8-0 per acre to purchase proprietary rights in order to be saved from this *malikana* charge for ever and as they were paying *malikana* instead, therefore this charge appeared to be not very burdensome. I admit that the sum of Rs. 300 per square of land for purchasing proprietary rights is not much and that it is more advantageous for the zamindars and the grantees to pay this money in lump sum than to continue to pay *malikana*, but the honourable Financial Commissioner should take into consideration this fact that most of the grantees are not able to pay this sum of Rs. 300 at once. They are getting nothing out of their lands and they are so poor that it will not be possible for them to pay Rs. 300 at once to purchase proprietary rights for a long time to come, if the circumstances continue to remain as they are. The grantees and particularly the gentry grantees have complained to us on many occasions that no regard is being paid to their services. They are feeling the pinch of this *malikana* very much. If they could take up any other profession they would have by this time given up their lands.

Mr. Mukand Lal Puri : Why do they not give up these lands if they are getting nothing out of them?

Khan Bahadur Mian Mahammad Hayat Qureshi : But where should they go? They have their houses built there and whatever they had got they have invested on these lands. It is both in the interest of the Government and of the grantees that these rates of *malikana* should be reduced and overhauled to suit the times and the different places where they are charged. That is what the honourable member meant as I believe and I am sure that Government will not find it difficult to accede to this most reasonable request. With these words I support this motion.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rehtak, near Muhammadan, Rural) : Sir, I rise to support this motion. I want to make it perfectly clear that neither the mover of the motion nor any of his supporters is at all reluctant to pay what can reasonably be expected of these grantees. The State is perfectly entitled to get as much revenue or rent for its lands as it reasonably and legitimately can. The object of the mover is that the *malikana* which was fixed under entirely different conditions has ceased to be fair. If it is still regarded as fair by any fair-minded person then the position is entirely different. The mover claims and his supporters

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endorse that, that *malikana*, which was fixed, say 5 or 6 years ago, when wheat was selling at Rs. 5 per maund and cotton probably at Rs. 20 per maund, is not, and cannot reasonably be regarded, as fair to-day. There is no doubt that the rates of *malikana* which are now in vogue and which were fixed between, say 1920 and 1923, can no longer be applied to present conditions. Prices have gone down to such an extent that the rates of *malikana* which were fixed in better times have now ceased to be either fair or equitable. That is the whole point of argument advanced by the mover of this motion and later by Khan Bahadur Miun Muhammad Hayat Qureshi. I think that *malikana* at the rate of Rs. 3 per acre, which was imposed in better times can no longer be justified under present conditions. A case of temporary cultivation was cited by the Financial Commissioner who stated that a particular big firm offered as much as Rs. 21-4-0 per acre. Well, I do not know whether that particular firm has gained by the transaction at all. I have reasons to believe that this is a case of a big firm which perhaps owns about 4 thousand acres of land in the neighbourhood of the area taken on temporary cultivation. How it can afford to pay such high *malikana*, water rate, etc., I fail to understand. I am sure that if that firm is in a position to withdraw itself from the contract it will do so. When that tender was made, has not been made clear by the Financial Commissioner in his speech.

Mr. A. Latifi : Last year.

Rao Bahadur Chaudhri Chhotu Ram : If you make a reference to the company which made the tender, you will find that it is already repenting the offer.

Now, another reference was made to a definite proposal by Government that peasant grantees or grantees who have been granted land on peasant grant conditions should purchase proprietary rights at Rs. 12-8-0 per acre. But these grantees did not care to purchase proprietary rights. From this it has been argued that if they had really felt that in paying the present rates of *malikana*, they are losers, they would have paid Rs. 12-8-0 per acre readily because Rs. 12-8-0 per acre is a ridiculously low price for land. If I may be allowed to make a reference to a saying current in my part of the province it will help the Financial Commissioner to understand the real position. A poor boy without a father went to his mother and said, "Mother, there is an elephant selling for two pice. Will you kindly purchase it for me." The mother said, "Darling, the elephant is too expensive. I cannot purchase it for you." Later on, after a couple of years the mother or the boy came into immense wealth. Another occasion of the same character arose. There was an elephant selling for one lakh of rupees. The boy again went up to his mother and said, "Mother, there is an elephant which can be had for one lakh of rupees." The mother said, "Darling, I will purchase it for you; it is so cheap." What is the moral? The moral is that there are times when a thing, cheap in itself proves prohibitive in price to a man who cannot afford to pay for it. (A voice: In 1925). If the offer was made in 1925 there were no special circumstances which prevented them from purchasing land, it is most unbusinesslike that they desisted from purchasing proprietary rights at Rs. 12-8-0 per acre in 1925.

Another remedy and a very effective remedy which has been suggested in an interjection by the honourable member for Industries is that the zamindar should give up those lands. Though it may appeal to some yet it is a pity that in these days when the zamindar has been putting up a very gallant fight against conditions of acute depression, any member of this House should propose that zamindar grantees should give up the land which they are now cultivating if they find that land to be very expensive in the way of rent, revenue or water rate. When a question was asked as to where they will go in the event of giving up their lands, no answer was given by the honourable member who had proposed this particular remedy. My answer to that question is that if these zamindars are really compelled to give up their lands they will go to jails. They will probably commit offences. After all a man must live. After they have relinquished or been relieved of their lands they will have to feed themselves somehow. What will they do? They will commit thefts, they will commit burglaries, they will commit robberies, they will commit dacoities. You know that the zamindar has no bank balances to fall back upon. He can get his living only out of the land that he owns or possesses. (A voice : Or by the practice at the Bar). Yes, there are some zamindars who have entered certain professions.

The Honourable Dr. Gokul Chand Narang : Professional men may have bank balances to fall back.

Rao Bahadur Chaudhri Chhotu Ram : The Honourable Minister for Local Self-Government suggests that zamindars who have entered certain professions may have bank balances to fall back upon. But is he so very innocent that he does not know that this motion is intended for the benefit of that section of zamindars who have not entered lucrative professions? It may be that among the grantees there are some people who have entered lucrative professions, such as engineering, law or medicine. But I do not think that the proportion of such persons among the grantees is even 1 per cent. (A voice : Would you extend the concession to gentry grantees also?) Yes, certainly. Gentry grantees are people who have not entered any lucrative profession. I have been asked whether it would be fair to extend the concession of reduced *malikana* to those who have received grants of land under landed gentry grant system. May I explain that landed gentry grants were made to people who form that section of the population who were at one time in very good circumstances, who formed more or less a class of aristocrats but who had fallen on evil times. It was with the object of rehabilitating this section of the population in life that these grants were made. So, *ex-hypothesi*, landed gentry grant people are poor and they deserve as generous a treatment as any peasant who is the owner of a smaller area of land, but may possibly be in more affluent or less straitened circumstances than a member of that unfortunate class for which landed gentry grants were brought into existence. Therefore, Sir, I beg to submit that so far as the object of this motion is concerned, it ought to receive sympathetic attention not only from the official members but also from the members of the Hindu Sabha Party.

Now there is another point to which attention was not drawn. That point was at what rate and in respect of what area this *malikana* was being realised? Well, in certain parts of Lyallpur district, as my honourable friend Sardar Sampuran Singh said, the rate of *malikana* was as high as Rs. 3

[R. B. Ch. Chhotu Ram.]

per acre and under the existing rules local revenue officers were realising *malikana* in respect of not only sown or matured area but also in respect of the area which was sown but not matured. If that is true it discloses a very serious contravention of a very sound practice which has the sanction of the Land Revenue Act. In tracts under a fixed land revenue system it is true that Government is entitled to realize land revenue in respect of every inch of land that is owned by a particular land-holder. But in districts and in places where fixed land revenue system has not been introduced we must observe the ordinary incidents of a fluctuating system of land revenue. Under this system Government is not entitled to realise any land revenue in respect of area which is not sown and matured. That I believe is a correct description of the existing state of things. I contend that the practice of which advantage is being taken by certain subordinate revenue officials in the Lyallpur district is entirely wrong and very unjust.

At this stage the Council adjourned till 2 P. M., on Tuesday, 6th March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 6th March 1934.

The Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

GOVERNMENT COLLEGE OFFICE, LAHORE.

***2944. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the Government College office, Lahore, issued a circular in the beginning of September, 1933, to their students taking up B.A. supplementary examination, informing them that under the Standing University Regulations it was necessary for them to join the college in M.A. class to enable them to take their B. A supplementary examination and pay their dues for the same for four months up to 16th September 1933 ;
- (b) whether it is a fact that according to the above circular letter in case of non-payment of dues a student incurred the liability of the withdrawal of his provisional application for examination from the University ;
- (c) out of the total number sitting for the supplementary examination how many paid the dues required, to the college office and how many did not ;
- (d) whether it is a fact that non-payment of the above dues did not debar any student from appearing in the examination and they were as good candidates as those who paid ;
- (e) whether it is a fact that there was no such circular issued by the University and that there were no such Standing University Regulations and so it was not at all necessary to join the college in M. A. class ;
- (f) whether it is a fact that over two months ago several students applied for refund of their respective amounts and their applications were sanctioned by the Principal of the college ;
- (g) whether it is a fact that the college office has not paid the money back to the applicants so far ;
- (h) whether it is also a fact that one Mr. Anand Deva applied for refund of the above amount to the Principal of the college on 3rd October, 1933, and his application was sanctioned ;

[L. Jyoti Prasad.]

- (e) whether it is a fact that the college office has not paid back the amount to him up till now ;
- (f) whether it is a fact that complaints were made by him in writing to the Principal against the office staff on 18th October, 1933, and again on 16th January, 1934, for ill-treatment and non-payment ; if so, copies of these complaints may kindly be laid on the table ;
- (g) the action taken by the Principal on these complaints ;
- (h) the number of other such students who applied for refund and in spite of sanction by the Principal have not been paid back their money by the college office so far ;
- (i) the reasons of the college office for this delay and bad treatment ;
- (j) what action Government proposes to take in order definitely to avoid any such occurrences in future ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. This has been the practice according to the University Rules,—*vide* page 217 of the Punjab University Calendar 1931-32. Before issuing a circular the college addressed the University on the subject on 9th August, 1933, and received a reply on 19th August, 1933, saying that such students must join a college before appearing in the supplementary examination. However, this was not considered necessary later on by the Vice-Chancellor,—*vide* his circular no. 11806, dated the 12th September, 1933.

(b) Yes. According to the rule in force a student was liable to the withdrawal of his application in case of non-payment of fees, but no such case occurred.

(c) Out of the 32 candidates appearing in the examination 22 paid the dues and 10 did not.

(d) Yes. But after the 12th September, 1933, when the Vice-Chancellor gave the ruling referred to in (a) above.

(e) No—as is clear from (a) above.

(f) Yes. The students applied for the refund of their fees and such applications were received from 2nd October 1933 to 13th October 1933. There being a great rush of work of the admission to the B.A. and M. A. classes during these days the refund vouchers were prepared and sent to the Treasury Officer on 14th October, 1933, for verification. These vouchers were received back from the Treasury on 1st November, 1933, and were submitted to the Director of Public Instruction's office on the same day. These were received back from the Director's office on 11th November 1933. As the Director of Public Instruction's office had made certain enquiries in the matter, they were resubmitted on 12th December, 1933, and were received back duly countersigned on 6th January 1934. The bill was prepared on 6th January, 1934, and sent to the Accountant-General on 8th January 1934. Cheque received on 15th January, 1934, by the office. Received by the fee clerk on 19th January, 1934, and cashed on 22nd January 1934. Money disbursed on 23rd January 1934.

(g) The money was paid on the 23rd January 1934.

- (h) Yes.
- (i) Please see (g) above.
- (j) Copies of the complaints are attached.
- (k) No action was considered necessary by the Principal as the matter was already in the course of settlement.
- (l) All those who applied for refund have since been paid.
- (m) There has been no wilful delay on the part of the college office. The delay is due to the fact that the refund voucher has had to pass through various offices before it could be cashed and paid to the students concerned. The complaint regarding the bad treatment by the college office is not true.
- (n) In view of the facts stated above no action is considered necessary.

Letter, dated the 14th January, 1934, from Anand Deva, B.A., care of Maha Deva, Rais and Banker, Hissar, to the Principal, Government College, Lahore.

SUBJECT:—Re refund of Rs. 113 only.

WITH due respects and humble submission, I beg to bring the following facts for your kind information and necessary action:—

I was a candidate for the B.A. supplementary examination of the Punjab University held in September 1933. The college office issued a circular to me at Hissar on 3rd September, 1933, informing me that under the Standing University Regulations, it was necessary for me to join the college in M.A. class to enable me to take my B.A. supplementary examination and pay my dues for the same for 4 months up to the 18th September, 1933, otherwise my application would be withdrawn from the University. I according to the circular sent per M. O. the amount of Rs. 113 to the college office on 3rd September, 1933, and the amount was received by the college office on 6th September 1933.

On my enquiry from the University office, I learnt that it was not at all necessary for me to join the college in M.A. class and there was no such circular issued from the University to this effect. On the contrary, I was told that we the compartment students were supposed to be the members of the college without further joining, and so we could take our supplementary examination. On this information I applied for a refund of Rs. 113 from the college on 3rd October, 1933, which was sanctioned by you. I, however, did not learn anything from the college office up to 13th October, 1933, when, it was really a pity, I was compelled to bring a complaint to you against your office for misbehaviour and putting me to unnecessary inconvenience. I made another application for the refund on the same date and after getting it sanctioned by you left with the college office for further action. I do not know what action was taken by your goodself on my complaint against the college office but I regret to say that I have not been able to receive my money back so far.

It is really a pity that I have to suffer all the inconvenience and humiliation because I abided by the college circular and paid the amount immediately when I find that the students who did not pay had been well off and were as good candidates for the examination as I. As a matter of fact I have to suffer all this only for the mistake of the college office and whereas I should expect a better and sympathetic treatment. I am on the contrary being put to extra inconvenience, humiliation and gross insult. The office does not even care to pay any attention to me and thus I have to waste a lot of my time every now and then. It is really a matter of great regret that it is being felt that the students have got no self-respect of their own whatsoever and they may be treated in any manner as may be to the convenience and desire of the college office people.

Now, Sir, taking the above circumstances into consideration if no action is taken by your goodself, I regret, I shall be compelled, though quite against my will and desire to bring a civil suit for recovery of Rs. 90 only as I have managed to withdraw Rs. 23 only from the College by my personal efforts. I am sending a copy of this letter to Lala Jyoti Prasad, Rais and Member of the Punjab Legislative Council.

Hoping to be favoured with a reply at your earliest convenience.

[Hon. Malik Sir Firoz Khan Noon.]

Letter, dated the 13th October, 1933, from Anand Deva, to the Principal, Government College, Lahore.

With due respects and humble submission, I beg to state that according to the instructions issued from your office, I had paid my fees for the M.A. class for 4 months being a candidate for the supplementary examination. Later on the University issued a circular and it was not necessary to join the M.A. classes. I had put in an application for refund with the college office on the 3rd instant. I am sorry to bring it to your kind notice that I had been to the college office for many times but no attention was paid to my enquiry and I am quite in the dark about my application. Sir, I have to suffer and bear all this because I abided by the College instructions and paid my dues at once. I, therefore, request you to kindly take necessary action in the matter and oblige.

I shall feel ever thankful to you for the same.

HUNGER STRIKE IN LUDHIANA DISTRICT JAIL.

***2945. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that some prisoners went on hunger strike in January, 1934, in the Ludhiana district jail;
- (b) their grievances;
- (c) whether any enquiry has been made as to the state of affairs in Ludhiana district jail;
- (d) if so, the result of the enquiry?

The Honourable Sir Henry Craik : (a) Yes, for two or three days.

(b) They had no intelligible grievance except that it was alleged that the jail munshi had refused to write a petition on behalf of one prisoner.

(c) No special enquiry has been made but reports have been received from the superintendent and a non-official visitor.

(d) Does not arise.

DEPARTMENTAL REPORTS.

***2946. Chaudhri Afzal Haq :** Will the Chief Secretary be pleased to state—

- (a) the time when the annual reports of the various Government departments are published;
- (b) whether it is a fact that some departmental reports are not available even in the budget session;
- (c) whether the Government is considering the desirability of ordering the publication of the reports before the budget session so that members may read them in time?

Mr. C. C. Garbett : (a) and (b) A statement is laid on the table.

(c) The honourable member's suggestion would mean that all the reports would have to be published not later than February 15th. This would not be practicable in the case of the majority of the reports.

*Statement showing the latest dates by which annual reports submitted
by Heads of Departments should reach Government.*

Name of report.	Date on which report is due with Government.
Wards' Estates	1st January.
Department of Land Records	15th January.
Destruction of wild animals and snakes	1st February.
Appropriation	15th February.
Land Revenue	1st March.
Mines	Ditto.
Legal Affairs	1st April.
Chemical Examiner's	15th April.
Mental Hospital *	Ditto.
Registration	20th April.
Working of Factories Act	1st May.
Jail	Ditto.
Publications registered under Act XXV of 1967	15th May.
Joint Stock Companies	Ditto.
Public Health	Ditto.
Dispensary*	Ditto.
Government Agri-Horticultural Gardens	1st June.
Working of Local Audit Department	15th June.
Police	1st July.
Criminal Justice	Ditto.
Vaccination	Ditto.
Department of Industries	Ditto.
Lahore Central Museum	15th July.
Stamp	Ditto.
Panchayats	Ditto.
Civil Justice	1st August.
Civil Veterinary Department and Veterinary College, Lahore, and the Hissar Cattle Farm	Ditto.

*Triennial Reports.

[Mr. C. C. Garbett.]

Name of Report.	Date on which report is due with Government.
Small Towns	1st August.
Criminal Tribes	15th August.
District Boards	Ditto.
Camel Specialist	1st September.
Excise	Ditto.
Audit	10th September.
Season and Crop	12th September.
Department of Agriculture	15th September.
Municipal	Ditto.
Education	1st October.
Co-operative Credit Societies	15th October.
Forest	Ditto.
Working of Government Presses	1st November.
Colonization	1st December.
Working of the Workmen's Compensation Act	1st May.
Working of the Indian Trade Unions Act	1st September.

WOMEN TEACHERS.

***2947. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of women teachers community-wise in primary, middle and high schools and colleges ;
- (b) what steps he is taking and proposes to take to make up the deficiency of Muhammadan women teachers in Government institutions ?

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

But I should like to suggest that it will involve a great deal of trouble and expenditure in collecting all this detailed information. If it is the desire of the honourable member to draw the attention of Government to the paucity of Muslim women teachers I may state that the question has served its purpose. The reason why there are so few Muslim women teachers in

the Education Department is that there have been very few Muslim women who have qualified for the purpose of teaching, but the Department is already encouraging Muslim women teachers by employing them in schools wherever they are available. In view of this perhaps the honourable member will not press for the information being collected.

Chaudhri Afzal Haq : Perhaps you have not studied your report. In that report the figures are given.

The Honourable Malik Sir Firoz Khan Noon : If you know already, why do you ask the question? The reason is that we cannot get Muslim women who are qualified to teach, and those who get educated a little get married so quickly that they are not available for schools. I may also point out that with a view to help Muslim women we have during this year opened a B. T. class for women in a girls' school which is a purdah institution, so that Muslim women and other women who belong to classes that observe purdah may be able to get their B. T. training and then get employment in schools and colleges. In view of my reply, I hope the honourable member will not press for the information he has asked for in the question.

Chaudhri Afzal Haq : No.

FEMALE SCHOLARS.

***2948. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) the number community-wise of female students who have gone to Europe at Government expense for the last ten years;
- (b) the number community-wise of female scholars in Government college that receive stipends?

The Honourable Malik Sir Firoz Khan Noon : (a) One Christian, one Hindu and one Sikh. It may be added that a Muhammadan lady was awarded a State scholarship but she declined to avail herself of it.

(b) No stipends are awarded. The number of scholarship-holders reading at present is:—

Hindus	..	..	..	..	7
Muhammadans	..	..	..	..	2
Sikhs	..	..	..	..	3

WOMEN IN CO-OPERATIVE DEPARTMENT.

***2949. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state the number community-wise of women who are employed by the Co-operative Department?

The Honourable Sardar Sir Jogendra Singh :—

Christians	..	..	..	..	8
Muhammadans	..	..	..	..	8
Hindu	..	..	..	..	1
Total	..	..	..	..	12

FIFTH REGULAR WAGES SURVEY REPORT.

*2950. **Chaudhri Afzal Haq** : Will the Honourable Revenue Member be pleased to state whether the Fifth Regular Wages Survey Report has been published; if not, why not?

The Honourable Mr. Miles Irving : Yes.

Chaudhri Afzal Haq : When was it published? It is not available to us.

The Honourable Mr. Miles Irving : It is probably in the Council Library. It has been published several months ago. That is my recollection. I have seen it.

UNEMPLOYMENT.

*2951. **Chaudhri Afzal Haq** : Will the Honourable Minister for Education be pleased to state whether Government has arranged to take the census of the students who remain unemployed after leaving schools and Arts colleges as is taken by the Industries Department with regard to the industrial institutions?

The Honourable Malik Sir Firoz Khan Noon : No, over a million students are concerned. It will be very difficult to collect the necessary and true information, and even if it were collected, the cost would be out of proportion to the results obtained.

I think that the honourable member is as much aware of unemployment as any member can be. There is no questioning the fact that there is a lot of unemployment among the educated classes. We are turning out a very large number of graduates and matriculates. You have to advertise a post and you get hundreds of applications for that post. On that score he may rest assured that there is unemployment.

UNEMPLOYMENT.

*2952. **Chaudhri Afzal Haq** : Will the Honourable Revenue Member be pleased to state whether Government is considering the advisability of publishing at least a yearly report as to the number of unemployed in the province, if not, why not?

The Honourable Mr. Miles Irving : No, because this would in practice involve taking a yearly census of the population.

LAND ACQUISITION.

*2953. **Chaudhri Afzal Haq** : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of applications which were entertained by Government for facilities for land acquisition for the purpose of industries;
- (b) whether it is the intention of the Government that the land so acquired will be given back to the owners if the industry or mill fails?

The Honourable Dr. Gokul Chand Narang : (a) The provisions of the Land Acquisition Act have been applied in four cases to provide land for an industrial purpose. There are other cases in which Government has assisted by leasing its own land.

(b) The usual provision in such cases is that, save as Government shall permit, the land shall be used solely for the purpose for which it is provided. In no case hitherto has this provision been violated, so that the question of the reversion of the land to Government and its disposal by them has not arisen.

TECHNICAL SCHOLARSHIPS.

***2954. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the number of technical scholarships awarded to students community-wise, who have gone abroad for training for the years 1930, 1931, 1932, and 1933, and the purpose for which they have been trained abroad;

(b) whether all of them are in Government service?

The Honourable Dr. Gokul Chand Narang : (a) No technical scholarship was awarded during the years 1930, 1931, 1932, 1933.

(b) Does not arise.

TANNING.

***2955. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the activities of village demonstration party of tanning since May 1933;

(b) whether the party has taken census of those who have started tanning in the province;

(c) whether the demonstrator has published leaflets for the guidance of Chamars of the villages with regard to tanning?

The Honourable Dr. Gokul Chand Narang : (a) The party has given demonstrations at the undermentioned places since May 1933 :—

Ambala and Morinda in Ambala district	}	Demonstrations in the improved methods of tanning and manufacture of suit-cases, <i>chaplies</i> , etc.
Shahabad and Charao in Karnal district		
Borstal Institution, Lahore	}	Demonstrations in the methods of manufacture of suit-cases, football covers, etc.
Reformatory School, Delhi.		

(b) No formal census has been taken. The names of those who attend the demonstration classes at each centre are usually recorded in the work diary of the demonstrator.

(c) Yes — two pamphlets, one on tanning and the other on flaying and preservation of hides have been published.

JOINT DEVELOPMENT BOARD.

***2956. Chaudhri Afzal Haq:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the constitution of the Joint Development Board and its Executive Committee and whether it is a fact that meetings of the Executive Committee were not held for about a year ;
- (b) whether it is a fact that no meeting of such committees could be held from April 1932 to March 1933 ;
- (c) if answers to (a) and (b) are in the affirmative, why the meetings were not held ;
- (d) if the meetings are not held on the ground of economy, whether Government proposes to suspend the committees till the dawn of a prosperous year ?

The Honourable Dr. Gokul Chand Narang : (a) Copies of Punjab Government notifications nos. 994-D. and 14120, dated 22nd February, 1927, and 15th May, 1933, showing the constitution of the Joint Development Board, and a list of members of the Executive Committee are laid on the table. No meetings of the Executive Committee were held for about a year, but the Board met on the 5th June 1933.

(b) No. A meeting of the Executive Committee was held on 15th July 1932.

(c) Does not arise.

(d) No. The next meeting of the Executive Committee has been fixed for the 21st February 1934.

Punjab Government notification no. 994-D., dated 22nd February, 1927, as amended by Punjab Government notification No. 2797-Rev., dated 23rd January 1928.

In accordance with the announcement made by the Honourable Minister for Agriculture at a meeting of the Punjab Legislative Council held on the 18th March, 1926, certain leading industrialists and gentlemen interested in the promotion of the industrial and commercial welfare of the province were requested to submit suggestions and concrete proposals for the formation of a Board of Trade for the Punjab, and also to attend a meeting held for a discussion of the subject. The Punjab Government (Ministry of Agriculture) have after a careful consideration generally accepted the recommendations of this meeting and have accordingly decided to constitute an advisory body to be called the Joint-Development Board for the purposes of studying, and from time to time advising Government as regards measures which can most suitably be adopted for the economic development of the agricultural and industrial resources of the province. In particular the functions of the Board will be—

- (a) to advise Government generally as regards matters as may be referred to it for opinion ;
 - (b) to suggest lines of investigation into the causes of the decline of industries and for the encouragement of new industries, and
 - (c) to advise Government regarding applications for assistance.
2. The following are nominated by the Punjab Government to serve on the Board :—

PRESIDENT.

- (1) The Honourable Minister for Agriculture.

VICE-PRESIDENTS.

- (2) The Honourable Minister for Education.
- (3) The Financial Commissioner and Secretary to Government, Punjab, Development Department.

MEMBERS.

Officials.

- (1) The Director of Agriculture, Punjab.
- (2) The Agricultural Engineer.
- (3) The Principal, Mayo School of Arts, Lahore.
- (4) The Principal, MacLagan Engineering College, Moghalpura.

Non-officials.

Representatives of Industrial interests—

- (1) Lala Harkishan Lal, Bar-at-Law, of Lahore.
- (2) The Honourable Rai Bahadur Lala Ram Saran Das of Lahore.
- (3) Sir Daya Kishan Kaul of Lahore.
- (4) Mr. L. Lewis of Dhariwal.
- (5) Lieutenant Sirdar Sikander Hayat Khan, M.B.E., of Wah.
- (6) Rai Bahadur Lala Dhanpat Rai of Lahore.

Representatives of Agricultural interests—

- (1) Mr. W. Roberts, British Cotton Growing Association, Khanewal.
- (2) Colonel Cole, Coleyana Estate, District Montgomery.
- (3) Diwan Bahadur Raja Narendra Nath of Lahore.
- (4) Chaudhri Zafarulla Khan, Bar-at-Law, M.L.C., Lahore.
- (5) Sardar Gurbachan Singh, Rais of Alawalpur (district Jullundur).
- (6) Khan Bahadur Chaudhri Fazl Ali, M.L.C., M.B.E., of Gujrat.

SECRETARY.

The Director of Industries, Punjab.

3. The tenure of office of non-official members of the Board will be three years from the date of this notification. All vacancies occurring from time to time will be filled up by nomination by Government.

4. The rules of business of the Board will be as in the schedule annexed hereto.

SCHEDULE.

RULES OF BUSINESS FOR THE JOINT DEVELOPMENT BOARD, PUNJAB.

- I. *Board Meeting.*—(a) Meetings will be held as and when the President may direct.
- (b) Except in cases of emergency, fourteen days' clear notice of the date, place and time of a meeting shall be issued by the Secretary to all members, and to such co-opted members as may be required to attend.
- II. *Duties of the Secretary.*—(a) The Secretary will prepare the agenda and keep the minutes of all meetings. He will lay before the Board all matters for discussion.
- (b) The Secretary will have the custody of all files, and will be responsible generally for the office routine of the Board.
- III. *Rules of Procedure.*—(a) The Board shall have full powers to create sub-committees of its members to deal with particular questions or particular branches of its work.
- (b) The Board and sub-committees, shall have power to co-opt technical members, officials and non-officials.
- (c) Five members of the Board (not being co-opted members) shall form a quorum.
- (d) In the absence of the official President the senior official present will act in that capacity, and will exercise the full powers of the official President.
- (e) The President shall have a second or casting vote in cases where the votes are equally divided.
- (f) The President may, in anticipation of the Board's approval, appoint a sub-committee to report to the Board, or to Government, upon any urgent question, when he thinks that unnecessary delay would be caused by awaiting the next meeting of the Board.
- IV. *Travelling Allowances.*—A member, whether a regular or a co-opted member of the Board, may, on the countersignature of the President, draw travelling allowance as for a first class officer, in respect of a journey to attend a meeting of the Board or of a sub-committee thereof.

W. R. WILSON,

Secretary to Government, Punjab, Revenue Department.

[Hon. Dr. Gokul Chand Narang.]

Punjab Government notification No. 14120 (I. & L.), dated the 15th May 1933.

With reference to paragraph 3 of Punjab Government notification no. 904-D., dated the 22nd February 1927, constituting the Joint Development Board for the Punjab, the Punjab Government are pleased to nominate the following non-officials to serve on the Board for a period of three years :—

Representatives of Industrial interests.

- (1) The Honourable Rai Bahadur Ram Saran Das, C.I.E., of Lahore.
- (2) Sir Daya Kishan Kaul, K.B.E., C.I.E., D.B., of Lahore.
- (3) Rai Bahadur Panna Lal, Proprietor, Upper India Glass Works, Ambala City.
- (4) Shaikh Sadiq Hasan, M.L.A., of Amritsar.
- (5) Mr. Maha Narsain of Ganesh Flour Mills, Lyallpur.
- (6) Owen Roberts, Esq., M.L.C., Lahore.
- (7) Khan Sahib Chaudhri Fateh Sher Khan of Lahore.

Representatives of Commercial interests.

- (1) Lala Harkishen Lal, Bar-at-Law, of Lahore.
- (2) Mr. W. J. Campbell, Proprietor of the firm of Messrs. Smith and Campbell, Chemists, Lahore.
- (3) J. C. F. Davidson of Messrs. Bird and Company, Lahore.
- (4) Lala Moti Ram Mehra of Amritsar.

Representatives of Agricultural interests.

- (1) Mr. W. Roberts, British Cotton Growing Association, Khanewal.
- (2) Colonel Cole, Coleyana Estate, Montgomery.
- (3) Diwan Bahadur Raja Narendra Nath of Lahore.
- (4) Chaudhri Zaffarulla Khan, Bar-at-Law, Lahore.
- (5) Sardar Gurbachan Singh, Rais of Alawalpur, District Jullundur.
- (6) Khan Bahadur Chaudhri Fazal Ali, M.L.C., M.B.E., of Gujrat.
- (7) Sardar Bishen Singh, M.L.C., of Singhpura, Tahsil Batala, district Gurdaspur.

List of Members of the Executive Committee of the Joint Development Board, Punjab.

- The Honourable Minister for Agriculture (President).
 The Honourable Minister for Local Self-Government (Vice-President).
 Lala Harkishen Lal, Bar-at-Law, Lahore (Vice-President).
 The Honourable Rai Bahadur Ram Saran Dass, C.I.E., Lahore.
 Diwan Bahadur Raja Narendra Nath, M.L.C., Lahore.
 Mr. Owen Roberts, M.L.C., Lahore.
 Rai Bahadur Lala Sewak Ram, M.L.C., Lahore.
 Khan Bahadur Captain Muzaffar Khan, M.L.C., Mianwali.
 Sardar Bishen Singh, M.L.C., Singhpura.
 Khan Bahadur Sardar Habib Ullah, M.L.C., Lahore.
 Rai Bahadur Panna Lal, Ambala.
 Khan Bahadur Nawab Chaudhri Fazal Ali, M.L.C., M.B.E., Gujrat.
 Mr. J. C. F. Davidson, Lahore.
 Secretary to Government, Punjab (Electricity), Secretary for Industries.
 Director of Industries (Secretary and Convenor).

HANDLOOM WEAVING.

***2957. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that handloom weaving industry has ceased to be a paying proposition, if so, whether Government has found out the number of those who were affected by the unprecedented competition from foreign countries;
- (b) whether Government has taken any steps to save the people so affected;
- (c) whether Government has appointed any committees of experts in weaving who may suggest ways and means to protect the handloom weaving industry;
- (d) whether Government is aware of the general impression that at least 5 lakhs of weavers are affected by the competition of foreign countries?

The Honourable Dr. Gokul Chand Narang : (a) It is understood that owing to competition with the products of the Mills, both in India and abroad, the weaving of coarse cloth such as khaddar is no longer a paying proposition for the hand-loom worker, but that there are certain varieties of cloth he can still weave profitably. In regard to the second part of the question no special enquiry has, so far as the Punjab Government is aware, been made, but the Census Report for 1931 shows the number of persons employed in the textiles industry in the Punjab as 382,799. This figure includes, besides those engaged on spinning, sizing and weaving, those engaged in cotton ginning and pressing.

(b) Yes. The imposition of tariffs is a measure of protection against foreign competition. Apart from these, the handloom weaving industry in the Punjab has always received the special attention of Government which renders assistance by providing weaving classes in several industrial schools, a specialized central institute at Amritsar for higher training in handloom weaving, expert technical advice for workers through the Textile Inspector in the Industries Department and facilities for obtaining marketable designs through the Arts and Crafts Depot, Lahore. Loans are also granted under the Punjab Industrial Loans Act.

(c) No special committee of experts has been appointed, but the matter has been under the consideration of the sub-committee on weaving of the Joint Development Board.

(d) The Punjab Government is generally aware of the effect of foreign competition and endeavours to assist the local industry wherever possible. The matter is, however, primarily one for the Government of India and the Tariff Board.

Chaudhri Afzal Haq : With reference to part (d) of the question will the Honourable Minister please say whether the figure of 5 lakhs of weavers who are affected by the competition is correct?

The Honourable Dr. Gokul Chand Narang : I cannot say that. It may be more or it may be less. I have no information on the point beyond what I have stated.

PROPAGANDA BY MUNICIPALITIES.

***2958. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Government is proposing to propagate by means of posters and leaflets the point of view which appears in the report on the working of the municipalities, Punjab, for the years 1931-32, especially in its concluding paragraph at page 16 ;
- (b) whether Government is considering the advisability of appointing special officers instead of executive officers to inculcate public spirit amongst the people ;
- (c) whether Government proposes to suggest to municipalities to appoint an officer who will bring to the notice of the public the Government point of view by public lectures so that the public may send those members to the committees who promise to be regular, impartial and honest ?

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

(b) No.

(c) No. Such work must be done by public-spirited men like the hon'ble member himself.

UNDUE PRESSURE ON MAGISTRATES, AMBALA.

***2959. Kanwar Mamraj Singh Chohan :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that a number of criminal cases are proceeding in the courts of Ambala, between Rai Bahadur Panna Lall, and Lala Duni Chand, advocate, and his son, etc ;
- (b) if so, whether it is a fact that during the course of these proceedings one of the trying magistrates, Lala Ratan Chand Grover, P.C.S., reported to the District Magistrate of Ambala on 18th May 1933 that a *sifarish* was received by him on behalf of Lala Duni Chand ;
- (c) whether it is a fact that the District Magistrate in his order, dated 25th May 1933, and the Sessions Judge, in his order of 7th August 1933, and again the District Magistrate in his order, dated 21st October 1933, believed in the statement of the Magistrate on the point of this *sifarish*.
- (d) whether any action has so far been taken against the person who has been responsible for this misconduct ;
- (e) if no action has been taken so far, whether the Government propose to take any action now ; if not, the reasons for not doing so ?
- (f) whether it is a fact that the Sessions Judge, Ambala, in his order, dated 9th August 1933, called for a report from the Magistrate concerned as to the person who made this *sifarish* to him and the words used ;
- (g) whether the Government will please lay on the table of this House a copy of this report of the Magistrate which he submitted to the Sessions Judge in obedience to the latter's order of 9th August 1933 ;

- (h) whether the Government will also please lay on the table of this House the original letter of *sifarish* received by the magistrate ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) Yes.

(d) and (e) There is no proof that the person by whom the *sifarish* purported to have been written had really written it, and the District Magistrate directed the proceedings to be filed and held that further enquiry was unlikely to disclose proof of any facts sufficient to enable a successful prosecution or disciplinary proceedings to be instituted. Government do not therefore propose to take any action.

(f) and (g). Government believe that the Sessions Judge, Ambala, called for a report from the Magistrate. The report was made confidentially, and, particularly in view of the answer to (a) above, Government do not consider that any public interest will be served by disclosing its contents.

(h) It is reported that the original letter of *sifarish* was destroyed.

REMARKS BY LALA DUNI CHAND IN LAW COURTS, AMBALA.

***2960. Kanwar Mamraj Singh Chohan :** Will the Honourable Finance Member be pleased state—

- (a) whether it is a fact that during the course of his statement on 20th and 21st July 1933, in the court of Pandit Chand Narain, M.A., P.C.S., Magistrate, I class, Ambala, Lala Duni Chand, advocate of Ambala, uttered the following words in open court in response to a remark from the other party ; “ there will be bloodshed, and the whole administration of the district will be upset.”

(b) if so, whether any action has so far been taken in the matter ?

The Honourable Sir Henry Craik : Government have no information.

MUNICIPAL COMMITTEE, HANSI.

***2961. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government please state—

- (a) When the municipal committee of Hansi in the Hissar district was superseded ;
 (b) the reasons for supersession of the above committee ;
 (c) whether there has been any improvement in the administration of this committee after supersession ;
 (d) when it is going to be reconstituted ?

The Honourable Dr. Gokul Chand Narang : (a) 15th July 1932.

(b) The reasons for superseding the Committee were stated in the press communiqué issued at the time (copy placed on the table).

(c) Yes, to some extent.

(d) When the Government is satisfied that the Committee has attained financial stability and its administration has been placed on a proper footing.

[Hon. Dr. Gokul Chand Narang.]

Press Communiqué.

For some time past maladministration by the Municipal Committee of Hansi in Hissar district has caused grave concern to Government and the public. It was hoped that matters would improve under a new committee which came into office in January 1932, but this hope has been signally disappointed, and Government are satisfied that the new committee has followed the example of its predecessor in display of favouritism, mismanagement of funds and lack of efficient control. In fact with the present party factions among the members no real improvement in the administration of this municipality can be expected. Whereas the salaries of particular servants of the municipal staff have not been paid for the last three months under the colour of financial stringency, it has been observed that one official, whose removal has been recommended to the committee by local officers on account of insufficiency of work, has been receiving his pay regularly. The minimum balance of this municipal committee has remained below the prescribed minimum for five years, and the committee have taken no steps to remove this objection. In fact in recent years expenditure has generally exceeded income. In spite of inability to balance the budget the municipal committee placed contracts of the amount of Rs. 6,000 with contractors who were supported by a majority of members, and expenditure was incurred before these contracts could be cancelled at the instance of superior authority. A criminal prosecution is pending against a late president of this municipal committee on charges of embezzlement. There is a general complaint of encroachments with the connivance of municipal commissioners in Hansi town, and it appears that members themselves have been directly responsible for certain encroachments made. Further it has been found that municipal commissioners wilfully or by negligence have contributed to the deplorable sanitary conditions in Hansi town. Having regard to this continued state of maladministration Government are constrained to supersede the municipal committee and to place the Deputy Commissioner, Hissar, in charge of municipal affairs until such time as financial stability is attained and the administration of the municipal area is placed on a proper footing.

POLICE CONSTABLES.

***2962. Lala Jyoti Prasad :** Will the Honourable Finance Member kindly state—

- the number of police constables recruited in each of the districts of Hissar, Rohtak, Gurgaon and Karnal in 1933;
- the number of Jats, Gaur Brahmins, Rajputs and other Hindus, respectively, recruited in each of the above four districts;
- the proportion of the above communities to the population of each of these districts?

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

Statement.

District.	Total number of constables recruited in 1933.	NUMBER OF				PERCENTAGE OF TOTAL POPULATION.			REMARKS.
		Jats.	Gaur Brahmins.	Rajputs.	Other Hindus.	Jats.	Rajputs.	Other Hindus (including all Brahmins).	
Hissar ..	56	13	3	8	10	20.6	2.02	42.1	Note.—Separate information is not available regarding the proportion of Gaur Brahmins.
Rohtak ..	29	13	2	2	3	32.5	1.7	47.1	
Gurgaon ..	22	6	..	2	4	9.6	3.3	53.6	
Karnal ..	28	10	10	1	..	11.6	2.1	52.4	

VETERINARY AND AGRICULTURAL COLLEGES.

***2963. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture please state the number of applications for admission of Hindus, Muslims and Sikhs and the number of those admitted of each community in the Veterinary College, Lahore, and the Agricultural College, Lyallpur?

The Honourable Sardar Sir Jogendra Singh: A statement giving the required information for the years 1931, 1932 and 1933 is laid on the table.

Statement showing the number of applications received and the number of candidates admitted, community-wise, to the Punjab Veterinary College, Lahore, and the Punjab Agricultural College, Lyallpur, during the years 1931, 1932 and 1933.

Year.		NUMBER OF APPLICATIONS RECEIVED.					NUMBER OF CANDIDATES ADMITTED.				
		Muslims.	Hindus.	Sikhs.	Others.	Total.	Muslims.	Hindus.	Sikhs.	Others.	Total.
Punjab Veterinary College.	1931 ..	9	21	8	..	38	8	9	3	..	20
	1932 ..	5	11	2	1	19	3	6	1	..	10
	1933 ..	8	6	3	1	18	7	2	3	..	12
Punjab Agricultural College.	1931 ..	32	46	22	2	102	19	20	9	2	50
	1932 ..	31	32	10	2	75	26	18	10	2	56
	1933 ..	20	42	13	1	76	17	31	11	..	59

GIRLS' HIGH SCHOOL, HISSAR.

***2964. Lala Jyoti Prasad:** Will the Honourable Minister for Education please state—

- whether it is a fact that he and the Director of Public Instruction in their recent tour of the district inspected the building where the Girls' High School, Hissar, is located at present and found it quite unfit as regards accommodation, sanitation and locality, etc.;
- if so, what steps have been taken by the Government to locate the school in a fit building and good locality;
- when this school was started and the number of students on roll of the school at present?

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

(b) It is proposed to locate the school in the boarding house building of the local Government high school for boys after necessary additions and alterations have been made thereto in the beginning of the next financial year.

(c) The school was opened in May, 1929, and the number of students at present on its rolls in 199.

ROADS IN HISSAR.

***2965. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that a large number of roads outside the Hissar town have been taken over by the Public Works Department from the municipality ;
- (b) whether it is a fact that owing to excessive rains in the months of August and September several of these roads are in a bad condition ;
- (c) if so, which are these ;
- (d) when these are expected to be repaired or constructed as their condition may be ?

The Honourable Sardar Sir Jogendra Singh : (a) Certain civil station roads were taken over from the Municipal Committee, Hissar, on November 1st, 1933.

(b) No, the bad condition of some of the roads cannot be attributed as being primarily due to excessive rainfall.

- (c) (i) From the Arya Samaj High School to the railway crossing.
- (ii) From the Eastern railway crossing to the Dabra Minor.
- (iii) The approach road to the railway station.
- (d) By the end of March 1934.

RANGOI CANAL.

***2966. Lala Jyoti Prasad :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that during recent years representations have been made off and on to the Government to the effect that Rangoi canal in the Hissar district under the control of the district board is in a very neglected condition, and that its management be transferred to the Irrigation Department with the idea that the canal be improved and may give regular supply of water in future ;
- (b) whether it is a fact that replies to these representations have been that nothing could be done as there was little hope for improvement ;

- (c) whether it is a fact that there is no road for motor traffic alongside the canal and the local officers on enquiry from Government never made a tour of the Rangoi from one end to the other to find out the real state of things and also to find out ways and means for improvement in order to submit their report to higher authorities in this connection ;
- (d) whether Government is aware that the zamindars of the above villages at one time receiving irrigation from this canal and who are thoroughly acquainted with the *ilaga* are of opinion that with an expenditure below a lakh of rupees the canal can be improved and will begin to give regular supply ;
- (e) whether Government is prepared to appoint a special engineer for a short time who would make a tour of the Rangoi in company with leading zamindars of the above villages and then make a report ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes, because transfer of control could not achieve improvement in irrigation facilities which in this case depended on various other factors.

(c) There is no motor road along the Rangoi, but it is not necessary to travel from one to the other end of the canal to find out that the scheme is impracticable.

(d) Government have no information.

(e) Government do not consider that any useful purpose would be served by appointing a special engineer for the purpose.

ARMS LICENSES.

***2967. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that applications for renewal of arms licenses used to be submitted to the District Magistrate, Hissar, in the past up to the 15th of December every year ;
- (b) whether it is a fact that this time on 10th November or near about it was proclaimed by beat of drum at every tahsil head-quarters of the district that applications for renewal of arms licenses could only be made before 14th or 15th November to the tahsildars of each tahsil and that applications after that date would not be entertained ;
- (c) if the answers to (a) and (b) be in the affirmative, what was the District Magistrate's order in this connection, and whether a copy of it will kindly be laid in the table ;
- (d) the reasons for the District Magistrate, Hissar, to change the procedure to the inconvenience of the public when the rules regarding the date of submission of application remain the same ?

The Honourable Mr. Miles Irving : (a) In the past application for renewal of arms licenses were usually submitted from the 1st of December to the end of January and in some cases even later.

(b) No. It was proclaimed by beat of drum in Hissar town that licensees who did not present their applications at the tahsil by the 15th of November 1933 would have to submit them direct to the district magistrate.

(c) Does not arise.

(d) The reason for the proclamation was to ensure that licensees would renew their licenses within the prescribed period and not expose themselves to the penalties consequent on failure to do so.

FIRST CLASS MAGISTRATE'S COURT, PANIPAT.

***2968. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that Panipat tahsil has some 180 villages attached to it ;
- (b) whether it is also a fact that Panipat itself is a big commercial town with a population of over thirty thousand inhabitants ;
- (c) whether it is a fact that a first class magistrate at Karnal exclusively tries cases of the Panipat tahsil ;
- (d) whether it is a fact that trial of cases of the Panipat tahsil at Karnal entails great hardship and expenses to the litigant public ;
- (e) whether it is a fact that on representations made by the public of Panipat to His Excellency the Governor for the location of a first class magistrate's court at Panipat, the Deputy Commissioner, Karnal, in his letter No. 1325, dated 9th April 1932, addressed to Th. Lachhman Singh and Co., of Panipat, informed them that in future the *ilaga* magistrate will spend ten days in a month for trial of cases at Panipat ;
- (f) the number of days in each month since 9th April 1932 up till December 1933, during which the *ilaga* magistrate held his court at Panipat for trial of cases of Panipat tahsil ;
- (g) whether it is a fact that the instructions in Deputy Commissioner's letter above referred to have not been carried out ; if so, the reasons for the same ;
- (h) what steps Government propose to take to meet the above legitimate demand of the public of Panipat tahsil ?

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

(c) Not always.

(d) and (e) Yes.

(f) A statement is laid on the table.

(g) The instructions have not been observed literally, but district magistrate reports that the *ilaga* magistrate has spent as many days at Panipat as the state of work there justified.

(h) The district magistrate has directed the *ilaga* magistrate ordinarily to spend ten days in a month at Panipat.

Statement showing the number of days spent by the Ilaga Magistrate, at Panipat, to hear cases of Panipat tahsil, from April 1932 to 31st December 1933.

April 1932	..	..	14	February 1933	..	..	..
May 1932	..	..	13	March 1933	..	..	3
June 1932	..	..	9	April 1933	..	..	10
July 1932	..	..	6	June 1933	..	..	3
August 1932	..	..	4	July 1933	..	..	3
October 1932	..	..	1	August 1933	..	..	4
November 1932	..	..	3	September 1933	..	..	7
December 1932	..	..	3	October 1933	..	..	3
January 1933	..	..	5	December 1933	..	..	2

UNAUTHORIZED BUILDINGS.

***2969. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the number of local bodies under the jurisdiction of which temples, gurdwaras, churches and mosques have come to be erected respectively, within the last one decade on public lands without the requisite permission of proper authorities ;

(b) the number of places where these unauthorised buildings have led to communal quarrels and have been dismantled respectively through the aid of law courts ?

The Honourable Dr. Gokul Chand Narang : Collection of the information asked for would entail expenditure of time and labour not commensurate with the value of the information when available.

RECOGNITION OF SCHOOLS.

***2970. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

(a) the number of applications emanating from different communities (Hindus, Muslims, Christians, Sikhs, Jains and depressed classes separately) for recognition of their denominational schools for boys and girls (primary, middle and high respectively) awaiting departmental orders thereon for more than six months since the receipt of these applications mentioned above by the educational authorities concerned ;

[Sh. Lekhwati Jain.]

(b) whether such schools awaiting mere recognition (and not grant-in-aid during this period of financial depression) belong to the minority communities of the Punjab, viz., Hindus, Sikhs, Christians, Jains and depressed classes ;

(c) whether the Government intends to expedite the disposal of pending applications for recognition ?

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

MUNICIPAL DISPENSARIES.

***2971. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

(a) the number of municipalities having dispensaries on Ayurvedic or Unani basis as against those on Western system of allopathy respectively on 1st January 1934 ;

(b) the average attendance of patients for the last three years in the two classes of dispensaries respectively ;

(c) the average annual cost of running the two kinds of dispensaries respectively at any one of these places ?

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

CO-OPERATIVE DEPARTMENT.

***2972. Shrimati Lekhwati Jain :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of persons community-wise (Muslims, Christians, Sikhs, Hindus and depressed classes) employed on 1st January 1934 in the Co-operative Department of the Government in various capacities respectively ;

(b) what action Government intends to take in the interest of the community which is not adequately represented in various posts of the Co-operative Department ?

The Honourable Sardar Sir Jogendra Singh : (a) The attention of the honourable member is invited to item 8 on page 15 of the printed consolidated statement showing the proportionate representation of various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1934, a copy of which may be obtained from the Council Library. In addition, there are two European " Indian Civil Service " officers employed in the Co-operative Department. There is no separate classification for depressed classes, which are included in the term " others."

(b) 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

SETTLEMENT.

***2973. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state—

- (a) when in each of the districts of Punjab the last settlement took place ;
- (b) the prevailing rates of various agricultural produce in those years in these districts ;
- (c) the prevailing rates of these agricultural products at present ;
- (d) whether Government intends to reduce the land revenue in the proportion of disparity between the two rates ;
- (e) if not, why not ?

The Honourable Mr. Miles Irving : (a) and (b) Statements¹ are laid on the table. For prevailing prices are given the commutation prices on which the settlement was based.

(c) The attention of the honourable member is invited to the rates published at page 61 of the Supplement (part I) to the *Punjab Gazette*, dated 26th January 1934.

(d) No. But Government has given special remission in the assessment circles, where circumstances, including a fall of prices below commutation rates, have justified it.

(e) Government consider that temporary relief in accordance with the circumstances of each harvest is sufficient to meet the situation.

REFERENCE TO HIGH COURT RULING.

Chaudhri Allah Dad Khan : Sir, I wish to offer a word of personal explanation. The ruling which I quoted yesterday is based on the judgment of Justice Hilton, in case No. 908 of 1933, delivered on the 9th January 1934, in which the *benami* transaction has been held as absolutely lawful. The Assistant Legal Remembrancer who quoted the judgment in contradiction of mine is absolutely wrong.

Mr. President : The honourable member is making a fresh speech.

Khan Bahadur Shaikh Din Muhammad : That is not the judgment to which I referred yesterday. Nobody ever disputed the fact that *benami* transactions are valid.

Mr. President : Will the honourable member please quote the volume and page of the report which contains the full bench judgment ?

Khan Bahadur Shaikh Din Muhammad : Yes, I will.

¹Placed in the library.

GOVERNMENT'S DEMANDS FOR GRANTS.

LAND REVENUE—concluded.

Mr. President : The Council will now resume discussion on the motion *re malikana*.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, the question of *malikana* has assumed very great importance owing to the present slump in prices. Therefore I should like to draw the attention of the House to the fact that there has been a tremendous increase, all of a sudden, in the rate of *malikana* levied probably from 1925 onwards. In the older colonies the *malikana* rates varied from two annas to six annas per acre. Apart from being very low in their incidence there was another very important factor connected with these *malikana* rates, and that was that the rates were fixed on a fluctuating basis. That is, *malikana* could be realised only in respect of the area which was sown and matured. There has been a very serious departure from the old practice both in the level of rates and in the extent of the area from which these rates are realisable. With your permission I may read an extract from the Punjab Colony Manual, page 128, which in itself is an extract from the Report of the Colonies Committee :—

For future colonies the committee was of the opinion that it will be a decided advantage if it can be arranged that the *malikana* be reduced to mark the stage of acquisition of occupancy rights. The committee's suggestion is, therefore, that in future colonies the *malikana* may be fixed at six annas per acre of grant to start with, that the same initial remissions of *malikana* may be given as of the other items of the Government demands, that the *malikana* be reduced to four annas per acre when tenants, having fulfilled conditions, receive a free grant of occupancy rights.

The trend of the opinion of the Government of India may be gathered from the following extract :—

The finding of the committee met with very general acceptance as to the principles involved though there were natural divergencies of opinion upon points of detail. The Government of India were of the opinion that fluctuating assessments must continue, but that experiments in contract system and sale of water by volume were allowable. They considered differentiated schedules of water rates inevitable. On the subject of *malikana* they were very guarded, but suggested that the Local Government might, if it wished, raise the rate as far as eight annas.

On page 133 there is another very important paragraph which deals with the same subject and lays down what is there described as the latest policy adopted by Government in this respect, that is, the policy preceding the policy now in force, in some portions of the Lyallpur district, at any rate :—

In the Upper Chenab Colony it (*malikana*) is Re. 1 per acre sown, while in the Lower Bari Doab and Upper Jhelum Colonies it is Re. 1 per acre matured. The Government of India have never committed themselves to any pronouncement as to the principles on which *malikana* should be assessed, but it may be assumed that the orders on the assessment of *malikana* for the Lower Bari Doab Colony represent the latest authoritative expression of opinion. The position that *malikana* should bear any reference to the supposed sale price of the land appears to have been abandoned. The Government of India accepted the Local Government's proposal that *malikana* should be fixed at half the land revenue. After twenty years the Local Government might at its discretion increase the *malikana* up to a limit of three-quarters of the land revenue. This arrangement, it was thought, would not only ensure that *malikana* was levied at reasonable rates, but should also provide some inducement to colonists to purchase.

These extracts go to show very clearly that originally the rates of *malikana* were very low ; they were raised slowly and the latest but one is that it should be half of the land revenue assessed and should be charged only on matured areas. So far as some portions of the Lyallpur district are concerned I understand that the rate of *malikana* there is Rs. 3 per acre and the land revenue assessed per acre is, I believe, from Rs. 2-8-0 to Rs. 5. Anyway the present rate of *malikana* is both excessive and harsh in its incidence. I think the best thing that should be done is both to lower the rate and to place it on a fluctuating basis. It should not be a fixed rate on the area allotted. There are certain portions in the Lyallpur district where the colonists are unable to irrigate anything more than $\frac{1}{4}$ th or $\frac{1}{5}$ th of the area allotted to them. The water supply is inadequate. It is true that there are certain other portions where people can irrigate as much as 50 and even 70 per cent. of their land. But in the new extensions inadequate supply of water prevents colonists from putting under crop anything more than 20 to 25 per cent. of the area allotted to them. In their case the rate acts with particularly great harshness. Now suppose the land allotted is a square. He will have to pay Rs. 75 per year. Suppose he is able to put only 5 acres under crop on account of inadequate water supply. This means that he will have to pay a very high rate—Rs. 3 per acre—even for the twenty acres which he is unable to sow, without any fault on his own part. Therefore I beg to submit that the whole question of *malikana* should be gone into very sympathetically over again and such concessions as are found reasonable be given to the grantees.

I do not know whether there is likely to be any opposition to this motion on the part of the Government or on the part of non-official members representing the National Reform party. A certain member made a remark which indicated that there might be some opposition from those benches. I would remind honourable members occupying those benches that the effect of two very good speeches, one made by Mr. Manohar Lal and the other made by Diwan Bahadur Raja Narendra Nath, might very easily be spoiled by one indiscreet and rash remark. To say that zamindars should give up their land and that no concession should be made to them, is a very harsh remark, and I should like to remind the gentleman who made the remark, that wounds caused by swords are supposed to heal quicker than wounds left by harsh words. Another thing which requires to be borne in mind is this. If people are dispossessed of their lands and they have nothing else to fall back upon, it is natural that they should resort to methods—because they must live—which would be a menace to society as a whole. Let us not forget the saying—*bhuka marta kya na karta*—which means, "what sin is there which a man driven to despair by hunger will not commit."

The Honourable Mr. Miles Irving (Revenue Member) : Sir, I may say at the outset that Government always has been disposed to regard with sympathy any representation from any class of community. But just before I proceed to deal with the practical issues, I am bound, in the interests of revenue theory, to take my stand against the honourable gentleman's position as regards what he at one stage described as land revenue. Land revenue under the Land Revenue Act is levied on owners of land and Government cannot levy land revenue upon itself. There is a rather misleading practice of referring to Government charges on land occupied by tenants as

[The Hon. Mr. Miles Irving.]

partly land revenue and partly *malikana*. That is convenient in a way because it means that these people pay what they would have paid if they were owners and they pay something more. But it is definitely misleading and wrong if thereby anyone is led to understand that these people pay land revenue in any shape or form or anything which is assessed under the Land Revenue Act. They pay simply rent which is divided for purposes of classification into two portions, one resembling land revenue in quantity and one *malikana*. But the whole sum of land revenue and *malikana* is rent just as much as rent paid for a house or for any other immovable property which a landlord lets to a tenant. Therefore, there is nothing theoretically wrong in charging *malikana* on the allotted area. When a landlord charges me rent for a house I have taken, he would not let me pay half the rent because I do not occupy a certain room. There is a certain convenience if one can be assured of the rent on the land allotted, saying this is the land we let you ; do what you like with it. At the same time I am perfectly willing to admit that in practice that this works out in bad years a real hardship. Consequently Government has already changed *malikana* or this portion of the rent, from allotted to matured area on the Lower Bari Doab and on the Nili Bari Colonies and has also reduced the rate, thereby sacrificing about 10½ lakhs in the last three years. We must also remember that this land is the land of the people of the Punjab and the honourable member fully admitted that people of the Punjab have a right to expect the greatest reasonable return from it. On the other hand I am perfectly willing to admit that we must not rackrent the tenants. Therefore it should meet the honourable member if I say that Government is prepared to consider these rates in the Pir Mahal extensions which are at present rather anomalous. I think almost alone they are still charged on the allotted area, although remarkably enough we have not heard a single complaint from them. Still this anomaly will be considered by the Government.

The Honourable Dr. Gokul Chand Narang : Has any representation been made by these people ?

The Honourable Mr. Miles Irving : No.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : Sir, I have stood up to remove one or two misunderstandings which I feel called upon to remove. The honourable Financial Commissioner has said that the purpose of bringing forward this motion is to get that *malikana* reduced which the Government charges on lands leased out by them. But I want to make it clear that this is not my purpose. I am referring to an altogether different *malikana*. I still feel that it is not fair to charge that *malikana* at the present rates. The Financial Commissioner has said that it is charged by way of land revenue. But this is not the case. The *malikana* to which I am referring is charged by way of interest on the price of the land. When the tenant has paid up the whole price of the land the *malikana* is no longer charged from him. Had it been charged as land revenue it would have continued to be charged even after the price of the land is paid up. I want to make it all the more clear for the benefit of my zamindar friends that I am referring to that *malikana* which is charged from the peasants who get a grant from the Government. And that is not fair. Because as every one of us knows the Government induces some

men to take land in a colony and they are under the impression that the Government is showing kindness to them. Some of these people are such whose own lands are washed away by river floods or who sustain some other such calamity. They make the land of the colony fit for cultivation and become the cause of its becoming a habitable place. Moreover the idea of the Government in allotting lands to such peasants in fresh colonies is this that the profession of agriculture may not become extinct for those families and the agricultural class may be saved from utter ruin. So the price of the land that is charged from them is very low. Sometimes the possession of a square of land is given for Rs. 1,000 or even Rs. 400 and sometimes even a less price is charged. But the *malikana* rules are that unless and until the peasant has paid off the whole price he is required to go on paying a sum ranging from 6 annas to Rs. 8 per acre. In this connection there is one particular hardship which the zamindar has got to face, and the Honourable Revenue Member has not referred to it. When the zamindar takes some land in a colony he is required to pay the price by instalments in five or ten years. Now, how can it be presumed that since he has got that land at concession price he should necessarily go on paying something by way of interest until he pays off the whole price? For instance if I take land in a colony worth say Rs. 800 or Rs. 200 or even Rs. 50 I shall have to go on paying Rs. 2 or Rs. 3 per acre till the last rupee is paid up. This is a very great hardship. I hope that the House will pay special attention to this fact.

The Financial Commissioner has said that the *malikana* is levied in two parts. One part is supposed to represent land revenue. Then he also observed that there was no harm in paying the rent as everybody has got to pay the rent of a house in which he lives. There is, he says, nothing wrong in it. But the rent and *malikana* are two different things. In the first place you do not give the land on rent. You sell it and hope to recover the price in due course of time. Then if your landlord may wish to realise something over and above the rent due to him you will be perfectly justified to resist his demand. Moreover, if the Government were to say that out of the five rupees charged by way of *malikana* two went to the revenue side and three towards the side of the *malikana* that would have been a more understandable position. But here all the five rupees are charged over and above the land revenue. It is therefore clear that *malikana* charged in this way can be called interest only and no other name can be given to it. I, however, have not and will not propose that all the *malikana* now charged should be remitted. I know that some revenue is got from this item of our receipts. I will not, therefore, propose to materially reduce our revenue. What I want to urge is this that the rate of *malikana* be reduced. This is not an unreasonable request as the price of the land itself has gone down considerably. Moreover it will not be very difficult for the Government to reduce the rate of *malikana* in places where it is too high; and where there are no exorbitant *malikana* rates being charged there is no need to interfere and effect a change. In view of these considerations, I would like to press my motion. I am not in the habit of bringing forward extreme proposals. I have worded this motion in a very moderate language. If the Government will not accede to my request the zamindars will be subjected to a very great hardship. I have proposed only to effect a change.

[K. B. Sardar Habib Ullah.]

in the present rates of *malikana* and I have not sought to get it abolished altogether. It would be very good if the Government make the required change themselves or appoint a committee of two or three members to go into the question and propose the necessary change. I have not laid down that so much of *malikana* should be reduced or this or that percentage should be made the criterion of reduction. What I have urged is that some change in the *malikana* rate should be effected in view of the changed conditions and the changed times. I would once again commend my motion for the sympathetic consideration of this honourable House and request the Government to concede my moderate proposal.

Mr. President : The question is—

That the total grant be reduced by Rs. 100.

The Council divided : Ayes 28 ; Noes 25.

AYES.

Afzal Haq, Chaudhri.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Akbar Ali, Pir.
Allah Dad Khan, Chaudhri.
Arjan Singh, Sardar.
Barsi Lal, Chaudhri.
Bishan Singh, Sardar.
Buta Singh, Sardar Bahadur Sardar.
Chhotu Ram, Rao Bahadur Chaudhri.
Gurbachan Singh, Sardar.
Habib Ullah, Khan Bahadur Sardar.
Jagdev Khan Kharal, Rai.
Jawahar Singh Dhillon, Sardar.
Malak, Mr. Muhammad Din.
Mazhar Ali Azhar, Maulvi.

Mohan Singh, Sardar Bahadur Sardar.
Muhammad Abdul Rahman Khan, Chaudhri.
Muhammad Amin Khan, Khan Bahadur Malik.
Muhammad Hassan, Khan Sahib Makhdum Shaikh.
Muhammad Hayat Qureshi, Khan Bahadur Mian.
Muhammad Sadiq, Shaikh.
Nathwa Singh, Chaudhri.
Nurullah, Mian.
Ram Sarup, Chaudhri.
Riasat Ali, Chaudhri.
Sampuran Singh, Sardar.
Ujjal Singh, Sardar Sahib Sardar.
Zafrulla Khan, Chaudhri.

NOES.

Boyd, Mr. D. J.
Craik, The Honourable Sir, Henry.
Din Mohammad, Khan Bahadur Shaikh.
Fazl Ilahi, Khan Sahib Shaikh.
Firoz Khan Noon, The Honourable Malik Sir.
Garbett, Mr. C. C.
Gokul Chand Narang, The Honourable Dr.
Hearn, Mr. J. W.
Janmeja Singh, Sardar Bahadur Captain Sardar.
Jaswant Singh, Guru.
Jogendra Singh, The Honourable Sardar Sir.

Labh Chand Mehra, Lala.
Latifi, Mr. A.
Macfarlane, Mr. D.
Marsden, Mr. P.
Mayadas, Mr. E.
Miles Irving, The Honourable Mr. Mukerji, Rai Bahadur Mr. P.
Murphy, Mr. A.
Ogilvie, Mr. C. M. G.
Rahman, Khan Bahadur Dr. K. A.
Ram Singh, 2nd-Lieutenant Sardar Sanderson, Mr. R.
Shave, Dr. (Mrs.), M. C.
Sheo Narsain Singh, Sardar Bahadur Sardar.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the total grant be reduced by Re. 1.

As you know the zamindars were already face to face with serious difficulties owing to the abnormal fall in prices when nature itself had gone against them in as much as there was so much abundance of rainfall that almost all crops excepting, perhaps sugarcane perished in the previous *kharif*. Cotton and maize crops were especially damaged seriously, and the produce was nearly one-half as compared with the last year. Consequently the zamindars have now been reduced to a state of starvation. There is neither sufficient food for them nor sufficient fodder to feed their cattle. So sugarcane, in a greater part, had to be used as fodder. The next *rabi* crops are sure to fail for want of rain. It seems that the produce will hardly be sufficient for their own bare requirements. The spare produce, if any, will go to the *Sahukar*. In these circumstances I wonder how the zamindars will be able to make their two ends meet. It is said that at the time of the next harvest wheat will sell at Rs. 2 per maund. I think this figure will go down still further if various charges such as *ahrat* and *punarth* and the expenses of weightage, etc., are also to be taken into consideration. It is therefore high time that Government should come to the rescue of their faithful companions who are often described as the backbone of the country. I think you remember how these people willingly responded to the clarion call of the country during the Great War. These people sacrificed their all for the sake of Government. It is these people alone on whom the Government can rely in times of emergency in future as well. These people are already very hard pressed under the load of excessive taxation and any further burden on them would surely prove the last straw that would break the camel's back. I do not urge that some special concession should be granted to them but what I want to emphasise is that even-handed justice should be done to them. The abnormal fall in prices has created another hardship to them. The amount of their debt has increased by one to one hundred. It may be contended on behalf of the Government that if remissions of land revenue are to be granted like this how the expenses of administration are to be met. In reply to that I would submit that the fat salaries of Government servants should be further reduced. The reduction already made in salaries is not sufficient. The zamindars not only rendered valuable service in recruiting and sending their soul-hold dear sons in yawning death field during the War but they also subscribed to the War Loan even by selling their ornaments, etc., and by mortgage of lands. It would therefore be in the fitness of things that Government should not grudge helping those who always helped them in times of emergency. I think it would not be out of place here to say a few words about the zamindar of the *ilaga beti*. They have suffered great losses owing to floods last year. I do not think that I can adequately describe their miserable plight. It would be better to prepare a film by means of which the honourable members of the House may be made aware of their terrible sufferings. They are actually starving. Their houses being made of cords and mud collapsed and the stock of grain and other necessities were swept away completely, and consequently it was

[Ch. Muhammad Abdul Rahman Khan.]

very hard for them to pass their time in the last winter. In my tahsil many villages were ruined but no remission in land revenue was granted to them. Of course the Deputy Commissioner, Mr. Amin-ud-Din and the Commissioner Mr. Ferguson sympathised with them and granted them relief out of the charity fund but that was not adequate. Moreover the relief was not granted immediately but after the passing of the winter season. Many of the people being exposed to the inclemency of weather perished. Under these circumstances I would submit that in order to afford a permanent relief to the zamindars either the system of land revenue should be based on principles that govern income-tax or the *batai* system should be introduced instead thereof or the land revenue should be assessed as in section 48 (b); Punjab Land Revenue Act, 1928. In the latter case both the Government and the zamindars will have no occasion to complain. I am really very sorry to observe that while Government give all sorts of concessions to the urban people they care a fig for the general welfare of the rural people. No income-tax is levied on a non-zamindar whose annual earnings do not exceed one thousand rupees, while in the case of a zamindar land revenue is charged for each marla of his land. As there is no prospect of any increase in prices in the near future the Government would be well advised if they reduce the rates of land revenue. The past history of this country clearly shows that such sufferings of the zamindars always leads to revolutions

تاریخ شاہد ہے کہ زمینداروں کی حالت ابتر-حکومت میں انقلاب

I would quote the opinions of some of the Government officers.

مسٹر رومیش چندر دت آئی۔ سی۔ ایس کی رائے ہے کہ مالیہ زمین کی زیادتی اور اس کے وصول کرنے کے طریقے زمیندار کے مقروض ہونے کی ایک وجہ ہے۔ وہ کہتے ہیں کہ گذشتہ ۵۰ سال میں وصول شدہ مالیہ کی رقم بہت زیادہ بڑھ چکی ہے۔ حالانکہ اکثر فصلیں نہایت خراب ہوتی رہیں۔ مسٹر ڈار لنگ نے بھی اسکو تسلیم کیا ہے کہ ایسی فاکٹس بہ حالت میں اسقدر زبردست کچل ڈالنے والے بوجھ کے تلے دیبی ہوئی رتہ کی ہڈی کے نتائج ضروری ہے کہ راجی اور رعایا کے لئے پر خطر ثابت ہوں۔

ایک شاعر نے کہا ہے

راجے اور نواب زیادہ سے زیادہ دولت مند ہو جائیں یا صفحہ ہستی سے مٹ جائیں ہمیں ان سے کیا مطلب؟ بادشاہوں کی ایک جنبش لب لگی راجوں اور نوابوں کو پیدا کر سکتی ہے۔ جیسا کہ اسی ایک جنبش سے وہ پیدا ہوئے۔ لیکن بہادر اور مضبوط کسان جنکے دم سے انکے وطن کا سر فخر بلند ہے ایک بار اگر آجاء ہو جائیں تو پھر یہہ کسی کہی پوری نہیں ہو سکتی۔

I would therefore request that justice be done to the zamindars. As my party has pointed out to me that 40 per cent. remission in land revenue will be too much I propose that instead of 40 per cent. only 25 per cent. remission may be made in land revenue. It may be asked, if that is done, how are the expenses of administration to be met? To that I would

say that further reduction in expenditure may be made. I see no appreciable change in the position of the zamindars while the same rates of land revenue are being charged. The Government servants are enjoying the same scales of pay as they were drawing before the general depression began. I therefore propose that all salaries above one hundred per mensem should be considerably curtailed. As the punjabi maxim goes.

جو حال مچھی دیکھنا ہے اگر مچھی دیکھ تو مچھ جائے

If the Government had known how much the public money is being wasted they would have been taken by surprise. Originally $2\frac{1}{2}$ crores of rupees were sanctioned for the Hydro-Electric Scheme. The expenses eventually rose to 7 crores. The expenses were not properly controlled. Similar is the case of expenditure of the Railway Department.

Mr. President : That is a central subject.

Chaudhri Muhammad Abdul Rahman Khan : The Public Works Department is also very extravagant. It squanders the public money most inconsiderately. If the expenditure of such departments is curtailed a considerable saving can be effected. With these words I commend my motion to the acceptance of the House.

Mr. President : Motion moved is—

That the grant be reduced by Re. 1.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, I have full sympathy with the motion which has just now been brought forward by the honourable member who has just preceded me. I think the time has arrived when Government must revise its policy with regard to land revenue. It will be admitted on all hands that the fall in prices of cotton, wheat and other cereals is of a permanent nature. My own view is that there is not going to be any very great recovery in the prices of the produce of land. My reasons for saying this are, in the first place, that we find that everywhere in the world large tracts of land have been brought under cultivation. For example in Russia recently large amount of land has been brought under cultivation ; in Brazil and similarly in other American countries, large tracts of land have been brought under cultivation and we know as a matter of fact, at least this is what I read in a number of papers that in Canada the people had to burn their corn. The produce of corn there was in such a large quantity that they had to burn it. That is one reason. The other reason which I submit for this large increase of produce is that there is now every day an improvement in scientific machinery by which production is carried on. During the last many years machinery has been so perfected that where an ordinary man could produce out of one acre ten maunds, for the sake of argument, now he can produce 40 or 50 maunds of corn and this increase in machinery is responsible for a very large production all the world over. These new methods are not being tried in India to the same extent as they are in America and European countries, but it is a fact that on account of these scientific inventions the production has been increasing at a very rapid pace. The result of these two important factors is likely to be that there is not going to be any permanent rise in the prices of the land produce. These two important factors

[Mr. Nanak Chand Pandit.]

being there, I conclude that so far as India is concerned, there is not going to be any appreciable increase in the prices. Then we know from the speech of the Honourable Finance Member that land revenue and *abiana* are the main sources of the Punjab Government's income. Land revenue is about 4 crores every year. If there has been such a great fall in prices everywhere, it is necessary that there should be a similar decrease in the land revenue. But Government can very well come forward and say, "How are we going to make up the deficiency in our income?" And it is on that point that I will address a few remarks both to Government members and the zamindar members.

The zamindar members are in the habit of looking to land as the main source of income of Government, but it is essential that we must have in this province new sources of revenue for Government and that can only be if there is an industrial development in this province. The zamindar members ought to realise that really there is absolutely no difference of interest between what are called the non-agricultural classes and the agricultural classes. There is a unity of interest between the two and it is to the benefit of the zamindars if the produce of the land is converted into manufactures of various kinds and thus an impetus is given to industry. Unfortunately the attitude adopted by the zamindar party has not been in keeping with the prosperity of the province. I remember to have read in the proceedings of this Council that in the first session of the first Legislative Council a Bill was brought forward by Mr. Harkishan Lal who proposed that if land needs to be purchased for industrial purposes the Land Alienation Act should not apply. Such a very healthy provision of the Bill was opposed by the members of the zamindar party and it was defeated. It should be the outlook of the zamindars, and I may submit, of everybody in this House, to do everything that lies in their power for the promotion of industry, because unless there is another source of revenue, Government will find itself in a very awkward position. It cannot possibly give that relief to the zamindars which the zamindars deserve at this time. Therefore, that is one very important matter which I would place before the honourable members who are anxious that everything should be done for the zamindar, especially for the peasant. We on this side of the House realise as the honourable members realise on the other side of the House that the prosperity of the Punjab is really dependent upon the peasant. There is nobody who is more alive to the fact than I am that if the prosperity of the Punjab is to be looked to, you shall have to make the Punjab peasant prosperous by any means possible. The lawyer, the Government servant, in fact everybody derives his income from the Punjab peasant. The peasant is the backbone of the province. It is he who provides the largest number to the army and therefore my very respectful submission to the honourable members who call themselves zamindar members is this, that it is their duty that in order to safeguard his interest they should do everything that lies in their power to increase and to give an impetus to the industrial development of this province. There are two suggestions which I will make to the Government for bringing the industrial problem to the forefront. One is as regards the hydro-electric scheme. The power should be utilised for machines and manufactories as well as for agricultural development. It should not be

wasted in the cities as it is proposed to be done. It should be utilised for productive purposes, both agricultural and industrial. That is one submission that I would make with regard to the hydro-electric scheme. It will be found that when this power is utilised for industrial and agricultural purposes, the income of the province will go up and the result will be that it would be possible to give substantial relief to the zamindars.

I am very glad that the proposer of this motion has reduced his demand from 40 per cent. to 25 per cent. It may be slightly less but so far as I am concerned I say this that I am in full sympathy with the spirit of the proposal that has been brought forward. There are various tracts in the Punjab which are in a state of perpetual famine. I know the Hissar district where there is very little of canal irrigation. For the last five years the district has been in a state of perpetual famine. I can say this with regard to Hoshiarpur and Jullundur districts on account of various causes, for instance the fall in the level of water. There is not that same amount of irrigation as was possible some years ago. It is known to everybody that so far as the district of Hoshiarpur is concerned, it is being turned into a waste and well irrigation is not possible to the same extent as was the case in the past. It is a very serious problem which is before the people who reside in the districts of Hissar, Hoshiarpur and Jullundur. Similarly take the district of Kangra. That is also a very poor district and when there is a fall in the prices of commodities naturally the Kangra people cannot pay the same amount. We do not hear Muzaffargarh brought to the forefront as it used to be done in the past Council on account of the absence of our friend Pir Muhammad Hussain, but that is another district which will show how the zamindar is hard hit on account of this fall in the prices. So there is this very important fact which we have to bear in mind that there is this decrease in the prices of land produce and this decrease is going to be permanent. If there is a slight increase it will not affect the problem very much. We have to tackle in all seriousness this problem. Besides wheat, cotton and other land produce are merely dependent on the freaks of nature. There might be no rainfall or there may be too much of it, and the province whose income depends on such a precarious source as rainfall cannot be called a prosperous province. It is a very serious problem and it must be tackled in all seriousness. We cannot go on in this manner for ever. It is undoubtedly true that the small peasant, the poor peasant has been paying land revenue at the expense of his honour. That is a fact which must be borne in mind by everybody. That is why he has been getting into the clutches of shylocks and money-lenders. (*Chaudhri Zafrulla Khan : Oh !*). My honourable friend says 'Oh.' He probably thinks that I stand for shylocks. (*Chaudhri Zafrulla Khan : I only expressed surprise at the remark coming from you. If such a remark had come from any member on this side it would not have surprised me.*) My honourable friend ought to know that I always support the cause of justice. I never take a narrow limited view of things. I always take a broad view and therefore my friend Chaudhri Chhotu Ram is naturally very thankful to me. (*Laughter*).

Coming to the next point, the other day the Government levied a tax on sugar. The Punjab is just going to develop its sugar industry when this

[Mr. Nanak Chand, Pandit.]

tax comes to be imposed on it by the Central Government. Surely sugar industry cannot in this way prosper in this province. Similarly, this province can well manufacture cloth and also take to manufacture oils of various kinds and thus the province can be made a rich province. It has got willing people, people who can work hard. It has also got capitalists who can organise industry. There seems to be a desire both on the part of Government and on the part of the zamindar party to come to the help of the poor peasant. I submit that if both of them adopt the right attitude in the matter, this problem can be solved.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Sir, this is one of the most important motions that will be brought forward during the consideration of the budget. It is a fact that the poor peasant is like the patient donkey which has to carry any amount of burden of its master. He has to carry all the load of taxation on his back. The time has now come when Government has to revise its policy. How long does the Government believe the poor peasant will be able to carry all this burden in order that the present costly administration may go on? The time is not very far when the back of the poor peasant will break down. It is no use looking at the past when the prices of crops were very high and when the peasant did not grudge paying extra money to Government. Now, owing to the fall in prices of his produce he is unable to realise from his land even the bare necessities of his life. Nothing is left to him after paying *abiana* and land revenue. Everybody who is not even a zamindar knows that. The Government cannot hope hereafter to collect the fullest measure of land revenue from the peasant which they used to take from him in times of prosperity. The sooner the Government realised this, the better. A time will come when the poor peasant will refuse to pay his dues to Government, not because of his participation in the non-co-operation movement but because of his inability to pay. Everybody knows that last year the villagers had to sell all their gold to meet the Government demands. Even ornaments sacred to every woman's heart had to be sold by the peasant. The gold which the Government of this country thinks no harm in exporting, Europe and America are importing with avidity. Only the ministry which closes its eyes to the interests of the country will consider that gold is useless. Anybody with eyes open knows that gold is an absolute necessity in modern currency and exchange and that the future of a country depends upon the amount of gold in its possession. Government may very well say, 'If we are not to have our revenue how is the administration to be carried on?' No doubt if the Government loses its land revenue it will be very hard indeed for it to make both ends meet. But there are different ways in which both ends may be made to meet. First of all, a drastic cut in expenditure can be effected. The expenditure on pay can be brought to the level of 1898 standard or even 1890 standard. Government may say that the salaries consume a very small portion of the total expenditure of Government. Still the Government can reduce the pay to the level which prevailed in the years that I have just mentioned. If all the services have their scales of pay reduced no one will grudge that. It is a common sight to see hundreds of thousands moving about without employment. For the same cost of administration more people may be employed on a smaller scale of pay and

this would reduce unemployment." Government can start industries. My friend, the Minister for Local Self-Government is a great industrialist himself and we had great hopes that when he took up the portfolio of industries he would start good many industries in the province. But four years have elapsed and he has not made even one inch of progress. It is therefore clear whether the Minister is an urban member or a rural member, industries have no chance of flourishing under the present system of Government. The Minister sometimes used to complain that it is not possible to get money from the Government for developing industries. I really wonder what that Government is if the Minister does not constitute that Government. It cannot be said that the two Executive Councillors stand in the way of more money being allotted for the development of industries. We have now an Indian Governor for this province and therefore there are four Indian members in the Government as against two European members and the latter cannot overrule the wishes of the former.

The Honourable Dr. Gokul Chand Narang : Where to get the money from ?

Shaikh Muhammad Sadiq : I would have shown if I were in your place.

The Honourable Dr. Gokul Chand Narang : You will not suggest unless you are here, is that so ?

Shaikh Muhammad Sadiq : I will, even if I am not in your place. It is well known that every country depends upon its exports for its development. No sooner did the exports fall in England and the imports increase than there was an absolute outcry in the country. If the ministry that we have here at present had been in existence at the time in England it would have been smashed in a few seconds. What happened in England ? The labour ministry fell and a national government was formed. (*An honourable member :* The ministry here also is national). The Ministers are nationalists only so-called. Now, what happened in England ? First an effort was made to make exports and imports equal. Here, what is happening ? Not a grain of wheat is going out of the country. The export of cotton has also stopped. Only hides and skins are exported which bring in a few lakhs of rupees. I challenge my friend, is it not a fact that we import every year 10 to 15 crores worth of goods from outside the province and export goods worth only a very few lakhs ? How can a country prosper where the exchange is so unfavourable ? In England the Government brought down the currency to a level 25 per cent. below its old rate. In America also they depreciated the dollar value by forty-five per cent. of its old value with the result that there is a trade boom now. It is as a consequence of this that you have cheaper motor cars in India. If the Government of this country followed the same policy, every inch of land, *barani* and non-*barani* would have been brought under cultivation of wheat and we would have been able to compete favourably with Australia and Canada where they were once destroying their over-production of wheat. On the other hand we have an inflated exchange over here. No country in the world except ours has inflated its currency.

I shall now answer the question, how to raise more money. There is the hydro-electric scheme. My party has been accused of sanctioning a scheme which has proved fatal to our province.

Mr. President : That is a thing of the past.

Shaikh Muhammad Sadiq : But it has a great bearing on the future. If we made a mistake once we should not make a mistake again.

Mr. President : Is the mistake going to be repeated ?

Shaikh Muhammad Sadiq : What I wish to point out is this. We have already spent 7 or 8 crores on the scheme. My friend can risk one more crore and make the electricity available in every village.

The Honourable Dr. Gokul Chand Narang : How is this one crore to be raised ? Is it by cutting down the revenue by 40 per cent. ?

Shaikh Muhammad Sadiq : That amount can be raised by a loan. The first stage of the scheme has been completed. There are yet two more stages. If these two stages also are completed, the cost of producing energy can be brought down and consequently the cost of energy for the consumer will come down. The poor peasant will naturally avail himself of the cheap energy in order to raise his annual income from land.

The Honourable Dr. Gokul Chand Narang : Then you want to postpone this till that has been done ?

Shaikh Muhammad Sadiq : That is for Mr. Miles Irving to answer. I suppose he has not given the Honourable Minister any power to answer on his behalf. The Honourable Minister will please hear first and then say what he wants to say. We find that in the Punjab there are at least 5,000 lorries which are now running parallel to railways. You know, Sir, that these consume a lot of petrol. If you have got light railways as in Europe running say between Amritsar and Majitha and some other places every penny that is saved in petrol charges can be used in the hydro-electric power which can be better utilised. Money not going out of the province is money saved to the province. Money is now sent to outside countries for purchasing petrol. Why not use the money here ? It may be said that after all people will pay. But why not the Government take that money which is going to the Persian Oil Company or the Standard Oil Company and have industries in the country ? We can have a lot of industries in the Punjab. Punjab is one of the best fruit growing provinces in the whole of India. If within five years England had made great strides in canning industry by increasing its production 50 times, the Punjab, a land with plenty of fruits should be able to start an industry in that line. To-day we get canned fruit from California.

The Honourable Dr. Gokul Chand Narang : Why do you not do it yourself ?

Shaikh Muhammad Sadiq : Because the Minister is there. How can we do it when the Minister is there ? He ought to know, if he has studied the industrial history of France, Germany and other countries, that Government help in a country like India is most essential and nothing can be done without Government help. We have not got a canning machine here. I understand they are going to import ready made machines. If the Government only pays Rs. 50,000 or one lakh or guarantees 1 to 2 per cent. interest, I am sure hundreds of companies will be started for promoting industries. Unless the Government changes its policy there is no good. They must remember that the poor zamindar is hard hit. We know that

the poor zamindar is going to make a revolt—not because he loves revolt, but because he has got a stomach to feed. The only policy is an industrial policy which is going to save this province. If Government servants are to get their salaries properly they must see that there is prosperity in the province and the only way for that is industry. Although we have been crying hoarse for a revision of the policy, nothing has been done for all these years. We had great hopes with the change of ministry. We hoped that that change would be followed by a change in the industrial policy. Three years ago they promised a lot. Guarantee 2 per cent. interest to the people and they will start new companies. Give 1 or 2 lakhs of rupees for this purpose. If one year there is extra rainfall, it will cost you 20 to 30 lakhs of rupees by taking away canal embankments. But with one or two lakhs guarantee you can start industries and with a capital of couple of crores in a year. I know they will oppose this cut. The honourable gentleman has already opposed it. But by opposing it and by opposing our demands they will never save this country. Now we find that even in Siberian tracts where nothing could be grown modern science has given seeds which can be grown there in those Arctic regions. They grow wheat now in the coldest regions. In some of the worst portions of Canada they are producing wheat because they have created such a type of wheat which can grow there. Here in the Punjab which is mainly agricultural and grows wheat in a large quantity, how can they get on unless they export something? See the Amritsar market. They are importing 5 crores worth of cotton and silk goods from outside. How can this country afford to pay this amount unless it exports something and sells its goods outside? (*Laughter*). Members may laugh; they may smile. They may in their wisdom think that we are merely opposing as a matter of course. I am not speaking simply because I want to make a speech. I have got the interests of my country, of my people at heart. I am every day thinking of the poor people jobless, foodless and homeless, of the widows who have none to support them, the poor orphans with nothing to live upon. People living in big bungalows and *kothis* may not realise this. But we who live in villages and towns we know how difficult it is for the poor people to make both ends meet. I know of cases where people have got only one meal a day. I have heard children weeping, because they had nothing to eat. I am not exaggerating. Honourable members should not think that I am exaggerating things. I am saying this with all sincerity and with all honesty. Those who live outside in big cities do not know the actual state of affairs. Perhaps the villagers may not know some of these difficulties. The poor people of the cities are suffering very much. In the case of the villages they may have some agriculture to depend on. But the poor people of the city have nothing to do.

The Honourable Dr. Gokul Chand Narang : Do they pay land revenue?

Shaikh Muhammad Sadiq : My friend should know that unless land revenue is reduced, he may not be able to get his pay even. The villagers have to come to town to buy these things. The Honourable Minister must understand the first law of economics. People in the village have to come to towns to buy these things. Unless he has got something in his pocket he cannot come to the town. My friend should understand that unless there is reduction in the expenditure of Government the province cannot

[Sh. Mubammad Sadiq.]

carry on. Unless they cut down their land revenue they cannot bring prosperity to the country. One of the most important ways is cutting down expenditure. The Public Works Department spends a lot of money and there is much waste in Government departments. It may be said that there is waste in municipalities. But in the Government departments there is a lot. Much money is being frittered away. I think I have spoken long enough. If I did speak with some heat it is not because my friend objects but I feel honestly and sincerely that time has come, when there is only one short year of life for this Government, when the whole policy has to be changed. I am not in any way inimical to them. As administrators they have been excellent and their honesty is above reproach, but as commercial managers of this country they are a failure.

The Honourable Sir Henry Craik (Finance Member): I would like to ask the House to reflect on the financial aspect of the motion which is under discussion. At present we have had many appeals, most of them appeals to sentiment, with which most of us or all of us are in sympathy. But there is a more practical and somewhat more difficult side to this problem and it is on that side that I would like the House to reflect very carefully before it commits itself to the terms of this motion. The honourable member who moved the motion said in the beginning that his motion was to urge a reduction of 40 per cent. of the land revenue. Actually in speaking, at the end of his speech he pressed that the land revenue should be reduced by 25 per cent. and with that, apparently astonished like Clive at his own moderation, he subsided into his seat. I am in doubt whether he really wishes a reduction of 40 per cent. or 25 per cent. But, let us assume that his demands are pitched at the more moderate figure. Assuming that land revenue is to be reduced permanently by 25 per cent. that means an immediate and permanent loss or rather a reduction of the revenues of the province by a sum of about 116 lakhs a year. I am not aware yet whether this motion has the support of the National Unionist party which was so very strongly represented on the *Abiana* Committee. But if it has, then I take it that we must couple with the reduction of 25 per cent. land revenue a reduction of, I think, the figure is somewhere between 80 lakhs and 100 lakhs in *abiana*. Let us put it—I do not wish to exaggerate—but let us put it at the total reduction of 2 crores in a year, which would come to a reduction of 25 per cent. of the total revenue from all sources of this province. Well, Sir, I have been endeavouring for 4 years to make it plain that the margin between the income and the expenditure of this province is a very narrow one and it follows that if you reduce your revenue by one cut, by 25 per cent., by four annas in every rupee, you must either replace that reduction by some other source of revenue or reduce your expenditure. What have we had hitherto by way of suggestions for replacement? The honourable mover of this cut talked a good deal about waste in public expenditure especially, so far as I could follow his speech, on the railways and in the Public Works Department. Now after all we are practical men here trying to deal with practical problems and the honourable member must be aware that even if his allegations are true—on which I am not in a position to pronounce an opinion—the stoppage of waste in the Railway Department would be of no benefit to provincial revenues; in fact possibly it may have the

opposite results, as I fancy a good deal of the money which he complains is being wasted is spent in this province. The next suggestion we had was from my honourable friend on my right, Mr. Nanak Chand Pandit, who urged the development of industries. That, Sir, is no doubt a very urgent need ; but I am sure that even the honourable member will admit that in the first place the development of the industries at the expense or with the assistance or on the initiative of Government will cost the public purse large sums of money, and secondly there will be a gap of many many years before there is anything like a corresponding return to the public revenues. I agree with the honourable member that the development of industries is very urgently needed and that our aim should be to change the Punjab from a purely agricultural into a partly agricultural and partly industrial province. But the change will necessarily be a long one spread over, I should say, at least a generation if not more and we cannot seriously expect that we can count on any great increase in our revenues from that source for many many years to come. We have made a beginning with the hydro-electric scheme, that very much maligned scheme which we inherited from the Leader of the National Unionist party. But that may teach us—I hope it has begun to teach us—to what I may call think industrially. We are trying our very best to induce people to use that power, as the honourable member suggested, for industrial purposes and the more people come forward and take that power for that purpose, the more will Government be pleased. But as a practical means towards an immediate increase in our revenues, to replace this immediate loss of one quarter of our income, I cannot regard industrial development as a practical proposition.

Next we have our eloquent friend from Amritsar who leaving aside the sentimental side of his speech put forward proposals for increasing our revenues by encouraging exports. I entirely agree in theory that that is most desirable. But how are we to get that result ? That is one of the problems which is puzzling the best brains of the whole of India at the present moment. I am quite certain that we shall not stimulate exports to any appreciable extent by the suggestion that the honourable member put forward, that is by depreciating the value of our currency. I am quite certain that the solution does not lie in that. Possibly it may be found to lie in some kind of a system of bounty on exports. It may perhaps lie in a wider extension of the system of tariff barriers. But I am sure of one thing that the solution is not to be found in the deliberate depreciation of our currency. (*Chaudhri Zafrulla Khan* : Possibly it might lie in lowering the ratio of exchange.) I am very sceptical about that. The honourable member talked of developing our fruit industry. Government is doing everything it can, I understand—for it is not within my department—in this direction. Every encouragement is given to that particular type of industry. But it can never become, so far as I can see, a source of revenue to the public purse, at any rate on a very large scale, though it may add to the prosperity of the individual.

We must realise the fact that if the policy underlying this motion is accepted, and if simultaneously with this very large reduction, a permanent reduction, of the demand for land revenue, we have also to make a very large permanent reduction in water-rates, there will be nothing left for Government but to cut down its expenditure by just about one-quarter of the

[The Hon. Sir Henry Craik.]

amount annually spent at present. I would like the House to realise what that would mean. Even assuming that we were able, and that it were practicable as a piece of practical administration, to impose a cut and disregard entirely the sanctity of contracts and so on, to put a larger cut on the pay of Government servants, I tried to make it clear to the House the other day that the utmost that the imagination could even encompass would not provide as much as one anna in the land revenue and we are asked to find much more than that. The actual acceptance of the policy underlying this motion would, so far as I can see, mean the total and entire abolition of certain departments of Government. And we may take it that one of the first to go would be the Department of Agriculture which at present costs about Rs. 47 lakhs a year. That could only be a very small portion of the sum we have to find. But the Department of Agriculture including the veterinary branch would have to disappear altogether. Another department that would have to go is the comparatively small, speaking from the financial point of view, Department of Public Health. Another would be a small department from the financial point of view, but one which will in time I hope become of more importance, the Department of Industries. The Medical Department we would probably have to cut down by one half and even so we would be still short of the amount required. From Education if we cut it down by a half we would get within about Rs. 40 lakhs of the sum required. And even suppose we could find that 40 lakhs by reducing the pay of our establishment I trust the House will now realise that the sacrifices that this motion involves are fairly considerable. It involves the disappearance of the Departments of Agriculture, Public Health and Industries, the disappearance of half Medical, one hospital out of every two and the disappearance of half Education, that is to say one school out of every two. That is the only way in which at any rate till things improve, till industries develop, till exports are stimulated so as to bring us this sum that is the only possible way in which the administration of the province can be carried on. And that seems to me a sufficient reply to the financial consequences and implications of this motion. (*Chaudhri Zafrulla Khan* : What happens if you are not able to recover in fact in any year more than 12 annas of land revenue? That might very easily happen.) If we are short in our actual recoveries of revenue we have at present as our bankers the Government of India who let us over-draw. But it advances the money on the security of the anticipated revenue for future years. If we permanently cut off and alienate this source of revenue, naturally we have not got the same security to offer for the loan.

Mr. President : The question is—

That the question be now put.

The motion was carried.

Mr. President : The Leader of the House said in his speech that there was some misunderstanding as to the amount of percentage proposed to be reduced by the honourable mover of the motion, that is, whether it should be 40 per cent. or 25 per cent.

The Honourable Sir Henry Craik : In the note attached to the notice of the motion it is said 40 per cent.

The Honourable Sardar Sir Jogendra Singh : An amendment has been made.

Mr. President : No amendment was needed. The mover could move less than 40 per cent. The question is—

That the total grant be reduced by Re. 1.

The Council divided: Ayes 37: Noes 28.

AYES.

Afzal Haq, Chaudhri.	Mubarak Ali Shah, Sayad.
Ahmad Yar Khan Daultana, Khan Bahadur Mian.	Muhammad Abdul Rahman Khan, Chaudhri.
Akbar Ali, Pir.	Muhammad Amin Khan, Khan Bahadur Malik.
Allah Dad Khan, Chaudhri.	Muhammad Eusoof, Khwaja.
Arjan Singh, Sardar.	Muhammad Hasan, Khan Sahib Makhdum Shaikh.
Bansi Lal, Chaudhri.	Muhammad Sadiq, Shaikh.
Bhagat Ram, Lala.	Muzaffar Khan, Khan Bahadur Captain Malik.
Bishan Singh, Sardar.	Nathwa Singh, Chaudhri.
Buta Singh, Sardar Bahadur Sardar.	Nihal Chand Aggarwal, Lala.
Chhotu Ram, Rao Bahadur Chaudhri.	Nurullah, Mian.
Faqir Husain Khan, Chaudhri.	Pancham Chand, Thakur.
Habib Ullah, Khan Bahadur Sardar.	Pandit, Mr. Nanak Chand.
Jagdev Khan Kharal, Rai.	Ramji Das, Lala.
Jyoti Prasad, Lala.	Ram Sarup, Chaudhri.
Lekhwati Jain, Shrimati.	Riasat Ali, Chaudhri.
Malak, Mr. Muhammad Din.	Sampuran Singh, Sardar.
Mamraj Singh Chohan, Kanwar.	Ujjal Singh, Sardar Sahib Sardar.
Mazhar Ali Azhar, Maulvi.	Zafrulla Khan, Chaudhri.
Mohindar Singh, Sardar.	

NOES.

Boyd, Mr. D. J.	Macfarlane, Mr. D.
Craik, Henry, The Honourable Sir.	Manohar Lal, Mr.
Din Muhammad, Khan Bahadur Shaikh.	Marsden, Mr. P.
Fazl Ilahi, Khan Sahib Shaikh.	Mayadas, Mr. Ernest.
Firoz Khan Noon, The Honourable Malik Sir.	Miles Irving, The Honourable Mr.
Garbett, Mr. C. C.	Mukerji, Rai Bahadur Mr. P.
Gokul Chand Narang, The Honourable Dr.	Murphy, Mr. A.
Gurbachan Singh, Sardar.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Hearn, Mr. J. W.	Narendra Nath, Diwan Bahadur Raja.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Ogilvie, Mr. C. M. G.
Jogendra Singh, The Honourable Sardar Sir.	Rahman, Khan Bahadur Dr. K. A.
Labb Chand Mehra, Lala.	Ram Singh, 2nd-Lieut. Sardar.
Latifi, Mr. A.	Sanderson, Mr. R.
	Shave, Dr. (Mrs.), M. C.
	Sheo Narain Singh, Sardar Bahadur Sardar.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) (Urdu) :
Sir, I beg to move—

That the total grant be reduced by Rs. 100.

My object is to urge that land revenue be reduced by 33½ per cent. till the result of new settlement in Lyallpur. The speeches on the last motion and the result of the division thereon has abundantly made it clear that all the representatives of the zamindars wish that a reduction in the land revenue be made. It is not necessary for me, therefore, to dwell at length on the sad plight of the zamindars. I will confine my remarks to the conditions prevailing in the Lyallpur district and will advance arguments to show why that district stands in need of a special concession. My task has been made all the more easy by the Council giving its consent to a 25 per cent. reduction in the land revenue. I am faced, therefore, only with the task of showing reason why a reduction of another 8½ per cent. is necessary. The term of the last settlement of Lyallpur district expired in 1932 and the new settlement has been commenced during the last year. It would have been in the fitness of things if the Government had made preparations for the settlement two years before the actual work was to begin; in that case the settlement would have long been finished, and the Government would have found themselves in a position to declare the result of the operations. In this connection I would like to refer you to the most valuable work of Sir James Douie. He writes—

Much loss has been caused to the State with doubtful benefit to the people by the failure to re-assess districts promptly when the term of settlement expired. A settlement should ordinarily begin two years before the expiry of the period for which the existing settlement was sanctioned.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

But the Government have not done this and the result has been that no change has been made in the high rates of Government dues that were fixed at a time when the prices of agricultural produce were very high. The zamindars have been demanding a change in the rates of Government dues up to 1932, but nothing so far has been done to redress their grievances. I know that the Government cannot enhance the prices of the agricultural produce, but it is at least within their power to fix the land revenue at a level so that it may be compatible with the prices now in vogue. When the settlement of Jhang Branch was carried out Mr. Penny prepared a list of the market rates of the agricultural produce. If you compare the rates of the commodities then prevailing with the present rates you will find that a fall of over 40 per cent. has taken place in the prices. Wheat, cotton, maize, gram and toria are the six staple commodities which form about 80 per cent. of the total area under cultivation. The prices of all these have fallen very considerably. I have here the fall in their prices put in a tabulated form. The prices prevailing at the time when Mr. Penny carried out the settlement bear the following comparison with the prices now in vogue.

Wheat which was selling at a rate of Rs. 3-12-0 at the time of the previous settlement hardly brings Rs. 2 at the present time. It means that its price has gone down by about 47 per cent. Cotton that was selling at a rate of Rs. 9-6-0 now is sold at an average rate of Rs. 5 per maund. The price of

sugarcane has gone down from Rs. 6-4-0 to Rs. 3 and that of grams from Rs. 3 to Re. 1-8-0. Toria which sold at a rate of Rs. 5-10-0 now hardly brings more than Rs. 2-14-0. Similarly the rate of maize has gone down considerably. I would refer you once again to the book of Sir James Douie, page 366.

As the fall in prices is not even mentioned in this volume, I shall proceed to form my own estimate of the fall in prices on the basis of the data provided in the book. My estimate of cropping of these crops is—

Wheat	..	..	..	..	..	40
Cotton	..	..	..	..	..	20
Grams	..	..	..	..	..	7
Toria	..	..	..	..	..	7
Maize	..	..	..	..	..	3
Sugarcane	..	..	..	..	..	3
						—
						80
						—

The percentage fall of price is—

Wheat	..	..	..	..	..	47
Cotton	..	..	..	..	..	44
Sugarcane	..	..	..	..	..	52
Gram	..	..	..	..	..	49
Maize	..	..	..	..	..	50

Sir James Douie multiplies these figures and arrives at a total. I have got here my own total.

Wheat	..	..	..	..	..	1,880
Cotton	..	..	..	..	..	880
Sugarcane	..	..	..	..	..	156
Toria	..	..	..	..	..	273
Maize	..	..	..	..	..	343
Gram	..	..	..	..	..	150

and the grand total is .. 3,682

This divided by 80 gives about 46 which is the percentage fall of prices. Two things are most important, Sir, in the matter of considering the advisability of reducing the current rates of land revenue. The first is the prices and second the outturn of the produce. As far as the outturn is concerned, I need not tackle that subject now. But as far as the prices are concerned, I would urge with all the emphasis I can command that they justify a speedy reduction in the land revenue. After all the changed conditions and the changed times must be considered.

In 1928 this House passed the Land Revenue Amendment Act and reduced the share of Government from 50 per cent. net assets to 25 per cent. of the total net assets. This again should lead to a substantial further relief to the zamindar.

[Mian Nurullah.]

I would like to say a few words about the new settlement operations. First, some concession should be given in the collection charges. Secondly, due consideration should be given to the rules made on the subject. If that is done you will find those rules in our favour. The previous assessment was made on the basis of net assets. But now since the prices of agricultural produce have considerably gone down, the net assets will be comparatively small. These assets amounted to Rs. 12 per acre while land revenue was charged at the rate of Rs. 6 per acre. All these things show that about 60 per cent. reduction should be made in land revenue. That will be a very considerable remission in land revenue in the district, but all the same that is a legitimate right. Previously the district was very rich and the standard of living was also very high. But now the circumstances have altogether changed. The term of the previous settlement expired in 1932 and the Government has begun re-measurements. We cannot definitely say when the new settlement operations will finish. The whole district is suffering a great loss on account of these operations. The zamindars have passed many resolutions to that effect. But if Government could give us an assurance that for the period during which these operations would continue sufficient remission would be given in land revenue, that of course would mean something. But I am sure that Government is not prepared to give that assurance. I could have rightly asked for 60 per cent. reduction in land revenue, but in view of the various difficulties with which the Government is already confronted I am content with asking for only 33½ per cent. reduction in the land revenue. The House has already voted in favour of 25 per cent. reduction in land revenue and, therefore there remains only a small difference of 8 per cent. I think it will not be out of place here to make a mention of a village to which I already referred on some other occasion. It is Talwandi Chak No. 108, Jhang branch. Previously the rate at which land revenue was charged in this Chak was 8 annas in a rupee and *khush kaisiati* tax was charged at the rate of one rupee. But in 1912 it was raised to Rs. 6. At that time the zamindars were not under any burden of debt, but at present they are in debt up to the extent of one lakh of rupees. Previously they had 27 squares of land and now they have 38 squares of land. If all this land is sold, it will not bring even as much money as to clear off their debts. Previously there were 88 souls in this Chak, but now the population has increased to 966. Under these circumstances where should these people go? You should certainly devise some means to help them. Besides a great damage was done to the different kinds of crops in the last *kharif*. Frost greatly damaged the wheat, fodder and toria crops. The standing crops have also deteriorated for want of rain in the winter. It would, therefore, be in the fitness of things to grant some special remission in land revenue to these people in the Lyallpur district who are suffering from all the disadvantages from which the zamindars of the Chak I have mentioned above are suffering. If this is not done, I warn the Government to be prepared for bitter opposition at the time the assessment is proposed. If the Government has the good grace of granting some concessions in time there will be peace in the district and the province for the next forty years. For these reasons I urge upon the Government the desirability of making 33½ per cent. remission in land revenue.

Deputy President : Motion moved is—

That the total grant be reduced by Re. 1.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : Sir, I rise to support the motion made by my friend from Lyallpur. The reasons for reduction of the land revenue of the Lyallpur district are very strong and cogent. The last settlement assessed the district at very high rates. It was 37·5 per cent. of the net assets, and after that it was enacted by this House that the land revenue should not be assessed higher than 25 per cent. of the net assets. First of all, this assessment goes against this enactment and it was high time that Government should take steps to remedy this anomaly though Government should have done so at that very time. I think it is now time when they should remedy this trouble. Besides the Government recognised the fact that the rates were very high at the time of last settlement and the prices of agricultural commodities had since fallen tremendously ; recognising these facts Government did not consider it advisable to proceed with the settlement of Lyallpur district at the time when the term of the old settlement had expired, as they wanted to wait and see what turn the things would take. They found that the turn was not for the better and at last they decided to start the settlement. If I am not divulging any official secret I might venture to say, when this settlement was started the idea was to reduce the revenue of the district. Government admitted our claim for reduction and they started this settlement after the term had long expired and we know this settlement is going to take three or four years more and there is no doubt that the assessment is already high according to the present conditions and they cannot give relief from the date of the expiry of the old settlement unless they accepted this resolution. This is only logical and reasonable. The point that the prices of agricultural commodities have fallen has been very logically argued by my friend. I need not quote the figures again, but the fact as admitted by Government record is quite definite and settled that the prices have been reduced and reduced by at least 50 per cent. since the old settlement took place. I was a student when the old settlement took place and when I recollect those times I see how the district was agitated. They had never seen perhaps in the whole history of the Punjab that the land revenue could be raised to Rs. 6 per acre. It came as a great shock and perhaps the people would have continued this agitation, but fortunately or unfortunately the war came in and that helped the people and it is that experience of people which makes them look forward for a war when they are in such troubles. What a gruesome thing it is to wish for a war, to prefer a war to these peace times.

The cost of production has also increased a good deal and the efficiency of irrigation has also deteriorated. A great portion of water which was hitherto supplied for the Lyallpur district has since been cut short and taken to the extreme tail of the Lower Chenab Canal Colony. (*An honourable member* : Justice). I hear a voice ' justice '. I notice that there is an idea of justice in that corner of the House. But I should like the House to consider whether there is any canon of justice which would compel people to pay 50 per cent. of their income from the land as land revenue. (*An honourable member* : No.) It was 37½ per cent. (*Interruption*) I do not quite catch the honourable member, but the figure I have quoted is the figure of net assets which I got from the old settlement report. Besides

[S. Sampuran Singh.]

the idea of taking the net assets in itself is preposterous. The income from the land should be taken and statistics should be gathered from the small peasant proprietors who work on the land themselves. On the other hand these net assets are made from the rent which the lessees pay to the lessors. And here I may point out that the landlords too, like the Government, try to exploit the poor tenants. I am certain that under this system of long *thekas* or leases the ignorant people without knowing what they are doing pay a good deal more than what they need pay under *batai* system which would be 50 per cent. The Government, considering that 50 per cent. is the net asset, claim $37\frac{1}{2}$ per cent. of that. If one were to calculate things in a more detailed way one would find that $37\frac{1}{2}$ per cent. is really a good deal more than what it appears to be. This question has very often been raised. Only this afternoon an honourable member said that land pays more than what people say it pays, because otherwise people would not be paying as much as Rs. 250 per acre for land at Government auctions. I have to offer the old argument which I have already advanced once or twice in this House. I have seen several people playing the game of bridge and they always find at the end of the month that they have lost their money, and yet they go on playing the game with the idea that they may win in the next month. The agriculturist also plays a similar game with his lands. The gambling instinct has been there with him for centuries. He does not know what to do. But he knows that if he is unable to pay land revenue the Government has no course except to remit it and if he is not able to pay back his liabilities and debts, the worst thing that will befall him is that he will have to be in jail for six months and this he is prepared to do. That is why the agriculturist gambles in land and is prepared to buy land at such a heavy price even to pay 50 per cent. of net assets towards land revenue. If eventually he does not pay his Government dues, not because he is unwilling to pay but because he is unable to pay, then the whole thing will collapse. It is the danger of that collapse that Government has to guard against. It is for that reason that I suggest the reduction immediately. It has been urged that if such a big slice of income is taken away it will not be possible to meet the expenses of administration. No doubt that is a strong point. But is it for the agriculturists to find out ways and means of running the administration? It is for the Government to find out ways and means of making up this shortage of revenue. The ways and means lie in the retrenchment of expenditure and in tapping other sources of income. But the Government is not prepared to tackle the question of retrenchment whole-heartedly because it is afraid of the clamour of Government servants whose word carry great weight, it is after all they who run the Government.

Mr. D. J. Boyd (Financial Commissioner): Sir, I am sorry to have to oppose any motion which is moved in the interests of the zamindar classes. I know that they have paid up very wonderfully Government's dues even under very serious stress to which they are at present subjected by this era of low prices. And I am sure that if it were in the power of Government to accept this motion or the one which has just been passed, the Government would have been glad to do so.

I must at any rate correct one or two misstatements, or what I conceive to be misstatements, which have been made in the speeches of previous

speakers. In the first place the honourable member who has just sat down has told us that the present assessment of the Lyallpur district was made on the basis of 37·5 per cent. of the net assets whereas the present standard according to the Land Revenue Amendment Act of 1923 is 25 per cent. I have here a note of the percentages of net assets of the last settlement of the Lyallpur district. The Rakh Branch settlement was fixed on the basis of 37½ per cent. in kind, that is to say of the rent paid in kind, or 31·5 per cent. of rent paid in cash. In the Jhang Branch the percentage taken was 19·5, very much below the new standard of 25 per cent. In the Gugera Branch first circle, the standard was 19 per cent. and again in the Gugera Branch, second circle, the standard was 19·5 per cent. of the net assets. So, the statement made by the member who has just sat down is very misleading indeed. I hope that the people of the Lyallpur district will not put too extravagant hopes upon the present settlement, because Mr. Penny's settlement (the last settlement) was made on the basis of 19 per cent. only of the net assets, whereas the standard that will be rigidly applied now is 25 per cent.

Again, the mover of this motion told us that prices at the time when the present settlement was made, were scarcely higher than the prices at the present time. Of the latter settlement, that is Mr. Penny's settlement that is true. But when the Rakh Branch was settled in 1913—the settlement began before 1913 and it was actually announced and brought into force in 1913—the prices were very much what they are now. But when Mr. Penny came a few years later, the orders to him were that he should take the Rakh Branch standard of assessment. I think that point should be appreciated. The Rakh Branch was assessed on the basis of prices which were very much the same as those in force at present and although the later assessments, the Jhang and Gugera Branches, were made when higher prices were prevailing, the orders of the settlement officer were that he should adopt the standard of the Rakh Branch in making assessments. It would, therefore, be very dangerous for the people of the Lyallpur district to build too high hopes upon the present settlement operations.

The mover of the motion criticised the delay in starting settlement operations. He said that Government should have been prepared, I think he said, in 1925—I do not quite understand why he took that year—anyhow the Government should have started settlement operations two years before the last settlement expired. The last settlement expired in 1932 and not in 1925. There is in the Land Revenue Act a section which says—

54. Notwithstanding the expiration of the period fixed for the continuance of an assessment under the last foregoing section, the assessment shall remain in force till a new assessment takes effect.

So, there is no necessity to start settlement operations immediately the old settlement expires. Under the law until the new assessment is announced the old assessment remains in force. That is the position of the law. But Government does not intentionally take shelter behind a section of this kind. The delay in starting the settlement operations was entirely owing to the doubt as to the course of prices. The present catastrophic fall in prices really took place in 1930. Prices had been coming down very slowly before that, 1928, for instance, was a very prosperous year. 1929

[Mr. D. J. Boyd.]

was by no means a bad year in the matter of prices. It was in 1930 that prices suddenly came down with a flap and it was only by 1932 that there was a certainty of a long period of low prices. The uncertainty of the course of prices which prevailed for two or three years from 1930 onwards was the real reason for the delay in starting the Lyallpur settlement. If it had been started on the average of prices of the past ten years an exceedingly high assessment might have been put upon this district. It was as much in the interests of the revenue payers as in the interests of Government that the delay took place.

Now, a complaint has also been made of the delay in the present settlement caused by measurements. That will be dealt with on a later motion. But I may assure the House that the measurements themselves will cause practically no delay, because the settlement officer is not personally concerned to any great extent with the measurement and record work. That is the work of the extra assistant settlement officer. The settlement officer is getting on with the work of assessment as fast as he can. There are a great many preliminaries to be done, such as the determination of assessment circle, kinds of soils to be adopted, prices that are to be adopted, preparation of an assessment statement which will contain all the information which a settlement officer wants, and so on. These things cannot be got done in a single bound. They take some time but I do not think that measurements are going to delay the settlement in any way.

There is one matter of a general nature not applying to the Lyallpur district which I think we should bear in mind. We heard a lot on the previous motion as also on the present motion about the sad plight to which the zamindar has been reduced under the tremendous burden of land revenue. Undoubtedly the zamindar is having very bad time indeed and we are extremely sorry that he is having bad time. But people still believe that land is a good investment.

To-day I have received a telegram announcing the result of an auction of land in the Nili Bar Colony. One thousand one hundred and fifty-three acres of land in that colony have just been
 5 P.M. auctioned for Rs. 2,90,000 that is about Rs. 252 per acre—not at all a bad price—and in that particular colony, the Nili Bar, the land revenue is Rs. 3-8-0 per acre matured and the *malikana* is Rs. 3 per acre allotted. It is not because the rates in the Nili Bar are low. They are high. In spite of these higher rates we have been able to sell land at a rate of Rs. 252 an acre and I have no doubt that if we had put more in the open market we would have sold more. But this year we are testing whether there is any demand. Obviously there is. Clearly this is a factor which has to be borne in mind in connection with what we are now discussing—the burdens on the holders of land.

I must go back for a minute now to what Sardar Sampuran Singh said about the rent on which the last settlement was based. I think he referred to Mr. Dobson's settlement which came into force in 1913. He told us that it was based on cash rents which were abnormally high. I cannot accept that. The percentage of the net assets based on cash rents was 31·5, not 37·5 and I believe that these cash rents were generally taken by absentee

landlords. The absentee landlord practically never gets the same full rent as the man on the spot. The man on the spot takes a share of the produce. It is a general rule that a man who cannot manage his land, or who is absent from the spot, or a minor or a widow, cannot get as much as people on the spot, so that the honourable member's statement that these rents were very high is *prima facie* not correct. That is practically all I wanted to say in reply to these particular statements.

Diwan Bahadur Raja Narendra Nath (Punjab, Land-holders General) (*Urdu*): Sir, I believe that there is no one in this House or even outside it who does not sympathise with the zamindars in their present pitiable condition. But it is also necessary that we should not be carried away by mere sentiments. As responsible persons it is equally incumbent upon us to put forward only such proposals as are practicable. Before making any suggestion and pressing the same for acceptance, we must pause and consider as to what will be the effect in general if the suggestion is acted upon. We should see both sides of the picture as we are expected to do and we should not concentrate our attention only on one side of it. Time is not far off when we shall be vested with full powers and then we shall naturally resent if our recommendations are vetoed or rejected by the Government which, as responsible members, we would have made to the Government. Therefore, it is all the more necessary that we should even now begin to act in a manner that would do us credit.

As I have always expressed, it is my considered opinion that it is essential to discriminate between land revenue and *abiana*. These two Government demands should never be treated alike inasmuch as land revenue is assessed and fixed periodically or after a fixed term of years and that its rates are revised, enhanced or reduced after that period as the circumstances may permit. The question of *abiana*, of course, stands on a different level. The *abiana* rates are not assessed or fixed after fixed periods and for that reason a demand for their reduction or enhancement can rightly be made at any time according as the circumstances require. Therefore, to make the demand that land revenue should be reduced by 88 per cent. in the Lyallpur district alone is, to say the least, demanding too much. We do sympathise with the zamindars of that part of the province and in fact with all zamindars but that is no reason for ignoring all other considerations that must equally weigh with us. We must not lose sight of the fact that if this request is acceded to, it will undoubtedly benefit the zamindars of the Lyallpur district but at the cost of the zamindars and other sections of the population in other parts of the province. The proposed reduction in land revenue will certainly substantially reduce the revenues of the province and you can very well realise that as a result thereof, the interests of the other districts will be jeopardised. There is another point which should be considered in this connection. The settlement of the Lyallpur district is in progress at this time as we are all aware and it will not be advisable to anticipate its result. As in a matter which is *subjudice* or even in a matter which is under investigation by some competent authority, it is not wise to express any opinion and thereby influence the judgment of the persons entrusted with the task of enquiry and revision; similarly it will not be wise to press this request when the settlement operations are proceeding in the Lyallpur district,

[D. B. Raja Narendra Nath.]

because in that case we shall be dictating to the settlement officer the assessment that he should propose. And if the honourable members insist on thus dictating to the settlement officer, I ask "what is the use of having this settlement made and thereby placing an unnecessary burden on the taxpayers of the province?" We should take all these points into consideration if we are to be just to all alike. We should never think of giving a major portion of the revenues to the people of one district and let the others starve. Not only justice demands it, but expediency dictates it that we should not lose sight of the interests of the other parts of the province. I may also here remind the honourable mover and his supporters that the report of the *Abiana* Committee is under the consideration of the Government. One recommendation of the Committee is that *abiana* rates should be reduced at least by 25 per cent. If that reduction is made and if we add to it the reduction of 25 per cent. in land revenue that has been proposed and passed by the House to-day and also the proposed reduction of 33 per cent. in one district, the revenues of the province will certainly come down to a ridiculously low figure and in that case all progress of the province will be checked. In fact, everything will come to a standstill in that case and it will be impossible to introduce the reforms which are expected to be introduced in the near future. By this attitude of ours we shall be indefinitely postponing the dawn of that day when provincial autonomy is to come. In view of these considerations, I request, though very reluctantly, the honourable mover to withdraw this motion and not to press it to a division.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I did not intend to make any speech and I would not have got up now had it not been for the speech that has just now been made by Diwan Bahadur Raja Narendra Nath. He has tried to give us a homily upon the way in which we should approach these problems and said that when we bring in such cuts and move them the *pros* and *cons* should be properly examined and ascertained. I am not forgetful of the fact that favours to one district would certainly place the whole of the Punjab in a position of disadvantage. But we cannot ignore the realities, and when we find that a strong *prima facie* case has been made out for the reduction that is sought for the Lyallpur district, we should not grudge that concession. As a matter of fact, Diwan Bahadur Raja Narendra Nath has put a very queer construction upon the way in which this relief is sought. He has told us that when the case is *sub-judice* we should not anticipate the decision of the settlement authorities. I think he has been all throughout a judicial officer. He has functioned as a district magistrate and he must be presumed to know that there is something in law which is called the law of injunction or interim relief. When we find that the disease is there, when we have seen that a similar resolution was moved last year and it was on the assurance of the Leader of the House that it was withdrawn, something must be done. Lyallpur district wanted in that resolution that settlement operations should be set in motion at once. That resolution was moved and certain speeches were made. But the then Leader of the House assured us that Government had under their consideration the question of starting settlement operation and, therefore, this section of the House did not press that resolution. Sir Geoffrey deMontmorency paid a visit to the district and held a *darbar* and there he announced that settlement operations would at once be started.

The disease having been ascertained, some diagnosis having been made, our friends in Lyallpur want an interim relief. We should be too glad to concede that to them. I think in the general discussion on the budget and in the speeches that have been delivered since then if there has been a consensus of opinion on anything it is on this one subject, the condition of the zamindars, and the conclusion that a strong case has been made out that they should be given an adequate relief. I was wondering when the honourable member, Raja Sahib, was making his speech to-day, whether in the speech that he delivered on the general discussion of the budget he was only expressing a lip sympathy for the poor zamindars. Because, I cannot reconcile that speech with the one he has just made. Whenever the question of delivering a long speech showing the necessity for granting relief to the zamindar crops up, the Diwan Bahadur gets up and says that he would be the first to lend his support to any motion that might be brought from this side of the House. When the question of translating that sympathy into action comes there come so many reservations. (*Diwan Bahadur Raja Narendra Nath*: I promise dispassionate consideration of any proposal coming from that side of the House.) And perhaps the honourable member might also say a detached consideration, that is, when it is about theories, he would make speeches in their support but when it comes to practice, he would take a literally detached view of the whole case. He would divorce himself from what he has said in his speeches so far as theories are concerned.

I am not going to make a lengthy speech. It has been made quite clear that the catastrophic fall in the prices show no upward tendency in spite of the undue optimism that might be exhibited from any part of the House. It has also been made quite clear that signs of any upward tendency for some time to come are not visible because we find that all countries are trying to be self-reliant and, therefore, there is over-production. No-one could, therefore, foresee by any stretch of imagination a rise in prices. After this House has given a verdict in favour of a 25 per cent. reduction of land revenue in the province as a whole, I think this demand cannot be considered immoderate on the part of honourable members from Lyallpur. With these words I have no hesitation in lending my support to the motion before the House.

(At this stage Mr. President resumed the chair.)

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): Sir, I had no intention to speak on this motion, but the remarks which Raja Sahib has made in his speech have compelled me to make a few observations. There is no gainsaying the fact that his lecture so full of advice should receive our calm and dispassionate consideration. But let me assure him that we on this side fully consider the *pros* and *cons* of every proposal before bringing it forward before the House. We never make any suggestion that may smack of irresponsibility and, therefore, he should have no fear on that score. I may also say that we were encouraged to make such demands, which are of course very reasonable, by what he said in his speech with which he opened the general discussion on the budget. He will concede that the various dues of the Government which the zamindars have to pay, have at this time become so burdensome that unless some relief is afforded to the zamindars, it will become impossible for the latter to live for long.

[K. B. Sardar Habib Ullah.]

I am very sorry to see that Raja Sahib has changed and modified that attitude to-day which had been a source of gratification to us. It has been suggested that the members on this side of the House should not present any proposals before the Government for which they may not be prepared to undertake complete responsibility. I want most respectfully to point out that we do feel responsibility for all our proposals. Our demand is that the administration of the province should be run on business lines. We are fully alive to the fact that money is required to run the machinery of the Government and if no money is forthcoming the whole administration will be at a standstill. In spite of all this we are sure that if the Government is run on strict business lines, all liabilities can be squarely met and work can be carried on smoothly without any financial embarrassments. What is required only is this that prompt action must be taken with regard to all work in hand. For instance, the term of the last settlement of the Lyallpur district expired in 1932, but the Government did not move an inch towards the beginning of a new settlement. The public raised a hue and cry through the press and remonstrated that since the prices of the agricultural produce had terribly gone down, a reduction in land revenue was naturally needed. They did not ask for charity. They said, "You enhanced the land revenue in view of the high rates of the produce, now when the prices have gone down reduce your land revenue demand in proportion to the fall in prices." This was a very reasonable claim. But the Government have done nothing so far in that respect. The new settlement has been commenced after a good deal of delay in 1933.

I, for one, am not in a position to say how much of the land revenue should be reduced, and it is all the more difficult to suggest categorically that a 30 per cent. reduction should be made. I think the proposal of the honourable member will be impracticable. I would like to make a proposal in this respect if it is acceptable to the honourable mover and the Government are prepared to give an assurance in this behalf. The last settlement of the district expired in 1932 and the new settlement is not likely to be finished before another two years. In the meanwhile the zamindars will be called upon to pay their dues in accordance with the old rates of assessment. This will continue for four years, in spite of the fact that the zamindars are perfectly entitled to pay the new reduced rates, in view of the heavy fall in the prices of the agricultural produce. As it cannot be definitely said at this stage whether the Government dues will be reduced by 10, 15 or 20 per cent. it will be proper on the part of the Government to give an undertaking that the money which the zamindars pay in excess of their legitimate liabilities during these four years will be deducted and added towards their dues under the new settlement.

If the Government expect, that the members on this side of the House should feel responsibility for the motions they bring forward, they should also feel their own responsibility. They should not always make it a point to stick to their guns without relaxing an inch towards reasonableness. They should not remain puffed up with the idea that they are the Government and as such perfectly entitled to refuse to listen to reason. What was unreasonable, may I ask, in our suggesting that a change should be made in *malikana* rates in view of the heavy fall in prices? But the Government refused

point blank to accede to this moderate request of ours, and pressed for a division. This is an attitude, Sir, which leads the elected members to believe that the Government are sure that no harm can be done to them and it is this sense of security which makes them go on complacently rejecting even the most reasonable demands of the elected members. Raja Sahib has advised us not to adopt an attitude of irresponsibility : he could as well give the same advice to the Government members.

The Honourable Mr. Miles Irving (Revenue Member) : I must protest against the attitude of the last member in imputing to Government in the matter of the cut directed against the levy of *malikana* anything of what he described as *zid*. As a matter of fact, on that cut I went to the very furthest possible extreme to meet the honourable member. The cut was to urge on Government the desirability or necessity of changing the rates of *malikana* and I told the honourable member that Government was in point of fact considering doing that very thing and would consider any representation made with regard to any excess rate of *muamla* on the Pir Mahal extensions. And I expected that the honourable member would on that assurance withdraw his motion. Instead of that he paid not the slightest attention to my offer and pressed the motion to a division. I could not accept it because I did not see how far it would lead me. Therefore, to say that Government in any respect adopts an attitude of rigid resistance to any demand, particularly in that instance the honourable member has quoted, is entirely outside the accuracy of facts as they exist. As an old member of the House I regret that the last motion was pressed to a division.

Mr. President : That motion is not now before the House.

The Honourable Mr. Miles Irving : As an old member of the House I regret if this House should be led to follow the example set in the last motion that was pressed to a division. Because, I feel that we should have the spectacle, if it is to occur, of the majority party of this House urging on Government a course which it would be the last to wish Government to adopt. Let us imagine for a moment the Honourable Finance Member, cut to the heart by the motion that has been passed, amended his budget for the rest of this season in order to make a reduction of about Rs. 2 crores.—Supposing he really did refrain from moving the demand for Agriculture.

Mr. President : The honourable member is speaking to a motion which has already been disposed of. Will he please confine his remarks to the motion now before the House ?

The Honourable Mr. Miles Irving : I am considering the cumulative effect of the present motion which will add to the previous one not an inconsiderable sum of Rs. 20 lakhs. This motion might be the last straw that will break the back of the Honourable Finance Member.

Mr. President : Will the honourable member confine himself to the motion moved by the honourable member from Lyallpur ?

The Honourable Mr. Miles Irving : This would be the financial effect to which this particular cut would lead, an additional cut of about I am told 20 lakhs of rupees.

This cut is urged in the interest of a single division of the Punjab and I believe of a single district, which, I think, in the matter of wealth, compares

[The Hon. Mr. Miles Irving.] This district of Lyallpur has had no favourably with any other district. This district of Lyallpur has had no difficulty in paying its land revenue. I am sorry it is urged on the basis of a settlement the result of which is incalculable. I am sure that my honourable friend the Finance Member will not support me in making any promises which will bind our successors to the remission of an enormous sum of money. Suppose, for example that this settlement results in reduction and supposing that the honourable member is the Minister, who is responsible for the budget, how would he like to be bound by such a promise? He would have to remit a large sum of money. The thing cannot be done.

Mr. President : Order, order.

The Honourable Mr. Miles Irving : I am not complaining, Sir, because I feel that the Leader of the Opposition is trying to bring his party in a certain amount of responsibility. Therefore, Sir, I ask the House to reconsider this matter.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) (*Urdu*) : Sir, I have every sympathy with the object of this motion and I am sure that my honourable friend the Raja Sahib has also great sympathy with it. Similarly the element of sympathy is not absent even in the speech of the honourable Financial Commissioner. But a few things have been said on the floor of this House to which I feel called upon to reply. It has been suggested that members should display a sense of responsibility in putting forward their proposals and in moving cuts, and that no proposals should be made by non-official members which may lead the outside world to suppose that the elected members of this House lack a due sense of responsibility. There is no doubt that the elected members of this House voted to-day in favour of a motion which presses for a change in the *malikana* rates and carried it. They also voted in favour of a second motion the effect of which if acted upon would be a permanent reduction in land revenue of 25 per cent. and carried it. There is yet another motion before the House now which proposes a reduction to the extent of one-third in the land revenue of a particular district. No one can deny that such reductions if effected will considerably bring down the provincial revenues. But, has the Government ever cared to ascertain why elected members bring forward such motions and make all possible endeavours to get them carried? We, on the other hand, know and realise that an immediate and simultaneous reduction in our revenues in so many directions can never be carried out. We know that all the reductions proposed now could not be effected immediately even if the Government were inclined to agree with us. How can any of the elected members expect that a reduction to the extent of two or two-and-a-half or even three crores of rupees can be made in the revenues of the province without discovering fresh ways and means to balance the budget? Knowing all this, why do elected members of the Council insist on getting their cut motions carried? The question calls for a serious consideration on the part of Government, but Government have so far failed to give any thought to the problem. They have so far neglected to probe into the real significance of this attitude of the elected members of this Council. Sir, the zamindars feel that the Government do not give a serious thought to the problem of affording relief to, and lightening the burden of, the impoverished zamindars and it is this feeling which compels

them to bring forward such motions and this very feeling is also responsible for their efforts to get their motions carried. The members on this side of the House strongly feel the necessity for impressing upon Government that something must be done by Government to lighten the huge burden under which the zamindar is groaning helplessly. The Government, on their part, claim that they have duly considered this question. But I am not prepared to agree with them there. The Honourable Finance Member has told us that the Government appointed a committee to go into the question of effecting reduction in the water rates and that proposals for a reduction amounting to 80 lakhs of rupees were made in that respect by that committee. Having mentioned this he has put us a question as to wherefrom the Government will get the money to run the administration. The reduction proposed in land revenue comes up to Rs. 1,16,00,000. Add to this a reduction of 80 lakhs in *abiana*. This brings the total up to practically two crores. The Finance Member asks—where are we to look for a *quid pro quo* if a sum of about two crores of rupees disappears from our provincial receipts? I shall presently answer that question, but before doing that I would like to tell the House with your permission, what happened when the *Abiana* Committee was considering the problem of reduction in water-rates. It was urged by the official members that the plight of the *barami ilaqa* people should also be borne in mind, and that no steps should be taken which may make it difficult for the Government to afford them relief in land revenue and prejudice the possibilities of allowing necessary remission. Our answer to that plea is contained in our report. I need not disclose it here. But now when the question of giving relief to the zamindars in respect of land revenue is taken up by the members of this Council the Government have thought it fit to put forward the plea of possible reduction in *abiana*. (*Laughter*). Sir, this only means that the Government does not want to do anything to relieve the zamindar and merely resorts to a policy of drift and evasion. Under these circumstances the endeavour on the part of the elected members of the Council to put forward and get each of the motions of this character carried can be easily understood. The inner meaning of these endeavours is that they are not convinced of the fact that Government are seriously considering the question of affording relief to the zamindar community. Need I point out to the Government that this lawyers' method of meeting argument will not avail them much longer? It is futile to evade real issues. It is no good referring to other proposals when one particular question is under discussion. I may be allowed to emphasize that these lawyers' tactics will not convince the elected members that the Government is seriously desirous of finding out a solution of their difficulties.

Allow me, Sir, to clear one or two things more. If this Council had full powers to give effect to its recommendations, the members would adopt a different attitude. They would then bring forward only those motions of reduction for which they have made provision beforehand or feel themselves to be in a position to provide. But now they know in their heart of hearts that even if they recommend a reduction of two, three or four crores of rupees in the budget their recommendation will not bear any fruit. Our recommendations, our proposals and our debates have only an academical interest. They end in smoke and resolve in the air. I assure you, Sir, if an

[R. B. Ch. Chhotu Ram.]

assurance is needed in this respect, that when this Council gets the powers of giving a practical shape to its recommendations, motions for the reduction of resources in several directions will not be made simultaneously. We know it fully well that all concessions cannot possibly be allowed at the same time. We know that so long as fresh sources of revenue are not available, fresh taxes are not imposed, or expenditure is not materially reduced, it is impracticable to forego any substantial portion of our present receipts. But we the elected members also know that when we have the powers of curtailing expenditure as well as imposing new taxes, we shall make calculations as to how much should be reduced from this item of expenditure and how much more should be realised from that source of income in order to give relief to any section of the community. But so far as the present motions for reductions are concerned, their object is only to indicate that their supporters and sponsors strongly feel that they deserve some concessions and that they are not convinced that Government have given a serious consideration to their needs. The Government may feel that at present no special remission in land revenue need be given to the district of Lyallpur but we are entitled to have our own feelings on the point. Keeping in view the present position of the Lyallpur district, a special remission in its land revenue seems to us quite essential. The object of the motion now before the House is to draw the attention of the Government to the necessity of making a considerable remission in the land revenue of that district. I am sure Government will ultimately have to remit 25 or 30 per cent. of its land revenue. The prices of the produce at the present moment as compared with the prices in vogue at the time of the last assessment are very low.

Another point that I would like to make in this connection is that the Government, as it seems to me, have not done all that they could towards giving effect to the recommendations of the provincial retrenchment committee. They have neither retrenched their expenditure to the level to which it ought to have been retrenched, nor have they tried to explore fresh avenues of income. In this connection I would also like to make one or two observations. By casting a mere look at the Civil List it will be found that the allowances and the special pay of officers have not at all been touched. They are still drawing those allowances. The allowances drawn by the subordinate or the provincial services might have been curtailed but so far as the all-India services are concerned these allowances do not seem to have been curtailed. The acting sessions judges and deputy commissioners are drawing the same allowances as they were drawing before the general depression began. It may be contended that the provincial Government have no power to retrench these allowances. May I ask if they have ever represented to the Secretary of State for India that the circumstances under which these allowances were sanctioned have altogether changed and that these should now be abolished. I do not think that any such representation has been made to the Secretary of State for India. Besides, there are certain remarkable features in the leave rules. For instance; there is only one post of Chief Engineer but under leave rules now in force two officers can at the same time draw the pay of the Chief Engineer. In certain circumstances an officer who proceeds to England on leave gets more than what he can get if he remains on duty. The Public Works Department is also

squandering large sums of public money most mercilessly. The Honourable Minister in charge of the department was pleased to issue a circular letter to the Chief Engineer and the executive engineers to the effect that they should in consultation with the non-official representatives of district board of the province consider the desirability of reducing the rates of works. You will be surprised to learn how far and in what manner this instruction has been acted upon. The executive engineer wrote to the Chairman of the District Board of Rohtak that a meeting to discuss the question of rates will be held on such and such a date and that the non-official members of the District Board will be welcomed if they so desire to attend it. As a matter of fact, even this information reached the members of the District Board when the date on which the meeting was to be held had expired. And what do you think happened in this meeting? The executive engineer and other gentlemen, mostly officials came to the conclusion that the rates of the District Board of Rohtak were low and that they should be increased by 25 per cent.

The Honourable Mr. Miles Irving : I think the honourable member is going beyond the scope of the motion now before the House.

Rao Bahadur Chaudhri Chhotu Ram : I was trying to convince the official members that the so-called exhibition of irresponsibility is not attributable to non-official members so much as to the official members themselves. I would request them to realise their responsibility. I would also request the Government, the Executive Councillors and the Honourable Ministers to try to curtail their expenditure still further and to explore new sources of revenue. At the same time I would advise the honourable mover not to press his motion to a division. The House has already carried a motion in favour of 25 per cent. reduction in land revenue. Virtually there is very little difference between 25 and 33.

The Honourable Dr. Gokul Chand Narang : Why not? There is a difference of 8 per cent.

Rao Bahadur Chaudhri Chhotu Ram : Yes, I know that there is a difference of 8 per cent., and I also know why the Honourable Minister directs attention to it. I may warn the Government clearly that the stage is arriving soon when, unless circumstances improve, it will not be possible to realise one penny of land revenue or of *abiana*. Try as you might the breaking point cannot be averted if the present economic conditions continue. Anyhow I submit that though the motion will not be pressed, it would be expedient politically and constitutionally for Government to act in the spirit underlying the motion now before the House.

The Honourable Sir Henry Craik (Finance Member) : I generally find myself in fairly close agreement with the honourable member who leads the National Unionist party, but there are one or two things which he said in his speech from which I feel I must express my dissent. He began by explaining, as I understand, that motions such as the one we have been discussing are brought forward to impress upon Government the extreme necessity of giving some relief to the zamindar, the necessity which, he seems to think, Government does not fully realise. That is an attitude which I do not accept at all. If there is one thing in the world which has guided the whole of my policy since I became the Member in charge of Finance,

[The Hon. Sir Henry Craik.]

it is the necessity of giving some relief to the tax-payer, who is broadly speaking the zamindar. If the honourable member will look back on the measures taken by Government during the last four years on the financial side, he will find that the whole of our policy has been guided by that principle and by no other principle. So, if that is the object of these motions I may assure the honourable member and his party that in that particular sense it is entirely superfluous.

The only question is how far such a relief is practicable. I gather from what my honourable friend has said that these motions are not meant really to be treated seriously (*Voices* : No, no.)

Mr. President : The Honourable member is insulting the voting responsibility of the members who voted for those cuts.

The Honourable Sir Henry Craik : I understand he implied that if the Council had the power of enforcing such cuts, if the elected members had the power of enforcing measures such as these motions, they would do so.

Rao Bahadur Chaudhri Chhotu Ram : All I said was that proposals of this character would not be made for simultaneous and immediate action.

The Honourable Sir Henry Craik : But that as they have not the power, they realise that it is not within our power to do so either. That is broadly speaking their attitude.

The honourable member referred to various methods of retrenchment and in particular retrenchment of the allowances of Government servants. Even if the entire amount of allowances drawn by all Government servants were abolished it would not give him one-tenth of the amount required by this single resolution. He suggested that we had pruned and curtailed the allowances of the services under our control, but had taken no steps whatever to curtail or prune the allowances drawn by the all-India services. That is not an accurate statement. We have addressed the Government of India on that subject and we have done so because we have not ourselves the power of dealing with those allowances. It is not correct that we have taken no steps whatever to reduce them. But even if the whole of those also could be abolished the sum saved would be so trifling as to be entirely negligible when you are considering how to meet the total reduction demanded of crores of rupees. The most you can get from savings from this source can be counted not in crores, not even in lakhs but only in thousands. It is not a practical proposition to ask Government to do away with one-quarter of its total revenues and not suggest any practical means of filling that enormous gap.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : There is just one matter I wish to refer to. The honourable member referred in his speech to the letter which the Secretary, Buildings and Roads, addressed to the Superintending Engineers asking them to hold meetings in every district and invite representatives of the district boards to attend those meetings and discuss together whether the rates could be reduced. So far as my information goes, in most of the districts these meetings have taken place. The honourable member said that in his district this meeting did not take place.

Rao Bahadur Chaudhri Chhotu Ram : It did take place but without any representative of the district board.

The Honourable Sardar Sir Jogendra Singh : I will make enquiries. But the effect of that inquiry in most of the districts has been a reduction of rates, as some of those who attended these meetings will bear me out.

Mian Nurullah : Sir, I do not in any way want to under-rate the creditable work done by the Finance Department during the last few years in the way of retrenchment, but I do feel that there is much greater scope yet and we can go on with retrenchment and find out ways and means to give relief to the zamindar. I do agree with Raja Narendra Nath that the Unionist Party feel their responsibility. We do feel it and if to-morrow you give power to the Unionist Party, I am sure what they will do is to bring down the expenditure of Government by another two crores and then make this up too (*laughter*).

The Honourable Finance Member mentioned while criticising the remarks made on my side of the House that the land revenue was based on the figures of 1910 and 1912 when the prices were probably as low as they are to-day. I beg strongly to differ from him. I have facts and figures and I must quote them. The market prices of staples in 1910 and 1912 were—

					Rs.	A.	P.
Wheat	..	..	..	31	2	0	0
Cotton	..	..	..	89	5	0	0
Gur	..	..	..	412	3	0	0
Toria	..	..	..	410	2	14	0

It must be borne in mind that the sanctioned price is always much lower than the price in the market. If the price of wheat in 1910 and 1912 was 3.1, probably the sanctioned price was 2.8. Therefore my argument is that if the price in the market is 2, the sanctioned price would be Rs. 1-8 0. I do not want to take the House through those figures at all. The proportions are the same and if the sanctioned prices are less than the market prices by a certain percentage even to-day that thing should happen and when this is reduced to percentages you will find that wheat stood in 1910 and 1912 at 100 and it is now 66; cotton 100, now it is 60; gur was 100, now it is 80; toria was 100, now it is 60. And the average of all these comes to probably 66 or so. That means a reduction of one-third. But I do not want to take long over it. I will refer to one or two points more. The argument was advanced that land is selling quite dear now, that land is a good investment even yet. I may say that land is a great sink in our country. If to-day somebody buys land, afterwards, his son goes elsewhere and the share of the grandson comes to be reduced to a small holding. Because that holding is not profitable he sells it off and goes away. After ten or twelve years the son who went elsewhere comes back and sinks his money on land. Thus it will be seen that land is the biggest sink in this country.

[Mian Nurullah.]

Secondly, as I quoted before the population of a village has gone from 88 to 966. Where is that population to go? It has got to live on land. Naturally it buys land, and consequently the price of land goes up. It is no argument that land is yet selling very dear. If you see the figures of mortgage banks—

6 P.M.

Mr. President : Order, order. It is six o'clock now. The question is—

That the total grant be reduced by Rs. 100.

The motion was lost.

Mr. President : The question is—

That a sum not exceeding Rs. 36,61,899 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 1935 in respect of Land Revenue.

The motion was carried.

REFERENCE TO HIGH COURT RULING.

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer): Sir, before you adjourn the Council, kindly permit me to quote the authority of the High Court about which there was a reference at the commencement of to-day's proceedings. The authority of the High Court referred to by me yesterday is 19 Lahore, page 718 of the year 1932.

The Council then adjourned till 2 p. m. on Thursday, the 8th of March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 8th March 1934.

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

STARRED QUESTIONS AND ANSWERS.

EXCISE ASSISTANT TO FINANCIAL COMMISSIONERS.

***2974. Mr. Muhammad Din Malak :** Will Chief Secretary be pleased to state—

- (a) whether it is a fact that during the past 18 years the post of Excise Assistant to Financial Commissioners, Punjab, has been held, for the most part, by a Sikh Extra Assistant Commissioner (the late S. Bishen Singh, P. C. S.) and two Hindu Extra Assistant Commissioners (Lala Kahwal Nain and Lala Narsingh Das);
- (b) whether the post mentioned above was held by a Muslim Extra Assistant Commissioner (Pir Ghias-ud-Din) for a short period of about two years;
- (c) if the replies to (a) and (b) be in the affirmative, whether Government proposes to kindly consider the desirability of appointing a suitable Muslim to the said post as soon as practicable?

Mr. C. C. Garbett : (a) and (b) Yes.

(c) When a change in the incumbency of this post becomes necessary, Government will endeavour to select the most suitable officer to fill it.

EXCISE ASSISTANT TO FINANCIAL COMMISSIONERS.

***2975. Mr. Muhammad Din Malak :** Will Chief Secretary be pleased to state—

- (a) whether it is a fact that the present Excise Assistant to the Financial Commissioners, Punjab, has held this post for the last four or five years;
- (b) if the reply to (a) is in the affirmative, whether Government proposes to replace him by an early date?

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

(b) No.

LAND DUES.

***2976. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state for the various colonies in the Punjab—

- (a) the amount of *malikana* acreage rate and price for the acquisition of proprietary rights, payable by grantees per acre;
- (b) the years in which the amounts of dues specified in (a) were fixed;
- (c) the intensity of irrigation?

The Honourable Mr. Miles Irving : (a) to (c). A statement is laid on the table.

[Hon. Mr. Miles Irving.]

Statement showing the amount of malikana, acreage rate and the price for the acquisition of proprietary rights payable by grantees (except service grantees), per acre in the various canal colonies in the Punjab.

1	2	3	4	5	6	7	8
Serial No.	Name of colony and district.	Class of tenants.	Rate of purchase price per acre.	Malikana rate per acre.	Acreage rate per acre.	Year or years in which the rates in (4), (5), (6) were fixed.	Intensity of irrigation.
1	Lower Chenab—Sheikhpura, Jhang and Lyallpur.	(a) All peasants including yeomen and capitalists (old grantees).	Ra. A. P. 12 8 0	Ra. Six annas in the rupee of land revenue.	Ra. ..	(4) 1910 (5) 1925-24 (6) ..	Of cultivable commanded area (5) Lower Chenab, West Circle, new colony villages .. 76% (4) Lower Chenab East Circle, Crown waste .. 76% (44) Pfr Mahal and Khilki extensions .. 76% (45) waste .. 76% (46) Burda Extension (Khilki channel), Crown waste .. 26%
		(b) Family grants transferred from the Lower Bari Doab Colony.	100 0 0	Ditto	..	1922 1923-24	..
		(c) 1st class Balochis .. 2nd class Balochis .. Dangali grants .. Chaudhris of camel grants of 1 square .. Chaudhris of grants of area in excess of 1½ square.	30 0 0 62 0 0 100 0 0 12 8 0 400 0 0	Ditto	..	1922 1923-24	..
		(d) New military jagir grants ..	Free of cost, except in the village abadi site.	Ditto	..	1922 1923-24	..
		(e) Peasants and landed gentry grants transferred from the Lower Bari Doab Canal.	100 0 0	Ditto	..	1924 1925-24	..

Lyalpur		200 0 0	Ditto	1926	1927-28	1928	1929	1930	1931
Lower Chenab Extensions.	(1) 5,000 acres for allotment out of <i>Baraga</i> .	185 0 0	Ra. 2 per acre allotted per annum and after 10 years Ra. 5.	1930	1930	1930	1930	1930	..
	(2) Civil non-official reward grants on Pir Mahal and Khukhi.		Ra. 3 per acre allotted if paid in a lump sum and Ra. 4-4-0 if paid in 8 equal half yearly instalments.	1930	1930	1930	1930	1930	..
	(3) Literates (Khukhi)	Tenants to be subjected to the rule of primogeniture.	Ra. 2 per acre allotted per annum.	1932	1932	1932	1932	1932	..
	(4) Peasants on Bursia Extension—(Locals, etc.).	Sliding scale varying between Ra. 50 and Ra. 120 according to the number of half-yearly instalments prescribed and chosen.	Ra. 1-8-0 per acre matured.	1932	1932	1932	1932	1932	..
	(5) Peasants—Pir Mahal and Khukhi.	Sliding scale varying between Ra. 100 and Ra. 200 according to the number of half-yearly instalments prescribed and chosen.	Ra. 2 per acre allotted per annum.	1933	1933	1933	1933	1933	..
Lower Jhelum Colony—Chang and Shadpur.	(6) New Military Jagir grants	(a) Free of cost except in the village about site.	Six annas in the rupee of land revenue.	1927	1927	1927	1927	1927	75 per cent. culturable commanded area in new and old villages in the bar. Khadir.
	(b) Non-horse-breeding grants—ordinary peasants, ordinary Nazrana-paying tenants, Zakhradars and Derakhtapals, Gadil and Kanji Baloch, landed gentry.	(c) Sliding scale varying between Ra. 40 and Ra. 100 according to the number of half-yearly instalments prescribed and chosen.	Ditto	1927	1927	1927	1927	1927	40 per cent. in old villages Khadir.
Shadpur	(c) Certain military and peasant grants in the Sohasga tract and elsewhere.	(c) Ra. 100 0 0	Ditto	1920	1920	1920	1920	1920	..
Ditto	(d) Peasants on re-allotment..	Not allowed to purchase proprietary rights.	Ditto	1922	1922	1922	1922	1922	..
Ditto	(e) Old Military Jagir grantees	Ditto	Ditto	1922	1922	1922	1922	1922	..

* Grants of 1 square each made after June 1927 are not assessed to meliasses.

† Reward grants connected with criminal assistance to Government have been made on these conditions. The grantees may be free or on payment of Ra. 12-4-0 with the sanction of Finance Department.

‡ Grantees allotted one square of land after June 1927 do not pay meliasses.

[Hon. Mr. Miles Irving.]

1. Serial No.	2. Name of colony and district.	3. Class of tenants.	4. Rate of purchase price per acre.	5. Mallikana per acre.	6. Average rate per acre.	7. Year or years in which the rates in (4), (5), (6) were fixed.	8. Intensity of irrigation.
			Rs. A. P.	Rs.	Rs.	(4) (5) (6)	
3	Lower Bari Doab Colony, Multan District.	(a) Annual military reward of military jagir grantees	Free of cost except to the village abadi site.	Rs. 1 per acre ma- tured.	..	1914	Of culturable commanded area— (i) all channels except Gugera .. 66-6% (ii) Gugera Branch .. 50%
		(b) Peasants of all classes, sar- wans, landed gentry, res- sants to maintain road side trees, tenants of born land, tenants of inferior land, (half resumable grants).	Sliding scale varying between Rs. 40 and Rs. 100 according to the number of half yearly instal- ments prescribed and chosen.	Ditto	..	(b) 1927 (c) 1914	..
		(c) Jangus and Sayyads (cow breeding).	150 0 0	Ditto	..	(c) 1922 (d) 1928	..
		(d) Garden tenants (Olkara)	Rs. 1,000 in a lump sum.	Rs. 20 for first five years and there- after Rs. 30 per acre per annum.	..	1923	..
		(e) Tenants of inferior lands— originally sold by auction or tender.	Sliding scale varying between Rs. 100 and Rs. 240 according to the number of instalments pre- scribed and chosen.	Rs. 1 per acre ma- tured.	..	(e) 1932 (f) 1930	..
		(f) Landed gentry and civil non- official reward grants— (Benalia lit area).	135 0 0	Rs. 3 per acre allot- ted per annum and Rs. 5 per acre after 10 years.	..	1930	..
		(g) Criminal tribes	Only occupancy rights conferred.	† Double the ordinary rate in the colony.	..	(g) 1919 (h) 1924	..
		(h) Certain depressed classes	Rate varying from Rs. 100 to Rs. 350.	Rent at 3 times the land revenue in all.	..	1931	..

[REVENUE DEPARTMENT]

XIII Bar Colony, Montgomery and Multan.	(a) Peasants— (i) Perennial. (ii) non-perennial.	(c) (i) (40) Sliding scale varying between Rs. 100, 50 and Rs. 240/ 120 per acre accord- ing to the number of half yearly in- stalments pre- scribed and chosen. (ii) Rs. 130 for perennial and Rs. 65 for non- perennial lands if a declaration signed to avail of this rate within 12 months, otherwise as in (c) above. Only occupancy rights conferred. 12 8 0	(d) Rs. 3 per acre allot- ted per annum and Rs. 5 after ten years; (ii) half of the above rates.	Rs. 3 per acre al- lotted if paid in a lump sum and Rs. 4-4-0 if paid in eight equal half yearly instal- ments.	(e) 1927	1926	1927	Sulej Valley Project of the culturable command area (for both perennial and non- perennial canals)—40%
(b) Compensatory grants— (i) Perennial, and (ii) non-perennial.		(i) Rs. 130 for perennial and Rs. 65 for non- perennial lands if a declaration signed to avail of this rate within 12 months, otherwise as in (c) above. Only occupancy rights conferred. 12 8 0	Ditto	Ditto	(f) 1929	1929	1927	
(c) Criminal tribes			Ditto	Ditto	(g) 1910	Kharif 1916	1927	1. Chhis distributary and Kale Minor .. 85% 2. Handal distributary and its minors .. 90% 3. Zafarke distributary and its minors .. 90% 4. Turkwind distributary and its minors .. 90% 5. Masloke distributary and its minors .. 90% 6. Vaho distributary and its minors .. 100% 7. Rakh distributary and its minors .. 90% 8. Pimpalpur Canal (non-perennial) of culturable command area .. 80%
(d) Tenants of all classes			Rs. 1 per acre allot- ted.					
(b) Certain landed gentry grants transferred from the Lower Barl Doab Canal.		100 0 0	Rs. 2 per acre allot- ted on the grant of S. Jasjit Singh and Madanjit Singh from rabi 1931.		(h) 1916	1930		
(c) Certain peasants in chaks 45 and 64.		100 0 0	Rs. 5 per acre allot- ted per annum.		(i) 1930	1930		
(d) Peasants in Rakh Chumian		Sliding scale vary- ing between Rs. 50 and Rs. 120 accord- ing to the number of half yearly instal- ments prescribed and chosen.	Rs. 1 per acre ma- tured.		(j) 1933	1933		

* Original conditions provided for maturing at double the ordinary rate
irrigated by the non-perennial channel of the Sulej Valley Project.

* Grantees allotted one acre of land after June 1927 pay no maturing
till the acquisition of occupancy rights and thereafter at ordinary rate.

(46) 40 per cent in Military
Bar Association, 40 per
cent in Civil Service.
(47) 25 per cent in Military
(non-perennial) Assem-
bly, 40 per cent in Civil
Service.
(48) 40 per cent in Military
Bar Association, 40 per
cent in Civil Service.

(49) 40 per cent in Military
Bar Association, 40 per
cent in Civil Service.
(50) 40 per cent in Military
Bar Association, 40 per
cent in Civil Service.

Ditto

100 0 0

(51) Peasants including military
peasants, military reward,
preferential reward, com-
munistary backed gentry,
peasants, official and
economic, special civil
and peasant, and Za-
khindar grants.

*Grants allotted one month after June 1927 pay to military.

LAND DUES.

*2977. **Rao Bahadur Chaudhri Chhotu Ram** : Will the Honourable Revenue Member kindly state in respect of the colony lands in the Pir Mahal extension—

- (a) land revenue, *malikana* and acreage rate payable by grantees per acre ;
- (b) whether acreage rate, land-revenue and *malikana* are payable on the whole land comprised in the grant or only on the land actually own and matured ;
- (c) the total amount of all dues, i.e., land-revenue, acreage rate, *malikana* and water rates per acre on wheat, cotton and sugarcane in the Lyallpur district ;
- (d) the yield per acre of cotton, wheat and *gur* adopted by the Settlement Officer in the Lyallpur district for the purpose of calculating half net assets at the last settlement ;
- (e) the price of the yield per acre of cotton, wheat and *gur* referred to in (d) at the rates prevailing on the 15th January 1934 ?

The Honourable Mr. Miles Irving : (a) and (b)—

Pir Mahal Extension.

Land Revenue.—Rs. 3 per matured acre per harvest.

Malikana.—(i) Civil non-official reward and village headmen grantees Rs. 3 per acre allotted per annum.

(ii) Peasant grantees.—Rs. 2 per acre allotted per annum.

Acreage rate.—Rs. 3 per acre allotted if paid in a lump sum and Rs. 4-4-0 in eight equal half-yearly instalments from those who prefer to pay in instalments.

(c) There are many different rates of fluctuating land revenue in the Lyallpur district. Acreage rate is not levied outside the extensions. If the average land revenue per acre matured is believed to be about Rs. 4-4-0, but if, by way of caution, Rs. 4-8-0 per acre be taken as a typical land revenue charge and combined with schedule A flow rates of *abiana*, the total will be :—

	Wheat.	Cotton.	Sugarcane. (gur)
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Land Revenue	4 8 0	4 8 0	4 8 0
Water rate	5 4 0	6 4 0	12 0 0
Malikana (Rs. 0-6-0 per rupee of land revenue)	1 11 0	1 11 0	1 11 0
Total	11 7 0	12 7 0	18 3 0

(d)	Jhang Branch Circle.	Gugera Branch Circles. I, II and III.	Extensions.	Pro-prietary villages.	Rakh Branch (1912).
	Rs.	Rs.	Rs.	Rs.	Rs.
Cotton	5	6	5½	5	4
Wheat	13	15	15	12	13
Gur	25	28	28	100 per acre.	18

(e)	Jhang Branch Circle.	Gugera Branch Circles I, II and III.	Extensions.	Pro-prietary villages.	Rakh Branch (1912).
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Cotton	29 3 6*	35 1 0*	32 2 3*	29 3 6*	20 0 0 (Desi only).
Wheat	26 6 6	30 7 6	30 7 6	24 6 0	26 6 6
Gur	87 8 0	98 0 0	98 0 0	..†	63 0 0

*Calculations have been made at the average of the rates for *Desi* and American cotton prevailing on 15th January, 1934.

†As the yield per acre has not been assumed in maunds, the calculation cannot be made.

LAND REVENUE.

***2978. Rao Bahadur Chhotu Ram :** Will the Honourable Revenue Member kindly state in respect of Badli, Kutani, Patoda, Kanodah, Kakana, Gohana, Abulana, Mundlana, Chhatera, Khewra, Jakholi and Gannaur zails of Rohtak district—

(a) the total culturable area ;

(b) the total land-revenue demand ;

(c) the total remissions of land revenue and the amount of culturable land which remained under water up to the 31st December 1933 ?

The Honourable Mr. Miles Irving : A statement giving the required information except with regard to the culturable area which remained under water up to 31st December, 1933, is laid on the table.

The information regarding culturable area which remained under water cannot be supplied because no record was prepared of such land.

Statement.

Name of Zail.	Total culturable area in acres.	Total land revenue demand for kharif 1933.	Total remission of land revenue proposed to be given out of demand for kharif 1933.
		Rs.	Rs.
Badli	26,518	19,625	12,007
Kutani	14,987	10,391	4,536
Pataudah	15,415	10,015	6,644
Kanodah	11,020	9,831	5,142
Kakana	20,648	19,812	13,016
Gohana	18,472	16,093	10,016
Ahulana	24,045	20,233	16,248
Mundlana	17,381	15,055	3,101
Chhatera	18,292	14,777	4,591
Khewra	17,436	19,655	12,132
Jakhauli	16,347	16,102	12,825
Ganaur	22,8°8	23,800	11,681

DEATHS IN ROHTAK DISTRICT.

***2979. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state in respect of Mundlana, Chhatera, Busana, Jagsi, Kasandah, Kasandi, Kakana, Nurankhera, Mirazpur-Kheri, Isapu-Kheri Chhachhrana, Masudpur, Marodhi, Dhurana, Jehazgarh, Kutana, Yakubpur, Munimpur, Jahangirpur, Bahmnoli, Bahmnola, Daryapur, Kanodah, Sundarpur, Singhpura, Bhagwatipur, Shanghi, Khidwali, Asodah, Mahandipur, Bakhtawarpur, Murthal, Khewra, villages of Rohtak district—

(a) total population ;

(b) total number of deaths between 20th of September 1933 and 15th of January 1934 ;

(c) number of deaths during the corresponding period of 1930-31, 1931-32 and 1932-33 ?

The Honourable Malik Sir Firez Khan Noon : A statement containing the required information, except with regard to Kutana village, the records of which were destroyed during the recent floods, is laid on the table.

Statement

Serial No.	Name of villages.	Population.	Number of deaths from 20th September 1932 to 15th January 1934.	Number of deaths from 20th September 1930 to 15th January 1931.	Number of deaths from 20th September 1931 to 15th January 1932.	Number of deaths from 20th September 1932 to 15th January 1933.
1	Mundiana	3,490	19	28	4	25
2	Chhatara	687	15	..	1	14
3	Busana	1,307	15	9	8	13
4	Jagai	3,084	78	..	..	37
5	Kasandah	714	26	3	5	2
6	Kasandi	1,008	28	14	7	..
7	Kakana	393	11	2	3	8
8	Nurankhara	1,127	17	..	3	3
9	Mirajpur-Kheri	631	16	..	2	4
10	Isapur-Kheri	1,419	57	..	3	16
11	Chhachhrana	1,170	35	..	4	12
12	Masudpur	216	6	3	5	2
13	Marodhi Jattan	596	18	7	6	6
14	Marodhi Rangran	1,098	32	8	9	7
15	Dhurana	734	15	..	..	6
16	Jahazgarh	1,547	23	..	..	8
17	Kutana .. ..	..	..	..	..	..
18	Kakubpur	567	4	..	..	2
19	Munimpur	451	5	..	..	3
20	Jahangirpur	1,282	8	..	..	5
21	Bahmnoli	1,297	35	..	..	17
22	Bahmnola	531	9	..	..	6
23	Daryapur	457	4	..	..	..
24	Kanodah	1,841	25	..	..	8
25	Sundarpur	1,138	17	15	6	12
26	Singhpura	315	6	8	7	4
27	Bhagwatipur	995	8	8	5	1
28	Sanghi	3,221	79	25	5	18
29	Khidwali	2,625	42	26	7	27
30	Asodah	3,312	66	..	..	23
31	Mahandipur	425	7	3	11	4
32	Bakhawarpur	541	8	3	9	5
33	Murthal	3,725	51	27	16	23
34	Khewra	2,611	64	36	21	23

MUNICIPAL GRANTS.

*2980. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Minister for Education kindly state—

(a) the amount of grants made to municipal committees of the province for the purpose of drainage and water supply in 1931, 1932 and 1933 ;

(b) the amount of money spent for the purposes specified in (a) in rural areas ?

The Honourable Malik Sir Firoz Khan Noon : A statement furnishing the required information is placed on the table.

[Hon. Malik Sir Firoz Khan Noon:]

Statement showing the grants made to Municipal Committees and grants spent in Rural areas in connection with Water-supply and Drainage schemes for the year 1930-31, 1931-32 and 1932-33.

YEAR.	GRANTS MADE TO MUNICIPAL COMMITTEES.		GRANTS SPENT IN RURAL AREAS.	
	Water-supply.	Drainage.	Water-supply.	Drainage.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1930-31 ..	1,86,533 0 0	96,358 0 0	24,617 0 0	..
1931-32 ..	2,16,025 5 0	59,202 11 0	19,052 0 0	..
1932-33 ..	1,15,740 15 0	74,704 0 0	864 1 0	1,000 0 0
Total ..	5,18,299 4 0	2,30,264 11 0	44,533 1 0	1,000 0 0

DRAINAGE AND WATER SUPPLY IN RURAL AREAS.

***2981. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the amount of money spent on drainage and water supply in rural areas in 1930, 1931, 1932 and 1933 in the various divisions of the province separately ?

The Honourable Malik Sir Firoz Khan Noon : A statement furnishing the required information is placed on the table.

Statement showing the amount of grant-in-aid spent by Divisions in the Rural areas of the Punjab Provinces on water-supply and drainage schemes from the year 1929-30 to 1932-33.

Serial No.	Name of Division.	1929-30.		1930-31.		1931-32.		1932-33.	
		Water-supply.	Drainage.	Water-supply.	Drainage.	Water-supply.	Drainage.	Water-supply.	Drainage.
1	Rawalpindi ..	Rs. A. P. 70,759 7 3	Rs. A. P. ..	Rs. 16,500	Rs. ..	Rs. 15,232	Rs. ..	Rs. A. P. 864 1 0	Rs. ..
2	Lahore ..	741 0 0	..	..	..	..	..	..	..
3	Jullundur ..	4,209 0 0	841 1 0	..	..	..	..	..	1,000
4	Ambala ..	17,486 8 0	..	8,117	..	..	..	..	..
5	Multan ..	..	..	..	..	3,820	..	..	..
	Total ..	93,195 15 3	841 1 0	24,617	..	19,052	..	864 1 0	1,000

DRAINS IN ROHTAK DISTRICT.

***2982. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) the maximum discharge of which drains Nos. 3, 6 and 8 in the Rohtak district are capable ;
- (b) the quantities of water with which these drains had to cope during the floods of September, 1933 ;
- (c) for how many weeks these drains continued to flow in consequence of the flood in September 1933 ;
- (d) whether any arrangements were made to measure the quantities of water with which these drains had to cope and the actual discharge of these drains during the period of the flood ?

The Honourable Mr. Miles Irving : (a)—

<i>Designed discharge according to plans and sections.</i>	<i>Maximum discharge of which capable.</i>
--	--

No. 3	160	500
No. 6	381	1,470
No. 8 near Rohtak	550	800

(b) If by the quantities of water with which these drains had to cope the honourable member means the quantities they discharged, they ran with maximum discharges.

(c) Approximately six weeks.

(d) Yes.

DRAINS IN ROHTAK DISTRICT.

***2983. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state what action has been taken or is contemplated by the Government to make effective arrangements for the drainage of the Rohtak district and to prevent the recurrence of the floods which were witnessed in September 1933 ?

The Honourable Malik Sir Firoz Khan Noon : To mitigate the flood conditions in the Rohtak district in future, the following measures have been suggested to Government :—

- (i) A suitable *bund* should be constructed on Sahibi Nadi in co-operation with the Alwar State.
- (ii) In the riverain tract of the Khadar area of Sonapat tahsil the overflow *nullahs* should be kept desilted before the rains set in every year.
- (iii) The whole system of the drainage in the rural areas should be thoroughly gone into, and, if necessary, reconditioned and realigned.

Opinions of local as well as technical officers of the Public Works Department have been called for, and necessary action will be taken after considering their replies when received.

FLOODS IN ROHTAK DISTRICT.

***2984. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether Government has deputed any expert officer to ascertain the causes of the floods in the Rohtak district in September 1933, and to report the steps which are necessary to prevent their recurrences ?

The Honourable Mr. Miles Irving : Yes, the Superintending Engineer, Drainage Circle, has been asked to examine the question and to report on it in collaboration with the Superintending Engineer, Western Jumna Canal Circle.

RULES UNDER SECTION 61 OF CIVIL PROCEDURE CODE.

***2985. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether any rules under section 61 of the Civil Procedure Code have been framed by the Punjab Government ; and, if not, whether Government intends to frame these rules now ?

The Honourable Mr. Miles Irving : No. The question has been considered more than once by Government and they are of the opinion that in view of the existing provisions of the law no further action is necessary. In this connection the honourable member's attention is invited to the Financial Commissioners' Standing Order No. 64.

INDEBTEDNESS.

***2986. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the date on which the Indebtedness Committee submitted its report to the Government ;
- (b) whether Government contemplates passing any legislation in consequence of the recommendations of the Indebtedness Committee ;
- (c) if the answer to (b) is in the affirmative, whether Government expects to place the intended legislation before the Council during the coming budget session ;
- (d) if the answer to (b) is in the negative the reasons for the delay ?

The Honourable Mr. Miles Irving : (a) The exact date cannot be given as the report was not formally submitted to Government. It was received in the spring of 1933.

(b) Yes.

(c) Yes.

(d) Does not arise.

RECRUITMENT OF SUB-JUDGES.

***2987. Rao Bahadur Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the number of persons whose names have been sent for by the Honourable Judges of the High Court in the exercise of their discretion under Rule 3 of the rules regulating the recruitment of sub-judges since these rules were framed ;

[R. B. Ch. Chhotu Ram.]

(b) how many of the candidates referred to in (a) were Hindus, Muslims and Sikhs and how many were members of notified agricultural tribes under each group?

Mr. C. C. Garbett : (a) Eighty-two (from 1929 to 1934 inclusive).

(b) <i>Hindus</i>	<i>Muslims.</i>	<i>Sikhs.</i>
52	18	8

Of these candidates six Hindus and two Muslims were classed as zamindars. More exact information is not available.

RECRUITMENT OF SUB-JUDGES.

***2988. Rao Bahadur Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

(a) the number of sub-judges recruited from among the ministerial establishment under the High Court and the relations of judicial officers since the inception of the semi-competitive examination and the positions which these sub-judges occupied in the list of successful candidates ;

(b) whether the sub-judges recruited from among the relations of judicial officers and the members of the ministerial establishment as a result of the qualifying examination prescribed by the High Court were all LL.B.s, and, if so, how many of them had passed their LL.B. examinations in the first and second divisions respectively?

Mr. C. C. Garbett : (a) Six. Their positions were—

14th and 69th in the year 1930, 6th and 12th in the year 1931 and 18th and 30th in the year 1932.

(b) All were LL.Bs. Two of them passed their LL.B. examination in the 1st division and four in the 2nd division.

INDEBTEDNESS OF SARDAR KHARAK SINGH, DIVISIONAL AGRICULTURAL OFFICER.

***2989. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture please state—

(a) whether he is aware of the fact that S. Kharak Singh is heavily indebted and his total debts are much in excess of his two years' salary, that many of his departmental colleagues and subordinates are his creditors, and that he owes over Rs. 9,000 to Pandit Chandan Ram, now Agricultural Assistant, Ambala, ex-Manager, Agricultural Station, Gurdaspur ;

(b) whether it is a fact that he has been doing business in sugar-making machines and other agricultural implements and had actually sold such machines and implements by virtue of his position as a Divisional Agricultural officer, and that a case has been instituted against him in a court at Lyallpur for selling a defective machine?

(ii) If the reply to the above is in the affirmative will he please state if it is proposed to take action against S. Kharak Singh under Government Servants' Conduct Rules?

The Honourable Sardar Sir Jogendra Singh : (i) (a) and (b). Government have no exact information. The officer in question admits having borrowed some amount from Pandit Chandan Ram when the latter had ceased to be his subordinate.

(ii) Further enquiry will be made.

LAND GRANTS.

***2990. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that both in the Ganji Bar Colony and Nili Bar Colony of the Montgomery district free grants of land have been made to those zamindars whose lands were washed away by the Sutlej river ;
- (b) roughly the areas of land in (a) by districts ;
- (c) if the area of land, allotted to the zamindars of the Montgomery district, mentioned in (a) was in small proportion to that allotted to Ferozepore or Lahore districts mentioned in (a), the reasons for it ;
- (d) whether he is aware of the fact that a large number of zamindars of the Montgomery district whose lands were washed away by the Sutlej river are wandering about as beggars or labourers on canals and roads ;
- (e) if the answers to (a) and first part of (c) are in the affirmative, what action the Government intends to take in the matter ?

The Honourable Mr. Miles Irving : (a) No free grants were given. If the honourable member will refer me to any other form of grants he has in mind, I will endeavour to obtain the information.

- (b) and (c) Cannot be stated without the information referred to in (a).
- (d) No.
- (e) Does not arise.

DISTRICT BOARD HIGH SCHOOL, NAKODAR.

***2991. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) whether the District Board, Jullundur, submitted a resolution to him last year asking that the District Board High School, Nakodar, should be taken over by the Education Department ;
- (b) whether the reason for the request in (a) was that the District Board was already supporting three other high schools, and that it was unable to support the Nakodar High School ;
- (c) whether it is a fact that the resolution in (a) was recommended by the Inspector of Schools, Jullundur division, and the Deputy Commissioner of Jullundur ;

[Ch. Allah Dad Khan.]

- (d) whether a deputation of influential men of the Nakodar tahsil waited on him and the Director of Public Instruction for the purpose mentioned in (a) and that they promised to consider the question favourably ;
- (e) the number of scholars on the rolls of the school ;
- (f) the additional expenditure to be incurred by Government, if the school in (a) is taken over by it ;
- (g) whether it is a fact that there is no other high school in the Nakodar tahsil ;
- (h) if answers to (a), (b), (c) and (d) are in the affirmative, what action the Government intends to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a), (b) and (c) Yes.

(d) Yes. There is no record of any promise having been made to the deputation.

(e) 449.

(f) Rs. 1,079 as estimated by the inspector. This, however, needs careful examination.

(g) No. There are two other recognised high schools in the Nakodar tahsil.

(h) The honourable member is referred to my answer to Council question no. 742¹. The financial position has made provincialisation impossible in the near future or at any predictable date.

MISAPPROPRIATION IN FINANCIAL COMMISSIONERS' OFFICE.

***2992. Mr. Muhammad Din Malak :** (i) Will the Honourable Member for Revenue be pleased to say whether it is a fact—

- (a) that hundreds of rupees have been misappropriated by a restorer employed in the office of the Financial Commissioners, Punjab, in connection with the carriage of Government records from Lahore to Simla and back ;
- (b) that he has also destroyed the file on the subject ;
- (c) that he has been dismissed from Government service for the above offence ;
- (d) that a report has yet to be sent to the Audit Office as required by the rules ?

(ii) If the facts stated above are correct, what action does Government intend to take in order to realise the money misappropriated by the dismissed official ?

The Honourable Mr. Miles Irving : (i) (a) Approximately Rs. 150 have been misappropriated.

(b) The file is missing.

(c) Yes.

(d) Under the rule no such report was required.

(ii) The case is being dealt with by the Financial Commissioners.

Mr. Muhammad Din Malak : Will the Honourable Member please state whether any step has been taken to trace the missing file ?

The Honourable Mr. Miles Irving : I must ask for notice. But I presume that it is a normal procedure in office management that when a file is missing some one looks for it.

EXTRA ASSISTANT COMMISSIONERS.

***2993. Khwaja Muhammad Eusoof :** Will the Chief Secretary kindly state—

- (a) whether recruitment for the posts of extra assistant commissioners in the Punjab is under consideration of the Government ;
- (b) whether it is a fact that the Muslim population of Gurgaon district is very backward in education ;
- (c) whether it is a fact that no Muslim candidate from Gurgaon district has ever been accepted for the post of extra assistant commissioner in the Punjab ;
- (d) whether Government will particularly consider the case of the Gurgaon district candidates while recruiting to the above-mentioned service ?

Mr. C. C. Garbett : (a) A few candidates have recently been selected.

(b) Yes. Muslim education in Gurgaon is backward, but according to the latest census report not so backward as it is in the districts of Hissar, Ferozepore, Sheikhpura, Attock, Montgomery, Mianwali, Jhang, Multan, Muzaffargarh and Dera Ghazi Khan.

(c) No extra assistant commissioner at present serving comes from the Gurgaon district, but Government have no information about extra assistant commissioners who have died or who have retired.

(d) No. Government takes the following factors into consideration in selecting extra assistant commissioners.—

- (i) their merits,
 - (ii) the religion they profess,
 - (iii) whether they are agriculturists or non-agriculturists.
- They cannot undertake to consider any other factor.

HINDU WATERMEN IN GOVERNMENT SCHOOLS.

***2994. Lala Jyoti Prasad :** With reference to my starred question No. 2600¹ asked on 31st July 1938, will the Honourable Minister for Education please state—

- (a) whether he will supply information asked for in part (d) ;
- (b) in view of his reply to part (e) of the question referred to above, whether the Honourable Minister took any steps to satisfy himself as to whether the present arrangements are not working satisfactorily ;

[L. Jyoti Prasad.]

(c) if the answer to (b) be in the negative, whether he is prepared now to make an enquiry into the matter from the headmasters of all the schools in the Ambala division ;

(d) if the answer to (b) be in the affirmative, what measures he has adopted or intends to adopt to remove the difficulty ?

The Honourable Malik Sir Firoz Khan Noon : (a) (i) Number of Government Schools, 19.

(ii) Number of students community-wise :—

<i>Muhammadans.</i>	<i>Hindus.</i>	<i>Sikhs.</i>	<i>Christians.</i>	<i>Others.</i>
1,495 .	9,088	118	12	103

(b) The Divisional Inspector has reported that the present arrangements are not working satisfactorily in some schools.

(c) Does not arise.

(d) The Inspector has already been asked to recommend in the beginning of the next financial year the creation of posts of part time Hindu watermen for the summer months for schools where the existing arrangements are not satisfactory.

HISSAR CATTLE FARM.

***2995. Lala Jyoti Prasad :** With reference to his reply to parts (d), (e), (f), (g) and (h) of my starred question No. 2478¹ asked on 27th July 1933, will the Honourable Minister for Agriculture kindly state—

(a) whether the report has received the consideration of the Government and whether Government has reached a final decision ;

(b) if the answer to (a) be in the affirmative, what are the replies to parts (d), (e), (f), (g) and (h) of my question referred to above ;

(c) if the answer to (a) be in the negative, (i) the date when the committee referred to in (a) of my previous question was formed ; (ii) the date when this committee made its report and (iii) also the cause of this long delay ;

(d) whether it is not a fact that delay in not acting upon the report either *in toto* or in part, is causing a great financial loss to the Government ?

The Honourable Sardar Sir Jogendra Singh : (a) A final decision has not yet been reached.

(b) Does not arise.

(c) (i) April 1932.

(ii) September 1932.

(iii) The problems involved are not so urgent as to preclude careful study.

(d) It is not known in what respect the honourable member believes the Farm to be uneconomic.

BHIWANI WATERWORKS.

***2996. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that waterworks in Bhiwani town of the Hissar district were opened in August last ;
- (b) whether it is a fact that without proper drainage water is standing in each and every street, to the great inconvenience of passers-by ;
- (c) whether there is any drainage scheme in contemplation for the town ; if so, when tenders for contract are to be called and drainage work to be started ;
- (d) what is the estimate of the drainage scheme ?

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

(b) Yes.

(c) Yes. Tender notices for five contracts for works forming the bulk of the first instalment of the scheme were posted on the 2nd, 3rd and 7th February, 1934, respectively. Other tender notices are under preparation, and as soon as further funds are made available by the municipal committee, and land acquisition proceedings are completed by the municipal committee further tender notices will be posted. Actual construction work will be started very soon, probably in March, 1934.

(d) The estimated cost of the scheme is Rs. 4,44,403.

SUPERINTENDENTS OF COMMISSIONERS' OFFICES.

***2997. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that out of the five Superintendents of Commissioners' offices, two are Muslims and three Anglo-Indians or Christians ;
- (b) if so, whether Government intends to appoint a Hindu and a Sikh in this post when vacancies occur ;

The Honourable Mr. Miles Irving : (a) Yes.

(b) The best qualified person will be selected for each post without regard to communal consideration.

COURT OF WARD OF KARTARPUR ESTATE.

***2998. Mr. Mukand Lal Puri :** Will the Honourable Revenue Member be pleased to state what improvement, if any, the present manager of the Court of Ward of Kartarpur Estate has made either in income or in property of the said Court of Ward since the time of his appointment ?

The Honourable Mr. Miles Irving : The manager has effected large savings and has increased the income of the estate ; he has planted fruit trees, sunk wells and improved and added to the buildings belonging to the estate.

COURT OF WARD OF KARTARPUR ESTATE.

***2999. Mr. Mukand Lal Puri:** Will the Honourable Revenue Member please state the annual pay of the present manager of the Court of Ward of Kartarpur Estate and his annual aggregate travelling allowances borne by the said Court of Ward?

The Honourable Mr. Miles Irving: Annual pay, including deputation allowance at present, Rs. 7,650.

Travelling allowance in the past year, Rs. 1,108-9-0.

KARTARPUR ESTATE.

***3000. Mr. Mukand Lal Puri:** Will the Honourable Revenue Member please state the annual income, expenses and the savings of the Kartarpur Estate since the appointment of the present manager?

The Honourable Mr. Miles Irving: The statement is laid on the table.

Statement showing the annual income, expenditure and savings of the Kartarpur Court of Wards Estate.

Year.	Income.	Expenditure.	Savings.
1	2	3	4
	Rs.	Rs.	Rs.
1930-31	77,447	84,088	-6,641
1931-32	78,265	77,523	+742
1932-33	78,328	72,270	+6,058

REWARDS.

***3001. Chaudhri Afzal Haq:** Will the Honourable Minister for Education be pleased to state—

- what sum of money has been distributed as reward in the years 1932 and 1933 to the people who gave assistance to the police;
- what sum of money has been distributed as reward in the years 1932 and 1933 to the people who gave assistance to the Education Department;
- if no reward is given by the Government to the people who assisted the Education Department, whether the Government now proposes to reward the people who help the Education Department?

The Honourable Malik Sir Firoz Khan Noon :

	Rs.
(a) 1982-88 .. .. .	.. 1,89,626
1988-94 (up to 31st December 1988) ..	.. 78,172
(b) Nothing.	

(c) Government awards *sanads* and titles and is not in favour of cash rewards which, besides entailing unnecessary expenditure, will introduce a mercenary spirit in the field of work which has been regarded as beneficent and charitable.

GRANT OF LAND.

***3002. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- the number of persons who were given grants of land during the years 1982 and 1983 in recognition of their valuable services to the criminal administration ;
- the number of persons who were given grants of land during the years 1982 and 1983 in recognition of their valuable services to the Education Department ;
- if no grants of land have been given to the people who helped the Education department, whether the Government is now considering the question of giving grant of land to those who help the Education Department in this respect ?

The Honourable Mr. Miles Irving : (a) Three in 1982 and four in 1983. Such grants are made to persons who have rendered conspicuous service at personal risk, or to the heirs of persons who have been killed in aiding the criminal administration.

(b) No such grants were made in 1982-83, but several public-spirited gentlemen were given reward grants in 1980 in recognition of their services to the beneficent departments.

(c) No.

PUNISHMENT OF VILLAGE OFFICERS.

***3003. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- the number of zaildars, sufedposhes, lambardars and chaukidars who have been punished in the years 1982 and 1983 for failing to give assistance to the Education Department ;
- whether it has been brought to the notice of the Government (Ministry of Education) that zaildars, sufedposhes, lambardars and chaukidars are punished for failing to give assistance to the police and these punishments are given prominence in the departmental reports ;

[Ch. Afzal Haq.]

(c) whether the Honourable Minister is considering the question of giving in future the same prominence to the punishments of the village officers who fail to give assistance to the Education Department?

The Honourable Malik Sir Firoz Khan Noon : The information required in this question can be collected if the honourable member so desires.

Chaudhri Afzal Haq : It is given in your report.

The Honourable Malik Sir Firoz Khan Noon : Then you do not want it. Perhaps the honourable member wanted to draw the attention of the Government to the desirability of giving punishment to the lambardars and zaildars who did not help the Education Department; but my own feeling is that our department is such a popular and good department that people come forward and help it quite voluntarily without any pressure being put on them. I hope that he will not press for the change which may not be popular among the public.

OATH OF OFFICE.

The following member was sworn in :—

Mr. R. N. Parker, I. F. S. (Chief Conservator of Forests).

GOVERNMENT'S DEMANDS FOR GRANTS.

EXCISE.

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

That a sum not exceeding Rs. 10,59,400 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 1935 in respect of Excise.

Mr. President : Motion moved—

That a sum not exceeding Rs. 10,59,400 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 1935 in respect of Excise.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, I beg to move—

That the grant be reduced by Rs. 1,800 with respect to the item of Rs. 1,800, special pay.

There is a general practice in this province that when an officer is changed from one office to another he is granted a special pay. This Council, the Provincial Retrenchment Committee and the Finance Sub-Committee have more than once recommended to the Government to discontinue this practice. But this practice still exists. As a matter of fact it is an unsound financial policy to grant an officer who already draws a handsome salary a special pay on his being transferred merely from one office to another. Of course, an officer who performs additional duties is entitled to special pay. The Excise Assistant is drawing Rs. 500 per mensem. His special

pay is Rs. 150 per mensem, for which there can be no justification. It may be said, "This is not the only officer who draws special pay. You will find such cases in many other departments as well. Why then a cut with respect to this department alone is moved?" In reply to this I would submit that this cut is being moved with a view to create a precedent. There is another reason for this, and that is that the revenue of this department, as was pointed out by the Honourable Finance Member in his speech, has considerably fallen down. The Government attributes this fall in income to the fact that the purchasing power of the people has decreased, but in my opinion it is due to some extent to mismanagement. Under these circumstances I would commend my motion to the acceptance of the House.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1,800 with respect to the item of Rs. 1,800, special pay.

Mr. A. Latifi (Financial Commissioner): Before answering the particular argument which the honourable member has advanced, I think it will be useful if I briefly recount the history of the post of Excise Assistant in question. I will not go so far back as the time when the Punjab had a separate Excise Commissioner. But it was in 1926 that the existing arrangements were made. Up till that year we had a distillery expert drawing Rs. 1,000 a month and in addition an officer of the Punjab Civil Service styled Excise Superintendent. In that year, as a measure of economy the post of distillery expert was retrenched, and in lieu of that the Excise Superintendent became Excise Assistant to the Financial Commissioners, and in view of his additional responsibilities and duties was given this allowance of Rs. 150 a month which is now in dispute. The honourable member who moved the cut has said that there was no reason why a mere change of office should bring in an additional allowance. But in this case, Sir, the circumstances are very special. It is not merely that a member of the provincial service is changed from one office into another. The office has to be filled by a picked official who is to be in charge of very special responsibilities and onerous duties and in order to enable the Government to attract to this post a man of the right qualifications it is necessary to have an allowance of this kind. The Excise Assistant has to familiarise himself with all the branches of a particularly unattractive department. He has to familiarise himself with a mass of rules and regulations and also with the technical details of his work. Besides, he is expected to stay at Lahore and this involves for a man who has no special reasons for coming to Lahore, heavy house rent, conveyance allowance and various other items of expenditure which I need not mention.

Chaudhri Zafulla Khan : Are all the Extra Assistant Commissioners given this special allowance when they are asked to come to Lahore?

Mr. A. Latifi : Not necessarily so. But they do not have the great responsibilities of the Excise Assistant. The Excise Assistant to the Financial Commissioners is the senior most officer of the Excise Department. The honourable member who moved the motion has made some capital out of the fact that the excise revenue has fallen this year and he seemed to hint that this was due to mismanagement. I am afraid that if there has

[Mr. A. Latifi.]

been mismanagement it has not been on the part of the Excise Assistant. It was only a few days back that the Excise Assistant made himself obnoxious to various heads of departments. He insisted on certain shops being reauctioned and by so doing he has enabled us to increase our revenue by Rs. 33,000.

Chaudhri Zafrulla Khan : The inference being that it is the heads of departments who are responsible.

Mr. A. Latifi : It is not a question of responsibility. You have an expert to advise. I do not say that anybody is responsible, but if anybody is responsible it is not the Excise Assistant. In this particular case there was a ring of excise contractors and they managed to get their low bids accepted. It was the Excise Assistant who was mainly responsible for getting matters set right. Anyway if anybody's pay is to be reduced it is not that of the Excise Assistant.

This question of the special pay of the Excise Assistant came up before the Retrenchment Committee. The question before that committee was not the total abolition but merely a reduction of this special pay by one half, that is, to Rs. 75 per month. But the Retrenchment Committee which honourable members will remember, included some distinguished gentlemen of their number, recognised that the allowance was fully justified, and I have no doubt that in coming to that decision they were influenced by the fact that in the United Provinces, which has an Excise Department of our size and has approximately the same amount of revenue from excise, they have, in the first place, an Assistant Commissioner of Excise on Rs. 900 a month and with him nine others on a salary of Rs. 340 to Rs. 800. On the other hand in the Punjab we have an officer of the Punjab Provincial Service who is at the present moment drawing Rs. 700 a month and he is helped by only two assistants drawing a salary of Rs. 300 rising to Rs. 330. So the overhead charges of this department are much smaller in the Punjab than in the neighbouring province. I trust therefore that in view of the keenness of the House for a vigilant excise policy in the matter of suppressing illicit distillation and generally suppressing excise offences, the Financial Commissioners will not be deprived of the assistance of a capable officer of the Punjab Provincial Service. (*Cheers*).

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural) : I wish to say a few words in support of the motion. The Standing Finance Committee of this Council has been objecting to the special pay of officers in whatsoever department they may be. This was brought to the notice of the officials very forcibly by the honourable member for Rohtak, Chaudhri Chhotu Ram. I shall now confine my remarks to the special pay in this particular case. I will not refer to the special pay of other officers in the Punjab Government though my objection and the spirit in which the honourable mover of this cut has spoken are entirely against special pay granted to officers in all departments.

With regard to the special pay under consideration now, first when we find that the salary already paid to this officer is high, when Government are obliged to give remissions to landowners in land revenue, Government can well realise whither our finances are drifting. In these days of stringency

Government should be very strict in giving special pay to their officers. The only argument which has been advanced by the Financial Commissioner in this respect is that this officer has to be specially trained in excise matters. I put him one question. This department has got sub-inspectors; it has got inspectors who are trained only in one department and that is the excise. Cannot we put one of these men as the Excise Assistant? Cannot we get the duty done by him satisfactorily? Is he to do legal cases? Why should we require an Extra Assistant Commissioner or a member of the Indian Civil Service to be trained in excise matters, and then give him special pay? I ask, why not promote an excise officer to this assistant's place and get the benefit of all the expert knowledge that he has about the Excise Department? Some officials are so intelligent as to suggest an original method of detection or they are possessed with the knack of getting such original suggestions from others while they themselves get the credit for them in the shape of a special pay. The work of an Excise Assistant is much lighter, much easier than that of an Extra Assistant Commissioner or a district officer. The assistant does excessive touring and he makes I think four or five times the amount made by any other officer of Government of the same grade. (*Interruption.*) My honourable friend questions my statement. I think that one of the duties of this Excise Assistant is to tour throughout the province to inspect liquor shops by surprise without any previous notice of his visit. He can therefore move from one corner of the province to another corner of it. Can an Extra Assistant Commissioner do so? You pay the Excise Assistant special travelling allowances and special halting allowances because he is to go on tour on so many days. An Extra Assistant Commissioner has to get the special permission of the Deputy Commissioner before he goes out on tour. I therefore object to the special pay given to the Excise Assistant as I do to any other special pay granted to any other officer.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to support the motion. Whatever justification there might have been before, as pointed out by the Financial Commissioner, it has been now exploded by my honourable friend from Ambala. I rise to give additional reasons for stopping this special pay to the gentleman who is at present acting as the Excise Assistant. I have urged by a number of Council questions that this pay is utterly undesirable and that this gentleman is not desirable in the office of the Financial Commissioner. The questions must have been fresh in the mind of the Financial Commissioner who has just now spoken. This officer has been the cause of the reduction in our excise revenue. He is very unpopular and has put a number of his own relations and friends in most favourable places.

Mr. President: The honourable member should not discuss persons.

Chaudhri Allah Dad Khan: I am just explaining why the officer does not deserve to be there. The special pay, if it is at all necessary, should be given to a junior officer who has got smaller pay than the senior.

The Honourable Dr. Gokul Chand Narang: Is the honourable member in order in his last remark?

Mr. President: No. The motion is that no special pay should be allowed to the Excise Assistant. There is no question of junior or senior.

Chaudhri Zafrulla Khan : On a point of order. Could that be interpreted as meaning that no special pay be allowed to this particular Excise Assistant ?

Mr. President : No. To the Excise Assistant, whosoever he may be.

Chaudhri Zafrulla Khan : Would not the member be in order in saying that there are reasons for not allowing it to the Excise Assistant ?

The Honourable Sardar Sir Jogendra Singh : Then the motion ought to have been differently worded.

Mr. President : The motion speaks for itself. It reads, that no special pay be allowed to Excise Assistant.

Chaudhri Zafrulla Khan : What is there in that motion to exclude considerations which show that the special pay should not be allowed on general grounds and also on grounds applicable to the particular Excise Assistant ?

The Honourable Sardar Sir Jogendra Singh : The proposition is a general and not a specific one. It is not to consider the merits of the officer who is at present holding the office. If it were intended to discuss the merits of the present incumbent, the motion should have made it clear.

Mr. President : Yes. If the present incumbent alone was intended, his name should have been given.

Chaudhri Zafrulla Khan : Then your ruling is that the motion as it is worded merely means that no Excise Assistant should get any special pay and the arguments which show that the special pay should not be given because it is being given unjustifiably to any particular officer are out of order. Is that so ?

Mr. President : I think that the motion as worded does not relate to a particular officer.

Chaudhri Allah Dad Khan : Arguments concerning the gentleman who is now occupying the post are surely relevant because I have got an argument based on his seniority. Even if the reasons advanced by the Financial Commissioner should carry any weight they are obliged to give the special pay to a junior man.

Mr. President : Had the motion been that no special pay should be allowed to the Excise Assistant owing to his unpopularity, etc., the honourable member would have been in order to discuss the present incumbent.

Chaudhri Allah Dad Khan : You have already allowed the argument that this department has got a reduced income and I maintain that that is due to this officer. I think that it is quite relevant to the motion.

Mr. President : The point is not quite clear.

Chaudhri Allah Dad Khan : I have referred to my Council questions. How can I be more clear ?

Shaikh Muhammad Sadiq : Are there more than one Excise Assistants or is there only one ? If there is only one, there is no question of the article. It is, I admit, bad grammar.

Mr. President : The question is whether the conduct of a particular individual can be discussed on a general motion.

The Honourable Sardar Sir Jogendra Singh : The mover of the cut himself explained what his object was. It was that all special pays should be disallowed. He had no particular person in his mind. There could be no better authority of what the mover had in mind when tabling his motion than the mover himself.

Mr. President : As there is only one Excise Assistant why cannot a member argue that the present incumbent is not so capable and so good as to deserve a special pay ?

Chaudhri Zafrulla Khan : Supposing the motion had been that special pay be not allowed to the Secretary to the Council, surely it would have been in order to discuss the delinquencies of the Secretary in that connection.

The Honourable Sardar Sir Jogendra Singh : The motion mentions *the* Secretary.

Mr. President : As there is only one Excise Assistant, the absence of 'a' or 'the' makes no difference.

Mr. A. Latifi : But the mover has urged that he suggests the disallowance of special pay on general grounds.

Mr. President : Will the honourable mover please say what his object was ?

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu) : My object was to oppose the grant of special pay on general grounds. I did not intend to refer to any person.

Mr. President : The mover's statement is decisive. He did not contemplate the present incumbent alone.

Chaudhri Zafrulla Khan : Surely, if the mover has in his own mind circumscribed, the scope of discussion, it should be open for other speakers to proceed on other grounds provided they are relevant.

The Honourable Sardar Sir Jogendra Singh : I am a bit surprised that an honourable member as responsible as Chaudhri Sahib should encourage that merits of particular public servants should be discussed in the House.

Chaudhri Zafrulla Khan : I am not saying that. It is only a point of order. I have no grievance against this particular official and indeed I do not know who he is.

The Honourable Mr. Miles Irving : May I point out that this is not a token cut but a specific reduction on grounds of economy and that therefore all personal references are irrelevant ?

Mr. President : As the proposed reduction is substantial and not merely nominal, the individual incumbent cannot be discussed.

Chaudhri Allah Dad Khan : It is very injurious to the department itself if this special grade is not stopped. I say, in the case of this particular gentleman, that he has been occupying this post for the last 4 years and more. It will be in the interest of the province if this special grade is not

[Ch. Allah Dad Khan.]

allowed. Besides the Government complain of a deficit. How would it be possible for Government to spend a large sum of Rs. 1,800 on special pay to the Excise Assistant? If this money is saved it can be usefully spent in the interest of zamindars. If it is spent in the public interest it will be more useful and proper than if it is given to a particular individual. At this time of financial stringency, the Government should give due consideration to the desirability of reducing this pay. This is the proper time when it will be of greatest possible help for the zamindar. The argument, which I am surprised to hear, from the Financial Commissioner, is that this man has not completed his training for 5 years. This is not a science which requires an acute training. I wonder that he has been in the department for the last so many years and yet he is untrained. I think even a new man can easily work in the Excise Department. The Honourable Minister for Agriculture never got training in this department, yet he is the Head of the Department and running it very smoothly. But this particular individual had been an excise sub-inspector and then excise inspector and is now working as Excise Assistant, yet he is treated as untrained. What is the training which is being given to him and which is not yet completed? This question of training is a very strange one and I think is a mere plea for this special offer. This man has been an excise inspector in the Excise Department for many years and yet he has not completed his training, which is really strange. The only reason that the excise inspector is getting his allowance is that he may please his officers under whom he works.

Mr. C. C. Garbett : What does the honourable member mean by that?

Chaudhri Allah Dad Khan : By what?

Mr. C. C. Garbett : That he earns extra pay in order that he may please the officers under whom he works.

Chaudhri Zafrulla Khan : What is the insinuation?

Mr. C. C. Garbett : Insinuation is that of bribery.

Mr. President : Did the honourable member mean that?

Chaudhri Allah Dad Khan : No, Sir, I never meant that. The Chief Secretary has been a Deputy Commissioner and he knows well, the officers who please the Deputy Commissioner either by their work or in some other way get promotion. (*Laughter.*)

Mr. President : I would ask the honourable member to proceed with his speech.

Chaudhri Allah Dad Khan : I now come to the motion itself. I was saying that this special allowance is demoralising and not intended for the good of the province and it should be stopped. If this special allowance to this officer is given, people will be hard hit. The Honourable Minister admits that this year the income of the Excise Department has decreased. So, I say that if this special pay is stopped we can make up the deficit to some extent. With these words I support the motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I just wish to say a few words on the subject. I entirely sympathise with the object which the honourable mover of the cut has in view,

that is, abolition of special pays in the interest of economy. There can be no question that there is always room for improvement, for economy. He made it perfectly clear that he did not want to confine his recommendation only to this post, but he wanted that all special pays should be stopped. That was the recommendation of the Retrenchment Committee. If that is the object of the honourable mover, he will have his remedy in moving a general resolution against all special pays. He should not confine himself to a single post of a single department.

Now coming to the post of the Assistant Excise Officer. The honourable Financial Commissioner has explained, that it was as a measure of retrenchment that this post was created in this province. In other provinces the Excise Department has a much larger supervising staff than that of our province. The future constitution will require revenue and it is inevitable that revenue will be drawn from provincial excises. The department will have to play a greater part than it is doing to-day in administering new excises. Even now it is essential that very efficient and competent staff should be maintained so that the province does not lose revenue. I am, therefore, opposed to the cut.

One of the speakers said, that the present Excise Assistant came from the Provincial Service. I think it was Chaudhri Allah Dad Khan who admitted that the present Excise Assistant was a trained excise officer and was not imported from the Provincial Service. It is undesirable that we must have trained officers in charge of a special branch like that of Excise. Chaudhri Allah Dad Khan said that I did not get any training in the Excise Department and yet I could run the Department. My reply is that a minister can run a department like the Excise because he has a competent permanent staff. In view of what I have said I can promise the honourable member that if this question is generally taken up and accepted by every department, I will give my best attention and I am sure the honourable mover will agree with me that it should not be applied to a single post. I hope the honourable mover will not press his cut to a division.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu) :
In view of the remarks of the Honourable Minister, I beg leave to withdraw the motion.

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.

Sir, if you will permit me I would like to take the House back to the statement prepared by the Finance Department and to graph No. 2, in which receipts from different departments are given. If you look up, Sir, Excise in 1926-27, you will observe that income from excise was 1 crore and 24 lakhs and in 1934-35 estimates of receipts are only 91 lakhs. This I would submit is a very great fall in the income. There can be only two reasons for this fall. One is that it may be that the province is coming to righteousness and the vice of drinking is decreasing or it may be that the control is very

[K. B. Sardar Habib Ullah.]

lacking and illicit distillation of liquor is progressing throughout the province. There can be only these two causes. So far as the first cause is concerned I as well as other members of this House know very well and also the Government know that neither the vice is decreasing nor is there any decrease in the use of liquor of all kinds. The only other reason for this decrease of immense revenue is lack of control on the part of the Excise Department. As I live just in the middle of *Majha*, a well-known place for consumption and distillation of liquor, I can say from my own knowledge and observation that a lot of illicit distillation of liquor is going on throughout the district. There is hardly any village where illicit liquor is not being prepared, and where the people who used to drink by the bottle now drink by the gallon. Still the department is sleeping over the matter with the consequent fall in its revenue.

It is a very serious question for Government and for the province. Excise is a big source of income and if control is relaxed I think the time will come when illicit liquor will be used by everybody who drinks and our income will come down to practically *nil*. Therefore, I would request the Government and the Minister in particular to take very strong action in the matter of control of illicit liquor.

Mr. President : Motion moved is—

That the total grant be reduced by Rs. 100.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support the motion that is before the House. The honourable member has just now pointed out the ways in which stricter control can be employed over illicit distillation in the villages. Every day cases are being started against village people. Some of them are really to blame and some are quite innocent. I think that of all the measures that Government can adopt, one should be that they should make their own liquor as cheap as possible, so that people should not have resort to illicit distillation. Government should reduce the price of wines, because the manufacture of illicit liquor causes a loss of revenue to Government. I do not wish to discuss the question whether the drinking of liquor is moral or immoral. I would leave that to my friend Kanwar Mamraj Singh who is an expert in that line (*laughter*). But what is important to me is that this illicit manufacture of liquor should be stopped at all costs. Government should use every means in its power in order to save hundreds of rupees to the poor villagers and a number of years of imprisonment. Villagers are put to a lot of trouble by excise officers. Constables, sub-inspectors and the ever-present excise inspector trouble them so much that a year or two ago an excise sub-inspector made false cases against the villagers. If this illicit distillation is stopped, such cases *ipso facto* will become rare. Government should spend a little more to employ a more vigilant staff with a view to stop the illicit manufacture, but if Government is unable to stop it then it should revise its excise policy. But if it does not mean to give up its present policy and wants to pursue it, then it should employ the present methods more effectively than it has been doing so far. For this reason the motion is very important and should receive the serious consideration of the authorities. With these words I support the motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I welcome the discussion that has been initiated by the honourable member. I myself wish to be guided in my excise policy by the opinions held by the Council. When I took over charge of the Excise Department, the prevailing opinion in the House was in favour of prohibition. It was strongly held that every endeavour should be made to stop the habit of drinking and if possible to enforce prohibition by law. In pursuance of that policy, it has been my endeavour during the tenure of my office to restrict the opening of new shops, to regulate prices in such a way that it does not promote drinking, to strengthen the excise staff so that its vigilance may prevent illicit distillation. I shall be very grateful if the honourable members take part in this discussion and reveal their views on the question. The honourable mover correctly stated that there is a good deal of illicit distillation in the villages. Wherever I go I hear this complaint that molasses can now be so cheaply obtained that it is very difficult to prevent people from turning it into liquor. I have been surprised to find in some Muslim villages that even *janglis* have got into the habit of drinking. It remains for this House to clarify the issue and to say in what direction we should move, whether we should follow the old policy and try to control drinking as much as possible by making it difficult for people to obtain drink or whether people should be able to obtain it cheaply and easily. The present position is, that illicit manufacturer can sell his liquor at a price with which we cannot compete. If we are to compete with him, there is no other remedy but to reduce the price to a level which would make it unprofitable for him to manufacture liquor.

I wish to state a few facts regarding the fall in revenue to which the honourable mover drew special attention. It is not due to any relaxation on the part of the department that the revenue has fallen. The reason is quite clear as I will presently show. In 1923-24 the revenue from liquor was Rs. 57,81,060 and consumption 152,454 gallons. The incidence of taxation was Rs. 12-90 per L. P. gallon. As the fall in prices reduced the purchasing power of the people the incidence per gallon has been reduced from year to year. To-day it stands at Rs. 4-84. The consumption of liquor, on the other hand, has leaped up from 152,454 to 231,842 gallons but revenue has come down with the reduction in the incidence of taxation. I have no figures for illicit liquor. The price charged in 1923-24 was Rs. 2-8-0 per bottle. It was reduced last year to Rs. 1-14-0 and in the present year it has been reduced to Rs. 1-10-0 per bottle. Therefore, you will see that so far as the working of the department is concerned, every effort has been made to protect revenue. The question is whether we should raise the duty to secure a larger revenue or whether we should lower the duty which will mean loss in revenue. So far as our experience of last five years shows, if we reduce the incidence in taxation any further, it will mean reduction in revenue. This fact should be clearly borne in mind in any recommendation that is made.

As regards the administration of the department and control of illicit liquor, it is my considered opinion that the province would gain in revenue by having a whole time excise officer. In his absence we created two posts of superintendents to strengthen the supervising staff and the result has been that whereas in 1928-29 only 193 illicit stills were captured, in 1932-33

[The Hon. Sardar Sir Jogendra Singh.]

835 stills were captured. The number of persons convicted rose from 449 to 970. The total number of persons convicted for liquor offences rose from 565 to 1,842, and the number of persons imprisoned rose from 712 to 1,236. The fines which the people paid amounted to Rs. 86,272. Therefore, I am sure my honourable friends will agree that so far as the administration of the Excise Department is concerned, there has been a good deal of improvement in detection and in obtaining convictions of the criminals engaged in illicit distillation. (*A voice : Make it cheaper*). I have already dealt with that problem and I want to ascertain the views of this House. I wish the House will vote freely on this cut and indicate what is to be done.

There is one more point to which I wish to draw the attention of the House. Let us look at the number of shops in each division. Take Ambala division, there are 6,348 villages and only 98 shops. In Jullundur division there are 6,380 villages with 194 shops. In Lahore division the number of villages is 8,716 and the number of shops is 229. In Rawalpindi division the number of villages is 5,480 and the number of shops only 67. In Multan division the number of villages is 7,697 and the number of shops is 94. It is thus clear that most of the liquor is consumed in the central districts and if any policy of making liquor cheap is advocated by this House it would mean that the evil would spread,—one must confess that it is an evil—to other neighbouring districts also and consequently people will have to bear additional burden consequent on the lightening of this charge.

There is just one word more and I have done. We are all faced with the depression. The demand from all sides of the House is for lightening the burden of taxation which means better distribution of the burden of taxation. The Honourable Finance Member the other day threatened that if the reductions in the land revenue recommended by this House were carried out, it would mean the disappearance of the Agricultural Department and the Public Health Department and the cutting down of half the expenditure of the Education Department. (*An honourable member : Has it been settled that if there is to be a reduction Government will proceed in that manner?*) No, it has not been settled. What I want to say is, that so far as the Agricultural Department is concerned I am in a position to make a bargain both with the House and the Finance Department. I can promise that for every anna that is spent on agriculture a rupee will be returned. I do not think either the Finance Member or this House will be prepared to reject that offer and cut down the department. Similarly, in the matter of Public Health, I do not think this House is going to countenance any reduction.

Mr. President : Is the Honourable Minister relevant ?

The Honourable Sardar Sir Jogendra Singh : I am asking the question whether income from the Excise Department should be reduced by making liquor cheap. My position is that the time has not yet arrived when we should sacrifice this revenue. We will have to depend more or less on this revenue and on sources of revenue other than land, in future. The honourable mover of this motion will realise that if price is reduced, there is likely to be loss of revenue. The revenue can be secured not by making liquor cheap but by increasing the duty on liquor. That is the only way to get our revenue.

So far as the working of the department is concerned, it is working as efficiently as possible with the staff we have at present. If it is desired that the department should work more efficiently we will have to strengthen the staff. If it is desired to stop illicit distillation, it is not only by police methods that you can do that. You must create public opinion in villages. Societies must be formed in villages which will prevent illicit distillation. There is a great danger threatening the villages. Crime is increasing and it is alleged that it is due to increased consumption of liquor due to illicit distillation. Unless we control both, we cannot improve the villages.

Khan Bahadur Sardar Habib Ullah (Urdu): Sir, the information that the Honourable Minister for Agriculture has given to the House is really very valuable and I hope the honourable members of the Council will profit by it. He has invited practical suggestions for stopping the illicit distillation of liquor that has assumed very wide proportions, and for the enhancement of our revenue from this item. I think that as long as the duty on this article is not increased we cannot hope to get more income from this source. He has read out a statement giving the number of liquor shops in the province. I feel that more shops should be opened. With more shops and an increased duty on liquor we shall have a better chance of increasing the provincial revenue. The Honourable Minister has told us that the consumption of liquor is on the increase; that alone, I think, justifies an increase in the number of liquor shops.

As far as putting a check on the illicit distillation by instituting cases against the offenders is concerned, I should like to make a few observations. It is due to the defective control of the police and the excise officers that the illicit distillation is on the increase. The offenders are not challaned properly. It is the practice of the offenders that they put a common sweeper on the *bhatti* and when the raiders arrive the poor fellow is caught hold of. It is more often than not that such an arrangement is made with the approval of both the parties, that is, the offenders and the excise officers. Even the list of cases read out by the Honourable Minister contains a majority, I should suppose, of such cases in which the real offenders escaped and only a sweeper or some such hireling was convicted. The Government should, therefore, devise means by which it may be possible that real offenders are brought to book. I would suggest that rewards should be offered to *lam-bardars*, *zaildars* and *patwaris* to encourage them to expose offenders and help to institute cases against them.

The Honourable Sardar Sir Jogendra Singh: We have provided for rewards up to the extent of Rs. 60,000.

Khan Bahadur Sardar Habib Ullah: These are the practical suggestions which I have to offer. The duty on liquor should be increased; more shops should be opened and vigorous steps should be taken to bring the real offenders to book so that innocent people may not be involved in trouble. With these words, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural): Sir, I beg to move—

That the total grant be reduced by Re. 1.

[Kanwar Mamraj Singh Chohan.]

The object of my moving this cut is to bring to the notice of the Government the various ways in which the deficit caused by the reduction of land revenue can be made good. The method which I am going to suggest while affording relief to the poor consumer of liquor will likely increase the revenues of Government.

I belong to a district which is on the borders of the United Provinces and also on the borders of the Hill States. It is generally from the Hill States that opium and other excisable articles come to the Punjab. Practically in all cases where the people of Hill States bring such excisable articles, the moment they step into the British territory the excise officers catch hold of them and punish them for bringing such articles. Not only are they punished but even their articles are confiscated. Further, *churas*, opium and such other articles have to pass to the United Provinces only through my district. The excise officers are vigilant and detect the illicit transmission to the United Provinces of such articles. I am, therefore, in a position to know the affairs of the Excise Department that are going on in that part of the province.

The Honourable Sardar Sir Jogendra Singh : The honourable member's motion is intended to reduce the price of country liquor. What has it got to do with *charas* and opium ?

Kanwar Mamraj Singh Chohan : I am trying to convince the House that it is only by the reduction of prices that we can check this evil which I have just pointed out. Distillation of illicit liquor in the central Punjab, that is, in my district is increasing day by day.

There are two great defects in the working of the Excise Department which I pointed out year before last and I shall point them out again this year. One is the corruption amongst its own officers. The officers of the department.—I mean the inspectors and sub-inspectors, I have no knowledge of other officers of the department—are very corrupt. The reason is that liquor is selling at a very high price and these officers are tempted to allow the shopkeepers, the licensees to sell illicit liquor along with licit liquor. If anybody challenges this statement of mine, I am prepared to accept the challenge. The licensees are encouraged by the officers of the department to sell illicit liquor side by side with licit liquor which they are licensed to sell. Further the licensees have been given by the department licence to sell liquor at particular hours and in a particular manner. But the condition about the hours of sale is broken by the licensees and the officers of the department themselves connive at the transgression of that rule.

The other defect is that the excise officers themselves tempt the people to distil illicit liquor. The reason is simply this. The liquor which is sold in bottles costing Rs. 2-8-0 can be prepared at home for two annas. After all, what is the worst that can happen to a person who manufactures illicit liquor ? Probably he may have to be His Majesty's guest for a few months or for a few years. I know that Government has been taking step after step to check corruption among its officers. But any action on the part of Government to check corruption will be of no avail unless the Government

reforms the system of sale of liquor. Thus, for instance, a man who is presumed to buy retail liquor does not get the entire quantity he is entitled to for the price he pays. He is given much less. This shortage is technically called *kirs*. Suppose A is the licensee. He is not compelled by the authorities to sell liquor himself. He is allowed to engage an agent under him. This agent pays something to the licensee for the liquor and something over and above the sale price of the liquor which is called *kirs*. He makes this *kirs* by tampering with the liquor and something more. This being the case the Government must take steps in order to check the mischief of the license holders and the steps that have been taken by the Government is to limit the right of the licensees. One reason why I urge the reduction of the price of country liquor is that its quality as compared with the quality of the foreign liquor is so poor.

The Honourable Sardar Sir Jogendra Singh : Does it contain less alcohol than the foreign liquor.

Kanwar Mamraj Singh Chohan : It contains more intoxicant than anything else. The quality of the country liquor is much below the quality of the foreign liquor. If you appoint an arbitrator to fix the price, he would fix the price of the country liquor at Re. 1 or 12 annas and not at the price it is selling now. The liquor is nothing but an intoxicant and it dooms a man's health. Government as custodian of the health of the province should see that such a bad liquor is not sold. The Minister of Public Health should see to this.

Chaudhri Zafrulla Khan : You want that to be sold cheap.

Kanwar Mamraj Singh Chohan : If it is to be sold at all, it should be cheap. If a bad thing is to be sold a reasonable demand must be made from the people.

Then there is the question of illicit distillation. When a zamindar can get a bottle of better liquor than is sold in the shops—

The Honourable Sardar Sir Jogendra Singh : Better in what respects ?

Kanwar Mamraj Singh Chohan : The Minister has been pleased to ask, better in what respects. The country liquor is alcohol and intoxication and nothing else. Illicit liquor is better as it has greater intoxication than the liquor sold in the market. As to the question of strength neither is good. From the point of view of health illicit liquor is condemnable. (*Interruption*). I know it because the people with whom I am connected have been ruined by this liquor. I know it because my friends take it. I do not take it myself. It is by the favour of my friends sitting in this Council that I know foreign liquor. I am putting this point seriously. It is not to play with the time of the Council that I have brought forward this motion. I do not mean to withdraw it. I want to point out the difficulties. The Government may get more revenue by the change I suggest. I refer to the Memorandum supplied by the Finance Department and there it is said that it is expected that a reduction of the duty would result in an increased consumption. I also hold that view. The Honourable Minister has been pleased to point out that the consumption has increased by the reduction of the price. In this way I hold that if the price is reduced still, the consumption will be increased and Government could expect better revenue. With these words I move my motion.

Mr. President : Motion moved.

That the total grant be reduced by Re. 1.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (*Urdu*) : Sir, the object of the motion now before the House is, as the honourable mover himself explained, to urge upon the Government the desirability of reducing the price of country liquor. Various motions have already been moved some by the Sikh members for the benefit of the Sikh community and some by the zamindar members for the benefit of the zamindar community. I wonder, how the honourable mover has thought it advisable to move his motion and what good it will do to his community. I ask the honourable mover, how it will benefit the public at large. Perhaps he intends to bring this luxury within the reach of the poor so that they may be able to taste this life-giving herb. The honourable member has definitely told the House that he is not himself addicted to drinking although many of his friends indulge in it. If that is so, I may tell him that his friends being rich men can afford to do so but for God's sake have mercy on the poor whose life will become all the more miserable if they are afforded opportunities to indulge in drinking. There is another similar motion on the agenda in the name of a Sikh member which will perhaps also be moved. I am at a loss to understand how such motions are likely to benefit the country or its people. Drinking is the worst of all evils and in my opinion maximum price should be charged for country liquor, so that the poor may not even think of it. I hope that none of the honourable members will see his way to support this motion. Only the other day while considering the Punjab Tobacco Vend Fees Bill the honourable members supported the Government's proposal to levy tax on tobacco. Tobacco is not half as bad as drinking. Besides drinking is an offence, for, one who drinks becomes almost mad for the time being. One who is drunk is looked down upon by people everywhere. I, therefore, cannot believe that this honourable House will vote in favour of this motion. I say no one should touch liquor even if it can be had *gratis*. What is the use of approaching a tree the fruits of which you ought not to touch. I am of opinion that liquor should be heavily taxed or the highest price should be charged for it. With these words I would request the honourable mover to withdraw his motion for it is not likely to serve any useful purpose at all.

Lala Labh Chand Mehra (Non-official nominated) (*Urdu*) : Sir, it is a matter of shame that such a motion is before the House now. It cannot be denied that the habit of drink is the worst of all evils, which leads to complete ruin. If one were to inquire into the causes of so many people being behind the bars, it will be evident that most of them are there because of this evil habit. The honourable mover has asked the Government to reduce the price of country liquor in order to give an opportunity to the poorer people to indulge in this habit. God save us from such friends, for in their presence, we hardly need any foes. It has been argued that if the price of liquor were reduced, many people will be saved from going to jail, for they will not indulge in illicit distillation. This peculiar argument amounts to scraping up the entire Indian Penal Code, for no one will go to jail, if we cease to take such a serious view of the offences as such, mentioned therein. Those who indulge in the habit of drink are a serious menace to society. In

the present age of civilisation and enlightenment, such a proposal looks very odd and unreasonable. I may better illustrate my point with a story of a man, who was asleep, while his servant was fanning him. The latter suddenly noticed a fly sitting over the nose of his master, and when he tried to remove it again and again, and could not succeed in removing it for ever, he cut the nose of his master with a sword. He was under the impression that now there was no nose, the fly would not find a place to sit. This argument applies to my friend the mover. When the price of liquor is reduced, according to the honourable mover, no one will be found guilty of illicit distillation and consequently none will be sent to jail.

The Honourable Minister, while opposing the previous cut, had made it clear that with the reduction in price of liquor, illicit distillation had increased. If that is so, it will no longer be advisable to reduce its price. Those who are addicted to drink, do not ever feel satisfied. They always insist on taking more, and the reduction in price will only increase the appetite for a larger quantity. It is undoubtedly the most dangerous poison. It will, therefore, be in the fitness of things to charge the highest price for liquor, so that people may no longer be offered any facility or opportunity to indulge in this evil habit. Those who are found guilty of illicit distillation should be severely punished. With these words, I strongly oppose the motion under consideration.

Chaudhr: Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, it is really very regrettable that an honourable member of the House should have urged upon the Government the desirability of reducing the price of country liquor on the floor of this House where we used to hear the honourable members advocating the cause of total prohibition. Perhaps the honourable mover wants to make this evil popular so much so that those who cannot afford to drink now may have the chance of indulging in this bad habit. I wonder why this civilised Government has tolerated it. Drinking is the root cause of all evils and of all offences involving moral turpitude. On account of this evil many families have been ruined, many children have been made orphans and many women have been made widows. I have seen the fate of hard drinkers who died of heart failure. With these words I strongly oppose the motion now before the House.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I have nothing much to say because every member who spoke has vindicated the policy which has so far been followed. There are just one or two points about corruption which the honourable mover has raised which I wish to answer. So far as there is corruption in any department, the remedy lies with the public itself. We want an awakened interest and an awakened conscience in the matter. When people realise that a certain course of conduct is wrong, they must combat it. If people feel strongly in the matter, there is no reason why we should not be able to banish corruption from the province as a whole. Government have declared it their policy that if any signed complaint is made by any two men Government would undertake to enquire into it. We have a panel of officers, and an officer from this panel is immediately deputed to enquire into any complaint thus received. But the honourable member who seems to have such an intimate knowledge of corruption in his district and other districts as to how corruption takes place, so far as I am aware, he has not made any complaint.

[The Hon. Sardar Sir Jogendra Singh.]

regarding instances that came to his notice. He has declared before the House this matter and he has described the technical loopholes for corruption, but he has refrained from doing his duty, namely, that when any case of corruption came to his notice he has failed to bring it to the notice of Government. He being a member of this Council has every right to make a written complaint on the subject and I can assure him that I shall take immediate action on any complaint he makes.

Regarding this out, as I said before, I leave it to the vote of the House. Government will take no part in the voting. I want to know whether the opinion of the mover is shared generally by the House that the price of liquor should be reduced and that it should be made easily available.

Mr. President : The question is—

That the question be now put.

The motion was carried.

Kanwar Mamraj Singh Chohan (Urdu) : Sir, I would like to reply in vernacular as the arguments advanced by the honourable members who opposed my motion were in vernacular. I never advocated, as some of the honourable members appear to think, the cause of this evil. I am at one with the honourable member from Jullundur when he says that drinking is the worst of all evils. The question which we ought to consider is whether the price charged for country liquor at present is in consonance with its quality? Either the quality should be improved or the price should be reduced. (*An honourable member :* But who says you should buy country liquor? Refuse to buy it). If people would refuse to buy it the Government would suffer a great loss in income. Why not introduce the policy of total prohibition in the province, but if that is not possible then Government should be prepared to charge a fair and proper price for the country liquor. The present price of country liquor is very high and this is one of the reasons why illicit distillation is on the increase. It is the duty of the Government to stop illicit distillation by whatever means it can. It should not mind a small loss in revenue if it is to be incurred for checking illicit distillation. It is no use in passing laws apparently for the purpose of checking this evil but in fact for creating opportunities for the officers to make money by taking illegal gratifications. The purchasing power of the people has considerably decreased. I would, therefore, urge that a reasonable price should be charged for the country liquor. With these words I resume my seat.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu) : Sir, I beg to move—

That the total grant be reduced by Re. 1.

Sir, much has already been said about the Excise Department. I would also like to make a few observations about the excise policy of the Government which has been mainly responsible for degenerating the public morale.

(*At this stage Mr. President left the chair and it was occupied by Mr. Nanak Chand Pandit.*)

The policy of prohibition has failed in America where it was started with so much zeal and enthusiasm, and it is also failing in other parts of the world where it was acted upon. I acknowledge, though it is an unpleasant acknowledgment, that where it is so easy to condemn this vice of drinking, it is not so easy to root it out. It is well nigh impossible to give this policy of prohibition a practical shape. That being so, we must try to make the best of the bad bargain. I will admit straightaway that the Excise Department is one of the revenue paying departments of the Punjab Government, but it is also equally true that the present policy on which the department is being run, is causing a havoc so far as the morals of the people are concerned. As my friend Kanwar Mamraj Singh said the Punjab Government by its present excise policy is guilty of doing a great injustice to the people of the province, as I shall presently prove. As I have said it is very difficult, nay impossible, to dissuade people and particularly those who have become slaves to the habit of drinking from indulging in this vice. Such persons must have liquor in the evening, that being the usual time for their amusement and merry-making, at any cost. If it is selling very dear, as at present, and they have not the wherewithal to purchase it from the licensees, it is natural that they should think of getting it from some other source. They must have recourse to illicit distillation which is the only other source, and when once they have started it, there is no end to it then. The contagion catches others as well, and a beginning is made for this vice to spread. When these people succeed in getting liquor practically free, they become generous and do not hesitate to invite others to their table in the evening. The invitees in the beginning drink only as a sort of refreshment and not as matter of necessity. But before long they become confirmed drunkards. Then they, in their turn, take to illicit distillation and, following the footsteps of their masters, as I should call them, they begin to spoil other youths. In some cases the pupils excel their masters and thus the vice spreads to every nook and corner of the place where it began on a small scale, and it is thus that the whole population of that place is caught into the grip of that vice. And why all this, because the Government must charge very high prices for its liquor.

I say all this on the strength of my personal experience. I happen to be a resident of a tahsil which is mostly populated by the Sikhs, who on account of this simple fact that liquor is selling very dear, have recourse to illicit distillation. I can say without fear of contradiction that there is no house in that tahsil where a *bhathi* is not working for illicit distillation of liquor. The Excise Department most likely on account of its inefficient control and management has miserably failed to detect and check those who indulge in illicit distillation. The result of these exorbitant prices combined with the inefficient working of the department has been, as I have said before, that the morals of the people have been spoiled. Of course Government has also sustained a loss in its revenues; but the loss to the public has been very great. In my tahsil where the Sikhs are land-owners and consequently men of influence the unfortunate *kamins*, who are mostly Muhammadans, have also taken to drinking and have become slaves to this habit. Some of them have become past-masters in the art of illicit distillation of liquor. That illicit distillation is on the increase will be borne out by the fact that the number of excise cases has very much gone up

[Ch. Shah Muhammad.]

and is still going up particularly in the central districts like Lahore, Amritsar, Ferozepore and Sheikhupura. The excise magistrates in these districts have always their hands full of work, and they are often heard to say to the lawyers ' Please do not urge anything in favour of those who are guilty of offences under the Excise Act.' In spite of their vindictive policy in this matter and in spite of the severe sentences that they generally award, they have failed to bring down the number of excise cases. And they cannot be expected to render much help in that matter. It is natural that the prisoners on their being released must satisfy their thirst for drinking because, according to a verse, which I will not quote here, it is very difficult to get rid of this evil when once a man becomes accustomed to it. To make the best of a bad bargain it is, therefore, necessary that the price of liquor should be reduced so as to enable even men of small means to purchase it from the licensees. In that case very few people will think of indulging in the illicit distillation of liquor which involves no small risk. And when the people begin to pay for liquor and cannot get it practically free as they are getting now, they will cease to be generous, and many youngmen, who are being spoiled now, will be saved. If Government may have any doubts about what I have stated, an enquiry can be held to substantiate the truth of these allegations. If an enquiry is held, it will also disclose to the Government that much of the liquor that is being sold in *mandis* by the licensees comes from the villages because it is so cheap and because the licensees cannot help supplying it to their customers at a cheap rate to avoid any losses to them. You will find how these shopkeepers anxiously await the approach of *tonqas* and lorries carrying drums of country made liquor under cover of darkness.

The other complaint that I have got against this department is that much of the money that is apparently paid as rewards to check this evil is being wasted. In my opinion if this money is given to *gians* and *maulvis*, who have certainly some hold on the people, they can be made to do propaganda work against this evil in the evening when our youngmen have little to do and when they are tempted to drink and make merry. It is at this time that most of our young men contract this bad habit. If they can be employed usefully in some work at this time or if they can be provided with some amusement in the evenings, I am sure that the department will not have to spend much on the staff to check this evil. While on this point I should like to protest against the sentences of imprisonment that are awarded to those guilty under the Excise Act. The offences under this Act cannot be said by any stretch of imagination to involve moral turpitude. Such persons do not commit theft or burglary, and at the worst they can be said to have committed offences involving loss to the Government in its revenues. In the circumstances I wonder why such persons should be made to serve long term imprisonments and be separated from their wives and children for a year or so. Why on earth should they be made to lose their earnings for such long periods? It will, in my opinion, meet the ends of justice if they are fined 40, 50 or 100 times the loss in revenues that the Government is made to sustain on account of their activities. I make this suggestion because I feel that sentences of imprisonment can never prove deterrent so far as this evil of drinking is concerned.

Then I have a very serious complaint against the attitude of the sub-inspectors and inspectors of the Excise Department who, as I believe, do not check the evil but encourage it. If the Government were to institute an enquiry it will find that most of these officers are themselves given to drinking, and because they can make or mar the fortunes of the licensees, they can make and they do make these licensees supply them liquor either free or at a nominal price. Not only do they themselves obtain liquor free from the licensees but they get it for their friends also. Therefore, they can never be expected to do their duty honestly. They have to ignore many illegal things which are done by the licensees and through them by the villagers. In a way they encourage the illicit distillation of liquor. The way in which they deal with the informers, who give them information against persons guilty of offences under the Excise Act, is also open to serious objection. When recommending for rewards, they recommend the names of their friends, and not of the real informers. These real informers are pacified by being given some portion out of the reward. These sub-inspectors and inspectors also encourage false cases under the Act. At the request of their friends or relations, they involve innocent persons, and thus they misuse their position and influence. For this reason the public has many grievances against them, and it is one of the reasons why the people do not co-operate with these officers. At the instance of a friend or a relation who has to feed his grudge against a particular individual and who places something incriminating in the house of that person, the officers of the Excise Department make a raid and succeed in many cases to get such persons punished. I admit that such false cases are successful only when these raids are made without the help of the police. I know that there is no love lost between the officers of the two departments, and when these raids are made by the excise officers and by the police officers together, the innocent persons are not molested, but when such raids are made by the officers of one department alone, then and then only these false cases are instituted. I would, therefore, suggest that it should be made a rule that in no case should such raids be made by the officers of one department alone. Before I sit down I may inform the Government that these so-called temperance societies are doing nothing to check this evil. They are, I believe, selfish bodies which have come into existence to make money by this show of propaganda against the evil of drinking. It is, therefore, no use financing these societies. Let this money be spent more usefully and in some other better way.

These are some of the complaints which I have against the Excise Department, and it is to invite the attention of the Government to these that I have brought forward this motion. May I hope that the Government will give due consideration to them and will see that they are removed very early?

Mr. Chairman (Mr. Nanak Chand, Pandit): Motion moved is—

That the total grant be reduced by Rs. 1.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I confess it is awkward to speak on this subject, but

[Ch. Allah Dad Khan.]

as it is a question of income of Government one has to discuss the various defects existing in the department. This department deals with a number of intoxicants—wine, *charas*, *bharg*, opium, *ganja* and so forth, and my remarks to-day will be confined to the case of liquor which has been again the subject of discussion this afternoon. It has been urged that if the price of liquor continues at its present high rate, it will act as a deterrent to those who drink. This is a wrong notion. Even if you increase the price two-fold or three-fold, those who are given to it will never give it up. It is the experience of all people that the cost of anything never acts as a deterrent, but on the other hand it induces a greater desire for it. If there is anything that can reduce the habit it is the lectures and advice, and these things should be done, but I think reduction of price will also help as a deterrent. It is now an accepted principle that a reduction in price is of advantage to the poor. There are some poor people who can never give up the drink habit. They get four or five annas a day and they spend it all on liquor. They starve themselves, and they starve their wives and children. If you lower the price then these people will be able to save something out of their small earnings and will feed their families. So the accepted principle should be to lower the price as much as possible in order to keep these people from starving. The other advantage of lowering the price would be that Government will get a greater income than it is getting at present. It is a well known fact that for two years Government's income has been going down. When I spoke on the 14th of March 1932, I prophesied that the income from the Excise Department would be reduced, and according to the speech of the honourable Financial Commissioner there was reduced income from this department. The reason is that two years ago this department introduced a system which is called the bottling system, and they had a particular person to manufacture it. The result is that this has cost a good deal, and that has added to the price of liquor which is sold in those bottles. That is one reason of the reduced income of the department. Why should a thing be done which brings additional cost to the people and which results in a loss of income to Government? It is nothing which is either politic or useful. For this reason the price of liquor which is sold by Government should be reduced.

Another advantage of this would be that illicit manufacture of liquor would be reduced if not stopped altogether. If Government sells liquor at a lower rate than that at which villagers can manufacture or obtain it, then the villagers will give up manufacturing it. If Government puts the price even at a little higher rate than the rate at which villagers can produce it, even then the villagers will stop manufacturing it. But the fact is that Government charges are many times the price of illicit liquor, and, as I have submitted before, if Government is anxious to stop illicit distillation it cannot do better than lower the price of liquor. It will perhaps increase in consumption and thereby give additional advantage in the form of increased income.

Another thing is that people in British territory not only get liquor from the villages which is illicitly manufactured, but they get it from Indian States at a very much lower price, which is due to the fact that the staff there is very low paid and the cost of manufacture there is very little.

It is for that reason that the States people are able to sell liquor at almost half the price of liquor sold in British territory. So it is the experience of everybody that people from the States bring liquor to the British territory and Government loses a good deal of income. This is one of the points which I urged when I spoke on the excise demand a year ago.

I do not think there is any need for insisting upon high prices being maintained. In putting a high price for liquor Government did so with the sole object that the consumption may not become general. I do not think in the beginning there was the least idea of revenue about it. It was with a view to check drinking of liquor, but the result has been quite the opposite, for consumption of liquor has actually rather increased than decreased. By increasing the duty Government has only engineered the habits of theft and dishonesty in a number of people who unfortunately cannot now give it up. There is a large number of excise cases in every district and the Government has made special rules for dealing with excise cases, and there are instructions that punishments for excise offences must be very severe; in spite of that the number of cases is not going down but increasing day by day. That of course should serve as an eye-opener to those who advocate that the raising of price would surely result in less consumption. It will never do so.

When such stringent measures have failed to cope with illicit manufacture of liquor, you cannot by raising the price stop it. It is surely unreasonable that the raising of price or even keeping the price at this high rate will conduce to a reduction in the manufacture of liquor in villages. It will never do, it has never done before. Government thinks that by raising the price of liquor it will succeed in reducing consumption, but I think it is mistaken. If you increase the price of this commodity, you will at the same time increase the number of offences in connection with it. The people will bring it from the Indian States———

Mr. Chairman (Mr. Nanak Chand, Pandit): The honourable member is now asking this Council to vote for the reduction of the price of country liquor. That has already been voted upon. The honourable member can pass over that subject.

Chaudhri Allah Dad Khan: As for rewards, it has been said that rewards are a means of detection of crime. Sometimes they are and often they are not. Very often wrong information is given to Government officials. These rewards are often given to wrong persons, though some times they are given to right persons. Very often the excise inspectors and sub-inspectors get a share out of them. This is how it happens. They receive information that illicit distillation is going on in some place, and they ask some chaprasi or chaukidar to write a letter to the effect that he has received information. They promise him a reward for doing so on the condition that he will only take half of it and give the other half to the sub-inspector or inspector. This sort of thing is going on, and I suggest that a very strict inquiry should be made to see that the rewards are given to right persons.

[Ch. Allah Dad Khan.]

Next the question of officers that are working in the department should seriously engage the attention of Government. My suggestion is that you should increase the staff in the villages and increase the pay of that staff. The excise inspectors are very badly off. I hear that their travelling allowance has been very much reduced, and they are clamouring for more pay. That is one reason why corruption is on the increase in the department with the consequent increase in distillation in villages. By reducing expenditure at the top and providing more expenditure at the bottom, you will manage more effectively than you are doing at present. That should be the concern of Government if they mean really to administer the department well. But I think this is the last thing Government will do. The expenses at the top will not be reduced and the expenses at the bottom will not be increased, though I do think the right thing will be to act on the principle indicated by me. If you want to stop illicit distillation in the villages, if you want to stop liquor from pouring in from Indian States, if you want to stop the inflow of illicit opium, *charas* and *bhang* from the Indian States into British territory, if you want all these things, then increase the staff in the villages but not at the headquarters. What is the need of keeping the excise assistant at the headquarters of the district? There are two Financial Commissioners, one Revenue Secretary—

Mr. D. J. Boyd : There is no Revenue Secretary.

Chaudhri Allah Dad Khan : Have you not got any other officer excepting the Financial Commissioners to deal with excise matters? Surely there must be some secretary or other. Anyhow there is no necessity to keep this Excise Assistant in the Financial Commissioners' office when there are two Financial Commissioners, some secretaries and competent superintendents and assistants. Then there is the Deputy Superintendent of Police to help the Government in excise matters, and above all there is the Honourable Minister himself at headquarters. Thus the pay of officers in the Excise Department at headquarters is more than that of officers in all the districts put together. If you have such a big establishment at headquarters and a very small establishment outside the headquarters, how can you expect to improve the administration of this, what I may call, obnoxious department in the villages. The department will never work satisfactorily. The only way to improve the working of the department is to reduce the expenditure at the top, that is, the expenditure at the headquarters of Government and to increase the expenditure in the mufasil. I do not want to be understood that I am suggesting increased expenditure in the department. I am only suggesting a saving in one part of the department to be utilised in another branch of the department. You may increase the number of inspectors and sub-inspectors. These are real necessities of the department and not so many officers at the headquarters who are mere ornamental appendages of the department and of no use to the public. If the Government gets more attention pivoted on the villages the department will be much better than at present. That is the principle on which I wish the Government to act.

My main object in pressing this motion is to ensure the safety of the poor villagers. They are now the victims of this bad administration of the department. Of course this habit of drink is ingrained in them and they cannot give it up. If they cannot get liquor cheaply they resort to illicit liquor. And all the means employed by Government for the past fifty years to check this illicit distillation has not proved successful. I, therefore, suggest to Government to change its method, and adopt the one I have mentioned and see how it works. I am sure that if my suggestion is acted upon, this bad habit will be very much reduced if not altogether stopped, and the zamindars who are already suffering from a great many calamities will be saved at least from one suffering.

اے ذوق دیکھ دختہ زر کو نہ منہ لگا
چھٹتی نہیں ہے منہ سے پھ کاٹ لگی ہوئی

There are many other verses like

لطف مر تجھ سے کیا کہوں زائد — ہائے کج بخت تو نے پی ہی نہیں

but I shall not quote them now lest I should be considered to be advocating the cause of wine. This habit is so much ingrained in the people. It is not possible to stop this evil habit by raising the price of liquor. I, therefore, hope the Government will adopt the course suggested by me and thus stop illicit distillation and also reduce the worries of the villagers. With these words I support the motion.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, as far as the object of the cut under discussion is concerned, that illicit distillation of liquor in villages should be stopped and a check should but put on the irregularities of the Excise Department, I am absolutely in agreement with the honourable mover. But as far as the suggestion that liquor should be made to sell cheaper as a remedy for that evil is concerned, I must confess that I cannot see eye to eye with him. It has been said that liquor is a valuable source of income, and the stoppage of its sale will entail great monetary loss to the province. But, if we are to look to income only and shut our eyes to the evil which drinking spreads, then, why not save that money which is being spent on education and allow the unhampered progress of sin and immorality? Need I point out to Government that their duty is not only to open new avenues of income: they have also to look to the moral needs of the people.

Various causes of the peoples' contracting the bad habit of illicit distillation have been enumerated by my honourable friends who spoke before me, but no one, I think, has so far hit upon the real cause, and it is this. Rich people leave behind property worth lakhs of rupees after their death. If their children have no suitable guardians to look after them, they fall into the company of bad characters, and contract bad habits like drinking. Drinking is not slow in bringing the ghastly evils of gambling, debauchery and licentiousness in its wake. Money is dissipated like water and very soon the whole ancestral property dwindles into nothingness. But the appetite of the crazy carousers is rapidly on the increase. So, when no money is available to purchase wine they begin to manufacture liquor. Their companions, of course, join them.

[Ch. Muhammad Abdul Rahman Khan.]

The Government when asked to stop the import of this pernicious article, gives the patent reply that it cannot afford to give up the enormous income from this source; I should like to solve their difficulty in this manner. They should calculate the receipts from duty levied on the sale of drugs in every district of the province, and deduct from those receipts the expenditure they have to incur in connection with excise establishment, etc., and thus gauge the net income from this source. They should undertake to stop the import and sale of liquor in the country and tax the people in order to realise the money which may be foregone in this manner. Every district will readily subscribe its quota. After all the people have to pay so many taxes already. Excise duties are being charged on sugar and matches, and a new tax is proposed on cigarettes and tobacco. One more tax will not make much difference. We will urge upon the people to treat this new tax as the doctor's bill. Just as one has to pay for the medicine in order to be cured of a bodily ailment, it will not be too much to make a little monetary sacrifice to buy off this curse. If this is done millions of rupees will be saved to the people which at present are squandered away on foreign liquors and are pocketed by the dealers in this nefarious article.

The best means of putting an effective check on illicit distillation which I have been able to conceive is this. Whosoever is found tipsy may be arrested. No enquiry and lengthy proceduro is necessary. If this suggestion is acted upon the very idea of illicit distillation will vanish from the heads of the offenders. Furthermore, it is inconceivable that you will be able to stop illicit distillation in villages by making liquor cheap in the market. The reason is not far to seek. In villages liquor is manufactured out of *leti* or *gur*. *Leti* is selling at the rate of 4 annas a maund and the rate of *gur* is anything but preventive. Dozens of bottles can be distilled out of a maund of *leti*; so you can judge it for yourself if it is possible to compete with liquor manufactured out of a commodity which sells at the rate of four or five annas per maund, even if you make your liquor cheap.

Chaudhri Allah Dad Khan : *Leti* is not as cheap as that.

Chaudhri Muhammad Abdul Rahman Khan : Give me an order, and I am prepared to supply as much *leti* as you like at the rate of six annas.

As far as the prosecutions as an effective means of stopping illicit distillation is concerned. I have many complaints to make. Most of such cases are fictitious. I pointed out last time in one of my speeches that 95 per cent. of the cases which are instituted against the alleged offenders under the Excise Act are baseless. It is a matter of quite recent occurrence that a blind *chamar* in one of the villages in my *ilaga* was convicted for illicit distillation, although the fact is that the poor fellow never committed such an offence in his life. The cause of his getting into trouble was that certain people bore grudge against him and gave false evidence. I challenge the Government to make an enquiry even now, and I can prove beyond doubt that the poor *chamar* was absolutely guiltless. The sub-inspectors of the department are anxious to show an increase in the number of persons convicted and the cases instituted through their efforts, in order to win good "remarks" from their officers. The zamindars, on their part, are ever ready to wreak vengeance on their enemies by any means fair or foul. So

the hapless victims find themselves hedged round by unspeakable difficulties. The best method to bring the real offenders to book is to take them by surprise and arrest them in the act of carrying on illicit distillation. We cannot go on placing implicit faith in the informers. Experience has proved that 95 per cent. of their reports are mere fabrications.

Moreover, I would suggest that offenders under the Excise Act should be punished with fines. This practice will have two salutary results. First, there will be considerable increase in the Government revenues and, secondly, the offenders will be able to learn more honest trades to earn their livelihood.

Another means of putting an effective check on illicit distillation would be to catch hold of any person found tipsy and not let him go unless he affords sufficient proof, a cash memo., etc., to show that he obtained the drink from a *bona fide* vendor.

In the end I would request the Honourable Sardar Sahib to appoint a committee to go into this question and suggest means whereby the illicit distillation may be stopped and the zamindars saved from the deadly consequences of this obnoxious practice. If prompt action is not taken in this respect the time will soon come when our people will have to face utter ruin. I would again urge upon the Government in all seriousness that they should levy a fresh tax to make up a possible loss in the event of enforcing total prohibition. We are willing to make that bargain. Only we want to get rid of immorality, licentiousness, debauchery and crime—to name a few of the daughters of the Parent Evil. Islam teaches us that the drink evil makes man devoid of a sense of honour; I, therefore, should like to see an end of it.

(At this stage Mr. President resumed the chair).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I listened to the debate with great interest and particularly to the suggestions which Chandhri Shah Muhammad made. From the talks which I have had with him, I know how sincerely he is anxious to promote the welfare of the villagers. In the beginning of his remarks he said that total prohibition had failed in America and other places. I am sure he will agree with me that we in the Punjab have followed a policy which has succeeded. We did not try for total prohibition but for true temperance. Madras and Bombay launched on schemes of prohibition as also Hyderabad (Deccan). All these provinces have failed in their attempt at prohibition and have now abandoned that scheme. The Punjab policy has been a success in its attempt to control the spread of drink, and at the same time to provide facilities by opening shops wherever there is a legitimate demand.

The honourable member, however, said that the policy followed by the Excise Department was followed in isolation. I do not think he was justified in making that remark. He must know that no shop is opened for the retail vend of liquor for consumption on premises where there has been no such shop in the preceding year, till the Collector has taken all reasonable steps to ascertain the opinion of persons who reside or have property in the neighbourhood and are likely to be affected by that proposal, that is to say, before any new shop is opened in any locality the public of that place is directly consulted. Then

[The Hon. Sardar Sir Jogendra Singh.]

the procedure laid down under the Punjab Local Option Act is followed. Finally the policy which the Government decides to pursue in the ensuing financial year is placed before the Standing Committee of Excise of the Punjab Legislative Council, of which the honourable member himself is a member. For the financial year 1934-35, the committee met on 11th November, 1933. Therefore the policy that the Punjab Government has been following has been the policy in which the public has been fully consulted. The views of the Legislative Council have been respected, and that policy I claim has achieved success. I will not detain the House any longer. As to the cheapening of the price of liquor, the House has already recorded its verdict, and it will be useless to go into the matter any further. The opinion held by the House, and I think rightly held, is that it should not be the object of the Government to place the liquor as a temptation in the villages at a rate which would make it easily available to the people. There is one valuable suggestion which the honourable mover of the motion made, and which I am going to get fully examined. It was that we should take steps in the villages to provide some kind of amusement for the village boys. The second suggestion was that we should take active steps in the villages to bring home to the youth of the country the evils of drink. Both these suggestions deserve very careful examination. So far as both the suggestions are concerned, I am sure he is aware that we have got in Mr. Brayne one of the best propagandist officers, and it would be part of his scheme of rural reconstruction not only to preach true temperance, but also to try to afford amusement and instruction in the villages. I shall take the earliest possible opportunity of bringing these suggestions to the notice of Mr. Brayne, and I am sure the honourable member will also have opportunities of discussing the matter with him. I am one with him in considering that it would be a great advantage in the villages if a youth movement could be organised, and this movement should aim not only in cleaning the villages but should help rural reconstruction in all its aspects. I am grateful to the honourable mover of the motion for making these suggestions. He also drew my attention, I think, to an important aspect of the problem, that we should see that our sub-inspectors and inspectors are not in the habit of drinking or providing free drinks to their friends. I certainly feel that we should expect from our officers in the Excise Department a certain amount of adherence to temperance. I shall take the earliest opportunity of examining and bringing home to the inspectors and sub-inspectors that they are not only not to indulge in drink themselves and provide cheap drink for their friends, but should set an example of temperance to others. In the towns, as the honourable member is aware, we have temperance societies, and perhaps the honourable member knows that a certain amount of assistance is given to these societies to continue their work. I am personally of the opinion, though I am not in a position to commit Government to any definite policy, that it is in this direction that we can spend money to some advantage, I hold there is great room for persuasion and preachings. Another suggestion that he made was that in cases of raids and investigations, the excise staff should be associated with the police. This is the practice already, but if the honourable member is aware of any case, where this practice is not followed, I will draw the attention of the officers to it and see that it is followed, as far as possible. The orders on the subject are quite clear that

in all raids, the police should be associated with the excise staff. I think I have dealt with all the points which the honourable mover has raised.

As to the points raised by my honourable friend, Chaudhri Allah Dad Khan, it is very difficult to catch what his real point is; but there is one matter which he mentioned and which if he will look up page 81 of the budget to which this cut refers, he would have found that his assertions were altogether incorrect. He seemed to hold that the supervising staff at the headquarters was more expensive than the district staff and that if the supervising staff at the headquarters was abolished and the money that is saved is distributed over the districts, it would provide for efficient administration. This is altogether incorrect. On page 81 he will find that the cost of superintendents at the headquarters in 1934-35 is only Rs. 27,600, while the cost of the district executive staff is Rs. 4,15,100. This is, as it should be and I am sure no one in the House would think that a sum of Rs. 27,600 a year is a heavy expenditure for the headquarters staff.

There is one more fact, which I should like to mention and I have done. So far as consumption of liquor is concerned, the consumption in urban areas comes to 1,68,677 L.P. gallons, while consumption in rural areas is 113,165 L.P. gallons. As for the kind of spirit people are now taking, there is an indication that people want a better kind of spirit. The sale of plain spirit was only 94,837 L. P. gallons, while spiced spirit rose to a figure of 187,455 L. P. gallons. It is true that illicit distillation in the villages is growing. It is also true that unless we control it, it means ruin for the village youth. In both directions, I can promise my honourable friend that if he at any time wishes to make any suggestions, they will receive my very best attention, for no one can be more anxious than I am, that we should make our villages the ideal villages, healthy, strong and prosperous. I hope the honourable member, after what I have said, will not press his motion.

Chaudhri Shah Muhammad : In view of the assurance of the Honourable Minister I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu): Sir, the Honourable Minister has said that the Government have always respected the opinion of the members of this House and have always acted according to it. I would refer him to the Debates of the year 1930. Now, if from the word "members" he meant only official members I can very well admit his claim that the Government have always borne in mind the recommendations of the members of this Council. But if he includes the non-official members also in the class of members then, of course, I have reason to differ from him. A reference to the Council Debates shows that when a motion proposing total prohibition was discussed in this Council 28 members including a majority of official and non-official members voted against it and 22 members who were all elected voted in favour of it. But what action, may I ask, was taken upon the unanimous recommendation of the elected members? Is this the regard which the Government professes to have for the opinion of the members of this House?

While adducing arguments to show that it is impossible to make total prohibition an accomplished fact here, the Honourable Minister has said that the experiment of prohibition has failed in all civilised countries like America.

[Ch. Afzal Haq.]

I should like to point out to the Honourable Minister that it was not in the spirit of imitating America that we pressed for total prohibition, nor are we to be guided by the example of that country even to-day. We have to look to the nature of Indians and the peculiar conditions obtaining in India. We have pointed out that India is inclining towards religion and people fully realise that drinking is prohibited by religion. Moreover, how long should we go on seeking guidance from England or America? We have to follow East and look to the conditions prevailing in eastern countries. I would refer you to the case of a neighbouring country which is not very civilised in the opinion of many of us; there drinking is totally prohibited.

In Persia and in much-maligned Turkey drinking is equally forbidden. After all, the Governments are running their administrations quite smoothly in these countries. Why does our Government seem obsessed with this idea that things will be all amiss if total prohibition is instituted? There are certain countries where total prohibition is in force even in these days, Persia and Afghanistan being amongst these countries.

The Honourable Sardar Sir Jogendra Singh: Is the honourable member certain about it?

Chaudhri Afzal Haq: I think so. It is said that there is already Local Option Act in force in this province. But in my opinion it is almost impossible to act upon it. I would ask the Honourable Minister to show in which part of the Punjab it has met with success. Now it may be said that this evil exists in almost all countries. Take the case of England. No doubt this evil exists but the English people keenly felt the necessity of introducing total prohibition in their country sometime back. I would remain content with quoting only the concluding sentence from the report made by Mr. Lloyd George which runs as follows:—

We are fighting Germany, Austria and drink and so far as I can see the greatest of these three deadly foes is drink.

We are not concerned whether total prohibition is in force in America at present or not for the circumstances of our country are quite different from those of America. But if you study the reports of American authorities while total prohibition was in force, it will open your eyes. It has been said in these reports that as a result of the policy of total prohibition the workers were able to work more freely and produce more. It was also pointed out in these reports that within three years of the introduction of the policy of total prohibition there was no prisoner left in certain jails. So far as I know it was not the failure of the policy of total prohibition that was made an issue for the new American elections. There were some other political matters of course the failure of this policy was also included as a matter of secondary importance, which were responsible for those elections. The Honourable Minister has conceded that increase in crime is to some extent due to drinking. If you study the reports on criminal administration of the province you will find that wherever mention is made of the increase in crime drinking is also mentioned as the cause of it. You spend one crore of rupees on police every year for checking crime and at the same time encourage it directly or indirectly by sanctioning the sale of liquor. Those who have

been to jail fully know how they felt when going to jail. I think my honourable friend Dr. Gokul Chand Narang who has been to jail for a short time and knows something about criminals will bear me out that 80 per cent. of the criminals use drink before committing crime. When one drinks he is lost to the whole world. Anyhow I would ask the House to consider this problem most dispassionately and see whither the country is being led. The country is surely being taken to crime and to degeneration. I am sure if Government takes courage in both hands and introduces total prohibition in the country nothing untoward will happen. Before 1900 only 50 lakhs were spent on police every year but today one crore is being spent on this force. We have seen that along with the increase in expenditure a corresponding increase in crime has taken place. Why? Only because the Government has not been able to check the evil of drinking. The Honourable Minister for Agriculture has alluded in his speech to the fact that the policy of total prohibition has not succeeded in Madras and Bombay. But I would submit that the reason for this failure is not far to seek. There are two sides of Government, transferred side and the reserved side. Both sides of Government never co-operated to make this policy successful. Of course the legislatures, voted in favour of total prohibition but the executive took no steps to effectively enforce it. Let the Government introduce total prohibition and I assure them that by doing so they will not stand to lose. The majority of the elected members of the House unanimously voted in favour of total prohibition in 1930. Today again I would ask them to vote against this demand without minding whether their vote will have any effect or not.

The Honourable Sardar Sir Jogendra Singh: I have only just one word to say. The honourable mover is opposing the whole of the grant on the issue of prohibition. I wonder if the honourable member is taking the right course. If he wants to consult the House he should have raised this issue as a separate issue and obtained a direct vote on the question whether the House is in favour of prohibition. The facts are that this matter has been fully discussed in this House in all its aspects and so far as I can gather from the speeches that have been made, particularly the speech made by the honourable member Chaudhri Shah Muhammad, the general idea seems to be that total prohibition is not practicable. It is not practicable on two grounds. In the first place, we cannot enforce it. The honourable member who just spoke lightly of one crore of rupees being spent on the police. Is he going to provide for another crore to support another police corps to enforce prohibition? If that is his view, I think the honourable member perhaps stands alone. The people are already bearing with considerable difficulty the existing tax burden. This House has indicated in no uncertain terms that the burden on agriculture is great and that other sources of taxation should be examined. Here is a ready made source of taxation which brings a substantial income and we are asked to sacrifice it on the altar of prohibition, which has been found impracticable in all other countries. The honourable mover asserted that in Persia and Kabul total prohibition prevails. I ask him to quote authority for his statement. So far as I know, red wine—and red wine was always made in Shiraz—has been and is a favourite subject for poets and there is not a book in Persian poetry which is free from this reference. As for Kabul, I do not know whether things

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have now changed. But I know that not long ago wine was manufactured in Kabul also. Then the honourable member talked about America. He said that in America the first result of prohibition was that the jails were emptied and workers were able to do more and produce more. There may have been some statements of the kind regarding temporary effect of prohibition. But he knows, I think, anyone who has seen the movement in America knows, the large amount of money that America poured to attain prohibition has been wasted. It was discovered that large quantities of spirits and wines were being imported which were corrupting the morals of the people. The result is that prohibition has been withdrawn. Not only there, but in other places like Bombay and Madras also, the honourable member said, Ministers were so fettered that they could not carry out their policy of prohibition. It has been my duty to study what is happening in excise matters in Bombay, Madras and Deccan. I know and perhaps the honourable mover knows that even in Hyderabad Deccan, prohibition has been withdrawn. Both in Bombay and Madras large sums were voted to preach prohibition but without success.

Take the case of the neighbouring province, the United Provinces. I am glad to say that they have now accepted the policy which we have been following in the Punjab. I can challenge any honourable member to say if there is any province at present in India which is following the policy of prohibition. If he can show that even a single province is following that policy, I shall feel very grateful.

The Punjab is not so peculiarly and so happily situated that it can immediately sacrifice revenue from excise and also incur large expenditure to enforce prohibition with a population so docile as to accept compulsion to give up what they like. Drink has not come into existence to-day. It was used during the Vedic days and even before that almost since the world began.

Chaudhri Afzal Haq : It was never a source of revenue.

The Honourable Sardar Sir Jogendra Singh : Well, I cannot say because my knowledge does not extend to infinity that it was never a source of revenue. But it has been a source of revenue in all countries. It is from excise now that revenue has been raised in most countries where burden on land has been lightened. I am sorry that the honourable member should oppose the demand, but I hope the House realising its responsibility, will not agree with him.

Mr. President : The question is—

That a sum not exceeding Rs. 10,59,400 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 1935 in respect of Excise.

The motion was carried.

The Honourable Sir Henry Craik (Finance Member) : Sir, I move—

That a sum not exceeding Rs. 64,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1935 in respect of Stamps.

The motion was carried.

FORESTS.**The Honourable Mr. Miles Irving** (Revenue Member) : I move—

That a sum not exceeding Rs. 16,39,500 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 1935 in respect of Forests.

Mr. President : The motion is—

That a sum not exceeding Rs. 16,39,500 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 1935 in respect of Forests.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, I beg to move—

That the total grant be reduced by Rs. 1.

It is hardly necessary to say that the object of this cut is to urge upon the Government the desirability of retrenching the expenditure of the Forest Department. Before I proceed to suggest ways and means by which the desired reduction can be effected, I would like to give the House certain facts and figures which will be of great interest to honourable members. In 1931-32 the income from this department amounted to Rs. 22,40,209 and in 1932-33 it went down to Rs. 19,31,681. According to the revised estimate of the same year the income from this department was shown to have gone down to Rs. 19,00,000. The income from this department as shown in the budget now presented to us appears to have further gone down to Rs. 17,13,500 which means that during this short period of three or four years there has been a drop of nearly 5 lakhs on the receipt side. The figures on the expenditure side are still more interesting. In 1932-33 the Government had to incur an expenditure of Rs. 18,71,959 for maintaining this department and next year the expenditure increased by about 40 or 50 thousand and went up to Rs. 19,37,980. In the budget presented to us now the expenditure is shown to have gone up suddenly to Rs. 22,66,780 which means that in the course of only one year the expenditure has increased by nearly Rs. 5 lakhs. It will be seen therefore, that while income has gone down the expenditure has gone up and the tax-payers will now be made to pay 5 lakhs for the maintenance of this department. I will do well to read a few lines here from the Memorandum which has been supplied to us with the budget and which discloses the state of affairs so far as this department is concerned. On page 43 of the Memorandum, it is said :—

The estimate for 1934-35 provides for expenditure to the extent of Rs. 22,66,780 which represents an increase of nearly Rs. 3½ lakhs over the revised estimate of the current year. Of this increase Rs. 2,35,000 appears under Conservancy, Regeneration, etc., and Rs. 1,18,000 under Establishment.

[K. B. Mian Muhammad Hayat Qureshi.]

From this you can very well see that expenditure on the establishment has increased by Rs. 1,18,000 in one year alone. This is certainly a very gloomy picture of this department. That its income should be less by 5 lakhs than its expenditure cannot be justified on any grounds and cannot be tolerated by the tax-payers. It is necessary that means should be found to at least balance the budget of this department if it is not possible to increase its income. I wonder why the Government with all the experts at its disposal has allowed matters to come to such a pass when even a layman like myself can see that there is ample room for increasing the income from this department and for retrenching its expenditure.

I shall now make certain suggestions which, in my opinion, can be acted upon with advantage. As the honourable members will be aware a vast tract of very fertile land on the Lower Bari Doab and Upper Jhelum Canals is in the possession of the Forest Department where regeneration, etc., is proceeding. This regeneration and planting of trees is not bad. It has many advantages I admit. But I am of opinion that it is not necessary in this part of the province where there are already so many trees on the boundary lines of the canals which can certainly serve that purpose for which this tract of land has been reserved by the Forest Department. If this land is sold by auction or if it had been sold by auction some years ago, it would have fetched a large amount of income to the Government and the department would not have had to maintain the staff that is working on this tract of land. Even now this land can be sold or given on temporary cultivation and I am sure that if that is done, a large amount of income will accrue to the Government. It is my belief that this land can thus be far more usefully employed than at present. If my suggestion is acted upon, the Government can reduce a number of officers of the department and can thus effect a saving in the expenditure. It can thereby kill two birds with one stone. This land, therefore, should at once be handed over to the Financial Commissioners who should either sell it or give it out on lease.

My other suggestion is that small forests in the hilly districts like Shahpur and Jhelum which are yielding no income should be handed over to the district boards with certain instructions which they should be asked to carry out. The Forest Department, in the case of such forests, should only see whether the instructions are being carried out or not. It should supervise the work of the district boards in such cases. That arrangement, if made, will result in the saving of expenditure of the department. These are the two suggestions that I can make. The Government can find out other means to bring down the expenditure of the department and to increase its income. Before I close my remarks I would again urge that it is essential that immediate steps should be taken to reduce the expenditure and to increase the income of the Forest Department. With these words I commend the motion for the acceptance of the House.

Mr. President : Motion moved is —

That the total grant be reduced by Rs. 1.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Sir, the state of affairs, as explained by my friend is really deplorable. There is no doubt that during the last few years there has been a heavy fall in the price of the forest produce, but if there is a heavy fall in the price, I think measures must be taken to balance the budget. It is no use saying that the cost of timber has fallen and therefore it cannot be helped. The Government should carry on the department just like any ordinary commercial house, and cut its coat according to the cloth. If there is no money, Government should let the extra staff go and stop building forest bungalows, and stop unremunerative works. You cannot expect the poor people of the Punjab to go on paying year after year if Government cannot make both ends meet. I am sure if Government were wide awake they could still increase the income from forests and they could increase the use of timber in the country. You will find that iron is taking the place of timber in Government buildings. The other day I had a look at a hydro-electric plant and I noticed that instead of using timber they had used iron.

Instead of employing our own timber Government has imported from Europe iron doors for the bungalows. I ask, can any sensible person use iron doors for bungalows in India which get hot in summer and which are not rust proof? This Government is itself trying to import these things from outside. How can it encourage people to use their own goods? There is no co-operation among Government departments. You will find that in olden days before steel girders came to be used, timber was used very freely. Why not encourage wooden girders?

Mr. D. J. Boyd : Economy.

Shaikh Muhammad Sadiq : It is very foolish economy. You are not selling your own products and you are paying import duty, you are paying railway freight and not using your own goods which are near at hand. If you have something in your own house it is much more economical to use it than buy it outside.

Mr. D. J. Boyd : And you rebuild your buildings from time to time.

Shaikh Muhammad Sadiq : My friend comes from England, but I can say that timber has been used in this country for thousands of years. In my own house timber was used and we have never rebuilt it. We have seen even Windsor Castle.

Mr. D. J. Boyd : There are no white ants in England.

Shaikh Muhammad Sadiq : Perhaps white ants attack only Government buildings. What about doors? If they are eaten by white ants, let them be eaten by white ants. There will still be timber left to replace those eaten-up doors. You can go on selling timber, but on the other hand, if you by example, encourage people to use iron girders, the result is that you are showing the way to the public to use iron, with the result that you are not able to sell your own products. Similarly the North-Western Railway is making experiments by using steel girders where once it used timber. The railway makes a tremendous amount of money from the Punjab. If the Government were commercial people it would tell the railway not

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to use iron sleepers, that if they do not use timber it will encourage road traffic which will bring down the revenue of railways. There is no question of showing tender mercy to the Government of India. They must try to spend their money in the province.

It may not be approved by you, but I will make one suggestion. You find a lot of timber comes from Kashmir and other states. Why not ask the State to pay a tax? Why should they be allowed to import their timber into the Punjab absolutely without charge? We must ask them to pay a tax. The Kashmir State people do not allow our goods to enter Kashmir free. If Mr. Boyd were to take into Kashmir a new handkerchief, they would charge him 38 per cent. duty on it. If you take a new shoe there you are taxed on it. If they treat us in that way, where is the reason for us to show mercy to Mandi or Kashmir? We can tell them that so long as we were rich we were generous with the rajas and maharajas and we salaamed them. But now our pockets are empty. They spend huge sums of money on palaces and displays. They cannot do it now at the cost of the poor people of the Punjab. We must tell them that if they want to sell their sleepers in the Punjab, they must pay Re. 1 as tax per sleeper. They spend money either on big *tamashas* or big motor cars. We must tell them that they must pay us tax on everything they bring into the province.

Next I come to the question of cutting down our expenditure. Six or seven years ago when Sir Sundar Singh Majithia was incharge of the Revenue Department we told him that he had too many officers, but he said no. To-day it is admitted that we have 8 or 9 extra Indian Forest Service people, and Government does not know what to do with them. This is not the commercial way of dealing with the finances of a country. Government should tell these men that it cannot pay them such large salaries for nothing, and I would not grudge if Government gave them generous pensions and told them to go. I would not grudge that, because after all that would be a saving to a certain extent. These officers should be made to retire, never mind whether they are Englishmen or Indians. So my submission is that Government should reduce these people and pension them off.

My next submission is that Government should stop building extra beautiful bungalows in the forest. It seems as if they are being built for *shikar* purposes. The Forest Department is a kind of Arcadia and the forest officers are leading a kind of Arcadian life. Then provision has to be made for *shikar* beaters and so on. I do not know much about it, but that is what I have heard. I hope it is not right.

Mr. D. J. Boyd : Do not make allegations of that kind. You know they are not true.

Shaikh Muhammad Sadiq : If I knew them to be untrue I would not utter them. You know me and I know you; I would not make an allegation if I knew it to be false. I would not waste the time of the House by saying things which I do not honestly believe. It is not in my line to make allegations against officials simply for the sake of fun. But I may tell you

this that there is not much work done there and public money is wasted. I am here to represent the public. I would be untrue to myself and to the people I represent if I did not bring before you what I honestly think and what I have been told by some people is true. If what I say turns out to be untrue, I would be the first man to admit my mistake. I do not want to cast any aspersions against any officer which are not true. The question of finance is very important. We have invested crores of rupees on forests and have used hundreds and thousands of acres of land which could be utilised for better purposes. It is therefore our business to see that we get compensated for the expenso incurred. Things must be mended and the sooner we mend them the better. Let Government lease out certain forests to the public, say to some big company. Allow that company to fell trees of certain kind, but let them manage the affairs better than we are doing now. I may point out that the system of bringing timber to riverside near Wazirabad is also very expensive. Government should kindly go into that question. I am not an expert in this line but I have made inquiries and I would like Government to look into it, and see whether they cannot bring their produce cheaply and more economically near the places where they collect timber, in places like Wazirabad and Beas.

If the Government will take the necessary steps to stimulate the use of this product, I am sure we can increase our revenues somehow or other. My object now is not to criticise the administration of the department but to help it. I, therefore, request the Government to go into the matter carefully. I do not want to take up the time of the Council any further because I want the next motion to come up. But before concluding I would warn the Government that the time has come when the Forest Department, if it is not able to contribute anything substantial to the revenues of the province should at least try to balance its own budget.

Mr. D. J. Boyd (Financial Commissioner): Sir, I must first of all acknowledge the spirit which underlies the speeches of the honourable mover of the motion and of my honourable friend Shaikh Muhammad Sadiq. They both have spoken in a spirit of helpfulness with the object of helping Government out of the deficit which unfortunately exists in the present year. The honourable mover first of all drew attention to the decline in receipts and increase in the expenditure of the department. We all regret that it is necessary to admit a decline in receipts and increase in expenditure. But it is well to understand that a great part of the increase in expenditure is merely a matter of book-keeping and that it is not a real increase of expenditure. For instance, in the next year's budget we have an item of Rs. 2,26,000 which did not appear in the last year's budget; and it appears in the next year's budget because the capital expenditure on certain irrigated plantations has now come to an end as the plantations have been formed and that expenditure is now shown in the ordinary forest budget and not under the head 'Capital Expenditure.' Thus Rs. 2,26,000 is not really an increase, but is merely a matter of accounting. That is one thing we have to bear in mind.

The honourable mover then mentioned the increase of Rs. 1,18,000 on establishment in the next year in spite of the fact that our income was going down. I have to admit that of this Rs. 98,000 will be spent on establishment

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owing to increments in salaries. The salaries as the House knows were fixed sometime ago and automatic increments are still accruing and that accounts for an increase of Rs. 98,000 for next year. Then the remaining Rs. 20,000 is due to the same cause as the increase of Rs. 2,26,000, that is to say, what was hitherto shown as capital expenditure has now been shown in the ordinary forest budget. The sum of Rs. 20,000 for establishment which was hitherto shown under capital expenditure has now come under the ordinary charges of establishment. That accounts for the increase in the establishment charges.

The honourable mover next complained that excellent land was being given to the Forest Department in some of the canal colonies such as the Upper Jhelum Canal Colony and the Lower Bari Doab Canal Colony. I have noticed that whenever a Government department takes up land, at once there is a complaint about it. But I may assure the House that only when the land can be used most economically and profitably that the land is taken by a Government department. For instance, the Chhanga Manga plantation is an example of what can be done by forest plantation. The Forest Department has derived an income of Rs. 1,40,000 from this plantation. It takes a considerable time, but once the plantations are established, they become paying propositions. Chichawatni is just now coming to the stage of earning profit. We hope to get Rs. 28,000 from it next year and later on we hope that it will increase as in the case of Chhanga Manga. But whether these plantations are profitable or not, we must remember the object with which we started these plantations. The object of these plantations is to provide a fuel supply for the province. The population of the province has increased by something like 10 lakhs during the last ten years. In order to meet the needs of that increased population there must be a corresponding increase of fuel supply. These irrigated plantations have been made for that purpose. They are not necessarily economic propositions, but they are absolutely dire necessities to keep the people of the province supplied with fuel. Otherwise all the valuable cow-dung will go into the fire instead of into the earth and the fertility of the soil of this province will consequently decrease. We all know that one of the great drawbacks in agriculture in this province is want of manure. If we are going to use our manure as fuel for cooking our food, there is no hope whatever of the soil recovering its fertility. It is for this reason that these irrigated plantations have been made and I personally think that they are thoroughly justified.

In connection with these irrigated plantations there is one thing we should bear in mind and that is, that the Forest Department, just like the zamindar suffers from having to pay *abiana*. The plantations pay a fairly high rate of *abiana*. I do not say that it is higher than what it ought to be. Still it has to pay *abiana* and that tends to make the irrigated plantations an uneconomic proposition. But it must also be remembered that it is only taking money from one pocket of Government and putting it into another.

The honourable member also suggested that some of the forests might be taken away from the Forest Department and handed over to district boards so as to effect economy. That has been done to a considerable extent already. I understand that the Forest Department has given up the

rekhs in the Lahore and Amritsar districts and I am going to ask the Chief Conservator to look into the question to see whether he cannot give up further rakhs. In the case of the Salt Range I am not sure whether it is wise to give up the rakhs. I have an open mind in the matter and I shall go into the matter if any honourable member thinks that it is a desirable proposition. But in the forests in the Kangra district you must remember that the responsibility of the Forest Department is to the people who have a right to the use of the produce. In this province every year the Forest Department hands over Rs. 24,00,000 worth of produce to rightholders. That is not shown in the accounts. If credit is given to the Forest Department for these Rs. 24,00,000 it will be found that the department is well on the right side of the account. Unfortunately the forest accounts are not really logical affairs. Some years ago the Forest Department was urged to prepare commercial accounts so that Government and this Council might have a check on their expenditure. As a check on extravagant expenditure that idea was quite right, but the result has been to burden the accounts with an enormous amount of things that are really meaningless and make it appear that the department is working very much worse than it really does. For instance, in the Forest Department accounts you will see an item of Rs. 1,98,000 on account of interest. That is really meaningless, because all capital expenditure hitherto incurred has been incurred from revenue. It has not been incurred from loans or from anything that can be really called capital. Still it has been shown in the accounts as capital expenditure and every year the Forest Department has to show a debit in its accounts of Rs. 1,98,000. The capital was provided entirely out of revenue and in my humble opinion it should not have been shown as capital expenditure. It is revenue expenditure and there should be no interest whatever charged for it. That is a most unfair charge on the Forest Department. It is a big item, which I think you will admit ought to be wiped out of this debit.

There is also the item of 24 lakhs that should have been put to their credit. Thus, you will see that the accounts do not give a really fair view of the working of the department. If the House is disposed to regard the department as a purely commercial affair to be tested by commercial standards, I would remind it of the recommendation made by Sardar Habib Ullah in another debate of two days ago. Sardar Habib Ullah urged that we should spend more on re-afforestation. How can you do that? How can you spend on re-afforestation without increasing, to begin with, the debit of the department? What was his reason for urging more expenditure on re-afforestation? It was, if I remember correctly, the very important reason that forests are required to protect the plains from the result of hill torrents. As you know, many thousands of acres in the Hoshiarpur and Jullundur districts have been ruined by the *chos* that come down from the Siwaliks. These *chos* have been formed by the action of rain which comes rushing down without any check. There are no trees to stop it. It comes rushing down in torrents into the plains and deposits sand over thousands of acres of what used to be fertile land. If we spend a few lakhs on re-afforestation of the Siwaliks, we may not be able to show a good return by way of timber. But we will be able to show in the distant future that land in the plains has been reclaimed from the ravages of the *chos*, and this result cannot be valued in money.

[Mr. D. J. Boyd.]

Again if our forests were to be cut down and the hill sides denuded, what would happen to our rivers, what would happen to our canals, what would happen to our cultivation in our canal colonies? You will have enormous loads destroying the crops one day and then perhaps afterwards there will be absolute failure of water in the rivers and no water in the canals. This protective duty of the Forest Department is a very much more important duty than its duty to earn money. I think the House will allow for that when it is considering the working of the department. In recent years prices have gone down badly. Every business is badly hit. That accounts for the reduced income, but you cannot get rid of the protective duties of the Forest Department.

At this stage the Council adjourned till 2-30 p. m. on Friday, the 9th March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 9th March 1934.

The Council met at the Council Chamber at 2-30 p. m. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Mr. B. M. STAIG (Secretary, Electricity).

STARRED QUESTIONS AND ANSWERS.

DAMAGE BY RAIN IN KHANPUR KALAN AND SERIA VILLAGES.

***3004. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state in respect of village Khanpur Kalan, tahsil Gohana, district Rohtak, and village Seria, tahsil Jhajjar, district Rohtak—

- (a) total culturable area ;
- (b) area sown with *rabi* crops during the current agricultural year ;
- (c) total number of houses ;
- (d) number of houses fallen or damaged during the September rain-storm ;
- (e) total land revenue demand for *kharif* ;
- (f) proportion of land revenue remitted ;
- (g) proportion of land revenue suspended ;
- (h) population ;
- (i) number of persons who died between the 15th of September 1933 and the 15th of January 1934 ;
- (j) the area which was under water on the 15th of January 1934 ;
- (k) the area under water on the day on which the patwari or other revenue officer reports the extent of the area under water ?

The Honourable Mr. Miles Irving : A statement is laid on the table—

Statement.

Village Khanpur Kalan, tahsil Gohana.				Village Seria, tahsil Jhajjar.			
(a)	3,221 acres	..	..	1,389 acres.	..	..	..
(b)	2,416 acres (approximately)	..	..	1,136 acres (approximately).	..	..	..
(c)	664	..	..	109.	..	..	..
(d)	50	..	..	80.	..	..	..
(e)	Rs. 2,675	..	..	Rs. 1,000.	..	..	..
(f)	Nd	..	..	Rs. 1,000 proposed.	..	..	..
(g)	Rs. 669 = one fourth	..	..	Nd.	..	..	..
(h)	2,612	..	..	618.	..	..	..
(i)	54	..	..	7.	..	..	..
(j)	Not available	..	..	Nd.	..	..	..
(k)	185 acres on 25th February 1934	..	..	Nd.	..	..	..

DRAIN NEAR ASODAH AND BAHADURGARH VILLAGES.

***3005. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state in respect of the drain which passes through the estates of Asodah and Bahadurgarh villages in the Rohtak district—

- (a) the total length of the drain within the boundaries of the Rohtak district ;
- (b) its width ;
- (c) its depth and width near the *abadi* of Asodah village ;
- (d) number of bridges over this drain in the Rohtak district ;
- (e) the population of village Asodah ;
- (f) the amount of land owned by Asodah village and lying across this drain on the far side of the village ;
- (g) whether there is any bridge across the drain to enable the zamindars to go to their fields ;
- (h) whether any application for the construction of a bridge was made by the proprietors of this village to the Irrigation department ;
- (i) whether it is a fact that the Irrigation department referred the applicants to the district board ;
- (j) what department has been entrusted with the maintenance and upkeep of this drain ;
- (k) whether Government intends to order the construction of any bridges across this drain ;
- (l) if the answer to (k) is in the affirmative, when it is proposed to construct them ;
- (m) if the answer is in the negative, the reasons for refusal to construct these bridges ?

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.

MR. COYNE, SUPERINTENDENT, IRRIGATION SECRETARIAT.

***3006. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (i) whether it is a fact that the pay of Mr. Coyne, Superintendent, Punjab Irrigation Secretariat, Lahore, is being attached by his creditors ;
- (ii) if so, whether he will please lay on the table a statement showing—
 - (a) the name and address of each person or firm who has got his pay attached ;
 - (b) the amount of original loan in each case,
 - (c) the date on which such loan was taken.
 - (d) the amounts claimed by each creditor through court,
 - (e) the earliest dates from which each creditor has got his pay attached,
 - (f) the names of the courts which issued each attachment order ?

- (iii) from which date is a moiety of salary of Mr. Coyne constantly being attached ;
- (iv) whether it is a fact that he has been unable to repay his debts within the period of two years from the date of taking loans, and if so, whether any action has been taken by Government or is proposed to be taken against him under rule 16 of the Government Servant's Conduct Rules or any other rules ; if so, what ; and if not, why not ;
- (v) will the Honourable Member please lay a copy of rule 16 of the Government Servants' Conduct Rules ?

The Honourable Mr. Miles Irving : (i) Yes.

(ii), (iii) and (iv) Government think that no public interest would be served by giving the information asked for. The matter is under consideration.

(v) A copy of rule 16 of the Government Servant's Conduct Rules (page 18) is laid on the table—

The Government Servants' Conduct Rules. Paragraph 16.

Insolvency and Habitual Indebtedness.—(1) When a Government servant is adjudged or declared an insolvent, or when one moiety of the salary of such Government servant is constantly being attached, has been continuously under attachment for a period exceeding two years, or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he will be considered liable to dismissal.

(2) When such Government servant is not liable to dismissal otherwise than by or with the sanction of the Secretary of State, the matter must, if he is declared insolvent, and may, if a moiety of his salary is attached, be reported to the Secretary of State, pending the receipt of whose orders he will be suspended from the service.

(3) In the case of any other Government servant, the matter should be reported to the Local Government or to such authority subordinate to the Government as may, by general or special order, be directed.

(4) When a moiety of an officer's salary is attached, the report should show what is the proportion of the debts to the salary ; how far they detract from the debtor's efficiency as a Government servant ; whether the debtor's position is irretrievable ; and whether, in the circumstances of the case, it is desirable to retain him in the post occupied by him when the matter was brought to notice, or in any post under the Government.

(5) In every case under this rule, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, will be upon the debtor.

Mr. Muhammad Din Malak : Is it not a fact that in the past Mr. Coyne had been suspended and the order of suspension was only lifted on the understanding that he would liquidate his liabilities within a certain time ? If so, what action has the Government taken seeing that the man has not been able to clear his liabilities so far ?

The Honourable Mr. Miles Irving : I must ask notice of that question.

Mr. Muhammad Din Malak : When the rule was cited in the question, I think the honourable member ought to have come prepared with the answer as to why no action was taken. I want your ruling on this point, Sir. It so happens in this House that an Honourable Minister or an Honourable Member of the Government refuses to answer a question on the ground that it will not serve any public interest or that it will entail considerable expenditure and labour to collect the information asked for. No one need

[Mr. Muhammad Din, Malak.]

dispute or rather no one dare dispute the capability and competence of honourable members of the Government to dispose of anything under the sun in their own peculiar way. But we have also been sent hither by the public to safeguard public interest. It may be that sometimes Government members feel rather uncomfortable to answer a question, and they are driven to seek refuge which the term "public interest" so readily affords. But where a question is put in which a particular rule is quoted and the rule quoted professes to have been framed in the public interest we, representatives of people, are entitled to a straight answer, or at least to know as to how the breach rather than observance of the rule would better promote the interest of public. To get satisfactory replies to questions is a distinct and definite privilege of the House and may not be lightly flouted by the Government members. You have always jealously guarded the rights and privileges of the House and I hope you will kindly make it convenient to give a ruling for the future guidance of both the official and the non-official members of the House.

Mr. President : On what point ?

Mr. Muhammad Din Malak : The Honourable Revenue Member has said that to supply information on certain points would not be in the public interest, although according to Rule 16 of the Government Servants' Conduct Rules all these points are relevant and he ought to have come prepared with answers on all the points. That is my point.

Mr. President : Parliamentary Practice is, "An answer to a question cannot be insisted upon, if the answer be refused by a Minister on the ground of the public interest"—Erskine May, page 240.

The Honourable Dr. Gokul Chand Narang : There may be other reasons too. The whole question is who is going to be the judge.

Mr. President : The Minister is the sole judge. The Chair has absolutely no power in the matter. But if the Minister refuses to answer a question, the Chair may call upon him to answer it.

Mr. Muhammad Din Malak : In the present case the reason given is public interest. I bow to your ruling. But I submit that it will enable the Honourable Members of the Government to apply any criterion they like for determining what is and what is not public interest.

Mr. President : Does the honourable member wish to discuss my ruling ?

Mr. Muhammad Din Malak : Not at all. I want to submit something for your consideration or reconsideration. I do not want to question your ruling. I am not competent to do so. But on the assumption that the Chair might be disposed to reconsider its decision, I would submit that according to this ruling, it is open to the Government members to refuse to answer the questions on any ground they like, because that ground, according to this ruling, would be quite good enough for them to refuse to answer any question. The point is who is to be the judge. When an official member refuses to answer a question, the non-official member will not be able to know the reason why. In the present case the Honourable Revenue Member does not rely on that ground. He says it will not serve

public interest. There is no question of expenditure here. He does not say it entails so much expenditure and, therefore, he was not prepared to answer it. My position is that when I refer to a particular rule laid down by the Government and the rule professes to have been laid down in public interest, does it lie with any Member of Government to say that it will not serve public interest to answer the question? Is that not a clear breach of the rule laid down by the Government itself? Government says that in such and such a case a particular action must be taken by the Head of Department. If the Head of Department has failed to take the necessary action and a non-official member wants to know the reason responsible for the failure, I think non-official members are quite competent to put such questions and I think, the term "public interest" could not offer any excuse in such cases. If the Chair wishes I can read the rules I am referring to.

Mr. President : I think a Minister is the sole judge of the fact whether it is in public interest to answer a question or not. However, if he exercises his judgment arbitrarily the House will decide on a proper motion whether he is right or wrong.

Chaudhri Allah Dad Khan : There is some difference between what the Chair has said and what the Honourable Government Member stated. The Government Member said that the answer to this question will not serve any useful purpose. He never said that it is not in the public interest. That is a different thing altogether.

The Honourable Mr. Miles Irving : Government has heard with appreciation your ruling that the Government Member has to give the decision as to whether it is in the public interest to answer a particular question, and that the House can raise it on a motion if he has given it arbitrarily. Government benches bow to your ruling with appreciation. But in this particular case, I may assure the House that I do not wish to prolong this case nor should it be thought in any quarter of the House that this decision was come to arbitrarily. I should have thought it would have been obvious to any person that some of the debts may conceivably be bad ones and to publish the names of creditors would be most prejudicial to those creditors and would be strongly against their interests. Unless strong public interest is served it is most unfair to publish their names. It might shake their own credit, and that is the reason and the only reason why Government has been reluctant to answer this question. Government has not refused to answer the supplementary questions which were asked but I did not clearly catch them.

MUNICIPAL COMMITTEE, HANSI.

***3007. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that since a year or so the Municipal Committee of the Hansi town in the Hissar district was superseded by the Government ;
- (b) whether it is a fact that the control of the working of this Committee is in the hands of the Deputy Commissioner, Hissar ;

[L. Chetan Anand.]

- (c) whether it is a fact that the Deputy Commissioner issued notices to all the proprietors of shops in the bazars that they should pay Rs. 4 a square foot for the coverings on the municipal drain, otherwise their coverings would be demolished, regardless of the fact that a site or street is more important than the other ;
- (d) whether it is a fact that notices were issued even to those shopkeepers who had their coverings constructed for the last fifty or sixty years ;
- (e) whether it is a fact that the majority of the shop-owners protested against this order and did not pay the amount required ;
- (f) whether it is a fact that in case of non-payment of the above compensation the coverings were demolished ;
- (g) the number of coverings thus demolished by the Committee so far, the number of the coverings for which compensation was paid, the amount so paid, the number of civil suits pending against the Committee arising out of the above action of the Committee of the Deputy Commissioner ;
- (h) whether it is a fact that the Municipal Committee, Hansi, before supersession used to charge only Re. 0-8-0 a foot as compensation for the proposed new coverings from the owners of shops most centrally situated ?

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

(b) Yes.

(c) Shopkeepers, who had not placed coverings above the drains, but also by means of such coverings prevented access to the drains beneath them, and in so doing had encroached upon the public street, were asked either to remove the encroachments to enable the municipal committee to clear the drains or to pay Re. 1 per square foot as the cost of the land.

(d) No.

(e) No.

(f) Yes.

(g) Number of coverings demolished	..	..	10
Number of coverings for which compensation was paid	..	..	31
The amount so paid	..	Rs.	1,757
			(first instalment.)
Number of civil suits pending against the Committee			1

(h) Yes.

DACOITIES ACCOMPANIED WITH MURDER.

***3008. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) the number of dacoities accompanied with murder which were committed during the half year ending with 30th June 1933

- (b) the number of such dacoities in which money-lenders were the victims ;
- (c) the action Government intends to take to check this increase ?

The Honourable Sir Henry Craik : (a) 5.

(b) 2.

(c) The figures reveal no increase.

MIGRATION OF HINDU INHABITANTS OF BAGGU.

***3009. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that almost all the Hindu inhabitants of Baggu Village in Shujabad Tahsil of Multan District migrated to another village ;
- (b) the causes of such migration ;
- (c) whether Government intends to take some steps to put a stop to such wholesale migration ?

The Honourable Sir Henry Craik : Six of the nine Hindu families living in a *basti* named Baggu in Gurdezpur village have moved into another *basti* in the same village, where new houses had been built by a local Hindu land-owner round an existing well. There was no wholesale migration. There are clearly no reasons for Government to take any action in the matter nor do I understand what action Government could legally take ?

HINDUS IN THE OFFICE OF LAND RECORDS.

***3010. Lala Jyoti Prasad :** Will the Honourable Revenue Member please state—

- (a) whether the attention of the Government has been drawn to an article—
 - (i) headed “Hindus in the office of Land Records” which appeared in the *Daily Herald*, dated 17th December 1933 ;
 - (ii) headed “Muslim Raj in Director of Land Records office” which appeared in the *Tribune*, dated 22nd December 1933 ;
- (b) whether it is a fact that the names of certain Hindu candidates who were working in the office of the Director of Land Records for the last three or four years have been removed from the list maintained in that office, as a result of an educational test taken by the Director after they had been in the office for more than three years ;
- (c) whether it is a fact that an educational test of a candidate is usually taken as soon as he joins office ;
- (d) whether the Director could under the rules in force—
 - (i) take an educational test of candidates of his office after they had been in the office for more than three years ; and
 - (ii) then remove their names from the list maintained in his office ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) No.

(c) No.

(d) (i) and (ii) Yes.

HUNGER-STRIKE IN LUDHIANA JAIL.

***3011. Mr. Mukand Lal Puri :** Will the Honourable Member for Finance please state—

- (1) whether the attention of the Government has been drawn to the reports published on page 4, column 2, of the *Daily Herald*, dated 31st January, 1984, on page 6 of the *Tribune*, column 2, dated 31st January, 1984, and page 4, column 2, of the *Daily Siyasat*, dated 24th January 1984, regarding the hunger-strike of prisoners in the Ludhiana District Jail, if so, what action, if any, the Government has taken in the matter ;
- (2) if the answer to the latter part of above be in the negative, the reason why the Government has not taken any action ;
- (3) whether it is a fact that on account of the long standing grievances of the prisoners, the strike broke out on 17th January 1984 and ended on 21st January 1984 after the redress was promised ;
- (4) if the answer to part (3) be in the affirmative the cause of the hunger-strike and the number of hunger-strikers on each date ;
- (5) whether the Superintendent, District Jail, Ludhiana, made any report to the Inspector-General of Prisons regarding the hunger-strike; if so, whether the Honourable Finance Member will kindly place the same on the table for the information of the House ;
- (6) whether any high officer of the Jail Department visited the said Jail to enquire into the causes of the hunger-strike ; if not, why ;
- (7) whether the Government proposes to order an enquiry into the matter now by an independent officer with a view to ascertain the causes of the hunger-strike ?

The Honourable Sir Henry Craik : (1) Government have seen the press reports referred to. No action has been taken by them in regard to the hunger-strike.

(2) and (3) No grievance was expressed by the hunger-strikers except that the jail munshi had refused to write a petition on behalf of one prisoner. Government saw no reason to enquire into this matter which was settled by the Superintendent himself.

(4) There was no reasonable ground for the prisoners to go on hunger-strike. Forty-seven undertrial prisoners refused to take food on the evening of 17th January, 1984. They took food on the morning of the 18th January, 1984. Thirty-seven convicts refused food on the morning of the 19th January, 1984. This number increased to 45 on the same day. On

the evening of the 19th January nine of them gave up the hunger-strike. Ten of them started taking food on the 20th January and the remaining 26 on the 31st January.

(5) *First part*.—Yes.

2nd part.—It would not be in the public interest to do so.

(6) *First part*.—No, for the reason already stated.

(7) No.

MAGISTRATES IN LUDHIANA DISTRICT.

***3012. Shrimati Lekhwati Jain :** Will the Honourable Member for Finance kindly state—

(a) the number of (i) stipendiary and (ii) honorary magistrates in the Ludhiana district in December 1933 ;

(b) whether there has been any, if so, what, increase in the number of magistrates of each class since December 1931 and December 1932 ;

(c) if the answer to (b) above be in the affirmative, whether the increase has been due to increase in criminal litigation in the district ;

(d) (i) whether there are any stipendiary magistrates in the Ludhiana district, who have been working there as such for more than three years continuously ;

(ii) if so, why ?

Mr. C. C. Garbett (Chief Secretary) : (a) (i) 7 and (ii) 14.

(b) Yes. One in each.

(c) To some extent.

(d) (i) Yes.

(ii) Because experience is useful ; and transfers are costly.

PRICE OF SHOP SITES IN JHANG.

***3013. Shrimati Lekhwati Jain :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that there are only 4 chauk-shop sites the price of which is charged at the rate of Rs. 25 per *marla* in every village of the district of Lyallpur ;

(b) whether it is a fact that in the district of Jhang there are 8 such shop sites in every village, the price of which is being demanded at the rate of Rs. 25 per *marla* ;

(c) the reasons for this difference ; why the Government does not treat only four shop sites as such, in the district of Jhang ; and whether the Government will be pleased to remove this difference ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) The matter is under consideration.

AUCTION PURCHASE IN LYALLPUR.

***3014. Shrimati Lekhwati Jain :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the Government prescribed 23rd December 1931 as the last date for the deposit of the purchase money by auction purchasers in the Lyallpur district ;
- (b) whether it is a fact that most of the shopkeepers deposited the purchase money in the treasury and this sum was entered in the column of *malikat* ;
- (c) whether it is a fact that such sum in many cases is being treated as the payment of rent, and fresh purchase money is being demanded ;
- (d) whether it is a fact that the shopkeepers are agitating against this ; and if so, what step the Government contemplates taking in the matter ?

The Honourable Mr. Miles Irving : (a) 23rd December 1931 was prescribed as the last date for deposit of purchase money by shopkeepers, not auction purchasers.

(b) Yes.

(c) Yes, but only in the case of those who had not paid the full purchase price in time.

(d) Yes. None.

DISTRICT BOARDS.

***3015. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) the number of elected members of each community in the district boards of the Punjab separately ;
- (b) how many of these are non-agriculturist Hindus in each board ;
- (c) whether this representation is proportionate to the population of Hindus and non-agriculturists ;
- (d) if not, whether the Government intends to remove this grievance ; if so, how ;
- (e) whether there is any district board in the province where non-agriculturists are not admitted to service on account of their being so ; if there is any such, whether the Government will please name it ; and say whether it is prepared to interfere ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) A statement is laid on the table.

(c) No.

(d) The electorates for district boards are non-communal. If a community fails to secure representation in proportion to the mean of its population and voting strength Government endeavours to make up the deficiency to some extent by nomination.

(e) The District Boards of Ferozepur and Gujranwala have resolved not to employ any more non-agriculturists until the percentage of agriculturist employees in the Boards reaches 80 per cent., and 70 per cent. respectively. Government would consider the matter.

Statement.

Serial No.	Name of District Board.	NUMBER OF ELECTED MEMBERS.			Number of elected Non-Agricultural Hindus.
		Muslims.	Sikhs.	Hindus.	
1	Hissar	6	4	24	5
2	Rohtak	2	..	32	..
3	Gurgaon	12	..	24	..
4	Karnal	8	3	24	1
5	Ambala	7	19	6	2
6	Simla	(The Deputy Commissioner alone constitutes the Board)			
7	Kangra .. ..	..	..	34	4
8	Hoshiarpur	8	10	19	3
9	Jullundur	10	24	..	..
10	Ludhiana	7	23	..	..
11	Ferozepore	12	23	2	2
12	Lahore	14	22	..	..
13	Amritsar	5	24	1	1
14	Gurdaspur	16	12	8	1
15	Sialkot	17	7	8	3
16	Gujranwala	20	9	1	1
17	Sheikhpura	16	8	..	..
18	Gujrat	36	..	..	..
19	Shahpur	27	1	..	..
20	Jhelum	27	..	..	..
21	Rawalpindi	26	1	..	..
22	Attock	28	..	..	..
23	Mianwali	11	..	1	1
24	Montgomery	20	4	3	2
25	Lyalpur	25	11	..	..
26	Jhang	29	..	1	1
27	Multan	28	..	..	..
28	Muzaffargarh	24	..	..	..
29	Dera Ghazi Khan	12	..	2	2

FEMALE ASSISTANT SURGEON, K. E. M. HOSPITAL, KARNAL.

***3016. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

- (a) how long the present female assistant surgeon in charge of female section of K. E. M. Hospital, Karnal, has been at Karnal ;
- (b) whether it is a fact that several inhabitants of Karnal made a representation to the Medical Department as to her charging exorbitant fees ;
- (c) if so, what action the Government has been pleased to take in the matter ;
- (d) whether the question of transferring her from that place has been considered by the Government ?

The Honourable Malik Sir Firoz Khan Noon : (a) Since the 15th February 1924.

(b) Only one such case was reported in which the lady had presented a bill for Rs. 20 for one visit, but the Civil Surgeon reduced it by one half. It has to be remembered that the place she visited was 7 miles from Karnal.

(c) No action appears necessary.

(d) Government do not feel justified in transferring her from Karnal in view of the facts stated above. The transfer if it comes about will be an ordinary transfer. It has to be remembered that there are only two Government hospitals in the Punjab where lady assistant surgeons are posted. Consequently transfers of these doctors cannot be as frequent as is the case with the Punjab Civil Medical Service (Men's section).

We are thinking of joining lady Sub-Assistant Surgeons cadre with the lady Assistant Surgeons cadre and, therefore, it will be possible to have more frequent transfers in the future than has been the case in the past.

Dr. (Mrs.) M. C. Shave : May I know what kind of transport was provided, for if she was trundled out in a tonga seven miles there and seven miles back, then she had a perfect right to charge that fee.

The Honourable Malik Sir Firoz Khan Noon : She was given free conveyance by the gentleman who took her to his village, probably in a motor car. The honourable member is not right in thinking that she had to travel by a tonga. The distance was about 7 miles. The matter of fees outside the hospital premises is left entirely to the agreement arrived at between the doctor and the patient. Government have no rules on the subject, nor can they force their doctors to charge a particular fee from his private patients. As far as I can see the Civil Surgeon had no legal sanction behind his order by which he reduced the fee by half.

Dr. (Mrs.) M. C. Shave : No. The Civil Surgeon was quite wrong.

HAISIYAT TAX IN GHARAUNDA VILLAGE.

***3017. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) what *haisiyat* tax was assessed upon the assesseses of Gharaunda village of Karnal district in the year 1933 ;

- (b) whether it is a fact that the objections against this assessment were heard in the month of December 1933 ;
- (c) how much reduction has been effected by the committee that decided these objections ;
- (d) the amount assessed for each of the three previous years upon the assesseees of this village ;
- (e) the amount actually realised from the assesseees of this village in each of the three previous years ;
- (f) whether the chairman received any complaints against the assessing officer or against the members of the committee that heard the objections as regards the assessing or the considerations which moved the members of the committee to reduce the amount so considerably ;
- (g) if so, what action the chairman has been pleased to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) Rs. 1,227.

(b) Yes.

(c) Rs. 541.

(d) Amount of tax assessed for the year—

					Rs.
1930-31	..	..	..	..	559
1931-32	..	..	..	..	494
1932-33	..	..	..	..	638

(e) Amount of tax actually realised during—

1930-31	..	..	..	..	558
1931-32	..	..	..	..	491
1932-33	..	..	..	..	484

(f) and (g) Yes ; the Chairman of the Board received some complaints about over assessment of the tax, and the Haisiyat Tax Sub-Inspector was given a warning. He was a temporary employee of the Board, and his term of office expired on the first January 1934.

Kanwar Mamraj Singh Chohan : Are there no complaints against the committee, who heard them and reduced the amount of tax ?

The Honourable Dr. Gokul Chand Narang : I do not know, but if the honourable member would give me notice I shall enquire.

KHARABA IN KARNAL DISTRICT.

***3018. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue be pleased to state—

- (a) what proportion does the area under *kharaba* bear to the total area sown in *kharif* 1933, in the following villages of Kaithal tahsil of Karnal district :—

- | | |
|----------------|-----------|
| (1) Pundri | (4) Naina |
| (2) Mundri | (5) Meoli |
| (3) Dhos | (6) Mohna |
| (7) Fatehpur ; | |

[K. Mamraj Singh Chohan.]

- (b) what remissions per rupee have been granted to these villages in *kharif* 1933 ;
- (c) whether it is a fact that the first six villages named in (a) are situated around Fatehpur ;
- (d) if a reading of (a) and (b) shows that in the first six villages named in (a) remissions in land revenue were allowed while the case of Fatehpur was ignored, the reasons for the same ?

The Honourable Mr. Miles Irving : (a)—

Village.	Proportion of the area under kharaba to the total area sown in kharif 1933. ¹		
Pundri	2	:	5
Mundri	1	:	2
Dhos	5	:	11
Naina	5	:	11
Meoli	10	:	27
Mohna	10	:	29
Fatehpur	2	:	5

(b) Remissions amounting to eight annas per rupee of demand have been granted to the first six villages.

(c) Yes.

(d) Fatehpur was not granted any remission partly because a large part of its matured area was under valuable crops and partly because it is a prosperous village with a particularly good system of canal irrigation.

GUJRAT COLLEGE.

***3019. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Minister for Education be pleased to state—

- (a) whether a complaint against the Principal of Gujrat College signed by one Raghunadan Parshad has been brought to his notice or to the notice of the Director of Public Instruction ;
- (b) whether any enquiry has been made on it, and if so, with what result ;
- (c) the total number in the above mentioned college, from year to year during the last 5 college years, of Hindu and Muslim boys in the high and in the intermediate classes ;
- (d) the causes for the gradual decline of the Hindu boys in the high and in the intermediate classes of this college ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. The complaint, however, proved, pseudonymous.

(b) Yes. The allegations made against the Principal were found to be untrue.

(c) A statement is placed on the table.

(d) The figures in the statement do not lend support to the view that there has been a gradual decline in the number of the Hindu boys.

Statement showing the total number in the Government Intermediate College, Gujrat, from year to year during the last five college years of Hindu and Muslim boys in the High and in the Intermediate classes.

Class.	Community.	1930.	1931.	1932.	1933.	1934.*	REMARKS.
IX	Hindus ..	4	10	5	5	8	*Number for 1934 as on 31st January 1934. In all other cases as on 31st March 1934.
	Muslims ..	24	9	20	30	27	
X	Hindus ..	3	6	5	6	5	
	Muslims ..	22	19	17	45	36	
1st year..	Hindus ..	35	19	18	17	25	
	Muslims ..	67	36	55	47	79	
2nd year	Hindus ..	15	34	25	28	22	
	Muslims ..	47	66	49	58	55	

Diwan Bahadur Raja Narendra Nath : While the number of Hindu students has been increasing elsewhere, there has been a decline in the number in this college. Why is it so ?

The Honourable Malik Sir Firoz Khan Noon : How does the honourable member conclude that there is a decline ? There is only a drop in the first year class from 35 to 25. There is a rise in all other classes.

Diwan Bahadur Raja Narendra Nath : Why is there a fall in the first year class, the year that counts for admission ?

The Honourable Malik Sir Firoz Khan Noon : Honourable members cannot pick up one year from one corner like that. We have to remember that the Hindus have a number of private colleges and a large number of Hindu boys from the mufassal like to go to Lahore. I have been myself touring in Dharamsala and I enquired as to why the college built for the district had its class rooms empty, and people told me that out of 49 students who passed in the matriculation examination in the district only 11 joined the college there and all the others came to Lahore. Because, from the parents' point of view it is better that the students join an institution where their sons could complete their course. Particularly Hindu parents who can afford to send their boys to Lahore.

I would also appeal to honourable members not to listen to any petty minded informants who go about backbiting Government officials, and base their criticisms of Government upon complaints given by such persons.

Diwan Bahadur Raja Narendra Nath : That is why I have put the question.

The Honourable Malik Sir Firoz Khan Noon : I am glad the honourable member has put it. We have gone into the case very fully and the whole agitation is engineered by a person whom I will not mention but who has behaved in a very improper manner.

Shaikh Muhammad Sadiq : Was he a Government official and was action taken against him ?

The Honourable Malik Sir Firoz Khan Noon : Morally we are convinced that that gentleman was at the bottom of the agitation, but judicially we cannot prove it. It is highly unsafe to take action against any official unless you are absolutely sure.

Sardar Arjan Singh : If it is not possible for Government to proceed judicially, at least departmental action could have been taken.

The Honourable Malik Sir Firoz Khan Noon : It is not a question of being departmentally satisfied. Supposing any one publishes wrong facts and we are able to trace them through the press or the publisher or again we may be able to get information privately and may feel convinced, about the person at the bottom of the affair, but we cannot be justified in taking action against that particular person on the strength of those facts.

I might add in this case that the gentleman at Gujrat is one of our best Principals.

Diwan Bahadur Raja Narendra Nath :

جو عیب کہ سلطان پسندد ہو اسے

CANTONMENT MIDDLE SCHOOL, MULTAN.

***3020. Lala Chetan Anand :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the building of Cantonment Middle School, Multan Cantonment, is the property of Cantonment Board, Multan ;
- (b) whether it is a fact that the said school is managed by the Executive Officer of Multan Cantonment Board ;
- (c) whether it is a fact that the Cantonment Board, Multan, bears all the incidental expenses of the school, besides monthly grant ;
- (d) whether it is a fact that the accounts of the school are audited by the Local Audit Accounts Office ;
- (e) whether it is a fact that there is a provision in the Education Code that the managing bodies of all the recognised schools should be regularly constituted and be approved and registered by the Department of Education ;
- (f) whether the Cantonment Middle School, Multan Cantonment, is recognised by the Department ;
- (g) if so, whether it is managed by a regular constituted managing body ;

- (h) whether the managing body has been approved and registered by the Department ;
- (i) if so, when the present managing body was formed, and by whom and when it was approved and registered by Department ;
- (j) whether there was any managing body of the school prior to the present managing body ;
- (k) whether the Executive Officer of Multan Cantonment is a member of the managing body ; if so, by what authority he was appointed the manager of the school ?

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

CANTONMENT MIDDLE SCHOOL, MULTAN.

***3021. Lala Chetan Anand :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that a written agreement is required by rules between a recognised school and its headmaster ;
- (b) whether there is a written agreement between the headmaster and the Multan Cantonment Middle School, if so, a copy of it may be laid on the table ;
- (c) whether it is a fact that according to Education Code the headmaster of a school ought to devote his whole time to his school duties ;
- (d) whether it is a fact that the headmaster of the said school devotes greater part of his time to Cantonment business than to his school ;
- (e) if reply to (d) above is in the affirmative, whether the Government proposes to take some action in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, under the new rules *re* recognition of schools.

(b) No. The present headmaster joined the school in January, 1914, and it has not so far been decided to give retrospective effect to the rules referred to in my answer to part (a).

(c) There is no definite rule like this, though suggestion to this effect is made in the new rules regarding recognition of schools.

(d) No. He has only occasionally to attend the meetings of the Cantonment Board of which he is a member.

(e) Does not arise.

DACOITIES.

***3022. Lala Chetan Anand :** Will the Honourable Finance Member please state—

- (a) the number of dacoities committed in the Punjab in the year 1933 ;

{ L. Chetan Anand. }

- (b) the number of dacoities in which murder and arson was committed ;
- (c) the number in which the shop-keepers were the victims ;
- (d) whether in view of these dacoities the Government proposes to take some special measures to check its increase ?

The Honourable Sir Henry Craik : (a) 157.

(b) (i) Murder, 15

(ii) Arson, 3.

(c) 39.

(d) Special measures have already been taken, the police in specially disturbed areas having been reinforced.

SECURITY OF DECREE-HOLDERS.

***3023. Lala Chetan Anand :** Will the Honourable Finance Member please state—

- (a) the number of cases in which the decree-holders were attacked while accompanying bailiffs for attachment or arrest of judgment debtors ;
- (b) the number of cases in which the decree-holder or a man of his party met with death ;
- (c) whether in view of increase of such attacks the Government intends to consider some steps for security of decree-holders ?

The Honourable Sir Henry Craik : (a) and (b) The information will be collected if the honourable member will indicate the period and the locality for which he wants it.

(c) Does not arise at present.

SHOP SITES IN COLONIES.

***3024. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government has ordered the village shopkeepers of all the new colonies to deposit the cost price of their shop sites at the rate of Rs. 25 per *marla* in case of chaurk shop sites and Rs. 15 in case of sites outside the chaurk ;
- (b) whether it is a fact that the colonists of those colonies have been required to pay only a few annas per *marla* for their residential sites ;
- (c) if so, the reasons for this vast difference in prices in the two cases in the same colony and chaurk ;
- (d) whether it is a fact that the shopkeepers of Montgomery, Saragodha, Sheikhpura, Lyallpur and Jhang districts are constitutionally moving the authorities ;
- (e) if so, whether the Government proposes to reduce the price and charge the same by instalments ;
- (f) whether it is a fact that many shopkeepers have got their shop sites confiscated ?

The Honourable Mr. Miles Irving : (a) These prices have been fixed.

No shopkeeper need purchase, if he prefers to pay rent.

(b) Grantees of colony land are entitled to purchase a limited residential area at the same price as their grants of agricultural land.

(c) Shop sites are obviously of greater value than residential sites reserved for specified colonists.

(d) Applications have been made.

(e) No.

(f) Government has no information.

EXECUTIVE ENGINEER'S OFFICE, RAIWIND DIVISION.

***3025. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state whether—

(a) the Executive Engineer in charge of Raiwind division, Upper Bari Doab Canal, is a Hindu ;

(b) the head clerk is a Hindu ;

(c) the accountant is a Hindu ;

(d) the *naib munshi* is a Hindu ;

(e) the head *munshi*, a Muslim, has to take his orders from his *naib*, a Hindu ;

(f) the *naib munshi* is related to the Executive Engineer ;

(g) the Deputy Collector is a Hindu ;

(h) if the replies to the above be in the affirmative, whether Government propose to take any action ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) Yes.

(d) Yes.

(e) The head *munshi* is a Muslim, but does not take his orders from his *naib*. He takes them direct from the Executive Engineer.

(f) No.

(g) Yes.

(h) Government does not propose to take any action. As a matter of fact, the non-gazetted staff attached to the divisional office consists of 10 Muslims and 10 non-Muslims.

EXECUTIVE ENGINEER, RAIWIND DIVISION.

***3026. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state whether he is aware—

(a) that the father-in-law of the Executive Engineer, Raiwind division, belongs to Kasur in the Raiwind division ;

[Mr. Muhammad Din Malak.]

(b) that the Executive Engineer's wife's maternal grandfather belongs to Kahna in the Raiwind division ;

(c) that the Executive Engineer's wife's maternal uncles own land in Kahna in the Raiwind division ;

(d) that in his dealings with the staff and the zamindars the Executive Engineer is influenced by his relatives on his wife's side ;

(e) if replies to the above be in the affirmative, whether it is proposed to take any action ?

The Honourable Mr. Miles Irving : (a), (b) and (c) Yes.

(d) and (e) No.

EXECUTIVE ENGINEER, RAIWIND DIVISION.

***3027. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state—

(a) if the Government have received any complaints against the Executive Engineer, Raiwind division ;

(b) if the Government have received any complaints to the effect—

(i) that the Executive Engineer, in charge of Raiwind division Upper Bari Doab Canal, is a staunch communalist ;

(ii) that even amongst the non-Muslim officials and zamindars exclusive recipients of his favours are those who are fortunate to carry with them the hall mark of good will and *safarish* from his relatives on his wife's side ;

(c) if so, whether any enquiry was ever instituted into these complaints, and if so, how the enquiry had been conducted and by whom and what was the result of the enquiry ; if not, why no enquiry has so far been held ?

¶ The Honourable Mr. Miles Irving : (a) and (b) The attention of Government was drawn to an article in the Urdu newspaper *Mashir-i-Haqiqi* dated the 15th November 1932, making complaints against this officer, and Government also received a number of complaints, mostly anonymous, of the nature described by the honourable member.

(c) Inquiries were made by two Superintending Engineers, who found on each occasion that the complaints made were without foundation, and an unqualified apology was published in the newspaper above mentioned.

STATUE OF SH. V. PATEL, AND MUNICIPAL COMMITTEE, KARNAL.

***3028. Shrimati Lekhawati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that one Lala Harsarup, rais, Karnal, presented the statue of Sh. V. Patel, the President of the Legislative Assembly, to be placed in the municipal hall, Karnal ;

(b) if so, whether the committee resolved to accept the above offer and to place the statue in the municipal hall ;

(c) if so, whether the Deputy Commissioner, Karnal, rescinded the above resolution ;

(d) whether Government proposes to cancel the order rescinding the resolution of the committee ?

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

(b) Yes.

(c) Yes ; the execution of the resolution was suspended by Deputy Commissioner.

(d) Under section 285 of the Punjab Municipal Act, 1911, it is within the power of the Commissioner to confirm or refuse to confirm the order of the Deputy Commissioner, and the matter is pending before him.

PARTY TO DR. SATYA PAL AND KIDAR NATH SEHGAL IN LYALLPUR.

***3029. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state —

(a) whether the party which the citizens of Lyallpur had arranged to give in honour of Dr. Satya Pal and Kidar Nath Sehgal, two political leaders of the province, on or about 24th December 1933, was to be given in the municipal garden, Lyallpur, and the previous sanction of the local municipal committee had been obtained for the same ;

(b) whether it is a fact that the said municipal committee had given on hire its furniture and other articles for the party ;

(c) whether it is a fact that the said party was not allowed to be held in the municipal garden at the eleventh hour by the president under the orders of Deputy Commissioner ;

(d) under what provision of the law did the president or Deputy Commissioner act ;

(e) whether any such party has in the past led to any political turmoil or caused any political uneasiness anywhere in the province ;

(f) if not, why an order refusing the use of municipal garden in this particular case was passed ?

The Honourable Dr. Gokul Chand Narang : (a) The party was to be given in the municipal garden but the previous sanction of the Municipal Committee is stated not to have been obtained.

(b) The President of the Committee is reported to have given on hire the furniture and other articles without knowing that they were required for the party in question .

(c) The President of the Municipal Committee prohibited the party. No order by the Deputy Commissioner was required. Sufficient notice is stated to have been given by him.

(d) The garden belongs to the Committee and permission could be given or refused by the Committee.

(e) Such a party had never been held there.

(f) Does not arise, but in any case the Committee was the best judge.

LAND GRANTS.

***3030. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state with reference to my starred question No. 2990¹, part (c)—

- (a) whether he is aware that even in the Montgomery district itself the zamindars of Dipalpur tahsil have been treated less favourably than those of other tahsils ;
- (b) if the answer to (a) is in the affirmative, what action the Government intends to take in the matter ?

The Honourable Mr. Miles Irving : (a) and (b) The honourable member is referred to the answer given to his question No. 2990¹.

SPECIAL TRIBUNAL, LAHORE.

***3031. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) how much money has been spent on the special tribunal set up in Lahore under the Criminal Procedure (Amendment) Act of 1930, from its beginning up to 31st January 1934 ;
- (b) how many cases it has disposed of and with what result in each case ;
- (c) what has been the result in appeal of the cases in (b) if there was any appeal ?

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

(b) Four. In the first, two accused were convicted, one acquitted and two discharged. In the second, 16 accused were convicted, 5 acquitted, 4 discharged and one died. In the third, the accused was convicted. The fourth case was withdrawn.

(c) The appeal in the first case was rejected by the High Court. The appeals in the second and third case are still pending.

Statement showing the amount spent on the Special Tribunal set up in Lahore under the Criminal Procedure (Amendment) Act of 1930.

					Rs.	A.	P.
Pay of officers	..	..	..	..	2,66,424	7	0
Pay of establishment	..	..	..	..	57,957	7	0
Other allowances and honoraria (non-voted)	..	..	..	..	2,520	0	0
Travelling allowance (non-voted)	..	..	..	..	222	0	0
Travelling allowance (voted)	..	..	..	..	705	11	0
Diet and road money to witnesses	..	..	..	..	11,628	12	0
Contingencies	..	..	..	..	9,164	0	0
Amount spent by Public Works Department	..	..	..	..	6,990	0	0
				Total	3,55,612	5	0
Counsel's fees	..	..	..	..	2,37,401	5	4
				GRAND TOTAL	5,93,013	10	4

NON-OFFICIAL SUB-REGISTRARS.

***3032. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) how many non-official sub-registrars are there in the Ambala district community-wise ;
- (b) if the answer to (a) shows the number of Muslims as *nil* or almost *nil*, the reasons for it ;
- (c) the dates of appointments of the sub-registrars in (a) in each case.

The Honourable Dr. Gokul Chand Narang : (a) Three Hindus and 1 Sikh.

(b) Among Muslims qualified for the posts, there were presumably none so suitable as the candidates selected. It naturally happens that the representatives of certain communities are more prominent in certain districts, or parts of the province. For example, the sub-registrars in the districts of Dera Ghazi Khan, Muzaffargarh, Multan, Attock, Jhelum, Gujrat and Sheikhupura are all Muslims.

(c) Ambala	..	..	..	3rd May 1915.
Rupar..	..	..	..	12th June 1915.
Kharar	..	..	..	24th May 1931.
Ramgarh	..	..	..	2nd September 1927.

Chaudhri Allah Dad Khan : Sir, I only asked for information for Ambala district. I never asked for information about Gujrat and other districts.

The Honourable Dr. Gokul Chand Narang : I have given the answer.

Chaudhri Allah Dad Khan : Where was the need for giving answer for districts other than I asked for ?

The Honourable Dr. Gokul Chand Narang : To remove the anxiety from the honourable member's mind.

Chaudhri Allah Dad Khan : Who were the other applicants who applied for the post ?

The Honourable Dr. Gokul Chand Narang : I do not know. They were appointed before my time. If you give notice, I shall inquire into the matter.

Chaudhri Allah Dad Khan : But I wanted the names.

The Honourable Dr. Gokul Chand Narang : I have given the answer to the question as put. The honourable member never asked me about the names of the candidates.

Mr. President : The question is how far the names of persons should be brought in questions and answers. On the first point our Standing Orders are clear. Article 37 (1) says : " A question should not bring in any name or statement not strictly necessary to make the question intelligible." So names can be brought in questions only to make the questions intelligible. As to the second point, I think the same principle governs answers. No names should be brought in answers to questions unless it is necessary to make an answer intelligible. It so happens sometimes that the honourable members wish to ascertain the names of certain officials in connection

[Mr. President.]

with certain acts done by them as officials. If the acts attributed to them are really objectionable and their names are divulged, they are likely to be ridiculed and hated from district to district wherever they go. It is undesirable, therefore, that any names should be mentioned in a question or answer. But if a question or an answer cannot be made intelligible without bringing in names in that case their mention is inevitable and the honourable members may introduce names both in questions and answers.

It was contended a little while ago that in answer to a question a Minister should not bring in information or facts which are not asked by the questioner. On this point also I may read a sentence from Erskine May's Parliamentary Practice : " An answer should be confined to the points contained in the question, with such explanation only as renders the answer intelligible, though a certain latitude is permitted to Ministers of the Crown." (Erskine May, page 245).

There is one more point. Article 37 (6) of our Business Manual provides that a question shall not be of excessive length. But occasionally very lengthy questions are tabled for being answered on the floor of the House. Sometimes a lengthy question may have a very brief answer and a short question may have a very long answer. The Parliamentary Practice on this point is : " The Speaker has suggested that lengthy answers should be circulated with the official reports instead of being given orally." (Erskine May, page 245).

The Honourable Dr. Gokul Chand Narang : Is there anything which defines the nature of question that can be put by members of Parliament, such as that they should be of sufficient public importance and so on ? I should like to have your learned observation on the subject.

Mr. President : It is difficult, nay, impossible, to define the " nature of questions", or lay down any standard by which their " public importance " should be measured or judged. Articles 34, 36 and 37 of our Rules of Business contain information on the following points :—

- (i) subject matter of questions :
- (ii) matters to which questions must relate ; and
- (iii) form and contents of questions.

Questions cover almost every conceivable field. They are asked from various motives ; sometimes simply to obtain information ; sometimes to show constituents the assiduity of their member ; sometimes to draw public attention to a grievance ; sometimes to embarrass the Government, etc., etc. But whatever the personal motive may be, the system provides a method of dragging before the House any act or omission by the departments of Government, and of turning a searchlight upon every corner of the public service. Their chief object is " the explanation to the public of the meaning of political events " ; but by a little ingenuity a questioner can so frame his question as to elicit information or press for action in any matter, however trivial it may be. In short, the questioner is the sole judge of the importance of his question and no hard and fast rules can be laid down for weighing the public importance of a question by a chemical balance.

In this connection reference may also be made to my ruling on page 1060 of Volume XXIII of our Council Debates.

MOTION FOR ADJOURNMENT. (Leave to move).

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) :

3 P. M.

Sir, I beg to move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, *viz.*, to discuss the effect of the proposed excise duty on sugar on the cane-growers, consumers of sugar and sugar factories in the Punjab.

Mr. President : The motion appears to be in order. The statement handed over to me reads as follows :—

I propose to ask at the Council meeting to-day for leave to make a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, *viz.*, to discuss the effect of the proposed excise duty on sugar on the cane-growers, consumers of sugar and sugar factories in the Punjab.

Has the honourable member the leave of the House ?

Shaikh Muhammad Sadiq : May I ask a question ? There was ample time between the introduction of the budget in the central legislature announcing this excise duty and the bringing forward of a resolution in this Council on that subject. Why should a resolution not have been brought in this Council instead of this adjournment motion ?

Mr. President : I have already stated that the motion is in order. Has the honourable member the leave of the House ?

(No member objecting to leave being granted, the President after consulting the convenience of the House decided that the motion will be taken up at 10.30 A.M. on Monday, 12th March 1934.)

GOVERNMENT'S DEMANDS FOR GRANTS.

FORESTS—concluded.

Mr. President : The Council will now resume discussion on the motion relating to the Forest Grant.

Mr. D. J. Boyd (Financial Commissioner) : Sir, yesterday afternoon when the House rose I was trying to explain that the accounts of the Forest Department did not give a true picture of the working of that department, partly because they are burdened with a debit of purely fictitious interest to the amount of about two lakhs and partly because they receive no credit for 24 lakhs worth of produce which is given over to right holders, mainly in the Kangra and Hoshiarpur districts. In this connection I should correct a slight mistake that I made yesterday afternoon. The honourable mover mentioned that the cost of establishment in the coming year would show an increase of Rs. 1,18,000, and I explained that Rs. 98,000 of this increase was due to increments in salary which were due to accrue. In saying that I forgot one quite serious item, and it is this, that owing to retrenchment made by the Government of India some of our imperial service officers have been returned to the province, and we have to find room for them whether we want them or not. The Government of India has been economising at our expense. Again, during the past year a large number of officers were on leave, but in the coming year there will be only very few officers

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going on leave. These two considerations have operated considerably to swell the expenditure upon establishment in the year 1934-35.

There are two other matters with regard to accounts to which I should direct the attention of the House. One of them is the fact that we have to retain two forest divisions which are financially of no use whatever. In fact they are a drag upon us. One of these divisions is the Simla Forest Division. The forests within the Simla Forest Division are practically all forests belonging to the Hill States surrounding Simla. We manage these forests for them because obviously the small Hill States are not in a position to maintain the highly skilled staff that is required for their management. If we withdraw from the management of these forests I am afraid that the hill sides will be cleared of timber in no time and we will have the serious evil of denudation just as we have in the foot hills. Therefore it is necessary for the Punjab Government to keep the Simla Forest Division going, although it costs half a lakh a year and does not bring in any return. Again, one of our most important forest divisions is the Bashahr Forest Division. The profit of that division is about a lakh ; and a lakh is exactly what we pay the Raja of Bashahr every year, so that we have no net expenditure on that division nor do we get any profit out of it in spite of a year's hard work. These facts should be remembered when we weigh the accounts of the Forest Department.

Another serious cause of the drop in the income of the Forest Department comes from a very distant source, from America. America has chosen to meet her economic troubles by depreciating the dollar. The depreciation of the dollar has meant a fall in the price of resin. Resin was one of our really profitable products. This is another matter over which we have no control whatever. It is unfortunate but it has to be remembered in weighing the profit and loss account of the Forest Department. Yesterday Mr. Sadiq suggested one or two remedies for the present state of loss in the working of our forests. He suggested, for instance, that we should induce the North-Western Railway to use our timber for sleepers instead of metal. I sincerely wish we could induce them to do so. We have a contract with them for the supply of sleepers every year. But they are undoubtedly using metal sleepers to a very large extent. If we make representations to them I presume their reply will be that they are an Imperial Department, and as long as they get material as much as possible from India it does not matter from which part of India they draw it. I believe, though I have no definite information on the point, that their metal sleepers come from Bombay, from the Tata Iron Works. They are therefore using indigenous material, but it is not Punjab material, and if there is any possibility of increasing our sales of sleepers to the railway you can rely upon the Forest Department to take it. Another suggestion of Mr. Sadiq was that the Punjab Government might put a tax upon Kashmir timber. So far as I am aware, this idea has not yet been considered, and I should be delighted to consider it myself and to see whether anything is possible in that direction. Mr. Sadiq also urged further retrenchment in the department. It is fair to mention what retrenchment has already been made. Since 1931-32 we have retrenched one conservator of forests, 7 extra assistant conservators, 5 forest rangers, 8 deputy rangers, 25 foresters, 95 forest guards and 8 clerks.

The total sum saved annually by this retrenchment comes to Rs. 1,16,000. It is quite a fair achievement. Mr. Sadiq suggested that reduction can be made in the Imperial Forest Service. He is quite right. I think he mentioned the figure of 10 officers. Actually the number which we think we might retrench for the present at any rate is 7. Now in retrenching the Imperial Service officers, it is not a matter that lies entirely with us. The local Government is bound by certain rules laid down by the Secretary of State, and one requirement of the Secretary of State is that before we ask him to retrench the post of any Imperial Service officer we shall explore every possibility to see whether it is not possible to use that officer in other departments or at any rate to employ him somewhere or other. The Punjab Government wish to relieve their cadre of these seven posts, and what they have suggested to the Government of India is that the reductions in the Imperial Forest Department should be made on an all-India scale, that is to say, we do not see why our own province should be singled out for reductions simply because in the ranks below conservator the cadre is a provincial one. We suggest that all recruitment for the forest service in India should be stopped until the surplus officers, no matter in which province they may be, have been absorbed in the cadre. That is an honest way of making retrenchment, and we hope—we do not know—but we hope that it will be accepted. If so, our difficulties will have disappeared. If not, we will have to look to other means of making retrenchment. In the meantime those officers are not being kept without work. The honourable member, Sardar Habib Ullah, the other evening moved a motion to urge that further afforestation should be adopted. That has already been anticipated, and in consequence of the recommendations of the Erosion Committee, Government decided to put an officer, an Imperial Forest Service officer, on to the work of reafforesting the Siwaliks, and I believe that that officer has already joined his post and has started on this very serious problem. Another officer, I hope to employ on a matter which very nearly affects the agriculturists of the province. We have been looking round for some means of improving the marketing of our agricultural produce, and it has been decided to appoint an officer on special duty for six months or a year in the first instance to explore the ground to find out what work there is for a marketing officer to do. If his appointment shows clearly that we can improve the profits of our agriculturists by the permanent appointment of a marketing officer, then Government will consider making such permanent appointment. But in the meantime we want an officer with proper qualifications to look round and survey the ground generally, to explore the ground on which the permanent marketing officer will work later. I think we have found an officer in the Forest Department who has the requisite qualifications, an Indian officer, who is M.A. in Economics, Honours B.A. in Mathematics, with, I believe, special training in statistics. He sounds an ideal officer, and I hope he will turn out to be an ideal officer. That will absorb two of these officers. We still find that we want to employ temporarily other five officers until they find some permanent appointment in other provinces. These five at present we are thinking of attaching to the different civil divisions to undertake afforestation operations in any suitable areas and also to give to district boards the benefit of their advice and perhaps of some supervision in the matter of arboriculture as we all know that dis-

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strict boards do not make enough income out of their road-side trees, and we hope, by more or less lending the services of forest officers that they may benefit enormously. I have received a note about the results of afforestation operations undertaken in the Pabbi hills of the Gujrat district. Some members have seen that work. I went there as Commissioner of the Rawalpindi division and it struck me as a marvellous work indeed. It is now reported that the zamindars of that tract have to make bunds in order to improve the irrigation of their fields. But the zamindars whose lands are situated below this re-afforested area find it unnecessary to do so because the moisture collected in the Pabbi area that has been re-afforested trickles gradually on to their fields and they are saved the labour of making the bunds. The zamindars themselves have informed the officers who passed on the report to me that the difference in price of the lands which were benefited by this re-afforestation and those which have not been benefited by it is a difference of Rs. 50 to Rs. 100. That is to say, the land which has not been re-afforested and does not get any benefit from the re-afforested area is sold at Rs. 50 an acre and the land that lies below this disafforested area has now gone up to Rs. 100 an acre. These operations have put money into the pockets of the zamindars. That is a very tangible proof indeed of the benefits of the protective work done by the Forest Department.

Just before I sit down I would ask honourable members to bear in mind that the Forest Department is not by any means purely a commercial department. It has to grow fuel in irrigated plantations in order that the manure which is meant for the fields may not be wasted by being burned and in order that it may be there to conserve the fertility of the soil. It has to prevent the formation of *chos* and the destruction of thousands of acres of agricultural land in the plains. It has to conserve water supplies so that rivers will not come down in heavy flood during the monsoon, flooding all the crops below, and be dry during the winter. It has to see that the water supply is regulated and comes as evenly as possible during the whole year. The department is surely a very beneficent department, but its accounts do not bring out these beneficent features. But I sincerely trust that all members of the House will bear that in mind.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, after the speech of the honourable Financial Commissioner one does not find much scope for suggesting new things. But I would like to dwell on a few points. One thing that we lack about this department is regular propaganda about the usefulness of the department and what it will give us in the generations to come. What we sow today we might reap after 50 years, and I need not dwell upon the great importance of the forests. Only those people who like myself have visited France, Germany and other places and seen their big forests, can realise the national importance of the forests and what a great asset they are to the country. If we do not now take care of our forests probably in a few years all the great catchment areas at the source of our rivers would be disforested, and we would have more and more of floods, and the result would be that we would have less and less supply for sowing our *rabi*, water being less both in the rivers as well as in the canals. While pressing the necessity for re-afforestation, as the honourable member for Lahore and the Financial Commissioner have done, I want to point out that

there is a great scope for retrenchment. Just now the Financial Commissioner pointed out how Government are trying to absorb their officers, specially the Imperial Service officers. I would suggest that one of these officers could easily be absorbed in the Irrigation Department. They have got thousands and lakhs worth of *shesham* on both sides or rather in four rows along the canals, and they hardly get much benefit out of it. If a special officer is deputed just as one is going to be deputed for the district boards, I think it will result in benefit to the revenues of the province. I would also like to suggest that in the matter of retrenchment, officers who have put in 30 years or 25 years or 20 years may be sent away on pension. It has been the policy generally during all these years of retrenchment to retire officers who have put in 20 or 25 years of service. Here too probably something can be done.

Considering the great importance and the necessity that there is for reafforestation I would urge upon the honourable member not to press his motion.

Khan Haibat Khan Daha (Multan East, Muhammadan, Rural) (*Urdu*): Sir, it is only the other day that Khan Bahadur Sardar Habib Ullah made a suggestion and asked the Government to grow more forests and to work up the policy of reafforestation. The Government in reply said that it was itself anxious to do so, but that the funds did not permit it to pursue this policy. Anyway it is clear that the honourable members as well as the Government are desirous of having more forests. This cut, therefore, which has been moved by my friend Qureshi Sahib appears to me to be out of place.

Khan Bahadur Mian Muhammad Hayat Qureshi: Apparently the honourable member has misunderstood me. I did not mean that we should have no more forests.

Khan Haibat Khan Daha: Our province is one which is primarily agricultural, and most of its population depends upon agriculture, which in its turn depends on sufficient supply of water. Our rivers and canals are already running short of this supply, and, as has been pointed out by my friend from Lyallpur, the disappearance of forests on the hills has already resulted in many floods which have caused havoc in the plains. It is necessary that not only on the hills more forests should be grown, but in the plains also we should have more forests in order that we should have more rains and bumper crops. I think that this Forest Department is indirectly doing some of the work of the Irrigation Department. It is, I understand, paying about 2½ lakhs of rupees to the Irrigation Department as *adiana* for the water that is supplied to the reserve forests in the Western Circle of the Punjab, and I would suggest that the Canal Department would at least contribute that sum to the Forest Department. Of course, I am at one with the honourable mover of this cut that unnecessary expenditure should be avoided and no mismanagement should be permitted. But I will not mind if, in the interest of the province and particularly of the zamindars, more forests are grown and in doing so the expenditure of the department exceeds its income. The Education Department is a spending department because it is so beneficent, and if similarly something extra is spent on the Forest Department to safeguard the interests of the people, we should not grudge that extra expenditure. With these words I oppose this cut.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, I take this opportunity to reply to the remarks made particularly by the honourable member who has preceded me. I never meant by this cut that all forests should be cut down or even that reafforestation should be stopped everywhere. I admit that at some places forests are necessary to guard against the danger of floods, but it will also be admitted that in the present period of depression we can justifiably ask for reduction in the expenditure on this department. My object is only to urge upon the Government the necessity of reducing this expenditure and increasing the income from this department. Beyond that I have nothing to say. I fail to see why this department, which not many years ago, that, is in 1921-22, brought as much as 50 lakhs of rupees to the coffers of the Government, should be allowed to deteriorate so much as to yield only 17 lakhs this year.

Mr. Nanak Chand Pandit : The reason is that the price of timber has very much gone down and many of the forests have been cleared.

Khan Bahadur Mian Muhammad Hayat Qureshi : I know that the prices of timber have fallen, but that fall is not such as to justify so much fall in the income from this department. As to the clearing of jungles it was a bad policy to clear them at once and not to grow more forests side by side so as to maintain a balance in the income. This department has been in existence since the advent of the British Government, and it can claim to have the services of many experts at its disposal. How then could the department be exonerated from the charge of following a short-sighted policy ? The Financial Commissioner was pleased to say that in a certain Forest Division the Government was spending a good deal to safeguard the interests of a certain State. I ask, why is the State not being made to pay something towards the expenses of the establishment maintained for its benefit ? Even after the speech of the Financial Commissioner I am not convinced that this department is free from all blame, and although I am not quite satisfied with the explanations he has been pleased to give, and although I think that there is still room for retrenchment in expenditure, yet in view of the fact that a more important cut is to be moved by the honourable member from Amritsar, in which the appointment of a committee is proposed to go into this matter thoroughly, I do not press my motion.

The motion was by leave withdrawn.

Mr. President : The question is :—

That a sum not exceeding Rs. 16,39,500 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 1935 in respect of Forests.

The motion was carried.

FORESTS (CAPITAL EXPENDITURE).

The Honourable Mr. Miles Irving (Revenue Member) : I move :—

That a sum not exceeding Rs. 1,56,500 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 1935 in respect of Forest (Capital Expenditure).

Mr. President : Motion moved—

That a sum not exceeding Rs. 1,53,500 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 1935 in respect of Forest (Capital Expenditure).

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban):
Sir, I move —

That the total grant be reduced by Rs. 1.

My object is to urge that a committee consisting of officials and non-officials be appointed to scrutinize the working of the Forest Department in order to curtail expenses and find means to increase the revenues of the department. I do not want to make a lengthy speech on this matter because much of the ground has already been covered. But I do think that in certain particulars I must differ from the Financial Commissioner in what he has said in his last speech.

Mr. President : I can not allow repetition of arguments.

Shaikh Muhammad Sadiq : No, I shall not repeat the arguments already advanced. I know it is very difficult because both the cuts are practically the same. But in this I am urging that a committee be constituted so that they may see that the suggestions made by various honourable members in this House are carried out by Government. There is no use of Government saying "we will see into this question, we will see into that question". Government always say that, but it takes twenty, and sometimes thirty years to see the question through. We cannot wait till eternity, till some Government member is clever enough to go through the question. The question raised in this cut is a very urgent one even as the question of retrenchment is. It is admitted by Government that they have got too many officers, and that they are in need of finding additional revenue. I suggest that some officers are utilised to find this additional revenue from here, there or somewhere. We want to find some work for such officers. So long as they have no work for them some work should be found for them or they should be dispensed with. I have no personal enmity against any of them, but I urge in the public interests that they should be made to retire even on premature pension rates, if there is no possibility of finding work for them in the near future. Government cannot go on saying as they have been doing for the last seven years that they are waiting till the Secretary of State moves, till the Parliament moves, in the matter, until finally nobody moves. Whenever we hear this tame reply that they are looking into the matter we can be certain that Government are intending to shelve it. I do not know about all the details of this department. That is why I am suggesting that a small committee be appointed by the Government of officials and non-officials, commercial men and others who can go through the question. The Financial Commissioner is not a businessman, and he does not know how to make use of the forest produce. It is all in the hands of the administrators. They are, I admit, very good and honest administrators, but the questions how to utilise the forest produce is not an easy one. There are now-a-days hundreds of ways of possible use. There are, for instance, plywood sheets imported from Sweden into this country. I suggest that plywood sheets can be made in this country by machinery, and we can try to

[Sh. Muhammad Sadiq.]

manufacture on small scale for demonstration. That will help you to consume a portion of the forest produce. If my honourable friend walks into Anarkali on any evening, if he has the leisure, he will see thousands and thousands of sheets are sold there. Why not convert this timber—I am not an expert—into plywood sheets and sell it all over India. (Mr. Nanak Chand Pandit : Cannot the Forest Board do this work ?) No. The Forest Board meets once in three years. I do not want such a board or a standing committee, but a regular *ad hoc* committee which would go into the question in a business-like way. It should not be an advisory body as we find the standing committees of the Council are. Probably those committees never meet.

Next coming to the question of retrenchment, I heard some honourable member suggesting some officers should be employed on lands on the sides of canals. There is so much land vacant on the sides of the canals, and it should be possible to plant trees there. Similarly in the case of roads. I am sorry that the Honourable Minister for Roads is not here. But he would find between Lahore and Amritsar and other different places miles and miles of land which are without any trees at all. With cheap hydro-electric power promised to us by the Honourable Minister for Industries it should be possible to dig wells and try afforestation. It will bring some money to the province besides giving us nice shady trees. Similarly you can utilise the services of these officers in municipalities which have got plenty of land where trees can be grown. My object is that if you cannot send the officers away on pension try to utilise their services, or even foist their services on other people and relieve yourself of the charges that you are over-spending and in bringing sufficient revenue for your purposes.

My friend said that 40 lakhs are being given away. You are not giving away 40 lakhs. This is their right. What is not yours, you do not give away.

4 P. M.

Mr. D. J. Boyd : The rights would not last for 5 years but for the Forest Department.

Shaikh Muhammad Sadiq : That would be a moot question, whether you should sell your grass at all. That is an additional reason why we should see whether we cannot save the 40 lakhs. The committee of experts that I am asking for can go into the question.

Mr. Nanak Chand Pandit : What would be the cost of that committee ?

Shaikh Muhammad Sadiq : It will not come to more than the cost of the Round Table Conference to which my friend went. I know this much that this committee will do better work than was done by some friends at the Round Table Conference.

Mr. Nanak Chand Pandit : How much did the Round Table Conference cost ?

Shaikh Muhammad Sadiq : I do not know how much you took. I am not one of the lucky few like you who attended it. (A voice : He spent more than he received). That you might know better, I know nothing about it.

My object in bringing forward this motion is certainly not to worry the department, and it is not that I want to attack the department. It is a very important department. Our cost is more than our income, and I want a committee to go into the working of the department to see if it can curtail expenses or increase the revenue. I think the Financial Commissioner cannot do it alone unless he has pressure brought from an authoritative body appointed by Government to lend force to what he wants. He will not be able to enforce on the Secretary of State that attention should be paid to this view of the people. I do not want an unwieldy committee. I do not want an unnecessarily big body. I want a committee of four or five persons. Let there be a commercial man on it, let there be some one who knows about afforestation. Let the Financial Commissioner be himself a member of the committee. He is drawing his pay, and his appointment on the committee will not be an expense to Government. I think the committee will be able to finish its work in a short time. With these words I would urge Government to accept my request.

Mr. President : Motion moved is—

That the total grant be reduced by Re. 1.

Mr. D. J. Boyd (Financial Commissioner) : The only part of the honourable member's proposal to which I really object is the proposal to neglect the Forest Board. When a Forest Board has been appointed and four members have been elected to it by this Council, I think it will be only courteous, if nothing else, to give to it the work of scrutinising the working of the Forest Department to see what savings could be made and how far the receipts could be increased. That Forest Board consists of nine members, of whom five are non-officials. Four of the non-officials are elected members of this Council elected to the Board by this Council, and the fifth is a well-known Indian timber merchant who knows everything about the subject that is worth knowing. (*A voice : Who is he ?*) Bawa Dinga Singh. The other members are the Chief Conservator of Forests, the Finance Secretary to Government, the Superintending Engineer of the Drainage Board, the Engineer who is interested in matters like the Hoshiarpur *chos*, and finally there is myself. This Forest Board is to meet a few days hence, i.e., on the 14th instant.

Shaikh Muhammad Sadiq : After how long is it meeting ?

Mr. D. J. Boyd : I am afraid I have forgotten. I must confess that until the late Revenue Member asked me to put before it the conclusions of the Erosion Committee, I did not know of the existence of this Board. But it does exist, and it is going to meet on the 14th to consider the report of the Erosion Committee, and on that date, or if there is no time on that date, after that date this matter will be referred to it. My friend opposite Sardar Habib Ullah is a member of that Board. Before that Board we shall put the views of the Council on the Forest Department to see what we can do to increase the revenue and reduce the expenditure of the Forest Department.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, there is no doubt that the Forest Board referred to by the Financial Commissioner does exist, but our grievance is that that Forest Board meets very seldom. If we can place the materials given to us by the honourable mover of this motion before the Forest Board, I think the matter will end, if the

[K. B. Sardar Habib Ullah.]

Forest Department takes upon itself the responsibility of calling this Board very often, oftener than it has been doing in the past. If this promise comes forward from the Forest Department, I would request my friend to withdraw his motion and leave all the matters to the Forest Board to discuss.

Mr. D. J. Boyd : I have already said that we will place the views of the Council before that Board so that they may investigate the possibility of making savings and the possibility of increasing revenue.

Shaikh Muhammad Sadiq : In view of the fact that my object was only to draw the attention of Government to the matter of the possibility of making savings and increasing revenue in the Forest Department and in view of the fact that the Financial Commissioner has promised to lay the substance of my motion before the Forest Board, I have no hesitation in asking for leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 1,56,500 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 1935 in respect of Forest (Capital Expenditure).

The motion was carried.

REGISTRATION.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That a sum not exceeding Rs. 79,100 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1935 in respect of Registration.

Mr. President : Motion moved is—

That a sum not exceeding Rs. 79,100 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1935 in respect of Registration.

(At this stage Mr. President left the chair and Deputy President occupied it).

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

That the total grant be reduced by Rs. 100.

My object in moving this motion is to draw the attention of Government or the Ministry of Local Self-Government to the paucity of Muslims as honorary sub-registrars in the Ambala division. I am generally immune from communal considerations, and I have never indulged in any discussion relating to such matters, but in this respect the almost entire absence of any Muslim throughout the five or six districts has impelled me to bring up this cut motion. Just now I received an answer to a question which the Honourable Minister on the floor of this House gave. In that answer he said that in the Ambala district there are four sub-registrars, of whom three are Hindus and one Sikh. There is not a single Muslim among them. And the reason for that he said was that there were no competent Muslims in all

the districts to be appointed a sub-registrar. I wonder how the Honourable Minister got this information. There are a number of persons, both retired military officers and others, who are well educated among the Muhammadans who can be appointed. And when I asked him how many people applied, he said he could not remember. If one does not want to do a thing one can find a number of excuses. But this excuse which has been made by the Honourable Minister is the least acceptable by any man on the floor of this House. He should have said that the matter has been overlooked, and that every effort will be made to bring in a Muslim but to say that not a single Muslim was competent to be appointed an honorary sub-registrar is, I think, very serious statement.

The Honourable Dr. Gokul Chand Narang : I never said that.

Chaudhri Allah Dad Khan : Did not the Honourable Minister say that there was not a single competent Muslim ?

The Honourable Dr. Gokul Chand Narang : I never said that. I said that there might have been fitter people.

Chaudhri Allah Dad Khan : There is communal representation in all services ; so, even if there was a Muslim candidate with equal qualifications that Muslim should have been appointed in view of the fact that there are already so many sub-registrars of other communities and not a single Muslim. Sometimes there are more competent Muslims than members of other communities, but I am surprised to hear that in this case there was not a single Muslim at least as good as non-Muslims. Had communal representation not been the accepted policy of Government, it would have been all right. But when Government has accepted the policy of communal representation in all departments and when every effort is being made to bring in those communities that are absent in certain departments, then of course such an answer is silly enough. (A voice : The use of the word 'silly' is not parliamentary). Even the expression 'silly ass' is parliamentary.

The Honourable Dr. Gokul Chand Narang : Sir, I protest against my predecessors being called silly. One of the Honourable Ministers is still a member of Government.

Mr. Nanak Chand Pandit : When was the last appointment made ?

The Honourable Dr. Gokul Chand Narang : In 1927.

Chaudhri Allah Dad Khan : What efforts did the present Minister make to bring in a Muslim ? Did he ask any of the present sub-registrars to resign and go away after the period of their appointment ? Has he made any effort ? If not, he cannot be exonerated. Perhaps in the time of the Honourable Minister's predecessors the question of communal representation did not assume so much importance as it has assumed to-day. What effort has the Honourable Minister made ? The Honourable Minister is self-condemned. The motion is about the Ambala division, and in the six districts of the Ambala division there must have arisen many vacancies and not a single Muslim has been appointed during that time.

The Honourable Dr. Gokul Chand Narang : Are you sure ?

Chaudhri Allah Dad Khan : In the Gurgaon district there are two sub-registrars who are not Muslims. In the Karnal district there used to be an old man who was a Muslim. But he was removed sometime ago and a

[Ch. Allah Dad Khan.]

Hindu was appointed. I shall not pursue this matter any further. My only contention is that in the Ambala division the number of Muslim sub-registrars is not proportionate to the population, and I hope the Honourable Minister will in his reply give reasons why this is so. (*An honourable member* : Are these sub-registrars paid anything ?) They get a small fee for the work they do. (*An honourable member* : Why then are they called 'honorary'?) Because they do not get regular fixed salary. I submit that in future if any vacancy arises a Muslim will be given that office and the formula enunciated by the Honourable Minister will not be allowed to have its way. I am sure competent Muslims will be forthcoming to occupy this office. After all these posts of sub-registrars are held by zamindars, and I refuse to believe that competent Muslim zamindars are not available for this office. I hope the Honourable Minister will bear in mind my suggestion and act up to it in future.

Mr. Deputy President : Motion moved—

That the total grant be reduced by Rs. 100.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (*Urdu*) : Sir, I have risen to oppose the cut moved by my honourable friend who has just sat down.

Shaikh Muhammad Sadiq : Do you propose to reduce more or less ?

Chaudhri Shah Muhammad : I oppose the motion under discussion on these grounds. The honourable mover does not seem to have ascertained as to what is the population of Mussalmans in those districts. If he had given a thought to the population of Mussalmans in the Ambala division, I think, he would have never brought forward this motion. On my part, I would have never stood up to oppose this motion if I had felt that the rights of Mussalmans are really being ignored in the Ambala division. If anybody has some genuine cause of grievance that is a different matter. But to bring forward such things under discussion in season and out of season is highly objectionable. It is a painful fact that we have formed a bad habit of wasting the precious time of this Council in bitter and useless communal discussions. My personal opinion is this that it is unjustifiable to allow time for discussing such trivial matters. After all we are paid from the provincial treasury and out of the taxes which people pay, we should not waste our time here on useless topics. I am perfectly sure that if there had been no paucity of Mussalmans in the Ambala division, they would have got their due share in the posts of honorary sub-registrars. There is another reason why I am against bringing such communal questions before the Council. If we begin to approve of such discussions the time will soon come when Hindus will raise the question that they have not received their due share in the posts of sub-registrars in the southern and the western divisions, and the press will raise a veritable storm over this question. If you do not like such a prospect then please leave such matters where they are. Do unto others as you would be done by.

Shaikh Muhammad Sadiq : What is the percentage of the Muslim population in the Ambala division ?

Chaudhri Shah Muhammad : In the Ambala division it is 12 per cent. I would urge, Sir, upon the honourable members of this House that such motions and such discussions tend to widen the gulf of disunity amongst the communities. It would have been far better for the honourable member to invite the attention of the local officers to this affair instead of raising this question here. It must be the bounden duty of all of us not to indulge in such talks which may create communal hatred. We should, on the other hand, try our level best to promote good will amongst the communities. Nothing should be farther from our mind than the desire to give the press a cause to raise a storm even if there may be a chance for us to win more votes by doing so. With these words, Sir, I oppose this motion.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, in order that the misunderstanding may not be prolonged I hasten to stand up to clear the position. The honourable mover of this out is neither correct in facts nor in his conclusions. As a matter of fact, there are only three honorary sub-registrars in the whole of the Ambala division. (*An honourable member :* Honorary ?) That is what the honourable mover has referred to in his motion. Out of these three, one is a Muslim and two are non-Muslims. My honourable friend emphasised that there was no Muslim at all in spite of the fact that there were so many districts in that division. Talking in the language of percentages I should say that the Muslims are represented in the cadre of honorary sub-registrars to the extent of 33 per cent., while their representation based on the population strength would warrant only 27 per cent. So, even on the ground of population, apart from property or other resources or position, my honourable friend has no grievance whatsoever.

Then again, the honourable member should have remembered that before he went in for the present Minister he should have ascertained whether the present Minister was in any way responsible for the supposed inequality in the number of Muslims and non-Muslim sub-registrars. Even that he has failed to do. But instead of that he has suggested a novel remedy for this supposed evil. He asked, if no new appointments are to be made, why should not some of the present incumbents be asked to resign to make way for Muslim sub-registrars ? I hope the Council, either the present one or the future one under the new constitution will not adopt this as its principle or policy for the removal of communal inequalities ?

In answer to my honourable friend's question with respect to sub-registrars in the Ambala district, I pointed out that there were at least half-a-dozen districts in the Punjab where there was not a single Hindu or Sikh sub-registrar. Now, is it contended that the communal principle should be carried so far as to compel some of those respectable people to tender their resignations so that room may be made for either Sikhs or Hindus ? I am sure the honourable members of the party to which the mover of this motion belongs will never endorse such a proposition. One might as well go further and make a complaint to God for not making room for members of any particular community which is not properly represented in any particular service.

I have, I think on some previous occasions, perhaps more than once, pointed out that it is very wrong to look to only one particular branch of

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service to see whether any particular community has got its proper share. One should look at all the services and at the whole province and then say whether a fair representation has been given to any particular community or not. It is inevitable that either in certain branches of the service or in certain parts of the province, by the necessity of circumstances, certain community may not get adequate representation. In other branches that community may have got more than its proper share of representation. Therefore, before one makes a grievance on communal grounds one should look through the whole of the red book which the Government has supplied to honourable members and then draw conclusions. (*Interruption*). That is the information which has been supplied to me officially. There are only three honorary sub-registrars in the Ambala division. (*Interruption*). We are now only dealing with honorary sub-registrars. So far as departmental registrars are concerned, my honourable friend will do well to bear in mind that sometime ago a question was put by one honourable member—it was probably Mr. Mukand Lal Puri,—regarding the communal proportion of Hindus in the cadre of sub-registrars. If I am not mistaken I replied that the total number of departmental sub-registrars was 65 out of whom there were only 13 Hindus. Is that not a disproportionate figure, only 20 per cent. for the whole province? Even granting that in the Ambala division there was no Muslim honorary sub-registrars, would that be such a grave injustice to the communal principle that some of the sub-registrars should be asked to resign to make room for the friends of my honourable friend? Their appointments are subject to certain rules and those rules are followed in making the appointments as also in renewing their appointments. During the last three years that I have been in charge of this department it has not come to my notice that any sub-registrar has been made to resign or the renewal of his appointment has not been made on the ground that his seat should be given to a member of another community. All such renewals of appointments have been made on non-communal considerations. If I were to adopt the policy which has been suggested to me, to-morrow there would be a howl in the province, and I would be accused not only of injustice but of folly. The honourable member's suggestion is so palpably absurd that it is not worth while to discuss it for any length of time. I do not propose to take up further time of the Council. But I shall give this assurance that so far as it lies in me I will never do injustice to any community. I shall take a broad view, broader view than my honourable friend sometimes takes. The method I adopt in making appointments is the saner method and a more just one.

Chaudhri Allah Dad Khan : The Honourable Minister cleverly twisted the case. I meant the total number of sub-registrars. Now he admits that there are more. He should have taken the spirit of the motion. (*An honourable member :* Did you understand what he said?) No; I hardly understand it. He admits that there are more than that number.

The Honourable Dr. Gokul Chand Narang : There are only three honorary sub-registrars in the whole of the division of Ambala, one at Karnal, one at Ambala and one at Ramgarh. And it is to them that the cut relates. There are only 7 in the whole of the province.

Chaudhri Allah Dad Khan : There are four in the Ambala district. I am sorry that misquotation is made by the honourable member.

Mr. Nanak Chand Pandit : The honourable member ought to be asked to translate his cut. Then he will understand.

Chaudhri Allah Dad Khan : My meaning is that when the appointments are renewed after three years, the paucity of the Muslims can be made up.

The Honourable Dr. Gokul Chand Narang : There is no paucity.

Chaudhri Allah Dad Khan : I do not mean that the Honourable Minister should ask them to resign.

The Honourable Dr. Gokul Chand Narang : The honourable member used the word "resign". Does he mean that I should not always take him on his word?

Chaudhri Allah Dad Khan : As my object was to bring this matter to the notice of the Honourable Minister, I will not press the motion. Accordingly I beg leave to withdraw it.

The motion was by leave withdrawn.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) :
I move :—

That the total grant be reduced by Re. 1.

My object is to draw the attention of the Government to the fact that in big commercial towns where a lot of work is done in English we should have sub-registrars who know English. If some deed is to be registered involving a lot of property, unless a man knows English he will not understand it, and later on it becomes impossible for the courts to decide what was done at the time. So, when new appointments are made when the existing incumbents complete their terms, men with knowledge of English should be appointed. There are now plenty of people with B.A. and M.A. degrees easily obtainable. I, therefore, hope that Government will accept this motion. My object is only to protect the rights of the people and the rights of the Government. Because after all it will give a bad name to the administration if any question crops up later, and it is found that the sub-registrars concerned did not know to read and write at the time of registration of the document. If a man does not know English he cannot understand law as there are no authenticated law books in Urdu. It is only in future cases that I suggest this change. I do not say anything about the existing incumbents. There are now many B.As., M.As., LL.Bs., and so on, and they can be appointed in future vacancies.

Mr. Deputy President : Motion moved :—

That the total grant be reduced by Re. 1.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I fully appreciate the spirit of this cut, and the honourable mover has my full sympathy. I, however, beg to point out, that the spirit of his proposal is already recognised and is being acted upon. In the rules laid down for the appointment of sub-registrars, the instructions for making proposals for the appointment of these officers are given in rule 7 and they are to this effect : "Candidates should be able to read and write

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the vernacular freely, and Government will not ordinarily consider the appointment of a person who does not possess this qualification, while in the case of appointments in big towns Government will appoint no one who does not possess a fair knowledge of English and preferably some knowledge of law".

Shaikh Muhammad Sadiq : What is fair knowledge?

The Honourable Dr. Gokul Chand Narang : Something even more than what a matric is presumed to possess.

Shaikh Muhammad Sadiq : Then why do you not fix the qualification definitely?

The Honourable Dr. Gokul Chand Narang : There are some people who may not have passed matric, but who may be able to talk better English than my honourable friend or myself. I know some people whose education judged by the University standards will not answer to any standard, but who can speak and write English like Englishmen. I would ask my friend, therefore, not to press that his recommendation should be accepted literally, because it will come in the way of people who might otherwise be very suitable persons. I may point out that the policy of the Government is that as a general rule "the appointments are to be reserved so far as possible for members of the hereditary landed gentry possessing rural influence and particularly for those who did valuable War work either as combatants or recruits or for retired commissioned officers". Even in the first class municipal areas to which the cut relates it may be necessary for various reasons to appoint a particular gentleman who is otherwise very suitable. He can speak and write English very well, but has passed no examination at all. Would my friend rule such a candidate out? If his cut is taken literally it might be necessary to rule out sometimes very desirable people. The spirit is already recognised, and I do not think it is necessary that any standard of University examination should be laid down. Generally in bigger towns such gentlemen are selected who are conversant with English and to a certain extent with law. For instance, if we take the example of my honourable friend's own native town—

Shaikh Muhammad Sadiq : Please take some other example.

The Honourable Dr. Gokul Chand Narang : I am not going to mention any names. But supposing a gentleman is an honorary magistrate and is also acting as a sub-judge. The presumption is that to a certain extent he is familiar with law and procedure, and can therefore be relied on to discharge the duties of a sub-registrar in a competent manner. I hope therefore that in the light of this explanation my honourable friend will not press his motion.

Shaikh Muhammad Sadiq : I am very sorry again that though I did not want to be personal, my friend whenever he gets an opportunity tries to make the whole question personal, and later on he will retract what he has said. It is absolutely wrong to say that the Government is acting upon the principle enunciated by him. Who is going to be the judge of the fair knowledge of English? I want to ask, is he going to be examined? Is he going to be asked to read books? When some Ministers go from this side

to the official side, they cannot even accept this fair and reasonable proposal. What he says to-day is not his own voice but some tutored voice. I told my honourable friend the spirit of my motion and he accepted my view. Otherwise I would not have brought this motion at all. I told him that my native town should not be discussed. But he made it personal. I say the standard adopted by the Government is absolutely wrong. There is no meaning in saying fair knowledge. Why people with greater knowledge are not appointed? It only means *khushamad*. It is nothing but that. When the appointments are made, is any enquiry made whether there are any better educated people? He dares to say that he is going to be fair. I challenge him. Government never appoints on merits. Often the income derived by these sub-registrars is ten times that drawn by an ordinary lawyer, and a first class lawyer will come in for half the amount which the sub-registrars get. They are wasting the money of this province. When we ask the Government in a polite way to accept this reasonable suggestion they take shelter behind the phrase 'fair knowledge'. Such places are reserved only for toadies. When you get B.As., M.As., LL.Bs., what is the meaning of saying 'fair knowledge of English'? One man can say that one who has passed the 3rd standard has fair knowledge of English. Another will say that a man who knows A, B, C has a fair knowledge of English. Who is going to be the judge? You must consider whether the man whom you are appointing will not ruin the fortunes of people, and whether he will not be leading to litigation in future.

When you fix qualifications for all other posts, why should you not fix them to the sub-registrars? Why should sub-registrars be dangling in the air, and why should they go to most useless persons? When you say that extra assistant commissioners should be B.As. and LL.Bs., why do you not have the qualification of B.A. for sub-registrars who are to deal with lakhs of rupees. Is his post supposed to be less important than a clerk or typist for whom you fix definite qualifications? Let them answer. Even for ordinary posts no one who is not a matriculate is appointed. I do not want to raise personal questions. I shall keep the persons now in office out of consideration, whoever they may be. I do not want them to be dismissed in consequence of my motion. I only want an assurance for the future. In places like Amritsar, Rawalpindi, Lahore—*(The Honourable Dr. Gokul Chand Narang: There is a graduate in Lahore).* A graduate is good enough but I ask why places other than Lahore should be unlucky. *(The Honourable Dr. Gokul Chand Narang: When the time comes we shall see.)* That is what I ask the Government. *(The Honourable Dr. Gokul Chand Narang: But I cannot accept the condition that he should be a matriculate.)* As I said, Sir, I do not want to raise personal issues. I am not discussing any individual. But I ask the Honourable Minister not to act always as 'his Marsden's voice,' but to act according to his own mind. He should not always lean behind and ask his Secretary what he has to say to this or that. He must know his own mind, act on his own responsibility.

The Honourable Dr. Gokul Chand Narang: Why does the honourable member say that this principle has not been acted upon? If he points out a case where it has not been followed, I shall note it.

Shaikh Muhammad Sadiq : I do not for the present discuss present individuals. The Honourable Minister is forcing personalities into the discussion. I ask him that for the future when new appointments are made let it be laid down that he would try to take people who understand their job very well.

The Honourable Dr. Gokul Chand Narang : I say that in future while making appointments, if any more are made in my time, I shall always keep in mind that the gentleman who is going to be appointed is well educated and has a fair knowledge of English.

Shaikh Muhammad Sadiq : The Honourable Minister has mimicked me very well, as we all know very well that he can beat even Irving, a great Shakespearean actor. My object was that he should put a brake on the old system and try to give the posts to proper persons.

The Honourable Dr. Gokul Chand Narang : My honourable friend need not insist on a matriculate. I definitely assure him that we shall satisfy ourselves that the person appointed has a very good working knowledge before he is appointed, and that he is able to carry on the work in a satisfactory manner.

Shaikh Muhammad Sadiq : With that assurance I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Sardar Jawahar Singh Dhillon (Lahore, Sikh, Rural) : Sir, I move :—

That the total grant be reduced by Re. 1.

My object is to point out the inefficiency of the honorary sub-registrars. The persons who are now appointed are ignorant of the provisions of the law of registration. They are in the hands of their subordinate staff who when parties come for registration do not present the documents before the sub-registrar promptly. The inefficiency leads to corruption among them. If some test is held prior to the selection, or if some educational qualifications are prescribed it will serve the purpose. It will help to solve the question of unemployment among the educated classes, there will be a check on bribery and efficiency will improve. With these words I move my motion.

Mr. Deputy President : Motion moved :—

That the total grant be reduced by Re. 1.

Mr. Mukand Lal Puri (Punjab Industries) : I do not hold any brief for honorary sub-registrars or for honorary magistrates. But one thing I have found is that the stipendiary sub-registrars, the tahsildar class, do not know the work which they are called upon to do. They have multifarious duties to perform, and therefore it very often happens that they do not know the proper procedure. Persons who have to get their documents registered have to wait for a very long time before they can get a chance of audience with the tahsildar sub-registrar. Sub-registrars should be persons who are available to persons who want to register their documents within stated hours, and it should be open to any person who has got a document in his hand to walk into the sub-registrar's office and present the document within time. If the object of this is to substitute full-time sub-registrars whether honorary or otherwise by sub-registrars who have to perform other duties also I am opposed to it. But if the object of the motion is to draw attention

to the inefficiency of a certain class of officers, I have nothing to say against it.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): It is my misfortune to oppose my honourable friend who has moved this cut. I think after he had heard the Honourable Minister for Local Self-Government stating his policy in making these appointments of sub-registrars, he should have been well advised not to move his cut. It has been pointed out by the Government that these posts of honour have been reserved for particular kind of men. It has been found that some military officers who have rendered meritorious services, who would be counted upon for their integrity, perhaps who have got much experience of the world, could very well be given these honorary posts. So far as the complaint of my honourable friend goes regarding the inefficiency of the sub-registrars I am not at one with him. After all, what sort of knowledge is required of them who have to register the documents. It may cause some surprise to honourable members to know my view that the less the sub-registrars interfere the better. They should leave the parties to have their own terms, to come to any agreement on their own terms. They should not be lawyers with fair knowledge of English and of law for in such a case they would put the interpretations and perhaps would dictate to parties as to the terms of agreement and as to how they affect the position of the contracting parties. My honourable friend should have known the well-known phrase of registering another's decree. When you have to tell a man that what he should do is to do as asked by another, we say that he has to register the decrees of that other person. We sometimes say that a certain agency is only registering the decrees of the executive. The test of merit in a registering officer is that he should allow the people to agree according to their own ways and views. I would, therefore, ask my honourable friend the mover to withdraw this cut, especially inasmuch as he has not given us a concrete instance of how that inefficiency has been found, where it has been found and how it has affected the litigant public generally. With these remarks I oppose the motion.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural): I rise to support this motion. The honourable mover was very much pleased to consult me before he tabled it, and I entirely agree with him that honorary sub-registrars have been appointed who do not know their work. I know one gentleman who cannot write the ordinary word *chuhra*. I can name the gentleman, but he is unfortunately dead. The rules really do require a change. The only criterion that Government keep in mind is that on receiving the report of the local officer, the revenue assistant or the tahsildar, the deputy commissioner should see whether the person to be appointed is able to read and write and has a fair knowledge of English. At present a knowledge of English is not at all considered, and as to reading and writing the local officer who is influenced by other methods is left to judge. It is not these qualifications that are looked into, but some other kind of service rendered to Government or to the police. There are thus great loopholes in the present rules which allow persons who are incapable of doing their work to come to these appointments. I hope the Honourable Minister will see to the matter

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and make the rules more strict so that inefficient persons might not get appointed.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural)

5 P.M.

(Urdu): Sir, I rise to oppose the cut that is now before the House. I think that undue importance has been given to this subject which is very simple and ordinary. The work that the honorary registrars are required to do, particularly in the villages, does not require very high academic qualifications or even comprehensive knowledge of technical matters or law questions. These registrars in the villages and even in the small towns have only to write on the document presented to them some such words in Urdu: "The party or parties who have appeared before me are known to me or they have been identified by the person known to me, and that the document has been presented in a complete and regular form and is duly executed, and that I endorse it." Now you can very well imagine that it is not difficult to know or to write these words. I may also say that this has been the form of endorsement from times immemorial, and has been accepted everywhere. Even the civil courts have never found fault with this form. Of course the position in big cities is different. There, I admit, that it is necessary that the registrars should be sufficiently qualified men because many of the documents that are presented for registration contain complicated articles and clauses which are difficult to be understood by a man of ordinary ability. In some cases the parties happen to be Englishmen or Anglo-Indians, and to make them understand or to understand them the services of qualified registrars are necessary. But in the villages, as I have said, men of ordinary ability can do this work satisfactorily.

It appears that the honourable mover did not give much thought to this matter before he decided to bring it forward before the House. He cannot be ignorant of the fact that very few documents are presented before the registrars in the villages, hardly one in a day, and consequently these poor officers have to pass their time in yawning and yawning. In fact their time heavily hangs on them. It is, therefore, difficult to attract men of qualifications for these posts, and even if some such persons were to accept this office, they would never stick to it for a long time. The honourable mover will also admit that we cannot altogether do away with the services of these honorary registrars, and the reason is obvious. Where there are no such registrars, and where their powers are vested in the tahsildars, the people are put to many hardships. The tahsildars as a rule remain on tour for many days in a month. They are very seldom available at headquarters, and the parties which have got a document to be registered urgently have to run from place to place in pursuit of the tahsildar concerned. Today they learn that he is in camp at a certain village in the Shahdara tahsil, and when they go there they come to know that he has moved to a place some 7 or 8 miles from that village. They pursue him there, but to their great disappointment they learn that the tahsildar has returned to headquarters. Thus the object with which that document was to be registered is frustrated. The money is required urgently, but it cannot be had in time for the simple reason that the tahsildar is not available at the headquarters. I cannot imagine that the honourable member wants to see the people

in the villages undergoing such hardships, and if my surmise is correct, he will see that the question of efficiency that he has raised is out of place. I may also let him know that these posts are meant for certain persons to whom the Government wants to show some favour, and under the circumstances even if we all of us were to join together and demand that the present registrars should be replaced by more efficient and competent persons, the Government will not yield to it. If the honourable mover had taken all these points into consideration I am sure he would not have moved this out. I am inclined to think that he has some particular case in view, and if that is so, he did well to have kept it to himself.

I am also not prepared to believe that these registrars are so illiterate and ignorant as the honourable mover and Kanwar Mamraj Singh would have us believe. The instance that the latter gentleman has cited, if it exists at all, appears to be a solitary example of that type because my experience tells me that many of them are very learned persons. They have read Gulistan and Bostan and Sikandar Nama, and the language that they use is so beautiful and sweet that one is tempted to read it over and over again. I hope I have said enough to satisfy the honourable mover, and he will, I am sure, withdraw his motion.

(At this stage Mr. President resumed the chair).

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*): Sir, I am very grateful to the honourable member from Sheikhpura who has shown by advancing very reasonable and cogent arguments that it was not necessary to bring forward this motion at all. He has rightly pointed out that the question of efficiency could not be raised in the case of the honorary registrars, and I agree with him that every one of them is capable of discharging the duties of this office. The Government receives annual reports about their work from the Inspector-General of Registration, and I find that in none of these reports such a complaint has ever been made that they or any one of them are incapable of doing their work. These reports, on the other hand, show that the work of registration entrusted to them is being done efficiently. How then am I to believe all that has been said against them by the honourable mover or his supporters?

The same honourable member raised a very important and relevant point in this connection, and I am sure that even the honourable mover must have appreciated it. I believe that he was right in saying that these posts of honorary registrars were meant for the big sardars and big military retired officers who had shed their blood on the field of battle for the country and for the Government and who had rendered many other meritorious services to the Crown. I believe that the honourable mover can never mean that by raising the standard for the incumbents of these posts, these big sardars should be deprived of their rights and that others should come in to replace them. They will, I am sure, oppose tooth and nail such encroachments upon their rights. It is, therefore, no use asking for raising the standard of ability in the case of these appointments. I quite realise the object of the honourable mover, and I appreciate the motive which has actuated him to bring forward this out. I know that it is a responsible post and that the persons entrusted with this work should be capable of

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discharging their duties properly. But, as I have said, the honourable mover need have no fear on that score. These honorary registrars are in fact doing their duties properly. They are not many of them. Their cadre consists of only seven officers, as I stated in my reply to the remarks by Chaudhri Allah Dad Khan on his motion, and I think there is no room—
(An honourable member : Chaudhri Allah Dad Khan's attack was directed against all the registrars including the seven honorary registrars). But in the motion he moved mention was made only of the honorary registrars.
(An honourable member : The Honourable Minister has come to this conclusion from the wording of that motion, but actually and in spirit he meant to attack all the registrars). Oh! Is that so? I shall then make a note for my future guidance that I should not care so much for the wording of the motions moved by some of the members, but that I should try to look into the spirit of such motions! Anyway my remarks apply equally to all registrars. I do not think it necessary as many other honourable members also think that the standard of ability should be raised so high in the case of the honorary registrars. It will not be wise to do so otherwise some one may move that only such persons should be allowed to become members of the Council as are able to draft properly their motions for cuts so that their wording may indicate the honourable member's intentions! I say I have received no complaints so far against any of these officers by the Inspector-General of Registration. I shall, I think, do better to read to the House a recent report about their working which was received by the Government on the 1st March 1934. It is as follows—

There are altogether seven honorary registrars at places given in the margin. No complaint has ever been received against the incumbents of this office, and the last inspection notes of their office both by the Inspector-General of Registration and the registrars show that their work was found satisfactory in all these offices.

There is nothing to wonder at if they are doing their work satisfactorily. The work that they are required to do is of a very ordinary nature. They have only to write, as was pointed out by the honourable member from Sheikhupura, on the backs of the documents presented before them for registration that such and such persons or parties have appeared before them, and that they are known to them or have been identified and that the document so presented have been duly executed, etc.

Lala Chetan Anand : But if any of them does not know how to read or write even one such word?

The Honourable Dr. Gokul Chand Narang : I am not prepared to believe that this is so. Anyhow I am sure that even that person, to whom the honourable member is referring, is able to discharge his duties properly. If he can be a member of the Assembly or of the Council of State which is a much more exalted body than our Council he can very well discharge the duties of this office as well. I am, of course, prepared to give this assurance that if any specific complaint against any of the honorary registrars is brought to my notice, I shall be only too glad to have an enquiry made into it.

Shaikh Muhammad Sadiq : Will he?

The Honourable Dr. Gokul Chand Narang : Does the honourable member want me to write a bond giving this assurance in writing? I think my word will do. I have not said all this to annoy him. Whatever I have said I have said in right earnest, and I hope that after this assurance the honourable mover will withdraw his motion.

Sardar Jawahar Singh Dhillon : Sir, the Honourable Minister has not replied to one submission of mine that inefficiency leads to corruption.

The Honourable Dr. Gokul Chand Narang : The honourable member appears to be labouring under some misunderstanding. I hope he will agree with me that efficiency and honesty are not two inter-connected qualifications, and that one has no connection whatsoever with the other. I am rather of opinion that in some cases efficient men are dishonest or at any rate can be dishonest. I know of a judicial officer who was of course an efficient and competent officer and who used to say that he being as able and intelligent as was late Sir Shafi, must get as much as the latter used to charge as his minimum fee, and that he must get so much at any cost. If the honourable member means that the readers to these officers are corrupt, that they charge 8 annas, one rupee or two rupees for every document presented for registration, I do not join issues with him. That is a common vice and also deep-rooted, and it will take many years to root it out. These *muharrirs* will continue to be corrupt even if the officers appointed to do this work are much more efficient than the present incumbents. I am also prepared to promise that if he brings any complaint to me about any corrupt officer or clerk, I shall have it enquired into. I hope I have sufficiently satisfied the honourable mover and he will not hesitate to withdraw his motion after what I have said.

Sardar Jawahar Singh Dhillon : In view of the assurance given by the Honourable Minister I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 79,100 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1935 in respect of Registration.

The motion was carried.

IRRIGATION.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 96,28,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1935, in respect of Irrigation.

Mr. President : Motion moved is—

That a sum not exceeding Rs. 96,28,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1935, in respect of Irrigation.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I beg to move—

That the total grant be reduced by Rs. 100.

I am afraid, Sir, that you as well as certain members of this House must be bored by this time after listening to the harrowing tales that some of the members have been telling as regards the zamindars for the last few days. Their poverty and misery and the hardships that they are undergoing at the present hard time is really very depressing. As representatives of the people it is our bounden duty to bring forward the demands of the zamindars again and again before this House and the members of Government till our grievances are redressed. It has been proved without any doubt many a time on the floor of this honourable House by certain members, particularly by the honourable member from Lyallpur, that the canal rates prevailing now in the province are not at all consistent with the prices of the produce that are now prevailing in the country. These occupiers' rates are not based on equity and justice. I will not take up the time of the Council in quoting figures and giving data on which I and certain other members of this Council have based our conclusions that these rates are not based on equity and justice because that is already within the knowledge of this House and an admitted fact. The other day when we were talking about the land revenue system and this House wanted some reduction in the rates of land revenue I heard very attentively what the Honourable Finance Member and the Financial Commissioner said, and I must say that there were many good things for consideration of the members of this House. But as far as the occupiers' rates are concerned I can say with confidence that Government has got a very poor case, and it has got no legs to stand upon. I should like to draw the attention of the House to the remarks made by the Raja Sahib the other day when he drew the attention of honourable members to a sense of responsibility that they should feel when they put forward certain demands before this House. I would inform the Raja Sahib that there was full sense of responsibility on the part of most of the members in this part of the House when the Government some years ago brought forward a proposal to increase the occupiers' rates. At that time the condition of zamindars was such that they could afford to pay a little more, and they accordingly agreed to pay the increased rates. It is the same sense of responsibility that has prompted me to bring forward this motion now before the House. I submit that the occupiers' rates now prevailing in the province are not at all justified by the present condition of the zamindars or by the present prevailing prices of agricultural produce. (*An honourable member* : What is the recommendation of the *Abima* Committee on the point ?) I shall come to that later. The Honourable Finance Member the other day told the House that if relief is asked for every now and then, the natural consequence would be a decrease in revenue, and the result would be the stoppage of the activities of some of the beneficent departments. In answer to that I would like to draw attention to his remarks while presenting the budget. He stressed the point that he was happy that the financial condition of the province was very sound, and that he was feeling a sense of satisfaction that when the new constitution came into existence he would safely be able to say that the present administration left the province in a very sound financial condition. I am sure many members of this House and

many others outside this Chamber will not see eye to eye with him in this respect. I submit that the present financial condition of the province is very bad and there is nothing to be proud of it. It is not the balancing of the budget, it is not the fact that we have been able to keep up our revenues just in the same level as they were for the last few years, that is of importance to us. The question we should consider is, what is the capacity of the people to pay these heavy taxes? If the Honourable Finance Member thinks that he has been able to keep up the revenues by bleeding the agriculturists white, I agree that he has succeeded in his attempt. But if he believes that the capacity of the people still exists to pay these heavy taxes, I am afraid many of the members of this Council will not agree with him. The elementary principle of taxation is that those who are responsible for collecting the revenue should always consider the capacity of the people to pay. I submit that the capacity of the people at the present moment is at its very low ebb. If the present administration hands over to the new constitutional government a happy, prosperous and contented people, then the matter would certainly be worthy of congratulation. But as conditions are at present, I cannot really congratulate the present administration.

We have been bringing this question of reduction of occupiers' rates for the last three or four years before the House, and it was with great difficulty that we were able to persuade the Government to appoint the *Abiana* Committee which went through all the material that was placed before it and presented a report. My grievance is that immediate action has not been taken on that report. The Government is always in the habit of delaying matters just when immediate action is called for. (*Interruption*). The report of that committee has not yet been made available to members. I do not know when the Government intends to take that report into consideration and when it will announce its decision. My object in bringing this motion is to draw the attention of the Government to the need for immediate action on that report. The report should be made available to this House as early as possible, and an opportunity given to the Council to discuss it if necessary. Thereafter the Government should take action on the recommendation of the report in the light of the criticism of this Council on the report. With these words I commend my motion to the House.

Mr. President : Motion moved—

That the total grant be reduced by Rs. 100.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I admit I did draw the attention of the Unionist Party that the proposals which they put forward before the Council should be made with a sense of responsibility. But I allow that the present motion has been made with a full sense of responsibility. Since I took part in the general discussion of the budget we have had good rains. And I hope that these rains will prove beneficial to crops. But at the same time it must be admitted that they will considerably reduce the prices of wheat and gram which are the staple produce of the *rabi* harvest. There is every reason to apprehend that the prices in the *mandis* or markets may go down to Rs. 1-8-0 a maund, a level of price which never existed at the time when the *abiana* was raised. *Abiana* was raised at a time when the prices were much higher than they have been since and still higher than the prices that we expect will prevail when the

[D. B. Raja Narendra Nath.]

rabi harvest comes in. In my note on the report of the *Abiana* Committee I did not particularly specify any figure to which remissions should go, because I wanted to obtain prompt orders on the proposals that were made by the committee. But I find that the *kharif* has passed and the zamindar class has had to pay *abiana* at the full rate which has been in existence for the last three or four years. The *rabi* is coming in, and so far as the zamindars are concerned the prospects are by no means bright; on the other hand, they are very dark. I, therefore, think that early orders should be passed on the report of the committee. I give my whole-hearted support to the motion that is before us. Very wisely and considerably the honourable mover has not specified the amount of remission. He leaves that to be decided by Government with due regard to the financial conditions that prevail now and that are in prospect in the future. But there is not the slightest doubt that the rates should be reduced, and that there is very good reason for this. I submit that the rates should be brought down to the level which existed when *abiana* was raised last time.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, I feel that in this most important subject of the question of the burden of water rates and the capacity of the people to pay, the debate indicates that there is certain amount of unreality, because it is within the knowledge of all members that the *Abiana* Committee has submitted its report, and that the report is now before the Government. The object of the motion, so far as it is to draw the attention of Government to the need for immediate action on the *Abiana* Committee Report, cannot be one to which Government can take any exception, because in point of fact the report is being considered by Government with all possible speed. On the other hand, the honourable member has not taken me through the case of the *abiana* question very far except merely to indicate what we all unhappily know, namely, that it is pressing upon the people, and that the solution of the question is one which bears very heavily on the minds of the Government as well as of the honourable members of this House. All I can say at present for the information of the House is that the committee presented its report not very long ago, and that report is now under the consideration of Government and that Government will lose no time in passing orders upon it with due regard to all the circumstances of the case. I think I may definitely say that those orders will be issued in time to have any effect they may have to make on the *rabi* harvest. The orders will not be delayed so as to make them ineffective on the *rabi* instalment.

Sardar Sahib Sardar Ujjal Singh : When will the copies of the report be made available to members of the House ?

The Honourable Mr. Miles Irving : As soon as the Government has passed a resolution on the matter.

Khan Bahadur Sardar Habib Ullah : How long will the Government take to pass the resolution ?

The Honourable Mr. Miles Irving : I cannot give any indication. It has not really come to Government in an authenticated form. Besides it is a very weighty matter, and I cannot say how long it will take to pass the resolution.

Khan Bahadur Sardar Habib Ullah : It was only to raise a discussion that I brought forward this motion. My object having been gained I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Lala Jyoti Prasad (South-East Towns, non-Muhammadan, Urban) (Urdu) : Sir, I move—

That the total grant be reduced by Rs. 100.

Before saying anything about this unfortunate Rangoi Canal I should like to acquaint the House with its brief history. As you may be knowing, the entire area of Hissar district is *barani* where the crops totally depend upon the mercy of rains. And the rains come very rarely. Sometimes four or five years pass without any rain. Consequently the district has to face the hardships of a famine almost every year. It was in this season that famine broke out in Hissar last year, and the Government had to start relief works. You will be surprised to hear that zamindars came in thousands to work for four or five pice a day. I am not making any exaggeration. The conditions of this miserable district are such the like of which you may neither have heard nor seen. Even a small canal, perennial or non-perennial, is a great blessing for such a district. During the famine of the year 1899 this small canal was dug up, and it took its water from the river Ghaggar and irrigated 32 villages. At that time it supplied sufficient water and the crops on it matured satisfactorily. But in 1911 the Government transferred its control to the district board. The Government agreed to give some grant to that body to defray the charges of administration. And the work was done efficiently and satisfactorily for five or six years. But since the Government stopped that grant the board has totally neglected the work of the canal, though one cannot blame the board either, because the board does not get a single pice out of the revenues of the canal, which go into the Government coffers. Why should then the board perform a totally profitless, if not thankless, task of managing the affairs of this canal? The result of this neglect has been that the head of Rangoi which was 4 or 5 feet high previously is now 12 or 13 feet high on account of accumulation of silt; and almost all the *moghas* have been spoilt. The canal in its present condition does not give any irrigation.

Attention has been so often drawn to the matter through Council questions, but the Government have always given replies to the effect that the Bhakra Dam project is under contemplation, and that the conditions of this canal will be improved after its completion. But that scheme has now been shelved, and there is no likelihood of its ever becoming an accomplished fact. Two years back Khan Bahadur Sardar Habib Ullah drew the attention of the Government to this matter when a supplementary grant was under discussion. I shall read out the reply which the Honourable Member for Revenue gave after a long drawn out debate—

Rangoi Canal is now under the control of the district board, and I think the honourable member would be well advised to ask some members of the Hissar District Board to raise the question there.

But the question is, what could possibly induce the District Board, Hissar to spend money on this canal? The Honourable Revenue Member did not pay attention to this fact. The people of the *ilaga* have so far made

[L. Jyoti Prasad.]

many representations to the Government that they should take the administration of this canal under their control so that the zamindars may be able to get more water and see the days of prosperity once again. But no reply has ever been sent to their representations. Even the District Board passed resolutions urging upon the Government the necessity for relieving them of this burden, but its requests also have met with little response. The zamindars of this *ilaga* come in numbers to me and suggest that with a small expenditure the Government will be able to restore the canal to its former efficiency. But the difficulty is that whenever the Government sends for a report on the matter from the local officers they do not take any interest in the matter. The reason is that it is not possible to go in motor-cars along the banks of this canal and the officers do not take the trouble of going on horse-back to see things for themselves. So they consult the old files and send most unsatisfactory and misleading replies to the Government. I had recently asked another question to the effect if the Government was prepared to appoint an engineer to make enquiries for two months or so and report if it was possible to run this canal efficiently with a small expenditure. The answer was given to me only on 6th March and I was disappointed to hear it. It shows that the Government is not prepared to move an inch in this respect. I, therefore, have taken this opportunity of inviting the attention of the Government once again to the plight of the zamindars on this canal and requesting that the administration of this canal be made over to the Irrigation Department.

Mr. President : Motion moved—

That the total grant be reduced by Rs. 100.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (*Urdu*): Sir, I never knew that there was any part of irrigation system in the Punjab which was under the administration of a district board. It must be a novel specimen of irrigation system which is run by a district board up to now. We have already heard a good deal about the bad condition of the zamindars of Hissar. Last year a famine broke out in that district and a relief fund was started for the help of the needy, and I believe many of my friends here, who have sympathy with the zamindars, generously contributed to that fund. I think if the Government can help in providing better irrigation facilities in this district they should certainly render the necessary help. The Bhakra Dam Project will not become an accomplished fact in the near future. I believe we shall have to wait for its inauguration for a considerably long time. It will be, therefore, in the fitness of things, if the Government do the needful very soon in this respect. It is a simple question. If the district board is not able to run the work of the canal properly the Government should assume charge of it. The request of the honourable mover in his capacity as a member of the district board is worthy of close consideration. I do not believe that Government can, with any show of reason, object to the reasonable suggestion put forward by the honourable mover. I hope Government will readily accept it.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): Sir, as I am also acquainted with the conditions of the district I feel myself called upon to support the motion moved by the honourable

member from Hissar. This district is neither provided with irrigation facilities nor does it get sufficient amount of rain. Consequently the people are anxiously waiting for the completion of the Bhakra Dam Scheme. Various questions have from time to time been asked with regard to this scheme, but the answers given by the Government have never been satisfactory. In fact this scheme deserves careful and immediate consideration at the hands of the Government. I do not mean to urge upon the Government to embark on expensive schemes without considering the *pros* and *cons* of such schemes. But if they can improve matters and thereby afford adequate relief to the needy zamindars by incurring a small expenditure they should be prepared to incur it. There are some eighty villages on the Rangoi Canal, and the zamindars of these villages were well off when this canal was working. But since its discontinuance these zamindars have fallen on evil days so much so that they cannot at present keep their body and soul together. When the Government having vast resources hesitates to take over the management of this canal how can the District Board of Hissar, which has not sufficient means to improve it, be expected to take over charge of it? In this connection a deputation of the leading men of the district waited upon the late Financial Commissioner, Mr. Townsend, who was fully conversant with the conditions of the district, sympathised with them and assured them that suitable steps would be taken to improve the canal, but I am sorry to observe that it is still left uncared for. I understand that if Government take charge of the canal they will not have to incur a very heavy expenditure. As a matter of fact only a few thousand rupees will be required for its improvement. The Government should readily incur this expenditure for the benefit of the zamindars who have now been reduced to a state of starvation. The suggestion of the honourable member is very simple. There will be no harm if Government take local men into their confidence. The information supplied by these men is usually as correct as it is useful. They can give valuable assistance in finding out suitable tracks, especially in hilly districts. If there are some insurmountable difficulties in the way, the zamindars may be told clearly about them. It is possible that Lala Jyoti Prashad or myself may not be able to meet objections of Government. But the local men having full knowledge of the local conditions may be able to supply valuable information. If they are consulted there will be no harm. When they press this matter again and again to the notice of the Government there must be some justification for it. They are not off their head. The suggestion made by the mover and supported by my friend Raja Sahib is but reasonable. Let a sub-divisional officer of the Canal Department or some other engineer be deputed to make enquiries on the spot. If Government cannot take charge of the canal let this officer explain to the zamindars that the Government cannot improve the canal, because the head of the canal is irreparable or because there is some dispute with the Patiala Durbar, or because the water has diverted in some other direction on account of the Ghaggar Nullah. In that case the zamindars will keep silent. In short I whole-heartedly support the suggestion of the honourable mover that an engineer should be deputed to this place for making local enquiries.

The Honourable Mr. Miles Irving (Revenue Member): Sir, The Joka was once the main channel of the Ghaggar, but the river changes its

[The Hon. Mr. Miles Irving.]

course and develops new courses. It did so when the Rangoi Canal was constructed, and it was maintained precariously by the district board. Possibly the district board did not take good care of it, but what really was the cause of the failure of this canal was that the Ghaggar has scoured its bed so that its bed is about 16 feet below the bed of the Rangoi Canal. The place has been examined by the engineers, and they have found two possible ways of getting water back into this canal. One is to make a new head some distance up the river, and unfortunately the only possible site for the new head is in the State of Patiala which is not in the least disposed as far as we are aware to give permission. The other means is to put in a dam and raise the water up. Here again we are involved in various controversies. The House may be aware that there was for many years a long controversy with the Patiala and Bikaner Darbars in which the Punjab Government objected to Patiala Darbar putting bunds in the course of the Ghaggar because that prevented the supply of water going out to the Otu lake where the Ghaggar canals took their supply. The matter was amicably arranged by placing a regulator at Devigarh. But after we had made that complaint about the action of the Patiala Darbar in placing bunds in the Ghaggar we should be in a very difficult position if we had to answer the Bikaner Darbar when we were doing precisely the same thing which we had objected to. Not only that. We should be involved in a violent quarrel from our own irrigators for the Ghaggar Canal takes out from the Otu lake. If we bund up the Ghaggar at the Rangoi Canal we shall certainly diminish the supply of water going to the Otu lake from which the two Ghaggar canals take their source. Mr. Townsend went to see this place in 1928, and these facts were laid before him. He had to admit in 1929 that there seemed to be no solution of the matter. We are not likely to get the Patiala Darbar's permission to take a new head in their territory or the Bikaner Darbar to make bunds in the course of the Ghaggar. Frankly I do not see what an engineer has to find out. We might explore these matters with the darbars concerned, but I confess I see very little prospect of any solution that way. Therefore we regret the situation very much as regards this canal, but facts seem to be hopelessly against us. That is all that I can say of the case.

Lala Jyoti Prasad (Urdu): Sir, the Honourable Revenue Member has been pleased to say that the elevation of the head of this canal is as high as 16 feet, and consequently the water of the Ghaggar river cannot be made to run into it unless the Patiala Darbar agrees to a bund being placed somewhere in the river. That is right, but he appears not to have understood me very clearly. He will be aware that when this Rangoi Canal was running, its level was not more than 5 or 6 feet in height, and without any bund the water of the Ghaggar river used to flow into it. For about ten long years the canal continued to run and even two or three years afterwards, when it was handed over to the district board it continued to supply water. But when it was neglected and the silt was not cleared for many years, the level went up and ultimately it ceased to run. My only request is that an engineer should be deputed to examine the situation in conjunction with the zamindars of the place who claim that without going to any Darbar with any request, the canal can be made to run as before. I think Government should have

no objection to this simple request being granted. I, therefore, make this request once again that this question be again examined by some competent engineer on the spot.

The Honourable Mr. Miles Irving : Government has no objection to having the spot inspected again by the Irrigation Branch in case things have altered in the last four years.

Lala Jyoti Prasad : In view of the reply of the Honourable Revenue Member I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mian Nurullah (Lyallpur South, Muhamnadan, Rural) : I move—
That the total grant be reduced by Re. 1.

I want to urge the necessity of immediate action in *warashikni* cases. It is well known that in villages where zamindars are illiterate and do not realise the value of their time they are always out to make mischief and in certain villages might becomes the right because of necessity. Without water the zamindar cannot go on for a day ; it is in a way the life blood of the zamindar. It is on this question of water, that the zamindars fall out, quarrel with one another, go to courts and are ruined. For the last few years if statistics could be collected it will be found that the number of *warashikni* cases has increased by leaps and bounds. I am not going to admit the statistics from cases in courts. Statistics in this respect are very difficult to collect. Things have gone so bad since magisterial powers have been taken away from the irrigation officers that hardly any one makes an attempt to go to court. Every one feels that he is not going to get what he wants by going to the department and so does not bother himself over it. The natural result is that he is ruined, his crops are gone, he goes into indebtedness. I might take my own personal instance and say that a few months ago when I was busy in Lahore in the Indian Empire Exhibition some of my partners created mischief. The next man to me instead of taking six *pehrs* as he should have according to his *wari* probably increased it to 36 *pehrs*. This followed on and on until I did not get any water for over a month, and that unfortunately was the month of November. Think what would have happened if I owned only that piece of land. I could not sow my *rabi* crop, i.e., wheat, until about the 6th of December, and that was pretty late though fortunately this time we who are late sowers find that the frost has damaged more the earlier crops than the later ones. If I had been the owner of that land alone what would have been the result ? I would have got nothing to go upon for the next *rabi* ; I should have gone to the bank or the *sahukar* and gone into indebtedness. That is happening every day. I need not have quoted my own case, but as an instance I had to point it out. I might point out another, a very serious case, in the district of Lyallpur, in my own constituency. There one fellow was devoid of his right of water although he has been using that water for the last 18 years. The *wari* was broken, and he was given no water for 19 months. What was the result ? Now we find that there is a sort of struggle between two very big communities in the district. One party, in a minority, the Baloch party want to shift from that village and is trying to approach the Government that their lives are in danger and that their lands ought to be transferred. It so happened that water was not given to a particular

[Mian Nurullah.]

owner of a square and-a-half and the thing continued. Those people approached the canal department. The canal department said: "we are sorry, we cannot do anything in the matter, go to the civil court." The civil court does not know anything about irrigation cases. Being too much taken up with their own work they do not realise the value of these things to the zamindar. Ordinarily the case must go to the tahsildar. He is so busy that for two or three months he cannot, and never does, decide the case about *warashikni*. In the meanwhile another *wari* comes up and the fellow who is doing the mischief says that by going to the court the man has not got any remedy, and so he continues to create the mischief once again. Ultimately the aggrieved fellow is ruined altogether. In this connection I might draw the attention of the House that certain references have been made by the secretary to the commissioners pointing out that some of the *warashikni* cases have taken as long as 209 days. You can well imagine what would happen in such a long interval. Government itself does realise that there is great necessity for improving the law in this respect, and I do not know why they cannot do it. Those people who are not given water have tried their best to get justice from civil and magisterial courts, but they are hopelessly disappointed. At last one day it so happened in the case I have cited that with the help of the police they went to get water. After all the Deputy Commissioner realised that it was necessary to give them water. When the police approached the spot they found a number of female folk sitting at the *nakka*. The police could not do anything. They asked them to go away to their village. Naturally they went away and told the story to the opponent party that the police had

6 P.M.

come. Naturally fearing a clash the police took arms with them, and after sometime two or three hundred people of the village came. Then followed a clash. Details I shall supply later.

The Honourable Sir Henry Craik : Before you adjourn, may I ask whether, if the honourable member who is to move the adjournment motion is not here on Monday it can be discussed.

Mr. President : A substantive motion can only be moved by the member in whose name its notice stands, and I need hardly add that an adjournment motion under Article 44 of our Business Manual is a substantive motion.

The Council then adjourned till 10-30 a.m. on Monday, the 12th March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 12th March 1934.

The Council met at the Council Chamber at 10-30 a. m. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Mr J. W. Hearn (Home Secretary).

MOTION RE. EXCISE DUTY ON SUGAR.

Mr. President : Gentlemen I have a little doubt as to the admissibility of the motion as an adjournment motion. In Parliament such motions have been ruled out of order when it appeared that the administrative responsibility of Government was not involved. The motion proposed to be moved is an important one, no doubt, but it appears that the administrative responsibility of the Local Government is not involved. If my doubt is unfounded the motion may be moved as an adjournment motion, otherwise I would suggest that it be moved as a motion under Article 126 of our Business Manual. The Leader of the House on behalf of Government has agreed, and I also agree. Thus there is no difficulty in the motion being moved as a matter requiring discussion under Article 126 of the Business Manual. However, if the House considers that the motion involves responsibility of the local Government, I have no objection to allow it to be moved as an adjournment motion.

The Honourable Sir Henry Craik (Finance Member): As you are aware, I did not oppose the discussion of this motion as a motion for adjournment as I did not feel the slightest doubt that it was a matter of urgent public importance. His Excellency might have disallowed it as not being a matter which was primarily the concern of the local Government, but he did not see any reason to take that course and thus the motion has come before the House as a motion for adjournment, but I must admit that it deals with a matter for which the local Government is in no way whatever responsible. We did not impose this excise duty, we were not even consulted about it, and cannot assume any responsibility whatever. So I suppose, strictly speaking, it is not a matter which can be discussed under Parliamentary Practice as a motion for adjournment. On the other hand, I have no objection whatever to agreeing that the discussion should take place as a matter of general public interest under Article 126 and allotting time for its discussion on a day reserved for official business. Acting on the adage that there is no time like the present I agree to the discussion to-day. It would save time if before the discussion begins I say now what I was going to say that the matter is not one in which the local Government

[The Hon. Sir Henry Craik.]

is concerned, and consequently Government members will not take part in the debate, but we will be glad to forward a report of the debate to the Government of India.

Chaudhri Afzal Haq : Sir, is it your ruling that the subject cannot be discussed as an adjournment motion because it is not primarily the concern of the local Government?

The Honourable Sir Henry Craik : I said that His Excellency the Governor could have objected to the discussion, he could have disallowed the discussion on the ground that the matter is not primarily the concern of the local Government. That is in His Excellency's discretion, but he did not in this case exercise that discretion. But there was no ruling from the Chair that the matter cannot be discussed as a matter for adjournment on the ground that it was not primarily the concern of the local Government. Any matter of general public interest can be discussed.

Chaudhri Afzal Haq : Then, why is it not being discussed under rule 44? What is the objection? Rule 44 contemplates: "A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance." It is immaterial whether it concerns the local Government or the central Government. The rule is quite clear and the motion must be discussed under rule 44 as a matter of urgent public importance.

Mr. President : The object of an adjournment motion is not always censure. Sometimes it is made in order to obtain fuller information than can be given by an answer to a question; sometimes in order to rivet attention on a subject; sometimes to ventilate grievances of the public and sometime to suggest action or improvement in the administration of Government. In this case the local Government is not responsible for the imposition of the excise duty on sugar, and therefore there is no question of censuring it or its officers. The duty is proposed to be imposed by the Government of India, therefore, if the Council discusses the matter in the form of a motion under Article 126, as suggested, the object in view will be achieved in conformity with Parliamentary practice.

Mr. Labh Singh : You have been pleased to say that the object of an adjournment motion is not invariably to censure Government. If that had been so, the position would have been different. You suggested that an adjournment motion may be moved to suggest to local Government to adopt a particular course of action. I therefore submit that there is no harm in moving the present adjournment motion, the object of the motion being to suggest to Government a certain course of action, namely, that it should insist upon the Government of India that the provincial Government be consulted in the matter.

Mr. President : Even a private individual can make such suggestions to Government.

Mr. Labh Singh : That only reinforces my argument. We want that the local Government should not only insist upon being consulted, but if it is not so consulted, it should at least represent its views to the Government of India.

Mr. President : If the object is to request the Government to make a representation to the Government of India, a resolution to that effect should have been moved.

Mr. Labh Singh : I think the subject should be discussed in the form of an adjournment motion, because, as things are, the local Government should have taken upon itself the duty of representing to the Government of India the views of this province, and it has omitted to do so.

Mr. President : Does the honourable member suggest that an adjournment motion can be moved even when the responsibility of the local Government is not involved?

Mr. Labh Singh : The responsibility of the local Government is involved. It has a right to be consulted on the point and it has a right to communicate the views of the people to the Government of India.

Mr. President : If that view is acceptable to the Council, I have no objection to the motion being moved as an adjournment motion.

Chaudhri Allah Dad Khan : This subject has already been discussed in the Legislative Assembly. Can we discuss it again in this Chamber?

Mian Nurullah : Are we not too late to discuss this matter over again? Because the other day when leave was sought to move the adjournment motion, you kindly allowed it, and we are assembled here now to discuss that matter. Are we not too late to take up that question again?

Mr. President : There is a precedent on this point. The foot-note No. 9 on page 246 of Sir Erskine May's Parliamentary Practice runs as follows :—

A motion has also not been moved as the Speaker informed the House at quarter-past eight o'clock that he thought that he had been wrong in leaving the matter to the decision of the house.

I think I was not right in leaving the matter to the decision of the House the other day, because the administrative responsibility of the local Government is not involved and, consequently, it cannot form the subject matter of a motion for adjournment.

Chaudhri Afzal Haq : So far as the Punjab constitution is concerned the Parliamentary practice does not apply, because in the British constitution there are two houses of parliament, the departments are not divided into water-tight compartments. Everything that affects the interests of that country has to be considered by the House of Commons. Here the departments are divided, some departments are under the control of the central Government and some are under the control of the provincial Government. The provincial legislatures are to a certain extent interested in the action of the central Government. I am sure you will agree with me that in this case our province is vitally affected by the action of the Government of India. I therefore do not think that Parliamentary procedure should be invoked for our aid. Besides if we are to confine our attention only to matters for which the provincial Government is responsible we will be debarred from putting our point of view to the central Government and in this way we will curtail our rights to a great extent.

Mr. President : In that case a resolution or a motion under Article 126 can be moved. Suppose the Government of India declares war against a neighbouring State. Naturally every province of India shall be affected thereby. But, will it be open to a member of this Council to move an adjournment motion to protest against the action of the Government of India?

Mr. Labh Singh : That question can be discussed when it actually arises.

Mr. President : I am not putting it forward as an argument. I am only illustrating my point.

Chaudhri Afzal Haq : If we are to bring in a motion with the consent of the Government Member, it means that we will be at the mercy of the Government.

Mr. President : Yes; but rules have to be followed.

Chaudhri Afzal Haq : I submit that the present subject may be discussed on an adjournment motion. We can consider the constitutional position of the rules on a later occasion.

Mr. President : The Leader of the House has agreed to allow the matter to be discussed on a motion under Article 126.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I beg to move—

That in the opinion of this Council the imposition of excise duty on sugar is prejudicial to the interests of the sugarcane grower, consumer of sugar and the sugar manufacturer in the province.

(Urdu) Sir, it is necessary for me to make it clear in the very beginning that I have not moved the motion now before the House with any intention of finding fault with this Government. I am grateful to you, Sir, for the new form which you suggested for the motion. Now, I proceed to mention the effect of the imposition of this new excise duty on sugar. I do so for I feel that some of the honourable members present might be in the dark about them. A brief mention of the reasons and also the circumstances in which it was imposed would help in explaining the effects of this duty. The present reforms have been in force for the last 13 or 14 years. In the beginning when the reforms came into force and some of the departments were transferred to the control of the Honourable Ministers it was felt that there was an urgent necessity for developing and making the beneficent departments work more efficiently. Consequently, all the departments which had directly to do with the people were being attended to. The departments of Education, Public Health and Local Self-Government were developed. Similarly the Department of Agriculture was also developed so that agriculture upon which 80 per cent. of the population depends might progress. In order to develop this agricultural industry of the country various local Governments as well as the Government of India started many schemes and also brought into existence Imperial Research Institute, Central India Cotton Committee and Sugarcane Committee. These bodies

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were formed in order that they may find out ways and means to develop the agriculture of the country. These bodies have done very valuable work during the last 6 or 7 years. The agriculture of this province has developed a good deal due to the efforts of the Honourable Minister for Agriculture. The Agricultural Department has done good work specially in connection with the supply of good seeds. Mr. Milne also deserves our gratitude for the valuable services which he rendered to the province in connection with the development of agriculture. He thought out many schemes and also gave them practical shape. We are grateful to Mr. Milne as well as to the Honourable Minister for Agriculture for the good work they have done in the Agricultural Department. Along with the development of agriculture of the province there was another question, the question of finding markets for the agricultural products. Commodities like wheat, corn, etc., can be consumed in the country, but commodities like sugarcane and cotton cannot be consumed in the country. For them some market is necessary. So far as the consumption of cotton was concerned cloth factories were required, and so far as the consumption of sugarcane was concerned sugar factories were required. The Government of India was approached with a request to devote some attention to this question and encourage people to start sugar factories in all such places where sugarcane was largely produced. Another way of encouraging the starting of sugar factories in the country was by giving them protection against competition of foreign countries. The cost price of sugar in places like Java and Havai is very small. There the factories can purchase sugarcane for three pice per maund, and also the soil is very suitable for the growth of sugarcane. The labour is also very cheap. It was very difficult for the home industry to compete with these foreign countries so far as sugar was concerned. Therefore the Government of India imposed a duty of Rs. 7-4-0 per cwt. on imported sugar. In addition to this a surcharge of Re. 1-18-0 was also imposed. The Government of India imposed this duty on foreign sugar in the first instance for 7 years with the intention of reducing it after the expiry of this period. At that time it was contemplated to reduce the duty to Rs. 6 or Rs. 4 after the expiry of 7 years. This was done in order that the home industry may be encouraged, and the factories that had been started may become established. The Government assured the people that Indian sugar factories as well as cane growers would be given protection against foreign competition. In the United Provinces the soil is particularly suited for sugarcane growing. There many factories were started. On these factories capital from our own province was also invested. The effect of this duty on the United Provinces is known to all. Protests against it have been published in the newspapers. In the legislature of the United Provinces an adjournment motion has been moved to protest against the imposition of this excise duty. When the people found that sugarcane growing was a paying proposition and that the Government also encouraged its growing, they began to sow it on a larger scale. They also devoted attention to making it better in quality. With the starting of factories people discarded the practice of themselves preparing sugar from canes. They instead brought their sugarcanes to the factories and sold it to them. In this way they got out of this crop nearly the same amount of money which they used to get after squeezing juice out of the

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sugarcane and then preparing sugar from it. It was a sort of an encouragement and on account of that the price of sugarcane also rose. The Government also encouraged people to start small sugarcane factories according to the open pan system. All this encouraged people and they devoted attention to this industry. But then the Government of India now proposes to impose this new excise duty on sugar which will surely result in a good deal of harm to the cane growers as well as manufacturers. The Government have always been giving relief to the agriculturists sometimes in the form of remissions of revenue or water-rates and sometimes in the form of *tagavi* loans. The best form of giving relief to people is by encouraging them to start factories and develop their industries. Such a relief, if given, will have more lasting effect. Government encouraged this industry when it was started but now when it has not even been established they have begun to discourage it. In view of what the Government of India gave out in 1931 when the duty was imposed on foreign sugar, the imposition of the excise duty at present is in a way breaking its promise. If the present excise duty which is Rs. 1-5-0 is imposed either the manufacturers will be discouraged or the cane growers. If the manufacturers agreed to pay this amount from their own pocket it will be a loss to them, and it will be discouragement to starting of new factories or to the continuance of existing ones. If they failed to pay this duty from their own pockets they will naturally reduce the price which they pay to the cane growers. If they did it the cane growers will be discouraged and the cultivation of sugarcane will decrease. Sugarcane and cotton are the money crops. Zamindars sow them in order that after selling these they may become able to pay the Government dues. If the Government will discourage the cultivation of sugarcane in a way they will themselves suffer a loss. Then again, Sir, if the manufacturers and the growers both refused to pay this duty from their pockets the burden will fall on the consumers. This might affect the sale of the country-made sugar. Sir George Schuster while moving in the Assembly for the imposition of this excise duty gave three reasons for it. The first, as it is given in the memorandum prepared by the Indian Chamber of Commerce, reads: "There has been a heavy loss—"

The Honourable Sir Henry Craik: What is the document the honourable member is reading from?

Khan Bahadur Sardar Habib Ullah: I am reading from the memorandum prepared by the Indian Chamber of Commerce.

The Honourable Sir Henry Craik: On a point of order. I understand the honourable member wishes to quote what Sir George Schuster said in the Assembly in introducing this motion. I suggest that it is only fair to Sir George Schuster to quote the actual words he used and not quote a version of his speech given by some third party. I have the speech of Sir George Schuster here, if the honourable member would like to see it.

Khan Bahadur Sardar Habib Ullah: I am not quoting Sir George Schuster's words. I am only giving the substance of what he said. Well, Sir, the gentleman referred to gave three reasons for his motion and they were:—*First*, "that unless this duty is imposed there is danger of over-production working to the ultimate harm both of the sugar manufacturer and the cane grower"; *secondly*, "that there has been heavy loss in the

income from the import duty on sugar and there is no reason why the consumer should pay so heavily for the benefit of a few manufacturers; *thirdly*, "that the cane grower is not getting a fair benefit of the protection." These were the three reasons which he gave in justification of his motion. The first reason which he gave for the justification of this excise duty was that the competition had increased and, therefore, in order to make it less keen it was necessary to impose this duty. I fail to understand how this duty can lessen the competition. In the Punjab when ginning factories were started the competition became very keen, and in places where there was need for only one or two such factories 10 or 12 were started. This resulted in a severe loss to all and many of them failed. The Sindh Government learnt a lesson from it and made it a rule beforehand not to allow people to start factories more than required for the needs of a particular locality. If the Government really wanted that such factories may not fail on account of the internal competition then they ought to have thought it before the factories were actually started. Now that the factories have been started and they have been running for the past sometime it is unfair to say that the duty is imposed in order to lessen the competition. Even if by the increased number of such factories the internal competition becomes severe it will result in the reduction of the price of sugar. By the low price of sugar the consumer will derive benefit. The second reason given by Sir George Schuster was that the income of Government from the duty imposed on foreign sugar had diminished. This argument of the Government is also too late. We cannot believe that in 1931 when the Government imposed this duty on foreign sugar this idea that they would have to bear loss was not present in their minds. (*Interruption*). To some extent it is right. For this very reason in Simla and Delhi meetings were held to find out some means by which the cane growers may get the full price of their commodity. I cannot go into the details of all that happened during those meetings, but I hope the Honourable Minister for Local Self-Government who was there at that time might be in a position to tell something about them. If some legislation had been passed by which the cane growers could get the full price of their cane the zamindars would have felt grateful to the Government. But to say that by the imposition of the present excise duty the benefit will go to the zamindars is wrong. If Sir George Schuster had said that out of the income that would come into the coffers of the Government some portion would be distributed amongst the zamindars it would have been something. If they really wanted to protect the interests of cane growers they could have passed some legislation by which they could get a reasonable price for their canes. In Java and Havai the rule is that half of the sugar that is prepared from the canes brought by a zamindar to a factory is given to him and the other half goes to the manufacturers. This is a rule by which the cane growers there get the full value of their commodity. Let Government make such a legislation here also. If the Government fixes some proportion of the prepared sugar as the share of the cane grower then the possibility of his being cheated by the manufacturer will become very small.

I wanted to place before the House the point of view of the zamindars. The factory owners must have also something to say in their interest. Let some other honourable member undertake to place before the House their

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point of view. So far as my knowledge goes this excise duty has caused much harm to the cane growers. Those factories which are below 100 tons capacity cannot remain unaffected by this excise duty. They will surely fail. There was one crop, sugarcane, the price of which was to some extent better than the prices of other agricultural commodities. But by the imposition of this duty the prospects of getting a good price for sugarcane have become minimised. Before I resume my seat I request the Government that they should make a representation to the Government of India that in order to safeguard the interests of the cane growers of the Punjab it is necessary that this excise duty may be removed. With these words I resume my seat.

Mr. President : Motion moved—

That in the opinion of this Council the imposition of an excise duty on sugar is prejudicial to the interests of the sugarcane grower, consumer of sugar and the sugar manufacturer in the province.

Mr. Mukand Lal Puri (Punjab Industries): I rise to support the motion which has been proposed. Punjabis have invested a great deal of money in the sugar industry. Not only have they established factories of their own in the Punjab, the United Provinces and Bihar, but I think it will be a fairly safe calculation if one were to say that about five crores of Punjab capital has during the last two years been invested in this industry in various parts of India. Therefore, the imposition of excise duty on sugar cannot be a matter of small consequence to the Punjab. The honourable mover of the resolution has given certain facts about the history of taxation on this point. I think it will be just as well to recall the circumstances which led to the establishment or rather to the encouragement of this industry by the Government of India. It was in 1916 for the first time that British Government discovered shortage of sugar for supply to troops in the field and for consumption at home. The position no doubt arose on account of the submarine campaign of Germany which made it difficult for the import of food stuffs into Great Britain. But this danger was realised and it was considered necessary to make some provision for it. So, in 1917 the Munitions Board of the Government of India started investigating the possibility of obtaining sugar from India. This was done at the suggestion of the British Government who considered that during the time of war it was safer to be able to rely upon sources of sugar supply within the Empire than on countries outside the Empire. Accordingly the Sugar Committee made very extensive investigations in India, and after spending a good deal of time and money produced a report which is a very valuable document indeed and which report showed that India was particularly suited for the manufacture of sugar. That was in 1917. In 1918 the war came to a close, and nobody heard of this report for another ten years. That was partly no doubt due to the attempt which was made by Mr. Lloyd George's government for the development of beet sugar industry in England by subsidies and other measures, and the possibilities of establishing on a large scale beet root sugar industry in Britain were very carefully investigated. But ultimately we were told, in 1929 I think, it was declared on the floor of the House of Commons, in that year, that the possibilities of establishing beet root industry in England on

any large scale were not very hopeful, and, therefore, the idea was definitely abandoned. After this declaration, it appears, there was a reversion to the policy of development of sugar industry within the Empire, that is, in India, as the second best thing to the possibility of development of sugar industry in Britain. Our thanks are really due to the British administrators for deciding to establish this industry in India. We find, therefore, that in 1930-31 import duties, fairly heavy import duties, were levied on sugar. When these duties were levied on sugar, everybody believed, and I think it was also so stated, that they were protective duties and that they were not merely revenue duties imposed with the object of raising revenues only. Every one was led to believe, and in fact believed, that the British Government had definitely decided, as a matter of policy, to establish sugar industry in India as one of the main industries of this country, and people believed that there was a definite policy behind it which would be adhered to and which would not be soon changed or discarded because it was an industry in which we did not compete with Britain or any other part of the Empire, and for which India was peculiarly fitted, where India could help herself and yet be useful to other parts of the Empire. Therefore it was that the average investor was attracted to this industry and invested in the sugar industry—it is not the millionaire, but it is the poor investor of Rs. 500 or Rs. 1,000 or of Rs. 5,000 or Rs. 10,000—thinking that with this backing from the Government it was a very profitable investment, and that he should go in for it, and that is why the average Punjabi investor finding that other means of investment in this province were not very good found a lucrative investment in sugar. The point for consideration is: Has this policy of the Government of India allowed any scope for any real profit to the manufacturer or to the investor? Now the manufacturers of sugar may be divided into two classes—people who have invested in older sugar factories and people who have invested in newer sugar factories. Most of the Punjabis have invested in the newer sugar factories which have made no profits and some of them have not even started work. Nobody grudges the Government of India or any Government in any part of the world, where it finds that a particular industry is making very heavy profits to take a share of those profits as taxation for the purpose of public benefit. But it must be demonstrated that the industry is really making those profits. What I submit is that most of the factories on which the excise duty will be levied are those which have up to this day not made any profit at all, and many of them are such that they have not even started work. Therefore, the average investor who was allowed to invest this money by this declared policy of Government has been very hard hit. With respect to a few factories which were fortunate enough to declare good dividends like 20 per cent. the average investor there also has suffered. It is a well-known fact that when the dividends were declared these companies fully conscious of the declared policy of Government to keep the import duty up to a certain year decided to put up second factories, and I remember that when a particular company declared a dividend of 20 per cent. and sent the dividend warrant to shareholders like myself, it also made a call of 40 per cent. at the same time hoping that that 20 per cent. dividend will be absorbed there. What has happened is that those companies which were fortunate enough to declare good dividends for two or three years, have again invested that

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entire dividend in sugar factories with another additional 20 per cent. out of the pocket of the investors.

The original money which was borrowed in most cases on interest *plus* the dividend earned during one year is all locked up in sugar machinery and buildings, and now, with the excise duty, it is not going to bring in any return. What I submit is this that the manufacturer, the poor investor has not been fairly treated. It is said that it is open to a Government to impose any taxes. Well and good. Why then did they not announce last year, that Government had an intention of imposing excise duty? Then we would not have wasted our money in buying machinery from England and continent and paying the heavy duty of 10 per cent. What has happened is that every scrap of iron in England has been utilised for manufacturing sugar machinery, and thus transformed into gold at our expense. Further the Government of India has charged a duty of 10 per cent. on the import of this machinery. It has again filled its coffers at the expense of the poor investors. As soon as time comes for the poor investors to make not an exorbitant profit but a reasonable profit, then comes the excise duty. This is not fair. They might have waited for another two years. In these circumstances, I respectfully submit the Punjab Government ought to represent to the Government of India to let the investor—and it is the small investor in this case—have a chance of getting his true return.

As to its effect upon the agriculturists. How does the cane grower gain? I ask anybody to demonstrate how he stands to gain by the imposition of the excise duty. My respectful contention before you is that the cane grower does not gain at all. Mere laying aside of a few lakhs for then is a drop in the ocean, and there is nothing to compensate them for the restriction of their income which would be the necessary outcome of restriction of sugar factories. In fact the cane grower on account of the establishment of factories gains about 6 crores of rupees. It is a well-known fact that cane growers who are within the factory area are able to sell their cane at present from 4 to 6 annas a maund, while the price of cane outside the factory area is about 2 annas. Then after the cane grower you have got the consumer. The consumer has been the worst loser in this respect. On account of the policy of the Government of India the consumer has been during the last three years paying a heavier price for sugar than he would have otherwise paid but for the import duty, and now is the time for the poor consumer to get some relief because of the production of sugar on a very large scale in the country. You find, that as a result of the establishment of large number of factories, the price of sugar has gone down by Rs. 2. The poor consumer on account of production in this country was getting a legitimate benefit, but now comes the excise duty the effect of which will be that the price will again rise. Therefore during all these years on account of this policy of the Government, who has gained? It is either the machinery manufacturer in England or revenues of the Government of India which have been realising 10 per cent. import duty on machinery. Neither the producer, who is now ruined, nor the consumer who will have to pay more, nor the cultivator has gained. There are other sources of revenue to meet the deficit, and Government could either have retrenched or tapped other sources, but why ruin an industry in this country which is a necessity from the point of view of the

Empire, and when the necessity of the Empire led to the establishment of this industry in this country ?

(At this stage Mr. President left the chair and Deputy President occupied it.)

Why should anything be done to ruin an industry which in course of time promises to be one of the national industries of the country ? After all Government has not lost by establishing this national industry. Government charges about 51 per cent. income-tax, including surcharge and super-tax. In these circumstances I respectfully submit that the Punjab Government which is not to blame in this matter should take a strong attitude in this matter and represent to the Government of India that they should find other ways and means of meeting any deficit in the budget than the one which promises to annihilate this industry in India and which is equally detrimental to the cultivator, to the manufacturer and to the consumer.

Sardar Sahib Sardar Ujjal Singh (Sikh Urban): Sir, the chief problem that an agricultural country is faced with is to find the best price for the agricultural produce. We civilised human beings do not consume many things as they are produced by nature. The establishment of factories is necessary for conversion of raw commodities in to finished products fit for human consumption. The Government of India in 1931 took a wise though a belated step of levying protective duty on sugar and thereby encouraging the indigenous sugar industry. No industry can successfully be established in its infant stage unless it is protected against highly organised and old-established industry of a foreign country. The result of that was that not only was capital invested, but labour was employed. Employment was found for hundreds and thousands of men. Agricultural labour and the agriculturists also gained by the sale of their produce. By the establishment of sugar mills the agriculturists got better prices for their cane. Whereas previously sugarcane was selling at about three annas a maund, the price went up to six annas recently in spite of the fact that the price of sugar went down. Besides, an impetus was given to the cultivation of sugarcane, and a very large area came under cultivation of sugar in those districts where sugar factories came to be established. Thus while the sugarcane grower was benefited to a very large extent by the imposition of this import duty, the consumer did not suffer at the same time. Whereas in 1929-30 the price of sugar was about Rs. 11 a maund, in 1932-33 the price was about Rs. 9 and this year the average price was near about Rs. 8. So, not only the agriculturist benefited, but the consumer also benefited. Can we say that the position of industry is such at this stage that either the import duty can be reduced or that the excise duty as has been proposed by the central Government can be levied ? It is true that sugar mills have made huge profits in the first year when the import duty was imposed. But since then many mills have been set up. Total number of sugar mills now working in India is about 120. This year in the United Provinces alone near about sixty mills have been working ; and in the Punjab I think six mills are working at present. Besides, the problem of the disposal of molasses has become one of very great difficulty. In 1929-30 molasses fetched Re. 1-8-0 to Rs. 2 per maund. But since last year it has been impossible to dispose of molasses even free of charge. I also tried an experiment in open pan system in my farm and my honourable friend Malik Sir Firoz Khan Noon will agree with

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me that we were all encouraged to set up small factories with the hope of making profit. But none of those who set up these small open pan factories benefited because it was impossible to dispose of molasses. It is such a problem which has baffled all those factory owners who have invested huge sums of money. In Java I understand that sugar is a bye-product and the principal industry in connection with sugarcane is the manufacture of rum or motor petrol or paper. *(At this stage Mr. President resumed the chair).* It is on this account that Java factories can sell sugar in Calcutta at about Rs. 3-4-0 to Rs. 3-8-0 a maund excluding the duty. On account of these reasons—that factories have been started in fairly large numbers and internal competition will bring down the profits that have been made by factories in the first year and that the problem of molasses still remains unsolved—the sugar industry cannot afford to be taxed in the manner proposed by the Government of India.

It is said that the central Government thinks that there will be over-production very soon. It may be that more factories will be set up in the near future. But last year the production of mill-made sugar was not sufficient for the total consumption in India. Whereas in 1929 the total consumption in India was about 13 lakhs of tons, in 1932-33 it came down to 9,28,000 tons. Out of these 9,28,000 tons near about 5½ lakhs of tons were either mill-made sugar or sugar made by the indigenous system. So, even in that year about 4 lakhs of tons were imported from Java and other countries. It may be that in this year, 1933-34, the production of mill-made sugar may have gone up considerably, but still there is room for production of country-made sugar.

It is said that the central Government has lost considerable revenue on account of the imposition of this import duty. That was undoubtedly expected when the Government decided to levy the protective duty. But the fact should not be lost sight of that by the establishment of sugar factories the indirect advantage accrued to the country is much greater than is the loss in revenue to the central Government. The revenue from import duty on sugar amounted to 10 crores in 1929-30. In 1933-34 the amount is estimated at about five crores and in 1934-35 the Finance Member expects that it will come down to near about two crores. But it must be remembered that this reduction in revenue is partly due to low consumption, because in 1929-30 the total consumption was about 13 lakhs of tons whereas nowadays it is about 9½ lakhs of tons. So, the reduction in revenue is not entirely due to the recent protective duty on foreign sugar. On the other hand, the income tax levied on the profits made by the factory owners has accrued to the central Government which has added to their revenues. That must be taken into account when the loss of revenue is estimated. Even if loss has been sustained by the central Government, there has been considerable gain to the country in general and to the provincial Governments. The gain to the grower has been very great. The improved condition of the peasantry in the United Provinces due to sugarcane cultivation, in my opinion, checked the progress of 'no-rent' campaign. The provinces generally have gained, the provincial Governments have gained and the country as a whole has also gained by the development of sugar industry.

The Honourable Sir Henry Craik: How has the provincial Government gained?

Sardar Sahib Sardar Ujjal Singh : In the United Provinces more area has been brought under sugarcane. On that account there must be considerable increase in the revenues of the province. If by establishing more sugar factories a greater area comes under sugarcane cultivation, there must be more revenue accruing to Government in the shape of land revenue and *abiana*.

The great problem now is to secure the maximum price to the cane grower so that the profits that may accrue in sugar industry may not entirely be confined to the manufacturer or the capitalist. That can be secured by fixing the price of cane and limiting the zones for various factories. That device will probably meet both the objections. There will not be undue competition, and those who have invested huge sums of money in sugar factories will not have to face bad times. It will also give a fair price to the cane growers. The chief problem is for the Government to find some means of better utilisation of molasses. Research should be carried on in that direction. Just as other countries are producing motor spirit and other products from molasses so something ought to be done in this country also. If that problem is solved I think better prices will be obtainable for sugarcane, and the Government in that case might be able to do away with a portion of the import duty.

The Government may tax any industry on profits as it has been doing by levying heavy income-tax, super-tax and surcharge, but it is an unwise policy to tax the quantity of produce without regard to the financial position of the industry. If it is found that the factory owners are making huge profits next year then a portion of the import duty may be done away with. At present I fear that this excise duty will cripple the industry ; and if the industry is crippled the whole country will suffer.

Mr. Owen Roberts (Nominated non-official) : Sir, I came here with a very whole-hearted desire to support the motion from the point of view both of sentiment as well as by argument. But if the reasons that have been set forth in this document referred to by the mover as Sir George Schuster's reasons for imposing the duty, if they have been correctly summarised, I find very great difficulty indeed in giving an effective answer. The two particular reasons put forward in this note are that "there has been heavy loss in the income from import duty on sugar, and there is no reason why the consumer should pay so heavily for the benefit of a few manufacturers," and "that the cane grower is not getting a fair benefit of the protection." I think if we look at this duty dispassionately we must come to the conclusion that it has arisen largely from the failure of provincial Governments to develop their taxable resources and also to infuse life into the co-operative movement. The test of this is to ask ourselves the question whether if sugar had been properly taxed, we will say through transit duties such as terminal tax, and its production controlled so as to ensure a fair return not only to the manufacturer but to the cultivator who has pledged his land and his credit in producing the cane, the Government of India would be then in a position to bring forward this duty. My own answer is that it would not. I would ask members to have regard to one set of figures only to illustrate the possible effect of this duty on the producer of cane. One has to remember that excise duty must be borne by the manufacturer, and that he will do his very best

12 Noon.

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to pass it on to recover the cost of it from his own manufacturing costs, because every penny that he may attempt to pass on to the consumer, he gives away an advantage to the importer of foreign sugar. In other words, he cannot afford to raise the price by a rupee a maund; the moment he does that he opens the flood gates to imported sugar. Therefore, he must try and bring his costs down, and the largest item of his expenditure and the one which he will certainly attack is the cane and here, Sir, I have the most unexpected evidence in my favour in this document which comes from a commercial body, the Indian Chamber of Commerce. At the bottom of page 4, going through these three arguments it is said,

'Then again it is impossible for my committee to understand how the imposition of excise will help the cultivator. The crippling of the factories by taking away the lion's share of their profits would on the contrary be a direct incitement to the mill-owner to pay as little for cane as possible and no amount of legislation will help the cane grower to secure what he is getting now when his customers' profits are so ruthlessly cut down.'

Now, I would ask the members to follow me through the figures to see what is implied. One hundred maunds of cane at five annas a maund will cost a factory Rs. 81-4-0. Allowing for an extraction of 8 per cent. the cost of cane for one maund of sugar would be Rs. 3-9-0. Now, if the manufacturer is going to save his rupee on cane he will then be in a position to pay Rs. 2-9-0 and Rs. 2-9-0 will give the cultivator at the most 2 annas and 9 pies per maund for his cane as compared with the five annas he is getting to-day. Therefore, Sir, I feel that we must join in a protest not to protect the sugar industry but to protect the man who grows the cane. The tax has, I think, certain justifications, and I do not see how we are to deny them. But against these we have to weigh the inevitable burden that will be cast on the cane grower. I am certain that given time it will be possible to devise a remedy which would give effective protection to the cane grower, and that remedy should be worked in conjunction with co-operative societies. A system should be worked out under which the grower and the factory owner would share the profits equally, and if a factory in any area refused to agree to that system a co-operative society should under suitable guarantees immediately find the money to erect a factory to which the cultivators would bind themselves to deliver all their cane. This is an effective suggestion, and I do hope the Punjab Government will give it due consideration.

Mr. Manohar Lal (Punjab University): It is a significant and happy feature of this motion that it has been sponsored by a distinguished rural member of this House who has only quite recently evidenced, in a remarkable manner with another rural member whom I see sitting opposite, real interest in our industrial development by the exhibition which we have had in Lahore during the months of December and January last. Now, Sir, I propose to address myself on this occasion to only two or three general aspects of this duty. We are all aware that when the protective duty in 1931 was imposed after an elaborate examination of our position as regards the sugar industry, it was distinctly imposed as a measure of protection,—I am almost quoting the exact words of the Tariff Board and the official debates in the Government of India,—necessary in the national interest. It was not imposed as a revenue measure. Now, one is not aware that against or in conjunction with protective duties, duties that are not revenue

duties, it ever happens that an excise duty comes on the scene in so short a period or at all. The history of excise duties in this country is an unsavoury one, and I do not wish to travel over that ground. But leaving that history as it is, if the object of the Government of India at that time was, as it undoubtedly was, to afford a measure of protection, a necessary measure of protection, to an industry that was fit for it, and as it was so found fit on examination, an infant industry to which every single principle of protection applied, it is a matter of the utmost astonishment to any student of tariff history that in so short a period thereafter an excise duty should be proposed. It does not require much scientific knowledge to know, whatever its varied effects may be on this class or on that, it must to no small extent affect that industry. That is a strange measure of protection that soon after you impose an excise duty, within two years and half that should take away the desired effect, the protective effect, of that duty. Sir, this duty as it has been noticed, was imposed in the year 1931 and before two years were over, we had rumours in the air that possibly the surcharge may disappear and the industry was immediately placed under a position of considerable uncertainty. That is not the way to deal with a measure of protection arrived at after scrutiny and regarded essential. If no protection had been given, things would have gone on as they had been; but protection was given and on the assurance of that protection and relying on that protection the agriculture and the industry of India generally and to some extent of this province, because we have had large factories established here also, have taken a particular shape and form, and I, for one at least, have done my little bit of study in this matter, have never yet come across a single instance where an effort has been made on the part of Government to take away, in the manner now contemplated, the effect of protection under which an industry has generally given signs of development and has been brought into existence. Take another feature. At the time when the duty was imposed in 1931 the scale of duty was imposed on two considerations. A study was made of the price at which sugar could be landed at Calcutta from Java and the cost at which sugar could be produced in this country, and the difference that would be necessary if we were to be protected from Java. Now, it is within the memory of all of us that in calculating these figures of our own production and the price it will fetch, a very particular price was given to a very necessary element in sugar production and that is the molasses, and then the scale of protection was reached on that basis. It is well known to us all that that price or that calculation in industry holds no longer good now, and if the same measure of protection were really to be given on the figures to be recalculated to-day as they were calculated in 1931, the protective duty, if anything, would be increased. That is one consideration. The other consideration was this. You have at page 88 of the Indian Tariff Board Report on the sugar industry, the scale of protection that existed in other countries, such as Great Britain, United States, Germany, South Africa, France and Austria. The gentlemen of the Tariff Board say :—

"The duties which we have proposed average approximately 10s. per cwt. and in the first seven years just under 11s. per cwt."

Even if you were to add a surcharge the duty stands no higher than the average in those countries some of which were not principally interested

[Mr. Manohar Lal]

in the development of sugar industry. They were interested largely in raising revenue, except of course in Germany where the duty was very much higher, 16 shillings in gold marks.

The next thing is this. What is the likely effect of this duty on the various classes interested, the consumer, the producer of cane and the factory owner? It is not possible to say definitely how much each class has to suffer, but I think it does not require much knowledge of economics, or—my friend opposite, Mr. Owen Roberts, will bear me out—of the business world to say that every one must suffer to some extent. The price is likely to go up a little. The consumer therefore must suffer. The factory owner will have to pay out of his own pocket a considerable portion, a substantial portion of this excise duty and he suffers. As my honourable friend, Mr. Owen Roberts, has pointed out the factory owner will surely try to pass on a part of this burden to the cane grower. The cane grower suffers in two ways. Firstly, the factory owner will try to pass on a portion of his burden on to him, and he almost certainly will succeed in this endeavour. If he does succeed in that, I am sure the result would be a terrible one. As Mr. Owen Roberts pointed out, the price of cane will drop to below three annas per maund. But suppose he is not able to pass on the burden very largely to the cane grower, in as far as he suffers himself there will be *pro tanto* a discouragement of these factories. All those little ones to which my honourable friend referred will be matters of the past. They will certainly disappear, and under falling profits there will be less incentive for the other factories also to increase their production or new ones to come into existence. Some of them will probably disappear from the scene. I do not propose to go into figures. One has every sympathy with the cane grower, and he deserves all the benefit that could be secured for him. One fact is certain and that is this, that the price of sugarcane where no factories exist is very much smaller than the price in areas which are within the factory range. One requires no better evidence of it than the fact that at Simla last year when the conference was being held, probably the most competent authority to speak on the subject, the Revenue Secretary of the Bihar Government, said without the least hesitation and with no fear of contradiction that the price of cane in his province where factories were able to absorb cane cultivation had more than doubled. I do not know the exact figures. I am told he said three times. But certainly it is a fact that it had more than doubled. I think the figures given by my honourable friend, Mr. Owen Roberts, will bear that out. It may be that the cane grower should have more. As I said he has every sympathy of mine, but the fact is certain that if there is any party that has gained beyond any question from this increasing industry it has been the cane grower. And the proof of it is in actual fact. Why has cane-growing, for instance, near most of the new factories in the Gujranwala district or in Jullundur shown an increase? Why is more cane being grown? Why are they pushing ahead, why all this desire on their part to substitute this crop for other crops? Not for any sort of public charity or idle speculation. It can only be under that imperious impulse of increasing profits. It must be so. Thus every class in India is certain to suffer from this duty.

They say that the Government requires some extra revenue. I think it was a very pertinent answer to an enquiry of that kind that Government

should have realised that when they were introducing the protective measure, it meant nothing short of this that the aim and object of the Government was that not an ounce of sugar should come from outside, and that India should be a fully self-contained unit so far as the production of sugar is concerned. And, therefore, there was not to be a rupee worth of revenue from a duty that was instituted as a protective measure. But I have just a few figures with me. From these it appears that in 1931-32 as much as 928,000 tons of sugar were still imported into this country. You are aware that in 1933 a great deal of hubbub started that the surcharge might disappear, and so on and so forth. In 1933 in spite of that because of our poverty, because of our economic depression per head consumption of sugar in this country had substantially gone down. Still we had just short of 200,000 tons of sugar imported in the first nine months of the year 1933. No figures are available beyond December 1933. You will see that still a substantial amount of sugar is imported into this country. That is a very full answer to the fact that the industry in this country has proceeded at an unhealthy pace, that it is developing in a manner that might lead to disaster. May I say this as one who has rather carefully watched the way in which this particular industry has moved during the last two or three years that though the immediate effect of the imposition of the protective duty in September 1931 was to lead a large number of people, the industrialists on the one side and the cane growers on the other, to devote their resources increasingly to this industry and to float a large number of companies, hardly any new factories or companies have come into existence since last summer. A study of the history of the new companies that have been floated during the winter of 1933 and the early part of 1934 will make it perfectly clear to any one that a halt has already been cried by the people and no further companies are being floated and no further factories are being installed. As a matter of fact, I am speaking subject to correction, I think I am not far out in saying that all the companies that were floated in 1932-33—that was the busiest period,—did not actually establish factories. Some of them have just remained as companies on paper, though there is still scope for a few more, and why? I believe though there is scope for a few more as I have indicated from the figures which I have placed before the House some more would possibly have come, but unfortunately in less than two years of the Government of India's protective duty, early last summer there was a talk in Government circles that the surcharge might go, some other disaster might happen, and other unfavourable steps taken. Therefore, if Sir George Schuster had any fear that there would be an unhealthy, improper rush to establish more factories, fears with which Governments are not usually affected anywhere in the world, that fear was absolutely unfounded, and certainly Government was not called upon to take any particular steps for the purpose of discouraging these factories.

One other observation I might be permitted to make because this debate has more special reference to conditions in this province. The Honourable Minister for Agriculture as you are all aware has been exceedingly anxious for a long number of years to establish the sugar industry in this province. He used to press it very vigorously seven or eight years ago, and as a matter of fact he was able to drive through all resistance and actually get a factory

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established in Sonapat. And in season and out of season he advocated the desirability of getting further factories established in other places, and during the past year happily or unhappily we were able to establish fairly large factories on first class modern scale in two or three places in the province. From what one knows of the considerable disability because of the long season of frost and otherwise these factories had a great struggle before them in any event. I, for one, have no hesitation in saying that as a mere matter of arithmetic if these factories had to pay Rs. 1-5-0 per cwt. of excise on sugar produced by them it would be difficult if not actually impossible for these factories to remain on their legs. We are only struggling; we are possibly more an agriculturist province than any other in India. We are not Bombay, we are not Calcutta. We are struggling, and we have, relying upon the Government of India, built especially three or four first class factories. I shall not mention the scores of small ones with which the large landholder has been able to equip himself. Is it acting properly, is it serving the best interests of Indian industry, is it helping the Punjab forward, a province that has tried with great difficulty to establish some factories recently so early, within less than six months, I think I might put it less than three months, of the establishment of these factories, to have an excise duty which will choke them effectually and indubitably? There is neither warrant in economic theory nor in business calculation for an excise duty of this character alongside a protective duty; nor does economic history afford us a single example where a Government so soon after giving protection takes it away. We hear a great deal in Europe and other countries of nationalist governments going headlong into protective policies. Whether one agrees with those protective policies or not, and I am not one who favours protection largely, that is the drift of nationalist governments in Europe. I think it will be a serious stigma on our Government trying to put its foot on the steps of responsibility and ways of reform to, within two years, impair a measure of protection when the whole of the western world, where they have nationalist governments, abide so strongly, and unshakably by the principle of protection at the present day. (*Cheers*).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I should like to make it clear that I do not speak on behalf of Government but only as a private member of the House. Indeed the Punjab Government was never officially consulted. Now, that India is promised a federated central Government, it is a question of some constitutional importance as to whether the provinces are to have any say in matters of vital importance to the provinces, such as imposition of duty on agricultural produce, such as sugar. What is the position of the provinces to-day and what is going to be the position of the provinces in regard to the central Government of power to impose an excise duty in future?

I have been interested in sugar, as my friend, the Honourable Mr. Manohar Lal pointed out, for the last twenty years. I discovered long ago that there was a great scope for the development of sugar industry. Twenty years ago I was introduced to an English capitalist and we both approached Sir Louis Dane for a grant of land and he reserved 15,000 acres in the Lower Bari Doab Colony for this undertaking. But the proposition did not mature. I was then appointed to the Indian Sugar Committee which

investigated the whole problem. I can claim some credit in helping the growth of sugar industry in India. You can imagine how gratified I was when a protective duty was imposed and sugar came to its own, and about 150 factories were started in India. It was hoped that in the near future we would have even this number considerably increased. We hoped that in the course of a few years we would not only meet the home demand but would possibly be able to export sugar. We thought that we might possibly be able to produce sugar at a price which might afford us opportunities of exporting sugar from India after meeting the home demand. It is therefore with some concern, so far as we agriculturists are concerned, that we heard that a new excise duty was going to be imposed on sugar. The Punjab is the second largest sugar producing province, the United Provinces being the first. In the Punjab the area under sugarcane cultivation is 5½ lakhs of acres and we have started a few factories. The United Provinces sugarcane gets no frost but sugarcane in the Punjab is subject to frost. We are carrying on research work in the Agricultural Department to find out whether we can produce a cane which will be able to stand frost. Besides our sugarcane season lasts for a short time, while in the United Provinces it lasts much longer. That is the reason, why our factories can only run for a comparatively short period. We are carrying out research with a view to see if we cannot produce canes which will ripen at different periods and thus extend the period of working of the sugar factories.

I have never concealed my view that whenever protection is given by a State to any industry it should be evenly distributed between the producer of the raw material and the manufacturer. I have stated publicly at conferences that it is not possible to fix a minimum price for cane unless you fix a price for sugar and since it is not at all possible to fix a price for sugar it is not possible to fix a price for cane. But what is possible and what has been done in other countries is to fix certain share for the cane grower in the sugar produced from cane supplied. The Indian Sugar Committee definitely recommended that this share should be one-half of sugar produced from cane, and if that is done I have no doubt that the sugar cane growers would be completely satisfied and the factory owners, on the other hand, will get a regular supply of cane which is essential for the working of their factories.

It has also to be borne in mind that all factories do not extract the same quantity of sugar from the same quantity of cane supplied. A well equipped factory dealing with 2,000 tons of cane will give you something like ten maunds of sugar for 100 maunds of cane. A factory with about 8 rollers will give you about 7 maunds for 100 maunds. A factory with 100 tons of canes will give you 6 maunds of sugar for 100 maunds. Therefore a flat rate excise duty is not likely to act in an equitable manner so far as the various grades of factories are concerned.

Then again, in India before the new canes were introduced, the yield from sugarcane per acre was anything between 250 and 300 maunds per acre. We have raised this yield to about 500 maunds to the acre wherever new canes are cultivated but it is nowhere near the yield secured in Java which ranges between 1,500 and 1,700 maunds per acre and where the cost of 100 maunds of sugar is about Rs. 140 while here the cost per 100 maunds

[The Hon. Sardar Sir Jogendra Singh.]

is Rs. 350 to Rs. 400 for 100 maunds of sugar. There is a great scope for improving cane yields. We can reasonably hope that research will produce better yielding canes but till we get these canes we have got to protect sugar industry which at the present moment is the only industry which brings some cash to the cultivator.

If the factory owner is going to pass this duty on to the cane producer there can be no question that the price paid for cane will never be adequate and the cultivator will suffer. Then again at the Sugar Conference a resolution was moved that legislation should be undertaken to compel petrol companies to use fixed amount of alcohol so that molasses may be turned into alcohol and become a source of profit. No action has on that resolution been taken. It would be proper that if the Government of India was going to impose a duty on sugar, they might at the same time provide for the use of alcohol by retailers of petrol. In many countries a law provides for the compulsory mixing of power alcohol with petrol. It would bring an additional profit to the factories and the cane growers if this is done.

Lastly, Sir, it has been my opinion and I think it deserves consideration, that any excise on agricultural produce should be regarded as provincial excise to be used largely for the benefit of the province. In this Council we are all aware how badly faced the agriculturist is and that he needs relief. If there is going to be a new taxation on any commodity which is being used and produced in the province, it should be given entirely to the province, and if it is not possible to give the whole of it to the province the province should be given a very large share in any excises that are imposed.

There can be no question that sugar is an industry which is in the interest of the agriculturist and as it is in the interest of the agriculturist it needs special protection from the Government of India. It has been said that a great deal of revenue has been lost. At the end of the Sugar Committee's Report Mr. Padshah, a great economist, added a note showing the new business which the establishment of sugar factories would bring to India. I do not remember the exact figures but the value of new business ran into crores. We used to import a million tons of sugar into India at a price ranging from Rs. 500 to Rs. 900 a ton. It meant that we were sending out to other countries crores of rupees. Now all that money remains in the country itself, and the business that the banks and railways get is enormous and the Government of India may not get a direct revenue from the duty but it is getting an increased income from income-tax, from duty on sugar machinery, from railway freights, and in great many other ways. *(Applause.)*

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): I only want to say one thing. So far as the question of the country paying for the benefit of a certain class of people whether it is the cane grower or whether it is the manufacturer, I only want to point out that during the last ten years England has paid £3,75,00,000 for the encouragement of sugar industry in England. That one fact I think should satisfy any criticism to the contrary.

One thing more and that is the legal point of view. I am not sure whether excise duty on sugar is a central subject after all and whether it is not a provincial subject. From the schedules given in the Government of India Act it appears that so far as cotton is concerned it is a central subject, but so far as sugar is concerned I have not been able to see any mention because probably at that time nobody was thinking of any excise on sugar. I therefore submit, subject to any legal advice that may be given that it is perhaps an open question whether it is a provincial subject or a central subject.

Then again many people are of the opinion that if excise duty is to be imposed, it would be better to impose a counterbalancing import duty.

One thing more may be mentioned. There are about three million tons of Java sugar surplus lying in Java and for that I may refer the honourable members to the "Capital" for 25th January, 1934, and with your permission I would just read a few lines from it :

There is, however, in Java a huge stock of unsold sugar estimated in November, 1933 at about 3,000,000 tons and, assuming that the future crops will not substantially exceed the present calculations, Java would still take under the present state of affairs, over 3 years to come out of the stock surplus. The Java products have, it is alleged, already begun selling in the Indian markets at much below the cost of production with a view, as a sugar magnate in India recently put it, to giving a severe blow to the growing sugar industry of India in the very first year and thereby to ruin it to such an extent that it may not grow and prosper again.

This is a matter for the contemplation of all concerned.

Mr. Labh Singh : Is there any truth in the rumour that British interests are involved in this surplus stock ?

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhmamadan, Rural), (Urdu) : Sir, in reality the present debate is not only limited to its economic aspect. It has also got another aspect and that is its political aspect. I brought some facts and figures with me and I wanted to discuss the present question from its economic side also but later on I dropped that idea and determined to limit my remarks only to the political aspect of this problem. It is a fact that at present there are two interests working in this country. One is that of the rulers and the other is that of the ruled. The country of the rulers is not an agricultural country. The country of the ruled is an agricultural one. The rulers in the interest of their own country want that the ruled country should only develop on agricultural lines. Consequently it has always remained the policy of the Government to encourage the agriculture of the country. England's interest demand that India should not be industrially developed. Consequently the Government have continuously discouraged the industrial development of India. Sir, the Imperial Commission on Agriculture made it abundantly clear in their report that it is the intention of the Government that India should remain an agricultural land.

In view of the growing inability of India to purchase the British made goods, it was considered advisable to do something to increase the produce of India.

Some years back Government yielding to the pressure of public opinion encouraged the country-made matches, the result has been that the country-

[Ch. Afzal Haq.]

made matches are quite popular in the market and have practically ousted the foreign matches. Now, somehow or other Government imposed import duty on sugar and in two years the sugar factories have risen to 90.

The Honourable Dr. Gokul Chand Narang : No, 140.

Chaudhri Afzal Haq : Yes, a rise of 90 or so. There are now 140 sugar factories in this country. It is all due to the facilities provided for the indigenous sugar in the shape of protective import duties on foreign sugar. This is not all. Whereas we imported sugar worth 16 crores of rupees previously, now hardly 4 crores worth of sugar is imported. It is, therefore, not very difficult to see the true motive of this new tax imposed on country-made sugar. The reason is quite different from what is given out by the Government. As far as sugar is concerned, it is not England's chief industry, so the Government need feel no solicitude for the British in this matter. Moreover, England has no important place amongst the chief sugar-manufacturing countries of the world. What then has led the British Government in India to adopt a course that is sure to crush this newly started industry of India? The rapid industrialisation of this country is not devoid of danger. The match industry and success in the sugar industry have greatly encouraged the Indians and they have begun to feel competent for any industry provided they are given little encouragement. Now the Government have also begun to view with suspicion the industrial progress of this country. They wonder as to where this would stop when it has invested such a huge capital within two years. They had not seriously looked into this matter during the days of War. When the British Government first thought of giving protection to Indian sugar only one aspect of the political situation was before them. They were wondering as to what would be the result of the War. All their resources and efforts were concentrated on that great issue and they wanted to win success at all costs. So what they could not think of in 1917 has begun to trouble their minds now and they want to make amends for the past neglects.

I want only to submit that the Government seem to think that if industries in India are sufficiently advanced, the industrialist and the capitalist will aspire to something far greater than mere sugar and match industry. I am perfectly sure that if I myself had been an Englishman, which fortunately I am not, I would have also adopted the same policy which Sir George Schuster has thought fit to adopt. I would have also done the same thing in order to promote the interests of my own people and my country. If he had not the exclusive interests of his people and country at heart but had simply the increase in Government revenue in view he would have imposed further import duty on sugar along with an excise duty on indigenous sugar. If the Government want honestly and sincerely to see an increase in their revenues let them come forward and impose an increased import duty on foreign sugar as well. If they are prepared to do this we shall be convinced that they are sincere and honest in their dealings. It is after all India where the Government can adopt any policy which they think fit to adopt without fear of any very great opposition. Two years ago they held out high hopes to Indians for the betterment of their industries. And now that people have invested a capital of 15 crores of

rupees and have bought the machinery from foreign countries it is proposed to crush their industry in the very beginning. Evidently they think that they have had the advantage that could be got from the beginning of an industry in the shape of the sale of machinery. Now they would not mind if the industry goes to dogs. It is really a pity, Sir, that the English have the interests of their continental neighbours more at heart than the interests of this poor country. It is evident that there are some English firms exporting sugar to India. It is to protect their sugar that Indian sugar seems to have been taxed. Though many of my moderate friends take a good deal of time in making it clear that their criticism is *reasonable* before they say anything definitely about the point under discussion, I would like to urge straightaway on the Government that they should give proof of their sincerity of purpose by deciding to levy extra duty on imported sugar. Under the present circumstances we will be justified in questioning their sincerity. I would once again urge that the Government do not seem to be honest and sincere in this matter.

Mr. President : The question is—

That in the opinion of this Council the imposition of the excise duty on sugar is
 1 P. M. prejudicial to the interests of the sugar cane grower, consumer of sugar and the sugar manufacturer in this province.

The motion was carried.

The Council then adjourned till 2 P. M.

The Council re-assembled at 2 P. M. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Khan Bahadur Nawab Muzaffar Khan (Reforms Commissioner).

STARRED QUESTIONS AND ANSWERS.

REMISSION OF LAND REVENUE.

***3033. Lala Jyoti Prasad :** Will the Honourable Revenue Member kindly state—

- (a) whether Government has recently ordered any remission of the suspended land revenue in the Hissar district. (If so, a copy of that order may kindly be laid on the table);
- (b) to what extent and for which harvests the remission has been ordered or made;
- (c) whether it is a fact that Government has allowed remission on the suspended land revenue of four continued harvests in the Hissar district in place of six as in the past, while in other districts remission has been allowed on the suspension of land revenue of three continuous harvests?

The Honourable Mr. Miles Irving : (a) The Financial Commissioner with the approval of Government has made certain remissions. A copy of his order is laid on the table.

(b) Rupees 3,09,908 on account of 1929-30 and previous years have been remitted as a result of the above order.

(c) With the exception of the Sirsa division, the remission of suspended land revenue in the Hissar district is governed not by the usual rules, but by the special suspension rules, given in appendix C to the Final Report of the Third Revised Settlement. These rules will be amended by the orders given in the letter quoted, under which suspended revenue outstanding for four harvests should be proposed for remission, whereas the previous standard was the existence of arrears exceeding twice the annual demand irrespective of the number of harvests to which it related.

Copy of a letter no. 1687-A. (S.), dated the 4th September, 1933, from the Junior Secretary to the Financial Commissioners, Punjab, to the Commissioner, Ambala division.

SUBJECT.—Remission of suspended land revenue in the Hissar district.

It has come to the notice of the Governor in Council that there are large amounts of land revenue under suspension in the Hissar district dating as far back as the year 1927-28. This is due to the fact that the three harvests' rule is not followed in that district except in Sirsa. In other parts of the district special rules apply as laid down in the "suspension and remission scheme."

2. The Financial Commissioner, Revenue, with the approval of Government has decided to remit at once suspended revenue for 1929-30 and previous years. The amount remitted as a result of this order should be reported to this office for information and included in the Balance Statement for the year 1932-33 in due course.

3. In *kharif* 1933, the excess in any estate above one year's demand should be reported for remission unless there are special reasons to the contrary.

4. In subsequent harvests suspended revenue outstanding for 4 harvests should be proposed for remission unless the Collector is fully satisfied that no hardship will be caused by its collection—sooner or later. The longer he keeps revenue under suspension, the greater will become the presumption of hardship.

5. An amendment to the Hissar suspension rules giving effect to this order will issue in due course. It is observed that in Sirsa the ordinary 3 harvests' rule applies. If suspended revenue for 1929-30 has not been already remitted under this rule, this should be done now.

Copy of endorsement no. 1688-A. (S.).

A copy is forwarded, for information and favour of necessary action, to the Deputy Commissioner, Hissar.

LAND REVENUE.

***3034. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

(a) in how many villages tahsil-wise of the Hissar district *yak-fasla* and *do-fasla* land revenue respectively is realised by the Government ;

(b) the amounts realised separately in *yak-fasla* and *do-fasla* in each tahsil ?

The Honourable Mr. Miles Irving : (a) and (b) A statement is laid on the table—

Statement.

Serial No.	Name of tahsil.	VILLAGES YAK-FASLA.				VILLAGES DO-FASLA.		TOTAL.
		Yak-fasla kharif.		Yak-fasla rabi.		Number of villages.	Land revenue.	
		Number of villages.	Land revenue.	Number of villages.	Land revenue.			
1	Bhiwani	114	Assigned .. Zaildari dues 83,301 100 1,550	..	Assigned .. Zaildari dues 37,766 1,100 525	133	Assigned .. Zaildari dues 1,200 2,075	Rs. 1,21,067 1,200 2,075
2	Hansi	91	Assigned .. Zaildari dues 1,37,729 179 1,325	..	Assigned .. Zaildari dues 1,02,125 835 1,125	138	Assigned .. Zaildari dues 2,39,854 1,014 2,450	Rs. 2,39,854 1,014 2,450
3	Hisar	134	Assigned .. Zaildari dues 1,53,532 1,311 2,325	..	Assigned .. Zaildari dues 91,719 24,029 1,025	233	Assigned .. Zaildari dues 2,45,251 25,340 3,350	Rs. 2,45,251 25,340 3,350
4	Fatehabad	94	Assigned .. Zaildari dues 1,36,019 5,090 1,275	1	Assigned .. Zaildari dues 71,599 84 1,350	179	Assigned .. Zaildari dues 2,08,738 5,217 2,625	Rs. 2,08,738 5,217 2,625
5	Sirsa	87	Assigned .. Zaildari dues 53,910 113 1,175	108	Assigned .. Zaildari dues 1,42,537 8,538 1,125	325	Assigned .. Zaildari dues 3,16,725 8,190 3,425	Rs. 3,16,725 8,190 3,425

COTTON HARVEST IN HANSI AND HISSAR TAHSILS.

***3035. Lala Jyoti Prasad :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether Government is aware that cotton harvest in *kharif* last of the canal irrigated areas of the Hansi and Hissar tahsils was much damaged on account of excessive rains ;
- (b) whether it is a fact that zamindars of the above mentioned areas submitted applications to the Executive Engineer, Canals, concerned to the same effect ; if so, with what result ;
- (c) whether any remission has been made in water rate ; if so, the percentage to the total *abiana* realised in the above tahsils ?

The Honourable Mr. Miles Irving : (a) The damage was not serious.

(b) Yes, remissions were given in the usual way.

(c) Yes, 9·15 per cent. in the Hansi tahsil and 6·85 in the Hissar tahsil.

WATER-SUPPLY TO CATTLE FARM, HISSAR.

***3036. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) the commanded area of the Government Cattle Farm, Hissar under each of the branches of the Western Jumna Canal in the Hissar and Rohtak divisions ;
- (b) what it was in 1920 and in 1930 ;
- (c) the cusecs of water supplied to the Farm by branches above-mentioned (i) at present and (ii) in 1920 and 1930 ;
- (d) whether it is a fact that there is a limited supply on the Western Jumna Canal and no extension of irrigation has been possible recently ;
- (e) how it has been possible to include an extensive area in the Farm by and by ?

The Honourable Mr. Miles Irving :

- (a) Sirsa Branch, Hissar Division .. 10,100 acres.
Hansi Branch, Rohtak Division .. 1,966 acres.
- (b) In 1920 area 10,100 and 1,918.
In 1930 area 10,100 and 1,966 (as above).
Only increase is 48 acres in Rohtak Division, probably a correction of figures.

			Sirsa Branch.	Hansi Branch.
(c)	(i) At present	.. ..	22	20
	(ii) In 1920	.. ..	10	14·5
	In 1930	-- ..	22	20

(d) Yes.

(e) There has been no inclusion of area as above figures show.

DELHI-MONTGOMERY ROAD.

***3037. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that on the Sirsa-Hissar section of the Delhi-Montgomery Road, miles 127, 128, 129, 130, 131, and half of 132 have not been constructed with *kankar* or stone metal yet and only pucca bricks are laid there for the last six years, which are also worn out ;
- (b) if the answer to (a) be in the affirmative, what steps Government propose to take in order to get it constructed at an early date ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes ; but the bricks are not worn out. They are protected with an earth covering.

(b) Part provision for metalling and tar surfacing these miles has been made in the budget estimates for 1934-35. If the grant is voted the work will be undertaken in 1934-35 and completed as funds permit.

INDUSTRIAL SURVEY OF HISSAR DISTRICT.

***3038. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether Government got the industrial survey of the Hissar district carried out recently ;
- (b) if so, whether a copy of the report of the Industrial Surveyor will be laid on the table ;
- (c) what steps Government proposes to take in this direction in order to save the district from the calamity of recurring famines ?

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

(b) A copy of the report is laid on the table.

(c) As a suitable measure of industrial assistance, Government has sanctioned the appointment of a demonstration party to give training in wool spinning and wool weaving and in the weaving of *nawar*, for a period of two years in the first instance at a cost of Rs. 2,015 (non-recurring) and Rs. 4,128 (recurring).

A brief survey of the present economic conditions of the people of Hissar and a few suggestions about the possibility of establishing some cottage industries in the area by our department.

The Hissar district takes its name from the town of Hissar which is the headquarters of the local administration. "The town of Hissar was founded by Feroze Shah, Tughlak, in the fourteenth century and named after him Hissar Feroza, the fort of 'Feroze,' the name was subsequently contracted to Hissar."

Boundaries.—"It is bounded on the south by the Dadri territory of Jind and the Native State of Loharu ; on the east by the British district of Rohtak and the Native States of Jind and Patiala, the latter of which also stretches along its south east border ; on the north it is bounded by the Ferozepore district, and on the west by the prairies of Bikaner." It is thus completely surrounded by Native territory, except where it touches the districts of Rohtak and Ferozepore.

[Hon. Dr. Gokul Chand Narang.]

Population.—The total area of the district is 5,212 square miles. It is divided into five tahsils and the total population of the district in 1931 was 899,479 :—

Bhiwani	..	..	..	..	..	138,211
Hansi	..	..	..	..	..	192,810
Hissar	..	..	..	..	..	213,643
Fatehabad	..	..	..	..	..	152,259
Sirsa	..	..	..	..	..	202,556

Ninety per cent. of the total population of the district live in villages. There are only 4 towns in the district, containing over 10,000 inhabitants each: Bhiwani, Hissar, Sirsa and Hansi. Nor are these towns progressing.

Village population.—"Villages are, therefore, all important in this district. Of these are 966, lying about two and-a-half miles from each other, with an average population of 722 souls each. This figure is an increase on the corresponding figure for 1901, and shows that the tendency now is not to found new village but to add to those already existing. This is easily explained by the gradually increasing value of agricultural land, and by the difficulty experienced in many parts of the district in getting good drinking water."

Occupation.—"Almost three quarters of the population of the district are engaged in agricultural operations and in occupations auxiliary thereto, or are dependent for their means of subsistence upon persons so engaged. Excluding the persons in the service of the State and of Railways, almost all the remaining quarter earn their livelihood by supplying the wants of the agricultural population."

Rainfall and irrigation.—Agriculture mainly depends on rainfall and irrigation, and both these sources are deficient in the district.

Well irrigation is insignificant. The depth of water except in the neighbourhood of canal and the Ghaggar (river) is a hundred feet and more below the level of the ground. What few wells there are, are meant primarily for drinking purposes. The present canals hardly irrigate about 11 per cent. to 12 per cent. of the total area. "The amount of rainfall is therefore a matter of primary importance in a district in which over 85 per cent. of the cultivation is unirrigated, and given the amount much depends on its distribution over the various seasons." Failure of rain means a scarcity or a famine for Hissar. "The Hissar cultivator ordinarily expects three, four or even five seasons of draught, and then a bumper harvest which makes up for all the troubles of the lean times." The writer was informed that this time they were having draught from the last seven or eight years. The condition of the people living in the unirrigated areas was pitiable. Scarcities and famines recur so often in Hissar that this district may well be called their home.

Mines and Mineral Resources.—The district is almost devoid of these. The only minerals found are kankar and shora or saline earth. The latter is generally found in deserted village sites.

Arts and Manufacture.—(a) *Hand industries* :—(a) Practically the only hand industry of importance is the weaving of coarse cotton cloth. This is done by Dhanaks, Chamars and Jullahas. The Jat and Bishwi women embroider their own chhaddars, using wool instead of silk.

(2) There is a fairly important brass and bell metal (kansi) trade carried on at Bhiwani. The articles manufactured are the ordinary cups and plates required in an Indian house-hold. The brass used is chiefly old broken brass.

(b) *Factory Industries.*—The main factory is the cleaning and pressing of cotton. There are at present about 30 such factories in the district and most of them are situated at Hansi and at Bhiwani. About 400,000 maunds of cotton are cleaned and pressed annually.

There is also a spinning and weaving mill at Bhiwani and is being run on a fairly large scale.

Suggestions to ameliorate the economic condition of the people of Hissar.

The welfare of the people at present as referred to above mainly depends on the timely rainfall. A failure means a scarcity or a famine. The agriculturists have no auxiliary profession to fall back upon in such times and thus suffer heavily.

The majority of Hissar peasants would rather starve than move out of their homes in search of work. Most of them have to bring their drinking water from far off places, and if all the male members go out, there would be no one left home to bring water for their womenfolk. Some homes have only one male member. The people in the adjoining territory, too, hardly make their two ends meet, and if the Hissar peasants are induced to migrate in search of work, it might cause them uneasiness. The only alternative, I think best is to coach the agriculturists in some cottage industries whereby they could subsidize their income which may enable them to tide over periods of scarcities and famines. During the course of my visit in the Ilaga last week I

observed that the local Government had opened test works in the beginning of this year, such as the digging of village ponds and making and repairing of Kacha roads, but have now been given up in place of more novel and useful work, the spinning of cotton.

The people of Hissar have formed a local famine relief committee under the presidentship of Rai Bahadur Lala Jawahar Lal Bhargwa, Advocate, and Lala Joti Parshad, M. L. C., as its secretary. Lala Hardev Sahai of Satroad, is the joint Secretary, and is its chief worker and brain. This committee though a non-official body, yet it is working with practical sympathy of the local authorities. It has opened over a dozen centres in various villages of different tahsils where scarcity was acute and supply carded rolled cotton to the village women who spin and return the yarn at a fixed price per seer. I visited three such centres, Siwani, Talwandi and Bhawani Khara, run by this committee and noticed that there was a great demand for cotton by the villagers but the committee had not sufficient funds to meet with the demand. They were consequently closing down most of their centres. They were so far distributing from 3 to 4 maunds of carded cotton daily at each centre. The district authorities also as mentioned above have taken up this work and were opening centres for distribution of cotton for spinning and tried to replace the centres where the Famine Committee had closed, as far as funds permitted. The latter had opened 17 centres in different tahsils yet, and Rs. 3,200 have been placed so far at the disposal of Tahsildars for spinning relief works.

I also visited a couple of centres run by the district authorities and found that they were also being run on the same lines as those run by the Famine Relief Committee, except that the former paid for the spinning at a fixed rate (4 annas for a seer of yarn) whilst the latter paid according to the quality of yarn spun (from 3 annas to Rs. 1-8-0 per seer of yarn). The daily average earning, however, practically came to the same amount (Re. 0-0-9 to Re. 0-1-0). These centres too were most popular. People wanted more cotton, but it had to be limited according to the funds. At some places 6 to 8 maunds of cotton was being distributed. I was informed that the district authorities had made arrangement to dispose off their yarn at Julundur, Ludhiana and Ambala, where it was used for making Nawar, carpets and Khaddar. An idea struck me that the women of the Ilaga are already becoming used to spinning and the demand for cotton was daily increasing. The men were idle except that they brought water for drinking or cotton from the distribution centres for their women or were engaged in some trifling things. If they were taught the manufacture of these things for which the spun cotton is exported to other districts of the Province, these would form useful cottage industries in which they can work in their spare hours. The women would spin and men would manufacture things and thus form real cottage industries. About 400,000 maunds of cotton is already being ginned and pressed annually in the district according to the district Gazetter and more can be purchased from outside when needed. Also it is not difficult to learn the weaving of Nawar, Durries and Khadar.

2. There are about 192,809 sheep in the district according to the latest census figure available. Each sheep yields about 4 lbs. of wool in a year. Thus the whole sheep yield about 10,000 maunds of wool per year. A still very large quantity of wool is available in the adjoining territory of Bikaner. The Hissar wool itself is of a fairly good quality and can be had much cheaper than available in Sind and Kashmir. I visited an Industrial School at Satroad Khurd situated at a distance of five miles from Hissar. It is being run by Lala Hardev Sahai of the Vidya Paroharni Sabha and Famine Relief Committee, Hissar. I found that it is doing very useful work. Besides the industries mentioned above it also imparts instruction in spinning wool both by the wheel and *takli*, and then use their spun wool in manufacturing blankets, Lohies, Chaddars (woollen) Persian carpets and asans. I was informed that the school received the patronage of District Board this year in the form of a grant on the recommendation of the Deputy Commissioner of the district. It gave me an idea that it would be useful if the people were also taught the use of *takli*, and the manufacture of blankets, Lohies, etc., besides Nawar Durries and Khadar. There is sufficient wool available in the district, and it can still be supplemented by encouraging the folk of this area to keep sheep on a much larger scale than they do. There are sufficiently large areas in the district, and the agriculturists would have a new auxiliary trade. The weavers of Panipat are having a good trade in blankets and a large number of Lohies and woollen chaddars are annually imported into the Punjab from Kashmir. The blankets and Lohies turned out at Satroad school are in no way inferior to Panipat blankets and Lohies from Kashmir, except that the latter required the finishing process of *malida*, for which at present they had no arrangement.

3. I was informed that munj was found in large quantities towards the south-eastern side of the district, in Bhiwani tahsil, and people were already making munj strings used for stringing beds. At present there was no much demand for munj strings, and it can be had at 13 seers for a rupee. It was already an auxiliary industry of the agriculturists, and it would help them much if they were taught the manufacture of munj matting.

I had fairly long discussions about the advisability of introducing these industries in the rural areas of the district with the people at different cotton distributing centres visited by me, the office holders of the local Famine Relief Committee, the Revenue Assistant and the Deputy Commissioner and invited their suggestions. They had nothing new to add but all without

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any exception commended the idea put by me. This can only be done if the people were first to be taught how to manufacture and where to market them. The men at the centres visited by me were most anxious to learn one trade or the other.

The District Board, Hissar, I was informed, had already sanctioned to open two Industrial Schools, one at Tigrana, a village in Bhiwani tahsil, and the other at Rania in Sirsai tahsil. They would teach the manufacture of Nawar and Durries at these centres. The Municipal Committee, Hissar, has already opened one such school at Hissar proper. I visited this school and found that it was only an eyewash. The school has been located in an old dirty house, which is half demolished. The school-master in charge was asleep on a bed at the time of my visit. I was told that the municipal officers took no interest in it, and the school had been opened because the members of the committee had passed a resolution to open such a school. The school at Satrod alone seems to be doing some useful work.

All these attempts, though genuine are just a drop in the ocean and would take very, very long to train people on a large scale. I, therefore, suggest that instead of opening industrial schools here and there for the industries referred to above, it would be more useful if the Government were to start demonstration parties. This can be done without much expense either. There are five tahsils and two sub-tahsils in the district. Let one village in each tahsil be chosen and demonstrations in the manufacture of industries most suited and liked by the people be started simultaneously. Two demonstrators at each place, one for cotton goods and the other for woolen goods, can take charge at each centre. Suitable demonstrators can be had from the Satrod school management at about Rs. 20 to Rs. 25 per month which would be obtained with difficulty in the central Punjab on Rs. 30 to Rs. 40 per month. The demonstrations should last three months at one place and may be closed during the sowing and harvesting seasons. The Textile Inspector with an Assistant may hold charge of the technical side of the demonstration and help the people in marketing their finished goods. I understand there are some headmasters of Industrial Schools who have weaving qualifications and taught this subject, but are at present almost idle as the weaving classes at their centres have been abolished, e.g., Sialkot and Ludhiana. One of these can form a very useful assistant having both theoretical as well as practical knowledge of weaving. The Industrial Surveyor incharge ilaqa under the guidance of the Director of Industries can look to the general principle of work and as medium between the public, the district authorities and the Department.

It would not be difficult to market the finished goods when the labour available is so cheap. A little difficulty might be experienced in the beginning, but it is well known that when the traders come to know of a cheap market they reach there of their own accord.

The demonstration centres chosen will not only serve the purpose of those particular places, but would also serve the adjoining villages. It was observed at the cotton distributing centres by the writer that several persons would come from villages even six miles distant to get cotton for spinning for their women. They would be willing to come to learn a new trade they said, if arrangements were made, and they could make something out of it. About three or four demonstrations in each tahsil would be sufficient to show the way to the people, and later on they can look to themselves. The Co-operative Department (Industrial) section would help them later on in forming the societies for common buying of raw materials and disposing of their finished goods. Of course our Textile Inspector would be helping them now and then by personal visits to give advice in designs and new improvements.

If the principles of above proposals are agreed to, I would suggest that the Textile Inspector may be asked to meet the writer to formulate a concrete scheme for the starting of this work. It would be beneficial if Lala Hardev Sahai and Lala Jyoti Parsbad, M.L.C., both of Hissar, were also consulted in forming a scheme as they know the Hissar conditions fully well. If a meeting is convened at Hissar, they would give their counsel gratis. The best months to start demonstrations would be December, January and February as the agriculturists would be free then.

ALLOWANCE OF ASSESSORS IN SESSIONS CASES IN HISSAR DISTRICT.

*3039. **Lala Jyoti Prasad:** Will the Honourable Member for Finance kindly state—

(a) whether it is a fact that the daily allowance of assessors in sessions cases in the Hissar district is Rs. 2 a day ;

(b) whether it is a fact that previously it used to be Rs. 4 a day and Rs. 3 a day ;

(c) whether it is a fact that assessors have to attend very long sessions cases at times extending over two weeks, and have to be away from their homes for long ;

(d) whether Government intends to reconsider the advisability of increasing their allowances ?

The Honourable Sir Henry Craik : (a) It is usually Rs. 2 or Rs. 3 a day though the court has discretion to pay up to Rs. 5 a day.

(b) Before 1932 it was Rs. 3 or Rs. 5 a day.

(c) In rare cases.

(d) No, as the Sessions Judge has full discretion to grant an allowance up to the maximum of Rs. 5 laid down by the High Court.

BHAKRA DAM SCHEME.

***3040. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

(a) at what stage the Bhakra Dam Scheme is ;

(b) what work was done in this connection in 1933, and what is the programme for 1934 ?

The Honourable Mr. Miles Irving : (a) There are four important matters which must be satisfactorily settled before the Project can be pursued further :—

(i) The agreement of the Bombay Government that the construction of the Dam will not adversely affect the inundation canals in Sind.

(ii) Agreement between the several Indian States regarding the distribution of water, intensity and allocation of expenditure on headworks and channels.

(iii) Arrangements with the Bilaspur State for the transfer of the proposed site of the dam and reservoir.

(iv) Further consideration of the financial prospects of the Project in the light of the receipts to be anticipated.

(b) (i) During 1933, rectangulation and contour surveys by the Survey of India Department were continued.

(ii) An officer on special duty was appointed to prepare the case for presentation before a conference of the various parties concerned.

(iii) In view of (a) above, expenditure during 1934 is being restricted to the completion of the maps for which the field work was done in the previous year.

PUBLIC PROSECUTORS.

***3041. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

(a) the number of criminal appeals, sessions cases, heard and decided by the Sessions Judges, Hissar, Gujranwala and Sheikhpura, respectively ;

(b) the pay of the public prosecutors in each of these districts ?

The Honourable Sir Henry Craik : (a) Information will be collected if the honourable member will indicate the period for which he wants it.

				Rs.
(b) Hissar	..	..	..	500 a month.
Gujranwala	..	..	..	750 „
Sheikhupura	..	..	..	750 „

CRIMINAL CASES IN HISSAR DISTRICT.

***3042. Lala Jyoti Prasad :** Will the Honourable Member for Finance please lay on the table a comparative statement showing the number of cases of thefts, dacoities and murders reported, challaned, untraced and convicted in the Hissar district in the year 1933 ?

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

Statement.

			Reported.	Challaned.	Untraced.	Convicted.
Ordinary thefts	..	..	303	147	126	91
Cattle thefts	..	..	145	93	53	56
Dacoities	..	..	7	9	6	6
Murders	..	..	34	22	7	13

Cases pending from the preceding year are included in the number of cases shown as challaned above.

SALE OF LANDS IN LOWER BARI DOAB COLONY.

***3043. Pir Akbar Ali :** Will the Honourable Member for Revenue be pleased to state—

- the average sale price per acre, by auction and tender, of Government lands in Lower Bari Doab Colony in 1925, 1927 and 1928, respectively ;
- the average sale price per acre in 1931 ;
- the average net price per acre including interest realised by Government, hitherto, actually in 1925, 1927, 1928 and 1931, respectively ;
- the sums of money foregone by way of relief in 1925, 1927 and 1928, respectively ;
- the loss which the Government will have to bear if concessions similar to 1925 or 1927 or 1928 are extended to 1931 also ;
- the number of free crops (without paying instalments) enjoyed by 1925, 1927, 1928 and 1931 purchasers, respectively ;

- (g) if it is a fact that the Government ordered in the first instance not to extend any concessions to 1925 but after one year or so extended the largest amount of concessions to 1925 purchasers only ;
- (h) if it is a fact that the purchasers of 1931 were required to pay immediately one-eighth whereas in 1925, 1927 and 1928 only one-tenth of the bid price was charged, and also that in the case of 1931 purchasers alone the interest is charged even when the instalments are paid within time, and that the rate of penal interest is 12 per cent. in this case whereas in the former years it was 8 per cent. only ;
- (i) what steps the Government have so far been pleased to take in this matter with a view to redress the grievances mentioned above and to bring their case in consonance with that of the other persons placed in the same condition or category ?

The Honourable Mr. Miles Irving : (a) to (i) A statement is laid on the table.

Statement.

					Rs. per acre.
(a) 1925 Auction	..	..	..	..	603
Tender	..	..	..	..	405
1927 Auction, Multan	..	..	..	..	214
Montgomery (restricted lots)	..	..	..	..	248
(Other lots)	..	..	..	..	366
Average worked out of the total area in the colony	..	..	..	..	272
1928 Auction Multan	..	..	..	..	335
Montgomery	..	..	..	..	260
Average worked out of the total area in the colony	..	..	..	..	286
(b) Renala lift area	..	..	..	..	300
Other areas situated elsewhere in the colony	..	..	..	..	222
(c) Exact figures cannot be worked out without an unreasonable amount of labour. The approximate figures are as follows:—					

Year.					Area sold.	Total realisations (initial deposit and further instalments).	Average per acre.
					Acres.	Rs.	Rs.
1925 auction	..	..	..	..	19,055	11,69,780	61
1925 tender	..	..	..	..	23,028	8,56,579	37
1927 ..	..	..	..	..	16,229	16,24,106*	100
1928 ..	..	..	..	..	14,851	7,50,798*	51
1931 Renala	..	..	..	..	589	58,900†	100
Other areas	1,019	23,299†	23

*Figures reported in December, 1931.

†Initial deposit only.

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(d) In respect of the 1925 auctions Government can be said to have foregone Rs. 13½ lakhs and approximately Rs. 12 lakhs in respect of the other two together.

(e) If 1925 concessions were applied, Rs. 1½ lakhs. If the concessions allowed for 1927 or 1928 auction were applied, the loss would be slightly less; but cannot be accurately estimated.

(f) 1925, five years.

1927, 1928 and 1931, none.

(g) Yes.

(h) The purchasers of land outside the Renala lift area in 1931 had to pay an initial instalment of 1/8th of the purchase price. The initial instalment in the auctions of 1925, 1927 and 1928 was 1/10th. The rates of interest in the various auctions were as follows:—

1925, 6 per cent. per annum on any portion of the purchase money unpaid.

1927 (Montgomery), 8 per cent. per annum on overdue instalments.

(Multan) 8 per cent. per annum upon the balance of the purchase money for the time being remaining unpaid until date of payments and penal interest at 12 per cent. on overdue instalments.

1928 (Multan and Montgomery) 8 per cent. per annum on overdue instalments.

1931 8 per cent. per annum upon balance remaining unpaid until the date of payment. No penal interest.

(i) The matter is under consideration.

FEE FOR B.A. CLASS STUDENTS.

***3044. Khwaja Muhammad Euseof:** Will the Honourable Minister for Education please state—

(a) whether it is a fact that the students of the B.A. classes are charged fee for 24 months;

(b) whether admission to the 3rd year class generally takes place in the month of October and whether they receive instruction in the 3rd year class for 7 months only while they are charged fee for 12 months;

(c) the reasons why fee for 24 months is charged?

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

(b) Yes.

(c) Tuition fee is charged for 24 months, because the cost of classes has to be met even when there are no students.

MUSLIM TEACHERS IN GOVERNMENT COLLEGES.

***3045. Khwaja Muhammad Euseof:** Will the Honourable Minister for Education please state—

(a) whether it is a fact that the number of Muslim teachers in the Government colleges is far below the required percentage;

(b) whether the attention of the Honourable Minister has been drawn to this fact many a time;

(c) what steps he has taken to redress this grievance?

The Honourable Malik Sir Firoz Khan Noon: (a) If by required percentage the honourable member means percentage proportionate to population figures then the answer is in the affirmative, but Government has never laid down that such is to be the case. Even if it were to lay down such

percentages, these could not be immediately attained without turning out men of other communities from their posts.

(b) and (c) Yes, Government is aware of this, but it is difficult to turn out men from their posts for communal reasons. The Muslim percentage in the service is gradually improving, and as vacancies occur in the colleges the claim for an increase in the Muslim element will receive due consideration.

GOVERNMENT INTERMEDIATE COLLEGE, HOSHIARPUR.

***3046. Khwaja Muhammad Eusoof:** Will the Honourable Minister for Education please state—

(a) the number of students in the Government Intermediate College, Hoshiarpur, who took up Biology in the year 1982-83 and 1983-84;

(b) their results;

(c) how much money has been spent on establishing the Biology department including the pay of the officers;

(d) the expenditure per student;

(e) how the ratio of the expenditure compares with that of expenditure on Arts and non-Medical students?

The Honourable Malik Sir Firoz Khan Noon: (a) The number was as follows:—

	1st year class.	2nd year class.	Total.
1982-83	15	12	27
1983-84	17	13	30

(b) Of the twelve students sent up for the Intermediate Examination in 1983, five passed and two were placed under compartment. The examination for 1984 has not yet been held.

(c) Presumably the honourable member does not require figures of non-recurring expenditure incurred in connection with the opening of Biology classes at the College, as that expenditure was incurred not only for the existing students, but also for those who read the subject in the past or may be admitted to the classes in the future.

The annual expenditure on the classes on account of pay of the teaching staff and contingencies is Rs. 7,700.

(d) Rupees 256-10-8 per annum.

(e) The average cost of an intermediate student is Rs. 201-8-0 per annum. The average cost of Biology students is comparatively high as the teachers in charge of the subject happen to be senior officers.

UNIVERSITY EXAMINATIONS.

***3047. Khwaja Muhammad Euscof:** Will the Honourable Minister for Education please state whether it is a fact that the principals of colleges have powers to withhold any student from appearing in the university examinations on the basis of unsatisfactory work?

The Honourable Malik Sir Firoz Khan Noon : Yes. Under the rules of the Punjab University, as recently amended, before admission to the F.A., F.Sc., and B.A., B.Sc., examinations, the students have to produce a certificate from the head of their college to the effect that they have satisfactorily performed the work of their class.

EMPLOYEES IN EDUCATION DEPARTMENT RECEIVING EMOLUMENTS FROM
OTHER UNIVERSITIES.

***3048. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please—

- (a) place on the table a statement showing the number of Government employees in the Education Department who receive emoluments from the Punjab and other universities as examiners, superintendents, invigilators and lecturers ;
- (b) state in how many cases the sum exceeds Rs. 500 ;
- (c) state whether the department has placed a bar that the emoluments should not exceed Rs. 500 in any case ?

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

UNIVERSITY EXAMINERS.

***3049. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the majority of the examiners and paper-setters for various examinations of the University of the Punjab are from Lahore colleges ;
- (b) what is the proportion of examiners from among the teachers and lecturers from *mofussil* colleges and schools to those of Lahore colleges and schools ?

The Honourable Malik Sir Firoz Khan Noon : (a) No. Out of a total of 1,752 paper-setters and examiners only 494 are from the Lahore colleges.

- (b) About 3 : 2.

REMISSIONS OF GOVERNMENT DUES.

***3050. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) the amount of remissions of all Government dues granted as a result of the resolution passed by this Council on 21st March 1933 ;
- (b) the amount of remission granted to each district ;
- (c) the names of districts which have been deprived of this concession and the reasons for the same ?

The Honourable Mr. Miles Irving : (a) Special remissions of land revenue amounting to Rs. 9,19,000 were granted during rabi 1933.

(b)	District.	Amount remitted.
		Rs.
	Shahpur	1,56,000
	Sheikhupura	55,000
	Multan	1,87,000
	Jhang	5,000
	Lyallpur	5,16,000
	Total ..	9,19,000

(c) The honourable member is referred to Punjab Government (Revenue Department) Resolution No. 9110-R., dated the 9th September 1933. The conditions in the districts which were not given remissions were not such as to justify remissions.

RETRENCHMENT.

***3051. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- whether in pursuance of the policy of retrenchment a number of Hindu, Muslim and Sikh officials were retrenched in the different departments under his control ;
- if so, the number and percentage of officials belonging to different communities who have been so retrenched ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) If the honourable member would specify the department and the class of officials about whom he wants information, I would endeavour to secure the figures provided they can be conveniently collected.

RETRENCHMENT.

***3052. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- whether in pursuance of the policy of retrenchment a number of Hindu, Muslim and Sikh officials were retrenched in the different departments under his control ;
- if so, the number and percentage of officials belonging to different communities who have been so retrenched ?

The Honourable Dr. Gokul Chand Narang : It is regretted that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

RETRENCHMENT.

***3053. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education kindly state—

- (a) whether in pursuance of the policy of retrenchment a number of Hindu, Muslim and Sikh officials were retrenched in the different departments under his control ;
- (b) if so, the number and percentage of officials belonging to different communities who have been so retrenched ?

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

(b) The number and percentage of officials belonging to different communities who have been so retrenched in the departments under the control of the Ministry of Education are :—

<i>Communities.</i>			<i>Number of persons retrenched.</i>	<i>Percentage.</i>
Hindus	..	..	10	40
Muslims	..	..	8	32
Sikhs	..	..	6	24
European	..	..	1	4

RETRENCHMENT.

***3054. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether in pursuance of the policy of retrenchment a number of Hindu, Muslim and Sikh officials were retrenched in the different departments under his control ;
- (b) if so, the number and percentage of officials belonging to different communities who have been so retrenched ?

The Honourable Sardar Sir Jogendra Singh : (a) (i) Yes, in so far as the Departments of Agriculture, Veterinary, Co-operative Societies and Public Works, Buildings and Roads Branch, are concerned.

(ii) In the Excise Department retrenchment was made by leaving vacancies unfilled.

(iii) No retrenchment was made in the Fisheries Department.

(b) A statement showing the required information in regard to the Departments of Agriculture, Veterinary, Co-operative Societies and Public Works, Buildings and Roads Branch, is laid on the table.

Statement showing the number and percentage of officials belonging to different communities who were retrenched in the Department of Agriculture Veterinary, Co-operative Societies, Excise and Public Works, Buildings and Roads Branch, in pursuance of the policy of retrenchment.

1	2	3	4	5	6
Department.	Community.	No. retrenched.	Percentage to column 3.	Total No. of appointments	Percentage to column 5.
Agricultural ..	Muslims	51	46.4	345	49.7
	Hindus	16	14.5	192	27.7
	Sikhs	41	37.3	148	21.3
	Others, including Europeans and Anglo-Indians.	2	1.8	9	1.3
	Total ..	110		694	
Veterinary	Muslims	3	23.1	232	47.4
	Hindus	6	46.2	147	30.1
	Sikhs	4	30.7	102	20.9
	Others, including Europeans and Anglo-Indians.	..	..	8	1.6
	Total ..	13		489	
Co-operative Societies ..	Muslims	10	56.0	215	59.0
	Hindus	3	17.0	93	25.0
	Sikhs	5	27.0	60	16.1
	Others including Europeans and Anglo-Indians.	..	..	3	.9
	Total ..	18	..	371	..
Public Works, Buildings and Roads Branch.	Muslims	82	35.8	204	36.2
	Hindus	123	53.7	273	48.5
	Sikhs	20	8.7	57	10.1
	Others including Europeans and Anglo-Indians.	4	1.8	29	5.2
	Total ..	229	..	563	..

RETRENCHMENT.

***3055. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether in pursuance of the policy of retrenchment a number of Hindu, Muslim and Sikh officials were retrenched in the different departments under his control ;
- (b) if so, the number and percentage of officials belonging to different communities who have been so retrenched ?

The Honourable Sir Henry Craik : (a) Not in all departments.

(b) A statement is laid on the table.

Statement.

Police Department
Law Department and Accountant General } No retrenchment.
and Official Trustee.

Jails Department.—Two out of the three posts of agricultural assistants attached to this Department which were held by Muhammadans were retrenched.

High Court, Reclamation Department, and Punjab Civil Service as below :—

Department.	Name of establishment.	NO. OF OFFICIALS RETRENCHED.					PERCENTAGE.			
		Total.	Hindus.	Muslims.	Sikhs.	Others.	Hindus.	Muslims.	Sikhs.	Others.
High Court	Clerical ..	6	4	2	..	..	Per cent. 66½	Per cent. 33½	..	..
	Inferior and menial. ..	5	2	3	..	..	40	60	..	..
Reclamation Department.	..	10	4	2	4	..	40	20	40	..
Punjab Civil Service	Executive ..	10	5	2	2	1	50	20	20	10
	Judicial ..	5	2	2	1	..	40	40	20	..

RETRENCHMENT.

***3056. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether any proportion was fixed re the retrenchment of different communities in the departments under his control ;
- (b) if so, what was this proportion ;
- (c) the number of Hindu, Muslim and Sikh officials in the departments under his control ;
- (d) whether this proportion has been kept in view in making new appointments ;
- (e) if not, why not ;
- (f) whether the Government propose to bring the proportion of each community to the prescribed level ; if so, when ?

The Honourable Mr. Miles Irving : 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

RETRENCHMENT.

***3057. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether any proportion was fixed *re* the retrenchment of different communities in the departments under his control ;
- (b) if so, what was this proportion ;
- (c) the number of Hindu, Muslim and Sikh officials in the departments under his control ;
- (d) whether this proportion has been kept in view in making new appointments ;
- (e) if not, why not ;
- (f) whether the Government propose to bring the proportion of each community to the prescribed level ; if so, when ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

(c) 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 January 1934, which is available in the Library of the Council office.

(d), (e) and (f) Do not arise.

RETRENCHMENT.

***3058. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether any proportion was fixed *re* the retrenchment of different communities in the departments under his control ;
- (b) if so, what was this proportion ;
- (c) the number of Hindu, Muslim and Sikh officials in the departments under his control ;
- (d) whether this proportion has been kept in view in making new appointments ;
- (e) if not, why not ?
- (f) whether the Government propose to bring the proportion of each community to the prescribed level ; if so, when ?

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

(b) Does not arise.

(c) The honourable member's attention is invited to part II-C of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January 1934.

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(d) The claims of members of all communities are duly considered at the time of making new appointments.

(e) Does not arise.

(f) The policy of Government regarding the maintenance of the communal balance in services as explained by the Honourable Member for Finance in his statement made in the Punjab Legislative Council on the 19th July 1927 is being adhered to.

RETRENCHMENT.

***3059. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education kindly state—

(a) whether any proportion was fixed re the retrenchment of different communities in the departments under his control ;

(b) if so, what was this proportion ;

(c) the number of Hindu, Muslim and Sikh officials in the departments under his control ;

(d) whether this proportion has been kept in view in making new appointments ;

(e) if not, why not ;

(f) whether the Government propose to bring the proportion of each community to the prescribed level ; if so, when ?

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

(b) Does not arise.

(c) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities in the different departments of Government where he will find the information he asks for.

(d) If the honourable member means by " this proportion " the proportion referred to in (a) above, the question does not arise.

(e) Does not arise.

(f) The policy of Government in the matter 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

RETRENCHMENT.

***3060. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture kindly state—

(a) whether any proportion was fixed re the retrenchment of different communities in the departments under his control ;

(b) if so, what was this proportion ;

(c) the number of Hindu, Muslim and Sikh officials in the departments under his control ;

(d) whether this proportion has been kept in view in making new appointments ;

(e) if not, why not ;

(f) whether the Government propose to bring the proportion of each community to the prescribed level, if so, when ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

(c) The honourable member is referred to the statement printed for the information of members.

(d), (e) and (f) 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 will continue to carry out the requirements of the formula contained in the said statement of policy.

UNSTARRED QUESTIONS AND ANSWERS.

MUSLIM CLERKS IN LOWER BARI DOAB.

766. Chaudhri Afzal Haq : Will the Honourable Member for Revenue be pleased to state—

(a) the number of clerks in the Lower Bari Doab ;

(b) the number of Muslim clerks amongst them ;

(c) the cause of low proportion of Muslims in the grade of clerks ?

The Honourable Mr. Miles Irving : (a) Forty-five permanent and 2 temporary. (The latter are sanctioned up to 26th April 1934 and 31st July 1934, respectively).

(b) Twelve.

(c) The clerical establishment being provincial it is not possible to maintain any proportion communitywise in every office in the province.

STIPENDS IN GOVERNMENT INDUSTRIAL SCHOOLS.

767. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government be pleased to state the total amount of stipends given to scholars of each community in the Government Industrial Schools of the province ?

The Honourable Dr. Gokul Chand Narang : For the period 1931-32 and April to October 1932, the honourable member's attention is invited to the answer given to part 6 of starred question No. 1907¹ asked in October 1932. For the subsequent period November 1932 to October 1933, for which information is at present available, the figures are given below :—

					Rs.
Muslims	..	..	..	..	6,034
Hindus	..	..	..	..	1,985
Sikhs	..	..	..	..	544
Christians	..	..	..	..	72
Depressed classes	..	..	..	..	179

PUNISHMENTS OF STAFF IN INDUSTRIAL SCHOOLS.

768. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Master Ghulam Mohammad Bhatti was dismissed from Multan Industrial School;
- (b) whether it is a fact that Master Taj Muhammad of Rohtak Industrial School was reprimanded;
- (c) whether it is a fact that Master Hadayat Ullah, sizing assistant, Government Industrial School, Hoshiarpur, was also reprimanded?

The Honourable Dr. Gokul Chand Narang : (a) No. He was employed temporarily in a leave vacancy and his services terminated on the return to duty of the permanent incumbent.

(b) No. This Government servant was a vernacular teacher employed by the District Board, Rohtak, as a weaving master. On the provincialisation of the district board school this arrangement was found unsatisfactory, but his services were retained as a vernacular teacher for which post he was qualified.

(c) In 1928 this Government servant, who is now sizing assistant at Panipat, absented himself without permission from the Central Weaving Institute, Amritsar, where he had been deputed for further training. For this breach of discipline he was liable to be discharged, but in view of his seven years' service a lenient view of the case was taken. No official reprimand was issued to him.

HINDUS IN THE OFFICE OF LAND RECORDS.

769. Rai Bahadur Lala Sewak Ram : Will the Honourable Member for Revenue please state—

- (a) whether the attention of Government has been drawn to an article—
 - (i) headed "Hindus in the office of Land Records" which appeared in the "Daily Herald," dated 17th December, 1933,
 - (ii) headed "Muslim Raj in Director of Land Records office" which appeared in the "Tribune," dated 22nd December 1933;
- (b) whether it is a fact that the names of certain Hindu candidates who were working in the office of the Director of Land Records for the last 3 or 4 years have been removed from the list maintained in that office;
- (c) whether Government has received any representation of the Hindu candidates;
- (d) what steps Government proposes to take in the matter?

The Honourable Mr. Miles Irving : (a) Yes.

(b) No.

(c) No.

(d) Does not arise.

LAND REVENUE IN DERA GHAZI KHAN DISTRICT.

770. Sardar Bahadur Khan : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that in *chzhi nehri* area of Dera Ghazi Khan district partly fixed and partly fluctuating land revenue is charged ;
- (b) whether there are any rules to relax fixed land revenue leviable on these areas, in the event of *chzhi* areas receiving no water from wells during the year ;
- (c) if the reply to (b) be in the affirmative, whether such rules (regarding the relaxation of fixed land revenue) have ever been observed in Dera Ghazi Khan district ;
- (d) whether it is known to the Government that poor land owners have to dispose of lands to make payments towards fixed land revenue of Ghair Jari wells ;
- (e) whether the Government can produce a statement showing the number of processes which were issued against the land owners of Dera Ghazi Khan district during the last five years for the recovery of fixed land revenue ;
- (f) whether it is a fact that owing to fixed land revenue heavy arrears are outstanding in Dera Ghazi Khan district, the recovery of which is almost impossible ;
- (g) whether it is a fact that owing to fixed land revenue heavy arrears were outstanding in Muzaffargarh tahsil the recovery of which was considered as impracticable and that these lands are now subjected to fluctuating assessment and the old arrears of revenue were remitted ;
- (h) whether it is true that the land revenue rates of *sailab* tracts of Dera Ghazi Khan district are far higher than the land revenue rates of identical soils in Muzaffargarh district in spite of the fact that the *sailaba* areas of Dera Ghazi Khan district are subject to *rodkahi* damages ;
- (i) whether the Government is considering measures of relief for zamindars of Dera Ghazi Khan district?

The Honourable Mr. Miles Irving : (a) *Chahi-nahri* lands in the Dera Ghazi Khan district are assessed to fixed land revenue. Fluctuating land revenue in addition to fixed land revenue is assessed on crops matured on such lands with the aid of canal irrigation ;

(b) No.

(c) Does not arise.

(d) Government have no information.

(e) Statistics of coercive processes for the collection of the Government demand in the Dera Ghazi Khan district are given in statement XI of the reports on the Land Revenue Administration of the Punjab for the years in question to which the honourable member is referred. It is regretted that

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statistics for the recovery of fixed land revenue as distinguished from fluctuating land revenue and *abiana* cannot be furnished, because their collection would involve a disproportionate amount of trouble and expense.

(f) No, the total outstanding balance of fixed land revenue at the end of January last was Rs. 8,155 which is neither heavy nor impossible to collect ;

(g) It is correct that the fixed assessment introduced in the Thal and a portion of the Pucca circle of the Muzaffargarh tahsil from *kharij* 1925 was replaced by a fluctuating assessment. When this was done the old arrears of land revenue were remitted ;

(h) It is not correct that the land revenue rates of such *sailab* tracts of the Dera Ghazi Khan districts as are subject to *rodkahi* damage are higher than the land revenue rates of identical soils in the Muzaffargarh district. The *sailab* tracts subject to *rodkahi* damage in the Dera Ghazi Khan district have been assessed at rates which are comparatively lower than the *sailab* rates in the Muzaffargarh district.

(i) No special measures of relief seem to be necessary.

APPOINTMENT OF HEADMASTERS.

771. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

(a) whether it is a fact that some junior-most men in the grade of Rs. 140—10—190 and even in Rs. 110—5—135 are posted as headmasters, Government High School, Hissar, Patto Hira Singh, Gohana, Aliporo and Taunsa ;

(b) if so, why the claim of senior men in the grades of 200—10—250 and Rs. 140—10—190 with good official record have been ignored ?

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

(b) In making appointments of headmasters of Government schools many factors are taken into consideration, e.g., seniority, administrative capacity, record of service, suitability for the post, etc.

ASSISTANT DISTRICT INSPECTORS.

772. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

(a) whether it is a fact that junior-most men in the grade of Rs. 80—4—100 and Rs. 110—5—135 are posted as assistant district inspectors and personal assistant to district inspectors ;

(b) what is the object of such postings ; and why the claims of senior men are brushed aside ?

The Honourable Malik Sir Firoz Khan Noon : (a) The majority of assistant district inspectors are in the lower grades of the Subordinate Educational Service. At present there is no such post as personal assistant district inspector.

(b) In the appointment of assistant district inspectors aptitude and suitability for the post are the chief factors considered. Moreover as the appointment of an officer as assistant district inspector does not involve promotion in pay or status, seniority is not considered.

GRANTS-IN-AID.

773. Rai Bahadur Lala Sewak Ram : (i) Will the Honourable Minister for Education be pleased to place on the table a statement of grants-in-aid given to the anglo-vernacular schools in the Multan division in the year 1931-32 and 1932-33 ?

(ii) Will he kindly state—

- (a) whether the award has been made on the uniform basis to all the aided schools ;
- (b) if the answer to (a) be in the negative, the grounds which led to a differential treatment ;
- (c) whether a copy of the calculations on which grants-in-aid are based is supplied to the schools concerned ?

The Honourable Malik Sir Firoz Khan Noon : (i) The honourable member is referred to the printed statement of grants-in-aid sanctioned for privately managed and board aided secondary schools in the Punjab during 1928-29 to 1932-33. A copy of this statement was supplied to all the members of the Legislative Council in January last.

(ii) (a) Yes.

(b) Does not arise.

(c) The inspectors are authorised to supply on request to the management of an aided school details of the grant calculated for the year, *after the grant has been sanctioned by the Department.*

AUDIT.

774. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state—

- (a) whether a timely notice is given to the Government offices and schools by the auditors about the date of the checking of their accounts ;
- (b) whether the same procedure is followed in the case of private aided schools ;
- (c) if the answer to (b) be in the negative, the reasons for the same ?

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

(b) and (c) Yes ; but if there are reasons to suspect that accounts are not being properly maintained the auditors visit the schools without notice.

ALIENATION OF LAND IN MANDI BAHU-UD-DIN.

775. Khan Bahadur Malik Muhammad Amin Khan : With reference to the answer to starred question No. 2452¹, will the Honourable Revenue Member be pleased to state—

- (a) the extent to which the original illegal sales mentioned in the list appended to the proceedings have been converted automatically under section 14 of Land Alienation Act into usufructuary mortgages ;
- (b) the extent to which the sales have been validated retrospectively by the Deputy Commissioner in sanctioning permanent alienation of the said transactions ;
- (c) the result of the inquiry regarding the loss of the original file and the disciplinary action taken against those responsible for the loss ?

The Honourable Mr. Miles Irving : (a) Government are not in a position to indicate the extent to which section 14 of the Punjab Alienation of Land Act may be deemed to have taken effect in individual cases within Mandi Baha-ud-Din.

(b) Nil.

(c) The attention of the honourable member is invited to the reply given to parts (a) and (b) of starred Council question No. 2900.²

GOVERNMENT'S DEMANDS FOR GRANTS.

IRRIGATION—(concluded).

Mr. President : The Council will now resume discussion on Mian Nurullah's motion regarding *warashikni* cases.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I was drawing the picture of the great strife between two great communities that was due to *warashikni*. Before I take it up, I should like to explain what *warashikni* means as some of my honourable friends do not know it. *Wari* is the right of taking a share of water by turn from any outlet and *warashikni* is just to set aside the turn or usurp that share or interfere with *warabandi* as it is called. On the last day I was pointing out that on one side there was the police armed with a small minority of that Baloch village and on the other side there was a huge crowd of 200 or 300 people collected and drawn up and the police feared that they might be attacked. They, therefore, took the initiative and fired and killed six of that crowd. That is what happened. Murders otherwise are a commonplace thing due to *warashikni*. Now that very village is all alone amongst the Kharl villages there and the people are always afraid of their lives. They are anxious to forsake their home and hearth where they lived for so many years. They are anxious to approach the Government in this behalf and I will appeal to the Financial Commissioner that if they apply for transfer he might consider their case favourably. Otherwise their lives are always in danger. On the one side I have described what happens in the case of an absentee landlord and his *munshi*. In this case as it happened to be my own *munshi* who happened to be a law abiding man everything went on peacefully. Otherwise there would have been murders probably on that *warashikni* also. I have just described the end of that long struggle between the

¹Volume XXI, page 980.

²Page 414 ante.

two communities. Now most of them have been challaned and others released on bail and so on. There is always trouble in my constituency itself. Now, Sir, the remedy that I want to suggest is very modest. In other countries remedies are often very severe. The other day I was talking to the Chief Engineer. I was told that one of the engineers went to America to study the canal irrigation there. He inquired what they do in cases of *warashikni*. He was told "we bury the man." That is, if anybody commits *warashikni* one of the shareholders comes and shoots the man with his revolver. This is done in the United States of America. I do not suggest here that men should take law into their hands. The Honourable Finance Member would in that case come up for more demands to meet all such things. The only remedy I suggest is immediate action. Such cases should be tried on the spot and summary punishment given. For many years I have been a member on the Canals Standing Committee and I find that there has been some opposition to arming the canal officers with magisterial powers. That is probably done in a right spirit, because when canal people had the magisterial powers, some of them instead of using them properly, misused them. It is possible that some of them saw somebody going on the canal bank, caught hold of him and challaned him there and then. Therefore the remedy suggested by me is that cases where the canal people also are a party, should go to the civil or some other magistrate. But cases where the canal people are not a party, may be tried by the canal officers. That will solve the problem. I am always against these cases being tried by tahsildars. They cannot understand the meaning of some of these terms. They do not attach importance to them. You will be interested to know that some of them do not know the meaning of the word *naka*. For instance, one tahsildar in my district was hearing a case concerning the canal and the question of *naka* was before him. *Naka* is just the place where I get my water for my field and so does my neighbour get water for his field from his *naka*. So the question was before him and both parties were there, being represented by lawyers. The tahsildar, probably a non-agriculturist or one who did not take interest in these matters, could not understand the subject. He asked what was the trouble. The parties explained. Then he said; this is a simple matter. It is a question of 3 *nakas*. You take 1½ and let the other man take 1½. He was not aware that a *naka* could not be divided. That is how things go on. However, Government should take keen interest in this and find immediate solution. They might appoint certain special officers to try these cases. On the report of a *warashikni* case the special officer should proceed to the spot, set the matter right, make a summary trial and decide the case then and there. If that is not possible for the present I would go further and suggest to Government that they should afford some other remedy. The interference with authorised distribution of water or its unauthorised use is dealt with by section 70 of the Canal Act, part IV. In this section the authorised distribution should be extended to cover a distribution privately arranged by more than half the shareholders and acted upon for some time. That is one way in which the evil could be remedied to some extent. My second suggestion is that as soon as a *warashikni* takes place the lambardar should be asked to report the matter to the authorities. If he does not, he should be liable to pay a fine. As soon as the report is made

[Mian Nurallah.]

the police and the magistrate in charge should proceed to the spot and take necessary action. Further, if no action can be taken and the parties are turbulent, the divisional canal officer should be authorised to close the outlet for a certain number of days. If they are to do this under rule 15, the rule should be modified so as to expressly state that cases of *warashikni* should come under the word administration. It is possible that there might be some opposition to this cut, for the reason which I have already stated, that the canal people have been rather hard and misusing the powers given to them in the past. The powers need not be given to them. Special officers may be appointed if necessary. Deputy collectors who have retired or are about to retire after magisterial training under the Deputy Commissioner might be useful for the purpose.

With these words I move this cut.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member): I am very glad the honourable member has brought up this question. My only disappointment is that some more zamindar members did not give us the benefit of their experience personally or otherwise and still more, of their advice. Because, this difficulty in regard to *warashikni* in truth dates from the time when it was decided at the instance of the zamindars as a whole to withdraw the magisterial powers from the officers of the Canal Department. Those powers were withdrawn in 1923 on the recommendation of the Le Rossignol Committee. The case was, however, considered from time to time. The then Governor, His Excellency Sir Malcolm Hailey took it up in 1925 and the then Chief Engineers recommended that magisterial powers should be restored to the officers of the Canal Department. When this matter was placed before the Canals Standing Committee of this House in 1926, the non-official opinion was that the withdrawal of magisterial powers from officers in the Irrigation branch should continue and in cases of delay on account of the tahsildars going on tour, the agency of the honorary magistrates should be used where necessary. Complaints of the kind which the honourable member has brought forward continued to arise and Sir Malcolm Hailey observed in 1927 that in his opinion the present system by which tahsildars and naib-tahsildars try or pretend to try *warashikni* disputes was wrong. As this is the view of the honourable member, so I think it is the opinion of Government also. To begin with, these officers are not really conversant with the ways of canals. And another thing is that even if they were, they are too far off. Cases of *warashikni* once they arise demand to be tried on the spot, and if you wait to get the antidote from Iraq, the patient is by that time dead.

The case has again been raised. It came before the Canals Standing Committee in 1931 to reconsider the restoration of magisterial powers to certain selected deputy collectors. But non-official members did not favour the proposal. Again it was finally decided to lay it once more before the standing committee. It was not possible at the last meeting for the standing committee to consider this question for want of time. But

it will be considered at the next meeting and I am sure that the discussion of this matter in this House would be of value. For my part subject to anything that may be laid before Government by that committee, I am disposed very much to favour the suggestion made by the honourable member, and that is that there should be a magistrate specially selected and placed at the disposal of the administration in a canal area for the special purpose of doing nothing else except going to the spot and deciding *warashikni* cases. There are also some points of detail which the honourable member has mentioned and they will be borne in mind in the course of framing the rules. To make provision for taking prompt action is also a matter which is being laid before the Canal Standing Committee. I, therefore, hope that the honourable member will be convinced that this is a matter which not now for the first time has exercised the anxious care of Government.

Mian Nurullah : I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : A general motion for the reduction of *abiana* has already been discussed and disposed of. The only difference between that motion and the next motion which stands in the name of the honourable member for Lyallpur is that here he mentions a definite percentage.

Mian Nurullah : That is the only difference and a great difference too. We do not know what the recommendations of the *Abiana* Committee are. The recommendation might be for more than 25 per cent. which I do not hope it would be or it might be for less, and very likely it is for a reduction smaller than that. I have suggested a definite percentage and I think the motion is quite in order.

The Honourable Mr. Miles Irving : The amount of reduction, namely 25 per cent. is very vital. The general principle that *abiana* ought to be reduced need not be acted on here or immediately. An injunction to Government to reduce by a definite amount is a very different matter.

Mr. President : Yes.

The Honourable Mr. Miles Irving : But whether the House desires the reduction or not in view of the assurance that the report of the committee is now before the Government is another matter. As I suggested to the House and as I think the House has agreed there is a certain atmosphere of unreality about the discussion in such circumstances.

Mian Nurullah : The question is that there might be a great difference in the actual recommendations of the committee. That has been discussed. If it is a question of just one or two per cent. this way or that it would not matter. If the Government are sure that the recommendation is not far away from 25 per cent. I shall not proceed to move this cut.

The Honourable Mr. Miles Irving : Government has not even got the report. I can have no feeling of assurance in my own heart myself nor is there any in that of the honourable member sitting next to me, (*referring to the Honourable Finance Member*). How can I give any assurance?

Mr. President : A nominal reduction of Rs. 100 was moved by Khan Bahadur Sardar Habib Ullah with the object of drawing the attention of Government to the necessity of taking immediate action on the *Abiana*

[Mr. President.]

Committee's report. That motion has been discussed, but though it urged a reduction of canal rates it did not mention any specific percentage.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): It is possible that some of the arguments for a reduction of the rates have already been advanced. But this little discussion on my motion might persuade Government to take urgent, sympathetic and more liberal action on that report when it is received.

I beg to move—

That the total grant be reduced by Re. 1.

I want to urge that the water rates might be reduced by 25 per cent throughout the province. I would not myself like to repeat any of the arguments advanced already or to go through the discussion once again and take the time of the House. I would, therefore, be very brief and just try to press upon the Government the necessity of a 25 per cent. reduction, if not more. (*The Honourable Sir Henry Craik*: I think the last words, "if not more" are not in order). If you look at the expenditure side of the budget in regard to this department it will be found—and we all remember that this point has very often been pressed on the floor of the House by the honourable the predecessor of the Revenue Member here,—that we have brought about so much retrenchment, we have done so much by way of economy, we have reduced expenditure here and there and that the budget figures show that the amount reduced has been a substantial amount. It has been argued—it has ever since been argued since the *abiana* was increased, and in reply to the motion urging a twenty-five per cent. cut in *abiana* that was moved by me at Simla in 1931 it was repeated by Mr. Calvert—that water is a commercial commodity. As this point was not discussed on the last motion I think I would be in order in referring to it.

This is a commercial commodity and the price should be charged according to what it costs Government to put water on an acre of land, so much is due to interest, so much is due to establishment and so on and so forth. My argument is that if there had been so much reduction in expenditure the price of putting water on to an acre of land has been reduced and therefore that very argument that was then applied against me goes in my favour and I therefore recommend that *abiana* be reduced on that very ground.

Another argument is that *abiana* is only a means and the prices of all the commodities that are produced by this *abiana* have been reduced. If you see the rates prevailing in 1923 or 1924 when it was increased and compare them with the rates prevailing now, you will find the difference yourself. Wheat was selling at about Rs. 7-8-0 and the *abiana* before it was increased in 1924 was Rs. 3-12-0. It required only 20 seers of wheat to pay up the *abiana*, but now wheat is practically round about Rs. 2 and the *abiana* rate was raised which is now Rs. 5-12-0. That means that a zamindar has to pay or sell about 2 maunds 20 seers of wheat to pay the same amount. That is another argument. I do not want to make the discussion lengthy, and draw more upon the time of this House, but I would draw the attention of the House to my speech on the reduction of *abiana* printed on page 41 of the Punjab Debates, Volume XVI of 1930. There you will find an elaborately worked out chart giving the income and expenditure of the owner of on

square of land. It is drawn up from the Farm Accounts prepared by Mr. Stewart and from a Text Book of Agriculture by Mr. Roberts. I have drawn out the details—wheat 11 acres, sugarcane 1 acre, gram 2 acres, fodder 2 acres, and so on. All these gave me a total income of Rs. 1,452, and corresponding to this on the same basis I work out a figure of Rs. 1,203 as expenditure, leaving a poor margin of Rs. 249 for a whole family consisting of himself, four or five children and a sister or mother. If this is brought up-to-date you will find the other argument that I want to advance, that we are paying out of our own pockets while on the one side we have no resources to draw upon. Therefore if that is worked out on up-to-date rates, you will find that the income is now hardly Rs. 1,000 and the expenditure just over Rs. 1,000. That means that practically nothing is left with the zamindar. If you work out on the basis of 25 per cent. reduction, you will find that he will be left with a little margin for the next six months. Therefore, with these main arguments and knowing that the sympathy of my honourable friends opposite which was not with me before is with me now, as the honourable Raja Sahib has very often proclaimed in his seat on the floor of this House, I request that the *abiana* be reduced by 25 per cent.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

Mr. E. Mayadas (Non official, nominated) (*Urdu*): Sir, all the members have supported the honourable mover of this cut. In all those places where the burden of land revenue is heavy and the people have not got the capacity to pay, it is but reasonable that the Government demand should be reduced. But in the canal-irrigated areas the land is not of the same quality; at some places it is very fertile and at others it is less so. In some places water is plentiful, while at others it is not so.

Mr. President : That is not the matter under discussion.

Mr. E. Mayadas : I am coming to that also. If in this country all the land had been of uniform quality, giving a uniform yield then it would have been a comparatively easy matter to settle this question. But unfortunately in our province we have got different classes of land. Some are irrigated by canals and some by wells. While there are other lands which depend upon rainfall. Then again, those lands which depend upon canals for irrigation are of two kinds. Those in which canals run for the whole of the year and those in which they run in certain seasons of the year only. Therefore, it is necessary that the Government should bear in mind, before deciding upon any remission, the cost of irrigation which the zamindars cultivating the various classes of land have to meet in irrigating their crops. The areas in which people have to water their lands by wells the cost is very high. Therefore, I say that if Government takes any action to reduce *abiana* they should also keep in mind those parts of the province where there are no canals and where generally land is *chahi*.

Mr. President : This has nothing to do with the motion now before the House.

Mr. E. Mayadas : Sir, I was saying that Government may very kindly reduce the burden of land revenue in such areas only where it is very heavy. With these words I resume my seat.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural) (*Urdu*): Sir, I am convinced that whenever anything is proved by facts and figures to the Government, they generally accept the proposition. Several times it has been shown that the rates were enhanced at a time when the agricultural commodities fetched very high prices. It has been proved on various occasions by facts and figures. If they had been favourable to Government's interest they would certainly have taken action at once, otherwise generally they sleep over it. The Government at that time when it enhanced the water rates argued that the zamindars got good prices for their produce, and that as they were well-to-do they could afford to pay higher water rates. Now the prices have fallen and the yield of the agricultural commodities which water helped to grow has also decreased. It is but reasonable that Government should reduce their demand. Now that the Government is seriously considering the report of the *Abiana* Committee, I will request the honourable mover not to insist on any particular percentage that the Government may reduce.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (*Urdu*): I rise to associate myself with what Sardar Bishan Singh has said. There is no need of insisting upon any percentage of the reduction of rate nor to embarrass Government in this respect. The Government have got with them the report containing all facts and figures. In view of those facts and figures and also considering the needs of special areas Government can decide what percentage of rates can properly be remitted.

Mian Nurullah: Sir, I do not want to embarrass the Government as pointed out by Raja Sahib and turn them down to a reduction of so many annas and pies. Therefore in the circumstances I beg for permission to withdraw the motion and leave Government to have a free choice.

The motion was by leave withdrawn.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the total grant be reduced by Re. 1.

Sir, I have moved this cut in order to urge that the *haq* of irrigation in Ara Sub-division of the Lower Jhelum Canal be raised to a minimum of 60 per cent. The land commanded by the Lower Jhelum Canal is of two kinds. First, that which Government granted or sold to people. Second, that which belong to the people of that part of the district. The land which was granted or sold by the Government to the people is given 75 per cent. irrigation while the land that belongs to the people is given only 40 per cent. irrigation. This means that Government undertakes to irrigate 75 acres out of 100 acres granted or sold to the people. And for the irrigation of that land which belongs to the people it is responsible for the irrigation of 40 acres out of 100 acres in a year. So far as the land of the people is concerned, the Government gives water sufficient to irrigate 13 acres in *kharif* and 27 acres in *rabi*. This is how the water is distributed in Ara Sub-division. The soil of this *ilaga* is very hard. So long as water remains standing on land the yield is good, but as soon as there is no water the crops become scanty and the yield also becomes small. Several times the attention of the Government has been drawn to this matter by means of cuts and

resolutions. But Government has not done anything to accede to the request of the people of this sub-division. There is no reason why one part of this sub-division should be granted 70 per cent. *haq* and the other only 40 per cent. It might be said in answer that if the *haq* of this *ilaga* is increased it might result in water-logging. If 75 per cent. *haq* does not result in water-logging how can 60 per cent. result in water-logging? Then, again, there is no danger of water-logging in this area if the *haq* is raised from 40 per cent. to 60 per cent., for there are already two drainages through which the excessive water flows out of it. In addition to these there is one more. This is the Raniwah drainage. As soon as it is dug it will help to take a good deal of excessive water out of this *ilaga*. Therefore, there is absolutely no danger of water-logging. I would request the Government that they may very kindly increase the *haq* of irrigation in Ara Sub-division from 40 per cent. to 60 per cent.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member): Sir, there is no doubt that the Ara tract has been rather hit by the closures that had to be made on account of water-logging. I need not take up the time of the House with this story of water-logging and the great dangers to which cultivation in canal areas is exposed. It is a fact that the case of this particular area was discussed in this Council on the 29th of November 1928. Since then the matter has been referred to local engineers, and they find that if the intensity of irrigation is to be increased it is absolutely necessary that drains must be constructed throughout to deal with the seepage water and storm water during the monsoon. The question of drainage has been taken up by the Drainage Board and a five-year programme has been set on foot including the excavation of the Lower Raniwah Drain which the engineers think must precede any increase in the intensity of that tract. The view of Government is that as soon as the drains have been constructed, if it can be satisfactorily shown that it will stop further rise of the sub-soil water, Government will be prepared to consider the question of raising the intensity in this particular area.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu): Sir, in view of what the honourable member has said and also in view of his promise that the Government will consider this matter after the Raniwah drainage has been constructed, I beg leave to withdraw this cut.

The motion was by leave withdrawn.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu): Sir, I beg to move—

That the total grant be reduced by Re. 1.

Sir, I have moved this out in order to urge that concession be restored on *chahi* lands irrigated by the inundation canals of Shahpur district. The lands in the Shahpur district are irrigated by perennial and non-perennial canals. The supply of water in the latter depends upon flood in the river. Before 1921 the water came in these canals in the summer season, and in winter there was no water in them. Even in summer the supply was not uniform throughout the season. Sometimes water ran in them for three

[K. B. Mian Muhammad Hayat Qureshi.]

months and sometimes for four months. The zamindars of the *ilaga* used to water their crops once, and for the second watering they depended upon wells. The Government also charged half of the *abiana* from them. Up to 1921 this practice continued, but after that the Government began charging full rates of *abiana*. The crops are given water only once by the Government but full rates of *abiana* are charged. As compared with the other inundation canals of the province this is the only canal which is productive. All the others are unproductive. However, there is one exception, and that is the Ghaggar Canal which is productive. The water rates are paid by the landlords from their own pockets. On the perennial canals the water rates are charged at Rs. 4 per acre. Out of this sum half is paid by the owner and the remaining half by the cultivator. But on the inundation canals of the Shahpur district the whole amount is paid by the owner. This heavy burden could be borne when the prices of agricultural produce were high, but in these days when there is such an unprecedented fall in the prices, to meet such high demands of the Government has become difficult. I request the Government to grant the same concession which they granted before the year 1921. This is a small matter, and if this concession is granted it will not affect the land revenue receipts very much. This concession is to be granted only to a small area. I hope in view of the present position as explained by me the Government will kindly see their way to accede to this simple request.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member): Sir, the history of the concession the honourable member has referred to is rather curious, because this concession was introduced by Sir James Wilson as settlement officer on his own authority and it was subsequently withdrawn by Government. The present rule is what prevails generally in the province. Government has had representation made about this question. It is possible that the rates in this canal colony is higher than elsewhere as stated by the honourable member. The Government sent this representation to the Commissioner for enquiry sometime ago, and they are still awaiting his report. The honourable member, I hope, will not expect me to say anything more on the subject at present.

Khan Bahadur Mian Muhammad Hayat Qureshi (*Urdu*): In view of the reply of the Honourable Revenue Member I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): Sir, I move—

That the total grant be reduced by Re. 1.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving : On a point of order. I am not quite sure what will be the effect of this cut motion. Government has not the least objection to the discussion of the motion, but I should like to know that will be the effect if the motion is accepted by the House or rejected.

Sardar Bahadur Sardar Buta Singh : I only want to draw the attention of Government by this cut motion to the utter helpless situation of the zamindars of village Chak No. 20, Gugera Branch, because their lands and houses have been damaged by water which came out from the canal. I want that Government should take some sympathetic action towards these people. So many petitions have been made and so far nothing has come out of them. I do not, however, propose to press the motion to vote.

The Honourable Mr. Miles Irving : It would perhaps be sufficient for the honourable member if I say that the attention of Government has been drawn to this particular case. The sub-divisional officer inspected the place and prepared a detailed statement of the damage to crops. Remissions have been allowed. It was too late to give remissions in the last *kharif*, but remission has been given in the present *rabi*. The damage seems to be not very large, it is only about Rs. 300 worth. I may assure the honourable member that the condition of the people has been considered.

Sardar Bahadur Sardar Buta Singh : I want to say a word in regard to this subject.

Mr. President : Is not the honourable member satisfied with the statement of the Revenue Member ?

Sardar Bahadur Sardar Buta Singh : I am not prepared to accept the statement that the damage was only to the extent of Rs. 300. I do not know whether I correctly understood him to say that the damage was only to the extent of Rs. 300.

The Honourable Mr. Miles Irving : Yes, the sub-divisional officer made an enquiry into the matter, and according to him the total damage done was to the extent of Rs. 300.

Sardar Bahadur Sardar Buta Singh : I submit that the report of the sub-divisional officer is absolutely incorrect if I may be allowed to say so. As far as my information goes, not only crops such as sugarcane, maize, cotton, etc., which were standing at the time were inundated by the huge floods, but also the residential houses were damaged. I am told that even a mosque situated in that village and a gurdwara heavily suffered on account of that flood. When I am told that the extent of the damage was only Rs. 300 I fail to understand why the people on the spot whose business it is to look after the interests of the people there should have failed in their duty both to the zamindars and to the Government as well.

The Honourable Mr. Miles Irving : The sum of Rs. 300 does not include the value of crops. It represents only damage to houses.

Sardar Bahadur Sardar Buta Singh : As far as my knowledge goes, many applications were sent to the higher authorities, and even during the last month I went to the deputy commissioner with certain people and requested him that these people should not be charged water rates at least on their damaged crops. At that time that very reasonable and simple request was not acceded to, but if the Government has done something to repair that damage on account of the crops as well, then I think I can withdraw this cut. But I would request the Government that they should thoroughly try to investigate

[S. B. Sardar Buta Singh.]

such cases, because I would remind them of one thing. We have been again and again told in this House that this Canal Department from now on is to be run on business lines like a commercial concern. But I fail to understand why they do not follow business lines in all matters. If a person is to deal with a commercial firm and if he makes any complaint it is at once attended to. But here these poor people do not understand what their fate is. I therefore request, if they really want to make it a business concern, that they should try and make it a business concern in the real sense of the word. Otherwise it will be like the Punjabi proverb

ڈاھڈے نال بھیا لئی - اوہ منگے حصہ اوہ کڈے گا لئی

I request that this should not be. No business concern can run on such lines. Since the Honourable Revenue Member has given this assurance and said that something has been done, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 98,28,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1935, in respect of Irrigation.

The motion was carried.

IRRIGATION ESTABLISHMENT—OPEN CANALS AND SUTLEJ VALLEY PROJECT.

The Honourable Mr. Miles Irving : Sir, I move—

That a sum not exceeding Rs. 84,80,200 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, 1935, in respect of charges on Irrigation Establishment—Open Canals and Sutlej Valley Project.

Mr. President : Motion moved—

That a sum not exceeding Rs. 84,80,200 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, 1935, in respect of charges on Irrigation Establishment—Open Canals and Sutlej Valley Project.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) :
Sir, I move—

That the grant be reduced by Rs. 11,833-5-3 with respect to the item of Rs. 3,54,100, Chief Engineers.

It has been prominently brought out in this budget discussion as well as during the time when we have been discussing the various cuts on various demands that some measures must be adopted either to increase the revenues or to bring down the expenditure. Member after member stood up and brought it to the notice of Government that as a matter of fact the budget estimates were too optimistic, and therefore there was not much likelihood of the budgeted income even coming to the Government. Therefore there is absolutely no likelihood of our increasing the income, and further more there is the question of taxation and, here also it has been decided that

the tax paying capacity of the people does not admit of any new or extra taxes. Therefore the only solution is that somehow something should be done to bring down the expenditure as far as possible. Now I will take the question of chief engineers in the Punjab. Honourable members are aware that there are at present three chief engineers. One of them is rather a recent addition. He came into existence with the Sutlej Valley Project, and if I understand rightly I think that the project has been almost completed. The question of the reduction of at least one chief engineer has often been examined. It was examined by the Retrenchment Committee in 1931. There the view was this. One section of the committee, that is, the minority, viewed that some reduction should be effected in superintending engineers, while the majority favoured the view that the superintending engineer was an important link and this reduction was not possible, and that the doing away with the chief engineer was out of the question. But at the same time it was urged that some reduction should be made in the number of chief engineers. It was recommended by the Retrenchment Committee that at least it was problematic whether such a highly paid officer was absolutely necessary for the Sutlej Valley Project. I understand that there were certain clauses in the agreement between the Durbars which were affected and the Punjab Government, whereby the Punjab Government were bound to keep a chief engineer of a very high standard and very high qualifications. Perhaps that was what the other contracting parties, the Durbars, insisted on. But now that the Sutlej Valley Project has been completed, it should be the serious concern of the Punjab Government to tackle this question to the satisfaction of the tax-paying public. As a matter of fact, what the Retrenchment Committee at that time urged was that superintending engineers might be given some more financial and administrative powers which would result in the reduction of work of the chief engineers at the centre. In this way also it is possible to effect a reduction of at least one chief engineer out of three. The other day the Honourable Finance Member remarked, in reply to an enquiry from a certain member, that the recommendations of the Retrenchment Committee have been adopted to the extent of two-thirds. It would have been better—and I remember that in 1932 and in 1933 I personally brought this question to the notice of the Honourable Finance Member—it would have been much better had he been pleased to issue a statement showing what recommendations of the Retrenchment Committee had been carried out and what are still awaiting to be carried out, so that we might have been in a position to gauge the situation correctly. But that has not been done. Therefore, in the interests of economy I would commend this motion for the acceptance of the House.

Mr. President : Motion moved—

That the grant be reduced by Rs. 11,833-5-3 with respect to the item of the Rs. 3,54,100, Chief Engineers.

Chaudhri Allah Dad Khan (Ambala division, North East Muhammadan, Rural) : I rise to support the motion under discussion. The question of suggesting means by which the expenses of the Government can be reduced would properly be solved by this motion. I remember the Retrenchment Committee recommended the reduction of one of the three chief

[Ch. Allah Dad Khan.]

engineers. There is no other fitter time than the present when one chief engineer should be brought under reduction. As the honourable mover has pointed out, the work for which the chief engineer was appointed, namely, the Sutlej Valley Project is now nearing completion, and I think this is the most opportune time for reducing this chief engineer who is in charge of the project. The only thing that remains there is the winding up, and this can be done by the other two chief engineers in addition to their own duties, and if a large amount can be saved by this means there should be no hesitation on the part of the Government to accept this modest demand. If, as has been recommended by this Council, a substantial relief is to be given to the agriculturists, money should surely be found by all possible means, and I doubt how if the Government will not accept this modest demand, it is going to give relief to the agriculturists, the necessity of which we indicated the other day by means of a token cut. Apart from financial considerations, the Government is obliged to give relief to the agriculturists on considerations of equity and justice for the simple reason that the rates prevailing to-day are three times more than when the land revenue was fixed. The relief has to be given somehow or other, and whenever we ask for relief Government is always ready with excuses: "How can we find out the money,"—the Honourable Finance Member is not here who says so—"for giving relief to the extent of 116 lakhs as is demanded by this Council unless we find some means of retrenchment?" I think the calculation was exaggerated. It does not come to so much. But it certainly does come to a very substantial amount, and a part of that amount can be made up by the item under consideration. If this item is accepted we will point out many others in this very budget from which money sufficient to meet the demands of agriculturists would be forthcoming. What is wanted is that there ought to be a change of heart on the part of Government, willingness to listen to our suggestions. If the suggestions are accepted, the Government would be saved of one great trouble.

Mr. President : Which suggestions is the honourable member now referring to ?

Chaudhri Allah Dad Khan : I mean to say that here is one suggestion and there are many others which will be put forth in the course of the discussion of the budget.

Mr. President : A specific item is under discussion, not the whole budget.

Chaudhri Allah Dad Khan : I have just pointed out that here is one source. Let us see the willingness of Government to accept this cut so that we may be assured that Government are inclined to give at least part of the relief claimed for the zamindars.

If there was any necessity for the officer I concede Government cannot agree to this cut. Now there is no urgent need for the services of this gentleman who is acting as the Chief Engineer.

Mr. President : The salary of the chief engineers, as given on page 130 of the Budget Estimates, is Rs. 10,04,400. So, if the object of the honourable members to remove one chief engineer out of the three, nearly Rs. 30,000 must go.

Chaudhri Allah Dad Khan : If one chief engineer is removed we will be saving what is paid to him as salary for the whole year. That is my argument, and I support the cut.

The Honourable Mr. Miles Irving (Revenue Member) : The item that is proposed to be refrenched is involved in obscurity, and, to my mind, the honourable member has not clearly stated what the intention is which the motion is intended to serve. It is in reference to a sum of Rs. 11,000, and I think probably the intention of the honourable member was to have a certain effect on the mind of Government as to the appointment of one of the three chief engineers by removing a certain portion of his establishment.

I think there is one reason which I am sure the honourable member will probably accept why the Government cannot accept the motion and that is the agreement into which the Punjab Government have entered with the State of Bahawalpur and the State of Bikaner in respect of the Sutlej Valley Project. Article 20 says :

“ The original construction of the canals, collateral works including distributaries shall be carried under the control of the chief engineer appointed by the British Government whose sole charge would be the construction and working of this project.”

And at the present day it is not really possible for the Punjab Government in consideration of this agreement into which it has entered to reduce the post of one chief engineer. I think the honourable member will probably accept that assurance and withdraw his cut.

Sardar Arjan Singh : Even if the services of that engineer cannot be dispensed with in view of the agreement, I made the other suggestion that some superintending engineer might be given more administrative powers. However, in view of what the Honourable Revenue Member has said I beg to withdraw my motion

Leave not being given the motion was put and lost.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : I move—

That the grant be reduced by Re. 1, with respect to the item of Rs. 13,29,970, charges on Irrigation establishment—A-7—Special Revenue—Pay of Establishment.

My object in moving this cut is to invite attention once more to the fact that the representation of statutory Hindu agriculturists among certain cadres in the Irrigation Department is extremely inadequate. I need say no more on this motion than just quote the figures which we find in the consolidated statement. I will first take up zilladars. Here we find that among Muslims the percentage of statutory agriculturists is 88. Among Hindus the percentage falls to 22·7. Among Sikhs it is 65·6. Among candidate zilladars the percentage among Muslims is 98, among Hindus it drops to 27, and among Sikhs it is 80. Coming to *munshis*, we find that the percentage of statutory agriculturists among Muslims is 78, among Sikhs it is 56 while the same percentage among Hindus is 20. In the cadre of patwaris we find the percentage of statutory agriculturists among Muslims is as high as 80·4. The percentage of statutory agriculturists among Hindus is 14, while among Sikhs it is 55. After having gone through these figures I do not think any speech would really be needed. While personally I would

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not mind one per cent., two or even five per cent. this way or that way, when I find that the percentage of statutory Hindu agriculturists even among patwaris is as low as 14 I certainly have very valid ground to complain against the treatment that has been given to statutory Hindu agriculturists. It cannot be suggested that men with adequate educational qualifications cannot be found from among Hindu agriculturists even for the post of patwari. The only qualification that has been laid down for patwaris is a vernacular middle certificate or matriculation. If a man has not been able to go through the vernacular middle school examination, he must have a matriculation certificate in order to be appointed to the post of a patwari. I do not think it can be seriously maintained by anybody in this House, whether official or non-official, that vernacular middle passed candidates, or even matriculates from among Hindu zamindars cannot be had in sufficient numbers. In the cadre of *munshis* we find the same story repeated. The percentage is as low as 20. Sometimes it is suggested that if recruitment of any particular class or community has been heavy to begin with, then it becomes rather difficult for other classes to make up the leeway. Originally there was a dearth of men with necessary education among agriculturists, and therefore there was some excuse for there being a lower representation among cadres which have been in existence for a very long time. But I shall draw the attention of the Honourable Revenue Member to the fact that the post of *naiib-zilladar* or candidate *zilladar* is one of recent origin. Even here I am surprised and pained to find that for 13 Hindu non-agriculturists, we have only 5 Hindu agriculturists. It is a disgracefully low percentage. It is only 27. Nobody can say that there was a very heavy recruitment from among non-agricultural classes long, long ago and therefore it would take some time to give more appointments to statutory Hindu agriculturists and to bring up their share to something like that to which they may be considered to be entitled on the basis of their numerical strength. Here is a post which has been created during the last three or four years but even here the recruitment of Hindu zamindars is most disappointing—thirteen non-agriculturists and 5 agriculturists. There is no justification for such low representation except this that the statutory Hindu agriculturist happens to be in a very backward position, and he has no influence at the headquarters. That is the only reason which I can conceive of.

There is just one thing more which suggests itself as a possible explanation of this low percentage. There is a circular letter issued by the Chief Engineer or under the authority of Government itself that recruitment among *zilladars* from Muslims and non-Muslims should be half and half. And there is a very stupid interpretation placed upon that circular letter. The object is that those at the headquarters should see that Muslims get about 50 per cent. of the posts of *zilladars* in the aggregate. I do not think that it could ever have been the intention of anybody that from every circle a superintending engineer should send up two Muslim names and two Hindu names or that for every 5 Hindu names he should send up 5 Muslim names irrespective of the composition of the population in his circle. But I find that that is exactly the interpretation which has been placed upon this circular letter, and year after year the Superintending Engineer of the Delhi

Circle sends up the name of only one Hindu to one Muslim. Probably exactly the same thing happens in Multan and Mianwali. The superintending engineers of these circles probably send up one Muslim name and one Hindu name, and as statutory Hindu agriculturists are to be found only in the Ambala or Jullundur division the result is that all the names which come from Minawali or Attock or Jhelum happen to be those of non-agriculturist Hindus and in the division in which alone Hindu statutory agriculturists are to be found in very large numbers, their share gets reduced to one-half because under this interpretation for one Hindu one Muslim must be sent up. This is a very stupid interpretation that has been placed upon the circular letter of the Government or the Chief Engineer, whoever is responsible for it. I discussed the matter with the superintending engineer of my own division. Probably I wrote to the Revenue Member last year, and they seemed to agree with me when we were discussing things orally. But when action is taken I find that the same stupid thing is repeated from year to year. If anything straight and frank and free is said that is generally resented. Government officials feel their sentiments have been wounded, and that no regard is paid to their susceptibilities. But I want to ask official members what explanation there is for this interpretation. Do they or do they not think that it is a stupid interpretation upon the letter? I have not seen the letter myself, but this is the excuse that was given to me by one superintending engineer about three years ago. After that I drew the attention of the Revenue Member to it. I think I also drew the attention of the Chief Engineer to it. But I find that no effect has been produced either by any verbal discussion or by the letters which I wrote.

Beyond that I cannot think of any other explanation which can account for such a low percentage for statutory Hindu agriculturists in all cadres from patwari upwards. With these remarks I move my motion and draw the attention of the Honourable Revenue Member and the Chief Engineer.

Mr. President : Motion moved is :—

That the grant be reduced by Re. 1 with respect to the item of Rs. 13,29,970—Charges on Irrigation Establishment-A.-7—Special Revenue—Pay of Establishment.

The Honourable Mr. Miles Irving (Revenue Member) : The position of Government as regards the communal question generally is that Government has pledged itself to consider the claims of the various major communities—Muslims, Hindus and Sikhs,—and it has also pledged itself to consider the claims of agriculturists, but there it has drawn the line. It has not pledged itself to see that there should be so many agriculturist Muslims, so many agriculturist Hindus and so many agriculturist Sikhs. It has not pledged to see that so many should belong to this particular agriculturist tribe or to a particular community or to a particular district. That is the kind of question we get in this Council, how many Muslim agriculturists have been recruited in the office of the Deputy Commissioner of Mianwali, for example, and so forth. I have explained before in this House that officers have before them a division more or less by communities. They have before them a division by agriculturists and non-agriculturists, and it is those divisions that do not always work out in the way they are expected to do, and it is quite likely to happen that when the Sikh quota has been taken up and the Muslim quota has been taken up and also the agriculturist quota

[The Hon. Mr. Miles Irving.]

has been taken up, we find in the Hindu quota the claims of non-agriculturists tend to crowd out those of agriculturists. It is unfortunate that it so happens. We know that the proportion of agriculturists among Hindus to that of non-agriculturists is low. As regards the suggestion that these appointments should not be made by local areas, I would invite the honourable member's recollection to the debate in this House in which he brought up the principle of local distribution as one of the principles for selection. We are constantly being asked to explain why in the office of the Deputy Commissioner of Mianwali there are too many Muhammadans and why in such and such a district there are too many Hindus. I quite agree with the honourable member that the obvious answer is that locally there are very many Muhammadans and very few Hindus, but the question continues to be asked, and in all cases of recruitment where recruitment is being made locally and not on a provincial basis, I find it hard to say what an officer can do to observe the proportion which has been prescribed to him. If Government make out a separate proportion for separate districts, the complications would be very great.

As regards this particular question, the position is that it does not feel itself in the position to prescribe a proportion for Hindu agriculturists. It trusts that this community will make its position felt both among agriculturists as a whole and among Hindus as a whole, and although I have no figures by the division, I am confident that as I was able to say that in revenue establishments in the Ambala division percentage of Hindu agriculturists was high, so I feel confident that the figures in the Western Jumna Canal would show a very different result if they were taken separately.

Rao Bahadur Chaudhri Chhotu Ram : I find myself again up against the same iron wall. Government cannot go beyond this; Government cannot go beyond that. I did not ask Government to lay down precise proportions for Hindu agriculturists among Hindus and Muhammadan agriculturists among Muhammadans and for Sikh agriculturists among Sikhs. But certainly I had a right to expect that even under these three heads officers should be instructed to see that one class is not allowed to preponderate to an overwhelming extent. Suppose Hindu statutory agriculturists are entitled to 60 per cent. Even if they are represented to the extent of 50, I will not mind. If they are represented to the extent of 65 per cent. non-agriculturists I should not mind. But when I find that instead of a share of 20 per cent. they get only 5 per cent. I have a right to feel resentful, and it is up to Government to see that such sharp inequalities cease to exist.

There was another point to which the Honourable Revenue Member has made no answer. A circular letter laying down a 50-50 per cent. share for Hindus and Muhammadans is being interpreted by Government officers in a most silly and stupid manner. They cannot possibly lay down the same proportion for all divisions. From the Ambala division 75 per cent. or 80 per cent. Hindus ought to be sent up, from the Rawalpindi 80 or 90 per cent. Muslims should be sent up, from the central divisions naturally there will be more Sikhs sent up than either from Rawalpindi or Multan or from Ambala.

That is one very sore ground of complaint with me because I feel that probably that is one of the explanations why Hindu agriculturists have not been able to secure anything like their due share.

The Honourable Revenue Member also maintained that Government should not be expected to go beyond certain limits in laying down proportions for one class of the community and another. I sympathise with this difficulty of Government to some extent. As a matter of fact for this very reason I have kept silent for all these years in spite of the fact that there are three circular letters by the Punjab Government favouring the increased employment in all departments of Hindu Jats of the Ambala division. I have never said a word about that because I know you cannot go beyond main divisions. It is impossible to think of laying down proportions for Jats, Rajputs and Ahirs, Sainis, etc. There are three circular letters with regard to Hindu Jats, but I have refrained deliberately from making any reference to those letters. I know the difficulties which will confront Government in giving effect to these circular letters. However, the object of the present motion was to draw the attention of responsible Government officers to the need of seeing that Hindu agriculturists who are sufficiently numerous to be treated as a distinct group are not so badly ignored, and if they find that they are not getting something like their due share, officers may feel justified in giving special encouragement to them. I do not want Government to go beyond these two divisions of agriculturists and non-agriculturists under the three heads of Muslims, Hindus and Sikhs, but certainly I expect the Government to see that there are not very sharp inequalities as between agriculturists and non-agriculturists under any of these three heads.

There is another matter to which reference was made by me on another occasion, namely, inequalities in territorial representation, inequalities in the representation of the population of various divisions in Government service. Even this has been resented in a way. But the underlying principle is the same as in the demand for representation of Hindus, Muslims, Sikhs, agriculturists and non-agriculturists in the services. It is the business of Government to see that no one class or community predominates unduly in its services. In the same way and to the same extent it is the business of Government to see that no particular part of the province is allowed to predominate unduly in its services and no particular portion of the province is deprived of its due share. With these words, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): Sir, I beg to move—

That the total grant be reduced by Re. 1 with respect to the item of Rs. 10,83,620, charges on Irrigation Establishment—A.7—Special Revenue—Fees to Landwarders.

Probably this motion coming from me may look rather incongruous. I have been pressing the Government possibly to the extent of making the Government feel sick of me, about the need of retrenchment in its expenditure and the need for giving remissions in land revenue and water rates and

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so on. Yet, here is a proposal which if accepted will have the effect of enhancing the expenditure of Government. Therefore the Government may retort by saying that this particular motion is not consistent with the motions which I have been pressing upon Government. But there is fairly good excuse for this motion and that excuse is that the task of lambardars is extremely difficult. During this period of depression this task has been made twenty times more difficult. There have been cases in which the lambardars have had to borrow money from others and to deposit that money into the Government treasury on behalf of their *asamis*. There have been cases in which lambardars have had to be sent to the lock-up because they failed to collect Government dues. Therefore when the responsibilities attached to this rural office are so unpleasant there is no reason why these lambardars should not have the same share out of the irrigation dues just as they have out of the ordinary land revenue.

The Honourable Mr. Miles Irving : On a point of order. It is clear from the honourable member's remarks that the effect of the proposal is that the sum of 10 lakhs at page 147 of the budget would indeed not be reduced by Re. 1, but would be increased by something like 8 lakhs in order to provide for the increased remuneration for these lambardars. I submit that this proposal is not in order.

Mr. President : The motion is in order. If a member wishes to suggest to Government that a certain expenditure is insufficient he cannot move a direct motion for increasing the expenditure; but he has the right to move a nominal cut, and in discussing that cut he can urge the necessity of increasing the expenditure.

Rao Bahadur Chaudhri Chhotu Ram : Sir, I had almost finished when my friend raised a point of order. I was just saying that there was no valid ground why lambardars should not have the same *pachotra* in respect of irrigation dues as they get out of the ordinary land revenue dues which they collect. In the case of land revenue dues the lambardar is entitled to have his *pachotra* at the rate of five per cent. As a matter of fact the word *pachotra* itself gives that indication. In the same way I feel that the lambardar should be allowed to have five per cent. out of the collections on irrigation dues. With these words I move the motion.

Mr. President : The motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 10,83,620, charges on Irrigation Establishment—A.7—Special Revenue—Fees to Lambardars.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan Rural) (Urdu) : Sir, I rise to support the motion now before the House. The honourable Leader of our party has already said that the duties of lambardars have considerably increased, and therefore it would be in the fitness of things to increase the amount of remuneration that is already paid to them for collecting Government dues. It is really very strange that a lambardar who realises *abiana* gets only three per cent. of the amount realised by him while a lambardar who collects land revenue gets 5 per cent. of the amount collected by him as his remuneration. This is a strange anomaly, and it should be done away with, for the duties of all lambardars are alike. Of course at this time when retrenchment is the

watch-word a motion like the one now before the House looks quite out of place. I would like to offer an alternative proposal, and that is that the lambardars who realise *abiana* should not be made liable to the same penalties to which the lambardars who collect land revenue are liable. If Government agrees to that I would request the honourable mover to withdraw his motion.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Urban) (*Urdu*): Sir, I also rise to support the motion under consideration. I think the honourable members would remember that the question of *pachotra* was raised twice in this House, but in view of the economic depression it was left unsettled. Of course the economic depression still continues. But it looks unreasonable that a lambardar who collects land revenue gets 5 per cent. of the amount collected by him while a lambardar who realises *abiana* gets only 3 per cent. of the amount realised by him as his remuneration although the duties of both of them are one and the same. Besides other liabilities, the latter is also liable to forfeiture of his *pachotra* in case he fails to collect *abiana*. When he is working under such hardships I think it is but reasonable that he should be granted the same amount of remuneration as is granted to the lambardar who is responsible for the collection of land revenue. Five per cent. of the amount realised is not a very high rate of remuneration and the Government should therefore readily accept the motion now before the House.

Chaudhri Allah Dui Khan (Ambala division, North-East, Muhammadan, Rural): I also rise to support the motion under discussion. These lambardars have a heavy responsibility in collecting these dues and remitting the same into the Government treasury. Some of the lambardars send their money to the treasury by money order, and it costs them money order commission which the Government does not allow them to charge to Government. In the matter of collection of land revenue they do not have much trouble. But in the matter of collection of irrigation charges their work is very heavy. They have to accompany the patwari to each field to examine whether the land has been irrigated. There is no reason why the lambardar should not be paid for this extra work he has to do.

Besides, the lambardar has to pay interest on the money borrowed by him for payment to the treasury till he is able to recover the dues from the zamindars. That means he has to pay something from his own pocket. For this trouble a remuneration of Rs. 3 per cent. is very small and ludicrous. This remuneration was fixed perhaps when better times prevailed, that is, when the rupee value was very great. But the rupee value has fallen very low now, and the liabilities of the lambardars also have increased. He cannot even pay land revenue with the money he gets. For his labour Rs. 3 per cent. by way of remuneration is absolutely inadequate. In former years people sought Government work just for its own sake. But the conditions now are changed. There is a great deal of discontent among the lambardars on account of the small remuneration. Even in the matter of land revenue his remuneration is very small, but he cannot grumble now because of the present financial stringency. But in the case of irrigation dues that excuse cannot prevail. It is only reasonable that he should be given adequate remuneration for his troubles, and I therefore have no hesitation in supporting the motion.

The Honourable Mr. Miles Irving (Revenue Member): I do not really think that the Council will feel disposed to make this recommendation. In the first place it is opposed to the recommendations of the Retrenchment Committee which suggested that this rate should be reduced. In the second place, it is going to cost a sum of what is reported to me as in the neighbourhood of 8 lakhs a year which is about half of the saving got by the present cut in pay. An interesting point has been raised by the honourable member for Shahpur, Mr. Muhammad Hayat Qureshi, but I may tell him that the lambardar has not the same responsibility with regard to *abiana* as the lambardar of other shareholders in the village has with regard to land revenue. Finally it has to be remembered that the fees for collection of *abiana* are probably not far off; land revenue is collected for the whole of the province whereas *abiana* is collected over one-third area. Probably the lambardar who gets fees for *abiana* in addition to fees for land revenue is very much better off than the lambardar in the *barani* district. Therefore, I do not think the *Excuse* will have any justification, in this time of financial stringency, for passing a cut which would involve a very large increase in the liabilities of the province.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadsan, Rural) (*Urdu*): Sir, I want to say only a few words with regard to the motion that is now before the House. All these days and even before that we have been making this demand that Government should make every effort to reduce its expenditure in order that relief can be afforded to the hard-pressed *zamin-dars*. After all, if proposals like these are made, it would appear that we are not sincere in making these demands. My honourable friend Qureshi Sahib has said that because the lambardars have to undergo many hardships and they have also to go to jails sometimes in connection with the collection of land revenue, they should, therefore, be paid more remuneration. In the first place, I do not think it is a cogent argument for increasing the remuneration of the lambardars; in the second place, I think that if they become a little strict and if they decide to report at once the names of the defaulters to the tahsildars concerned, they can shift on their responsibility and thus avoid going to jails (*Voices*: No, no. That is not the case. Even after the report, they are held responsible). Then there is a defect in the system which we should attack because I do not like to see the lambardars undergoing any hardships. The remedy suggested, it will be admitted, is no remedy at all. I again say that it is not in tune with the times to ask for any increase in the remuneration of the lambardars and I would request our leader not to press his motion to a division.

Rao Bahadur Chaudhri Chhotu Ram: There was no intention of pressing this motion to a division. I had absolutely no such intention. But I may point out that the remarks made by the honourable member on my left are wrong. It seems he has gone out of touch with rural areas. He has become urbanised. It is absolutely true that lambardars can be sent to the lock-up under the powers which revenue officers have under the Land Revenue Act and they are being sent to the lock up daily. It is not a matter which can be set right by making a request to the tahsildar or the collector. Tahsildars must see that land revenue comes to the treasury at the right time. He has statutory coercive powers, and he is perfectly

entitled to make use of those powers so long as they exist, and in this period of depression he does make use of these powers, perhaps more frequently than he ought to be allowed to do.

Khan Bahadur Sardar Habib Ullah : Will the lambardar agree to these powers if he is given more than 5 per cent.

Rao Bahadur Chaudhri Chhotu Ram : Some lambardars may not agree to undergo this hardship even if they are given 10 per cent. and there may be lambardars who may be prepared to undergo this hardship even for 4 per cent. That is a personal factor which cannot be eliminated. But my object in putting forward this motion was to get certain concessions in the way of working the existing rules. However, I find from the answer of the Revenue Member that so far as irrigation dues are concerned, the lambardar has not the same obligations to discharge as he has for land revenue. Therefore I think the case for pressing this motion to a division gets further weakened. I therefore beg leave to withdraw the motion.

The motion was by leave withdrawn.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : Sir, I move—

That the total grant be reduced by Re. 1.

I wish to urge on the Government that in view of the fact that the Sikh representation in the service of the Irrigation Department is very poor, the Sikhs should be given preference to other communities till this deficiency is made up.

I have here the statement showing the proportionate representation of various communities in the services, and I find that in most of the cadres of this department the Sikhs are very poorly represented. In the special posts there is no Sikh. In the Panjab Engineering Service they are only 6 per cent. The only two services in which they are in sufficient number are zilladars and artisans. The latter are about 37 per cent., as among artisans there are not many Hindu and Muhammadan *tarkhans*. Among the temporary engineers the Sikhs are only 7 per cent. and upper subordinates, 17 per cent.

(At this stage Mr. President left the chair and the Deputy President took the chair.)

Among subordinate engineering service they are 19 per cent., lower subordinates 16, zilladars 23, and so on, and in total they are 18.81 in all services. There are only three cadres, the artificers, deputy collectors and zilladars, in which they are properly represented. The funniest part of it is this, that the *patwaris* and *marshis* who are mostly to live amongst the rural classes and are mostly supposed to be recruited from amongst the villagers, even amongst them the Sikhs are only about 13 per cent. Lately instructions were issued by the Government that the deficiencies should be made up in regard to the communities not properly represented, and the only community about whom special instructions were issued were Muhammadans. The instructions were that wherever there was a deficiency of Muhammadans that should first be made up; and the Sikhs went with the Hindus. No special mention was made that wherever their representation was also deficient, it should also be made up. When these temporary engineers were retrenched—even now here and there certain posts are brought under retrenchment—no notice is taken of this fact that there are very

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few Sikhs on these posts. Sometimes there is no Sikh left as the only one in the office is retrenched, while Hindus and Muhammadans are kept on. My chief object in bringing this motion is only to point out that you may fix up any percentage for the Sikhs, but that percentage should be very staunchly adhered to and wherever there is a deficiency it should be made up by non-recruitment of the communities which are already highly represented in that service. With these remarks I move my motion.

Mr. Deputy President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member) : I do not think the House wishes me to go through these figures at length. In some of the classes mentioned by the honourable member requiring professional qualifications, it is obviously impossible to insist upon any percentage communitywise. Generally speaking, I am informed that the percentage laid down for Sikhs is 17 in the Irrigation Branch, the number actually employed is 16 per cent. Therefore the representation is very nearly on the whole that which is demanded. I am sure the department will always consider the preservation of the correct proportions and the honourable member's remarks will be borne in mind.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Not one of us has grudged our Sikh brethren their due share in the services. I think it is only right that they should get their proper share. I do not consider the question of how much revenue the community pays because if you go on counting on the revenue basis it would be impossible to calculate year to year, and it would also be undemocratic. About the share of the Sikhs in services not a single Muhammadan grudges it. I must, however, point out one thing. In the grand total the Sikhs have got 13 per cent., Muslims have less than 40 per cent., though we form 55 per cent., and I shall not support any attempt to decrease our percentage. Every one of us has got something less than we ought to. The lion's share probably goes somewhere else. I hope when the system is changed, and when more people would be taken, if there is any deficiency it should be made up in the case of all communities. The present men should not be thrown out on this score for that would be doing them harm. But for the future if there is any deficiency in the share of the Sikhs nobody would grudge that it is made up, provided the share of other communities is not affected. We stand for justice and not for taking the rights of others.

(At this stage Mr. President resumed the chair.)

Sardar Sumpuran Singh : The question of professional skill is not a very strong one among the patwaris and munshis. But even in those ranks we are only 13 per cent. Even for the ranks of superintendents and assistants where recruitment is made on merit I daresay the Sikhs have made out a claim for a good share. But unfortunately these small posts are filled up by influence from the office. And it is there that the villager is at a disadvantage. Instructions are issued from the headquarters every now and then. They remain a dead letter in those offices. They are held back; and whenever there is an opportunity people who have influence in the office generally get the place. I hope the Government will make a

note, and in future they will take special care that the Sikhs get their proper share in all the services. And as I have already stated they should be given preference to other communities till their deficiency is made up. I do not wish to press my motion. I accordingly beg leave to withdraw it.

The motion was by leave withdrawn.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I move—

That the total grant be reduced by Re. 1.

I wish to bring it to the notice of Government that a large area of land has become water-logged and *kallar* and to urge on them to take steps to stop it. The Government has organised a special branch of the Irrigation Department for this work. But it is only in the reports that we hear anything about the working of that branch. Personally I am of the opinion that it is only an apology and to show that they are making an effort. So far they have not been able to achieve much. Land is the only source of income for the people of the province, and we know that as we go along the banks of the canals of the province for hundreds of miles we see white *kallar*. Those tracts which were very fertile are now lying barren, and for months and months we see water standing on those areas. If, for instance, we start from the head Murala up to the Baloke head, miles and miles on both sides of the Upper Chenab Canal areas have become simply *thur* and is of no use to the people. No doubt canals are a great boon to the people whose lands were not previously irrigated. But at the same time we should not forget that to give benefit to those people we should not ruin hundreds of other villages through which the canals pass. This problem of *kallar* has engaged the attention of Government, I think, ever since the inception of canal irrigation in the province. As a matter of fact, signs of this havoc were evident from the very beginning. But up to this time Government has not been able to tackle the problem satisfactorily. No doubt, I admit, it requires money. The only remedy and the surest remedy—I am not a technical man myself but I have been able to gather this from others—is that canal irrigation should be complimented by well irrigation. Tube wells should have been started where the signs of *kallar* and *thur* had appeared. And the canal irrigation in those parts should have been reduced to only one crop, and it should have been supplemented by tube wells and other means. But the Government has worked very slowly in the matter. As a matter of fact, they have never tackled the problem very seriously. When we consider the condition of those people whose fair and fertile lands have become almost barren we realise that we had no right to ruin them even if the canals were to bring millions of money to the province. No individual, however low he may be, can be sacrificed for the benefit of other people. Therefore it is not really the question of how much land is reclaimed from *thur*; it is a moral issue, it is a question involving the legal rights of people. If on account of the canals people have been harmed it is up to us to make good the harm so done to them. With these words I move my motion.

Mr. President: Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member): I should have welcomed even a more prolonged debate on this subject because the question of water-logging is, I think, perhaps next to the question of prices,

[The Hon. Mr. Miles Irving.]

the most serious one in the Punjab. It has been engaging the serious attention of Government since, I think, for the first time, certainly since 1925, when a special enquiry committee was appointed with the object of investigating the problem. In 1929 this enquiry committee was changed into the water-logging board which meets every six months to consider the progress made in dealing with the situation and the progress also in the investigation into its causes. This board consists of the Financial Commissioner, Revenue, as president, the engineers of the Irrigation Department, the Secretary of the Finance Department, the Director of Public Health, the Drainage Circle Engineer, the Scientific Research Officer of the Irrigation branch, the Director of Agriculture and the Water-logging Assistant to the Financial Commissioners. We have every year a special *girdawari* in the afflicted areas. We found in 1922-23 the area covered by *thur* in the province was over 321,000 acres, a very serious figure, and showing, I regret to say, an increase of about 8,000 acres over the previous years. The honourable member mentioned the *sem* areas along the Upper Chenab Canal from Marala. But I think he failed to observe that in the last two years there has been a notable improvement. In the last year the *sem* area went down by over 8,000 acres. The problem of dealing with water-logging, especially with *thur*, is one which is engaging the attention of experts, and as usual experts are not always in agreement. There is one school which says, there is nothing for us but to re-align all our canals. The cost would be so extraordinarily heavy that Government must shrink from it until it is proved that more reasonably achievable courses cannot be carried out with success. The other school say that the real cure for water-logging is to carry off rainfall from the land as soon as possible. They point out that the amount of water on the land that is brought there by canals is very much less than the amount of water that falls from heaven, and it is this water that falls in the shape of rain that is assisted by the water from the subsoil and causes water-logging. There has therefore been a very comprehensive five-year scheme for draining very largely in the Sheikhupura and the adjoining districts. In addition pumping has been attempted. But the general experience of pumping is not very satisfactory because it is pointed out that to pump water up from the waterlogged sub-soil and to throw it into the canal is only moving it from one place to another whereas the object should be to carry off the surface drainage as far as possible. That is generally the position as regards our dealing with the problem. I feel that if any honourable members have any further suggestions to make for dealing with it they will be very welcome. In particular in connection with the Mandi hydro-electric project if irrigation by means of tube wells becomes popular, that will have a great effect. The difficulty at present has been of course to make it economically paying. Therefore I think the honourable member will agree that we are dealing with the difficulty as well as can be expected and the matter will continue to receive our attention as we do regard it as a matter of very supreme consequence to the agriculture of a great part of the province.

Sardar Arjan Singh : Has Government any intention of starting tube-wells in those areas of its own accord and charge water rates from the zamindars as they do for canal irrigation?

The Honourable Mr. Miles Irving : Not on a large scale. My recollection is that there was a proposal that in one place—I think it was Sheikhpura—we should try tube-wells. That was rather an experimental measure. I remember nothing of that case except to say that the experiment will be of value.

Sardar Arjan Singh : I would make only one suggestion that some area may be selected. I might suggest Sayedwala distributary. It takes off from Mangtawala in the Sheikhpura district. If this matter is taken in hand and a sort of co-operative society of the zamindars of the whole area is organised and some subsidy is given by the Government—if they cannot pay the whole expense—and an experiment is made, if that succeeds, the system can be spread all over the province.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, I am sorry I missed the speech of the honourable mover of this motion, but I understand he has raised a very important question regarding the reclamation of water-logged land. Possibly he would like to hear what action so far has been taken by the department. I wonder if he has ever visited Chakanwali Farm. On that farm a very simple system of reclamation of land has been adopted. If you have enough supply of water, all that you do is to flood the land and let the water stand over it, and then sow rice and follow it with sugarcane. This system has been successful. (*A voice : That is out of the question. They will not give us water.*) I think the honourable member is quite right in saying that wherever water level has risen, the only way to lower it is to set up tube wells. I do not think I would be revealing any official secret when I tell you that a senior irrigation officer is very keen that in all these water-logged areas we ought to start dewatering by setting up batteries of tube wells. I think so far as the Agricultural Department is concerned we are all agreed that an experiment should be made wherever electric power is available. Now we have surplus electric energy and we should take advantage of this source of power. Mr. Staig recently went to the United Provinces to attend a conference. A good deal of pumping is being done in the United Provinces. Mr. Staig's report is with me, and I am making enquiries as to what areas are available where we can set up tube wells. As soon as that enquiry has concluded, I think Government will consider this problem as a whole and take into consideration whether tube wells cannot be more largely employed for dewatering lands. This is an important problem and both in the Irrigation and the Agricultural Departments a good deal of research is being done. The result of that work, I am sure, will show us some way of reclaiming these lands. I entirely agree with what the honourable member has said, that areas which are not yet water-logged are the areas which should be taken in hand and tube wells should be established so that the rising level of water may be checked.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : Sir, I would like to say a few words not as a Member of Government but as a zamindar, and I am glad that the Honourable Revenue Member has permitted me to say a few words on the question of waterlogging. As far as I see, insufficient attention is being paid by this House and the public to the danger of water-logging in this province. Government

[The Hon. Malik Sir Firoz Khan Noon.]

has done a great deal in the past to try and find out ways of checking this source of danger for the future, but I feel that the honourable members of this House do not realise the great danger ahead of us. In my own district there is a depression called Raniwah depression, and all along that depression there have been several places where zamindars have dug the ground and have discovered old well cylinders with bricks inside, and this seems indicative of the fact that at one time the whole of that tract must have been under irrigation, and for some reason or another it went out of cultivation. My own feeling is that unless something is done to prevent this water-logging, most of our lands in some parts of the colonies will go out of cultivation. I speak with a certain amount of feeling on the subject because in my own district the subsoil water has risen very dangerously high. The general tendency amongst us zamindars is always to go on asking for more and more water without realizing what effect it may have on the future of our land. One of the suggestions which I have often made in private conversation to my zamindar friends and also to officers of Government is that one of the effective ways of preventing this water-logging in places where subsoil water is sweet and has risen dangerously high, say, up to within four or five feet of the surface of the ground is to stop perennial irrigation and to give only six-monthly irrigation. This is my experience in places where there is only six-monthly irrigation and where the sub-soil water is sweet, and is near the surface of the ground. During the winter months the percolation wells are instrumental in lowering the level of water by at least four or five feet and I feel we cannot have too many percolation wells over those lands where the sub-soil water is sweet. I think the zamindars and Government should be courageous enough to depart from the past practice and make a bold start in this direction, that wherever a zamindar is able to sink a percolation well and draw sweet water for his fodder crops in the winter he should be induced to sink a well and not be given canal water during the winter months. That I believe is one of the most effective ways of preventing water-logging. The course suggested will be economical, because water saved here will be given elsewhere. Therefore, you will be increasing the amount of the area irrigated and at the same time you will give real protection to the areas where water-logging is threatening. From the zamindars' point of view there is another advantage. In the case of perennial irrigation the water rates are high. In places where there is only six-monthly irrigation, as far as I know, the land is irrigated for the *rabi* crop in October, and only the price of one watering is charged—Re. 1 or Rs. 1-8-0—and there are large tracts of land in this province where only one watering is sufficient to ripen the *rabi* crop. I speak with experience. If the land is irrigated in August or September and wheat is sown in it, then that wheat ripens and requires no more irrigation at all during the winter. From the zamindars' point of view it is cheaper to have six-monthly irrigation. This was the suggestion which I have been wanting to make for some time, and I hope that the House and the officers concerned will give it their serious consideration. To sum up, my suggestion is that in areas where sub-soil water is sweet and it has risen dangerously high, the perennial irrigation ought to stop, and the zamindars by means of *taqari* and other loans be induced to sink percolation wells and irrigation by means of these percolation wells should be encouraged.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, I would also like to say a few words about this misfortune of water-logging. So far what the Government has done is to introduce seepage channels for draining to a certain extent sub-soil water. The effect of it is not far-reaching, that is to say, it affects only a limited zone, say, within two or three miles of the drain on each side. It is certainly impossible to construct drains all over the province where there is water-logging. The remedy suggested by my friend the Honourable Malik Sir Firoz Khan Noon, will not be suitable and will not be acceptable to the zamindars in all cases. One thing is that wherever sub-soil water has arisen the water has also become saltish; another effect that is caused by the rise of sub-soil water and by water-logging is that the upper surface of the land has become saturated with saltpetre, by what they call *thur*. It has come up, and the only way *thur* can be removed is by means of canal irrigation. Therefore, I do not think that the substitution of wells for canal irrigation is any remedy. In most cases sub-soil water is not of sufficient sweetness for the ripening of crops. A remedy which I would suggest and which would suit many cases, perhaps in all cases, is that the lifting of sub-soil water should be made possible by the use of electricity, and the cost of electricity should be lowered down to such an extent that irrigation by electricity may become profitable. The present fall in prices has made the use of tube wells almost impossible. The cost of raising water from tube wells and by means of oil engines is so great that the produce of the land does not meet it at the present level of prices. Therefore if the cost of raising sub-soil water is made very low, then alone can there be a remedy applied universally. I do not think that ordinary wells in the place of canal irrigation would meet the case, as sub-soil water has become unfit for agricultural purposes. Deep tube wells may supply good water, but power to lift water must be cheapened.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, I have to make a few observations with regard to water-logging only. The canals were in the beginning a blessing, but now that areas are becoming water-logged they are a curse. Every one says it. Many friends who come to see me tell me that much damage is being done to the lands by the canals and that they should be closed, at least for six months in the year. Let the whole House once visit the Sheikhupura district to see for themselves the deplorable condition of the land on account of water-logging. Let the honourable members verify my statement by themselves going to the district and seeing things with their own eyes. In the vicinity of the villages Chibh and Kalsian if you go to see the condition of the land you will find that not even a square foot of land is without *sem*. The land near about these villages which I have mentioned has become waste land and nothing can be grown in it. The people are leaving their homes for good because they can no longer live at a place where the land has become water-logged. Many villages have been deserted in this way. This very area was once very fertile and the people were well-to-do. Now this very area has become the home of poverty. The people migrate to the Bahawalpur State in order that they may find land there but many of them lose everything in this venture. The people are poor. They reach some part of the Bahawalpur State, but in order to start cultivation they require money and on account of shortage of money their attempts fail. After meeting failure there they

[Ch. Shah Muhammad.]

again turn their faces to their home district. On the way back the cattle die on account of scarcity of fodder and often men also fall victims to hunger and starvation. The condition of Syedwala, another village of the Sheikhpura, is also the same. The lands in Gujranwala as well as in the Sargodha tahsil of the Shahpur district have also become water-logged. It is very necessary to do something for the people of these areas. Either they may be granted land somewhere else in lieu of their water-logged lands or their present land may be saved from the effects of water-logging. All the sub-soil water in the Sheikhpura district has become saltish. If the cattle drink it they become ill; if men drink it they also become unhealthy. The difficulty of the people of these areas does not end there. If the cattle are given fodder which had been grown on water-logged lands they become emaciated. The land in these parts of the province has become absolutely useless for cultivation. The price of this very land which has now become useless for purposes of cultivation was once very high. Near Khanka Dogran the land once fetched as much as Rs. 1,000 per acre. Now its price has become reduced to a very great extent. I remember once a friend of mine purchased half a square of land for Rs. 15,000 on my advice. Now as the price of land has fallen he is prepared to sell it for only Rs. 1,700. By water-logging this part of the province has become a swamp. Only those people who are fond of shooting can get good game here. For the purposes of cultivation this area is no good. As already mentioned the water of this area is very injurious to health. Cattle become weak if they drink it. In one village on account of the injurious water 300 heads of cattle died. The veterinary assistant failed to find out the disease, and the people were also puzzled over it. The cause of this loss was the bad water. I told this to the people but they would not believe me. They said it was due to fate. I told them to do something to safeguard their cattle, but they did not pay any heed to what I said. They believe in fate. According to them if cattle died it was due to their fate. They also did not want to do anything to protect themselves and their cattle from the injurious effects of the bad sub-soil water. They believe in fate, and think that God who willed that their cattle should die will also through his grace give them more cattle to replace the dead ones.

Through the efforts of my honourable friend, the representative of Lyallpur, the settlement operations of his district have been started. With regard to the settlement operations I will request the Government to find out per acre produce in the land around Sangla and also its price and then see how much of it remains with the zamindar after paying Government demands and also interest on his debt. This will show to the Government the said plight of the zamindars of the Sheikhpura. There the zamindars are unable even to pay interest on their debts. In view of the deplorable condition of this district it is necessary to start drainage system in this district. In this House every sort of question is brought up for discussion, but no attention is paid to this serious question of water-logged areas. It is desirable that the honourable members should form a committee and take immediate action to make enquiries about all that I have said. If they agree to do so I am sure they will find that the actual facts will reveal the condition of these parts more deplorable than I have depicted.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Urban) (*Urdu*): Sir, all that my honourable friend has said about water-logging is correct, but he also suggested that the canals should be stopped. To say that canals should be stopped is a suggestion which is not reasonable. I can say that there are many people who complain that they are not given sufficient canal water for irrigation purposes. Memoranda have been presented to the Government in order to get more canal water. In the face of this, how can the honourable member suggest that the canals may be closed? I do not mean to minimise the importance of this question. Water-logging is really causing much harm to the lands, and it is necessary to take some action in order to protect lands from the effects of water-logging. In the Gujrat district land has also become water-logged. The local officers take the necessary steps to stop water-logging. The Deputy Commissioner, the Commissioner and other officers also do all that is in their power to free land from *sem*. In those parts of the Gujrat district which had become water-logged Government gave land to the people at other places and also adopted means to reclaim those water-logged areas by digging channels in these areas, and it was found that *sem* disappeared after two years of their being vacated. The most successful method of dealing with water-logging problem in my district was by digging channels through the land in order that the water may flow out of the land. By this method water was drained out of the land and the surface of the sub-soil water also fell down. It was found that wherever channels were dug to take water away from the effected area the *sem* became less. Moreover, it was found that deeper these channels were dug, deeper the surface of the sub-soil water fell. In the Gujrat district the cause of water-logging was not only the canals but also the rain water from Pabbi in the north of the district. Some water of Pabbi falls in the river Jhelum and some in the river Chenab. When the canal was constructed in the Gujrat district syphons were constructed under the canal in order to pass the Pabbi rain water. Now on account of the canal the rain water of the area under canal as well as the water that comes by these syphons, on account of canals, distributaries, minors, and water-courses cannot find an outlet. It disappears in the soil and then again percolates and increases the water-logging and makes the land uncultivable. It is necessary, therefore, to dig a channel along the banks of the Upper Jhelum Canal so that the water of the Pabbi may not flow to the other side.

5 P.M.

There is another difficulty that has to be faced by the people of this *ilaga*. There is no arrangement for the outflow of the rain water. If any such arrangement is made, the possibility of water-logging will diminish to a very great extent. It was on account of the unusually long rainy season that people had to experience trouble last year. At any rate the department is doing useful work in this connection, and I should like to say this much only by way of supporting the suggestion of my honourable friend, Chaudhri Sahib, that speedy and vigorous steps should be taken in this matter.

Water-logging assumes sometimes such a formidable aspect in this *ilaga* that the very life of the inhabitants is in danger. Even the oven:

[K. B. Nawab Chaudhri Fazl Ali.]

assume the shape of fountains. Water gushes forth, as it were, from every pore of the earth. The condition of dwellings in such circumstances can be better imagined than explained. It is the duty of the Government to establish a perfect drainage system and spend as much money as may be needed. To spare money at the time of such dire necessities would be inexpedient, to say the least of it. I hope the Government will be able to lay before us the result of their efforts, and let us know as to how far the drainage has improved matters in the water-logged area. We have no doubt the authorities also feel the necessity of minimising the possibilities of water-logging, and we hope that they will spare neither money nor pains in doing the needful in this respect.

Sardar Sampuran Singh : Sir, the whole Council realises the seriousness of the problem. But the question is not only that of realisation, but the question is of doing something to remove the difficulties. It has given great satisfaction to me that the Government is also trying, though I would not say trying its best, to improve the situation. When I think of these hundreds of miles and district after district visited by this great calamity, I think that any efforts which the Government can make will not be enough considering the greatness and seriousness of the question. Therefore, to bring this problem home to all the people concerned, I would like to press it to division.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was carried.

Thakur Pancham Chand (Kangra, non-Muhammadan, Rural (Urdu): I beg to move—

That the total grant be reduced by Re. 1.

Sir, my object in moving this cut is to point out the inadequacy of the representation of statutory Hindu agriculturists in the cadre of civil engineers service. Personally I have never been a victim of any narrow-mindedness in this respect; nor have I stood up to create any invidious distinction between the Hindu agriculturists and non-agriculturists. But because I stand here in the capacity of a representative of zamindars, it is my bounden duty to ventilate their demands in this House. The total number of posts in the provincial engineers service is 100 out of which 61 have been allotted to Hindus. Out of these 61 there are only four Hindu zamindars. These figures speak for themselves. But as Hindu zamindars do not know how to start agitations, their claims are being ignored. Since they have no press under their control, neither the Government nor their own countrymen condescend to give them their due share. Two years ago a deputation of Hindu zamindar members of this Council waited on the Governor. His Excellency gave us a sympathetic hearing and assured us of his good intentions. But no practical proof was given of those sympathetic assurances nor was anything done by way of satisfying the Hindu zamindars.

I shall not take much of the valuable time of the House but will make only one or two observations. The majority of Hindu zamindars are either Jats or Rajputs which are both martial races. From the very beginning of the British rule in India these people have been serving in the military department. It was natural, therefore, that they lag behind in education. Equally natural it was that they should remain out of other services which require high educational qualifications. In this connection it will not be out of place, I think, to recall an incident of 1920. It was the time when war had just ended, and I had passed my B.A. Zamindar graduates from Hoshiarpur, Kangra and Ambala districts including myself, and numbering about 20, came to Lahore to seek admission in the Law College; because the Law College was considered to be the last refuge of a graduate, much more so of a Punjabi graduate. But you will be surprised to hear that we were refused admission. I was greatly disappointed, and I went to Mian Mir.

Mr. President : Will the honourable member please speak to the motion?

Thakur Pancham Chand : I am speaking to the motion. I do not mean to say that Hindu zamindars have received no education whatever. What I want to urge is that if they have been given very few employments in the past on account of their being backward educationally, their number should be gradually increased in Government services now when they are turning out sufficient number of educated people every year.

Mr. President : Not services in general; but only civil engineers.

Thakur Pancham Chand : I am referring to the civil engineers service. This was just by the way. There is no need to say more because the leader of our party, the Raja Sahib, and the honourable representative of the University have already made it abundantly clear that they are desirous of seeing the zamindars adequately represented in the services. But I am sorry that the honourable lady member raised a voice against the interests of Hindu zamindars.

The Honourable Dr. Gokul Chand Narang : Did she?

Thakur Pancham Chand : She said that only those people should be considered agriculturists who might have worked as zamindars at least for a period of three years. But I wonder if she would like to lay down a condition to this effect that only that person should be able to claim the title of *bania* who might have held a shop of betel-leaf and cigarettes at least for three years.

Shrimati Lekhwati Jain : On a point of personal explanation, Sir, I want to make it clear that I never said that *banias* should clamour for any rights as a distinct group. *Banias* never demand services specially for themselves.

Thakur Pancham Chand : *Banias* have already a lion's share in services. Why should they clamour for more? Zamindar members never ask for personal favours. They fight for the cause of their community. I may remind the honourable lady member that it is due to the efforts of Hindu zamindars that she is gracing a seat here.

Mr. President : The honourable member should not be personal.

Thakur Pancham Chand : I have only to add this much, that the Government ought to pay the closest attention to the claims of Hindu zamindars. Four posts out of a total of 61 allotted to Hindus is not an equitable distribution, and is sadly indicative of the step-motherly treatment meted out to Hindu zamindars. I hope the Government will take necessary action to increase the number of Hindu agriculturists in the services under their control.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member) : The provincial service of engineers was formed in 1920 by selection from the upper subordinates and no question of communal representation arose then. There have been since 35 appointments and out of these 35, 26 have been what used to be called direct guaranteed appointments from Roorkee in which you could not regard any communal considerations and 9 from the open market. As a matter of fact, the communal composition of this service has hardly been established. Selection for high services like this must depend very largely on professional qualifications, and in any case I have already stated on another cut of this nature that Government cannot go indefinitely into these distinctions, and they have laid down this particular rule that since 1921 appointments should go half to Muslims and half to others, and other things being equal preference should be given to members of the agricultural classes. We must leave it at that.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Thakur Pancham Chand : (Kangra, non-Muhammadan, Rural) (Urdu) : I beg to move—

That the total grant be reduced by Re. 1.

The object with which I have moved this motion is to discuss the policy of the Government in not guaranteeing appointments to Roorkee passed stipendiary candidates. Roorkee College is the only college of its type in the whole of India. Candidates have to go in for a competitive examination before being admitted as students. And the examination is so stiff that only exceptionally brilliant students are selected. Then the Government gives a grant of Rs. 10,000 per student selected from the Punjab. It takes three years for a student to complete the Roorkee College course and an average student spends Rs. 150 per mensem while at college. Poor students receive a stipend from the Government. Now, after all this expenditure and labour the scholar finds himself thrown out aimlessly and without any work for him to do. Under these circumstances the disappointment of the parents who have spent Rs. 5,000 of their hard-earned money is unimaginable. Four or five years back the Government could provide the Roorkee passed men with work, but now all the avenues of employment seem to have been closed. Young men who spend three years of their precious life see no fruit forthcoming from their labours. So the discontent spreads everywhere. I want to urge upon the Government through this cut that either they should withhold the grant of 40 or 50 thousand rupees to the Roorkee College or should take steps to provide employment to the stipendiary Roorkee passed youngmen.

Rao Bahadur Chaudhri Chhotu Ram : The former suggestion seems to be more reasonable.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) (Urdu) : Sir, I think this proposal of the honourable member runs counter to the suggestion just made by him. He says that since the Government is not in a position to guarantee services to the Roorkee passed candidates that institution ought to be closed. But a few minutes ago he was complaining that Hindu zamindars have not received their due share in the engineering service. Now, if his present suggestion is carried out and Roorkee College is closed, no zamindar will be able to qualify himself for the engineering line. If the Government requires the services of forty men, all of them will, of necessity, be non-zamindars, many of whom have already qualified for such posts. The zamindars, therefore, will again be thrown into the back ground. I think my honourable friend will do well to weigh the *pros* and *cons* of his suggestions before thinking of applying the scissors to Government demands. He should not at least contradict himself.

Further, how can any one say that the Government should guarantee services for newly qualified young men when tried and experienced men have been thrown out of employment for no fault of theirs but simply because there is no work? It is no sound argument to say that since a person has spent so much on education, he should be necessarily provided with a job. Is there anybody who receives or has received high education *gratis*? Do not people spend money to become barristers-at-law or doctors of medicine? So it is no argument to say that as the zamindar candidates have spent so much on education it is incumbent upon the Government to provide work for them. I would suggest, on the other hand, that stipend allowed to the students who go to study at Roorkee should be stopped. Such stipends are necessary only when there are no qualified men available in that line. Now when work is not to be found for many qualified men, it is no use maintaining such stipends.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (Urdu) : Sir, I have stood up to say only a few words. It is a matter of surprise that sometimes even Congressmen find it convenient to concur with the Government in certain matters. The same has been the case with my honourable friend Shaikh Muhammad Sadiq. But I am sorry to note that he began his speech by attacking Thakur Pancham Chand. Shaikh Sahib was not well advised to presume that Hindu zamindars are making an unjust demand. Perhaps Thakur Sahib could not convince him as he had not full facts and figures with him. I am sure when any of the Government Members will enlighten the House as to how much money has so far been spent on this institution and how many zamindar students have so far been successful in the final examination and how many have been given services, he will be convinced—open to conviction as he is—that Hindu zamindars have a just cause of complaint. It is common knowledge that almost all the Government departments are over-manned, but when a zamindar wants to get in, objection is raised that there is already very great congestion. I have never been able to understand such

[**Kanwar Mamraj Singh Chohan.**]

an attitude of the employers. I lend my whole-hearted support to the proposal of Thakur Pancham Chand.

The Honourable Mr. Miles Irving (Revenue Member): I do not think that I am asked to reply to the second proposal suddenly thrust in by the honourable member at the last moment that the Government should cease to contribute to the Roorkee College.

Mr. President: That point is not covered by the motion. The matter under discussion is the policy of the Government in not guaranteeing appointments to Roorkee passed stipendiary candidates.

The Honourable Mr. Miles Irving: One point about it is that there are at present no stipendiary candidates to whom appointments might be guaranteed. Apart from that, when there were recruits, the posts offered by Roorkee were entirely to non-Muhammadan non-agriculturists, and I think the cut will defeat the proposal the honourable mover has in view.

Mr. President: The question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhupura, Sikh, Rural) (*Urdu*): I move—

That the total grant be reduced by Rs. 100.

Sir, the question of water-logging has already been discussed at length on the floor of this House and I shall only briefly refer to it. There is one thing, however, on which no honourable member seems to have fixed his attention, and that is this. What does the Government intend doing for the sake of those poor people who have lost all their cultivable lands on account of water-logging? I think the Government should take immediate action in this matter and afford speedy relief to the zamindars who have been severely hit on account of water-logging trouble. Sometime back the Honourable Revenue Member had said in connection with some belated succour—

تا تریاق از عراق آورده شود۔ مار گزیده مرده شود

I should like to urge upon the Government that the snake of water-logging has bit the zamindars of the Sheikhupura district so hard that there seems almost no hope of their recovery from its deadly poison. The Honourable Malik Sir Firoz Khan Noon made a suggestion that lands should be given canal water for six months and this would improve the conditions in water-logged area. But this suggestion will never improve matters. Some land made unfit for cultivation by water-logging and the rest left without cultivation on account of the paucity of water, such things can hardly be described as means of helping the poor zamindars. The best means of helping the zamindars whose lands have been made uncultivable through water-logging is to give them lands in new chaks. This has already been done in some parts of the Sheikhupura district. Lands have been given to the zamindars on the Upper Chenab Canal in Chak No. 12. Another suggestion has been made that zamindars should be given lands in lieu of the water-logged areas only and they should be asked to retain possession of their small cultivable pieces of land. But this suggestion will also be not much helpful. In this way some of their holdings will be in Sheikhupura and the rest in the distant places as Montgomery or Bahawalpur. So they will not be

able to manage their affairs if that suggestion is implemented. I would request the Government to appoint an officer to personally see the plight of the zamindars of the water-logged areas. I am sure if such an officer is appointed he will convince the Government that the people in those areas have a just cause of grievance. I myself paid a visit to Dabara Rajbah, Jhang Branch near Sangla a month and-a-half ago, and was shocked to see that lands which were fertile and green with smiling harvests some ten or twelve years before were reduced to the barren tracts of white water-logged land. When the last settlement was carried out this area was shown as first class area and a very small portion out of it was put in the second class. The villages were full of beautiful houses and the people were all quite well-to-do. I know Sardar Bhagel Singh had built a house in chak No. 20 at a cost of Rs. 20,000 and the Governor used to be his guest when he passed through that area. But now that chak has also been reduced to a waste land; there is no symptom of former prosperity left. Villages like Ghahran, Lallke and Isherke have all suffered alike and their lands are *thur* and *kallar*. I would again point out that the suggestion put forward by the Hon'ble Malik Sahib will not be of any practical use because lands situated near about canals suffer most. I can say from my experience that in places where there is sweet water the closing of canal for a period of, say, six months will not be helpful. There the land does not become water-logged on account of excessive supply of water. My own village Karyal is on the Upper Chenab Canal and has not suffered on account of the continuous supply of canal water, because the village is situated at some distance from the canal.

In the end I would again emphasize that the Government should concentrate their attention on this problem and try to remove the water-logging menace by digging water channels where it may seem necessary. Money should be no consideration in such matters. Beg, borrow or steal; but the work should be carried on at all costs.

I would also here request the Honourable Minister for Local Self-Government that the Hydro-Electric Scheme should be so worked as to benefit the agricultural classes of the province. It is no use to earmark the power created by this scheme for the exclusive benefit of the urban areas. The lines now pass through the Sheikhupura district and consequently power is within the reach of the zamindars of that district. Let it be made available to them. This scheme has now developed, and experiment can be made in this connection. I would, therefore, submit that proposals put forward by Malik Sahib and other honourable members should be duly considered and acted upon. With these words I move my motion.

Mr. President : Motion moved is—

That the total grant be reduced by Rs. 100.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, while discussing the question of water-logging in the Punjab and specially in the district of Sheikhupura, I feel inclined to support the proposition put by my honourable friend the Minister for Education as a zamindar from his experience in his own district. He has suggested that the sub-soil water can be lifted and utilised for irrigation. That would help in lowering the sub-soil water level. Of course the presumption is that well water is good for this purpose. Well water which is at a distance of about 5 feet goes down

[Mian Nurullah.]

to a distance of ten feet after a year's use. The well water is lifted by bullocks in this district. What I suggest is that if we could utilise the hydro-electric power or generate our own power for this purpose we could make very vast areas useful. The hydro-electric power, I am sure, after the experience of Mr. Staig in the United Provinces, can be utilised very well under similar conditions. There might be more favourable circumstances here. If hydro-electric power can be utilised, certainly I think those areas can be reclaimed. Not only hydro-electric, I was suggesting that if power can be generated and on a vast scale utilised to lift water, then also we can reclaim these lands. Only a few years ago in Lyallpur the Civil Surgeon there told me that that area might become unpopular in a generation or so, I think he put it at 50 years. His reason was that water would come up and there would be so many mosquitoes that malaria would prevail and nobody would be able to live there.

Mr. President : That matter has already been discussed at length under item 11.

Mian Nurullah : I gave Lyallpur as an instance, but Lyallpur and Sheikhupura are neighbouring districts, and what applies to Lyallpur also applies to Sheikhupura.

Mr. President : The motion is to discuss the ways and means for helping the zamindars of the Sheikhupura district.

Mian Nurullah : It might look a far-fetched scheme, but sub-soil water can be utilised for irrigation in a very economical way. At a certain place in a certain area we can fix a pumping station, and that water can be utilised through small lead pipes. This has been tried in Germany where they want to economise water. Pipes are run twenty feet on all four sides, and this water is pressed by pressure and water irrigates not by flow but by a shower just like rainfall. The utility of irrigating in this way is more than can be conceived. What I want to suggest is that in Sheikhupura this experiment can be tried in a particular area by pumping water from the sub-soil or even by economising the use of present canal water. The irrigation would benefit and the water would be economised and then the sub-soil water can be again used and the whole problem will be solved. With these remarks I support the motion.

Mr. B. M. Staig (Secretary, Electricity) : Sir, the honourable member has referred in his speech to a particular point, namely the problem of *kallar* as well as dewatering in Sheikhupura. I would like to assure the House that this matter is already receiving the attention of Government. Already pumping operations under the control of the Irrigation Branch are being conducted at Bandoke near Chuharkana, and the Irrigation and the Electricity Engineers are considering the feasibility of using Mandi power with a view to reducing cost there and of doing something at Sheikhupura on similar lines. That matter will be investigated by the Irrigation and Electricity Branches of the Public Works Department.

In regard to the general question to which he referred of pumping sub-soil water for irrigation purposes and so saving water supplies in canals, as the House may know I had recently an interesting experience in the United Provinces where I was financial representative of a small committee to consider the extension of Mr. Stampe's Ganges Hydro-Electric Scheme.

He has already in operation some 90 tube wells, and in the next five years he hopes to have 950 or 1,000 tube wells, and the United Provinces Government are supporting his scheme. We, however, in the Punjab are not yet certain whether that experience can be applied to our conditions, and before it can be so applied extensive investigations and experiments have to be made. Information is required as to the effect of pumping on the supply of sub-soil water, the quality of the water and of the soil and of course the cost. The latter would largely depend on the proximity of the area in which such a scheme is to be carried out to the transmission lines of the Mandi scheme. If power has to be taken from a very distant sub-station, the cost tends to become prohibitively high. The matter is under consideration with general regard to the possibilities of using Mandi power for agricultural purposes. For the last year since the question of the opening of demonstration farms to show the use of Mandi hydro-electric power for such purposes was raised in this House, we have been keeping continually in mind the possibility of doing something in this way to meet the wishes of honourable members.

Sardar Bahadur Sardar Buta Singh : Sir, I must thank our Secretary, Electricity Department, who has given us the assurance that he is already doing much and will continue to do so in future and will take into consideration what has been said in this House, but no assurance has been given on behalf of the Revenue Member about those people whose lands have become absolutely unfit for cultivation purposes. There are people whose lands have become absolutely unfit for that purpose, and I wish that Government should not leave the matter with the statements which are made in this House. They should depute some officers of their own to see things for themselves and come to some conclusion after examining the *pros* and *cons* of the case. I put forward a very reasonable demand, and I hope it will be accepted.

The Honourable Mr. Miles Irving (Revenue Member) : I only wish to state that in fact 700 rectangles in the Nili Bar have been given to persons whose land has suffered from water-logging in Sheikhpura, and in addition land under temporary cultivation is given in special cases where damage has been done, also where damage is done in colony areas on the recommendation of the Waterlogging Board exchanges are granted. Incidentally I may inform the House that in 47 villages an offer was made to the villagers to move altogether to a colony area in exchange for their land which they would surrender to Government. This offer was only accepted in two cases. I think the honourable member will observe that with the grant of 700 rectangles the matter has not been forgotten.

Sardar Bahadur Sardar Buta Singh : Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Khan Bahadur Nawab Muhammad Jamal Khan Leghari (Baluch Tumandars, Land-holders) (*Urdu*) : Sir, I beg to move—

That the total grant be reduced by Re. 1.

By moving this cut I do not mean to show that the department to which it relates is not beneficent one, but my object is rather to point out that the policy adopted by Government with regard to *girdawari* and assessment of *kharaba* in the Dera Ghazi Khan district is unsound and consequently

[K. B. Nawab Muhammad Jamal Khan Leghari.]

fraught with serious consequences. I presume that the honourable members know that half of Dera Ghazi Khan district is irrigated by inundation canals and the other half by hill torrents. The *girdawari* and the assessment of *kharaba* is done by the civil department while the water is supplied by the canal department, and a tug-of-war has been going on between the two departments, the former tries to give as much *kharaba* as can be given under the rules and the latter always presses for giving as little *kharaba* as possible. The district is greatly suffering on account of this dual system. In the last assessment of 1921 the rules in connection with *girdawari* and assessment of *kharaba* were framed by the Government. These rules provide that before certain dates the crops should not be cut so that the authorities may be able to inspect the crops for the purposes of *kharaba*. In fixing these dates the Government has lost sight of the fact that half of the district is *barani* and the other half is irrigated by inundation canals. Naturally the crops in areas irrigated by these canals mature earlier. Therefore, the dates fixed for *girdawari* and inspection of *barani* crops do not suit the areas irrigated by the inundation canals. For instance, the date for *girdawari* and inspection of rice crop is 30th September and for *jawar* and *bajra* it is 30th of October. Before that date no zamindar can cut his crops, but if he cuts it, he is not entitled to any *kharaba* at all. The authorities inspect crops and grant actual *kharaba*. As rice is ready for cutting about the first week of September and *jawar* and *bajra* about the first week of October, you cannot reasonably expect that a zamindar will allow his crops to stand after ripening for about three weeks in order to get *kharaba* worth two or four, or at the most six annas in the rupee and take the risk of his whole crop being dried and the grain falling down on earth in the meanwhile. A zamindar who has spent so much labour and money on his crop cannot afford to undergo that risk. It is most surprising that neither in the time of Mr. Wilson who, as the settlement officer, was responsible for the making of this rule and who later on held charge of the district as deputy commissioner, nor in the time of his successors, who were experienced officers, this rule was so strictly observed as it is being now observed. Things have now gone from bad to worse on account of the mutual jealousy of the civil and canal departments and the weakness of the present revenue assistant. I would, therefore, invite the attention of the Honourable Revenue Member and the Financial Commissioner to the fact that under the existing circumstances the zamindars cannot afford to keep their crops standing till the appointed dates for getting a little *kharaba*, say, worth two, four or six annas in the rupee.

Mr. President : How many times is the honourable member going to repeat this argument?

Khan Bahadur Nawab Muhammad Jamal Khan Leghari : I was thereby trying to impress upon the Government that the zamindars are suffering great hardships on account of these unsuitable dates. I, therefore, now urge upon the Government the desirability of fixing 30th of August instead of 30th September for *girdawari* and inspection of rice crop and 30th September instead of 30th October for the purposes of *girdawari* and inspection of *jawar* and *bajra* crops. If the Government is prepared to give an assurance on that point I will withdraw my motion.

Mr. President : The motion moved—

That the total grant be reduced by Re. 1.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, I have not been able to gather very clearly what the purpose of the honourable member in moving this cut is. It seems to be rather a technical matter. I suppose I am right in assuming that the honourable member moved the cut with the object of transferring the assessment of *kharaba* on these canals from the civil to canal authorities. If so, I may assure him that the matter would be considered by Government. The Government has been rather concerned with the amount of *kharaba* in this canal. In spite of the difficulties mentioned by the honourable member the actual amount of *kharaba* on these canals is 40 per cent. I do not know who has got *kharaba* at 40 per cent. Such *kharaba* has not been given in any other part of the province. If the honourable member would speak to me or to the Financial Commissioner in our office about any difficulty in the matter of times in regard to *girdawari* we shall certainly be prepared to examine what should be done. The question being too technical in nature I cannot give any assurance on the spur of the moment. I may, however, assure the honourable member that since this very large amount of *kharaba* has been brought to the notice of the Government the whole question will receive careful attention.

Khan Bahadur Nawab Muhammad Jamal Khan Leghari (Unda) : Sir, of course the Honourable Member for Revenue was right when he asserted that we used to get 40 per cent. of *kharaba*. But that was not due to some dishonesty on the part of either the zamindars or of the authorities. It was rather due to the unsatisfactory working of the canals. As you know, the Dera Ghazi Khan district is irrigated by inundation canals which open and begin to run at the end of May or in the beginning of June and close and cease to run at the end of August or beginning of September. Just imagine then how a crop can be sown in June mature without receiving maturing water throughout September. In that case there must be 80 per cent. *kharaba*, the grant of 40 per cent. *kharaba* is not a very great favour. There was nothing ridiculous in the matter. Naturally the crops sown in the end of May or in the beginning of June and not receiving water throughout September cannot mature. The rule to which I already referred in my previous speech was made in 1921, but it was never so strictly observed as it was observed during the last *kharif* crop. I have invited the attention of the Government to the hardships that this rule causes, and I now request them to kindly change these dates.

As the Government is fully aware, the tahsils of the district are so vast

6 P.M.

in area that each one of them, I should think, is as big as two districts together in the central Punjab.

The district is 250 miles in length and about 50 miles in breadth, and there are vast areas of *banjar* lands covered with jungles which make the inspection of the crops by the civil authorities rather difficult. These conditions are peculiar to this district alone, and yet the district is understaffed. There is only one tahsildar and one naib-tahsildar in each tahsil, and on account of the vast area under their jurisdiction, they are not able to cope with the work and they cannot be expected to inspect the crops in time for granting *kharaba*. If the Government is prepared to add to the strength of the staff and to do justice to the zamindars we might be contented, otherwise the whole

[K. B. Nawab Muhammad Jamal Khan Leghari.]

matter may be handed over to the Canal Department so that we may get rid of the dual system. But if the Government is not prepared to give some such assurance, I have no other course but to press my motion to division. The Honourable Revenue Member has been pleased to say that on the average *kharaba* to the extent of 40 per cent. has been granted to this district. That is true, but if he were to take into consideration the facts that water is supplied by the Irrigation Department very late and at the time of the maturing of the crop the supply is again cut short, he will agree with me that the grant of 80 per cent. of *kharaba* will hardly meet the ends of justice so far as my district is concerned. I have made it clear that things are very hard for us in the Dera Ghazi Khan district, and it is for this reason that I cannot persuade myself to withdraw this cut unless some definite assurance is given to afford relief to the zamindars of the district.

Mr. President : The question is :—

That the total grant be reduced by Rs. 1.

(When the division bell was ringing.)

The Honourable Malik Sir Firoz Khan Noon : Sir, I see that there is a certain amount of misunderstanding about this question. As far as the question of dates is concerned, my honourable friend, Mr. Miles Irving, has stated that he is going to have the matter looked into, and if the Nawab Sahib had understood what Honourable Member Revenue said I think he would not have pressed his motion to a division. I think Mr. Miles Irving is willing to make it clear again.

The Honourable Mr. Miles Irving : I said that I was willing to consider the whole question of *girdawari*.

Mr. President : Does the honourable member wish me to stop the division ?

The Honourable Mr. Miles Irving : Yes, if he withdraws his motion.

Mr. President : I doubt if I can stop the division at this stage. When the question is put again, the honourable member may not press for division.

The Honourable Mr. Miles Irving : I have said that I intended to consider the whole question of *kharaba* which would of course include the dates referred to by the honourable member. I thought he understood it.

Khan Bahadur Nawab Muhammad Jamal Khan Leghari : On the assurance given by the Honourable Revenue Member, I withdraw my motion.

The motion was by leave withdrawn.

Mr. President : The question is —

That a sum not exceeding Rs. 84,80,199 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, 1935, in respect of charges on Irrigation Establishment—Open Canals and Sutlej Valley Project.

The motion was carried.

The Council then adjourned till 2 P. M. on Tuesday, 18th March, 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 13th March 1934.

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 :—

Dr. K. A. Rahman, Khan Bahadur (Director of Public Health).

STARRED QUESTIONS AND ANSWERS.

OVERSEER, BALLOKE HEADWORKS.

***3061. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the present overseer of H. Plot Headworks, Balloke sub-division (Shergarh distributary), has been posted in place of a Muslim overseer whose services were terminated on one month's notice ;
- (b) whether it is a fact that the present overseer of H. Plot is a very near relative of a responsible officer of the same department in the same circle ;
- (c) whether it is a fact that the Muslim overseer referred to in (a) was again offered an appointment in the same circle ;
- (d) why the Muslim overseer was first discharged but again offered appointment in the same circle, and whether the present overseer could not wait for the new vacancy as in charge of a section for some time more ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) Yes, but the offer had to be withdrawn due to the posting to the circle of two permanent Government servants. He was later offered another post, but had gone off without leaving an address and could not be traced. The post was therefore given to another Muslim.

(d) He was working in a permanent section which was required for a permanent subordinate who had just completed part of his training ; and under the rules had to be given charge of a permanent section. A temporary post on lower pay outside the regular scale had become available, but this could not be occupied by the Muslim referred to in (a) before notice of discharge from his original appointment had expired.

MUSLIM EXECUTIVE ENGINEER IN BALLOKE HEADWORKS.

***3062. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that no Muslim Executive Engineer or Sub-Divisional Officers have ever been posted in the Headworks Sub-Division of Balloke division;
- (b) if so, whether the Government proposes to post a Muslim Executive Engineer?

The Honourable Mr. Miles Irving (a) Yes.

(b) No change in the existing arrangements is contemplated at the moment.

ZAHUR-UL-HASSAN, TEMPORARY CLERK, LOWER BARI DOAB CIRCLE.

***3063. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Zahur-ul-Hassan, temporary clerk of Lower Bari Doab Circle, has been working for 6 months in the leave vacancy of the present stenographer;
- (b) whether it is a fact that the said Zahur-ul-Hassan was retrenched along with two other Hindu clerks;
- (c) whether it is a fact that the two Hindu clerks so retrenched were re-employed and Zahur-ul-Hassan was not re-employed in spite of his having higher qualifications; if so, why?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) Yes : because Zahur-ul-Hassan refused two temporary posts offered him.

DISMISSAL OF MASTER FAZAL DIN, SIZING ASSISTANT, GOVERNMENT INDUSTRIAL SCHOOL, PANIPAT.

***3064. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Master Fazal Din, sizing assistant, Government Industrial School, Panipat, has been dismissed from service in 1931;
- (b) if so, the reason for his dismissal?

The Honourable Dr. Gokul Chand Narang : (a) He was not dismissed but discharged from service during his period of probation.

(b) It is not usual to make public the reasons for the discharge of a Government servant, but if the honourable member presses for information on this point Government is prepared to furnish it.

LYALLPUR MUNICIPALITY.

***3065. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government has received a representation from the Muslims of Lyallpur municipality praying for separate representation, and demanding an enquiry into the working of Lyallpur municipality and adequate representation in the municipal service ;
- (b) what action, if any, has been taken upon that representation, and if any enquiry has been made, what was the result of the enquiry ?

The Honourable Dr. Gokul Chand Narang : (a) Government received a representation from the Muslims praying for the introduction of separate electorates in the Lyallpur Municipality. No representations regarding inquiry into the working of the municipal committee and representation in municipal services were received.

(b) It was decided that for the present separate representation is not desirable. Under Government's orders an inquiry into the municipal affairs of Lyallpur was recently made and a report has just been received by Government.

LYALLPUR MUNICIPALITY.

***3066. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Muslim voters of Lyallpur municipality did not take part in the election of 1983 ;
- (b) whether a deputation of the Muslims waited upon the Honourable Minister and whether it is a fact that the Honourable Minister promised the deputationists proper representation for Muslims by nomination at present and undertook to alter the constitution of the municipality before the next general elections ;
- (c) whether it is a fact that the Honourable Minister further promised to nominate those members whose names would be suggested by the deputationists ;
- (d) if the answer to (a) is in the negative, what was the actual talk and the nature of promises made with the deputationists ?

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

(b) A deputation of Muslims waited upon me and asked for the appointment of Muslims to the Committee. I did not undertake to alter the constitution of the committee before the next general elections.

(c) No.

(d) The deputationists requested that the elections be postponed, but I explained to them that it was too late to postpone the elections. They then raised the question of appointments. I told them that although the boycotting of the elections was not a very desirable way of proceeding, nevertheless Government would try to give them fair representation by appointments.

LYALLPUR MUNICIPALITY.

***3067. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the present constitution of the Lyallpur municipality ;
- (b) what constitution was proposed for the Lyallpur municipality in accordance with the Government note on reconstruction of local bodies of 1928 ;
- (c) whether the Muslim members returned in the 1927 and the 1930 elections are in accordance with the proposals of the Government note ;
- (d) if the present constitution and the members returned in 1927 and 1930 are not in accordance with the Government note, the reason for that, and also what remedy is proposed to return the Muslim members according to the Government note of 1928 ?

The Honourable Dr. Gokul Chand Narang : (a) According to the present constitution of the Municipal Committee of Lyallpur, there are 16 members, 12 elected and 4 appointed.

(b) According to the constitution proposed by Government in 1928, the committee was to consist of 15 members, 12 elected and 3 appointed.

(c) As there is a joint electorate in Lyallpur municipality, the 1928 Note by Government to which the honourable member refers, did not lay down the number of seats proposed for the different communities. It was, however, noted that, if there were separate constituencies with elected seats, based on the average of voting strength and population, the Muslims at that time would be entitled to 4.7, i.e., 5 seats. Muslims secured in the 1927 and 1930 elections 4 seats on each occasion, and another seat was given to them each year by means of the Government's power of appointment.

(d) The position has been explained above. The wards may be re-constituted and recourse may be had to nomination to secure a fair representation to the Muslims.

LYALLPUR MUNICIPALITY.

***3068. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that a Muslim deputation waited upon the Deputy Commissioner to complain that double member constituencies of Lyallpur municipalities are not in accordance with the Government formula of 1923, and that the Muslim members returned do not reflect the proportion suggested by the Government note ;
- (b) whether they requested for separate electorates for the Muslims in Lyallpur municipality ;
- (c) whether it is a fact that the Deputy Commissioner and the Commissioner supported the view point of Mussalmans and recommended separate electorates for the Lyallpur municipality ;

- (d) whether the Government propose to accept the recommendation of the Deputy Commissioner and Commissioner ; if not, why not ?

The Honourable Dr. Gokul Chand Narang : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

INSPECTORS OF CO-OPERATIVE SOCIETIES.

***3069. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that some new posts of urban inspectors and additional assistant inspectors of co-operative societies have been created in Jullundur circle ;
(b) whether any Muslim has been appointed to these posts, if not why not ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, only one post of urban inspector, co-operative societies, was sanctioned in Jullundur circle for three years. No assistant inspector was sanctioned.

(b) No.

CENTRAL CO-OPERATIVE BANK, NAWANSHAHR.

***3070. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the Central Co-operative Bank, Jullundur, possesses funds far above the needs of the district societies ;
(b) whether it is a fact that there exist two co-operative unions in the Nawanshahr tahsil ;
(c) if answer to part (a) and (b) of the question is in the affirmative the reasons that led to the establishment of a new Central Bank at Nawanshahr ?

The Honourable Sardar Sir Jogendra Singh : (a) The honourable member can obtain the necessary information from the published balance sheet of the bank ; but I may say that these funds are not ' possessed ' by any bank, but are mainly in the form of deposits by the public.

(b) Two Unions existed before the formation of the Nawanshahr Central Co-operative Bank, in which they are now merged.

(c) The societies in the Nawanshahr tahsil themselves combined to form a central bank, to which there was no reason to refuse registration. Presumably they considered that their interests would be better served by their own bank than they had been in Jullundur.

CO-OPERATIVE SOCIETIES, JULLUNDUR.

***3071. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the number of the co-operative societies in Jullundur district which are enlisted as members of the Central Co-operative Bank, while they have no dealings with the Bank ;
(b) the object of making them members of the Bank ?

The Honourable Sardar Sir Jogendra Singh : (a) The dealings of co-operative societies with the banks of which they are members are a matter between themselves and the bank, and no information can therefore be given ;

(b) Co-operative societies join central banks not merely to take loans, but in accordance with the basic principles of co-operation with their fellow-societies. They become members on their own application.

CO-OPERATIVE SOCIETIES, JULLUNDUR.

***3072. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of individual shares of the co-operative societies and the corresponding number of individual directors of the Central Bank, Jullundur ;

(b) the proportion of individual and society directors before the present Circle Registrar took over the charge and the proportion now ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) Co-operative central banks are not Government institutions and Government has no control over or information about the composition of their boards of directors. These directors are elected by the general meetings of the bank in accordance with their own bye-laws.

MUSLIM CO-OPERATIVE SOCIETIES, JULLUNDUR.

***3073. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that the maximum credit limit of the Muslim co-operative societies is being reduced by the Circle Registrar of Jullundur ;

(b) the number of Muslim and non-Muslim co-operative societies that have gone into liquidation since the present Circle Registrar took over charge ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) Co-operative societies are not classified by communities, and the information is therefore not available. The maximum credit limits of all societies in the province have been reduced during the last three years for obvious reasons.

CO-OPERATIVE CIRCLE REGISTRAR.

***3074. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

(a) since how long each Circle Registrar, co-operative banks, is in charge of each district ;

(b) whether the Government fixed any time limit after which Circle Registrar of co-operative banks is to be transferred to another place ;

(c) whether the time limit is exceeded in certain cases ;

(d) if the answer to part (c) is in the affirmative, whether the Government proposes to transfer those co-operative officers who have been in charge of districts for longer period than usual ?

The Honourable Sardar Sir Jogendra Singh : (a) A statement giving the required information is attached.

(b) No.

(c) and (d) Do not arise.

Statement.

Serial No.	Name of Circle Registrar.	Headquarters.	Date on which took over charge of his present circle.
1	S. Gopal Singh, B.A. ..	Rohtak ..	17th January 1934, after-noon.
2	S. Lachman Singh, B.A. ..	Amritsar ..	30th March 1932.
3	Chaudhri Ali Muhammad, B.A.	Lahore ..	25th January 1933.
4	S. Zahur Hussain Shah, B.Sc...	Gujranwala ..	19th January 1933.
5	Agha Ata Ullah Khan ..	Sialkot ..	31st October 1930.
6	Chaudhri Shah Muhammad, B.A.	Ferozepore ..	10th January 1934.
7	Khan Ghulam Muhammad Khan B.A.	Multan ..	12th November 1929.
8	Chaudhri Ghulam Haider, B.A., Industrial Assistant Registrar,	Lahore ..	1st November 1930.
9	Chaudhri Ghulam Muhammad	Lyallpur ..	30th September 1933, after-noon.
10	Chaudhri Nawab Ali, B.Sc. ..	Rawalpindi ..	23rd September 1933, after-noon.
11	Sheikh Manzur Ali ..	Muzaffargarh ..	8th April 1932.
12	Chaudhri Iqbal Muhammad, M.A.	Gurgaon ..	9th October 1933.
13	Lala Balkishan ..	Gurdaspur ..	2nd January 1934.
14	S. Iqbal Singh, M.A. ..	Ambala ..	29th July 1929.
15	Mian Mahan Singh ..	Jullundur ..	22nd March 1929.
16	S. Balwant Singh ..	Sargodha ..	20th October 1933.
17	Chaudhri Izzat Ali, B.A. ..	Hissar ..	28th October 1931.
18	Mian Fateh Singh, B.A., Bar-at-Law.	Dharmasala ..	5th August 1930.
19	Chaudhri Ram Sarup, B.A., LL.B.	Hoshiarpur ..	1st October 1928.
20	Chaudhri Bashir Ahmad, B.A. (Officiating).	Campbellpur ..	17th September 1933.
21	Chaudhri Abdul Hamid Khan ..	On 8 months' leave on average pay from 24th September 1933.	

MUSLIM EMPLOYEES, CO-OPERATIVE DEPARTMENT, JULLUNDUR.

***3075. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to lay on the table—

- (a) a comparative statement of Muslim and non-Muslim employees in the Jullundur circle before and after the present Registrar, co-operative banks, took over charge of his office ;
- (b) the causes of reduction in the number of Muslim employees in the co-operative Department of the Jullundur district since the present Circle Registrar took over charge of the district ?

The Honourable Sardar Sir Jogendra Singh : (a) The required comparative statement is given below :—

	BEFORE THE PRESENT CIRCLE REGISTRAR TOOK OVER.			Now.		
	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.	Hindus.
1. Clerks—						
Permanent ..	3	3	1	3	5	3
Temporary ..	1	..	..	..	..	..
2. Inspectors—						
Permanent ..	4	..	1	2	3	2
Temporary ..	1	..	..	..	..	..
3. Sub-Inspectors Consolidation—						
Temporary ..	15	4	1	12	2	2
4. Peons ..	5	1	2	3	2	4

(b) The staff is on the Provincial list ; sometimes one and sometimes another community predominates.

MUNICIPAL COMMITTEE, LYALLPUR.

***3076. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Mr. Macdonald, P.C.S., was appointed to enquire into the complaints against the Municipal Committee, Lyallpur ;
- (b) whether the officer recommended the suspension of the committee ;
- (c) if answer to part (b) of the question is in the affirmative, what steps Government proposes to take on that recommendation ?

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

(b) Yes, among alternative proposals.

(c) The matter is under consideration.

MUNICIPAL COMMITTEE, LYALLPUR.

***3077. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Mr. Macdonald, P.C.S., who was deputed to enquire into the maladministration of the municipal committee, Lyallpur, made adverse remarks against the members of the committee ;
- (b) whether it is a fact that Mr. Macdonald recommended to the Government to appoint an Executive Officer for that municipality ;
- (c) if so, what steps the Government proposes to take in this respect ?

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

- (b) Yes, among alternative proposals.
- (c) The matter is under consideration.

WATER SUPPLY IN VILLAGE JOIA.

***3078. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that agricultural land of village Joia, thana Raiwind, district Lahore, had been irrigated by Kala Minor (Upper Bari Doab third division) ;
- (b) whether it is a fact that for some years past the whole land of village Joia had been without any crop on account of scarcity of water ;
- (c) whether it is a fact that the whole population deserted the village on account of the scarcity of water ;
- (d) if so, what steps the Government is taking to remove the complaint of the zamindars of the village ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) and (c) No.

(d) Does not arise.

CANDIDATES OF MUNSHI LINE, LOWER CHENAB CANAL.

***3079. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the candidates of munshi line, Lower Chenab Canal, East Circle, have been removed from the list of candidates (*vide* letter No. 12274-Est. S., dated 8th December 1933, from the Chief Engineer) ;
- (b) whether it is a fact that these accepted candidates have been actually working as munshis ;
- (c) what action Government proposes to take in the matter ?

The Honourable Mr. Miles Irving : (a) The names of those whose ages are such that they cannot be made permanent in Government service, without waiving existing rules, have been removed.

[Hon. Mr. Miles Irving.]

(b) In some cases as temporary munshis.

(c) It has been pointed out to Superintending Engineers that the rules cannot be waived except in very exceptional cases; and they have been instructed to inform those candidates who have no chance of being made permanent.

SESSIONS CASES IN HISSAR.

***3080. Lala Bhagat Ram :** Will the Honourable Finance Member please state—

- (a) the number of sessions cases pending in the court of District and Sessions Judge, Hissar ;
- (b) the dates of commitment of these cases ;
- (c) their dates of hearing if fixed ;
- (d) the period prescribed by the High Court for finishing a sessions case after commitment ;
- (e) whether it is a fact that civil appeals are fixed during the days when sessions cases are heard and they are not heard ?

The Honourable Sir Henry Craik : (a) Twelve.

(b) and (c) A statement is laid on the table. I would add for the honourable member's information that steps have been taken by the High Court to deal with the congestion of criminal work in this Court, and it is anticipated that these steps will result in the ante-dating of many of the dates given in the statement.

(d) Ordinarily, a case should be fixed for hearing within 60 days of its commitment.

(e) Civil appeals (mostly *kacha*) are sometimes fixed for hearing on the concluding days of a Sessions trial in order to take advantage of any time left over after the close of the trial.

Statement showing the 12 sessions cases pending in the court of Sessions Judge, Hissar, with their dates of commitment and the dates of hearing.

Serial No.	Date of commitment.	Date of hearing fixed.
1	13th September 1933	14th to 26th May 1934.
2	31st October 1933	6th to 17th March 1934.
3	5th December 1933	4th to 9th April 1934.
4	17th November 1933	2nd to 5th March 1934.
5	31st October 1933	16th to 19th April 1934.
6	15th November 1933	29th and 30th May 1934.
7	15th November 1933	2nd to 4th May 1934.
8	12th September 1933	20th to 22nd March 1934.
9	8th January 1934	31st May 1934 to 2nd June 1934.
10	8th January 1934	7th to 9th June 1934.
11	1st February 1934	11th to 13th June 1934.
12	24th February 1934	15th to 17th June 1934.

CIVIL APPEALS IN HISSAR.

***3081. Lala Bhagat Ram :** Will the Honourable Member for Finance kindly state—

(a) how many civil appeals of 1932 are pending in the District and Sessions Court, Hissar, and what dates are fixed for hearing them ;

(b) the cause of delay in their disposal, if any ?

The Honourable Sir Henry Craik : (a) Six. Out of these three are fixed for 24th March, two for 29th March and one for 3rd of April, 1934.

(b) In four, the delay was due to the non-service of respondents, while in the fifth it was due to the death of one respondent or another before the dates of hearing. The delay in the sixth case was due to a variety of causes, mainly the pressure of criminal work.

***3082.** *Cancelled.*

WARDEN OF FISHERIES.

***3083. Pir Akbar Ali :** Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that the Punjab Government are thinking of restoring the post of Warden of Fisheries ;

(b) if so (i) what qualifications are required for the said post and what pay is proposed for him, (ii) whether any applications have been invited for the post or any selection so far made ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

DEPUTY SUB-INSPECTORS, FISHERIES DEPARTMENT.

***3084. Pir Akbar Ali :** Will the Honourable Minister for Agriculture kindly state—

(a) the number of deputy sub-inspectors in the Fisheries Department ;

(b) how many out of them know English, their qualifications and period of service ?

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

(b) Four. Their qualifications and period of service are given below :—

Serial No.	Qualifications.	PERIOD OF SERVICE.		
		Years.	Months.	Days.
1	Read up to Matriculation standard ..	8	6	
2	Read up to Matriculation standard ..	7	7	
3	F.Sc. of the Punjab University ..	3	11	
4	F.A. of the Punjab University ..	2	6	

MUSLIMS IN IRRIGATION DEPARTMENT.

***3085. Pir Akbar Ali :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the Government has from time to time issued instructions for raising the proportion of Muslims in the Irrigation Department ;
- (b) how many overseers there are in the Lower Bari Doab Canal division ; how many out of them are (i) Muslims, (ii) Non-Muslims ;
- (c) how many out of them have been retrenched, with the name of community to which they belong ;
- (d) whether it is a fact that in spite of retrenchment new recruitment of overseers has been made ; if so, their number, community-wise ;
- (e) the present proportion of Muslims and Non-Muslims in the rank of overseers in the said division ;
- (f) whether it is a fact that the proportion of the Muslim overseers is too low ;
- (g) if so, what action Government proposes to take in the matter ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Sixteen temporary subordinates were employed in Lower Bari Doab Canal Circle on 1st January 1932, i.e.—

Non-Muslims	..	..	..	..	11
Muslims	..	..	..	..	5
					—
Total				..	16
					—

(c) The following out of them have been retrenched :—

Non-Muslims	..	..	..	..	8
Muslims	..	..	..	..	3
					—
Total				..	11

(d) No recruitment of temporary subordinates has been made except one Muslim subordinate appointed in February 1934 and one Hindu reverted to temporary rank from permanent on probation from 1st March 1933.

(e) Temporary Muslim subordinates	..	..	3
Temporary non-Muslim subordinates	..	..	4
			—
Total		..	7
			—

(f) In view of the circumstances explained in the answer to the previous parts of the question, the proportion of Muslim temporary subordinate,—vide (e)—is considered satisfactory.

(g) 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 pursued by Government.

DAMAGE BY FLOODS IN ZIRA TAHSIL.

***3086. Pir Akbar Ali :** Will the Honourable Revenue Member kindly state—

- (a) the names of the villages in the Zira tahsil in Ferozepore affected by floods and the details of the disaster in respect of—
 - (i) area flooded ;
 - (ii) cattle lost ;
 - (iii) whole area and area under last *kharif* which has been destroyed ;
- (b) whether any *rabi* has been sown ; if so, how much ;
- (c) whether any relief has by way of *tagavi* or otherwise been given to the inhabitants of those villages ; if so, what is the amount ;
- (d) whether the Government is aware that most of the people have lost (i) all the *kharif* crop, (ii) all the cattle, (iii) their houses and everything belonging to them by floods, and they have not been able to sow *rabi* crop ;
- (e) whether the Government is aware that the chief cause of these villages being flooded was a breach made in the railway *bund* near Makha and Jogewala villages, by the Railway employees, to save the Railway line ; if so, what steps the Government has so far taken to compensate the inhabitants for the loss they suffered for the action of the Railway Department ;
- (f) whether the Government is aware that on a former occasion also much loss was caused to the villages surrounding this *bund* ;
- (g) whether the Government is aware that the river bridge on the railway line near Jogewala village is not wide enough for the flow of the river water in the rainy season ;
- (h) whether the Government is aware that most of the land of the inhabitants of these villages has become unfit for cultivation ; if so, whether the Government has taken any steps to provide them with land on temporary cultivation on any of the new colonies ?

The Honourable Mr. Miles Irving : (a) A list of the villages affected by floods is laid on the table.

- (i) 37,384 acres.
- (ii) No cattle were lost, destroyed or drowned during the flood. Some cattle are reported to have died of starvation and disease later, but the exact number is not known.
- (iii) The whole area under crops in *kharif* 1933 was 12,057 acres out of which 5,765 acres failed chiefly because of the flood, but partly also because of the excessive rainfall.

(b) The *rabi* crops were extensively sown, but the area sown cannot be ascertained till the completion of the *rabi girdawari*.

(c) Rs. 482 were distributed by the Deputy Commissioner personally on the spot by way of gratuitous relief. A sum of Rs. 6,800 has been advanced as *tagavi*. The land revenue was suspended in a few villages and the question of remitting it in others is under consideration.

(d) (i), (ii) and (iii) Government are aware that the people have suffered losses ; but not to the extent suggested. Besides what has been stated above many mud houses were damaged and a number collapsed.

[Hon. Mr. Miles Irving.]

As already stated the *rabi* crops have been sown on a large scale.(e) and (f) There is no railway *bund* near Makha or Jogewala villages.

(g) The matter is under investigation.

(h) The area rendered unfit for cultivation due to floods is negligible.

List of villages referred to in part (a).

Serial No.	Name of village.	Serial No.	Name of village.
1	Fateh Ullah Shahwala.	30	Rasulpore.
2	Kahnewala.	31	Sudan.
3	Guluwala.	32	Shian Pari.
4	Lalliandi.	33	Khadur.
5	Jogewala.	34	Waraawala.
6	Amir Shahwala.	35	Qutabpore.
7	Ghuralli.	36	Mohkamwala <i>alias</i> Arianwala.
8	Mundi Chhuri Maran.	37	Chak Marshana.
9	Dibwala.	38	Chak Dhangarh.
10	Hidayat Ullahwala.	39	Saddarwala.
11	Muhammad Shahwala.	40	Phemiwala.
12	Akbarwala.	41	Tibi Arian.
13	Salle Wind.	42	Lehra Bet.
14	Khialli.	43	Sarhalli.
15	Khanna.	44	Walliat Shahwala.
16	Madabar Shera.	45	Nizam Dinwala.
17	Aminwala.	46	Padhar.
18	Nangal.	47	Kamalke.
19	Sharaf Ali Shahwala.	48	Warpal.
20	Pir Muhammad.	49	Jattanwali.
21	Malang Shahwala.	50	Butawala.
22	Buh Gujran.	51	Hashmatwala.
23	Burj Muhammad Shahwala.	52	Rode Jallewala.
24	Lahle.	53	Manoo Chahal.
25	Talwandi Nipalan.	54	Asafewala.
26	Makhu.	55	Hamadwala <i>Hathar</i> .
27	Wariah.	56	Mallu Walliawala.
28	Buhlloke.	57	Sadhara.
29	Winjoke.	58	Mellanwala.

EXECUTIVE ENGINEER'S OFFICE, RAIWIND DIVISION.

***3087. Lala Gopal Das :** With reference to question No. 3025¹ put by Mr. Muhammad Din Malak, will the Honourable Member for Revenue please state—

- (a) the composition of the establishment communitywise in the Raiwind division of the Executive Engineer's office, Irrigation Branch ;
- (b) how many Muslim clerks are immediately employed under the Hindu head clerk and whether all the following clerks, viz., the typist, the revenue clerk, the record-keeper and other clerks, are Muslims and there is only one Hindu clerk ;
- (c) in the senior clerical staff of this office how many are Hindus and Muslims ?

The Honourable Mr. Miles Irving : (a) 10 Muslims and 10 non-Muslims counting clerical, drawing and revenue staff in the Divisional Office.

(b) Four out of the 5 clerks, working immediately under the Head Clerk, are Muslims, i.e., the Despatcher, Revenue Clerk, Record-Keeper, and one other clerk.

(c) The head clerk and accounts clerk are non-Muslims and the revenue clerk is Muslim.

***3088. Cancelled.**

UNSTARRED QUESTIONS AND ANSWERS.

PUNJAB CIVIL SERVICE (JUDICIAL BRANCH).

776. Kanwar Mamraj Singh Chohan : Will the Chief Secretary kindly say—

- (a) whether it is a fact that Government servants on the ministerial establishment of the Punjab Government are permitted to sit in the qualifying examination for the Punjab Civil Service (Judicial Branch) up to the age of 35 years if they are otherwise eligible ;
- (b) if so, whether the educational qualifications fixed for the other candidates and the candidates mentioned in (a) above are the same ;
- (c) whether there are certain departments, the members of the ministerial establishment of which are not permitted to sit in the examination, if so, what they are ;
- (d) the reasons for such an invidious discrimination between the ministerial establishments under the Punjab Government ;
- (e) whether the ministerial establishment of the departments mentioned in (c) above are eligible for nomination to the post of Punjab Civil Service (Executive Branch) ?

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

(c) The only departments the members of the ministerial establishment of which are permitted to sit in the examination are the Punjab Secretariats and the High Court. The establishment of no other department is permitted to sit.

(d) The adjective 'invidious' is not accepted as correct. There has been no demand from other departments.

(e) Yes.

AGRICULTURISTS IN PUBLIC SERVICES.

777. Diwan Bahadur Raja Narendra Nath : Will the Honourable Finance Member be pleased to state—

- (a) the number of statutory agriculturists in the Punjab belonging to tribes notified under the Land Alienation Act and the proportion they bear to the total population of the province ;
- (b) the number of agriculturists to whom the privilege of preferential treatment for recruitment to services was granted by the Punjab Government resolution No. 4572-S., dated October 3, 1919, and the proportion they bear to the total population ;
- (c) the number of agriculturists as restricted by subsequent orders of Government to which preferential treatment for recruitment is conceded and the proportion they bear to the total population of the province ;
- (d) whether the Government is prepared to make an enquiry to ascertain the exact number under (a), (b) and (c) if the exact number is not known ;
- (e) if the answer to (d) is in the negative, how the Government is going to satisfy itself that agriculturists do not get more posts in any department than their proportion in the population, and the non-agriculturists do not get fewer posts than their proportion in the population ?

The Honourable Sir Henry Craik : (a) Exact figures are not available, but it was estimated at the census of 1931 that the statutory agricultural castes constitute rather more than half the total population of the province.

(b) No figures are available ; but in the Resolution of 1919 it was estimated that the rural population was 90 per cent. of the whole population, while 54 per cent. were zamindars as therein defined or their dependents.

(c) The orders of 1925 did not alter the definition of agriculturists given in 1919 ; they did, however, define more closely the expression " hereditary proprietor or tenure holder " used in the definition of 1919, and imposed upon Government officers the duty of satisfying themselves more strictly that applicants to be classified as agriculturists who were not members of notified agricultural tribes did in fact satisfy the conditions laid down in 1919.

(d) No.

(e) By bearing in mind the figures given in (a) and (b) above and also the percentages fixed for future recruitment in the case of certain services by the Resolution of 1919.

—

DAMAGE BY THE RAVI IN VILLAGE SAGIAN KALAN.

778. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the total number of *kacha* and *pucca* houses which have been demolished and flooded away in the last rainy season on account of the action of river Ravi in the village Sagian Kalan in the Shahdara tahsil ;
- (b) the area which had gone in the bed of the river in the same village ;
- (c) the total area now under cultivation in the said village ;
- (d) how much green fodder has been sown by the farmers for their cattle ;
- (e) if the houses have been ruined and demolished on account of this action of the river, then how the villagers now live ;
- (f) whether the Government is considering the question of compensating the villagers for the enormous loss which they have suffered ?

The Honourable Mr. Miles Irving :

	<i>Sagian Kalan War.</i>	<i>Sagian Kalan Par.</i>
(a)	149	146
(b)	18 acres	33 acres
(c)	475 acres	370 acres
(d)	52 acres	35 acres

- (e) The villagers have since built new mud houses.
- (f) Government do not consider that there is any case for compensation from provincial funds.

—

DISTRICT BOARD, SHEIKHUPURA.

779. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the monthly expenditure of the District Board of Sheikhupura ;
- (b) how many clerks and officers work in the office of the District Board ;

The Honourable Dr. Gokul Chand Narang : (a) The average monthly expenditure of the District Board of Sheikhupura during the last year has been Rs. 46,531.

(b) There are twenty clerks and two officers in the office of the District Board, Sheikhupura.

—

DISTRICT BOARD, SHEIKHUPURA.

780. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the yearly income of the District Board of Sheikhupura from *haisiyat* tax ;

[Ch. Shah Muhammad.]

(b) how many persons are engaged for the collection of the *haisiyat* tax ;

(c) whether the Ministry is aware that hundreds of petitions were put in by those persons who believe that they have been wrongly taxed ;

(d) how those petitions were disposed of and by whom ?

The Honourable Dr. Gokul Chand Narang : (a) *Haisiyat* tax is not in force in the District Board of Sheikhpura.

(b) to (d) Do not arise.

DISTRICT BOARD, SHEIKHPURA.

781. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self Government kindly state how many members of the District Board of Sheikhpura are illiterate ?

The Honourable Dr. Gokul Chand Narang : Two of the thirty-six members are illiterate.

DISTRICT BOARD GIRLS' SCHOOLS, SHEIKHPURA.

782. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

(a) how many girls' schools are maintained by the District Board of Sheikhpura ;

(b) the number of girls who receive their education in the district board schools ;

(c) whether Government intend to allot a seat to a woman member in the coming elections ?

The Honourable Dr. Gokul Chand Narang : (a) Twenty-eight.

(b) About 1,200.

(c) No woman can stand for election under the rules. If a suitable woman could be found for nomination Government would consider the question.

MEDICAL SCHOLARSHIPS BY DISTRICT BOARD, SHEIKHPURA.

783. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state whether the District Board of Sheikhpura gives scholarships for medical study and maternity training, and, if not, whether Government is prepared to direct the District Board to do so in future ?

The Honourable Dr. Gokul Chand Narang : The District Board of Sheikhpura had been giving a scholarship for study in the Medical School, Ludhiana, open to nurse *daïs* of the district, but it had to be discontinued as no student of this district was forthcoming.

The District Board is the best judge of the matter.

AGRICULTURAL BOOKS, DISTRICT BOARD, SHEIKHUPURA.

784. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the number of books on Agriculture which are possessed by the office of District Board, Sheikhupura ;
- (b) the number of papers on Agriculture to which the office contributes for the information and general reading of the members and others ;
- (c) if the answer to (a) and (b) is in the negative, whether the Honourable Minister is kindly prepared to direct the Board to purchase and subscribe to papers of this nature ?

The Honourable Dr. Gokul Chand Narang : (a) No books on Agriculture are kept in the District Board office.

(b) One hundred and fifty-five copies of the *Dehati Zindgi* which contains articles on agricultural topics, are being purchased by the Board and supplied to all its primary schools.

(c) The matter is one for the Board's discretion.

TRAINING FOR CIVIL SERVICES.

785. Chaudhri Shah Muhammad : Will the Honourable Finance Member kindly state—

- (a) how many permanent Punjab Civil Service men are deputy commissioners in the province ;
- (b) the number of permanent Punjab Civil Service sessions judges in the province ;
- (c) the number of officiating and temporary Punjab Civil Service men who are holding the posts of deputy commissioners and sessions judges ;
- (d) after how many years' training an Indian Civil Service officer becomes district and sessions judge ;
- (e) whether any of the posts in question have been filled by most junior and inexperienced young officers ;
- (f) if the filling of these posts of district and sessions judges and deputy commissioners by junior officers is unavoidable, whether Government is prepared to extend the period of their training ?

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

(b) Five.

(c) There are no officiating and temporary Punjab Civil Service men holding the posts of deputy commissioners and district and sessions judges. The number of Punjab Civil Service permanent men holding these posts in an officiating or temporary capacity is 11.

(d) The period varies among other matters with the state of the cadre and the aptitude of the officer.

(e) In the present state of the cadre certain comparatively junior and inexperienced officers have inevitably to be employed in these posts.

(f) Government does its best with the material available.

GOVERNMENT'S DEMANDS FOR GRANTS.

IRRIGATION CAPITAL.

The Honourable Mr. Miles Irving (Revenue Member): I move—

That a sum not exceeding Rs. 20,79,000 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, 1935, in respect of Irrigation (Capital).

The motion was carried.

DEBT SERVICES.

The Honourable Sir Henry Craik (Finance Member): I move—

That a sum not exceeding Rs. 8,000 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, 1935, in respect of Debt Services.

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Sir Henry Craik (Finance Member): I move—

That a sum not exceeding Rs. 84,64,400 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, 1935, in respect of General Administration (Reserved).

Mr. President: Demand moved—

That a sum not exceeding Rs. 84,64,400 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, 1935, in respect of General Administration (Reserved).

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

That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,44,300, total Provincial Legislative Council.

My object is to point out that the travelling allowance of members is insufficient. Last year this very motion was moved and was carried by the Council without any opposition on the part of Government members. I am sorry to say that no attention has been paid by Government to this cut which was carried then. I would not have moved this motion again this year if I had not found that a number of members who could not spend money when they were drawn away from their homes were being put to a lot of trouble in meeting the expenses they had to incur here. In order to serve as a guidance I may mention that in the Assembly, members get Rs. 20 a day, and I daresay that in Delhi the expenses are not higher than at Lahore. All the difficulties which exist in Delhi exist at Lahore also and perhaps with a vengeance. For this reason the travelling allowance should have been at the same level as for the members of the Legislative Assembly in accordance with the actual expenses of the place. It is evident that members generally do not get extra emoluments to cover their expenses and they have to come from very long distances putting off their urgent private affairs. They should not be expected to spend a portion of their private income to meet their expenses at Lahore in connection with the business of the Council.

I may mention one other thing. In the first Legislative Council under the Reforms I am told that the allowance was Rs. 15 per diem and members continued to draw at that rate for a considerable period. After that the members sacrificed voluntarily a portion and accepted an allowance of Rs. 12 per day. And even this was not continued but was reduced to Rs. 10. When this reduction was first made it was urged by members of the Government that it was only for a year. It should, therefore, have been terminated in March last. It has, however, been kept on now for two years. I do not think that there is a considerable saving on this account but the trouble that is caused to members is very much greater than the saving realised. If it is necessary to apply the retrenchment axe to members of the Council it is but right and proper that they should be axed to the extent that other members and Government establishment have been axed, that is, to the extent of ten per cent. only and now 5 per cent. That would have resulted in a reduction of the allowance by eight annas. But a reduction of about 17 per cent. has been made from the already meagre allowance paid to members.

In addition to these grounds I think that it is disgraceful for a member of the Council to be treated like this. If Government are not able to pay adequately let the members become honorary members and be not allowed anything at all. If they can afford it they will certainly do it. But to give a pittance, to give them an amount not at all sufficient for their expenses, is nothing less than an insult to honourable members of the Council. Nor do I think the Punjab is less prosperous or in less favourable financial conditions than the neighbouring province, the United Provinces, where the travelling allowance of members is certainly much more. For these reasons I urge that the original rate of travelling allowance should be restored. If it cannot be increased it should at least be kept at the level at which it was before the imposition of the cut. With these words I move my motion.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,44,30), total Provincial Legislative Council.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural) : The original principles which led the Government to fix the daily allowance at Rs. 15 have never been discussed by this House nor have they been disclosed by Government. Those principles which guided the Government in making the travelling and daily allowances rules are a secret to members and we can only guess them. The Government have never said that these are the principles which govern from time to time the fixation of travelling and daily allowances to members of the Council. I will confine myself to a comparison of the state which existed when this Council began, with the state which now exists. The daily allowance of members was fixed at Rs. 12 per diem. But afterwards a retrenchment committee was constituted by you and that committee recommended a reduction in the daily allowance of members. But when other departments had a cut of ten per cent. only the members suffered a cut of 20 per cent. The daily allowance of members was reduced by about 20 per cent. And I can clearly say that it cannot be defended on any ground other than that of retrenchment. But the retrenchment elsewhere was to the extent of ten per cent. and now only 5 per cent.

[Kanwar Mamraj Singh Chohan.]

This means that while other departments of Government have been favoured by Government by a cut of only 5 per cent. the daily allowance of members which was cut by 20 per cent. still remains at the same reduced rate. Chaudhri Allah Dad Khan has taken a lead in this respect, and even in the year before last, i.e., in 1932, he was the mover of a cut motion during which he stated clearly before this House that the daily allowance of honourable members of this House was insufficient and he wanted it to be increased. Many other members also spoke in its favour and the motion was carried without being allowed to be withdrawn.

(On Diwan Bahadur Raja Narendra Nath crossing the line between the chair and the member speaking.)

Mr. President : Order, order. I may point out as I have done several times before, that when a member is speaking another member should not cross the line between the speaker and the chair.

Kanwar Mamraj Singh Chohan : When the honourable member Chaudhri Allah Dad Khan moved the cut two years back the question arose whether this cut motion was at that time to be withdrawn or not. The House did not allow it to be withdrawn, but rather expressed the opinion definitely and in clear words that the motion was to be carried and the cut motion was carried. Government instead of giving effect to it put the matter before the Standing Finance Committee and at that time Government argued its case like this. Government said that the views of the honourable members were not clear, that every member had not spoken that this daily allowance should be increased, and so Government would be inclined to put the matter before the House and the House itself should decide whether the allowance should be increased or not. At that time, if I mistake not, honourable members of Government themselves, including Sardar Sir Jogendra Singh, were pleased to remark that the fair rate would be Rs. 12. It was also expressed by non-official members that the rate should be increased, but as a matter of policy, all the members of the Finance Committee agreed to this that as the budget session was approaching the matter should be left again to the sweet will of the Council. Unfortunately this matter was not agitated last year. I do not think that even the major head ever came up for discussion.

The Government also had committed itself to the view that this rate of Rs. 10 was insufficient for honourable members. I do not want to cast any slur on honourable members who are fortunate to get a higher daily allowance. Government has allowed a higher amount of Rs. 15 for members of some select committees. That is a fact ; if I am incorrect the Honourable Finance Member can rebut it. The importance of the committee or the importance of the trouble that they may have to undergo prevailed upon Government to give them a higher rate, but the fact remains that Government has committed itself in this respect. Members naturally cannot speak much about the matter as it concerns them. With these words I support the motion.

The Honourable Sir Henry Craik (Finance Member) : The history of the rate of daily allowance allowed to honourable members during the Council session has not been quite accurately stated. What happened was

this, that when the Retrenchment Committee reported, it did, I think, make some suggestion, possibly not a very definite suggestion, that the rate was capable of reduction. Government, and you will, Sir, support me in this, Government did not accept that but I think suggested to you that you should appoint a committee of members of this House to consider the question themselves and falling in with that suggestion, you, Sir, appointed a committee of, I think, five of the leading members of this House. That was in 1931. That committee recommended that the daily allowance of members should be reduced from Rs. 12 to Rs. 10. That was a committee composed entirely of non-official and elected members. It recommended that the allowance of members should be reduced from Rs. 12 to Rs. 10. (A voice : For one year.) No, I do not think so. It was a recommendation that was not limited to one year at all. In the budget session of 1932, not last year as stated by the mover, the same member who has moved this motion moved a similar token cut in respect of this item, and suggested or possibly made it plain that his object was to have the daily allowance raised again from Rs. 10 to Rs. 12. It has been represented that the honourable member's motion on that occasion received the general support from the House. That is very far from being the fact. I have looked through the debate and I find that nine honourable members took part in that debate and of those nine only three supported the motion, four of the nine speakers suggested that the motion was inopportune and asked the mover to withdraw it. One gave no definite opinion. Eventually, recognising the feeling of the House, the mover asked for leave to withdraw his motion but leave was refused. He was not allowed to withdraw his motion. It was then put to the vote and I think to the general surprise it was carried. After that the next step taken was that Government referred the two points to the Standing Finance Committee. The first of this was whether in deference to the views of the House as exhibited by the result of that motion the daily allowance should be restored to its former level and, secondly, whether daily allowance should be paid to members for a certain number of days before the commencement of a session and after the conclusion of a session. The honourable gentleman who has just spoken, Kanwar Mamraj Singh Chohan, said that Government argued its case before the Standing Finance Committee on certain lines. That is not my recollection at all. As far as I remember, we left the decision entirely to the elected members of the Standing Finance Committee, of whom the last speaker was one. The Standing Finance Committee advised that in regard to the question of enhancing the rate from Rs. 10 to Rs. 12 no action should be taken at present. That was as far as I recollect the unanimous view taken by all the elected members on the Standing Finance Committee and three of them are present in the House at the moment. One is the honourable gentleman who has just spoken, the other was the Leader of the National Unionist Party and the third was my honourable friend from Rawalpindi, Sardar Bahadur Sardar Mohan Singh. Pir Akbar Ali was the fourth, he is not here to-day. There was a further recommendation on the subsidiary matter regarding the grant of an allowance for certain days before the beginning and after the close of the session, which is not relevant to the motion before the House to-day, at least the honourable mover has not raised it. But in regard to that the committee advised in favour of the practice in force in the United Provinces where members are paid daily allowance for one day before and one day after the meeting of the Council

[The Hon. Sir Henry Craik.]

and recommended that that concession should be introduced with effect from the next session. Effect has been given to the advice of the Finance Committee on both points. The allowance is now and has since the budget session of last year been admissible to members for one day before and one day after the conclusion of the session. Had the Standing Finance Committee advised in favour of allowance being enhanced from Rs. 10 to Rs. 12, that would have been done. The Standing Finance Committee recommended, to the best of my recollection unanimously recommended, that that enhancement should not be made and Government acted on that advice. I do not see in the circumstances what else even the mover of this motion could have expected Government to do. Was it to brush aside the unanimous recommendation of the Standing Finance Committee and act contrary to their advice? I do not think that Government has ever taken that very extreme course nor would it have been justified in this case in doing so. Having accepted, first of all, the recommendation of the committee appointed by you, Sir, and also lowered the rate of allowance and then referred the matter again to another representative committee of the elected members, Government's position throughout has, I claim, been entirely correct, and I can see no reason why this indirect attack should have been made upon it. I trust that in view of that explanation the honourable mover will withdraw his motion.

Mr. President : A point of some constitutional importance arises from the statement made by the Honourable Leader of the House. The point is whether the decisions of this House are to be given effect to on the recommendation of the Finance Committee. It is, no doubt, open to Government to consult anybody they like. But the point is whether the decisions of this House are to be reviewed by the Finance Committee and whether the Government are to follow the advice of the Finance Committee in preference to a decision of the House. As this is a matter of some constitutional importance I invite to it the attention of the Honourable Leader of the House.

The Honourable Sir Henry Craik : That is certainly a fair question to ask. But I would remind you and the House to the very peculiar circumstances in which this out motion was agreed to by the House. As I have said the debate took place two years ago, in March, 1932, and the discussion was confined entirely to non-official elected members of the Council. No member from these benches took part in the debate at all. Of the nine non-official members who participated in the debate only three supported the motion, four suggested that the time was not opportune and that the motion should be withdrawn and one member expressed no opinion.

Mr. President : If I remember aright, after the passage of the motion by the House I was consulted by Government as to whether the members who had urged the withdrawal of the motion could be taken to have voted for the motion. My reply, so far as I can recollect, was that after a question was decided by the vote of the House, the speeches made by members for or against the question did not matter at all.

The Honourable Sir Henry Craik : No vote was taken. No division took place.

Mr. President : It is immaterial. The only question is whether the motion was passed or not, and if it was passed, whether effect was given to the decision of the House or not.

The Honourable Sir Henry Craik : Government felt doubt whether the motion as carried reflected the real view of the House, as the mover of the motion asked for leave to withdraw and leave was refused.

Mr. President : I am not the Legal Advisor of the Government, but when the Chief Secretary solicited my opinion I gave it without hesitation, little knowing that despite it, the decision of the House will not be given effect to. I am rather jealous of the rights and privileges of the House.

Mr. C. C. Garbett (Chief Secretary) : I would assure you that no one is more jealous of the privileges of this House than the official members. Since you have mentioned me in this connection, I may be allowed to explain the position. The end of the debate in question was what may be called a snap conclusion, and we on this side of the House were genuinely wondering exactly what the members of the House intended. To the best of my recollection there was considerable discussion among ourselves, that is to say, among Government members as to what really the members of this House wished. Had we felt that the motion was clear, Government would have acted upon it without hesitation. As there was a doubt, we thought that the fairest thing to do—we could not bring this matter before the House—was to call a meeting of the Standing Finance Committee which represents as it were the essence of the House. As the Honourable Leader of the House explained, we consulted the Finance Committee and not only did we consult the Finance Committee, but even left it to the elected members of the House to guide us in the matter. If there has been any error of procedure in your view, allow me to assure you that there has been no error in intention. All we did was to endeavour to find out what the House really wished and we consulted you in the matter because of our need for advice.

The Honourable Sir Henry Craik : There is one other aspect of the question. Assuming that this House passed a resolution in favour of say a proposal for building a new Council Chamber. Is it your contention that the decision is final and binding on Government ?

Mr. President : It is entirely in the discretion of Government to give effect to the decision or not.

The Honourable Sir Henry Craik : Suppose Government decided that it was desirable to give effect to such a motion and suppose in pursuance of that decision it decided to make a budgetary provision for the building of a new Council Chamber, would it not be strictly in accordance with the constitution if Government were to place that item along with other items in the schedule of new expenditure before the Standing Finance Committee ?

Mr. President : It is open to Government to consult anybody they like.

The Honourable Sir Henry Craik : Then, what is the irregularity committed by the Government ?

Mr. President : The matter was referred to me and the following is the reply I gave to the Chief Secretary's reference :—

A perusal of the printed debates leaves no doubt (i) that the one rupee cut was moved to protest against the inadequacy of daily allowance of members ;

(ii) that the following two aspects of " inadequacy " were discussed and criticised in the course of the debate :—

(a) reduction of daily allowance from Rs. 12 to Rs. 10, and

(b) non-payment of daily allowance before the commencement and after the termination of each session ;

(iii) that the mover of the cut wished to withdraw his motion, but that the Council refused to permit its withdrawal ; and

(iv) that the motion was carried without a division.

In the face of the above facts, there is clearly no justification for the position—

(1) that if the House desires any action to be taken regarding the daily allowance a specific resolution should be passed ; and

(2) that on the question of days for which it is desired that daily allowance be drawn application should be made in the usual way as for an item of new expenditure.

In the House of Commons, if any member considers that a grant proposed by Government is too small, his only course is to move a nominal reduction in order to draw Government's attention to its insufficiency, and this is what was exactly done in the present case.

A reduction in the daily allowance of members was made by Government on the recommendation of the Retrenchment Committee of 5 appointed by me ; but by carrying the motion of token cut, protesting against the reduction, the Council clearly turned down the Retrenchment Committee's recommendation, on which the item of grant relating to the daily allowance of members was based. In the face of this decision of the Council, I leave it to Government to decide whether they are justified to ignore the vote of the House and stick to the superseded recommendation of the Retrenchment Committee.

Again, it is clear that in the course of the debate, the non-payment of daily allowance to members for one or more days before and after a session of the Council was included in the word ' inadequacy. '

I may add that in judging the effect of a motion passed by a Parliamentary body, it is the language of the motion and the decision of the House that have to be kept in view and not the speeches made for and against the motion, as it often happens that those who speak against a motion, in the long run vote for it. Consequently if the language of the motion is clear, as it certainly is in the present case, the vagueness of speeches cannot affect the weight of the vote or decision of the Council.

I am a strong advocate of retrenchment, but as the token cut in question and the decision of the Council on it relate to the daily allowance of the members of the Council, it is my duty to place before the Government the constitutional aspect of the matter, leaving it to them to take such action as they may feel advised to take.

Thus, I made the constitutional aspect of the question clear according to my lights. Then it was for the Government to accept my view or not. But the mere fact that some gentlemen had spoken against the motion or that the motion was not allowed to be withdrawn, did not affect the constitutional aspect of the vote. (*Cheers.*)

The Honourable Sir Henry Craik : I gather that the suggestion made in the Chief Secretary's letter to you was that the Government should somehow or other by means of a resolution or otherwise bring the matter before the House again for decision.

Mr. President : I shall read the Chief Secretary's letter. It is a very brief one. The Chief Secretary's letter, which is dated 15th November, 1982,

reads as follows. The first paragraph is merely introduction. The second paragraph is—

The Governor in Council has read the Debate with care, but finds some difficulty in deciding exactly what the House intended to convey. The policy of Government is to give effect to successful motions for cuts provided that there is a single clear-cut and specific issue stated in the motion for the cut in regard to which it is practicable to make a definite statement of the action Government was desired to take or not to take. In the present case this proviso is absent. The speeches were far from definite and the mover himself was vague. If, therefore, the House desires that action be taken, I am to suggest that as regards the daily allowance a specific resolution be passed, and that on the question of days for which it is desired that daily allowance be drawn, application be made in the usual way as for an item of new expenditure.

The Honourable Sir Henry Craik : I should like to make it clear that it is not a question of Government refusing to act on your advice. It did act on your advice, and it did not take efforts to broach the matter before the House again. All it did was to consult its regular advisors on financial matters, that is, the Standing Finance Committee, and to act on their advice. As this was a matter relating to finance and as budget provision would have to be made for enhanced allowance, so the course adopted by the Government was a perfectly regular proceeding.

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer) : The constitutional point which you have been pleased to raise is whether after a decision has been arrived at by this House in the shape of a motion, the Government is in order to refer the matter to any of the standing committees which have been constituted by the Council.

Mr. President : Government could have consulted anybody they liked.

Khan Bahadur Shaikh Din Muhammad : The position has just been explained by Government. I submit that it is not clear what that constitutional point is that you raised when you stopped the Leader of the House and drew his attention to it, that is, the Government's unconstitutional conduct.

Mr. President : The constitutional point is this. This House gave its decision on a certain matter. The Chief Secretary of the Punjab Government was doubtful as to the constitutional aspect of that decision, because some members, who had spoken against the motion, had voted for it. So, he referred the question to me and I gave him the opinion I have just read out to the House. It was for the Government to decide whether they would give effect to the decision of the House or not. But it is not fair to contend that the House was rather not very clear in deciding the matter ; or that the motion had not been moved in the shape of a resolution ; or that no application had been made for the increase of allowance. Government could and still can refuse to give effect to the decision of the House, but to take shelter behind the alleged irregularity in speeches or voting is not fair either to the House or to the Chair. After obtaining my opinion in writing to submit the matter to the Standing Finance Committee, was far from fair. I do not mean to say that it was not open to Government to consult the Finance Committee. It was within their rights to consult anybody they pleased. But to submit the decision of the House and the opinion or advice of the Chair to the Standing Finance Committee was, I think, a slight to the House as well as to the Chair. That is what I consider unfair, otherwise I have absolutely no concern. Let Government give effect to the

[Mr. President.]

decision of the House or not. They may do as they like. Perhaps the financial stringency justifies the action taken by them. I do not say that they should increase the allowance of members.

The Honourable Sir Henry Craik : Sir, I must respectfully demur to the expression that the Government has done anything either to slight the House or still less to slight the Chair. The Government suggested in writing to you that an opportunity should be taken of re-opening this matter in the House. You advised against that course and Government accepted your advice. There is no question of slighting your advice whatever and your advice made it clear that it was open to the Government to take any action they liked. But as you did not think it regular to submit to the House the question again, I cannot see that there is any justification for the assumption that the Government either intended or did in fact do anything to slight the Chair.

Mr. President : I am very glad to hear that.

The Honourable Sir Henry Craik : Still less has it been the desire of the Government to slight the advice of the House. If Government had been perfectly clear what the intentions of this House were in the debate of 1932, it would have given effect to them. Having been advised by you that it would not be regular to refer the matter again to the House and to obtain the opinion of the House on a point in which Government was and still is in genuine doubt as to the wishes of this House, it took what I claim to be the only means possible of ascertaining, without reference to the House, what really the opinion of the House was. If it is the considered opinion of the House that the daily allowance should be raised from Rs. 10 to Rs. 12, I should certainly not oppose it and if the House gives a clear cut decision to that effect, I will see that it is complied with. I am only anxious to obtain the genuine and clear cut view of the House on this question. The motion debated in 1932 was, I admit, carried. But I still am, I have been ever since I listened to that debate, in doubt as to what the wishes of the House were, whether the whole sense of the debate was against the enhancement of the rate or whether the decision was that the rate should be enhanced. As I say, I was at the time and the Government was at the time, and Government still is, in genuine doubt as to the wishes of the House. I suggest that for a satisfactory solution of the question, it should be put to the vote again to-day. We on this side will not vote. If it is the desire of the House that the allowance should be raised, it will be raised. I cannot say fairer than that.

Mr. President : The motion was moved and carried. If the Honourable Member has still any doubt as to the decision of the House, the same question is again before the House to-day and will be soon decided.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I have listened to the speech that has just now been made by the Honourable Finance Member with some surprise. I say with some surprise because after the clear expression and exposition of the constitutional position in your note and in the speech or explanation given to-day, nobody should

have been in doubt as regards the constitutional position. Had the Honourable Member said, "there was a resolution of the House, but we as Government members thought it proper that we could not balance the budget," it would have been a good position to take. The resolutions of the House are not binding on the Government at all. They are in the form of recommendations. Had the Government taken that position which I have indicated, one could have easily understood it and one could have sympathised with the Government. But unfortunately when the Finance Member says and repeatedly says that he was in doubt as regards the meaning of the motion of the House, I say I heard these words with some surprise. Because as you have already pointed out, the wishes of the House are expressed in the form of resolutions or cuts and this was definitely done. No matter if 11 speeches are made on one side and one speech is made on the other, but it may be the one speech that carries the day. It will be the decision of the House. Therefore the position which the Chief Secretary placed before the House was, I submit, the right position. There was some sort of doubt and certain consultations took place. But they had no effect. To say, "here is a decision of the House and we are going to the Finance Committee in order to find the intention of the House" is, I submit, an entirely wrong position. The Government cannot go to the Finance Committee or for the matter of that to any member or, may I very respectfully submit, even to you, Sir, for an explanation as to what the resolution of the House meant. The resolution of the House is there. Its meaning ought to be taken and acted upon. If, as I have already said, the Government had taken up the position that they were not prepared to accept the decision of the House for some reason, it would have been altogether different. Then the responsibility of fixing the allowance at Rs. 10 would have been theirs. But now the Government wants to take shelter, that is how I read the whole thing, behind this fact that they did not understand the speeches and the resolution of the House and there was a lingering doubt in their minds that the House meant something else than what it actually decided. That I submit, is a position which cannot be accepted. What is the good of 50 or 90 members coming together? We are here to give expression to our views and the Government in at least the transferred subjects should as a constitutional practice, not as a constitutional law, but as a convention—

Mr. President : Is the daily allowance of members a transferred subject?

Mr. Nanak Chand Pandit : I am only talking generally about the resolutions of the House, that they should be accepted by the Government as a constitutional practice.

Mr. C. C. Garbett : There was no resolution.

Mr. Nanak Chand Pandit : There was a cut motion and it was explained what for it was brought forward. This is taking shelter behind another technicality. The Government say there was no resolution of the House. It was only a cut motion. As you have explained, these matters are brought forward before Parliament—

Mr. President : It was an amendment.

Mr. Nanak Chand Pandit : And before this House and the member who moves the cut, as far as possible, explains what is the meaning of it and he wishes the House to discuss and bring its mind to bear upon. Therefore, my submission is let the Government take the position that owing to the financial position they did not take action. But that is not the position they take. The position they take is entirely wrong, entirely unconstitutional and I submit that the House cannot possibly tolerate such a position. That is with regard to the constitutional aspect of the matter.

Now on the merits of the case, I want to say one or two words. I can speak with a certain amount of detachment because I am a local member and I do not receive any kind of allowance. Therefore I can speak with a certain amount of detachment on this subject. There was in 1981, if I remember aright, a 10 per cent. cut in the salaries of Government servants. That was reduced by the Government to 5 per cent. last year. That means to say that the financial position improved. I, therefore, possibly cannot understand why the cut in the case of the honourable members of this Council who received Rs. 12 daily allowance previously could not have been restored. I cannot understand this position.

The Honourable Sir Henry Craik : This is daily allowance.

Mr. Nanak Chand Pandit : I am talking of the financial position as reflected in the restoration of the cut. Perhaps I have not been able to make myself clear. I just want to say that the ten per cent. cut in the case of Government members was reduced to five.

The Honourable Sir Henry Craik : The cut in the case of Government members is 25 per cent. and it still stands at 25 per cent. so far as travelling allowance is concerned.

Mr. Nanak Chand Pandit : I am not talking of the travelling allowance. I am talking about the cut in their salaries. It has been reduced to 5 per cent. That shows, if anything, that the financial position of the province has improved. If the financial position has improved, then I see no reason why the travelling allowance of members should not have been restored to Rs. 12. (*Shaikh Muhammad Sadiq :* May I know if Rs. 10 is paid as halting allowance or travelling allowance?)

3 P. M.

Travelling allowance and daily allowance mean just the same thing. When a member travels and stays outside his home then he is paid daily allowance during travelling time. I have absolutely no objection if it is put that way. I submit that it does not affect the budget very largely. I therefore support the proposition that members should get Rs. 12 a day.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : The honourable member who has just resumed his seat expressed some surprise at the attitude taken up by Government. I am genuinely surprised at the attitude which has been taken by that honourable member himself. So far as the constitutional position is concerned, it has been made perfectly clear by everybody and Government have further made the position clear that they felt genuine doubt as to the exact wishes of the House and therefore they placed the matter before you, Sir, for advice and after you had advised them not to take action in the matter by putting up a resolution, Government accepted that advice and did not

put forward a resolution. Government have made their position further clear that there was absolutely no intention on their part nor is there any intention on their part now, to slight in any way the wishes of the House. They are perfectly prepared to abide by any decision which the House may arrive at to-day. Therefore there is no question of any slight meant for anybody on the part of Government. With regard to the merits that is an entirely different subject. Unfortunately I am among those who do draw travelling and halting allowances, and I find myself in a rather awkward position not only on that ground but also on the ground that I have always been urging reduction of expenditure, retrenchment all round. It does not, therefore, lie in my mouth to suggest that the old level of travelling or halting allowance to members should be restored. It is true that the budget has been balanced and even gives a little surplus. But as I explained in my speech last year and I think also this year, budgetary balance does not really mean prosperity in the province itself. As the prosperity of the province is still far from normal, it is rather difficult for me to support the suggestion that the old level should be restored. This question came up before the Finance Committee, and was left for the House to decide. Before honourable members give their vote I would like them to consider whether they will not be placing themselves in a false position by asking a restoration to the old level of their own allowances while they insist that there should be retrenchment all round in respect of others. Just consider that aspect of the question. My own position is that if the matter is pressed to a division I will not vote at all either this way or that for more reasons than one.

Mr. President : It is doubtful whether the elected members, who have to draw the daily allowance, are entitled to vote, as their direct pecuniary interest is involved.

The Honourable Dr. Gokul Chand Narang : Can the Council pass a motion that the Government should demand more than the Government have demanded ?

Mr. President : I have more than once ruled that if a member considers a demand to be insufficient, he cannot directly move its increase. But he can move a nominal reduction and thereby press the Government to increase the demand. No member can move the increase of a grant beyond the sum specified in the estimate not even a Minister of the Government. The Parliamentary practice is :—

The committee may vote or refuse a grant, or may reduce it either as a whole or by the omission of items of which it is composed, but it has no power to increase a grant, nor can proposals to that effect be made even by the minister. When an estimate has once been presented, the only method by which a vote can be increased by the government is for the estimate to be withdrawn and an amended one presented, or by the presentation of a supplementary estimate. So too, if a department finds it necessary to propose a variation from a vote, as originally presented, and before the vote has been taken, a revise of that vote should be submitted to Parliament.

Mr. Nanak Chand Pandit : Are we bound by our own constitutional practice in this matter or by the Parliamentary practice ? In this Council, I very respectfully submit, that we have got a convention of our own. This question of travelling allowance of members has come before the House more than once and so far as I remember—my memory may be failing—the members have voted on it. Yours would be a new ruling now.

Mr. President : The honourable member is not drawing any daily allowance. Therefore, there can be little doubt that he is entitled to vote.

Mr. Nanak Chand Pandit : As you are jealous of the rights of members, so am I. I think that every member should have the right to vote and it is on that ground that I place this before you.

Mr. President : The Parliamentary practice is :

In the Commons it is a rule that no member who has a direct pecuniary interest in a question shall be allowed to vote upon it ; but in order to operate as a disqualification, this interest must be immediate and personal, and not merely of a general or remote character. On the 17th July 1811, the rule was thus explained by Mr. Speaker Abbott : ' This interest must be a direct pecuniary interest and separately belonging to the persons whose votes were questioned, and not in common with the rest of His Majesty's subjects, or on a matter of state policy.' (Erskine May, page 369.)

Diwan Bahadur Raja Narendra Nath : When the cut on the revenue demand was discussed urging that the land revenue should be reduced by 25 per cent., is it your opinion that every one who paid revenue was directly interested in the question and should not have voted upon the cut ?

Mr. President : We need not discuss this matter further. I will go into it and place my considered opinion before the House.

Chaudhri Afzal Haq : Sir, you distinguish between a token cut and an economic cut. This is not an economic cut, and for that reason members are entitled to vote.

Mr. President : The object of the motion is to increase the daily allowance of members from Rs. 10 to Rs. 12, and the question is whether they can vote. The matter is an important one. So, I will go into it further and give my considered opinion later on.

The Honourable Sir Henry Craik : Will you, in giving your considered opinion take into special consideration the motion which has been tabled for a cut in the pay of Ministers.

Mr. Nanak Chand Pandit : Sir, is that motion before the House ?

Mr. President : It is not. We will discuss it when it is reached. It is too early to discuss it now.

Mr. C. C. Garbett : I understood you to say just now that we must stick closely to the wording of the motion or the resolution. Now the note attached to this cut motion is " to draw attention to the travelling allowance of the members being insufficient " and all the speeches which I have heard referred to daily allowance and none to travelling allowance.

Mr. President : According to Mr. Nanak Chand Pandit travelling allowance includes daily allowance. Does the honourable member differ from him ?

Mr. C. C. Garbett : I have always been taught that daily allowance is one thing and travelling allowance another. My view is that they are separate things. I may be wrong.

Mr. D. J. Boyd : Travelling allowance does not include daily allowance.

Mr. President : May I know the opinion of the Finance Member ?

The Honourable Sir Henry Craik : I regret I must have notice of that question.

Rao Bahadur Chaudhri Chhotu Ram : Sir, I was submitting to the House that for certain reasons I would not vote if this motion is pressed to a division. If the constitutional position prevents me from voting I should welcome it. There is one reason which I am in a position to disclose. That reason is that my friends and I have no right to deprive any other member of enhanced allowances if he feels the pinch. That is one clear reason why I should not like to vote on this motion. However, there is one aspect of the question which requires very serious consideration. After all, as representatives of the Punjab peasants and on their behalf we have been urging upon Government strict economy.

Mr. Nanak Chand Pandit : That is a repetition of the argument.

Mr. President : The honourable member should not repeat the same argument.

Mr. D. J. Boyd : I have here got the Travelling Allowance Rules. I find that I was wrong. It says: "The following are the different kinds of travelling allowances which may be drawn (a) permanent travelling allowances, (b) conveyance and horse allowances, (c) mileage and daily allowances." It means that travelling allowance includes daily allowance.

Mr. President : Then Pandit Nanak Chand was right.

Khan Bahadur Shaikh Din Muhammad : Sir, I draw your attention to appendix VIII to the Punjab Constitutional Manual—"Extract of Rules regarding travelling and daily allowances admissible to members of the Punjab Legislative Council." In the Constitutional Manual which governs the allowance of members of the Council travelling allowance is mentioned separately from the daily allowance.

Mr. President : But Mr. Boyd has read out the definition given in the Fundamental Rules.

Rao Bahadur Chaudhri Chhotu Ram : Another reason which should be taken into consideration by members is that there is considerable feeling among non-official members that Government servants are receiving salaries which are not justified by the financial position of the province or the prevailing economic conditions. If we clamour for an increase in our own allowances we shall not be in a position to press upon Government that the present out should be continued or that salaries may permanently be reduced by 5 per cent. or 10 per cent. or 20 per cent. There are many members in this House who have always urged that there should be a substantial reduction in the scale of salaries now being allowed to Government servants. The reason which they urge in favour of this view is that the economic conditions of the country and of the province are such that there should be a permanent reduction in the salaries of Government officers. I think that is a perfectly legitimate view. I have been pressing and I desire to continue to press that view on future occasions also. But after having urged an enhancement of our own allowance our moral position will get weakened. It will, therefore, be desirable for that view also to be considered by members of the House before they give their vote.

[R. B. Ch. Chhotu Ram.]

Just one more point to which I may address myself. Was there any ground for any doubt to exist in the mind of Government as to the exact wishes of the House on this point? Personally, Sir, I think that in certain cases there may be absolutely no doubt as to the exact constitutional effect of a vote, yet there may certainly be in certain circumstances a doubt as to whether that vote in substance represents the wishes of the House. This will certainly happen in cases of what are known as snap divisions. I have a very clear case of that nature before me. Once a resolution was under discussion in this House whether women should be enfranchised or whether they should not be enfranchised for the Council. I know and I had arranged that if that resolution had gone to a division it would have been defeated. I had a clear majority on my side, but I forgot to call for a division and the decision of the House was that women should be enfranchised. There is absolutely no doubt as to the constitutional effect of that vote, but certainly I can claim that that decision did not in substance represent or reflect the wishes of the House. A similar thing certainly could have happened in the present case. Therefore I think the existence of a doubt as to the exact wishes of the House and the constitutional effect of the vote should not be confounded and need not take us off the point. Any way my personal view is that we should be very careful to see what way we vote if this motion goes to a division.

Chaudhri Allah Dad Khan : Sir, the constitutional position in regard to this matter has been very ably explained and I will not therefore go into that question now. It now only remains for me to say this. If this Council passes a resolution, according to Montagu-Chelmsford Report, Government must give effect to it so far as lies in its power with due discharge of its responsibilities. A motion was passed by this Council for the enhancement of the daily allowance of members. It is contended that it was not a resolution but only a motion. What is the difference between a resolution and a motion? After all a resolution is a motion. There is no difference between the two. A resolution is passed by this Council; the Government consults the Finance Committee and acting upon the advice of that committee does not give effect to the resolution of this House. This reminds me of the story of a lion, jackal, wolf and bull which I have narrated to this House once before. (*An honourable member:* It will bear repetition.) Once a lion, a jackal, a wolf and a bull were living together in a den. One day the lion conspired with the jackal and the wolf to kill the bull. Accordingly the lion pretended illness and the jackal said to it, 'O my lord, it is a pity you are unwell and unable to go about in search of prey. You must be feeling very hungry. I shall offer myself to you for your meal.' Immediately the wolf said, 'Oh, no, my lord. The jackal is too small to serve you as food. You may eat me.' Naturally the bull had to offer itself also. It said, 'Oh my lord, neither the jackal nor the wolf will suffice you for your food. So, eat me.' The lion immediately pounced on the bull and killed and ate it. Similarly when this House passes a resolution the Government is not willing to give effect to that resolution and so consults the Standing Finance Committee and when that committee advises no action the Government immediately jumps at the advice and declines to give effect to the resolution. I submit that this is not the way in which the Government should act upon the decisions of this House.

The honourable member for Rohtak just now said that what he said was not really what he wished, that speech is one thing and the wish is another. That is a most unsound way of putting one's views. One must be clear and say what he feels on a matter.

There is only one point to which I wish to refer. The Government has not only not shown that it is unable in the due discharge of its responsibilities, to act upon the motion passed by this Council but it has actually thrown the motion of this Council to the winds. Is this the way in which a decision arrived at by the whole House is to be dealt with at the hands of Government? Evidently honourable members have not looked at the question seriously. Otherwise the attitude of the Government becomes very ridiculous. When the whole House has passed the motion, when there has not been a single dissentient voice against the motion, how can it be said that the motion did not reveal the real feeling of the elected members?

The Honourable Sir Henry Craik : Why, then, did you ask for leave to withdraw that motion?

Chaudhri Allah Dad Khan : That point too is in my favour. When my request for leave to withdraw the motion was refused and when the motion was adopted by the whole House without a dissentient voice, it only shows that the Council wanted to get the motion passed and that they were serious about it. With these words I press my motion to vote.

The Honourable Sir Henry Craik : What will be the effect of a vote on this motion?

Mr. President : The motion is for a nominal cut and its object is to draw the attention of the Government to the inadequacy of the travelling allowance of members. By passing the motion the House will not be actually increasing the daily allowance or sanctioning an additional amount.

The Honourable Sir Henry Craik : I am left in just the same doubt as before as to the wishes of the House.

Mr. President : What doubt does the Honourable Member entertain?

The Honourable Sir Henry Craik : Suppose this motion is carried. Am I to understand that it is the wish of the House that the daily allowance should be increased?

Mr. President : Of course.

The Honourable Sir Henry Craik : We are left again where we were before.

Mr. President : It is open to Government to give effect to the wishes of the House or not. The question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,44,300. Total Provincial Legislative Council.

The motion was carried.

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

That the grant be reduced by Re. 1, with respect to the item of Rs. 1,56,500—Total Elections for Indian and Provincial Legislatures.

Sir, this cut has been moved owing to some misunderstanding. I was under the impression that there was no committee in existence to improve

[Ch. Afzal Haq.]

the ballot system. I thought that in view of the approaching elections which will give rise to various knotty questions the Government would do well to appoint a committee that might go into this question. It has given me great pleasure to learn that such a committee is already there. Honourable members, however, may make any proposals they like in this connection; otherwise I am prepared to withdraw this motion.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,56,500—Total Elections for Indian and Provincial Legislatures.

Khan Bahadur Nawab Muzaffar Khan (Reforms Commissioner) : Sir, the fact is that these rules were drafted in 1920 with the approval of a committee including gentlemen like Sir Fazl-i-Husain, Raizada Bhagat Ram and Malak Muhammad Amin, all members of this Council. We do not, however, claim that these rules are free from defects. There is already a committee in existence which is advising Government on the delimitation of constituencies, the committee consisting of—

Khan Bahadur Mian Muhammad Hayat Qureshi,
Sardar Bahadur Sardar Buta Singh,
Mr. Mukand Lal Puri,
Rao Bahadur Chaudhri Chhotu Ram,
Chaudhri Nazir Husain,
Babu Hans Raj,
Mrs. Chatterjee,
Mr. Owen Roberts,
Khan Bahadur Shaikh Din Muhammad, and
Mr. M. A. Ghani.

And it is proposed to consult these gentlemen in future also when new regulations are framed.

Shaikh Muhammad Sadiq : Is that committee still extant or not?

Khan Bahadur Nawab Muzaffar Khan : The committee is there. Most of its members are members of this Council. Any suggestions which you want to be carried out may be communicated to them. They will be carefully considered.

Chaudhri Afzal Haq : In view of what the honourable member has said, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

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

That the grant be reduced by Rs. 2,07,800 with respect to the item of Rs. 2,07,800—Total Financial Commissioners, Voted.

Sir, the object of this motion is to reduce the post of one financial commissioner as under the new constitution there is, I think, hardly any need for two. Previously there was only one financial commissioner and one Lieutenant-Governor and the whole revenue and other work was done by them and now there are two financial commissioners, three Ministers and two Executive Councillors and therefore the post of one financial commissioner should be reduced. But as I am proposing a change in my Land Alienation (Amendment) Bill in which I suggest that all cases relating to

alienations of land should be in the hands of financial commissioners, I do not for the present wish to press this motion. I would, therefore, withdraw it.

Mr. President : There is nothing to be withdrawn.

Chaudhri Allah Dad Khan : The motion which I have put now.

Mr. President : Under which rule or Standing Order ?

Chaudhri Allah Dad Khan : Everybody is doing it.

Mr. President : Unless a motion is proposed from the chair it is not before the House, and unless a motion is before the House there is nothing which the member can withdraw.

(*An honourable member :* The honourable member has not moved it.)

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) Sir, I move—

That the grant be reduced by Rte. 1 with respect to the item of Rs. 2,07,800—22-C (c)—General Administration (Reserved)—Financial Commissioners.

Sir, this is a token cut.

Mr. President : I think legislation should not be discussed.

Kanwar Mamraj Singh Chohan : I am not now discussing legislation by means of this cut. I am discussing the standing orders.

Mr. President : Have they not the force of law for the time being ? Are they not binding upon all revenue officers dealing with such cases.

The Honourable Mr. Miles Irving : They are binding as executive instructions.

Kanwar Mamraj Singh Chohan : They are instructions issued from time to time and they are changed from time to time.

Mr. President : The question is whether they are law for the time being.

Kanwar Mamraj Singh Chohan : There is difference between law and the rules made under the law. The standing orders of the Financial Commissioners come under neither. They are neither law nor rules. They are standing orders.

Mr. President : Are they not followed by the officers for whom they are made ?

Kanwar Mamraj Singh Chohan : Every little instruction of the Financial Commissioner is to be acted upon.

The Honourable Mr. Miles Irving : The standing orders are not rules under the Land Revenue Act. They are executive instructions. They might take the form of rules ; but probably in most cases owing to convenience they have not taken the form of rules.

Mr. President : Have they any binding force ?

The Honourable Mr. Miles Irving : They have binding force on the officers of the Government who have to carry them out.

Kanwar Mamraj Singh Chohan : The Land Revenue Act is a substantial legislation, and there are rules under it, and these standing orders of the Financial Commissioner are something else than the Act and the rules. So I think they can be discussed.

[Kanwar Mamraj Singh Chohan.]

As to the peculiar difficulty or the trouble to which the public has been put by the present law in force, I wish to point out this. The procedure for making mutations is that a person is alleged to go to a patwari and make a report. He may be the transferor or the transferee.

The Honourable Mr. Miles Irving : On a point of order. He is quoting the substantial provisions of the Land Revenue Act.

Kanwar Mamraj Singh Chohan : I am not. Then the patwari makes a report, but is not asked by this standing order to take the thumb-impression or the signature of the informant. The information may be forged or genuine. It may be mysterious. Then the revenue officer comes there, and the proceedings taken at the time of mutations in the ordinary Language is—.

حسب شہادت فلاں نمبر دار حاضر ہے

That is, the revenue officer's duty ends when he can pick out the name of the lambardar of the village and put in the proceeding or the mutation. There are complaints in my district where the agriculturists and the public are very poor that these entries in revenue cases or mutation cases are false. Several people have been forced to resort to litigation and go to civil courts and even to the High Court and fight these cases simply because of the alleged wrong done by the revenue officers. That is, the allegation is that the lambardar did not identify the person who is alleged to have given such a report or it is given in the name of a dead person, or the whole thing is done at the instance of some interested party. This is the nature of the grievance which is developing, and I request the Government, as the guardian of our interests, to take this into consideration.

Now there are two kinds of mischief that is done in this connection. In these days of financial stringency the agriculturist, the poor landowner, finds it very difficult to pay his dues. It is also a complaint of the money-lending classes that mutations are entered at the instance of the debtor himself. If the debtor says that he gave the land for so many years in favour of the money-lender, the whole decretal amount is wiped off and the mutation is sanctioned, and the proof exists in favour of the debtor against the money-lender to which the money-lender never consented. That is one side of the picture. The money-lender never asked the debtor to give his land to him for a certain number of years. The man finds it convenient to do this by naming fictitious persons before the revenue officers and simply bribing the lambardar. The money-lending class, which is generally clever no doubt, is sometimes deceived in this way by these defective rules of mutation. (*Interruption*). Bad practices should always be condemned wherever and by whomsoever done.

Then there is another sort of mischief which certain loopholes in the present system allow. A person who is not himself present and who is not himself willing to mortgage or sell or otherwise alienate his property at all is alleged to have consented to the alienation and the mutation is done. That is a particular mischief which has become more and more prevalent. This has compelled me to trouble the Government with this cut. I was rather forced to move this cut by some responsible persons, office-holders in the district board, my friends who know the position well, persons who court the favours of Government. They have asked me to move this cut, and I am also convinced having conducted two cases, in which mutation has been

allowed even when the person could not be identified. Such cases have come up even of late and appeals are pending in the High Court. I can personally mention a case which was a fictitious one. This is the particular sort of mischief which is practised in the mofussil under the present law. I suggest only one little change, and I hope that the Government will give it due consideration in the light of my remarks. The informant to the patwari must give his signature in token of his having given the information or in token of his giving the land to somebody else. We can then catch hold of the informant and prove the genuineness of the alleged facts or otherwise. The revenue officer comes there and notes merely that the party has consented that mutation should be made. But I think that party also should be compelled to sign the mutation proceedings, so that in case of doubt the interested man can follow up the signatures or the thumb-impressions. With these remarks I move my motion.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 2,07,800—22-C (c)—General Administration (Reserved)—Financial Commissioners.

The Honourable Mr. Miles Irving (Revenue Member) : I do not

4 P.M. know if any of the honourable members of the House who are both zamindars and belonging to the legal profession have any opinion about the proposal. I understand that the intention is that the thumb-impression of the zamindars should be required on mutation proceedings. This has been forbidden for the simple reason that it is turning the patwari into a registering officer which he is not really competent to be. At present the proceedings before the patwari are supposed to be of a summary nature, and the lambardar attests the persons present and every one knows up to the collector, who decides appeals, that the proceeding is summary. It looks to my mind too drastic to make the patwari usurp the functions of a registering officer. People who would normally go to the registrar's office and pay the necessary registration and stamp fees would think of getting it done cheaply by getting the thumb impression on the mutation proceedings, and thereby Government would lose a great deal of money in the way of registration fees and stamp fees. And also people will think that they get a security which they do not get by any means. I am not at all sure about the legality of mutation proceedings which purport to be a record of an oral transfer if they are turned into a documentary transfer by means of a thumb impression. That is why this procedure, which some patwaris have adopted I think in their own interests, has been firmly suppressed by the Financial Commissioner. If zamindar members who are acquainted with this subject have any strong views on this subject Government will be very glad to consider them. But as at present advised I am definitely against it.

Mr. President : Question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 2,07,800—22-C (c)—General Administration (Reserved)—Financial Commissioners.

The motion was lost.

(Chaudhri Allah Dad Khan rising to move his motion.)

Mian Nurullah : On a point of order. There are two motions of the honourable member, Kanwar Mamraj Singh Chohan. I know that you

[Mian Nurullah.]

called the honourable member once. In the case of questions, the member putting his question is asked to get up to put his question each time he has a question in his name. In accordance with that practice, should not the honourable member, Kanwar Mamraj Singh, be called upon and given an opportunity to say whether he wishes to move his second motion, though for the first when you called him he did not get up?

Mr. President : In the case of questions, when the member putting the question is called by the Chair, he gets up and states the number of his question. Whereupon the Government Member rises to answer it. Unless the member putting the question is called again, he cannot put his next question. Here there was no one to rise in between my calling Kanwar Mamraj Singh to move first his one and then his second motion. When I called him he ought to have got up and said : 'I do not wish to move the first motion standing in my name, but that I shall move the second, and should have moved it.'

I promised to give a considered ruling on the question whether the members of this House cannot vote on the ground of their direct personal pecuniary interest when the Demand relating to their travelling allowance is put to the vote of the House. I find that in 1911 the Members of the House of Commons voted on the motion relating to their salaries, and, on objection being taken to this procedure, the Chairman, after reviewing the precedents, ruled out the objection. He said, quoting Mr. Speaker Gully : "A member is disqualified for voting on any question in which he has a direct personal pecuniary interest of a private and particular and not of a public and general nature ; but when the question before the House is of a public and general nature and incidentally involves the pecuniary interest to a class which includes Members of the House, they are not prevented by the rules of the House from voting." On an analogous point he further quoted the following paragraph from the Report of a select committee :—

It has always been held that Members of the Government might vote on motions for the reduction of their salaries made in order to censure their conduct, because the question of general and public policy involved would overrule the personal pecuniary interest. The same argument would doubtless apply to motions for a general or individual reduction of Ministers' salaries on the ground of economy, or for the payment of Members of Parliament.—(*Parliamentary Debates, Volume XXIX (1911), columns 1681-82*).

It is clear from the above quotations that the members of the Council are free to vote when the grant covering their travelling allowance is put to the vote of the House.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhamadan, Rural) : With your permission I move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 6,45,740,—22-E (c) Copying Agency Establishment.

My object is to point out the excessive rates charged for copies and the misuse of the copying clerks and machines. I shall point out certain ways and means by which these copying clerks are asked to do work other than their legitimate one, and the machines which are given to them for Government purposes for Government work are used for other purposes. It is also my object to point out that the fees that are charged for copying are excessive, and that Government should take the earliest opportunity of reducing them.

In regard to the abuse of the machines, I may inform the House that the officers who are in charge of this copying establishment, the magistrates, first class magistrates, section 30 magistrates, do very often call these copying clerks to type the statements of witnesses who depose before them. This work is outside their legitimate duty, and they are not paid for doing it. But this work is taken from them. This practice has gone to such a length that unreasonable delays are caused to the public in obtaining their copies. The clerks give very often the reply, the file is not received. Again when the party comes once more the same reply is given. When for a third time the party comes, he is informed "you have committed this slight mistake here and that there." When he is asked to fill in the information, the only source from which he can get that information is the very person who refuses to give the file. This is an important fact which Government should notice that these copying clerks and their machines are used by magistrates very often to get statements of witnesses typed during the court when they are being made.

I put a question with respect to this, and in the answer which Government was pleased to make Government admitted that the treasury officer often used to get his clerk to type out the statements of witnesses. This he could not deny because there was no file prepared by himself in his own handwriting, so he had to admit that the files were typed by the copying clerk, when the statements were being made. (*The Honourable Sir Henry Craik*: In which district?) I do not want to take the name of any particular district. All people are good unless they are proved to be bad. This thing is being done under your present regime, and if it is A who does it B also does, and what B has done C also may do. Why speak of any particular district? The section 30 magistrates do these things and I would ask Government to look into the fact that when a magistrate is asked to take down a statement in writing in his own hand and if that statement is not in his own hand the obvious conclusion is that someone else has taken down the statement. Certainly he did not pay for that statement being typed. It is the poor public which pays for that work of the magistrate.

Then I come to the question of excessive rates that are charged as copying fees. In our province the rates charged are exorbitant. Government can see it for themselves. For the first 100 words or under 12 annas are charged for English copying and 6 annas for Urdu copying. Then for every additional 100 words or a portion thereof 6 annas for English copying and 3 annas for Urdu copying. In addition to this there is Re. 1 urgent fee. These are the rates which are being charged at present. You know that Urdu copying is done by hand, there being no typewriter for Urdu, therefore the whole thing has to be done by hand, whereas English copies are done on the typewriter. I think that these rates were fixed when the typewriting system was not common. Then the copying clerks had to copy out the statements or documents by their own hand, and certainly at that time it took them a long time to do the job. Now the system of typing being in vogue and the speed of the typing clerk being anything between 40 and 80 words per minute the time taken for the job is much less. I see no justification for charging as much as 12 annas for 100 words. The copying agent

[Kanwar Mamraj Singh Chohan.]

has not to write out that document himself, he has only to see that it is typed by a typing clerk. If the typist happens to know the touch system, he may be prepared to do it for less. Government was pleased to make an inquiry into the matter, and in 1930 found that the copying fees charged in the market are only 2 annas per page. Government rates when worked out come to Re. 1-8-0 or Re. 1-2-0 per page, and you can see the difference in their charges and the market rates. For work done in the market you pay only two annas whereas you have to pay Government Re. 1-2-0 for the same amount of work. These rates are so excessive that no reasonable man can defend them.

I took the trouble of asking my friends in the United Provinces to quote me the rates prevailing there, and you will be surprised to see how low those rates are. The charge for a copy of judgment containing 1,500 words or less is Re. 1, for urgent copy 2 annas extra. There is the same charge for decrees also. That is the charge that Government makes. I wish to make the statement very clearly so that it may go on record :—

For ordinary copy of judgment, Re. 1.

For deposition of a page or part of a page on the order sheet, Re. 1.

For decree, Re. 1.

For any other paper except big registers, maps, etc., Re. 1.

That is to say, for judgments and decrees Re. 1 for 1,500 words or less.

Then in the Court of Small Causes the fees are still lower, and for judgments the charge is 12 annas and over.

Mr. President : Is the honourable member putting forward his own proposals ?

Kanwar Mamraj Singh Chohan : I am not putting forward my proposals. I am only referring to the rates which are prevalent in the adjacent province, the United Provinces. The fees in the United Provinces being so low, I see no justification for our Government charging us exorbitant fees for copying in this province.

I wish to refer to one more point, that is, the financial aspect of the department. When Government has been pleased to charge us excessive fees, it has not yet been able to make much money out of this department. I hope Government will make it quite clear how much money it has been making from this department and how much it wants to make in the next year, and if it wants to reduce the copying rate by a small amount how much loss it is likely to incur. I have seen the annual reports of land revenue for the last few years and every report has been saying that Government has been losing income, that is to say, Government having charged so much fee had to pay to the copying department much more. Government has not been able to save much from this. The question naturally arises, where does the mistake lie ? All I can say is that these copying agencies are not properly managed. These persons are simply appointed to these jobs by favour of a magistrate from other magistrates who invariably do not belong to those districts because the magistrate is not likely to belong to that district, and they are forced upon the already existing department in spite of their protest, have to be provided for, and these exorbitant charges go to them as contribution. They divide the fees after giving Government their

share. I hope Government will seriously try as an experiment in one district if it can reduce the charges for copying for the 'poor people who have to pay for it and should like to get more benefit out of those copies. If Government can engage proper agencies simply on contract basis, it will bring more money to Government and more relief to the poor who have to pay for copying. These are very hard facts, and without making any learned speech on the subject I put the cut motion before the House.

Mr. President : Motion moved is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 6,45,740—22-E (c)—Copying Agency Establishment.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I want just to add a few words. I think what has been said by the honourable member who has just preceded me voices the feeling of the litigant public, but there is one other point which I wish to bring to the notice of Government. I have found that whenever copies of statements of witnesses are taken or any other document from a judicial record is taken, the copyists generally copy out the whole lists of names of the parties. Recently I came to know about this in a personal case of mine. I applied for a copy of certain deposition and judgment, and I found that there were about 500 names of the parties. It said : Allah Dad Khan, witness number 1, and then followed 500 names of other witnesses. That sort of thing is going on and people are being robbed. I hope the Member in charge will issue instructions to stop such a practice.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, I support the motion that has been put forward by the honourable member from Ambala. As a lawyer many cases have come to my notice which go to show that the rates enforced in the Punjab are very excessive indeed. The rates quoted by the honourable mover for the United Provinces and our own rates when compared go to show that while a judgment of 1,500 words will cost only one rupee in the United Provinces, in our province it will cost about six rupees. That means a very tremendous difference, and I think it is time that the Member in charge looks into the matter and sets things right.

Another point to which I may draw the attention of the Honourable Finance Member is that by pitching the rates too high the Government loses a good deal of custom. There was a time when people could afford to pay at the old rates. But now the times are so hard and the economic conditions have grown so bad, and are getting from bad to worse every day, that people cannot possibly pay for copies at the rates now in force. I am speaking from personal experience. There was a time when murder cases were tried by sessions judges, and litigants had no difficulty in paying copying fees at urgent rates. But now simply because of the excessive rates they do not apply for copies at all. So, instead of Government getting Rs. 2, it is losing even the eight annas which it can get. In murder cases where copying fees need be no more than Rs. 10 or Rs. 15, they would, according to present rates, be Rs. 50 or Rs. 60. If lower rates are introduced there would be greater demand for copies, and consequently the income of Government also would increase. At the present rates litigants simply refuse to make any application for copies and a good deal of custom is thus lost. That is one point which I wish to press upon the attention of Government.

[R. B. Ch. Chhotu Ram.]

There is another point which I would like to bring to the notice of the Honourable Finance Member. There was a proposal which was put forward at one of the meetings of the Finance Committee suggesting that after the introduction of typing machines there was no valid ground for old rates to continue. Instead of turning out only one copy, the typist can easily turn out half a dozen copies of the same deposition or judgment, and it does not cost anything more to Government if the typist is made to turn out more copies than one. The Government is really losing its custom by insisting on the present rates. Therefore, the motion made by the honourable member from Ambala is very reasonable and is in the interests both of litigants and Government. Hence I support the motion.

The Honourable Sir Henry Craik (Finance Member): Sir, I cannot plead any great familiarity with the working of the copying agency, and I am grateful to my honourable friend for bringing to my notice the defects which he states are present in the system. As regards the first point he made about the misuse of copying clerks and their machines, all I can say is that any such practice is strictly forbidden by the rules. I shall quote the rule on the subject. It occurs in the Financial Commissioners' Standing Orders. It says—

The number of copyists should be fixed with due regard to actual requirements for the work of copying records in English and Urdu. But no copyist, while entertained for copying work, may, under any pretext whatever, be employed on work other than copying or assisting in the attestation of copies made by himself.

That is as clear and definite as a rule can be. If in practice it is not followed then I can only express my regret, and say that I will see that orders are issued that it is to be followed strictly in future.

The next point is the rate charged for copies. The present rates were correctly quoted by the honourable member. I find that these rates were fixed in 1921, presumably long after the introduction of type-writers. (*Rao Bahadur Chaudhri Chhotu Ram*: In the boom period). Of course, we run these copying agencies on a commercial basis and try to make them pay for themselves. As a matter of fact, they do not pay for themselves. There is a certain amount of loss on them. The loss in 1929-30 was about Rs. 17,000. In 1930-31 it rose to as much as Rs. 28,000. In 1931-32 it declined to about Rs. 22,000 and last year, that is 1932-33, it fell as low as Rs. 2,800. Both the income and expenditure fell off considerably. Of course honourable members will realise that if we lower the fees that will mean that the tax-payer will have to pay whatever loss accrues. If there is a lowering of scales of fees one would think that there would be greater loss than it is at present. If my honourable friend's suggestion is correct that if the rates are lowered more people will apply for copies (*Rao Bahadur Chaudhri Chhotu Ram*: That is perfectly true,) then, I will certainly look into that question carefully. I will ask the Financial Commissioners to see whether it is not possible to lower the rates of fees without increasing the cost of the agency or without any extra burden on the tax-payer. But one result is clear, and that is, that if the rates are reduced the earnings of the individual copyist will tend to become smaller.

As regards the point made by Mr. Nanak Chand Pandit about the superfluous work that copyists have got to do, that again is a matter which I

am grateful to him for calling my attention to. I will see that orders are issued to stop that practice. I trust that after this assurance the honourable member will not press his motion.

Kanwar Mamraj Singh Chohan : I beg leave to withdraw the motion.

The motion was by leave withdrawn.

(At this stage Mr. President left the chair, and it was occupied by the Deputy President.)

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 3,41,620.

I want to place before the House for consideration the practice that prevails in district boards when matters come up before them for consideration. Before I do so, I should call the attention of the House to the real sense of constitutional reforms and the ideas and principles underlying the constitution. I may first commend the report on Indian Constitutional Reforms and the first principle that was adopted by the authors of the report. The first principle they enunciate in regard to local bodies is—

There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control.

I have now to draw the attention of the House to the events that have been taking place in the district board, Lyallpur, during the last few years. Rather than complying with the formula enunciated by the authors of the Report on Indian Constitutional Reforms in regard to local self-government the officers in the district have been interfering with the work of the district board in a serious manner. The authors of the Report say—

As we go upwards the importance of the retarding factors increases ; and it follows that popular growth must be more rapid and extensive on the lower levels than in the higher. Let us state the proposition in another way.

The meaning of this was that while it was difficult to give responsibility at the centre, it was less difficult to give responsibility in the provinces, but it was desirable and very urgent that we should give all possible measures for local self-government in the local bodies themselves. What has been happening in my district board ? I would like to point out for the consideration of this House that for sometimes the president of the finance committee in the district board was a non-official gentleman. His work was very much appreciated, and there was even a resolution passed by the board appreciating his work. He was president for about four years out of the seven years this committee was under a non-official president. But somehow it so happened that the officers did not like it. Probably there were some administrative defects, I do not know what, because I was not a member of the board, they have reversed the order and elected an official as president of the sub-committee. Similarly, in the case of the education sub-committee there was a non-official chairman for many years, and his work too was probably quite satisfactory. The authors of this Report which I have mentioned have realised that there would be difficulties, there would be mistakes and that we had to teach the people and make them learn responsibility so that they may feel at a later stage the importance of local self-government

[Mian Nurullah.]

In spite of this the people in authority are taking retrograde measures contrary to the very spirit of local self-government. That there would be difficulty in the initial stage was recognised. It is clear from the following extract from their report—

In advocating the extension of local self-Government, and the adoption of this principle in the management of many branches of local affairs the Governor-General in Council does not suppose that the work will be, in the first instance, better done than if it remained in the sole hands of the Government district officers.

That very sentence implies that it was recognised that there were bound to be mistakes—some inefficiency in the beginning. It was also recognised that people should be taught and trained to work for themselves and feel responsible for local self-government. I shall read a few lines more from the Report—

It is not, primarily, with a view to improvement in administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education. His Excellency in Council has himself no doubt that in course of time as local knowledge and local interest are brought to bear more freely upon local administration, improved efficiency will in fact follow. But at starting, there will doubtless be many failures, calculated to discourage exaggerated hopes, and even in some cases to cast apparent discredit upon the officers of self-government itself.

With these words before us, it is for serious consideration of this House whether the step that has been taken by the district officers are in the right direction or not. The Report further says—

If, however, the officers of Government only set themselves, as the Governor-General in Council believes they will, to foster sedulously the small beginnings of the independent political life, if they accept loyally and as their own the policy of the Government and if they come to realise that the system really opens to them a fairer field for the exercise of administrative tact and directive energy than the more autocratic system which it supersedes, then it may be hoped that the period of failures will be short, and that real and substantial progress will very soon become manifest.

Sir, instead of making the period of failures very short, I am inclined to think that the policy seems to be to make this period a very long one, in fact steps are taken to make it look bad and to show the dark side of picture. I might take up another thing in connection with the same district board. The President of the Public Health Committee was a non-official elected gentleman. But sometime back, probably two years ago, when Colonel Wadia was our civil surgeon, he did not like it and refused to attend the meetings as an ordinary member. The result was that the policy was reversed, and now we have the civil surgeon as the Chairman of that Public Health Committee. It is a question for the Government to consider whether that policy should be adopted. (*Interruption*). I am not going to tell you who made him the Chairman or who did not make him. There are ways adopted behind the scenes. (*An honourable member*: Members must have done it.) In connection with the education committee one of the Government officers, a very responsible officer, not a member of the board, not a member of the committee, was made an instrument, and this is my grievance that they are very often made the instrument by Deputy Commissioner. I do not think that the Government has any hand in it. They go about, they meet members, they canvass members and sometimes the members are threatened. I know of a particular case which probably will come later

on in connection with another of my cuts, where the Deputy Commissioner did not like some move by the members and when they went to see him in private capacity,—I was told only yesterday of this incident by an honourable member of this House—their books were thrown away, though they had nothing to do with these things—the books which they always carry in their pockets and their arms and go to the chairman or the district magistrate to write notes on. These gentlemen are very fond of their books, and often they hold them more valuable than their lives. You can, therefore, imagine their feelings when those books were thrown away. Is it acting in the spirit in which the authors of local self-government wanted them to act? I will refer to one more paragraph of this report—

As education advances, there is rapidly growing up all over the country an intelligent class of public-spirited men whom it is not only bad policy, but sheer waste of power, to fail to utilise.

Therefore instead of discouraging the people to act in the right way, the policy should have been to encourage them and to make them feel the responsibility and to act properly. With these words I move my motion.

Mr. Deputy President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 3,41,820.

Mr. M. A. Ghani : On a point of order. The order of motions printed in this list seems to be wrong. According to the ruling of the President, these cuts must be moved according to the number of the pages given in the budget. My cut refers to page 173 whereas the cut just now moved refers to page 190 of the budget and intervening these two there is another to be moved with reference to page 174. There is again another cut with reference to page 190, and so on. So I submit that my cut ought to be moved first if the cuts are to be taken in the order of the number of pages of the budget, before the motion made by my honourable friend, Mian Nurullah.

Mr. Nanak Chand Pandit : According to the previous ruling cuts should be taken up in accordance with the pages of the budget, pages 173, 174 and so on. I have also given notice of a cut with regard to page 173, and somehow or other by the mistake of the office or otherwise the cuts have been printed in a very haphazard manner. There are some cuts printed before my cut and which refer to page 190. Therefore I submit that cuts with regard to page 173 should be taken up before cuts referring to page 190.

Mian Nurullah : This point of order has been raised a little late.

Chaudhri Afzal Haq : Point of order is never late.

Mr. Nanak Chand Pandit : Unless a motion is before the House no objection can be taken. Therefore when the motion was before the House I took the objection that it could not be taken up.

Mr. Deputy President : Attention of honourable members is drawn to Article 183 (4) under which no motion shall be made for the reduction of a grant as a whole until all the motions for the omission or reduction of definite items within that grant has been discussed. The motion now under discussion relates to an item in the budget which appears on page 190 of the budget. The total of this grant appears on page 173 and the items appear on later pages. So, in this case motions relating to items appearing on later pages have to be taken up earlier than motions for reduction in the total grant although the total appears on an earlier page of the budget.

Mr. Nanak Chand Pandit : The motion is before the House only when the Chair puts it before the House.

Mr. M. A. Ghani : And as soon as it was put by you I raised the objection.

Mr. Deputy President : I have decided that the discussion of this motion will proceed now.

Mr. P. Marsden (Secretary, Transferred Departments) : It is very surprising that the honourable member has suggested that the Government has not been doing all that it can to increase the influence of non-officials in district boards. Whether there has been an extension of the official element in the sub-committees of the district board of Lyallpur, I do not know. But if there has been, it is presumably because the elected members of the board have preferred that it should be so. There has lately been an enquiry into the affairs of the district board of Lyallpur, and the enquiry has revealed that there has been very great laxity in various departments of the board, and I should think it is highly probable that, if there has been an extension of the official element in the sub-committees, it is because the elected members realised how very necessary it was.

To show how the Government has endeavoured to extend the non-official element in the district boards, I would remind the House of the two steps taken by the Government in that direction in the years 1925 and 1930. In 1925, when the policy of the Government was communicated to the boards, the Government intimated its willingness to consider the question of there being non-official chairmen, and of the official chairmen being withdrawn if the district boards so desired. The procedure by which the district boards were to intimate their desire was at that time to some extent restricted. They were informed that in a district board where 75 per cent. of the members were elected and where a majority of 60 per cent. of the non-official members were in favour of it, then the Government would consider the desirability of allowing non-official chairmen. Five years later the Government modified its previous instructions and made it somewhat easier for the elected and non-official members of the boards.—

Mian Nurullah : Is the honourable member in order in discussing the general policy ?

Mr. P. Marsden : I am giving the steps taken in the matter of having non-official chairmen in the district boards, and the Lyallpur Board comes in. The whole question has to be considered together.

Mr. Deputy President : The honourable member may briefly refer to it.

Mr. P. Marsden : I am only briefly referring to the general policy, so that honourable members may be satisfied that the policy followed with regard to Lyallpur has not been different from the policy followed in regard to district boards in general. I was mentioning that in 1930 the terms were modified, to an extent which I will explain. It was then decided that any district board could express its desire for a non-official chairman whether there was 75 per cent. elected members or not ; and the requirement for a majority of 60 per cent. of non-official members was withdrawn. At the

present time only two district boards have expressed their desire for non-official chairmen. Some of the other district boards have come very near to expressing such a desire, and one was the district board of Lyallpur itself. On one occasion within the last two years they passed a resolution by a considerable majority for having a non-official chairman. The matter was, therefore, under the consideration of Government, and in view of a number of reports concerning various acts of inefficiency in the district board, the Government were giving very serious attention to the matter. Then the district board revoked their previous decision and, by, I think, an equally large majority, reversed their previous decision. So there again it would seem that recently all the members of the district board of Lyallpur have been beginning to think that a considerable admixture of the official element is very necessary. The same sort of thing happened in the Rohtak district board, where apparently a resolution was passed in favour of a non-official chairman. But various objections were raised about the proceedings and there was only a majority, if there was a majority at all, of one, and when the matter was again, at the suggestion of Government, put to the vote in the board, they also definitely reversed their previous decision. The result is that up to the present there are only two district boards which have decided for non-official chairmen.

5 P.M.

As regards sub-committees of the Lyallpur district board, as I said, it is impossible for the Government to say what the reasons have been for increasing the official element. But after the recent very thorough enquiry into the affairs of the Lyallpur district board it is hoped that all the members will give their very earnest attention to this matter. Possibly they may wish to elect fresh members of their sub-committees, and they will consider whether the policy of having official members and official chairmen of their sub-committees has been justified or not.

The honourable member read from a somewhat ancient report in which the general question of local self-government was being considered, and quoted from that report a remark to the effect that even failures experienced in the experiment of extending local self-government were useful, and that in some cases they even tend to increase efficiency in the long run.

Mian Nurullah : I did not make any remark to that effect. I said that here in spite of there being no failures the things are being done in this way.

Mr. P. Marsden : Possibly the quotation was not correctly read out. But so I understood him. There is no doubt that there has been a greater withdrawal of official control of the municipal committees. And I think the honourable member would agree that of late years the administration of the district boards taken as a whole has been more satisfactory, and that there have been less complaints and less grounds for complaint on behalf of the public about district boards than about municipal committees. The honourable member said that it was the duty of officials and servants of Government to foster local self-government, and to assist and encourage the management of local self-governing bodies by non-officials, and that it was their duty to repress as far as possible any relapse from the system of non-official control of local bodies. In that respect my own experience tells me that officials have done all in their power. In the two district boards

[Mr. P. Marsden.]

with which I have been lately chiefly associated, those of Rohtak and Gurdaspur, I can say that the chairmen of the boards have as far as possible left questions of policy to their vice-chairmen, and that whenever the district board, the non-official members of the district board, have shown their wishes in any matter, the chairman has, as a rule, given way and not endeavoured to exert his influence in the opposite scale. In the district board of Rohtak, which is one of the most successful of all district boards of the province, there has always been very close co-operation indeed between the distinguished members—some of them are, and some of them have been members of this Council—the very closest co-operation between the non-official vice-presidents and the members of the board on the one hand and the official chairman on the other. And the same I can say has been the case in Gurdaspur. Those are cases that I take from my personal experience. And I can say from the experience of the last two or three years, while I have been dealing with the reports received from all the districts, that the same has been the endeavour of all official chairmen in the boards. As far as possible they have been limiting the amount of influence which they have brought to bear on members, in all matters.

I would finish by saying that I am quite certain that the public considers that the district boards have been doing their duties satisfactorily, and that their administration has been more satisfactory than on the municipal committees? I have explained why I have had to take up cases of all the other district boards in relation to this particular episode which concerns the Lyallpur district, and I am sure that the honourable member will realise from the brief history that I have given, of the policy of Government with regard to district boards, that in the whole matter of district board administration the policy of Government has most definitely been not to discourage but to encourage the extension of the elected element.

Mian Nurullah : The honourable member who has just sat down has brought the question of non-official chairman in the district board of Lyallpur into this controversy. This question I had a mind to raise in my next motion as it is a serious affair. But now as the question has been opened I have to make some definite statements about what I have seen myself. I would not, and I do not like, to make it a personal question in any case. But I might put before the House that I have got a very bitter experience about this thing myself. I know the whole story. I know how the Government wrote that letter to the local board to select its non-official chairman if it liked. I was then living at Solon. In 1932 I learnt that the district board of Lyallpur had passed a resolution that they did want a non-official chairman. That resolution was passed by about 32 votes out of 48, by the requisite majority. Then a few friends approached me at Solon and said: "Come along, Nurullah; there is a chance for you. You must come in." I said: "I am sorry. I have been acting against and defying your wishes, and I do not like to be a member of the district board." Somehow I was tempted and said: "All right. I'll make a move." I moved down at once to see my friends in Lyallpur. I met a few members. They were all keen, an opportunity being there that I should get in. They thought that I would be useful. I agreed ultimately that I shall become a member and get elected. A member offered his seat and resigned his seat to enable

me to stand for that circle. Soon after the resolution was passed official pressure to reverse the resolution began. Perhaps they realised that the largest district was out of their hands. That was even before I went down there. I know full well who was pulling the strings from behind. But still as my friend had resigned I stood from his constituency. Before the three months had elapsed I stood for the election, and in spite of some officials trying to put up rival candidates I was successful in getting returned unopposed. So I became a member of the district board. Efforts continued to have the resolution reversed. Government did not approve of the first resolution for three months. I do not know how far Government was in the know of things, nor can I say how far they had a hand in it. But what happened? When three months had passed, when according to the rules the board could re-consider their own resolution, a meeting was notified to be held in a few days. I was living not very far from the district board office, not very far from the zailghar where all members of the board put up, not far from the courts either. The courts are situated in between the zailghar and where I was living, not far from the bungalow of the chairman. Somehow heaven and earth was moved by the officials in an official manner. This action of the officials is exactly the subject of my next motion. Everyone in the district wanted to object to this action. I would make my statements even on oath, if the Chief Secretary would like me to make them. What was done on the day when the resolution was to come up? I was in my bungalow. There was a gathering of district board members. There was a party which was still in favour of having a non-official chairman. There was another party which was controlled, some by persuasion others by threat, by officers in charge of the administration of the district. That night the revenue assistant of the district slept in the court premises. Outside his office room I saw his bedstead covered by mosquito net with my own eyes, and I am prepared to say it on oath that he slept there that night. He was there seeing the members of the district board. He saw them in their homes. He called some of them to him. Some of them were actually threatened. And what happened on that occasion at Lyallpur happens at other places very often. Members got into grips in their own parties with each other, and had what they called *che-me-goian*. And that very night they drew up a resolution. They showed it to members saying, so many have signed this already. The resolution was to the effect that the board did not want a non-official chairman. Each member was asked to sign it. They said: If you do not sign it, you will be very sorry for it. I definitely say here, and I am prepared to assert it, that the Deputy Commissioner was taking an active interest. It was after passing the resolution in favour of non-official chairman when some members wanted to see him in his capacity as deputy commissioner, I am told that he threw away their books. I came to know this only yesterday. I do not know the facts myself. I was informed of this by the honourable member from Gurdaspur and Sialkot. He is just now absent from the House. I am told there were of course talks in the ordinary constitutional way by the higher officers of the district. I have nothing to do with them. What I have seen with my own eyes I have described. Some of the members had been given promises to be made honorary magistrates, some *kursi nashins* and some were hoping to become *sufedposhes* and lambardars. These cases are always coming before the deputy commissioner and they cannot be stopped. There are vacancies

[Mian Nurullah.]

by death or by some other cause, and people are in the run for one or other of these places. A member of the party who acts as the deputy commissioner's agent goes to a *sufedposh* candidate whose case is to come up before the deputy commissioner and says to him: You must sign this paper, for the deputy commissioner wants you to sign it. When that fellow asks him to produce the paper, the paper is not produced because that candidate belongs to the other party. A report is then made to the deputy commissioner, that everybody except so and so has signed. These things are done to prejudice the deputy commissioner against their opponents. That fellow would have signed all the same under pressure. I definitely say it before the House that on the morning of the day of meeting many members saw the deputy commissioner. He would not meet anybody else but the members. The members went and came back, and went back again to the deputy commissioner. The revenue officer was also going and coming reporting to the deputy commissioner every five minutes the situation. There was a sort of a pitched battle in a way between the party which wanted a non-official chairman and the party which wanted an official just at the instigation of the officers, not because the members wanted it themselves. When the time of the meeting came they were ready like the military force. What happened then was that the meeting was held. This was a meeting of the members of the district board. I was present there. According to the rules the official chairman if present had to move out. He moved out into the adjoining room. There were certain other officials with him there. He was sitting in the next room from where he could watch what was happening. Members knew that he was there, and they knew that if they said or did anything to incur the displeasure of the deputy commissioner, they would be hauled up—not hauled up in the literal sense but in the sense that all their services of 40 years or so would be wiped out, and by a mere stroke of the pen their future would be marred. The proceedings began in a most irregular manner. Nothing was done according to the rules. I was new, and had attended the meeting for the first time. I could not move much in the matter. I protested in many ways, but hardly anything was recorded, and I was helpless. I opposed the new resolution. I was practically all alone to press my point, and no one had courage enough to support me except a few most of whom were Akalis. And when Akalis feel strongly about a matter and want to do a thing, they do it. They were the only ones who opposed the resolution. We were in all nine.

I do not know how far Government is aware of these facts. They were published in the local newspapers. That is how the case stands. The action of the deputy commissioner only goes to prove my contention that officials sometimes manœuvre things in such a way as to get a verdict in their own favour. This is how the deputy commissioner in this case got the members of the board to rescind a resolution which they had passed only three months ago.

The question might be dealt with again when I come to the next cut, but for the present the Honourable Minister has not replied as to why these retrograde steps were taken. Probably he has not called for information so far. With these words I want to press this motion.

Mr. C. C. Garbett (Chief Secretary): There are one or two points to which I should very much like to draw attention. The honourable member has not made it clear to us when these events occurred which he has related in such detail. My impression is that they occurred two years ago (*A voice: They occurred in 1931*). That is my first point. He is bringing up in this House a purely personal matter which is already three years dead.

Chaudhri Afzal Haq: On a point of order. Is the honourable member replying to the debate or is he making a speech?

Mr. P. Marsden: He can make a speech. He is in charge of General Administration. It is not a Local Self-Government subject.

Mr. C. C. Garbett: The honourable mover attempted to bring into a speech, which was supposed to be a reply, an entirely new subject. Instead of replying, the honourable member from Lyallpur developed an entirely new case in which he attacked the deputy commissioner and his officers, and therefore he made it necessary for me to draw attention to just two points. I am going to ask the House to agree with me that the whole of this cut is in the worst possible taste, and should never have been moved. The machinery of Government is well known to every member of this House. We have at the headquarters a Governor in Council and his Ministers acting as a Cabinet. They have their Secretariat which assists them to see that they have before them all material which is present in the Secretariat for forming their decision. They formulate the policy, and their instructions are passed on—

Mian Nurullah: How is it relevant to the present motion?

Mr. C. C. Garbett: The honourable member has attacked the deputy commissioner. I am showing him what the deputy commissioner does, and I am trying to teach him what action he should have taken.

Three years ago the honourable member felt a grievance. He has nursed it for three years, and has vented it in the motion now before the House to-day. His proper course, assuming—and I am not suggesting that it is not correct—that his statement is correct, his proper course at the time when the events were fresh was to have made his complaint before the proper officer. The Commissioner is there for the purpose, and if he fails to get redress from the Commissioner, then there is the higher authority to whom the matter could be referred. He has taunted us for not having made an enquiry into a matter which happened long ago. It seems to me that the whole House will agree with me on this particular point that matters ought not to be raked up three years afterwards in budget debates.

Secondly, apart from the question of time there is the utter ill-taste of bringing up a personal matter of this sort in this House at this time. The honourable member made it perfectly clear to the House that he was not dealing with administration in general. When the Secretary, Transferred Departments, endeavoured to raise the debate to a higher level to discuss principles and to restrict the application of his remarks to the Punjab as a whole he rose to a point of order. He said: I am only dealing with Lyallpur. But he was not even dealing with the Lyallpur district, he was only dealing with one single individual in Lyallpur. And he comes up and wastes the time of the House with the 3 years' old grievance of one person. In the

[Mr. C. C. Garbett.]

event of his pressing the case to a division, I would ask you to vote for Government on this motion, and thereby record your sympathy with the line of argument that I am taking, and make it clear that matters of personal importance should be pursued outside this House in the regular manner, and if they are not so dealt with then they should not be raised in budget debates in this House. It is a question not of order but of taste. (*Chaudhri Allah Dad Khan*: Opinions differ.) There is a Latin proverb which says that matters of taste should not be discussed. Opinions differ, but I think the taste of the House will be with me.

Mian Nurullah: Sir, just a word of explanation. This question was raised not by me but by the honourable Secretary, Transferred Departments. If in the course of my next speech I had mentioned the matter, I would have been ruled out of order for not raising the question of non-official chairman before. In that case I would have been left without an explanation about this matter. As I have said before the question was not raised by me.

Mr. Deputy President: The question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 3,41,620.

The motion was lost.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the total grant be reduced by Re. 1.

In compliance with the wishes of some of the honourable members, I will speak in Urdu. I have already mentioned that this cut has been brought forward in order to censure the policy of the officers in interfering too much in the affairs of local bodies. It is an open secret that the officers of the Government interfere too much in non-official matters, and by misusing their influence they frustrate the object of the laws and rules that were framed to introduce the element of local self-government in the country. These officers continually abuse their powers, and by their unconstitutional conduct make the written constitution of the country regarding local self-government null and void. The local bodies have not shown any progress during the last so many years on account of this interference in their work by the officers. The officers want that the local bodies should continue to remain under their control. They have always opposed, and they continue to oppose the very idea of giving non-official presidents to the local bodies by exerting undue influence over the members. The members cannot dare go against the wishes of the officers. As I have already mentioned the District Board, Lyallpur, passed a resolution to the effect that they wanted a non-official chairman, but as the local officers did not want a non-official chairman they approached a majority of the members and influenced them to bring another resolution to the effect that they did not want a non-official chairman. By this resolution they reversed the position taken up by them in their first resolution according to which they had expressed themselves in favour of a non-official chairman. This sort of interference on the part of the officers is unconstitutional. I quite agree with my honourable friend from Gujranwala when he says that the officers are all powerful in the districts, and no person can dare oppose their wishes. People expect favours from the

officers. Some hope to become honorary magistrates, others hope to become *saidars* and *sufedposhes*. These people, therefore, willingly bow down before the deputy commissioner and do what they are asked to do by him. As I have already mentioned, in the Lyallpur district the deputy commissioner gave promises to two gentlemen that they will be recommended by him for appointment as honorary magistrates if they helped him to get the resolution regarding the appointment of a non-official president reversed. These gentlemen did their part of the promise, and the deputy commissioner made recommendation that they may be appointed honorary magistrates. I think after using them for one or two similar other works the deputy commissioner will see that they are gazetted. The Chief Secretary has said that I ought to have taken action on this matter when it happened and not after the lapse of some three years. It was not my business to do something in this behalf. It was not my duty to take action. It was the duty of the Honourable Minister to see that everything he wants to be done is properly done. It is not for me, and as a matter of fact for anybody else, to move in this respect, to bring forward an adjournment motion or to move a resolution. I have so many other things to attend to (*An honourable member* : And so has the Honourable Minister.) It is the duty of the Government to see that they have a good and strong party to back it. By Government I do not mean the officers of the Civil Secretariat. I am referring to the district officers. What is happening at present is this. The district officials are utterly apathetic. They think the work is going on all right and their position is safe. At the most they temporarily win over a party to their side by offering some concessions to it, and when they find that an emergency has been met with, they sever all connections from it. They never take the trouble of thinking whether this attitude is strengthening the foundations of the Government or tending to its ruin. They have only this consolation that the consequences of their neglects are not likely to become apparent during their tenure of office. They are sure that if trouble comes, it will come after ten or twenty years; so they need not worry about the distant future. Their only consideration is to keep up the appearance of a satisfactory administration.

It is not imaginable that officials have no influence in the local bodies. If the Government want a sufficiently strong proof of their influence and is prepared to make an inquiry, let these officers be transferred from there and then let an independent enquiry start. I am sure that the whole situation will be clarified beyond doubt. Otherwise it is quite clear that no enquiry about an officer can be successfully carried out during the tenure of his office.

With these words, Sir, I commend my motion for the acceptance of this House.

Mr. Deputy President : Motion moved—

That the total grant be reduced by Re. 1.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, this motion really does not relate to my department, and I am sure that the officer who is the head of the department, namely, the Chief Secretary, is fully competent to defend his officers against the attacks which have been made by the honourable mover of this cut. I

[The Hon. Dr. Gokul Chand Narang.]
have, however, got up for another reason. It has really pained me to learn that local self-government has come to such a pass that an honourable member of this House has to get up to complain against the extraneous interference with the progress of local self-government.

(At this stage Mr. President resumed the chair).

As it is my duty to see that the course of local self-government is allowed to run smoothly and that no undue interference is made with it, I have thought it necessary to say a few words.

I hesitate to believe that any officer is capable of exerting an undue influence on the members of local bodies as to divert them from the path of duty. But I have never heard a more serious indictment of my own countrymen, and it is this reason that has prompted me much more than any other consideration to get up and say a few words.

It is really a great pity if all that the member for Lyallpur (Mian Nurullah) has said about our own people is true. Supposing tomorrow the Parliament and His Majesty the King were to agree to allow India to set up its own form of government and to elect its own president to rule over the country. Then, if India fails to take advantage of it and fails to elect its own president on the ground that Mr. Garbett has interfered with the people or that Mr. Miles Irving has interfered with the peoples' choice or that Mr. Marsden deprived the people of their right to choose the president, who is to blame? I really am inclined to think that the members of district boards and municipalities either encourage the interference of officials in the matter of election of non-official chairmen of sub-committees or they feel in their heart of hearts that in the present state of things official chairmen are more capable of discharging the municipal and district board duties than the non-official members themselves. Otherwise the only alternative that I should be compelled to believe is that the members of district boards and municipal committees are absolute cowards who are cowed down by any alleged influence or interference by the officials in various places. I refuse to believe that our people are such cowards as to be carried away by any extraneous influence exerted over them. I am really jealous of the honour of the elected representatives of the people. I refuse to believe that they are such cowards as to be turned this side and that like a flimsy twig of a tree which yields to a gust of wind. I am sure the honourable member did not realise the seriousness of the indictment he was bringing against his own countrymen. The other day another honourable member said that the members of district boards with the deputy commissioners as chairmen or even when deputy commissioners were not chairmen, were like mice before cats. He used some such expression. It is really a great pity and a great reflection upon the sense of duty and sense of courage of the elected representatives of our people in these local self-government institutions. I am led to think that the real reason is quite different, because I cannot imagine that if Mian Nurullah is a member of a district board or Rao Bahadur Chaudhri Chhotu Ram is a member of a district board he would yield to any extraneous influence. The fact that the members of these local bodies allow themselves to be carried away by official influence can lead but to one conclusion, that is, that they have more faith in the judgment of the officials

than in their own, more faith in the capacity of the officials than in their own, to discharge their duty.

There is another very serious matter of very great importance that has been raised. Some people expect honorary magistrateship or honorary sub-judgeship. Therefore they have not got the courage to defy the deputy commissioner. They study the deputy commissioner's wishes and therefore they mould their conduct in accordance with the wishes of the deputy commissioners. Then there are some people who are *lambardars* who aspire to become *sufedposhes* or who are *sufedposhes* and aspire to become *zaildars* or some such thing. If there is such a crowd of self-seeking people who are prepared to sell their own interest for a mess of proverbial pottage, whose fault is it? You should first go and teach your own people to improve their morals, infuse more moral courage in them, impress upon them the importance of their doing their duty to their constituencies, and if then you fail and you consider that the matter is hopeless, then you should realise that it is, as I have said, their consciousness of their own lack of capacity and lack of confidence in themselves that brings them to the official doors. If the official members are so destructive of the principle of local self-government, why do you have them on the sub-committees? The very fact that you want them, that you elect them to the sub-committees shows that you cannot do without them. Personally, I tell you, so far as mere abstract principles are concerned, I would certainly say that our own people should take the whole business in their own hands and stand on their own legs and should not lean on anybody for assistance. Just as other people are carrying on their business, so must we. We should look at things as they are, and I do not think we are right in complaining about the alleged interference by officials here and there. The real trouble lies elsewhere and not where my honourable friend alleges it to be. I want to make it absolutely clear that I am not a supporter of official interference. Certainly if any case comes to my knowledge that any official, any executive officer in any way has tried to exert undue influence or has been guilty of any undue interference with the affairs of a municipal committee or district board, I shall certainly complain to the proper authorities, and I shall see that the members, if they do not want official interference, are not interfered with. But unfortunately things are not as they ought to be. As I have already said I wanted to say these words in the interests of our own people and in the interests of our own honour and prestige.

Kanwar Mamraj Singh Chohan (Ambala *cum-Simla*, non-Muhammadan, Rural): I did not intend to speak on this motion being a district board member myself. But having heard the speeches on the subject I will be failing in my duty if I do not concede that the allegation that outside influence exists is correct. But I am not prepared to say that the influence is exercised against public interests. Officers have their own point of view and they generally succeed in influencing the members of local bodies to their own views. If it is desired that the officials are not to interfere at all in the affairs of local bodies, then you should not allow him to vote at the time of election of vice-chairman. It is sometimes good that these officials vote at the election of vice-chairman. But sometimes the deputy commissioners take too much advantage of their privileged position. If they are not able to convert the other members of the district boards to their own view, they sometimes resort to unfair means to enforce their own point of view on the

[Kanwar Mamraj Singh Chohan.]

boards. I may quote an instance. I will not mention the name of the district board where this incident happened. In a district board a certain person was elected senior vice-chairman by a majority of the members of the board. But because the deputy commissioner was not pleased with that person, he withheld his assent to the election of that person as the vice-chairman. Therefore there are some sub-committees of the district board which are now functioning without the vice-chairman at all. The most queer thing is that the secretary of the district board has no information whether the resolution of the district board has been suspended by the deputy commissioner or not and who is the senior vice-chairman and who is not. Certain things like this do crop up every now and then, and I felt it my duty to bring it to the notice of this House.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan Rural) (Urdu) : Sir, I was sorry as well as surprised to hear the speech of the Honourable Minister.

The Honourable Dr. Gokul Chand Narang : I thought that you were sorry as well as pleased.

Chaudhri Afzal Haq : It is really a pity, Sir, that an elected member who entered this Council as a swarajist should be seen to-day defending the officials of the Government.

The Honourable Dr. Gokul Chand Narang : I have not done that.

Chaudhri Afzal Haq : The Honourable Minister has. He has said that our countrymen are to blame because they do not stand on their own legs and look towards the English people for help. But he knows too well what had been the consequences of his own attempt which he made in 1918 to stand on his own legs. It is all very easy to make all sorts of pretensions in this House and preach sermons that people should try to stand on their own legs. I am sure that if he takes into his head to make such an attempt once again, he will come out of the prison a much wiser man after six months or so.

I should like to remind this House that when votes were taken on the resolution which recommended to the Government that non-officials should be elected as presidents of local bodies, the honourable member who has just sat down after giving us a lesson on patriotism, voted for the resolution. He felt at that time in his heart of hearts that official presidents are likely to have at least some undue influence in the local bodies and, therefore, it was necessary to replace them by non-officials in the interest of the country and the people. Most probably you, Sir, also voted for the resolution and your party lent its whole-hearted support to it. In short the whole House was unanimous on this point.

The Honourable Minister has said, "Suppose the British Government allows India to set up her own Government and elect her own President. If she fails to do so British Government are not to blame. It will reflect the inability of Indians." I quite agree with him there. But he should also bear in mind that as long as a strong party is there to intimidate men like myself and offer temptations to men like the Honourable Minister, the people are and will continue to be helpless. (Hear, hear).

I am sorry to observe that a swarajist Minister is so lightly dismissing the complaint of an elected member of this House. He ought to have

assured him that he would institute an enquiry in the matter and would not even dine till he is satisfied that action had been taken with regard to the complaint. But he would not say a word on that point.

The Honourable Dr. Gokul Chand Narang : I have said so.

Chaudhri Afzal Haq : You have not said so.

The Honourable Dr. Gokul Chand Narang : I concluded by saying that if any case comes to me, I shall certainly enquire. I did say so.

Chaudhri Afzal Haq : No, you did not say so. You gave no promise.

The Honourable Dr. Gokul Chand Narang : Let the reporter read out his notes.

Chaudhri Afzal Haq : You do not know what you say.

The Honourable Dr. Gokul Chand Narang : Sir, I may just make it clear. It is said that I did not say that I would make enquiry——

Mr. President : I have consulted the notes of the reporter. The Honourable Minister for Local Self-Government is reported to have said that if any specific complaint is brought to his notice, he would enquire.

The Honourable Dr. Gokul Chand Narang : Thank you, Sir. In any case the gentleman against whom this allegation is made is no longer in Government service and has retired.

Chaudhri Afzal Haq : The Honourable Minister may not be inclined to agree with us to-day, but he knows that he has so often held the same opinion in the past that the root cause of all our troubles is that neither the Government do anything themselves for improving the conditions nor allow us to do so. The honourable mover has complained that the deputy commissioners wield great power in local bodies, and people who hope to be made lambardars, zaildars or honorary magistrates act as they are asked to do.

Mr. C. C. Garbett : They have not the power.

Chaudhri Afzal Haq : When an honourable member undertakes responsibility for allegations definitely made by him it is not proper on the part of the Minister to make generalisations and waste time in eulogising the Government and its officials. I would again submit that Government should seriously consider this matter and redress a just grievance of the people.

When we have to say certain bitter things about the Government, it does not follow that we bear any grudge against members of the Government. Personally we have the greatest regard for them and respect them both in their presence and in their absence. But mere speeches cannot satisfy us though they may be from the lips of the Chief Secretary. This is a fact, and we feel grieved to disclose it here that the district officers of the Government hate public-spirited men and are out to crush the spirit of self-government in them.

With these words, Sir, I support this motion.

Mr. Nanak Chnad Pandit (Hoshiarpur, non-Muhammadan, Rural) : The question that has been raised in this cut is really a very important one. Some gentlemen have no experience of election. But fortunately or unfortunately I have had the experience of three elections. They were not for these local bodies, my experience is with regard to the Punjab Legislative Council and that experience can very well be applied to the local

[Mr. Nanak Chand Pandit.]

bodies also. It entirely depends upon the personality of the deputy commissioner. I happened to be in a district which was presided over by Mr. Jenkins, and in those elections which came directly under him there was absolutely no influence of any kind exercised. But the last election opened my eyes. There was a certain change or impending change, and the people knew that the gentleman was leaving the district. The whole police force was working against me. Actually telegrams were sent by my son and myself to the deputy commissioner to come and interfere and the deputy commissioner then sent his Deputy Superintendent Police to look into this matter. Things were then brought under control. There is absolutely no denying the fact that in various cases official influence is used in a manner in which it should not be used. Dr. Gokul Chand Narang was talking of a certain state of affairs which does not exist in this country. You must remember we ignore this fact that people whether in England or here worship brute force. He who has got the sword rules, and even if the King Emperor were to make a gift of self-government to the Punjabis, so long as the power of the sword or the army is not given to the Indians, official influence is likely to work this way or that. So I very respectfully submit to my friend. I have taken the permission of my leader to give expression to my views on this subject that those things do not apply here. The moment India gets full self-government and the whole thing is transferred into Indian hands, then those facts stated by the Honourable Minister would have an application here. But unfortunately they do not apply now, whatever the case may be. It may be that the Hindus, the Muslims and the Sikhs are fighting. It may be that we have not developed that spirit of self-sacrifice which is essential for the attainment of swaraj. Whatever that may be, we cannot ignore practical politics. If the British people are sincere in the grant of self-government or in the grant of self-governing bodies, it is their duty to see that those people who are at the head of affairs should strictly prohibit officials from interfering in these matters, from siding one party or another. It is no doubt their duty to maintain peace and order. Nobody would gainsay that fact. But if officials are going to take sides either with this man or with that man, there cannot be a free election. I cannot say anything with regard to the particular facts narrated by the mover of this motion, but I know this fact. In the Hoshiarpur district and other districts sometimes official influence is exercised. There are, on the other hand, noble examples where people like Mr. Jenkins do not interfere. They allow people to make their choice and people have made their free choice in those cases. It is a matter for investigation whether the facts brought to the notice of the Government to-day are correct or not. Otherwise strict orders should issue from the department which is controlled by Mr. Garbett that officials, so far as free voting is concerned, should not interfere. It is not a hypothetical case, but these are practical realities of life which we have to face. Take us for what we are, good, bad or indifferent, fighting between ourselves. But if we are to be trained in the art of self-government it is essential that we should be permitted to use our vote freely without any undue influence official or otherwise.

6 P.M.

The Council then adjourned till 2 P. M. on Thursday, the 15th March, 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 15th March 1934.

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 of Co-operative Societies).

Mr. H. R. Stewart (Director of Agriculture).

STARRED QUESTIONS AND ANSWERS.

SALE OF SHOP SITES IN JHANG AND LYALLPUR DISTRICTS.

***3089. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Punjab Government, according to its letter No. 9975-C., dated 14th November 1931, ordered that the village shopkeepers of Jhang and Lyallpur districts could become the proprietors of their shop sites by depositing the full purchase price of the same in the Government treasury by 28th December 1931, and no rent of previous seven years will be charged from them ;
- (b) whether it is a fact that the Financial Commissioner was telegraphically informed on 16th December 1931 that the Deputy Commissioner, Jhang, did not inform them officially of the above said order of the Government ;
- (c) whether it is a fact that the shopkeepers of tahsil Chiniot, district Jhang, did go to deposit the required sum in the treasury but the tahsildar refused to accept for he had no such instructions from the district authorities ;
- (d) whether it is a fact that a public meeting of the shopkeepers of the Jhang district was held at Aminpur on 20th December 1931 in which they regretted that the Deputy Commissioner of their district had not officially informed them regarding the above deposit ;
- (e) whether it is a fact that after the expiry of the prescribed time the rents of the shop sites were realised from the shopkeepers through warrants of arrest and attachments ;
- (f) whether it is a fact that a deputation of the Punjab Traders Association waited upon the Honourable Revenue Member at Lahore on 19th April 1933, and placed the situation before him ;

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- (g) whether it is a fact that the Honourable Revenue Member was convinced of the fact that the above said order was never conveyed to the shopkeepers by the authorities of the Jhang district, and therefore he very kindly, according to his letter No. 1782-C., dated 3rd May 1933, extended the date of deposit to 1st of October 1933;
- (h) whether it is a fact that from such shopkeepers who deposited their cost prices according to this letter no rent was charged;
- (i) whether it is a fact that the rent deposited by the shopkeepers from 23rd December 1931 to April 1933 has not been repaid to the shopkeepers, and this so-called concession has only been given to the defaulters;
- (j) whether it is a fact that the Secretary, Punjab Traders Association, drew the attention of the Government to this point, but the Government refused to consider this question;
- (k) whether it is a fact that such shopkeepers from whom the rent was realised have not been able to pay the cost prices;
- (l) if so, whether the Government intends to reconsider the question?

The Honourable Mr. Miles Irving : (a) Yes.

- (b) Yes.
- (c) Government has no definite information; but this may well have been so.
- (d) Such a meeting appears to have been held.
- (e) Yes.
- (f) Yes.
- (g) The Honourable Member for Revenue was of opinion that the previous orders had not been properly advertised. Consequently the date was extended as stated.
- (h) The orders were that all claims of rent against shopkeepers due up to December 1931 were to be remitted, if the full purchase price was deposited by the 1st of October 1933.
- (i) Rent for this period was not intended to be remitted.
- (j) Yes.
- (k) Government has no information.
- (l) No.

SAINIS.

***3090. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the names of the agricultural tribes within the meaning of Section 153 of Punjab Education Code;
- (b) whether the Saini tribe is included in agriculturists within the meaning of Section 153 of Punjab Education Code;

- (e) if not, why not ;
- (d) whether it is a fact that the Sainis are agriculturists and are so described under Section 158 of the Punjab Education Code ;
- (e) whether it is a fact that two non-Saini students (i) Babu Singh Ghauryala, Jat, roll no. 9003, Khalsa High School, Mahalpur, marks obtained 626, and (ii) Suram Chand, Rajput, roll no. 9253, marks obtained 628, were given preference over two Saini students (1) Narendar Singh Garan, roll no. 4471, Saini Sikh zamindar, Khalsa School, Chamkor Sahab, marks obtained 628, and (2) Vidya Rattan, Jandoria Saini, Hindu zamindar, roll no. 4671, Public High School, Rupar, marks obtained 538, in the award of scholarships in 1933 Matriculation Examination, though the marks obtained by the former were less than those of the latter ;
- (f) if so, what action Government propose to take in such cases in future ?

The Honourable Malik Sir Firoz Khan Noon : (a) Jats and Rajputs who are either Hindus or Sikhs.

- (b) No.
- (c) Because Sainis are neither Jats nor Rajputs.
- (d) Sainis of the Rohtak, Jullundur, Ludhiana, Ferozepore, Gurdaspur, Sialkot, Sheikhpura, Lyallpur, Ambala and Hoshiarpur districts are agriculturists and eligible for the zamindari scholarships tenable in the middle and high classes. But they are not eligible for the scholarships reserved (under Article 153 of the Punjab Education Code) for the Jat and Rajput agriculturists alone who are either Hindus or Sikhs.
- (e) Babu Singh Ghamyala (roll no. 9003) who is a Sikh Jat agriculturist and K. Suram Chand (roll no. 9253) who is a Hindu Rajput agriculturist were both awarded the scholarships reserved (under Article 153 of the Punjab Education Code) for Jat and Rajput agriculturists who are either Hindus or Sikhs. Narendar Singh Garan (roll no. 4471) who is a Sikh Saini agriculturist and Vidya Rattan Jandoria (roll no. 4671) who showed in his application form for admission to the Matriculation examination, 1933 to be a non-Brahmin Hindu (and not a Saini agriculturist) could not be awarded the scholarships reserved for Jat and Rajput agriculturists who are either Hindus or Sikhs.

(f) Government does not propose to change the existing rules as such a course would affect adversely the rights of the Jat and Rajput agriculturists.

GRANT-IN-AID.

***3091. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Punjab Education Department has not awarded to some of the private schools of the province that amount of grant-in-aid which they are entitled to under the rules laid down in the Punjab Education Code ;

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- (b) whether the reductions made in grants-in-aid are based on any principle ; if so, what that principle is ;
- (c) if the reductions are not based on any principle, the reasons of these reductions ;
- (d) whether the Government is now prepared to award to the aided institutions the full amount of grants-in-aid to which they are entitled under the Code rules ?

The Honourable Malik Sir Firoz Khan Noon : (a) In awarding grants from provincial revenues to aided schools in the Punjab the rules in Chapter III, Punjab Education Code (1932), have been rigidly followed.

(b) Grants-in-aid are liable to be reduced under Articles 67, 69, 74 and 83 of the Punjab Education Code.

(c) Does not arise.

(d) That is already done.

SCHOLARSHIPS TO DEPRESSED CLASSES.

***3092. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that a Memorandum No. 7973-A., dated 23rd April 1930, as detailed below was issued by the Punjab Government (Ministry of Education) regarding the award of scholarships to children of the depressed classes :—
 - (a) two scholarships of the value of Rs. 10 per mensem each plus the tuition fee, tenable for a period of two years in the Intermediate classes ;
 - (b) two scholarships of the value of Rs. 10 per mensem each plus tuition fee, tenable for a period of two years in the B.A. classes ;
 - (c) thirty high school scholarships of the value of Rs. 6 per mensem each, and tenable for a period of two years ; and
 - (d) additional stipends of Rs. 5 per mensem up to twenty in number to approved teachers under training from among the senior and junior vernacular classes ;
- (ii) if the answer to the above question is in the affirmative, what steps the Department took to give effect to the above Memorandum ;
- (iii) how many depressed class children have been given the benefit under clauses (c) and (d) in Ambala division ;
- (iv) what additional facilities the Government is prepared to grant to the depressed classes ?

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

(ii) Stipends and scholarships were instituted and awarded wherever eligible candidates were forthcoming.

(iii) Under (c) eight.

Under (d) four.

(iv) In addition to the scholarships and stipends payable from provincial revenues, local bodies have been invited to provide scholarships at the middle stage for children of the depressed classes. No fees are charged from the depressed class students at the primary stage and half fee concessions are allowed to them in the middle classes in both the vernacular and anglo-vernacular schools in the province. Local bodies have also been invited to show greater liberality than in the past in the provision of school books free of charge. Inspectors have been requested to consider favourably qualified applicants from among these classes for admission to the training institutions.

JOINT ELECTORATES IN LOCAL BODIES.

***3093. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state the names of the municipal committees, small town committees, and district boards which have joint electorates ?

The Honourable Dr. Gokul Chand Narang : All small towns and district boards have joint electorates. A list of municipal committees which have joint electorates is laid on the table.

List of the Municipalities which have joint electorates.

Serial No.	Name of the Municipalities.	Serial No.	Name of the Municipalities.
1	Hissar.	30	Pasrur.
2	Hansi.	31	Narowal.
3	Beri.	32	Gujrat.
4	Gohana.	33	Jalalpur Jattan.
5	Sonepat.	34	Dinga.
6	Hodal.	35	Kunjah.
7	Ballabgarh	36	Bhera.
8	Panipat.	37	Misai.
9	Rupar.	38	Khushab.
10	Sadhaura.	39	Jhelum.
11	Burja.	40	Rawalpindi.
12	Simla.	41	Campbellpur.
13	Dharmasala.	42	Hazro.
14	Urmar Tanda.	43	Mianwali.
15	Jellundur.	44	Lyalpur.
16	Kartarpur.	45	Chiniot.
17	Phillaur.	46	Jampur.
18	Nurmahal.	47	Dajal.
19	Rehov.	48	Rajanpur.
20	Chunian.	49	Mithankot.
21	Khem Karan.	50	Baghbanpura-cum-Bhogiwal.
22	Patti.	51	Kalka.
23	Jandiala.	52	Nankana Sahib.
24	Dalhousie.	53	Khanewal.
25	Gurdaspur.	54	Phullarwan.
26	Dinanagar.	55	Sheikhupura.
27	Pathankot.	56	Mian Channu.
28	Batala.	57	Khanna.
29	Sialkot.		

FATEHGARH SMALL TOWN COMMITTEE.

***3094. Chaudhri Zafrulla Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is the practice of Government that the power of nominating members to municipal committees and small town committees should not be so exercised as to alter the proportion of representation to which the various communities may be entitled on such committees under the formula recognised by Government ;
- (b) whether it is a fact that the Muslims have a majority in the population and on the voting register in Fatehgarh Small Town Committee in the Gurdaspur district ;
- (c) whether the recent nomination of a non-Muslim to the Fatehgarh Small Town Committee has deprived the Muslims of a majority in the committee and has reduced them to a position of equality ;
- (d) if the reply to (c) above be in the affirmative, whether Government are prepared to rectify the situation ?

The Honourable Dr. Gokul Chand Narang : (a) No. It is impossible so to appoint members as to maintain the exact numerical proportion of each community in a local body. The principle accepted by Government is laid down in the " Note on the reconstitution of Municipal Committees and District Boards " issued by the Government on the 15th August 1923. When making appointments Government does not as a rule take into account the community of officials. But when appointing non-officials, Government does accept the principle that where communal representation prevails, which is only the case in certain municipalities, and not in any other local body, appointments should ordinarily, though not of course invariably and without regard to special circumstances, be so made as not to disturb the balance of the elected seats of the various communities. Where communal representation does not prevail, that is to say in the case of district boards and small towns and the majority of municipal committees the principle followed is that where it is not possible to arrange for the due representation of a minority by election the balance is to some extent redressed by a limited use of the power of nomination.

(b) Yes. The Muslims at Fatehgarh have a majority over all other communities, and they have got four elected seats as against two held by Hindus.

(c) Yes. The recent nomination of a Christian member was made by the Commissioner to secure a representation to the Christian community, otherwise unrepresented.

(d) In view of the special circumstances of the small town in question the Commissioner's action was justified and calls for no action by Government.

Chaudhri Zafrulla Khan : What were the special circumstances ?

The Honourable Dr. Gokul Chand Narang : Circumstances as mentioned in answer to part (c).

Chaudhri Zafrulla Khan : All that I can see is that an Indian Christian has been appointed.

The Honourable Dr. Gokul Chand Narang : It was necessary to give a representation to the Indian Christian community which was fairly large there and but for this nomination it would have gone unrepresented.

Chaudhri Zafrulla Khan : Could not representation be provided by the modification of the wards as they existed by giving them representation in one of the non-Muslim wards ?

The Honourable Dr. Gokul Chand Narang : That requires examination and if you give me notice, I shall do so.

Chaudhri Zafrulla Khan : Could not representation have been given to the Indian Christian community by raising the number of nominations and giving one extra nomination to Muslims and cannot that be done now ?

The Honourable Dr. Gokul Chand Narang : I shall look into that, but I do not think there is sufficient justification for revising the whole of the constitution. In any case if the honourable member thinks it of sufficient importance and just sends a note, though perhaps it is not absolutely necessary, I shall look into it.

Chaudhri Zafrulla Khan : Does not the Honourable Minister himself think it of importance on principle that if a community has got four elected members and another community has got two elected members that the majority community should not be reduced to a minority by two nominations to the opposite community or communities.

The Honourable Dr. Gokul Chand Narang : The answer is given in part (a) which is practically a quotation from the note on the Constitution of Municipalities recorded by Government in 1923.

Chaudhri Zafrulla Khan : That lays down the principle ; my question was whether the Honourable Minister would be prepared to say with regard to this specific case that where Muslims have four elected members and non-Muslims two whether it is fair that their proportion should be reduced by nominations of two non-Muslims ?

The Honourable Dr. Gokul Chand Narang : Do you remember the total number ?

Chaudhri Zafrulla Khan : You have just given that.

The Honourable Dr. Gokul Chand Narang : No. Total number must be more than that, because one Christian has been introduced and there may be another, viz., a Sikh.

Chaudhri Zafrulla Khan : Is not the Honourable Minister prepared to give to-day the total number and how it is divided ?

The Honourable Dr. Gokul Chand Narang : I have not got the material here because it was not asked for.

Mian Nurullah : Does not the Honourable Minister think that by this action of his he is reducing a majority into equality ?

The Honourable Dr. Gokul Chand Narang : It is no action of mine. And in answer to part (a) of the question it has been made clear

[Hon. Dr. Gokul Chand Narang.]

that as a general rule that principle is followed, but it is not followed invariably and certainly in making nominations Government cannot use a chemical balance.

Chaudhri Zafrulla Khan : What does the honourable member mean by the words "no action of mine"?

The Honourable Dr. Gokul Chand Narang : Because these nominations were not made by me. They were made by the Commissioner.

Chaudhri Zafrulla Khan : Does he accept his responsibility?

The Honourable Dr. Gokul Chand Narang : The Commissioner is fully competent to make nominations and to accept responsibility for his own action. If we find that he has exceeded his powers and has done anything illegal then only we are justified to interfere.

Chaudhri Zafrulla Khan : My question was, does the Honourable Minister accept his responsibility?

Mr. President : Does that question require any answer? He being the head of the department, it goes without saying that he is responsible.

Chaudhri Zafrulla Khan : The Honourable Minister said that it was no action of his. He thereby implied that he did not accept the responsibility.

The Honourable Dr. Gokul Chand Narang : Certainly not, when duties are divided and an officer is fully competent to do something, any action of his will be his action and not the action of Government. The Government has general supervisory powers, but it cannot be responsible for every single action of every single officer under it. It is certainly authorised and bound to look into the action of its subordinates, if any irregularity brought to its notice and if there is any case of any officer exceeding his powers.

Chaudhri Zafrulla Khan : Does the Honourable Minister consider that this matter has now been sufficiently brought to his notice and it would not be necessary to bring it to his notice by a communication as suggested?

The Honourable Dr. Gokul Chand Narang : It is not absolutely necessary.

Mr. President : Is not a Minister constitutionally responsible for any action of any one in his department?

The Honourable Dr. Gokul Chand Narang : In that sense he may be. He may be theoretically and constitutionally responsible, not personally. (*Chaudhri Afzal Haq :* Not theoretically, but practically.) Impossible. If a certain officer has been mentioned by designation and has been given a statutory power to do a certain act, does the responsibility for his actions, even in that case, attach to the Minister?

Mr. President : I will consider that aspect of the question.

The Honourable Mr. Miles Irving : The question of responsibility is rather an important one. Have you finally decided on it?

Mr. President : No. I shall look into it and give the House my considered opinion.

CHUNIAN MUNICIPALITY.

***3095. Chaudhri Zafrulla Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that under the orders of Government the wards in the Chunian municipality (Lahore district) were required to be so arranged as to give Muslims a clear majority in the five wards out of nine ;
- (b) whether the local officers reported to Government that this had been done ;
- (c) whether it is a fact that this report was erroneous and that in fact the Muslims have a majority of votes in four wards only and are in a minority in five ;
- (d) whether Government proposes to rectify the position by re-adjusting the boundaries between two wards ?

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

(b) Yes.

(c) The report was correct according to the voting strength of each community in 1924. The present voting strength, however, shows that Muslims have majority in four wards only.

(d) The matter will be considered.

LUDHIANA MUNICIPALITY.

***3096. Maulvi Mazhar Ali Azhar :** (i) Will the Honourable Minister for Local-Self Government kindly place on the table—

- (a) letter No. 393-S., dated 6th December 1933, from Deputy Commissioner, Ludhiana, to the Executive Officer, Ludhiana Municipality ;
- (b) the reply to the aforesaid letter, sent by the Executive Officer to the Deputy Commissioner, Ludhiana ;
- (c) reminder No. 41-S., dated 1st February 1934, from the Deputy Commissioner to the Executive Officer ;
- (d) reply of the Executive Officer to the aforesaid reminder ?

(ii) (a) Will the Honourable Minister kindly state (a) whether the correspondence referred to above was conducted by the Executive Officer without the knowledge of the President, and was not shown to the President in spite of the latter's order passed on the aforesaid reminder ;

(b) what action he proposes to take in order to put a stop to this practice which has already told on the smooth administration of the Ludhiana Municipality ?

The Honourable Dr. Gokul Chand Narang : (i) (a) to (d) As the correspondence is of a confidential nature, it is regretted that copies cannot be placed on the table.

(ii) (a) Yes.

(b) The Executive Officer is being informed that the correspondence, being confidential but important, should have been shown to the President

[Hon. Dr. Gokul Chand Narang.]

in accordance with the directions in our letter No. 26404, dated 20th October 1933, a copy of which is laid on the table—

*Copy of a letter no. 26404-L. S. G./C., dated Lahore, the 20th October 1933,
from the Secretary to Government, Punjab, Transferred Departments,
to all Commissioners of divisions in the Punjab.*

SUBJECT.—*Duties of Executive Officers of Municipalities in the matter of correspondence.*

The question has arisen of the extent to which Executive Officers of Municipalities should deal with correspondence without reference to the President or the Committee. It has arisen out of the action of certain Executive Officers in answering on their own responsibility, without reference to the Committee or to the President, an inquiry of Government regarding administrative improvement effected since the appointment of Executive Officers. I am directed to point out that a question of that importance should certainly be referred to the President for him to consult his discretion about bringing it before the Committee; and that the Executive Officer should similarly deal with all important references relating to the administration of the Committee, particularly those which require an expression of the Committee's views on any subject. An Executive Officer should always bear in mind that letters addressed to him are really addressed to the Committee, and that he should be exceedingly careful in exercising his discretion in deciding whether the matter under correspondence is one which the Committee would desire him to deal with on his own responsibility; and, if he has any doubt concerning the matter, he should consult the President. I am to request therefore that you will instruct Deputy Commissioners to inform the Municipal Committees concerned accordingly.

(To Commissioner, Rawalpindi only).—This letter is being sent to you as well as to the other Commissioners, although there are no Executive Officers of Municipalities in Rawalpindi division, for guidance in case of the future appointment of any Executive Officers.

BEGARIES.

***3097. Mian Nurullah:** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that half a square of land in each chak of the New colonies is allotted to the village "kamins";
- (b) whether *begaries* in each village are also given some land out of this half square;
- (c) who allots such land and distributes them amongst the "kamins" and which of the "kamins" are supposed to have this land for cultivation;
- (d) who can engage or dismiss a *begari* and what grounds are required for dismissal;
- (e) the object with which these *begaries* are kept and the duties of a *begari*;
- (f) who can engage or dismiss a *begari* and with whose permission;
- (g) whether the Civil department has any hand in their appointment or dismissal and whether these *begaries* are meant for any particular department of the Government;
- (h) whether private service can be taken out of the *begaries* by Government servants?

The Honourable Mr. Miles Irving: The information is being collected and will be supplied to the honourable member when ready.

KHARABA.

***3098. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that in the Lyallpur division and several other divisions the zamindars are ordered to keep their crops for which they have applied for remission standing for ten days after the zilladar has inspected such crops ;
- (b) whether *kharaba* is disallowed in all such cases in which these orders have not been obeyed ?

The Honourable Mr. Miles Irving : (a) It has been ascertained that in the Lyallpur division in the case of applications received after the fixed dates, orders were issued that crops should remain uncut until inspection by a gazetted officer, the object being to lessen the chances for corruption. The maximum period for which the crops were required to be kept standing was 10 days.

(b) *Kharaba* was disallowed according to the rules in those cases where the crops had been cut.

REMISSIONS.

***3099. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the Government is aware that in some cases remissions granted by the Divisional Canal Officers are cancelled by them after handing over the *parchas* of remission to the men concerned ;
- (b) whether Divisional Canal Officers are empowered to cancel remission once granted by them ;
- (c) if so, under what rule and circumstances remission can be cancelled when once it is granted under rule 20 ;
- (d) whether the Government is prepared to take any action against such officers as commit such irregularities ; if not, why not ?

The Honourable Mr. Miles Irving : (a) No.

(b) No.

(c) and (d) Does not arise.

RULE 25 CANAL ACT.

***3100. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether a patwari can without reference to any higher officer resort to rule 25 ;
- (b) who passes the final orders on cases of rule 25 and whether any procedure about this is laid down in the rules under the Canal Act or in the Revenue Manual ;

[Mian Nurullah.]

- (c) whether the Government is aware that entirely different practices are being followed in every division regarding this rule ; if so, whether the Government is prepared to lay down a detailed procedure mentioning therein the names of the officers who should inspect such fields and pass final orders on cases falling under rule 25 ; if not, why not ?

The Honourable Mr. Miles Irving : (a) and (b) In the case of two crops sown in the same harvest, rule 25 lays down that the occupiers' rate is charged on the crop which as a matter of fact comes to maturity. No reference to any other authority is necessary.

(c) Government has no such information, and does not see why special procedure is required to ascertain whether crops sown in these special conditions have come to maturity.

Mian Nurullah : Will the Government be prepared to make an enquiry whether different procedures are being followed in various divisions ?

The Honourable Mr. Miles Irving : Can the honourable member give me some idea of what different practices ? As we understand it, it is simply for the patwari to see whether a crop has come to maturity or not. As a matter of fact if the honourable member would suggest any variation of the practice I will enquire whether it has come to our notice.

CANAL ACT.

***3101. Mian Nurullah :** Will the Honourable Revenue Member be pleased to enquire and state—

- (a) whether one Rakha Singh, son of Bhola Singh of chak No. 108-G.B., had sown "guara" for green manuring in fields No. 1, 2 and 3 of his square No. 41/60 on 27th May and 2nd June 1933 ;
- (b) whether all the above fields were ploughed up and used as green manuring on 8th September 1933 ;
- (c) whether the zilladar of the *ilaga* inspected the site on 18th September 1933 and recommended that "guara" had been ploughed up and used as a green manure and no charges should be levied ;
- (d) whether the Executive Engineer personally inspected the site before passing orders on this case or whether he merely signed the vernacular order written by his munshi ;
- (e) whether the Canal Act or any other standing order of the Chief Engineer lays down any restriction or time limit before which such fields for green manuring are to be ploughed ;
- (f) whether the Canal Act or its rules lay down any procedure regarding applications of green manuring, to whom to be made, who is to inspect site and recommend such remissions, who is to pass final orders and to whom is the appeal against such orders to lie ;
- (g) in what rule of the Canal Act the above procedure is laid down ;

(h) what action the Government is prepared to take against such illegalities and what action has been taken on Rakha Singh's appeal on the above ;

(i) in how many other cases of the Lower Gugera division the zamindars have been refused the concession of green manuring ?

The Honourable Mr. Miles Irving : (a) Rakha Singh, son of Bhola Singh of Chak 108-G.B. sowed "Guara" for green manuring in field Nos. 1 and 2 of square No. 41/60, on 27th May 1933 and 2nd June 1933, respectively.

In field No. 3 of square No. 41/60, the same man sowed "Chari," "Guara," "Moth" on 25th May 1933.

There is a remark in the *khasra* against field Nos. 1 and 2 to the effect that they were sown for green manuring, but there is no remark against field No. 3.

(b) Only field Nos. 1 and 2 of square No. 41/60 were ploughed up and used for green manuring on 8th September 1933.

(c) Yes, for field Nos. 1 and 2 of square No. 41/60.

(d) The order is written in the vernacular by the head munshi and bears the full signature of the Executive Engineer, implying that the order was read over to him.

The site was not personally inspected by the Executive Engineer.

(e) Yes. Addendum and Corrigendum No. 15, dated 28th June 1929, to rules under the Canal Act prescribes that hemp, indigo and "Guara" ploughed in for green manuring before 15th September are not to be assessed to water rate.

(f) No.

(g) Does not arise.

(h) The honourable member has mentioned no illegal action on the part of the Executive Engineer, and the question does not therefore arise. As regards Rakha Singh's appeal the Superintending Engineer has proposed to remit the *abiana* in the case of fields Nos. 1 and 2 of square No. 41/60.

(i) The information is not available.

CANAL REST HOUSE.

***3102. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that separate outlets are given to very small areas attached to every Canal Rest House ;

(b) whether the areas attached to the rest houses in which vegetables and garden, etc., are raised are charged any Land Revenue or water rates ;

(c) whether the department allows a separate outlet in many cases to a zamindar owning 150 acres of land even ;

[Mian Nurullah.]

- (d) whether the Government is prepared to withdraw this concession and allow such land to be watered from the ordinary zamindara outlets like the Public Works Department and District Board Rest-houses and Police Stations ; if not, why not ?

The Honourable Mr. Miles Irving : (a) Separate outlets are generally provided for canal rest-house compounds ; such outlets usually also serve Government avenues and plantations.

(b) The orders on the subject are contained in Exception (b) of Rule 1, Part II of Financial Commissioner's Standing Order No 61. In accordance with these orders only land sown with fodder crops for the purpose of feeding Government bullocks is assessed to occupiers' rate.

(c) The size of a zamindari chak aimed at is such as will secure the maximum efficiency in the use of the water supplied but the actual size is largely influenced by local conditions.

(d) Government sees no reason to include canal rest-house compounds in zamindari chaks where this can be avoided.

GROWING OF FODDER BY CANAL OFFICIALS.

***3103. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that subordinate canal officials have been prohibited from growing any fodder in the compound of rest-houses or other Government lands where their residential quarters are also built ;
- (b) whether any land is allowed to be attached with the quarters of the subordinates of the Canal Department who have their quarters built in the canal rest-houses like those of the officers who have land attached to their quarters ;
- (c) whether the Government is aware that almost every officer of every department who owns cattle gets fodder gratis from the neighbouring zamindars ;
- (d) whether sub-assistant surgeons employed in the District Board service of the Lyallpur district are allowed four acres of land for raising fodder for their cattle ;
- (e) whether the Government is prepared to allow such concession to each subordinate canal official and charge their dues for the same ?

The Honourable Mr. Miles Irving : (a) and (b) No.

(c) Government has no such information.

(d) The sub-assistant surgeons employed by the Board are not allowed any land for raising fodder for their cattle. Where there is surplus land attached to a dispensary it is leased out by auction and the lease money is credited into the District Board funds.

(e) No.

ZILLADARS.

***3104. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether civil kanungos and naib-tahsildars are eligible for the post of a zilladar ;
- (b) whether,—*vide* paragraph 1·3 of the I. M. O.,—ten per cent. of the vacancies for zilladars' posts are reserved for the civil department employees ;
- (c) whether there is any such opening for the zilladars in the civil department ;
- (d) whether zilladars are eligible for the post of a naib-tahsildar and tahsildar and whether the Government is prepared to grant the same privileges to the employees of the revenue branch of the Irrigation department ; if not, why not ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Yes.

(c) and (d) The question is under consideration of Government.

SUPPLY OF VEGETABLES TO EXECUTIVE OFFICERS OF IRRIGATION BRANCH.

***3105. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) the total monthly subscription (compulsory) realised from each deputy collector and sub-divisional officer of the Irrigation Branch for vegetables ;
- (b) whether in the year 1933 the subscription has been raised from annas eight per month to rupees two per month for the deputy collectors ;
- (c) whether there are orders that the deputy collectors should put up in villages while on tour and they should not frequently stay in the canal rest-houses ;
- (d) (i) whether a sub-divisional officer spends practically the whole month in rest-houses and uses the vegetables by paying rupees two only ; if so, why such a nominal amount has been fixed for these officers and (ii) why the amount of annas eight has been raised to rupees two per month in the case of the deputy collectors who are not supposed to stay frequently in the canal rest-houses ;
- (e) whether the Government is prepared to remove this invidious differences in the case of the deputy collectors and sub-divisional officers ; if not, why not ;
- (f) why deputy collectors should be charged at all when they are required to stay in the villages ?

The Honourable Mr. Miles Irving : (a) Deputy collectors, Re. 1, sub-divisional officers, Rs. 2.

(b) No. The subscription has been raised to Re. 1 not Rs. 2.

(c) While Government attaches much importance to deputy collectors camping near villages, deputy collectors have recently been permitted the use of the departmental rest-houses and on many canals they make much use of this concession.

(d) The answer to the first part is in the affirmative.

(i) The sum is not nominal and in view of the fact that only 50 per cent. of the rest-houses have vegetable gardens, the charge is considered fair value.

(ii) In view of the fact that deputy collectors do not as a whole use the rest-houses as much as sub-divisional officers their subscription has been fixed at half that of the latter.

(e) In view of (d) above the answer is in the negative.

(f) Although deputy collectors may camp in a village they can still obtain vegetables from the nearest rest-house.

KHARABA.

***3106. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

(a) whether any action has been taken on the resolution passed by this Council regarding the transference of *kharaba* to the civil authorities ;

(b) whether any amendment of the *kharaba* rules is in hand ;

(c) whether the Government is thinking of revising and overhauling the rules of the Canal Act ; if not, why not ?

The Honourable Mr. Miles Irving : (a) No.

(b) The matter is under consideration.

(c) The honourable member's attention is invited to the reply given to the Council question No. 2251¹ (starred).

GOVERNMENT DUES.

***3107. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

(a) the number of lambardars and khewatdars of the Jullundur, Ludhiana and Hoshiarpur districts imprisoned for having failed to realise the land revenue demand for the *kharif* 1933-34 ;

(b) the amount of land sold or mortgaged to pay off the land revenue demand ;

(c) whether it is a fact that zamindars, lambardars, sufedposhes and zaildars are hard pressed by revenue officials to pay off the Government dues before the appointed date ;

(d) if the answer to (c) above be in the affirmative, what action the Government proposes to take in the matter ?

The Honourable Mr. Miles Irving : (a) No lambarदार was imprisoned in any of these districts ; but two khewatdars were arrested in the Jullundur district for non-payment of land revenue on the due date. They were released on payment of the arrears.

(b) Government have no information.

(c) No.

(d) Does not arise.

Chaudhri Muhammad Abdul Rahman Khan (Urdu) : Before asking my question I would request that the answer to my question be given in Urdu.

Mr. President : So far as I can recollect, questions have never been answered in Urdu. If the honourable member so desires a translation of the answer will be supplied to him by the office.

Chaudhri Zafrulla Khan : What is the position under the rules ? We visualise that in the future Council there will be 175 members and I do not imagine that the majority of them will be able to understand English. If the present position is cleared up and if it is found that one cannot insist upon an answer being given in Urdu, one must make efforts to have the rules changed. I am not raising the point with reference to existing conditions, but for the future.

Mr. President : The rule is that at the President's discretion any speech, may, immediately after it is delivered, be translated from English into Urdu or *vice versa*. Our standing orders, as they stand at present, allow only speeches to be translated.

Maulvi Mazhar Ali Azhar : But they are not exhaustive. It is nowhere stated that answers should not be translated.

Mr. President : But they have not been translated in the past and it will be a departure if we translate them now.

Chaudhri Zafrulla Khan : I am afraid you will have to make a good many departures from what has been the past practice with the complexion of the new House as it is visualised.

Shaikh Muhammad Sadiq : When an answer is given and the member putting the question does not understand the answer, how is the member to put his supplementary question, if any ? I do not think this can be considered a departure at all.

Mr. President : The honourable member may have the standing orders amended.

Shaikh Muhammad Sadiq : That is a long affair. If the answer is there and if the rules do not prohibit its translation in the Council, the question is why should it not be translated ?

Mr. President : Because, it will take the time of the House.

Shaikh Muhammad Sadiq : But the member putting the question does not know the answer given. He is deprived of his right of putting a supplementary question.

Mr. President : But is the House prepared to spend its time on translation ?

Shaikh Muhammad Sadiq : The honourable member putting the question would prefer the answer being given in Urdu. It need not be given in English and then translated into Urdu. It should be easy for the Honourable the Revenue Member who has been in the province for over twenty years to give his answer in Urdu.

Mr. President : Under our rules the language of the Council is English and only speeches are allowed to be translated. Will the honourable member read the rules ?

Shaikh Muhammad Sadiq : I only thought there would be no necessity for us to read them. You are reading them for us.

Mr. President : If the majority of elected members wish that the answer may be translated I shall have it translated.

(A majority was in favour and the Assistant Secretary translated the answer into Urdu.)

LAND REVENUE.

***3108. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) the amount of land swept away by the river Sutlej in each village of the Jullundur, Hoshiarpur and Ludhiana districts ;
- (b) whether the land revenue for the areas mentioned in (a) was realised ;
- (c) if so, what was the amount of land revenue so realised ;
- (d) whether the Government propose to refund the amount mentioned in (c) ; if not, why not ?

The Honourable Mr. Miles Irving : (a) In the Ludhiana and Jullundur districts diluvion files are under preparation and the information required by the honourable member is not available at present. As regards Hoshiarpur a statement is laid on the table—

Statement.

Serial No.	Name of village.	Area washed away.	Amount remitted.
		Acres.	Rs.
1	Kohar No. Hadbast 426	16	8
2	Hassanpur Kalan No. Hadbast 431	97	93
3	Dodphali No. Hadbast 436	72	56
4	Baramad Paragpur No. Hadbast 437	234	191
5	Paragpur No. Hadbast 438	56	53
6	Mubarikpur No. Hadbast 439	4	1
7	Sarangpur Panjhada No. Hadbast 440	38	72
8	Auliapur No. Hadbast 459	213	208
	Total	730	682

(b) The attention of the honourable member is invited to the answer to starred Council question No. 8109 so far as the districts of Ludhiana and

Jullundur are concerned. As regards Hoshiarpur, no land revenue for such areas was realised.

(c) and (d) For the Ludhiana and Jullundur districts the attention of the honourable member is invited to the reply given in (b) above. For the Hoshiarpur district the questions do not arise.

LAND REVENUE.

***3109. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the full quota of land revenue has been realised from the owners whose lands were swept away by the river Sutlej during the *kharif* 1933 in the districts of Jullundur, Hoshiarpur and Ludhiana ; if so, why ;
- (b) whether the Government proposes to refund the amount so realised ; if not, why not ?

The Honourable Mr. Miles Irving : (a) In the Ludhiana district the full amount of land revenue was realised irrespective of loss or gain due to river action and the necessary adjustments on account of alluvion or diluvion will be made during this *rabi* in accordance with the provisions of paragraph 10 of Financial Commissioners' Standing Order no. 26. In the Jullundur district, however, the whole of the land revenue has been suspended under paragraph 11 of the same Standing Order. In the district of Hoshiarpur remissions have already been given.

(b) The amounts recovered in excess in the Ludhiana district will be refunded in *rabi*, if necessary.

ACCEPTANCE OF ILLEGAL GRATIFICATION BY A SUB-INSPECTOR.

***3110. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that a number of zamindars from Hoshiarpur and the member representing Jullundur in the Punjab Legislative Council recently waited upon the Superintendent of Police, Hoshiarpur, and told him of the strong rumour to the effect that the sub-inspector incharge had accepted illegal gratification in connection with the murder of one Wilayat Khan of village Panam, tahsil Garhshankar ;
- (b) if so, what action was taken in the matter ;
- (c) if the answer to (b) be in the negative, whether Government propose to take any action in this matter ; if so, when ?

The Honourable Sir Henry Craik : (a) Government is informed that no zamindars waited on the Superintendent of Police. It is understood that when the honourable member visited the Superintendent of Police, Hoshiarpur, in another connection, he mentioned the existence of the rumour but did not give any specific facts.

[Hon. Sir Henry Craik.]

(b) In the absence of specific information no action could be taken. The Superintendent of Police had himself visited the spot on the 31st August 1983, the day when the murder was reported and the Deputy Superintendent of Police had supervised the investigation on the spot from the 4th to 6th September 1983.

(c) No.

Chaudhri Muhammad Abdul Rahman Khan : Did the Superintendent of Police inquire into the matter of the bribe ?

The Honourable Sir Henry Craik : No specific facts were given.

Chaudhri Muhammad Abdul Rahman Khan : Does Government intend to take any action in the matter ?

The Honourable Sir Henry Craik : No.

SIMLA EXODUS—IRRIGATION SECRETARIAT.

***3111. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (a) communitywise the number of Superintendents, assistants, clerks and stenographers who accompanied the Irrigation Secretariat to Simla during the last 5 years ;
- (b) communitywise, the number of Superintendents, assistants, clerks and stenographers proposed to be taken to Simla next hot weather ?

The Honourable Mr. Miles Irving : (a) and (b) Statements showing the required information are placed on the table.

Statement showing communitywise the number of Superintendents, Assistants, Clerks and Stenographers proposed to be taken to Simla next hot weather.

Designation.	COMMUNITYWISE NUMBER.			
	Christians.	Muslims.	Hindus.	Sikhs.
Superintendents	3	..	1	..
Assistants	2	1	4	2
Clerks .. ..	..	1	5	1
Stenographers	2	1	1	..

Statement showing communitywise the number of Superintendents, Assistants, Clerks and Stenographers who accompanied the Irrigation Secretariat to Simla during the last 5 years.

Year.	Designation.	COMMUNITYWISE NUMBER.			
		Christians.	Muslims.	Hindus.	Sikhs.
1929	Superintendents ..	5	2	..	..
	Assistants ..	1	1	2	1
	Clerks ..	1	..	5	..
	Stenographers ..	3	1	1	..
1930	Superintendents ..	4	3	..	..
	Assistants ..	1	1	2	..
	Clerks ..	1	4	3	..
	Stenographers ..	3	1	..	..
1931	Superintendents ..	4	2	..	..
	Assistants ..	..	1	5	..
	Clerks ..	1	4	3	..
	Stenographers ..	3	1	1	..
1932	Superintendents ..	2	1	1	..
	Assistants ..	1	1	4	1
	Clerks ..	..	5	4	1
	Stenographers ..	2	1	1	.
1933	Superintendents ..	3	..	1	..
	Assistants ..	1	3	4	1
	Clerks ..	1	3	2	..
	Stenographers ..	2	1	2	..

"CIRCULATING CLERK," IRRIGATION SECRETARIAT.

***3112. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (a) whether according to Mr. Hearne's recommendations a circulating clerk was appointed in the Irrigation Secretariat in 1932 ;

[Mr. Muhammad Din Malak.]

- (b) the grade of the circulating clerk ;
- (c) whether the circulating clerk had accompanied the Irrigation Secretariat in 1932 to Simla ; and, if so, what was his grade ;
- (d) whether the circulating clerk had accompanied the Irrigation Secretariat in 1933 to Simla ; and, if so, what was his grade ;
- (e) whether it is not a fact that a junior man is employed as circulating clerk during the Lahore season, and since 1933 a senior man, an assistant, is taken to Simla during the hot weather ;
- (f) if the reply to (e) be in the affirmative, the reason why a senior man is taken as Circulating clerk to Simla when a junior man discharges the duties of a circulating clerk in Lahore ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) 2nd grade clerk.

(c) No.

(d) No.

(e) No.

(f) In the interests of economy, a special circulating clerk is not taken to Simla and the duties are carried out by a senior clerk, such as the cashier, who has to be there in any case.

ROUTINE CLERK, IRRIGATION SECRETARIAT.

***3113. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that up to 1932 an ordinary clerk of grade I or II used to be sent to Simla as in charge of routine section of Irrigation Secretariat ;
- (b) whether it is a fact that since 1933, a senior man, an assistant, is taken to Simla during the hot weather as in charge of routine section ;
- (c) whether it is a fact that under Note to paragraph 4, page 103, I—Definition of Appendix J (Punjab Hill Allowances) of Fundamental Rules, Volume III (Travelling Allowance Rules) it is laid down that ".....as far as is compatible with the efficiency of an office, clerks on small pay should be selected to accompany the Government to Simla" ;
- (d) if replies to the above be in the affirmative, the reason why a senior man is now taken to Simla as in charge of routine section ?

The Honourable Mr. Miles Irving : (a), (b) and (c) Yes.

(d) Prior to 1932, the head of routine section was a clerk, 1st grade, but it has since been found necessary to have an assistant in charge. The present head of the section is a bachelor and practically all of his juniors are married and would draw more hill allowances in his place than he does.

SCHOOL FOR PATWARIS.

***3114. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) when the examination for the patwaris class was last held in Ambala district ;
- (b) how many candidates were successful in the final examination ;
- (c) how many of them are registered and not yet employed ;
- (d) whether the Government intends to open a school for patwaris in the near future at Ambala ;
- (e) whether any candidate was allowed any scholarship under standing order No. 15 at Ambala in the last class ;
- (f) whether the Government awards such scholarships in other districts or not ?

The Honourable Mr. Miles Irving : (a) In 1927.

- (b) Eighty-three.
- (c) Forty-nine.
- (d) No.
- (e) No.
- (f) No scholarship has been awarded in any district during the last five years.

PATWARIS.

***3115. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) how many patwaris there are in each district above 55 years of age ;
- (b) how many names of candidates have been removed because of their being over age, in the last 2 years in each district ;
- (c) whether the Government has considered the question of retiring the patwaris of 55 years of age or those who are above that age ; if so, with what results ;
- (d) whether any change has been made in the standing orders relating to the patwaris within the last 3 years ;
- (e) if so, what reasons led the Government to adopt such a course ;
- (f) whether the Government contemplates making any change in the said standing order ? .

The Honourable Mr. Miles Irving : (a) and (b) A statement giving the required information is laid on the table.

- (c) No.
- (d) Yes.
- (e) In order to make the rules on the subject clearer.
- (f) No.

[Hon. Mr. Miles Irving.]

Statement.

Division.	District.	Number of patwaris above the age of 55 years.	Number of patwari candi- dates removed on account of their being over age in the last 2 years.
AMBALA	Hissar	17	..
	Rohtak	30	..
	Gurgaon	14	..
	Karnal	24	..
	Ambala	42	..
	Simla .. ..	..	..
JULLUNDUR	Kangra	41	..
	Hoshiarpur	67	..
	Jullundur	47	..
	Ludhiana	47	..
	Ferozepore	61	..
LAHORE	Lahore	28	..
	Amritsar	52	..
	Gurdaspur	31	..
	Sialkot	65	..
	Gujranwala	25	..
	Sheikhupura	29	1
RAWALPINDI	Gujrat	35	1
	Shahpur	33	1
	Jhelum	26	..
	Rawalpindi	13	..
	Attock	25	..
	Mianwali	6	..
MULTAN	Montgomery	26	..
	Lyallpur	29	..
	Jhang	22	1
	Multan	40	..
	Muzaffargarh	25	..
	Dera Ghazi Khan	18	..

ENQUIRIES UNDER PUNJAB LAND ADMINISTRATION MANUAL.

***3116. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether any enquiries have been made by the Collector, Ambala, or by any other officer in Ambala district as contained in paragraph 234 (e) of the Punjab Land Administration Manual ;
- (b) if so, whether he will place on the table the result of the enquiries made during the last five years ?

The Honourable Mr. Miles Irving : (a) The matters referred to in paragraph 234 of the Land Administration Manual come under review during their tours by revenue officers, but it is not the intention of the orders that they should be reduced to writing and embodied in a report.

(b) Does not arise.

LAND REVENUE ACT.

***3117. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state to how many estates and in what years the proviso (a) to section 61, sub-section (i) of the Land Revenue Act has been applied within the last 20 years ?

(If it be very inconvenient to collect information for the last 20 years then information for the last five years may kindly be given.)

The Honourable Mr. Miles Irving : From the information so far received from the deputy commissioners of 26 districts it appears that proviso (a) to section 61, sub-section (1) of the Land Revenue Act has not so far been applied.

LOTHIAN COMMITTEE REPORT AND JOINT PARLIAMENTARY COMMITTEE.

***3118. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Member for Revenue be pleased to state what steps the Government has taken and what proposals it has submitted to the Joint Parliamentary Committee in compliance with the suggestion made in paragraph 170 of the Report of the Lothian Committee ?

The Honourable Mr. Miles Irving : The Local Government recommended the extension of the franchise to all payers of *haisiyat* or profession tax, or, in districts in which no such tax exists, of any other direct tax imposed under the Punjab District Boards Act not below Rs. 2. This is the lowest limit of the direct taxes, and consequently all assesses of *haisiyat* or profession or any other direct tax will be included. The Punjab Government proposed the following differential franchise for persons belonging to depressed classes, in order to bring 10 per cent. of their population on the electoral rolls :—

- (1) Mere literacy.
- (2) Ownership of immovable property not being land assessed to land revenue or of *malba* of the value of not less than Rs. 50.
- (3) Occupation of immovable property of the annual rental value of not less than Rs. 36.

[Hon. Mr. Miles Irving.]

As pointed out by the Lothian Committee in paragraph 170 of their Report, this would further tend to increase the number of non-agricultural voters.

Diwan Bahadur Raja Narendra Nath : What is the standard of literacy ?

The Honourable Mr. Miles Irving : I must ask notice for that.

RECOGNITION RULES.

***3119. Diwan Bahadur Raja Narendra Nath :** (i) Will the Honourable Minister for Education kindly state—

(a) whether it is intended to give retrospective effect to the newly framed Recognition Rules ;

(b) whether the Government has consulted its legal advisors if the rules can be applied retrospectively to schools already recognised ?

(ii) If legal opinion has been taken, what is the legal opinion ; if opinion adverse to retrospective application of the new rules has been given, whether the Honourable Minister is aware that officers of the department are applying the rules retrospectively ; if he is not aware, whether he will be pleased to make an enquiry ?

The Honourable Malik Sir Firoz Khan Noon : (i) (a) The matter is under consideration.

(b) Yes.

(ii) The reports of the Legal Remembrancer are confidential, and it is not in the public interest to disclose them. Enquiries have, however, been made from the divisional inspectors and circle inspectresses about the allegation that officers of the department are already applying the rules retrospectively, and the replies received so far show that this is not correct.

I may point out to the honourable member that some of the changes made in these rules are very desirable, for instance, one of the changes is that the school authorities should enter into an agreement with their teachers with regard to their salaries and prospects and provident fund in order to give the poor teachers some security of service so that they are not left at the mercy of school authorities. But it will be undesirable to lay down that retrospective effect should not be given at all because some of the very badly needed reforms will not be carried out. We are going through them very carefully, and nothing will be done unless it is in the interest of education and of the public.

Chaudhri Zafrulla Khan : Do you ever do anything which is not in the interest of the public or in the interest of education ? (*Laughter*).

The Honourable Malik Sir Firoz Khan Noon : It depends on how you look at matters.

UNSTARRED QUESTIONS AND ANSWERS.

TOBACCO CULTIVATION IN ATTOCK DISTRICT.

786. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the total area under cultivation for tobacco in the district of Attock, viz., *Chhachh* ;
- (b) whether it is a fact that the quality of the soil is the best near about Hazro for the growth of tobacco ;
- (c) whether Government is aware that the cultivators of that *ilaga* have the reputation of being experts in the art of growing and sowing tobacco ;
- (d) whether it is also a fact that tobacco trade is very extensive and is the chief commodity of the *ilaga* ;
- (e) whether there is a proposal to start a Government cigarette factory in the *ilaga* ;
- (f) if not, what possible steps the department proposes to take to encourage the trade ;
- (g) the yearly income per *kanal* by the tobacco crop in that *ilaga* ;
- (h) whether there is any other area in the province which is equally good for tobacco growing as Hazro ;
- (i) what steps the Ministry intends to take to popularise home-made cigarettes throughout the province ?

The Honourable Sardar Sir Jogendra Singh : (a) Two thousand two hundred and ninety-seven acres.

(b) It is generally believed that the soil near Hazro is suited for the growing of tobacco.

(c) Yes.

(d) Yes.

(e) No.

(f) The matter will be brought to the notice of the Departments of Agriculture and Industry.

(g) Average gross income about Rs. 16.

(h) Probably not ; but it would require extensive research to make a definite answer possible. There is already a cigarette factory working in Jullundur.

(i) Government would carefully consider any suggestions the honourable member or others interested in the industry may make.

GIRLS' SCHOOL DISTRICT BOARD, SHEIKHUPURA.

787. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the yearly income of the District Board, Sheikhupura, which is spent for the progress of education ;

[Ch. Shah Muhammad.]

- (b) the amount which is ear-marked for encouraging the female education ;
- (c) the total number of lady teachers who are working in the district, with their qualifications ;
- (d) if female education is really very backward in the district, what steps the board is prepared to take for the rapid spread of education ;
- (e) the amount which is being spent by the board for purchasing newspapers, with the names of those papers ;
- (f) the amount which is given by the board for building girls' schools in the district ?

The Honourable Dr. Gokul Chand Narang : (a) A provision of Rs. 3,79,280 has been made in the budget of the board for expenditure on education during 1984-85.

(b) Rs. 14,000.

(c) Thirty-five, as under—

Senior Vernacular trained	2
Junior Vernacular trained	13
Untrained	20
Total	35

(d) The district is, no doubt, backward in girls' education, but the board is doing as much as it can, with its limited resources, in this respect.

(e) The board is spending Rs. 310 per annum as contribution towards the purchase of 155 copies of the monthly journal *Dehati Zindagi*, and another Rs. 6 per annum towards the cost of one copy of the " Punjab Educational Journal."

(f) Nil.

GOVERNMENT ADVERTISEMENTS IN NEWSPAPERS.

788. Chaudhri Shah Muhammad : Will the Honourable Finance Member kindly state—

- (a) the necessary qualifications for a vernacular paper to get Government advertisements ;
- (b) what are the advertisements which are usually printed and published in these papers ;
- (c) whether it has been brought to his notice that it is necessary to be the friend and visitor of a sub-judge to get the largest share of his court's advertisements ;
- (d) if not, whether the Government intend to issue orders that canvassing and personal calls for securing advertisements are strictly prohibited ;
- (e) whether Government is aware that there are papers which thrive and continue their publication solely on Government advertisements ;

- (f) the circulation of the " Victoria " paper of Sialkot ;
- (g) whether it is also a fact that the paper is full of Government advertisements ;
- (h) whether it is also a fact that the paper is owned and edited by a retired Government servant ;
- (i) whether Government is aware that there are papers in Lahore, which have got extensive circulation and have agencies throughout the province ;
- (j) whether it is also a fact that widely read papers do not get Government advertisements, and thus the primary object of law for effecting the service and information is not fulfilled ;
- (k) what action Government proposes to take in the matter ?

The Honourable Sir Henry Craik : (a) Qualifications are not absolutely stereotyped, but the main considerations are—

- (i) the period of existence of newspapers,
 - (ii) their circulation, and
 - (iii) public interest.
- (b) Notices from Civil, Revenue and Criminal Courts and advertisements from Heads of Departments and offices.
- (c) No.
 - (d) No.
 - (e) No.
 - (f) 1,500 copies.
 - (g) The paper generally contains a fair number of official advertisements.
 - (h) No.
 - (i) Yes.
 - (j) Generally speaking, this is not correct.
 - (k) None.

INSOLVENCY CASES IN THE COURT OF SENIOR SUB-JUDGE, SHEIKHUPURA.

789. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) the number of insolvency cases pending in the court of the Senior Sub-Judge, Sheikhupura ;
- (b) how many people have been adjudicated and discharged as insolvents during the past three years from the said court ;
- (c) how many files are at present pending before the official receiver at Sheikhupura ;
- (d) the cause of the insolvency proceedings, which are ever growing everywhere in the province ;
- (e) the usual expenditure which the insolvent has to incur for the success of his application ;
- (f) the number of insolvents during the past three years, who have been declared insolvents in the province at the instance of their creditors ;
- (g) whether there is any remedy contemplated by the Government to stabilize the credit of lending and borrowing classes ?

The Honourable Sir Henry Craik : (a) One hundred and eighty-seven.

(b) Two hundred and twenty-two adjudicated and 46 discharged during the three years ending 22nd February 1934.

(c) Two hundred and ninety-four.

(d) This is presumably due to the prevalent economic depression.

(e) Government has no information.

(f) Seven hundred and eighty.

(g) The honourable member is referred to the answer given by the Honourable Member for Revenue to starred question No. 2794¹ asked by Chaudhri Afzal Haq in the current session of the Council.

POLICE DEPARTMENT, CENTRAL RANGE.

790. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

(a) the total number of sub-inspectors and assistant sub-inspectors of police in the Central Range ;

(b) how many of them can read and write or understand English ;

(c) how many sub-inspectors have completed 25 years of their service in the said Range ;

(d) how many of them would be retiring from service in the near future ;

(e) the total number of agriculturists in the Range as sub-inspectors and assistant sub-inspectors ;

(f) the number of Sheikh Kakezai, Sheikh Kashmiris, Arban Mirzas, Ahluwalias, Brahmins, Khatris and Aroras ;

(g) whether the Government intends to consider the claims of the rural people at the time of filling the vacancies in future ?

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

Statement.

(a) Sub-Inspectors	..	..	..	..	264
Assistant Sub-Inspectors	..	..	..	..	152
(b) Sub-Inspectors	..	..	..	..	230
Assistant Sub-Inspectors	..	..	..	..	110
(c) Forty-four.					
(d) Four.					
(e) Sub-Inspectors	..	..	..	..	117
Assistant Sub-Inspectors	..	..	..	..	78
(f)				S.-Is.	A. S.-Is.
Sheikh Kakezai	..	..	..	15	15
Sheikh Kashmiris	..	..	..	7	1
Arban Mirzas	..	..	..	3	5
Ahluwalias	..	..	..	1	3
Brahmins	..	..	..	15	8
Khatris	..	..	..	38	17
Aroras	..	..	..	9	3

(g) This is already done.

POLICE CASES IN SHEIKHUPURA.

791. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) how many cases were registered by the police in the district of Sheikhupura, in the month of January 1984 ;
- (b) how many challans were put in the courts in the said month ;
- (c) whether it is a fact that 80 per cent. first class challans were taken for hearing in the camps ;
- (d) whether there is any time fixed for a magistrate to remain in camp every month.

The Honourable Sir Henry Craik : (a) One hundred and sixty-three.

- (b) One hundred and fifty-three.
- (c) No.
- (d) No.

RURAL DISPENSARIES, SHEIKHUPURA.

792. Chaudhri Shah Muhammad : Will the Honourable Minister for Education kindly state—

- (a) the total number of the rural dispensaries in the district of Sheikhupura ;
- (b) the total amount of money granted to these institutions for carrying on the work ;
- (c) how many M.B., B.S. are in charge of those dispensaries and how many sub-assistant surgeons are working independently in the dispensaries ;
- (d) how many dispensaries have been visited by the chairman in the year 1983 ;
- (e) what defects and draw-backs were pointed out by the chairman during his inspection ;
- (f) whether in the dispensaries people are charged for their treatment ;
- (g) if so, what steps the Ministry proposes to take to stop the charging of fees in the dispensaries ;
- (h) the period for which a sub-assistant surgeon of a dispensary can stay at one place ;
- (i) whether he intends to pay a surprise visit to some of these dispensaries to find out the difficulties of the patients ;
- (j) if impossible for the Minister, whether he is prepared to make an arrangement for surprise visits by other officers of the department ?

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

(b) A grant-in-aid of Rs. 27,500 ($2,500 \times 11$) is paid to the District Board, Sheikhupura, from the provincial revenues for the maintenance of these institutions.

[Hon. Malik Sir Feroz Khan Noon.]

(c) No medical graduate is in charge of any of these dispensaries. All the dispensaries are in the charge of medical licentiates.

(d) One.

(e) No defects or drawbacks were pointed out by the chairman in his inspection report.

(f) The Government are informed that fees are not charged, although it was long ago suggested to local bodies that well-to-do persons ought to be charged for medical treatment at hospitals.

(g) Obviously, in view of reply to (f), none.

(h) Ordinarily the tenure of a medical officer is limited to two years at one place.

(i) Such a course is not advisable.

(j) The Civil Surgeons are expected to pay surprise visits, also the District Medical Officers of Health once in the year. These visits may be surprise visits or otherwise. I appeal to the public through the honourable member to expose all Government or District Board servants who make illegal charges, and, if proof is forthcoming, Government will take the most strict disciplinary action against the persons concerned provided the charges are proved to be true.

DISTRICT BOARDS.

793. Chaudhri Shah Muhammad : Will the Honourable Minister for Local-Self Government kindly state—

- (a) the number of district boards in the province, where the chairman is deputy commissioner even now ;
- (b) the number of district boards in the province where the secretaries are non-graduates ;
- (c) the educational qualifications for becoming a secretary of the district board ;
- (d) in the selection of the secretary of various district boards of the province who is the final authority ?

The Honourable Dr. Gokul Chand Narang : (a) Twenty-seven.

(b) Twenty.

(c) No educational qualifications are prescribed if the selection is to be made from candidates already in the service of Government or of a local body, but in the case of direct candidates the district boards have been advised to select a candidate with educational qualifications not lower than a University degree, and to prefer a candidate who has obtained a degree in law in addition to a degree in arts.

(d) Selection is made by the boards subject to approval by Local Government.

INTERMEDIATE COLLEGE, HOSHIARPUR.

794. Chaudhri Afzal Haq : (i) Will the Honourable Minister for Education be pleased to state—

- (a) the year to year results of the Intermediate College, Hoshiarpur, since it was started ;
 (b) whether a commission was appointed to go into the causes of the disappointing results ?
 (ii) If so, will the Honourable Minister for Education be pleased to lay on the table the result of the enquiry ?

The Honourable Malik Sir Firoz Khan Noon : (i) (a) A statement is laid on the table.

(b) No ; but disciplinary action has been taken against the teachers whose results have been persistently bad.

(ii) Does not arise. But it should be remembered that Government intermediate colleges admit some students who are very backward in studies.

Statement showing the examination results of the Government Intermediate College, Hoshiarpur.

Year.	MATRICULATION AND SCHOOL LEAVING CERTIFICATE EXAMINATION.			INTERMEDIATE EXAMINATION.		
	Number sent up.	Number passed.	Pass percentage.	Number sent up.	Number passed.	Pass percentage.
1928	118	51	44	..	..	..
1929	100	62	62	79	32	41
1930	68	31	46	82	39	46
1931	61	38	62	93	49	53
1932	89	40	45	60	29	48
1933	47	22	47	51	31	60

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED)—continued.

Mr. President : The Council will now resume discussion of the motion relating to the interference by officials in the affairs of local bodies.

Mr. M. A. Ghani : Sir, I think this motion cannot be discussed at this stage. According to Article 133 (4) of the Constitutional Manual "no motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed." The present motion No. 12 is as regards the reduction of a total grant. Then follows motion 13 which is as regards reduction of a definite item. My submission is that under the rule, motion No. 13 ought to be discussed first and motion 12 should be taken up afterwards.

Mr. President : The mistake pointed out by the honourable member is due to a misprint. Nos. 13, 15 and 16 ought to have been printed and taken up before No. 12, but we cannot go back now, as after a question has been proposed from the Chair for omitting or reducing any item, no motion can be made or debate allowed upon any preceding item. (*An honourable member :* The motion about item 12, which has been proposed from the Chair, may be withdrawn and items 13, 15 and 16 taken up) I do not think we can return to items 13, 15 and 16 even if the motion in item 12 is withdrawn.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Sir, this motion is a very important one because it involves a matter of policy: Self-government is going to be introduced next year. What will then be the position of the deputy commissioners who are the heads of the judiciary, heads of the police, the heads of so many other things. I wonder how many heads they have! (*An honourable member :* Hydra-headed). What will happen to them? The officials who are now occupying the front benches will not be here in this Chamber. What will happen to the ministers who will take the place of officials in the front bench if the head of the judiciary is condemned by this House, with regard to matters that are purely political? In the interests of ministers the deputy commissioners should be asked not to stand as presidents nor even to continue as members of local bodies, because it will be impossible for a member of a local body to attack them. For instance, when the head of the judiciary acts in a particular way, when the head of the jails acts in a particular manner—(*Mr. C. C. Garbett :* Is the deputy commissioner the head of the judiciary?) Yes. Perhaps the right expression is 'magistracy'. I stand corrected. Now, so far as Amritsar is concerned the deputy commissioner has vacated his seat as president, and there has been no serious complaint that he has used undue influence in the matter of the municipality. The reason is clear, it is so because he stands above local factions. He stands above party politics. He has no axe to grind, and as he is not a member he stands as a revisionary officer to correct mistakes. If anything goes wrong in the municipality, people ask him to set right the wrong. But if a deputy commissioner is a president he often becomes a partisan of a certain party by force of circumstances despite his *sane views*. So if members go against him they are sure to find themselves in hot water. My honourable friend, the Minister for Local Self-Government sitting safe on the official benches said, "You must stand on your own legs, you must be manly, you must not be cowards." All this lecture is all right. You may as well ask the members to stand on their heads rather than ask them to stand on their feet when they have to oppose the deputy commissioners who are chief magistrates of the districts. In the district boards we have lambardars and jagirdars. The deputy commissioner is the representative of the executive and as such the jagirdars depend on him. Same applies to zaildars and lambardars. Naturally they are under the influence of officials. How can they dare go against the wishes of the deputy commissioners? It is absolutely impossible. A jagirdar has to go to a deputy commissioner for more gifts. A zaildar whose appointment is always made by the deputy commissioner has got to go to him a hundred times either for his own sake or for the sake of his son or father or brother-in-law or father-in-law, and I may say mother-in-law or daughter-in-law. Do you expect such a person

to stand on his own legs? Will he ever be able to stand on his own legs so long as the deputy commissioner is a member. If the Honourable Minister himself cannot stand on his own legs in this Council how can he expect these petty village officers, the zaildars and lambardars to stand on their own legs?

The Honourable Dr. Gokul Chand Narang : The analogy does not apply.

Shaikh Muhammad Sadiq : Because it is a home thrust.

The Honourable Dr. Gokul Chand Narang : You must understand relevance.

Shaikh Muhammad Sadiq : Since the gentleman has gone to the official benches, everything is irrelevant so far as he is concerned which does not suit him. Evidently relevancy goes with the seat in the official benches. I know the Honourable Minister is always irrelevant, and yet he talks of relevancy. But he is not the first minister who has told other members that they are not relevant, when it does not suit them.

The Honourable Dr. Gokul Chand Narang : Ministers are sometimes irrelevant.

Shaikh Muhammad Sadiq : I agree. (*Laughter*). It was a pathetic speech that my honourable friend over there made. The people are asked to do what they cannot do. It is physically impossible for them to go against the deputy commissioners. Is it the old spirit of non-co-operation that my friend suggests to them? I wish it were so. I will sacrifice everything except my seat here (*Laughter*). There is an old proverb that when a lion gets old it begins to hunt rats and mice. A nationalist, or a so-called nationalist goes to official benches, and he has to depend upon the officials for applause and not upon the nation. That is the position of my Honourable friend the Minister for Local Self-Government.

Coming to the point, unless you ask the deputy commissioners to give up this function of presiding over the local bodies, we will never be able to get men who can stand on their own legs. Mr. Marsden was pleased to say that the district boards are now managed better. But opinions differ. We can say that the Government departments are not managed well, as well as they should be. That also is a question of opinion. There is no doubt that the deputy commissioner has got great influence. He can do wonderful things. But the question is, is it self-government or good government that you want? If it is good government that is required, well, there are better people, more educated people than these ministers. Why not ask them to come and occupy these seats? (*An honourable member : Question*). Question! Why pay Rs. 5,000 for these ministers? You can get people even for Rs. 1,000 for these offices. You have deputy commissioners ruling over districts, who can run some of these departments easily. After all these ministers have only to say ditto to what the deputy commissioners say. (*Interruption*). Not always as a rule. If self-government is not wanted but only good government, then all this demand for self-government is useless. We want self-government, and the British Government is giving it to us because we have demanded it. We have never said up to this time that self-government

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is absolutely the best government. We have to make an experiment. We have to meet pit-falls and rise above them. We should not be shortsighted and see only to the immediate present. But we should use our eyes properly and see the distant future. We have to carry our people forward. If we see pit-falls we will not fall into them blindly. If we encounter things which we cannot cross easily we will build a bridge and then try to cross it. So we must have local self-government on democratic basis even if we make mistakes in the beginning. Otherwise we will never progress. In my district there has been up to this time no case where the deputy commissioner has been unfair or used undue influence in a glaring manner, and that was because the deputy commissioner is not a member. I know nothing about the case referred to by the honourable member. But it is a fact that the deputy commissioner has great influence, and this leads to undue influence. Here in this very House if you say "order, order," I am silenced and the Honourable Minister is silenced, and it ends there. So it is not necessary that the deputy commissioner should say in so many words that the man must vote with him. His very presence itself has its influence. There is no necessity for him to say, I will have you dismissed. If he says

آپ کس طرف ووٹ دینگے اور آپ کے تین سال کب ختم ہوتے ہیں

it is a sufficient hint. Or he can merely ask "what about your son? What happened to his application for the post of a lambardar." This will do, and it is finished. The deputy commissioner may be very good, highly intellectual and highly gifted. But we must allow home rule to flourish, and this can only be done by taking away overt influence. If not, the Government should come and end the whole system. After all everything in the world is an experiment. There was self-government in Italy, in Germany.

Mr. Nanak Chand Pandit : Sir, which motion is the honourable member discussing? If it is No. 12 it reads "To censure the unconstitutional and unfair use of official influence." The other matter was discussed under motion 11. Now we are discussing motion No. 12.

Shaikh Muhammad Sadiq : If there is no deputy commissioner there is no undue influence.

Mr. President : The honourable member will please proceed.

Shaikh Muhammad Sadiq : I had twenty interruptions up to this time, and this is a very important matter. So far as we are concerned, we respectfully tell the Government that there are a lot of people who do things influenced by the presence of the deputy commissioner. Even if there is no direct hint from him, his presence itself is a kind of undue influence. It makes the members fear; it makes them shake in their shoes, because there are so many ways in which a deputy commissioner can act. In any case the Reforms are coming very soon and within one year it will be a necessity for this House to ask the deputy commissioner not to stand for district board and municipal committee presidentship. Look at the case of Lyallpur. They passed a resolution that they should have a non-official president. For three months Government did not do anything. No meeting was even called for to allow them to elect a president.

The Honourable Dr. Gokul Chand Narang : Government does not call the meetings of the district board.

Shaikh Muhammad Sadiq : The deputy commissioner calls them. Their resolution was never given effect to. If the Government was really in earnest, would they have allowed the deputy commissioner to keep quiet for full three months? Do you think that the deputy commissioner could not have called for a meeting for full three months if he had not any intention of putting pressure on them? I do not know who was the deputy commissioner at that time. So in the interests of Government I ask my friend to look into this matter. There is no use saying and urging us to stand on our own legs, when he is trying to do the other way from there. So far as I am concerned I have no complaint to make up to this time, in regard to my own district. But the rumbling and grumbling of certain members lead us to believe that in certain districts there is this complaint. It will be better if we ask our deputy commissioners not to stand as presidents. They will have the revisionary power in their hands. Then they will be all the more responsible. The ministry will work sweetly and smoothly. Many a time we have to pass resolutions against the action of deputy commissioner or other officials in the district board. Probably we will be treated nicely and kindly if the deputy commissioner is not a president. So in the interests of administration, in the interests of self-government which we are all clamouring for I will ask my friend to give this matter his serious consideration. There was a time when I thought that he was doing things mischievously and I was inclined to quarrel with him. But now I see that he is absolutely helpless in the matter. Poor man, he has no control. He is as much afraid of the deputy commissioner as we mortals are.

The Honourable Dr. Gokul Chand Narang : So I can speak with authority.

Shaikh Muhammad Sadiq : That is why I sympathise with my friend over there when I see that even an Honourable Minister cannot dare to do a certain thing. That being the case, what is the position of a poor zaildar or lambardar. Then it is all the more important that you should not look behind towards the secretary and try to take a lead from him. I think it is better that the Honourable Minister uses his own opinion which he had when he was on this side fighting and, what we may call thundering, on behalf of self-government, that very self-government which he is now unfortunately trying to kill probably, not meaning to do it. We want him to go and fight in the executive council. I know that Government is absolutely not against this view, and if he presses it now, that he is in charge of self-government he will succeed. Let the practice of the head of the executive being the president go from this month. Let local self-government be given a fair trial. Let the people learn for a few years. And you will find the district boards going on just as the municipalities, though it may be said that opinion differs. I have seen the reports on French municipalities, English municipalities and American municipalities. They are not working in any way better than our municipalities. Democracy has many defects; so has also bureaucracy. Perhaps when self-government goes on for some time and is not so good as it ought to be, then some dictator will come, but we find that dictators can also be a nuisance. But we want

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in this era self-government. It may prove later on that it is not desirable to have it, just as the people in England are grumbling. But bureaucracy pure and simple has never proved efficient. Look at the Czar. Look at Germany. People want a change.

Mr. President : Will the honourable member please speak to the motion ?

The Honourable Dr. Gokul Chand Narang : The law of relevancy does not apply to him.

Shaikh Muhammad Sadiq : The Honourable Minister knows where the shoe pinches him. No doubt he is feeling it.

Mr. P. Marsden (Secretary, Transferred Departments): After the extremely witty and amusing speech which we have just heard, it is rather difficult for a dull, staid official dummy, a bureaucrat not schooled in the rules of eloquence, to reply. I must say that we thoroughly enjoyed the speech even though most of it was not strictly relevant to the point, as Mr. Nanak Chand, Pandit, I think it was, remarked. The cut really was moved to draw attention to exceptional use of powers in connection with local bodies, whereas Shaikh Muhammad Sadiq dwelt mainly on the use of their constitutional powers under the Acts by deputy commissioners. I must say that while listening to the various speeches, it was a little difficult to see what precisely the objection that was being raised was, until Shaikh Muhammad Sadiq, who made at least one issue clear, spoke. We now understand that it is the deputy commissioner who is in their minds. Until he spoke, it was very difficult to grasp what officers were being referred to, and what proceedings were being referred to. The motion made it appear that all Government officials are the persons whom the honourable mover of the motion had in mind. Then there were some other allusions yesterday, which made one suspect that it was the Imperial service officers that were being complained of. For example, there was a reference to some mysterious third party which makes it difficult for the Government officials to be kept in order in the matter of using their powers. I can only presume that that means that some honourable members were referring to members of the Imperial service. Yet another speaker used the word "English," and I suppose he was still further limiting the scope of the motion, to the powers of English members of the Imperial service.

Then again, I was not quite certain what proceedings were being referred to, whether honourable members were alluding to all the proceedings of the local bodies, or whether they were referring, as it would appear from Mian Nurullah's remarks, either to elections to local bodies or to elections in local bodies. Well, if he was referring to elections to local bodies, there are already some clear rules, that have been issued to Government servants on the subject. If, on the other hand, he was referring to elections in local bodies, that is to say, elections to the office of vice-chairman or vice-president and such like, there is no rule which prevents an official chairman from intimating his views and wishes on the subject. Whether he should be prevented from doing so, I cannot say. I am inclined to think that he should not. If there is an official chairman who is keen on the efficient working of the body of which he is the chairman, naturally he would be very anxious to get an

experienced and efficient vice-chairman to assist him in running the work of the board. In any case, all the honourable members entirely forgot that there is the system of ballot. There are definite rules both for municipalities and district boards that elections to posts of officers of the committees and of the boards shall be by ballot. Whenever a vice-chairman of a board is to be elected, and whenever a vice-president of a municipal committee is to be elected, it is absolutely impossible for the official chairman or the deputy commissioner to know who is voting for whom. It is really impossible therefore to conceive how any abuse could arise. Mian Nurullah gave us a long tale of how a deputy commissioner sitting in an adjoining room obliged members to exercise their discretion in a particular way. Well, here I will admit one point. While there are definite rules for election by ballot of vice-chairmen or vice-presidents of local bodies, there is no definite rule that the decision of the board on the question whether they desire to have a non-official chairman or an official chairman should be taken by ballot or not. My experience is that it is always done by ballot. I have had an experience of such a proceeding on several occasions, and it was always assumed that such voting is to be by ballot. But if there is any complaint that such votes are not taken by ballot, and it is desired that there should be such a rule, I imagine that there is no doubt whatever that the Government will be prepared to issue a rule on the point.

Another point which I would have liked the honourable members to make clear, because I was not sure what their attitude is, is this. Do they consider that this interference by the officials is on the increase? I presume, as the motion was moved to draw your attention to this matter that it was the belief of the honourable member that there is an increase in the unlawful use of powers by the officials. If this is the case, I can say emphatically that it is absolutely contrary to the facts, and I do not see how it could but be contrary to the facts. It is so obvious that under the present constitution, and with honourable members of this Council on the alert to see to the interest of their constituents and to make sure that the rules are being observed by officials and that there are no such indiscretions, it is so obvious I say, that there cannot have been any increase in the misuse of their powers. Not only that, but, as was explained in connection with another motion, the number of official presidents of municipal committees has been very greatly reduced, and the elective element of all local bodies has been very greatly increased during the last few years. I repeat, therefore, that it is quite impossible to suppose that any such misuse of their influence by officers has been on the increase.

Now, I would just like to refer to some of the remarks, which affected me particularly as a past deputy commissioner and as a member of the service criticised, which were made by Mr. Afzal Haq. First of all it should be realised that the attitude of Mr. Afzal Haq, and of any other members who may be of the same turn of mind, is an extraordinarily serious matter, so far as officials are concerned. The burden of his remarks was that he wanted to rebuke the Honourable Minister for Local Self-Government for defending officials. Now when there is a Minister of Government, under whom there are thousands of officials serving—I imagine that it is one of his primary duties, so far as he can do so, to defend these officers. But I was very much perturbed to hear the suggestion of Mr. Afzal Haq that

[Mr. P. Marsden.] it was his belief and possibly it is the belief of other members of the Council—that it is the duty of the Minister not to defend officials.

Shaikh Muhammad Sadiq : We protest against this. We mean that they should not be defended when they are wrong.

Mr. P. Marsden : I am relieved to hear that. But it certainly was the implication of Mr. Afzal Haq's remarks, and it would be a very bad omen for the future if any single member of this House—and I do not suppose that except for this particular honourable member there is one—held any such notion.

The same honourable member, again, stated that it is impossible for public men in this country to vote according to their convictions. That again struck me as a very astounding statement to make. If such a statement had been made at the Round Table Conference, I can imagine the perturbation and surprise that would have been caused. In a country where you have men like a Moti Lal Nehru or a Mahatma Gandhi, who keep themselves out of power and office for years and years because of their convictions, it astounds me that the honourable member has such a low opinion of his countrymen. I can assure the honourable member that not only in this country but in others also there are thousands of people who every day are voting for their convictions, and against their interests. Let me turn to England and quote the example of Mr. Lloyd George, who was at the outset of his career prepared to sacrifice it, and all his influence by his speeches about the Boer war. And has the Honourable member forgotten that when the declaration of the Great War was made, there were two members of the cabinet, Mr. John Burns and Lord Morley, who at once resigned their posts, giving up their power and their office, and at the same time drawing upon themselves the hatred and the execration of every man, woman and child in their country? They were prepared to endure even that, and I maintain that there are thousands of people, the majority of people, in England and in this country, who will not mind their own interests, and their pockets, when they have to give their vote (*hear, hear*).

There was one other remark of the same honourable member upon which I would like to enlarge. Another of his accusations, so far as I was able to take it down, was that district officers are always glad to see local self-government squashed. That I maintain is absolutely contrary to the truth, and contrary to the knowledge of the vast majority of the members of this Council for the last ten or twelve years. The majority of deputy commissioners—I may say all the deputy commissioners—have been doing their best to make the Reforms a success, and to see that representative government is enjoyed, not only in respect of the provincial Government and the central Government, but in local self-governing bodies also. You will excuse me for a moment if I mention two or three instances from the past of officials no longer with us, by way of illustrating the methods that deputy commissioners pursue when dealing with local bodies. Let me turn for a moment to Mr. Sadiq's own town, the town of Amritsar. In that town, when I served there, a good many years ago now, there was a strong and able deputy commissioner, Mr. King, and he was president of the municipal committee. The two vice-presidents of that committee were two men,

famous in this province, two men who have done more for Amritsar than any other. They were Sir Gopal Das Bhandari and Khan Bahadur Shaikh Ghulam Sadiq. Does the honourable member mean to tell me that he does not know that the deputy commissioner there was only too delighted to find two such strong, able and efficient men, whom he could trust to run the municipal committee of Amritsar, and who did run it, most admirably, and always with the encouragement of the deputy commissioner and with a minimum of guidance and control on his part? If the honourable member does not think it is a fact, I can assure him that it is.

Shaikh Muhammad Sadiq : I said that I had nothing to complain so far as Amritsar was concerned.

Mr. P. Marsden : Let us consider the deputy commissionership of Mr. Tollinton, at Lahore, a few years later. Is any member here not aware that that deputy commissioner was only too anxious to see any able and efficient inhabitant of Lahore, or of the district of Lahore, whom he could trust to manage the affairs of the two chief local bodies of the district? I am perfectly certain that honourable members will admit that this is the case. Again, I would remind the honourable leader of the opposition of his own Rohtak. The names of Lal Chand, Chhotu Ram and Dalpat Singh come to my mind. They showed a gift, a flair for administering the affairs of local self-government in their district, the deputy commissioners co-operated with them, and thankfully utilized services, so freely and magnanimously given, and efficiently rendered. I am perfectly sure that when the honourable member, at whose elbow Mr. Afzal Haq is sitting, heard those words regarding deputy commissioners, he did not, could not, agree with him.

I would end by saying, that I am very grateful to the honourable member for giving some one on the official benches a chance of replying to a motion of this sort. We official members shall not be here much longer to defend ourselves and our colleagues, who are doing their duty in the province, working away in the remotest corners of the province. It has been a very great privilege to be able to do so. If all members held the same opinions as those which I have been discussing, I think there are very few officials who would want to continue as officials any longer. I trust, however, that that will not be the attitude of honourable members of this House, but that their attitude will be the same as that of the Ministers, who have always been ready to defend their officers, and who, I am confident, will always insist on their officers being given a fair hearing, and not being criticised unfairly (*hear, hear and cheers*).

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, let me make it clear at the very outset that there are deputy commissioners and deputy commissioners. All officials have not been made of one dead type. There are certain deputy commissioners whose attitude is sympathetic and there are others who take a definite attitude of obstruction to anything that might be attempted by non-officials connected with local boards. There are yet others who do not take sufficient interest in the affairs of local boards (*hear, hear*). I am quite willing to pay a tribute to some of the deputy commissioners with whom I had the pleasure of working in the district board, and say that their attitude

[R. B. Ch. Chhotu Ram.]

was definitely helpful, but during the last two or three years my experience has been very sad indeed. However, I will come to that point later on. I must first deal with the speech that was made by the Honourable Minister day before yesterday.

When I heard him speak I was wondering whether he was standing on this mother earth or he was speaking from the clouds. He adopted an attitude which was really astounding. He feigned complete ignorance of the ugly facts of life. He feigned absolute ignorance of the experience of men with whom he comes into daily contact. Again he feigned complete ignorance of what happens around him, what is conveyed to him from day to day both as a Minister and as a private gentleman. He seemed to be feigning a greater aloofness from non-official members than even the members of the service which we nickname as the heavenly service. I was also wondering whether he was speaking from conviction at all. To me there seemed to be a very wide gulf, a terribly wide gulf, between the actual facts of life and what those facts were represented by him to be. (*The honourable Dr. Gokul Chand Narang*: The honourable member has entirely misunderstood me or he is feigning to have misunderstood me). No. I understood the Honourable Minister quite well, quite clearly. I am coming to what he wanted this House to believe. He indulged in a good deal of cant. He said that he felt scandalised at the admission by honourable members of this House that they were afraid, terribly afraid, of deputy commissioners, that there was undue interference on the part of deputy commissioners and other officials, and that non-officials members of district boards willingly submitted to that interference. This, the Honourable Minister said, came to him as a great surprise. He feigned being scandalised at it. I, in my turn, fail to understand his attitude. Is he really so very innocent of the effect which the words and acts of officials have on non-officials? As I said in the very beginning, there are deputy commissioners and deputy commissioners. In the same way I may say there are non-officials and non-officials. There are a number of non-official gentlemen in district boards or municipalities who are unduly influenced by what is suggested to them by the deputy commissioner or any other officer under the deputy commissioner. (*Mr. P. Marsden*: Should they have the vote?) Well, I shall come to that. The question is, what effect will be produced on an ordinary man when he comes into contact with a deputy commissioner who gives expression to a definite opinion one way or the other? The honourable member, the Secretary to the Transferred Departments, put me a question whether deputy commissioners should or should not have the vote. (*Mr. Marsden*: I ask whether those people who do not exercise the vote honestly ought to have it). In spite of what Mr. Marsden may say, I am not inclined to believe that a hundred per cent. of voters in England vote what he calls straight. I am not going to believe such a statement even if it is made by a responsible officer of Government. It is contrary to facts. As in England so in my country there are people in varying proportions in various parts of the country who do not vote straight, and there are other voters in this country and in this province as in England who vote straight whatever the opinions of officials may be. I can quote instances in my own district board. The deputy commissioner there tried his best to have

a pet of his own as vice-chairman, but we kept him out. We did not care for the wishes of the deputy commissioner. However, I am speaking of the average man. The deputy commissioner's attitude is bound to have a very deep influence on the attitude of average men, such as *lambardars*, *safedposhes*, *zaildars* and honorary magistrates who are under his thumb, who can suffer a great deal by the displeasure of the deputy commissioner and who can gain a great deal by his pleasure. I do not mean to say that men in India or anywhere else are not made of flesh and blood. Everybody has his own weaknesses, and an Indian has his as an Englishman has his. The difference is one of degree only. There are men in England who will probably be found to be just as weak as some Indians are here. There may be English people who are man to man superior to Indians. As a matter of fact it would do no harm to anybody if I were to admit that Englishmen are man to man superior to Indians. But the grounds which account for this difference should also be taken into consideration. The very fact that they are ruling here, that they wield political power in this country, gives them chances which are denied to Indians to develop their character.

However, I was speaking of the attitude of the Honourable Minister when I was led to digress by an interruption of his Secretary. The Minister said, a more severe indictment of his countrymen could not be conceived than the one which was given expression to by the honourable mover of this motion, to the effect that officials interfered too unduly, too frequently and non-officials tamely submitted to that interference. He said, nothing could be a greater indictment of Indian character, of the character of his countrymen. And, wonder of wonders, what had he himself to say? He said that from the fact that only two district boards in the province had elected to have non-official chairmen, the fact that only two out of 28 have decided to have non-official chairmen, he concluded, he drew the only conclusion that non-official members of district boards recognised that every Tom, Dick and Harry who happened to be a deputy commissioner in a particular district for the time being was superior to every individual non-official member of a district board in point of honesty, in point of fairness, in point of independence and efficiency. That was the only conclusion to which the Minister said he could come to. Is that conclusion a less severe indictment of Indian character? Is that conclusion less condemnatory of the character of Punjabis? There are many other conclusions which are open to the Minister. He could have easily come to a conclusion quite different from the conclusion to which he has come. According to him it is the consciousness of inferiority in the mind of every individual member in point of efficiency, fairness and honesty which prevents him from voting in favour of a non-official chairman for the district board. That conclusion which he has come to is entirely erroneous, entirely wrong, entirely unjustifiable.

Chaudhri Allah Dad Khan : Shame.

Mr. President : Will the honourable member withdraw the unparliamentary expression?

Chaudhri Allah Dad Khan : I withdraw it.

Rao Bahadur Chaudhri Chhotu Ram : I can give two or three circumstances which may account for the fact that district boards have not decided in favour of having non-official chairmen. One is that most of the members, practically all members of district boards come from rural areas, and in order to accept the responsibility of being non-official chairmen of a district board, the particular gentleman who assumes this responsibility must shift himself from his village to the headquarters of his district, and have a separate establishment for himself at the headquarters. That would be fairly expensive. That is one of the reasons which could easily account for the fact that non-official members are not prepared to accept responsibility for being chairmen of district boards. Again, there are very few men who have sufficient leisure to devote to the work of district boards. Then there may be yet another reason—the present period of depression. Who is going to assume responsibility for the administration of a district board when we are in the midst of a terrible financial stringency? We know quite well that if they are to assume responsibility for the administration of district boards at a time when the finances of the province are low, when the finances of district boards themselves are so low, they may not be able to carry on the administration efficiently and may bring a bad name upon themselves and upon the cause of local self-government itself. Therefore naturally they would be reluctant to assume responsibility of this character in a time of the present complexity. Lastly, I may also remind the Honourable Minister that every non-official member generally feels that if he were to assume responsibility for the administration of his district board he might forfeit the willing and cordial co-operation of officials, and that generally does happen. But the Honourable Minister states in this House that the only conclusion he can draw is that every non-official member of a district board felt himself to be inferior to every individual official. (*The Honourable Dr. Gokul Chand Narang :* I never said so). I may not be able to repeat the exact words of the Honourable Minister. But he stated in effect that this could only be due to a consciousness on the part of non-official members that official presidents were in point of efficiency and fairness superior to non-officials. (*The Honourable Dr. Gokul Chand Narang :* No. I remember the words I used. I never used the word fairness or honesty. I said probably there was a consciousness that under the present circumstances they would carry on better). The Honourable Minister used the word fairness. I am not quite sure whether he used the word 'honesty.' But he certainly used the words 'fairness' and 'efficiency.' (*The Honourable Dr. Gokul Chand Narang :* I made a proviso, "under the present circumstances." I used those words also and they are very important).

I draw the attention of the House to another very choice specimen of the cant in which the Honourable Minister indulged. He made a very sneering reference to deputy commissioners. He said, "should our countrymen, should Punjabis, care for the views or for the attitude of these passing gusts of wind?" That is exactly the expression he used, either gusts of passing wind or passing gusts of wind. (*The Honourable Dr. Gokul Chand Narang :* I did not use either). Does the Honourable Minister really mean that these officials who wield such extensive power are no more than passing whiffs of smoke? May I remind him of Colonel Ferrar. Was he only a passing gust of breeze?

Mr. President : No personal references should be made.

Rao Bahadur Chaudhri Chhotu Ram : I will not mention names. I can certainly use language which will indicate incidents rather than names. In 1919 those who wielded the powers of district officers were able to clap the Honourable Minister for Local Self-Government and two ex-Ministers into jail. And, curiously enough, we are being told that district officers are mere passing whiffs of smoke! Another district officer or some other officers under his authority were able to put an honourable member of this House who is going to adorn the Bench of the High Court into a cattle truck (*An honourable member :* The same Government puts him in the High Court).

The Honourable Dr. Gokul Chand Narang : What is the use of that? Will that make the honourable member to whom reference has been made vote differently?

Mr. President : Will the honourable member please speak to the motion?

Rao Bahadur Chaudhri Chhotu Ram : I am answering the points raised by the Honourable Minister himself.

Mr. President : If he was irrelevant—

Shaikh Muhammad Sadiq : Who was irrelevant, Sir? (*Laughter*).

Rao Bahadur Chaudhri Chhotu Ram : Anyway I do not think the Honourable Minister would hesitate to believe that if deputy commissioners took it into their head to influence the conduct of non-official members of the district board they could do so, and could do it fairly effectively in the case of many average members.

Now, I come to my own district and to instances which are probably known to the Honourable Minister for Local Self-Government personally. A resolution was passed in the District Board of Rohtak by a majority of one vote that the district board should be allowed to have a non-official chairman.

The Honourable Dr. Gokul Chand Narang : Question.

Rao Bahadur Chaudhri Chhotu Ram : You will question everything.

The Honourable Dr. Gokul Chand Narang : Because you say questionable things.

Rao Bahadur Chaudhri Chhotu Ram : I am stating all the facts, and it will be for the House to decide whether what I am saying is questionable or whether it is the Honourable Minister who is wrong. The fact is that the resolution was passed, and that resolution was sent up with a report from the chairman of the district board that one vote was given after counting was over, and the Honourable Minister or his department took as many as eight months to call upon the district board to have the resolution considered over again. Sir, the House will be surprised to hear that the vice-chairman who was responsible for having the original resolution passed is himself in jail within eight or nine months of the passing of that resolution. (*A voice :* What for?) I am coming to that. The charge was one of embezzlement, and the charge was absolutely hopeless. The man who was alleged to have paid him some money had himself—
(*An honourable member :* Was he acquitted?) He was acquitted.

Mr. P. Marsden : Did the case start before the resolution was passed ?

Rao Bahadur Chaudhri Chhotu Ram : No, after the resolution was passed.

The Honourable Dr. Gokul Chand Narang : The insinuation is that he was prosecuted because he was vice-chairman.

Mr. President : I would request the honourable member not to make insinuations against officials who are not present.

Rao Bahadur Chaudhri Chhotu Ram : Then I will make insinuations the reply to which can be given by the Honourable Minister himself. The district board of Rohtak has 34 elected members. Out of these 34 elected members as many as 31 were Jats. The Honourable Minister put in a nominated member who was also a Jat and upset the communal balance. A few months later the Minister had to add one more member to the strength of the district board in order to set right the communal balance. Will the Minister kindly explain what that novel nomination was due to ? I want the Minister to know that Jats are too clever. He wanted two old friends to fight. We refused to fight and disappointed him.

Mr. President : I would request the honourable member to be impersonal.

Chaudhri Zafrulla Khan : When the Secretary to the Department stood up and related his experiences, would it not be in order for Chaudhri Chhotu Ram to refer to his own experience ?

Mr. President : He will not be out of order, but the Chair shall check irrelevancy.

Chaudhri Zafrulla Khan : The Chair is supreme, but if the statements went unchallenged the conclusion drawn from it or rather a clear inference would be that Chaudhri Chhotu Ram accepted all that had been said on the other side.

The Honourable Dr. Gokul Chand Narang : All that the Secretary said was that Chaudhri Chhotu Ram was a very esteemable and desirable man. Is the honourable member contradicting this ?

Chaudhri Zafrulla Khan : You were not listening.

Chaudhri Afzal Haq : Sir, can a member explain the position of another member ?

Mr. President : A personal explanation can be made by a member on behalf of another.

Chaudhri Afzal Haq : That is when he is absent.

Mr. President : Yes.

Chaudhri Afzal Haq : But in this case he is present.

Rao Bahadur Chaudhri Chhotu Ram : I will drop this unseemly reference, but the House understands very clearly that there are deputy commissioners who somehow or other make it a point of honour to see

that in their time, at any rate, district boards are not allowed to have non-official chairmen. It is a wrong idea which has got hold of the imagination of certain deputy commissioners. They take the election of a non-official chairman in the light of some sort of a personal affront, though there is no affront implied in the vote of the district board in favour of having a non-official chairman. Some of the deputy commissioners interfere too much. The explanation put forward by the Honourable Minister that there was no interference and that if there was any interference at any time the members of the district board submitted willingly to that interference, goes against the ordinary experience of people including the Honourable Minister himself. The advice of the Honourable Minister would be very welcome if he sometimes acted upon that advice himself.

The Honourable Dr. Gokul Chand Narang : I doubt it.

Rao Bahadur Chaudhri Chhotu Ram : However the point is whether there is any official interference in the affairs of district boards and other local bodies. (*A voice : Unconstitutional interference*). Interference in itself implies that it is unconstitutional. If a man exercises his own statutory powers in a proper manner, nobody would complain and nobody would call it interference. But let it be understood that we are complaining of unconstitutional interference of which instances are far too many to be ignored. They are not so restricted in number or trivial in character that they can possibly be ignored. Therefore the honourable mover of this motion was perfectly right to bring this motion forward and to press it as vigorously as he could. I lend my whole-hearted support to it.

Mr. C. C. Garbett (Chief Secretary) : If the question is going to be put, I would like to say just a very few words, and will endeavour to be as brief as possible. The honourable mover of this out dealt particularly with the use of unconstitutional influence at the time of elections. My honourable friend the Secretary for Transferred Departments left that subject because he knew that I was to address you on the point. I gathered from the speech of the honourable member from Lyallpur that he was under the impression, in fact he quoted instances where improper influence was used in elections to the district board. I am not challenging what he said. But what I do wish to lay before the House—and I would desire every member to understand—that assuming his facts to be correct—and we must assume his experience to be as he found it—then it was contrary to the definite orders of Government. I was endeavouring the other day to draw some distinction between the function of Government as distinguished from that of the officers of Government in the districts and the divisions. I was interrupted by my friend from Ambala, but perhaps he will have a little patience with me to-day.

The Government issue general orders from headquarters and we expect those orders to be carried out by deputy commissioners and commissioners. People do trip up at times, and it may be that on this occasion some such thing as has been complained of has happened. The instance referred to by the honourable member is three years old and relates to an officer who has long since retired and is enjoying his pension. I will read out the rules as

[Mr. C. C. Garbett.]

regards elections which a Government servant has to observe :

- (2) A whole-time Government servant, shall not canvass or otherwise interfere, or use his influence in connection with, or take part in, any election to a legislative body :

Provided that a Government servant, who is qualified to vote at such election, may exercise his right to vote, but if he does so, shall give no indication of the manner in which he proposes to vote or has voted.

- (3) Save in the case of a whole-time Government servant who, with the permission, if any, required under any law or order for the time being in force, is a candidate for election to a municipal committee, district board or other local body, the provisions of sub-rule (2) shall apply in the case of an election to any such committee, board or body.

It will be seen from this that with the single exception where a person is allowed by any law or order for the time being in force to do so, no Government servant is allowed in any way to influence voting. That is the provision in the Government Servants Conduct Rules. I am authorised to state that if any specific instance of a breach of these rules is brought to the notice of Government in the proper way, it will most certainly be enquired into. There is therefore absolutely no reason for the House to imagine that Government countenances or desires to countenance or will countenance the breach of these rules. The policy which the House desires to press on the Government is already the policy of Government. If there has been any negation in certain quarters of this rule, if there has been any departure from that policy in the district boards, we will be glad to be told of that.

4 P. M.

As regards the other side, the use of official influence in matters of general interest to the district board, may I say, with your permission, Sir, that I deprecate the heat, bitterness and acerbity that have been imported in what is really a very difficult question. It may be difficult for honourable members who are themselves members of district boards entirely to stand aside and view on the general question dispassionately. They may think that the deputy commissioner is interfering with them when he is attacking their policy and that he is lending support when he is supporting their policy. Some one once asked, "How do you define the difference between orthodoxy and heterodoxy?" and the answer came, "Orthodoxy is my doxy and heterodoxy is anybody else's doxy". The point I am getting at is the honourable leader of the opposition has said that there are different kinds of deputy commissioners. I ask him very seriously, is not his distinction that between the orthodox deputy commissioner who is of his view and the heterodox deputy commissioner who is of the other view? There of course always are questions in a district board which the officials prefer to leave to the non-official members. But there are other questions regarding which the deputy commissioners are being told constantly that they ought to take more interest in. Now, it was an honourable member of this House who started the ball rolling which has resulted in the appointment of Commissioner for Rural Reconstruction. The Commissioner for Rural Reconstruction has met with welcome throughout the length and breadth of the province. Non-officials flock to his meetings and officials come when they are summoned. But he himself said to me the other day that he wants more official support in district boards and local bodies. Now

the honourable member will begin to see the difficulty that there is in distinguishing exactly the point at which official help is required and at which it becomes wrong.

Chaudhri Afzal Haq : On a point of order. Is it in order for the honourable member to refer to any private conversation between two honourable members of this House without the permission of the other member ?

Mr. C. C. Garbett : I am not referring to any private conversation with any honourable member of this House. I am only reporting to the House what the Commissioner for Rural Reconstruction was saying to the Chief Secretary.

Chaudhri Afzal Haq : My objection is that the Chief Secretary cannot refer to the conversation with Rao Bahadur Chaudhri Chhotu Ram.

Mr. President : The honourable member is not referring to Rao Bahadur Chaudhri Chhotu Ram. He is referring to the Commissioner for Rural Reconstruction.

Mr. C. C. Garbett : I am sorry the honourable member did not quite understand me. I was endeavouring to illustrate that official members of local bodies are sometimes required to give more support and to pay further attention to matters before district boards. The honourable member from Rohtak, unless I misunderstood him, was complaining that official members were inclined to take too much interest. My point was that an official appointed at the wish of this House, at any rate one member of this House did suggest his appointment, and I believe this House has welcomed it, has found just the reverse, namely, that he found difficulty in getting official members to help him in the work of rural uplift. (*Gh. Zafrulla Khan :* That is equally bad). My honourable friend has exactly explained my position. I am asking the House, in considering this problem, to look at it from both sides. If the deputy commissioner does not do anything, then he is blamed. If he does too much, then there are probably two parties, one is pleased and the other not. If the other party has representatives in this House, they then come and tell us that the deputy commissioner is using his influence in an unconstitutional manner. There is the real difficulty. I ask the House to appreciate it. We have our Local Self-Government Department. It is a very heavily worked department, and references are enormous. But we are doing our best to carry out the policy of the Government which is to educate the people more and more in the use of local self-government. We are looking forward to the time when we would disappear and these gentlemen here would occupy these benches. I ask the House to accept my assurance that we are doing our best in that direction. We may have our failures at the top. Our orders are apparently sometimes not carried out. But the orders are there and we stand by them. Our policy is there, and we will continue to follow it up. The honourable members are quite in order in drawing our attention to what they consider laxity in the carrying out of this policy. But the policy stands, and with that assurance I would ask the honourable member if he will not consider withdrawing his motion. (*Cheers*).

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, I will not be long on this matter, because it has been discussed threadbare, but I would like to reply to the Secretary, Transferred Departments, who said

[Mian Nurullah.]

that the officials are going to leave shortly and should, therefore, not be discouraged like this. That is where the great difference comes. If we meet officials here they treat us in the most courteous way, but when we go back to our districts our feeling is quite different. It is hard to realise the difference between membership of this Council and membership of a local body. Here the official members make us feel that we are on equality with them. We are thankful to them all for their courteous treatment, and we always appreciate it.

The other day when the Honourable Minister for Local Self-Government spoke he said that I had made a great indictment against my own countrymen and he took me to task for it. The Honourable Minister was apparently labouring under a misapprehension. What I want to discourage is not the constitutional way of influencing the board as the honourable member has just pointed out, but the unconstitutional use of official position. If a district board wants to do a certain thing and if they decide to act accordingly, its decision is reversed by the officials. In my district board they decided to have non-official chairmen for education, health and finance committees as well as the board, but the resolutions have been reversed because of the unconstitutional use of official pressure. That is certainly unfair, and it is this point that I want to press upon the Government. People in England who give us the constitution give us local self-government, but the people in power here do not treat it as local self-government. If we are given full opportunity we will in spite of our mistakes and failures learn responsibility. I am sure even now everybody realises his responsibility, and particularly in my constituency the people have begun to realise that. In an open session they passed a resolution against those members who did not exercise their vote in the right way, and here is a resolution which I will read for the information of the honourable members:—

”زمینداران ضلع لاٹل پور کی یہ کانسٹیبل بورڈ کے لئے پورے
ان ممبران کی سرکار پوست ذہنیت کو نفرت کی نگاہ سے دیکھتی ہے اور انہیں
کہتی ہے کہ کانسٹیبل بورڈ کے عام معاملات میں انہیں کی خوشنودی کو حاصل
کرنے کے لئے خلاف انصاف اور خلاف ضابطہ کارروائیاں کرتے رہتے ہیں اور
آئندہ کے لئے زمینداران سے اپیل کرتی ہے کہ اس قسم کے ممبران کو منتخب نہ
کیا کریں۔“

Mover.—Sardar Narender Singh Chima, Bar-at-Law.

Seconder.—Sardar Sampuran Singh, Bar-at-Law, M.L.C.

Supporters.—(1) Daulat Ali Rashid, Editor, the *Kashkar*,

(2) Sardar Sadhu Singh, and

(3) Sayad Karam Shah.

The *Tribune* of the 16th March says—

So long as that mighty official can distribute patronage and favours, and, by a mere stroke of the pen, make or mar the future of people, it would hardly be a matter for surprise if some members of local bodies did not dare to incur his wrath by going against his policy.

That is what the deputy commissioners do. That is what I object to. I would give this message to Chaudhri Zafrulla Khan, if he is going to England again in connection with the making of a constitution for India, to be delivered to members of Parliament, that if they give us fourteen annas out of a rupee of local self-government, only six annas reach us, and the rest is absorbed by officials on the way. Instead of pushing the policy laid down by the constitution in England the officials act as a hindrance. The other day, it must be remarked, the mentality betrayed by some members here was deplorable, especially that of the Chief Secretary who said he had come here to teach certain members. We are not here like school boys to learn any lessons from him because he himself refuses to be taught by the authorities at Whitehall. It is the change of mentality of officials here that will do us more good than the change of mentality of people in England. There is no use adding 5th or 6th storey on our constitution if the mentality of the officials is going to remain the same, and our foundations are not strengthened. I would appeal to the Honourable Minister for Local Self-Government, who I know has got great ability and national spirit and puts a lot of hard work in his business, that if he cannot bring the executive officers in the district in line with the declared policy, he may better exchange his portfolio with some other Minister. I do not say that officials should not at all interfere in the affairs of local bodies. But I do want to urge that officials should not make unconstitutional or unfair use of their official power. With these words I would press the motion before the House. In doing so I would also appeal to honourable members that if they do not support me in this motion, I will say "Good-bye, local self-government, I wish you good luck in the next constitution."

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The Council divided : Ayes 24 ; Noes 41.

AYES :

Afzal Haq, Chaudhri.	Muhammad Eusoof, Khwaja.
Ahmad Yar Khan Daulatana, Khan Bahadur, Mian.	Muhammad Hasan, Khan Sahib Makhdum Shaikh.
Allah Dad Khan, Chaudhri.	Muhammad Sadiq, Shaikh.
Chhotu Ram, Rao Bahadur Chaudhri.	Muhammad Sarfaraz Ali Khan, Raja.
Faqir Husain Khan, Chaudhri.	Mukerji, Rai Bahadur, Mr. P.
Ghani, Mr. M. A.	Nazir Husain, Chaudhri.
Lekhwati Jain, Shrimati.	Noor Ahmad Khan, Khan Sahib, Mian.
Malak, Mr. Muhammad Din.	Nurullah, Mian.
Mazhar Ali Azhar, Maulvi.	Ram Sarup, Chaudhri.
Mubarak Ali Shah, Sayad.	Riasat Ali, Chaudhri.
Muhammad Abdul Rahman Khan, Chaudhri.	Roberts, Mr. Owen.
Muhammad Amin Khan, Khan Bahadur Malik.	Zafrulla Khan, Chaudhri.

NOES :

Arjan Singh, Sardar.
 Bahadur Khan, Sardar.
 Bhagat Ram, Lala.
 Boyd, Mr. D. J.
 Buta Singh, Sardar Bahadur Sardar.
 Craik, The Honourable Sir Henry.
 Din Muhammad, Khan Bahadur,
 Shaikh.
 Firoz Khan Noon, The Honourable
 Malik Sir.
 Garbett, Mr. C. C.
 Gokul Chand Narang, The Honour-
 able Dr.
 Gopal Das, Lala.
 Hearn, Mr. J. W.
 Janmeja Singh, Captain Sardar
 Bahadur Sardar.
 Jogendra Singh, The Honourable
 Sardar Sir.
 Kesar Singh, Rai Sahib Chaudhri.
 Labh Chand Mehra, Lala.
 Labh Singh, Mr.
 Latifi, Mr. A.
 Mamraj Singh, Chohan, Kanwar.
 Manohar Lal, Mr.

Marsden, Mr. P.
 Mayadas, Mr. Ernest.
 Miles Irving, The Honourable Mr.
 Mohan Singh, Sardar Bahadur Sar-
 dar.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nathwa Singh, Chaudhri.
 Nihal Chand Aggarwal, Lala.
 Ogilvie, Mr. C. M. G.
 Pancham Chand, Thakur.
 Raghubir Singh, Honorary Lieuten-
 ant Sardar.
 Rahim Bakhsh, Maulvi, Sir.
 Rahman, Khan Bahadur Dr. K. A.
 Ramji Das, Lala.
 Sanderson, Mr. R.
 Sewak Ram, Rai Bahadur, Lala.
 Shave, Dr. (Mrs.) M. C.
 Sheo Narain Singh, Sardar Bahadur
 Sardar.
 Stewart, Mr. H. R.
 Staig, Mr. B. M.
 Ujjal Singh, Sardar Sahib Sardar.
 Wace, Mr. F.B.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, I beg to move—

That the total grant be reduced by Rs. 100.

Mr. M. A. Ghani : On a point of order. Motion No. 17 relates to page 174 of the budget and No. 18 relates to page 173. I understand that these motions are to be moved in the order of the pages of the budget. If so, No. 18, ought to be taken before No. 17.

The Honourable Mr. Miles Irving : I draw your attention to this fact that both these motions are to reduce the total grant. The total grant appears on both the pages 173 and 174.

Mr. President : That is immaterial.

Mian Nurullah : I want to urge on the Government the necessity of an enquiry into the working and utilisation of the Killa Gift Fund in Lyallpur. Killa Gift Fund is a special fund, the benefit of which under the trust under which it is controlled should go to the zamindars of the Lyallpur district. In 1931 I put a question in the Council as to the amount invested, how the income could be improved and how it is utilised, and so on, and on page 248 of Volume XVIII of Punjab Council Debates you will find the answer :

The amount is vested in Government in trust for the benefit of the people of the Lyallpur district to be operated on by a committee consisting of the Deputy Commissioner and three members of the District Board. The total amount of the fund is Rs. 14,64,562-8-0 and the annual profit Rs. 83,000.

Further details are given in the extract from Killa Gift Fund Trust Deed, dated 24th February 1931, printed on the same page of the Council Debates. Clause (4) of the extract reads :

The income of the Killa Gift Fund shall only be expended by making payments therefrom for objects directly connected with the interests of the agricultural community generally in the Lyallpur district or other objects directly beneficial to the Muhammadan, Sikh or Hindu community of agriculturists in the Lyallpur district.

Now there are three members one from each community and the deputy commissioner to work it, and they share the income practically according to the population basis. The Muslims get about 60 per cent., the Sikhs about 30 per cent. and the Hindus 10 per cent. The trustees have got a set of rules under which they have to distribute the income derived from this fund. But the rules are not obeyed in many cases, and I have been getting complaints from various parts of the district that they never get benefit out of this fund. Probably the gentlemen on the board favour their own friends and do whatever they like, disobeying the rules.

The Honourable Sir Henry Craik : On a point of order. How does this come into the budget at all ?

Mian Nurullah : Sir, this is administered by the Honourable Revenue Member, and he is responsible for the trust fund and the trust deed. The Honourable Revenue Member is the only proper person to approach as regards the grievances arising out of the use or misuse of the Killa Gift Fund. Now as I was saying I have received many reports to the effect that this fund is not being administered properly.

The trustees make more misuse of the fund than a proper use. They disobey the rules. Probably there is a rule that it should be given only to zamindars who possess some land in the *ilaga*. But if one of the trustees has a friend in Gujrat or Sialkot who produces a man to say that that friend has an acre or two of land in this district, he is given the benefit of the fund.

The Honourable Mr. Miles Irving : The honourable member is making personal accusations against a very limited body of trustees, that the trustees in pursuance of the trust are influenced by personal motives.

Mian Nurullah : I am not mentioning any name. According to the rules of the fund, the benefit should go to the persons who possesses land in the Lyallpur district. Now if anybody from Gujrat or Sialkot comes and approaches the trustees, he is asked to have one acre mutated in his name in that district and immediately a scholarship is given, and the man concerned goes on getting the scholarship.

The Honourable Mr. Miles Irving : That is a definite allegation that the trustees commit evasion of the rules of the trust.

Mian Nurullah : Before whom am I to place these grievances of the public ? They are to be placed before you somehow, and the public is very keen that the trust should be widened. The trust should contain at least one member from each tahsil, and so on, and there are so many other irregularities. According to the rules any trustee who can afford should not give scholarship to any of his relatives, but I am sure that this rule is being misused.

The Honourable Mr. Miles Irving : Has the honourable member any instance of this ?

Mian Nurullah : Certainly. There is a trustee who is a vakil. He has been giving a scholarship to one of his daughters. This is exactly as it came to my knowledge, and this I want to point out here. It is well known in the whole of the district that scholarship was given. One scholarship is being taken in the very office from where the scholarship is distributed before it is given. This is a very grave allegation that has come to my notice from here, there and everywhere, and many officers know it. Sometime ago I made a representation to the deputy commissioner that this thing is happening. One of the clerks of the trust is demanding money from a certain person. I wrote to the deputy commissioner that the clerk is pressing the man, and he is going to pay, if you like that fellow can be caught red-handed. The deputy commissioner should have taken action, but, as I learnt, that letter was passed on to the officer in charge of local bodies, and he passed it on to the trustees and the trustees passed it on to the same clerk against whom I had written, and that man had the audacity to approach a very highly placed officer asking him to speak to me that I have been under some misapprehension, and that I should withdraw the letter. This is the case. The deputy commissioner should have taken action. There are so many people who know this, but no action has been taken even on such grave charges. The grievance of the zamindars of Lyallpur is that the trust fund is not well administered. If you increase the number of trustees the trust fund will be properly administered. There is another allegation that has come to my notice.

The Honourable Sir Henry Craik : Does the honourable member assume full responsibility for these extremely grave allegations he is making against the trustees? He understands that these allegations are practically of criminal misappropriation or misuse of trust money.

Mian Nurullah : These are the grievances that I am placing before the House.

The Honourable Sir Henry Craik : Do you assume full responsibility?

Mr. President : So far as legal liability is concerned, he is entirely immune for the statements that he makes in this House.

Mian Nurullah : I had written a letter to the deputy commissioner.

Mr. President : He is making indeed very sweeping allegations, but his contention is to find out how he is to place grievances of the public before this House and bring them to the notice of Government. If he is called upon to cite instances he has to give them.

Mian Nurullah : It is the duty of the Government to take action and to go into these accusations.

Mr. President : When the Honourable Revenue Member asked him to quote instances he had to give them.

Khan Bahadur Nawab Muzaffar Khan : It is very difficult for members to decide on the various facts that are being placed before them.

The Honourable Mr. Miles Irving : He has never approached me in connection with any of these particular grievances. He knows full well that I should have looked into them. He now suddenly makes them in a public way. The trustees are very limited in number, one of them is the

deputy commissioner, one is a Muhammadan, one is a Sikh and one is a Hindu gentleman selected from the members of the district board. It is extremely hard that these allegations should have been stated here. The honourable member should have come to me and said that these matters should be looked into, and he knows that he would have got full attention. To come to this matter, I would say that it is not possible to alter the terms of the appointment of trustees, there is a great deal of legal difficulty, and I think if the honourable member would take my assurance that I will consider any complaints he has to make of maladministration, we may cut short this discussion.

Mian Nurullah : I am very sorry that I did not approach the honourable member for the simple reason that I got pressing letters only a few days ago, and it looks awkward for a member who is a public servant to approach the Honourable Member each time he hears such a thing and to waste his time, and I thought this would be the best way. Now that the Honourable Member has assured me that he will take interest in the matter I will withdraw this cut and place the matter before him in the best possible way I can.

(At this stage Mr. M. A. Ghani rose to move his motion re Labour Commissioner).

Mr. Nanak Chand Pandit : I rise to a point of order. I submit that this cut has no reference to the demand under discussion. I do not know how it is possible to bring it under the present demand.

Mr. M. A. Ghani : The demand relates to General Administration (Reserved), and as labour is a reserved subject under General Administration, therefore, this cut is perfectly valid. Otherwise there is no item in the whole of the budget which relates to Labour as such. Does it mean that no labour question can be raised in the House ?

The Honourable Sir Henry Craik : I would raise another point of order. The only effect of this motion would be to increase the expenditure under this head. Is it in order to suggest that expenditure should be increased under any head ?

Mr. President : Yes. I have more than once ruled that this is in order.

Mr. Nanak Chand, Pandit : That gave me no reason. It is a demand that does not relate to the department of labour. He may move a resolution. There are other methods open to him.

Mr. President : Every cut must be relevant to the item or to the demand to which it is moved.

The Honourable Sir Henry Craik : Can I draw your attention to Article 133 (2) in which it is said that motions must be moved to omit or reduce any grant or any item under the grant, but not to increase or alter the destination of the grant. This motion is to increase or alter the destination of a grant. The object of the motion is to increase the demand or to alter its destination, that is to say, to divert it from General Administration to the creation of a Labour Department.

Mr. President : Does the honourable member mean that if the object of the motion is to suggest an increase of expenditure, the motion is out of order ?

Mr. M. A. Ghani : May I explain as regards increasing of expenditure. I think the Honourable Finance Member was too hasty in raising this point of order. If he had listened to me in full I would have shown to him that the cut would not involve any increase in the expenditure of the department.

Mr. President : As a reduction motion must be relevant to the item or grant to which it is moved, and as there is no item or grant to which the honourable member's motion is relevant I am afraid he is not in order.

Mr. M. A. Ghani : Sir, I approached the Secretary of this House and I discussed the whole thing with him, and it was with his consent that I moved this cut and he advised me to put it *re* page 173.

(Secretary : I gave no consent.)

Mr. M. A. Ghani : My second ground is that in this cut I want to raise a discussion as regards the failure of Government to create a labour department in the Punjab.

Mr. President : Is labour a subject of which any of the members here is in charge ?

Mr. M. A. Ghani : The Honourable Revenue Member is in charge of labour subjects. He administers all labour subjects in this province.

The Honourable Mr. Miles Irving : I am in charge of the subject of labour, but I think I have not asked any money for it.

Chaudhri Nazir Husain : Is not the general discussion of the budget a proper occasion for raising this discussion ?

Mr. President : Yes, but can he not move a nominal reduction ?

Chaudhri Nazir Husain : When the motion does not relate to any particular item then all that can happen is that he can ventilate his grievances during the general discussion of the budget.

Rai Bahadur Mr. P. Mukerji : Revenue Member's salary is not votable.

Mr. President : Is not a part of the demand, which includes the Revenue Member's salary, votable ?

Mr. Nanak Chand, Pandit : And he brings it only in connection with the salary of the Honourable Revenue Member.

Mr. President : The Revenue Member is in charge of the Department of Labour and in that connection has under him some staff the salary of which is votable. Mr. M. A. Ghani has proposed a reduction of Rs. 10 from the demand which includes both voted and non-voted items. The matter is not quite clear, but I am inclined to give the benefit of the doubt to the honourable member.

(At this stage Mr. President left the chair and it was occupied by Sardar Sahib Sardar Ujjal Singh).

Mr. M. A. Ghani (Nominated non-official) : I am grateful to you, Sir, for allowing me to move this motion. I move—

That the total grant be reduced by Rs. 10.

The object of this motion is to raise a discussion as regards the necessity for the creation of a labour department under a labour commissioner in

the Punjab in accordance with the recommendations of the Royal Commission on Labour in India, commonly known as the Whitley Commission. Honourable members are aware that His Majesty's Government was pleased in 1929 to appoint a Labour Commission for the purpose of "enquiring into and reporting on the existing conditions of labour in industrial undertakings and plantations in British India, on the health, efficiency and standard of living of the workers and on the relations between employers and employed and to make recommendations." This commission consisted of both the representatives of employers and employees. For the employers there were three big multi-millionaires of India, namely, Sir Victor Sassoon, Sir Ibrahim Rahimola and Lala Ganshyam Das Birla. For the employees there were Mr. John Cliffe, Mr. N. M. Joshi and Diwan Chaman Lal. This Commission was presided over by the Rt. Honourable Mr. Whitley, who was for a number of years the Speaker of the House of Commons. The Commission on which Rs. 10 or 11 lakhs were spent out of the revenues of India, after a very elaborate enquiry and making tours throughout the length and breadth of India made no less than 474 recommendations for the betterment and amelioration of the working classes. Out of these recommendations there is one recommendation which stands primarily as the uppermost and outstanding one of all, and that recommendation is as regards the creation of a labour department in every province. This recommendation is at page 453 of the Commission's report. It reads thus :

What is urgently required is for the administration of labour subjects everywhere to be brought to a common point. At that point there should be expert advice and experience at the disposal of Government. The great majority of questions relating to labour administration can be best dealt with in each Government by a single officer, and if this is suitably constituted there will be a considerable saving in personnel and an efficient instrument for administration and a valuable agency for the evolution of policy. We recommend therefore that in every province with the exception of Assam there should be a labour commissioner.

In this poor province of ours, there seems to be a special necessity for the creation of such a department. I hope that the Honourable Revenue Member will appreciate that it is good government to have administrative co-ordination and centralisation of subjects under a single officer. From the administrative point of view I submit that co-ordination and centralisation are very necessary. But what is happening in the Punjab ? Labour subjects are divided. They are split up. Some are under one officer and others are under another. For instance, the Trade Unions Act is administered by the Director of Industries, as also the Trades Disputes Act. The Workmen's Compensation Act is administered in some districts by the senior sub-judges and in other districts by the deputy commissioners. The survey of the wages of labour is administered, strange to say, by the Director of Land Records. The survey of labour organisations is under the industrial surveyors. It will, therefore, be seen that there is no earthly arrangement in this province for the centralisation and co-ordination of labour subjects. It is, therefore, a result of this that labour is suffering a good deal, and that the labourers, the workers and the poor of this province cannot take advantage of all the measures which the Government of India have provided for them. I think that the time has now come for the Punjab Government to consider very seriously the desirability of a separate labour department with a labour commissioner for the administration of all matters connected with the welfare of labourers in general and the poor in particular.

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Before I go further, I would like to put before the House the sort of labour commissioner I have got in view. I consider that if a labour commissioner is appointed he should be in charge of no less than ten branches. He should be in the first place the workmen's compensation commissioner for the whole of the province. He should then be a registrar of trade unions. He should, again, be the appointing authority and arbitrator, and conciliator of trade disputes. He should be the administrator of the Factories Act. He should be labour statistical and intelligence officer. He should also be the labour recruiting officer. He should be labour service securing agent. Then he should be the unemployment officer. He should be the depressed and *kamin* classes officer and, lastly, he should be the general guardian of the poor. In order to show the need for a labour commissioner in this province, I would now deal very briefly with all these ten functions of a labour commissioner which I have enumerated.

In the first place I feel that the arrangement for the administration of the Workmen's Compensation Act is very unsatisfactory, and is hopelessly inadequate for the purposes of the workers and labourers in order to get the full benefit of the provisions of the Act. What is done here is that the workmen's compensation cases in some districts are in the hands of senior sub-judges, and in others, in those of deputy commissioners, as I have said already. You know that labourers are treated as playthings. Nobody cares for their needs. Nobody cares for their welfare. Whenever compensation cases come, the senior sub-judges try those cases as a mere side work; the deputy commissioners who are doing other useful administrative work treat these cases as a mere side show. So I submit that in this province, workmen's compensation is not administered properly at all. I would here refer the Honourable Revenue Member to the report of the Punjab Government of 1930 on the working of the Workmen's Compensation Act. In that report, it has been clearly stated by the Governor in Council that the Act is not properly administered. There are long delays in the cases of workers, and sufficient attention is not paid by deputy commissioners and by the compensation commissioners to workmen's cases. Therefore I submit that it is very necessary that this sort of thing ought to be stopped and a proper and full-fledged officer who is an expert in this line ought to be appointed for dealing with workmen's compensation cases. I am not talking without a precedent when I put this suggestion before the House. If you take Bengal, you find a special labour commissioner who is also special compensation commissioner for that province. In Madras the case is the same. There is a labour commissioner who deals with workmen's compensation cases for the whole of the presidency. Similarly in Bombay there is a special officer who is an expert in this line who deals with such cases. If it is the case in Bengal, Bombay and Madras and now in Assam as well, I fail to see any reason why it should not be so in this province. It may be said that the Punjab is mostly an agricultural province, and there are not very many industries here and, therefore, there are not very many industrial workers and therefore not very many workmen's compensation cases. But as I understand, as many as 1,000 cases or near about come to the courts every year so far as workmen's compensation is concerned. As regards this there is a definite recommendation of the Royal Commission on Labour that there should be an expert

and special officer to deal with workmen's compensation cases. It is not an easy thing to understand the Workmen's Compensation Act. It is a very difficult Act and special knowledge is required to administer it. With your permission I shall read to the House the recommendation of the Commission in this respect. It is at page 308-09 of the report :

The administration of the Act by specialist officers has given the greatest satisfaction and we have no doubt that generally it is by far the best method.

So I submit that as far as the Workmen's Compensation Act is concerned, there should be a special officer.

My second point is that there should be a special officer who is an expert in trade unionism. The present officer is the Director of Industries. You know, Sir, that the Department of Industries is meant for the capitalists. It is meant for employers. It is meant for the big bellies as they are called. (*A voice : No*). I will prove that to you from the reports of Government itself. My submission is that the Director of Industries is not a suitable registrar of trade unions. He has to look after the industries first and everything else afterwards. He is Director of Industries first and everything else afterwards. So he is not a fit person to discharge his duties under the Trade Unions Act. So long as the Act is administered by the Director of Industries, there can be no hope for the healthy development of trade unionism in this province.

The Honourable Dr. Gokul Chand Narang : The matter of trade unions relates to the Registrar of Joint Stock Companies and not to the Director of Industries. That is a transferred subject under a different head. He is addressing the Revenue Member who has nothing to do with the Director of Industries as such.

Mr. M. A. Ghani : The Honourable Minister is entirely wrong when he says that I am addressing the Honourable Revenue Member. I am addressing you, Sir. (*Laughter*). I submit that the Honourable Minister for Local Self-Government ought to know that the Director of Industries is also the Registrar of Trade Unions. The two functions are entrusted to one and the same person. He is, therefore, absolutely unfit to be Registrar of Trade Unions. He cannot perform both the duties properly. I repeat that as long as the Trade Unions Act is administered by the Director of Industries, the trade unions cannot develop in this province. The result will be that communism and bolshevism will come in and then all the members who are capitalists will cry and say that we are backing the growth of communism in this province. I can quote instances to show that the Director of Industries is not a fit person to be Registrar of Trade Unions. A union applied for registration, and it was practically refused registration simply on the ground that its name was not artistic. The Director of Industries wants that the names of trade unions should be artistic.

Thirdly, a labour commissioner is required for the settlement of trade disputes. For the last three or four years several labour disputes have arisen, but to none of the disputes were the provisions of the Indian Trade Disputes Act ever applied by the Director of Industries. There was a strike in the carpet factories in Amritsar, there was a strike in the Bankeshawar Cotton Mill at Amritsar, then there was the railway porters' strike and a number of other strikes, but in no case, in spite of verbal and written requests, was a

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court of inquiry or a board of conciliation appointed. The real difficulty is that he is the Director of Industries, and he is not meant for the job of managing trade unions and trade disputes. He gets no allowance for this work. His whole office is meant to help the capitalists. There is certainly a certain amount of antagonism between labour and capital. On the one hand, he has to support the capitalists and employers and, on the other hand, he is supposed to be helping the poor workers and labourers. So I consider his position is very pitiable.

The Honourable Dr. Gokul Chand Narang : How does he support the capitalists ?

Mr. M. A. Ghani : He is there to advise the industrialists to develop industries in this province. He is there to help the capitalists in the development of industries and the opening of more factories for the benefit of the capitalists. (*A voice :* And not labour ?) No.

So, I submit, he has got one leg on one boat and the other leg on the other boat. As there is a sort of enmity or antagonism between the capitalists and workers so far as their interests clash, therefore his position is very pitiable. He is just like the man in *Æsop's Fables* who had one leg on one boat and the other leg on another, and the consequence was that he was pierced through. My submission is that the Director of Industries' position is very precarious and pitiable. I happen to see him almost every week as regards labour matters, and he always says that his position is very difficult. I do not know why this burden of the administration of labour subjects is put on an unwilling horse. Why should not a special officer be appointed for administration of all labour subjects dealing with the poor workers ? As my time is very short, I would leave the matter there.

Fourthly, I want that the labour commissioner ought to be, as I call it, the administrator of Factories Act. At present the Factories Act is administered by the Director of Industries and by the Chief Inspector of Factories. As I could show from the reports of Government on the administration of the Factories Act, proper attention is not paid to the welfare of the workers. The reason is that neither the Chief Inspector of Factories nor the Director of Industries as such consider themselves to be entrusted with the welfare of the workers as such. Therefore I say that there is a great need for a department with special officer to look after the interests and the needs of the poor workers.

Then I think that this officer should also be a labour statistical and intelligence officer. At present there are no labour statistics whatsoever so far as the Punjab is concerned. We are absolutely blank so far as the statistics of production and consumption is concerned. In this respect I would respectfully invite the attention of the Revenue Member to the report of a very eminent economist, who was appointed by the Government of India about three or four years ago, to look into this matter. I forget his name for the moment, but I could give it later on. Then there are no arrangements for obtaining any intelligence about labour matters in this province. No report is prepared and nothing is done in this line whatsoever.

Then I come to the sixth point, that this officer should also be a labour recruiting officer and a service securing agent and unemployment officer. These three are connected. At present, as I will show in my later motion on the unemployment problem, the Punjab Government has signally failed to deal with the question of unemployment. There is unemployment in every class of people in this province; not to speak of skilled workers or unskilled workers, there is unemployment in the middle classes, and the educated classes, even in the medical profession and in the legal profession. So, I consider that there should be a special officer who should be deputed to deal with questions of unemployment in this province. It is very necessary that there should be a special department in this province which should know how many persons are fit to do work and how many are unskilled labourers and how many skilled labourers, how many medical men, how many lawyers are required, how many factories there are and how many workers can be employed in those factories. At present a number of B. As. and LL. Bs. and M.A. are roaming about the country without any work whatever, and they are cursing the Government for not doing anything for them. I submit that if you want that communism and bolshevism should not come into the country then Government ought to create a special department with a special officer to look after the unemployed.

The other day there was a big debate in the Assembly on this question of unemployment, and there the members of Government took a very sympathetic view, so far as the question of unemployment was concerned. Therefore, I consider that if there is a special officer who is entrusted with the duties of a labour recruiting officer and also to work as a service securing agent, much can be done to eliminate the problem of unemployment which is staring us in the face. This officer can collect figures and statistics as regards the employers and employees. The capitalists can inform him that on such and such a date they will require so many men, and it will be for this officer to supply their needs. I understand that in different parts of the country workers are actually required to work in factories, but the factory owners do not know from where they could get the workers. It was only the other day that a big wealthy gentleman for whom I have the greatest respect said to me that he was not able to get skilled fitters for his newly erected sugar factory. I told him that I was not a recruiting agent, but I will try to get a certain number of them for him. I went to the Mughalpura Railway Workshop and sent for the secretaries of different unions and asked them if there were fitters that they could supply for my friend. You will be surprised to hear that in twenty-four hours no less than 250 fitters were recruited by me and up to now, although a month has elapsed since that requisition was made, I am receiving applications for employment. This will show that there is a great need for doing something in the direction of solving the unemployment problem, and that there is a great need for the appointment of an unemployment officer in this province.

Again, I understand that there is a great demand for workers in Bihar and Orissa where the earthquake has wrecked almost everything. Had there been an unemployment officer in this province he would have at once taken up the list of unemployed men and he could have sent at least 5,000 men to Bihar and Orissa, and this would have lessened unemployment to a great extent. Then there are so many private service securing agencies

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and there are very many private jobbers for the recruitment of labour. I consider them very dishonest and undesirable people. This work ought to be done by Government through a special department.

Now I pass on to the ninth function of the commissioner as the depressed and backward classes officer. By depressed classes I mean those poor *chuharas*, *chamars* and all the castes which have been dubbed as depressed classes.

In this I also include the *kamin* class, because my definition of the depressed class is purely based on economic grounds. I am not concerned with their religion. I am not concerned with their sects and so forth. Hindu members of this Council need not, therefore, feel perturbed when I include *kamins* in the depressed classes. I consider that a majority of the population of this province is backward. Go to any village and there you will find only one or two big landlords. All others are petty landlords or *kamins*, and these *kamins* live a life of slaves. I should say they are worse than serfs. They are treated far worse than the serfs were treated in Europe during the middle ages. And yet there is no one in the Government to look after them. Nobody cares for them at all. Lately much has been said about the depressed classes of India. Mahatma Gandhi is doing his very best nowadays for the uplift of the depressed classes, but our Government is sleeping over the question, and has not done anything for them. Are they not human beings? Have they not got eyes just as we have got? Have they not got arms just as we have? What right have we to sit here on cushion chairs and to live in palatial buildings when they are starving? I submit that it is high time when Government should come to their rescue. It is a matter of indifference to the depressed classes and the *kamins* as to who rules the country, whether it is Alexander the Great of the B. C. era or whether it is our Alexander the Great of 1934. Their lot is just the same as it was 2,500 years ago. Governments have come and governments have gone, but these depressed classes have been going on for ever in the same depressed condition and nothing has been done to improve their lot. They cannot acquire an inch of land. They cannot raise their voice in the villages. They are not treated as members of the village community. Their life in villages and cities is very miserable. They cannot own a site and even if they own a site they cannot build thereon. They are at the whim and caprice of the landlords. In cities you will find them living in slums. I do not think there is anybody in this House who has taken the trouble to go and see how they live in slums in the cities. I wonder whether even the Director of Public Health has ever taken the trouble to go to their places of abode, and realised in what insanitary surroundings the slums are situated. I consider that a special officer should be appointed to look after these poor depressed and backward *kamins* of this province.

Next I come to the item that is of all-absorbing interest, the functions of the labour commissioner. He should be the guardian of the poor. (*An honourable member* : How is that relevant to the motion before the House?) I am submitting that for the discharge of this function, a labour department ought to be created and a labour commissioner ought to be appointed.

Mr. Chairman (Sardar Sabib Sardar Ujjal Singh): The honourable member is in order. He can proceed.

Mr. M. A. Ghani: I recognise that Government sometimes do something for the poor, but I consider that some of those on the Government benches, Ministers and other Government officials drawing fat salaries do not do much to mitigate the hard lot of the poor in this province.

The Honourable Sardar Sir Jogendra Singh: What would you advise that the commissioner of labour should be paid?

Mr. M. A. Ghani: I will come to that presently. My submission is that a special officer ought to be appointed to look after the grievances of the poor who have got no other way of ventilating their grievances. It may be said that the poor may go to the Ministers concerned and represent their grievances to them. Thus, for instance, the agricultural labourers may go to the Minister for Agriculture and place their grievances before him. But, I do not believe that the agricultural labourers will have the courage to go to the Honourable Minister or ventilate their grievances before the millionaires of the province? They will not have the courage to do so. Similarly there are a number of widows who have not got anybody to help them or support them. (*Mr. Nanak Chand Pandit*: Do widows come under the department of labour?) My friend asks whether widows come under the labour department. My contention is that it will be the duty of the commissioner of labour to look after these poor widows who have got nobody to look after them, whose lot is even worse than the labourers who can at least earn a living. Again old people are often turned out of their jobs. There is no one to look after them. There are no old age pensions, no widow reliefs, no orphanages created by Government. I, therefore, submit that a special officer ought to be appointed so that he may start orphanages or run widows' homes or may do such things as will be for the good of the poor.

From the number of interruptions during my speech I conclude that some members of this House are not with me so far as this motion is concerned. Whenever election comes and a candidate for election to this Council wants the votes of these poor labourers they issue big posters.

Mr. Nanak Chand Pandit: I have seen such things in your posters. (*Laughter*).

Mr. M. A. Ghani: I have never stood for election. Those candidates for election say, "I am for the poor, I shall do this thing and that and call themselves—

غریبوں کا ہمدرد۔ مزدوروں کا بھائی

I consider that the honourable member for Hoshiarpur has issued such posters, and I am sure he will support me in this motion. Otherwise he will be playing false. He will be dishonest in saying what all he has said in the posters. It will be construed that he simply issued the posters to get the support of those poor people who voted for him. I know he is a capitalist in the heart of hearts. (*Mr. Nanak Chand Pandit*: Do you understand what capitalism means?) I understand it more than you do.

[Mr. M. A. Ghani.]

Coming to the next point. A question was put to me, what salary this commissioner is to get and how he will function, and who should be appointed. I do not mind who is appointed. Even if it be Mr. Nanak Chand Pandit I shall be glad. (Mr. Nanak Chand Pandit: I do not want that office, I am a capitalists according to you). I know that the finances of the province are not such as to warrant the payment of a high salary to this officer. I also know that this House will not be inclined to spend much on the labour department. So I will be very modest in my demand. I will show how the expenditure can be met. I will suggest ways and means of meeting the expenditure without touching the public revenues of the province. The first suggestion in regard to finance is that in so far as the workmen's compensation cases go, a small court fee may be charged after the decision has been given. The court fee is to be paid by the worker. In that way Government will be in a position to collect some money. Then, as I said before, the labour commissioner will serve as a service securing agency also. A small subscription can be charged from the people who might be seeking employment through this agency. I think people will not grudge this small subscription. Even now they pay good sums of money to the private jobbers and service securing agencies. In this way some money may be collected by the labour commissioner. The Government also may contribute a few thousands of rupees for this department. My friends the agriculturists are very happy over the appointment of the Rural Reconstruction Commissioner. I am equally glad with them. But when the Commissioner for Rural Reconstruction has been appointed at the expense of Government I do not see why the House should grudge a small sum for the commissioner of labour appointed for the benefit of the poor people who labour from morn till eve, and by whose labour the rich capitalists are thriving and making thousands of rupees every day. The poor have got as much claim on the revenues of the province as the capitalists and employers have got. There is the Industries Department for the benefit of the capitalists. Why should there not be Labour Department for the benefit of the poor workers? Then there is the Agricultural Department for the betterment of the agriculturists. There are all sorts of departments in this province, and the public pays for the maintenance of those departments. I fail to see why the labourers should not have a department to look after their interests at the expense of the public revenues. I may assert that more than 50 per cent. of the revenue of the province comes from the pockets of these poor people in the shape of *haisiyat* tax or in the shape of other taxes. (An honourable member: *Haisiyat* tax does not go to the provincial revenues.) The honourable leader of the opposition is perhaps going to oppose the motion as he has always been opposing whenever the interests of the poor are concerned. I may tell him that although he poses as a great spokesman of the agriculturists, we regard the petty agriculturists as mere labourers or workers. That has been my view always. My grievance is that in this House there is no representative of these petty zamindars. Big landlords seek election, big capitalists seek election, big money-lenders seek election and they all are successful in being returned as members of this House. (Mr. Nanak Chand Pandit: Why do you not seek election?) I am going to seek election for the next Council. Sir, I say more than fifty per cent. of the revenues of the province come from these poor agriculturists. I submit

that every agriculturist who has got an inch of land has got to pay some amount of revenue to Government. Therefore, they have got a claim on the revenues of this province.

Therefore, I submit that there is a great need for a labour department. This report was written by a Commission appointed by the Government. I am extremely sorry that the gentleman who represented the Punjab Government there and who appeared as a witness is no more in this world. He was a sympathetic officer. He died on his way to England. I refer to the late lamented Mr. Wilson. He supported me in the Commission on this question of the labour department.

In 1932, I led a big labour deputation, which was the very first in the history of the province, on His Excellency Sir Geoffrey de Montmorency. He took a very sympathetic view of our suggestions for the creation of a labour department. But unfortunately the matter was referred to the Director of Industries who opposed us. He thought that he would lose his importance so far as the question of registrar of trade unions, the question under Trade Disputes Act and other labour questions were concerned. That is why we could not succeed in having a labour department in the time of our late Governor of this province. I think I have sufficiently explained the whole position to the Government members of this Council and in view of their allegation or their assumption that they represent the poor of this province, I hope they will vote for me. With these few words, Sir, I move.

Mr. Chairman (Sardar Sahib Sardar Ujjal Singh): Motion moved—

That the total grant be reduced by Rs. 10.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): The honourable mover who has just sat down has struck a new note. Only a little while ago the honourable member from Lyallpur was pleading for full autonomy in local bodies, and removing officials from local bodies and the whole House discussed that matter for more than two hours. The honourable mover now representing labour seeks that a labour commissioner and a labour department should be created to organise labour.

Mr. M. A. Ghani: Not to organise.

The Honourable Sardar Sir Jogendra Singh: To look after labour. So far as industrial labour is concerned, it is not my concern. But he has referred to agricultural labour also and said that officials of Government from top to bottom never received the poor labourer in the villages, never talked to him and never redressed his wrongs. I think he is greatly mistaken. I do not think he has ever visited the villages or met the village labourers or seen how they are looked after. I can assure him that there is no one more concerned in the welfare of the village labourers and the village people than the permanent officials of the Government.

Mr. M. A. Ghani: On a point of personal explanation. I am a villager myself. I have lived for a number of years in villages. Perhaps the Honourable Minister has never lived in a village.

The Honourable Sardar Sir Jogendra Singh: I have lived quite 25 years in the villages, and if he has lived in the villages he must be aware

[The Hon. Sardar Sir Jogendra Singh.]

of the activities of all the departments of Government in the interest of village labourers and villagers generally. Take the Co-operative Department. It is functioning in every village to uplift the people. Can there be a greater movement for the uplift of the villagers and for teaching self-government in the villages than the co-operative movement? And who is carrying on that movement, but the Government officials? If self-government is to be realised, it can only be realised if we stop cultivating the microbe of self, which appears in many shapes, sometimes in the shape of communalism, sometimes in the shape of tribal and territorial claims. Till that microbe is killed, how can we realise self-government? In the meanwhile co-operative movement which is spreading among the villagers is trying to help every one—from the landlord down to the labourer. My point is that you require no labour department to help and assist the village labourer. The honourable member said that the landlords in the Punjab were not kind to the labourers they employed. Perhaps he is aware that in the whole of the Punjab there are only 3,000 landlords who pay a revenue of more than Rs. 500 a year. So the Punjab is not run by large landlords but by peasant proprietors and the peasant proprietors employ labour on a share basis. The labourer is not paid a daily wage, but he is a shareholder in the cultivation and takes a share in what is produced. The landlord brings his land, the labourer his labour and the produce is equally divided. I do not think there can be a more equitable system of giving to the agricultural labourer a good adequate wage than the existing system. It may be that the holdings are small and the produce from holdings is not large enough to give an adequate return to the labourer to maintain a fair standard of living. But that too will come when the production increases and the lessons of co-operation are learnt. I am sure the honourable mover will also agree that we have got a Commissioner of Rural Reconstruction who takes the place of a commissioner of labour so far as agricultural labour is concerned. If he had attended any meetings which are addressed by the Commissioner of Rural Reconstruction, he would have realised that the Commissioner has the interest of every villager at heart, and that it is his endeavour to improve the whole village life. I am sure that the honourable member would agree that so far as village labour is concerned, his remarks do not apply. A lot more than he can imagine is already being done for the villagers.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I am surprised to see that this motion has been moved on the floor of this House at this time which is the most inopportune time for such things. Since the very day that we have come here we have been clamouring for curtailment of expenditure and always for retrenchment of all kinds. We have always been speaking for the abolition of departments, of the so-called beneficent departments especially. We have been asking that the Department of Industries and the Department of Agriculture are an undue burden. But today it is a strange thing that the creation of a new department is suggested at a time when the abolition of other departments is being urged by everybody. It is said that some 11 lakhs have been spent on the Commission which the honourable member has already mentioned. This does not justify our incurring further expenditure. If we have committed a mis-

take once, it is not a reason that it should be repeated, and it is never late to mend. Where is the revenue to come from for the department suggested by the honourable member? He says that we should find money by means of taxation. Instead of oppressing the poor labourer for the realisation of that taxation, is it not better that we allow him to keep that little money for himself and to better his position with that, rather than depend on the labours of a labour commissioner? As to the emoluments of this commissioner, my friend says that this fund should be utilised. Now taking into consideration the position and the prestige of the commissioner, I would advise him that it is better for him to take a beggar's bowl and beg than receive his emoluments in the way suggested by the honourable member. It will be a service like that of the Buddhist monks, and it will not be a bad thing to do. Otherwise those people should work as honorary workers feeling for their own kith and kin. They should not ask for any emoluments. It is better that they work honorarily rather than depend for their pay on the amounts which are to be taken from this sort of taxation.

As I have already submitted, this motion is out of tune with the times, and I do not think that any of us should support it at this moment. It was rather a general discussion of the budget than a speech on the motion that the honourable member moved. The honourable member attacked all the departments upon which he could lay his hand. He referred to the Medical Department and to the Public Health Department; he referred to slums and to every other thing. The honourable member also presumed that a department will be created, and he began to discuss the portfolios and the duties of the member in charge. This reminds me of a little incident which took place at Simla. I gave notice of a resolution regarding my pet department, the Co-operative Department. It was to the effect that we should appoint a committee of officials and non-officials to go into the matter, and so on and so forth. While I was there I received some 10 registered letters with applications from all the experts saying that they were trained in Germany, they were experts in such and such lines and praying for an appointment on the commission. Nobody knew what was going to happen, whether it was going to be discussed at all, not to talk of a committee being appointed. Similarly the honourable member is presuming that a commissioner will be appointed, such and such will be his duties, such and such will be his emoluments, and so on and so forth. A good deal of the time of the House, I am constrained to say, has been wasted by the labours of the honourable member representing labour on a discussion of these things which perhaps are superfluous and irrelevant to the motion itself. With these few words I oppose the motion.

The Honourable Mr. Miles Irving (Revenue Member): Sir, I do not think the House will really want me to add very much more to what the honourable member who has just sat down has said. Now the proposals of the mover form two portions, firstly, what you may quite legitimately give to a labour commissioner and that is with regard to matters like compensation, trades unions and trades disputes. As regards all this the matter was considered by the Punjab Government, and it was found that the amount of work in the province was not sufficient to justify the appointment. That has been the experience of all the other provinces. Labour commissioners

[The Hon. Mr. Miles Irving:] have only been appointed in Madras. Even Bombay has not thought it necessary to appoint one.

Mr. M. A. Ghani : What about Bengal, Assam and Bombay?

The Honourable Mr. Miles Irving : My information is that they have been appointed only in Madras.

Mr. M. A. Ghani : In Bombay there is a big labour department.

The Honourable Mr. Miles Irving : Labour problems here are very small, and there is no justification for spending money. As regards the wider sphere of looking after the village *kamins*, I think the scheme is too inchoate and huge and cannot be launched upon. I trust that is the opinion of the House.

Mr. M. A. Ghani : Sir, I would like to say a few words in reply. My real aim in moving this cut was to bring to the notice of the Government the advantages of administrative co-ordination and centralization, and I am very sorry that the Honourable Revenue Member has not touched that point at all. I thought that he would be the first to welcome the suggestion of co-ordination and centralization. He is a great administrator himself, and he has held many posts in the Punjab so I thought that he would be one with me as regards the motion in question. But I am sorry to find that he has not touched that point. I hope that he will keep this great principle in view, and he will try to see that the Acts intended for the benefit of labour are administered by one single officer.

The Honourable Mr. Miles Irving : I would certainly look into that point. I cut short my speech only in deference to the feelings of the House.

Mr. M. A. Ghani : I am very grateful that the Honourable Member has promised to look into that point. There are one or two points which I would like to urge. The Honourable Revenue Member said that the labour problems in this province were not great and, therefore, there was no need for the creation of a labour department. My submission is that his definition of labour is defective, and he considers that only a factory labourer or a factory worker is a labourer and nobody else is a labourer.

Mr. Nanak Chand Pandit : Everybody is a labourer more or less.

Mr. M. A. Ghani : Except the honourable member himself. So I submit that the majority of the population of this province consists of labourers and workers. According to a judgment of the International Court at Hague, the agricultural labourers have been held to be industrial labourers, and according to another judgment of the International Court, the domestic workers and servants also have been held to be industrial workers. In all the advanced countries of the world great attention is paid to the betterment and amelioration of the poor workers, and I am surprised to see that the honourable member from Gujranwala opposed this motion. I am sure that as soon as he leaves this House and goes to his constituency he will say to the poor people that he is their representative, and that he has done this thing and that thing for them. It is a pity that these people say one thing and do the other. They say one thing in the House and quite the other thing outside it. He said that it was a very inopportune time for moving

this sort of motion. In one respect I think he is right. I should have moved this motion much earlier. But I thought that the world was advancing and the people of this province are learning lessons from Russia, from Austria, from Spain, from Hungary and even from England, and were coming to their senses that something ought to be done for the labourers. I was waiting that Government would take necessary action on the recommendations of the Labour Commission, and it was for this reason that I did not move this motion earlier in this House. But I am very sorry to find that not a single action has been taken so far as the recommendations of the Labour Commission are concerned.

The Honourable Mr. Miles Irving : Is the honourable member in order in making entirely new remarks in his speech ?

Mr. M. A. Ghani : I am only referring to the appointment of the labour commissioner. Then I am surprised to see that the honourable member from Gujranwala, who is a big land owner and a capitalist, opposed this motion. But all the same in view of the assurance of the Honourable Revenue Member that he would look into the matter of co-ordination and centralization of the labour subjects, I beg to withdraw the motion.

The motion was by leave withdrawn.

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

That the total grant be reduced by Re. 1.

This is a very important motion from the point of view of the honourable members as well as the Government. You will recollect, that in 1902 an All-India Police Commission was constituted by the Government to report on the corruption in the Police Department. This commission admitted in its report that corruption was rampant in the Police Department, and to eradicate it the commission recommended that the salaries of the employees of the Police Department should be increased, so that they may not yield to the temptation of accepting bribes. This recommendation was very reasonable inasmuch as the police officers are only tempted to accept bribes when their pay is so small that they find themselves in a difficulty to meet their ordinary necessities. In compliance with this recommendation of the Commission in 1930 the pay of the superintendents and other such higher officers were increased. But little attention was paid to officers of the lower rank, like sub-inspectors. The corruption starts with the sub-inspectors because they draw small salaries and easily fall a victim to the temptation. The Sub-Inspector who is all powerful in the *ilaka* was not given any higher grade in order to raise him above the temptation of accepting bribes. The superintendent was given a salary which was too much—unreasonably too much—for his needs of the circumstances. This happened at a time when the voice of the public was not so effective as it is now. That was the time when Government was all in all, and could do anything without any fear of being criticised. At the time this Commission sat the Government in all sincerity desired that corruption should be put a stop to. But now the attitude of the Government has changed. They defend the Police Department whenever it is complained that corruption is rampant

[Ch. Afzal Haq.]

in this department. From 1924 to 1926 in this House a voice was always raised against the corruption in the Police Department. But this voice always fell on deaf ears. In the year 1925-26 an enquiry committee was constituted to report on the corruption in the Police Department. This committee admitted in its report that although the salaries of the officers in the Police Department were increased it little helped in removing corruption from this department. This committee further admitted that in the intervening period between 1902 when the salaries of the police officers were increased and 1926 there has been no decrease in corruption.

It is well-known that whenever the members of this House raise a voice against corruption in the Police Department, Government members always defend the Department, and say that they cannot tolerate that sort of criticism of their police officers. Corruption is not only found in the Police Department, but is also found in other departments as well. Let me give you the opinion of the Commission about corruption which is found in other Government departments. They say that generally the people complain against corruption in the Police Department and do not complain against the other departments in which surely there is more corruption than in the Police Department. According to them the reason for it is that as some people have suffered more at the hands of the police than at the hands of any other department, therefore, they have selected this department for their criticism. The commission blamed these people for starting a campaign of invective against this department. I do not know who are those people who have suffered more at the hands of the Police Department. In another portion of its report the commission again admits that the people who complain against the Police Department are justified for police can do any harm to them, and a corrupt police officer can inflict any sort of loss whether that of life or property upon his victims. The commission made these remarks apparently forgetting what it had written before. The commission then says that in other departments corruption is treated as a sort of a barter, and people think that they give bribes in order to purchase some favours. According to the commission in the people's opinion corruption in other departments is something of a bargain just like giving one tin of ghee and in its place getting one tin of water.

Sir, since it has been admitted in this report that corruption is rife in all the departments, even more than in the Police Department, I thought it fit to move a cut in the demand for General Administration with a view to invite the attention of the heads of all departments to the corruption in the respective departments under their control. This is a matter which demands the closest attention of both the Government and the zamindar members of this House. The report proceeds further, and I would request the House to mark these words.

At this stage the Council adjourned till 2-30 p. m. on Friday, the 16th of March, 1984.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 16th March 1934.

The Council met at the Council Chamber at 2.30 P. M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

APPOINTMENT OF NEAR RELATIONS IN THE SAME DEPARTMENT.

***3120. Pir Akbar Ali :** Will the Honourable Minister for Agriculture kindly state—

- (i) whether there are any orders that near relations should not be taken in the same department ;
- (ii) if so, whether the Government is aware that Rai Sahib Lala Devi Ditta Mal, Inspector, and Lala Chokha Nand, Deputy Inspector, in the Department of Fisheries, are closely related ;
- (iii) if so, what action the Government has so far taken in the matter to observe compliance with the rules ?

The Honourable Sardar Sir Jogendra Singh : (i) No.

(ii) and (iii) Do not arise.

SUB-ASSISTANT SURGEONS.

***3121. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the M.B.,B.Ss. of the Panjab University are not taken in the grade of sub-assistant surgeons ;
- (b) whether it is a fact that only L.S.M.Fs. of the Medical School, Amritsar, are taken for the post of sub-assistant surgeons ;
- (c) if the answer to part (a) be in the negative, the reasons therefor ;
- (d) if the answer to part (b) be in the affirmative, whether there is any such reservation for the post of assistant surgeons for M.B.,B.Ss. of the Panjab University ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) No. There are eight doctors with the M.B.,B.S. degree in service as sub-assistant surgeons.

(c) and (d) Do not arise.

ASSISTANT SURGEONS.

***3122. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please lay on the table a statement of the vacancies of assistant surgeons which fell during the last 5 years and how many of them were given to M.B., B.Ss. of the Panjab University (without any foreign diploma) who had served in the Mayo Hospital, Lahore ?

The Honourable Malik Sir Firoz Khan Noon : There were thirty three vacancies in the Punjab Civil Medical Service during the last five years and six of them were given to persons possessing M. B., B. S. degree of the Punjab University (without any foreign diploma) who had served in the Mayo Hospital, Lahore.

ASSISTANT SURGEONS.

***3123. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that for the post of assistant surgeons preference is given to candidates with foreign qualifications in addition to M.B., B.S. of the Punjab University;
- (b) if the answer to (a) above be in the affirmative, why such preference is not accorded to M.B., B.Ss. for the post of sub-assistant surgeons?

The Honourable Malik Sir Firoz Khan Noon : (a) No such preference is prescribed by a decision of Government. The discretion of the Selection Board is unfettered. They select the men they consider most suitable.

(b) It will be inadvisable to lay down such a course by a decision of Government.

ASSISTANT SURGEONS.

***3124. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please state whether the Government is prepared to reserve some posts of assistant surgeons for M.B., B.Ss. of the Punjab University who have served in the Mayo Hospital, Lahore, on House Staff?

The Honourable Malik Sir Firoz Khan Noon : No, such a course is not in the public interest. The discretion of the Selection Board should not be fettered in this manner. If there are applicants who are better qualified and more fitted for these posts than house surgeons there is no reason why the better man should not be selected.

CIRCULAR REGARDING CHALLANING OF PERSONS.

***3125. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether any letter, instruction or circular letter has been issued by the Inspector-General or the Deputy Inspector-General of Police and communicated to the sub-inspectors in charge of police stations through the Superintendents of Police of the various districts, to the effect that even if the sub-inspector in charge is convinced of the innocence of accused persons, they should be challaned if the slightest evidence of guilt exists against them;
- (b) if so, whether the Government propose to rescind these orders; if not, why not?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

POLITICAL WORKERS.

***3126. Chaudhri Afzal Haq:** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that political workers are not only shadowed by the Criminal Investigation Department officers but are also harassed by them;
- (b) whether the attention of the Government has been invited to the *Azad Daily*, dated the 22nd December 1938, wherein it is stated that Maulana Habib-ur-Rahman, President, All-India Majlas-i-Ahrar, was not only shadowed but a Criminal Investigation Department officer entered a private house with him;
- (c) whether it is a fact that many similar complaints have been made before in the Council;
- (d) whether it is the policy of the Government to harass political workers;
- (e) if not, whether they made any inquiry in respect of the statement made in (b);
- (f) whether they propose to issue instructions to the district officer?

The Honourable Sir Henry Craik: (a) To the best of my belief, no.

- (b) Yes.
- (c) Occasionally.
- (d) No.
- (e) An enquiry was made, and it does not appear that there is any truth in the allegation.
- (f) No, because the district officers are already in possession of necessary instructions in the matter.

LYALLPUR MUNICIPALITY.

***3127. Chaudhri Afzal Haq:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Government appointed Mr. W. D. Macdonald on special duty in 1938, to enquire into the maladministration of the Lyallpur Municipality;
- (b) whether he made his report to the Government?

The Honourable Dr. Gokul Chand Narang: (a) Mr. Macdonald was appointed to enquire into the affairs of the Lyallpur Municipal Committee.

- (b) Yes.

MALIK ALLAH YAR, HONORARY MAGISTRATE, ILAQA LAWA.

***3128. Chaudhri Afzal Haq:** Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Malik Allah Yar, pensioner tahsildar, has been appointed an honorary magistrate in Ilaqa Lawa, district Campbellpur;

[Ch. Afzal Haq.]

- (b) whether it is a fact that the inhabitants of that area protested against the appointment;
- (c) whether the Government, taking into consideration the feelings of the inhabitants of that *ilaya*, have been considering the desirability of striking off the name of the said Malik from the list of honorary magistrates?

The Honourable Sir Henry Craik : (a) Yes.

(b) No.

(c) Does not arise.

HEAD DRAFTSMEN IN IRRIGATION BRANCH.

***3129. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of head draftsmen recruited direct from Rasul School, in the Irrigation Branch in 1933;
- (b) their number communitywise;
- (c) the reasons for not taking an adequate number of Muhammadans in the service?

The Honourable Mr. Miles Irving : (a) Two.

(b) Two Hindus.

(c) None of the Muslims qualified in 1932 for admission into the head draftsmen class for recruitment in 1933.

RECORD CLERK, ELECTRICITY BRANCH.

***3130. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that one Hindu record clerk was discharged by the Superintending Engineer, Transmission Circle, of the Electricity Branch in accordance with the Government Servants' Conduct Rules and whether the same man has now been re-employed by the Secretary to Chief Engineer's office and thereby the claims of senior Muslim clerks, who were worthy of promotion have been ignored?

The Honourable Dr. Gokul Chand Narang : The services of the Hindu clerk in question were terminated in accordance with the conditions of his appointment. He was re-employed by the Chief Engineer. The appointment has been made in the lowest scale and the claims of no senior Muslim clerks have, therefore, been ignored.

RE-EMPLOYMENT OF A PENSIONED CLERK IN ELECTRICITY BRANCH.

***3131. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that no pensioners are re-employed in Government service without the special sanction of the Local Government, which should be obtained beforehand;

- (b) whether it is a fact that a pensioner Hindu clerk of the Buildings and Roads Branch of the Punjab Public Works Department was re-employed by the Secretary to the Chief Engineer in the Electricity Branch in his office, without first obtaining Government sanction in spite of the fact that it was pointed out to him by the office beforehand ;
- (c) whether it is a fact that he was appointed without making any selection out of the existing senior and deserving officials already serving the department ;
- (d) whether it is a fact that this man has since been considered unfit for the job for which he was recruited and has, therefore, been discharged ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) The services of an experienced record keeper were immediately required to clear off arrears in the Technical Section of Chief Engineer's office. The Chief Engineer sanctioned the employment of the pensioner in question and applied for Government sanction to his re-employment.

(c) No.

(d) No.

**MEMORIAL TO GOVERNOR BY NON-GAZETTED STAFF, ELECTRICITY
BRANCH.**

***3132. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it has been brought to the notice of the Chief Engineer, Punjab P. W. D., Electricity Branch, that the non-gazetted staff employed under him have submitted some memorial addressed to His Excellency the Governor of the Punjab, which is lying with the newly appointed Secretary to the Chief Engineer for the last 6 months undisposed of ;
- (b) if reply to (a) above be in the affirmative, whether the Chief Engineer has called upon his Secretary to explain the cause of such delay in disposing of the memorial and if so, with what result ?

The Honourable Dr. Gokul Chand Narang : (a) The Chief Engineer has submitted the memorials to Government. They remained with his Secretary for a considerable time owing to very heavy work with him.

(b) No.

**APPOINTMENT OF A CLERK IN-CHARGE OF HEADWORKS SUB-
DIVISION, LOWER BARI DOAB.**

***3133. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Mr. Routh, Superintending Engineer of Lower Bari Doab (now on leave), prepared lists of those who should in future take charge as clerk of the sub-division ;

[Ch. Afzal Haq.]

- (b) whether it is a fact that there was a Muslim Clerk on the top of the list ;
- (c) whether it is a fact that the Muslim clerk referred to in part (b) of the question was ordered to take charge of head works sub-division by the Superintending Engineer ;
- (d) whether it is a fact that the Executive Engineer sent a Hindu clerk in place of the Muslim clerk ;
- (e) whether it is a fact that the clerk of a sub-division gets extra allowance while other clerks do not get allowance ;
- (f) whether the order of the Superintending Engineer was not obeyed ;
- (g) whether the clerk who was sent to take charge of the head works sub-division was debarred by Mr. Routh, Superintending Engineer, from taking charge in the sub-division as clerk ;
- (h) if the answer to part (g) of the question is in the affirmative, the reasons ?

The Honourable Mr. Miles Irving : (a) No.

(b) Does not arise.

(c) Does not arise.

(d) Does not arise.

(e) A clerk who has remained continuously in the same sub-division from a date prior to 21st January 1932 only draws an allowance ; sub-divisional clerk posted after that date draws no allowance.

(f) No.

(g) The clerk appointed was not definitely debarred by the Superintending Engineer, who had simply ordered that he should be trained in other branches of the office.

(h) An experienced man was needed in the sub-division for a few months at the end of the financial year and he was appointed as a temporary measure.

CANAL CONTRACTORS.

***3134. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) the total number of contractors in each canal sub-division in the province, communitywise, in 1933 ;
- (b) the total amount of payment made to contractors of each community in 1933 ?

The Honourable Mr. Miles Irving : The question cannot be answered without reference to the local officers. As the labour involved in obtaining the information will be very considerable, as there are 127 sub-divisions concerned, Government considers that the time and money to be expended in collecting it would not be justified.

LYALLPUR MUNICIPALITY.

***3135. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government appointed certain P. C. S. officers to enquire into the municipal administration of Lyallpur in 1933 ;
- (b) whether he submitted his report ;
- (c) what are his remarks concerning—
 - (1) Health officers of the Municipality ;
 - (2) Municipal Engineer of the Municipality ;
 - (3) Superintendent of Water-Works ;
- (d) what action the Government proposes to take on that report so far as the remarks concerning the municipal employees are concerned ?

The Honourable Dr. Gokul Chand Narang : (a) Yes one P. C. S. officer.

(b) Yes.

(c) They are confidential ; nor has Government yet had time to consider the report.

(d) The report will be considered.

BHAKRA DAM SCHEME.

***3136. Khwaja Muhammad Eusoof :** Will the Honourable Member for Revenue kindly state—

- (a) what progress has the Bhakra Dam Scheme made during the last year after the assurance given by him in reply to a question of Rai Bahadur Chaudhri Chhotu Ram in this House on 4th April 1933 ;
- (b) whether the Special Division opened to pursue and bring the scheme up to date has been closed in December, 1933 ; if so, the reasons which led the Government to this decision ;
- (c) whether it is a fact that surveys started in connection with the scheme are going to be stopped and left incomplete ; if so, whether it is an indication of Government's definite unwillingness to undertake the scheme ;
- (d) if the reply to the latter part of (c) above is in the affirmative, what it is doing to fulfil its pledges to the famine stricken areas of the eastern Punjab ;
- (e) In case the Bhakra Dam Scheme has to be postponed for some reason or other, whether the Government is prepared to consider the question of constructing the extensions from Jumna Canals contemplated in 1910-11, which were dropped on account of Bhakra Dam Project being taken in hand ?

The Honourable Mr. Miles Irving : (a) The honourable member is referred to (b) (i) and (ii) in reply given to starred Council question 8040.¹

(b) The special division was closed in November 1933, and the honourable member is again referred to reply (a) given to starred Council question 8040.¹

(c) Further survey work is at present held in abeyance for the reasons given in the answer to the same question. The reply to the latter part of the honourable member's question is in the negative.

(d) and (e) In view of (c) these do not arise.

CRIMINAL APPEALS IN HISSAR.

***3137. Lala Bhagat Ram :** Will the Honourable Member for Finance be pleased to lay on the table a statement showing fifteen oldest Criminal Appeals pending in the District and Sessions court, Hissar, (i) with their dates of institutions and (ii) sentences passed in each by the lower courts?

The Honourable Sir Henry Craik : A statement is laid on the table. I may add that steps are being taken to relieve the congestion in this court by the appointment of an Additional Sessions Judge.

Statement showing the fifteen oldest criminal appeals pending in the District and Sessions Court, Hissar.

Serial No.	Date of institution.	Name of parties.	Sentence.
1	11th May 1933	Allah Diya <i>versus</i> Crown ..	4 years.
2	22nd July 1933	Nanda <i>versus</i> Crown ..	4 years.
3	4th August 1933	Murli <i>versus</i> Crown ..	2 years.
4	25th August 1933	Ghafur <i>versus</i> Crown ..	4 years.
5	1st November 1933	Bhagwana <i>versus</i> Crown ..	15 months.
6	1st November 1933	Sispal <i>versus</i> Crown ..	1 year.
7	6th November 1933	Bakhtawar <i>versus</i> Crown ..	18 months.
8	7th November 1933	Chandu <i>versus</i> Crown ..	1 year.
9	4th December 1933	Ramji Lal <i>versus</i> Crown ..	1 year.
10	8th November 1933	Wilayat Shah <i>versus</i> Crown ..	2 years.
11	13th November 1933	Mulchand <i>versus</i> Crown ..	1 year.
12	13th November 1933	Qamru <i>versus</i> Crown ..	2 years.
13	13th November 1933	Inder <i>versus</i> Crown ..	2 years.
14	17th November 1933	Maiditta <i>versus</i> Crown ..	3 years.
15	24th November 1933	Chandar <i>versus</i> Crown ..	3 years.

NOTE.—Cases numbers 1, 2, 6 and 11 have since been disposed of.

¹Page 731 ante.

PANDIT SHIRI DUTT, HONORARY SUB-JUDGE, BHIWANI.

***3138. Lala Bhagat Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that a memorial signed by the leading citizens of Bhiwani in the Hissar district complaining against Pandit Shiri Dutt, Honorary Sub-Judge of Bhiwani, was sent up to the High Court in the end of May 1933 ;
- (b) whether it is a fact that the above memorial was sent by the Honourable Judges of the High Court to the District and Sessions Judge, Hissar, for enquiry and report ;
- (c) whether the District and Sessions Judge has made enquiry and reported in the matter ;
- (d) if so, whether he will lay a copy of that report on the table ;
- (e) whether it is a fact that the grievances of the citizens of Bhiwani in the above memorial are to the effect that the said sub-judge has got his relationship at Bhiwani and that he takes undue advantage of his position ;
- (f) whether it is a fact that the honorary magistrates and sub-judges of the neighbouring towns of Sirsa and Rohtak are not allowed to try local cases within the jurisdiction of Sadar and City Police stations where they hold courts ;
- (g) if the answer to (f) be in the affirmative, why Rai Sahib Pandit Shiri Dutt is allowed to try local cases in the face of the above complaints ?

The Honourable Sir Henry Craik : (a) A memorial has been received by the High Court, but Government has not seen it.

(b) and (c) Yes.

(d) Government has not seen the report and it is now under the consideration of the High Court. I am, therefore, not in a position to lay it on the table.

(e) Yes.

(f) Sirsa Yes.

Rohtak No.

(g) He is not.

ELECTRICITY IN AMBALA CITY.

***3139. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a license for installation of electricity in Ambala city was granted to the Punjab Traders, Lahore, in 1931, wherein the latter agreed to supply electric energy within one year of the date of the grant of licence ;
- (b) whether it is a fact that the period of licence was extended twice within the short period of two years in favour of the said Punjab Traders ;

[Sh. Lekhwati Jain.]

- (c) whether it is a fact that other firms and companies of the province applied for the said licence and they were prepared to supply energy immediately but no such licence was granted ;
- (d) how long will the said company still take to supply energy to the town ;
- (e) whether it is a fact that the licensee company has not as yet been able to raise the proposed capital ;
- (f) what steps Government intend to take in the matter ?

The Honourable Mr. Miles Irving : (a) No ; the licence was granted in 1982, but it did not provide that the Punjab Traders would supply electrical energy within one year.

(b) Does not arise.

(c) There was one other applicant but no question of the immediate supply of energy was raised.

(d) It is understood that the company hope to be able to supply energy by the end of October next.

(e) It is understood that the company has been able to sell shares worth Rs. 1,25,000.

(f) The procedure of Government in this, as in all other cases, will be regulated by the provisions of the Indian Electricity Act, 1910.

NOMINATION OF DR. LEHNA SINGH, SUB-ASSISTANT SURGEON, TO
ABOHAR MUNICIPALITY.

***3140. Thakur Pancham Chand :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Dr. Lehna Singh, sub-assistant surgeon, in charge of the Municipal dispensary, is a nominated member of the Municipal Committee of Abohar in the Ferozepore district ;
- (b) whether it is a fact that the said Dr. Lehna Singh draws his pay from the Municipal fund and is a wholetime salaried servant of the committee ;
- (c) whether Government will refer to rule 7 (2) (c) of the Municipal Election Rules before re-nominating Dr. Lehna Singh ?

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

(b) Yes. In this connection it may be pointed out that in reply to Council question No. 2933¹, asked by Lala Nihal Chand, it was stated that this doctor was not a wholetime salaried servant of the Committee, but since then Government has been advised that technically speaking he is. The legal aspect of the question is, however, still being considered.

(c) The attention of the Commissioner who is the nominating authority will be drawn to the matter.

DR. BEHARI LAL, M.B., B.S., MEDICAL OFFICER, MALAUT RURAL DISPENSARY.

***3141. Thakur Pancham Chand:** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that medical officers in charge of rural dispensaries are subject to the control of Inspector-General of Civil Hospitals, Punjab, as regards discipline, transfer, etc.;
- (b) whether it is a fact that Dr. Behari Lal, M.B., B.S., Medical Officer in charge, Malaut rural dispensary (Ferozepore district), has been in charge of the said dispensary continuously for the last 7 years ;
- (c) whether the said doctor is likely to be transferred from the Malaut dispensary in the near future ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes ; but so far as transfers and leave are concerned, the district boards make proposals which require Inspector-General of Civil Hospitals' approval before they are carried into effect.

(b) Yes, for about seven years.

(c) No proposal for his transfer has been made by the Board.

TAHSILDAR, JAGADHRI.

***3142. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state whether it is a fact that the present tahsildar of Jagadhri while on tour does not allow the lambardars, *sufed-poshes* and *zaildars* to sit on *charpais*, while the chaprasis are allowed to sit and smoke in his presence ?

The Honourable Mr. Miles Irving : No. On inquiry the suggestion underlying the question has been found to be wholly without foundation.

TAHSILDAR JAGADHRI.

***3143. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the present tahsildar of Jagadhri in Ambala district often orders the lambardars in open court to catch their ears by passing their arms beneath their legs ;
- (b) whether it is a fact that the lambardar of Buraja and Gohri were so ordered ;
- (c) whether it is a fact that one Wazir Singh, peon of the Central Co-operative Bank, who happened to take money to the tahsil on behalf of a lambardar of Kalawar, was likewise ordered ;
- (d) under what law the tahsildar has been pleased to take such an action ?

The Honourable Mr. Miles Irving : (a) No ; on inquiry it appears that the officer in question has a blameless record and the suggestion underlying the question is unfounded.

(b) No ; these villages are not to be found in the Jagadhri tahsil.

(c) No ; there is no peon of this name in the Central Co-operative Bank, nor did any man of this name make any deposit of land revenue on behalf of any lambardar of village Kalawar.

LAND REVENUE IN JAGADHRI TAHSIL.

***3144. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that some zaildar, *sufedposhes* of Jagadhri tahsil in Ambala district have paid land revenue due from other persons than the land owners of their own lambardari circles for *kharif* 1933 ;

(b) if so, how many and to what extent ;

(c) whether one Ram Singh of Harnaul has also paid in a sum of about Rs. 1,200 ;

(d) if so, under what law the tahsildar recovered the payment from Ram Singh ?

The Honourable Mr. Miles Irving : (a) No.

(b) Does not arise.

(c) Yes.

(d) It was taken by Ram Singh voluntarily on behalf of certain headmen who entrusted it to him.

*3145 }
*3146 } *Cancelled.*

UNSTARRED QUESTIONS AND ANSWERS.

INDIAN CLERKS QUARTERS, SIMLA.

795. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that there is no residential accommodation provided by Government for the Indian clerks at Simla except menials' quarters converted into junior clerks' quarters for Indians in the vicinity of Ellerslie ;

(b) whether it is a fact that the Indian establishment accompanying the Government to Simla is put to great difficulty in finding suitable houses particularly in the vicinity of the office ; if so, what steps Government proposes to take to provide quarters for this class of its establishment there ;

(c) since how long the need for the supply of quarters for the Indian establishment has been represented to Government ;

- (d) whether it is a fact that there exist a fairly large number of quarters elegantly furnished for the Anglo-Indian and European clerks ;
- (e) whether it is a fact that the number of those quarters generally exceeds the usual number required for the Anglo-Indian clerks accompanying Government to Simla ;
- (f) whether it is also a fact that a large sum of money has recently been sanctioned for the provision of flush system latrines in these quarters ; if so, what is that amount ;
- (g) how long Government proposes to take in building a suitable number of Indian clerks' quarters to mitigate the prevailing hardship ?

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

(b) and (g) The matter will be considered as soon as the financial situation improves.

(e) The question was first taken up in 1920.

(d) There are two detached cottages, eight semi-detached and four flats furnished in accordance with the status of those for whom they are meant.

(e) Yes occasionally, owing to the fact that fewer European and Anglo-Indian clerks are now taken to Simla on account of retrenchment.

(f) The cottages were originally designed for the flush system. It has only recently been possible to accord administrative approval to the work at an estimated cost of Rs. 16,800. It will be executed as and when funds permit.

INDIAN CLERKS' QUARTERS, SIMLA.

796. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that the quarters for the Indian clerks existing in the vicinity of Ellerslie at Simla are those which were previously meant for menials and were used by them ;
- (b) whether they were some years back converted into the junior clerks' quarters for Indians ;
- (c) whether most of them are occupied from year to year by clerks having families ;
- (d) whether it is a fact that these quarters have not been provided with the bare necessity of a latrine and the ladies, children and clerks themselves are forced to use the general latrines meant for the menial establishment ;
- (e) if so, what steps Government proposes to remedy this state of affairs ;
- (f) whether it is a fact that these quarters have not been provided with electric light ; if not, why not ;
- (g) whether Government proposes to provide electric light to these quarters ?

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

(b) Yes.

(c) Yes.

(d) Yes.

(e) The question is now under consideration.

(f) First part ; yes.

Second part : owing to financial stringency.

(g) The matter is now receiving attention.

CHAUBURJEE QUARTERS.

797. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture kindly state—

(a) whether Government is aware that Chauburji Gardens Estate is situated in the midst of fields and the proximity of the *Ganda Nalla* ;

(b) whether it is a fact that the estate in question is infested during the summer with flies and mosquitos ;

(c) if so, whether Government proposes to take any steps to provide for protection against these by providing wire gauze doors and windows ; if not, why not ?

The Honourable Sardar Sir Jogendra Singh : (a) The Chauburjee Gardens Estate is situated in the midst of fields and the Chauburjee outfall drain of the Lahore Municipal Committee passes some distance to the west of the estate.

(b) There are flies and mosquitos on this estate like other places.

(c) No. Wire gauze doors and windows are not provided in the residences of non-gazetted establishment. They can be provided in the case of gazetted officers only, if within the permissible outlay on the residence and if funds permit.

ELECTRIC CONNECTION IN CHAUBURJI QUARTERS.

798. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture kindly state—

(a) whether electric connection has been extended to the quarters in the Chauburji Gardens and if so, whether the out-houses and latrines in the quarters have also been fitted with electric lights ;

(b) if not, the reason for electrifying only the main part of the buildings and leaving the out-houses and latrines without any lights and whether Government proposes to take any steps to remedy this defect ;

(c) whether it is a fact that in the quarters for Anglo-Indians and Europeans the out-houses and latrines have all been provided with lights ?

The Honourable Sardar Sir Jogendra Singh : (a) Reply to the first part is in the affirmative and to the second in the negative.

(b) The standard rent in almost all cases exceeds the percentage limits of the average emoluments of the tenants and hence Government does not at present intend to incur further expenditure.

(c) No.

TAPS IN BATH ROOMS IN CHAUBURJI QUARTERS.

799. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture kindly state—

(a) whether water taps have been provided in the bath rooms of the quarters in the Chauburji Gardens ;

(b) when Government proposes to provide these ;

(c) whether water taps are provided in the bath rooms of the quarters meant for Anglo-Indians in the Rivaz Gardens ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Government considers the existing supply of taps to be sufficient for Types I and II. Extra taps will be provided in the bath rooms of Type III quarters as soon as funds are available.

(c) Yes.

COURT AUCTIONEERS, AMBALA DISTRICT.

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

(a) whether it is a fact that in Ambala district several firms applied in July and August last, to be appointed as non-official court auctioneers ;

(b) whether it is a fact that some of them were alleged to be heavily indebted ;

(c) how many of these firms were auctioneering firms already doing that work ;

(d) whether any enquiry was held into the alleged indebtedness of the firms that have been appointed ; if so, with what results ;

(e) whether it is fact that Mr. R. B. Beckett, the then District Judge, passed an order on 17th March 1932, in the following terms :—

“ This can only be considered when the orders of the Government are known. Unless the High Court directs that the Official Receiver should also be court auctioneer, I see no reason why the present appointment of Lala Beni Parshad as court auctioneer should be disturbed.”

(f) whether it is a fact that Lala Beni Parshad, one of the partners of the firm Messrs. Asa Ram-Beni Parshad, had worked as court auctioneer and was appointed as Government Auctioneer by Mr. J. D. Anderson, the then District Judge, on 2nd May 1930, with the approval of the High Court ;

[Kanwar Mamraj Singh Chohan.]

- (g) whether it is a fact that this firm of Messrs. Asa Ram-Beni Parshad, proprietor of the Royal Auction House, Ambala city, was also an applicant to be appointed as court auctioneer and was recommended by Lala Gulwant Rai, Senior Sub-Judge ;
- (h) if the answer to (d) shows that the firms or any of them that have been appointed are indebted, the reason that led the District Judge in preferring these two firms over the firm of Messrs. Asa Ram-Beni Parshad ?

The Honourable Sir Henry Craik : (a) Yes.

(b) No.

(c) None except the two firms selected.

(d) Does not arise.

(e) It is contrary to the public interest to make any disclosure regarding alleged orders on administrative files, and I would request the honourable member to let me know how he obtained the information on which this part of the question is based.

(f) Yes ; but in his individual capacity and not as a partner of the firm ;

(g) Yes.

(h) Does not arise.

IMPRISONMENT OF BHAG RAM.

801. Lala Bhagat Ram : Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Bhag Ram, son of Lala Amin Chand, resident of Sheikhpura (Kapurthala State), was released on the 12th of July 1933, on the ground of serious illness at the request of Government senior public prosecutor, from the Lahore Conspiracy case ;
- (b) whether it is a fact that he was re-arrested on that very day and imprisoned under Regulation 8 of 1818 ;
- (c) whether it is a fact that he was imprisoned in the sub-jail, Gujrat, where his health went down day by day and at the application of his brother, Lala Ramji Dass, he was transferred to Mayo Hospital, Lahore, on 21st September 1933 ;
- (d) the state of his health at this time as compared with his health at the time of his discharge from the Conspiracy case at Lahore ;
- (e) the grounds on which he is still being kept in the lock-up ;
- (f) whether there is any likelihood of his being released at once or in the near future ?

The Honourable Sir Henry Craik : (a) The case against him was withdrawn, with the permission of the court, owing to the practical impossibility of proceeding with the trial owing to his ill-health.

(b) Yes.

(c) Yes.

(d) It is practically the same.

(e) In execution of a warrant issued by the Government of India under Regulation III of 1818. It is not in the public interest to state the grounds on which this warrant was issued.

(f) I am not in a position to make any statement.

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED)—(concluded).

(*Mr. President rising to put the Demand relating to General Administration—Reserved*).

Chaudhri Afzal Haq : What about the motion I have moved ?

Mr. President : Under the rules and His Excellency's instructions, no demand can be discussed for more than two days. The demand under discussion has been before the House for two days, so, I have to put it now to the vote of the House.

Chaudhri Afzal Haq : I do not want any discussion on the motion. I have already moved but it should be put to the House. As I have moved it, I submit that it should be put to the vote.

Mr. President : It has not been proposed yet from the Chair.

Chaudhri Afzal Haq : I submit that it is your duty to propose it and then put it to the vote.

Mr. President : The honourable member will see that the language of clause (3) of Article 132 is the same as that of clause (2). As soon as the time limit is reached the President has to put forthwith every question necessary to dispose of the demand under discussion.

Chaudhri Afzal Haq : Yes. They are in my favour. My motion has to be put.

Mr. President : For my interpretation of sub-clause (3) of Article 132 the honourable member is referred to page 1249 of Volume XII of the Debates. I said :—

I have no hesitation in saying that clause (3) of Rule 29, as worded, is not very clear ; in fact it is not very happily worded. It has been the practice of this House as well as of the Legislative Assembly and the House of Commons that demands for grants only are put from the Chair and not any amendments. I do not wish to abrogate a practice which has been followed by this House for the last eight years by placing upon the clause referred to an interpretation different from the interpretation it has received in the past from my honourable predecessors and myself.

Chaudhri Afzal Haq : That ruling has no reference to this question. In Article 132 (3) you read :

On the last day of the allotted days at 5 o'clock, the President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

That is a different thing, but as for the second —————

Mr. President : Had the honourable member's amendment been proposed from the Chair, that is to say, had it been before the House, then, under the rule, relied upon by him, I should have put it to the vote of the House. But as it has not been proposed from the Chair and is not yet before the House, I think the House should proceed to dispose of the demand under consideration.

Chaudhri Afzal Haq : My point has nothing to do with the proposal of the motion from the Chair ; it is a question of discussion, and discussion has already been started.

Mr. President : Unless a motion is proposed from the Chair it is not before the House, and unless a matter is before the House, it cannot be put to the vote of the House.

The question is—

That a sum not exceeding Rs. 84,64,399 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1935, in respect of General Administration (Reserved).

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED).

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

That a sum not exceeding Rs. 1,89,400 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, 1935, in respect of General Administration (Transferred).

Mr. President : Motion moved—

That a sum not exceeding Rs. 1,89,400 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, 1935, in respect of General Administration (Transferred).

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I wish to speak on the proposition which you have just placed before the House, namely, the whole grant. My object is to persuade the members to withdraw their cuts and that is why I want to speak on the whole demand in order to show that no useful purpose would be served by moving these cuts.

Mr. President : If the honourable members, who have given notice of cuts, do not wish to move their cut motions, I shall be only too glad to allow the honourable member to speak to the whole demand for grant.

Mr. Nanak Chand Pandit : That is not my point. I should be permitted to explain to them. Otherwise how can I ask them not to move their motions ?

Mr. President : It is true that just now the whole demand is before the House, but I must call on the movers of cuts to move their amendments.

Mr. Nanak Chand Pandit : I would submit that I should be permitted to speak on the motion that is before the House. No cut has been moved so far.

Mr. President : I am afraid the procedure, which the honourable member suggests, has never been followed in this House. According to our practice the whole demand, or if it is reduced the reduced demand is taken up after all motions for reductions of items and the total grant are disposed of.

Mr. Nanak Chand Pandit : Would you be kind enough to quote your authority ?

Mr. President : Our practice is the best authority but if further authority is needed ; the following rules, especially rule 4, from Sir Erskine May's Parliamentary Practice should satisfy the honourable member :—

1. That when a motion is made, in committee of supply, to omit or reduce any item of a vote, a question shall be proposed from the chair for omitting or reducing such item accordingly, and members shall speak to such question only, until it has been disposed of.
2. That when several motions are offered, they shall be taken in the order in which the items to which they relate appear in the printed estimates.
3. That after a question has been proposed from the chair for omitting or reducing any item, no motion shall be made, or debate allowed, upon any preceding item.
4. That when it has been proposed to omit or reduce items in a vote, the question shall be afterwards put upon the original vote, or upon the reduced vote, as the case may be.
5. That after a question has been proposed from the chair for a reduction of the whole vote, no motion shall be made for omitting or reducing any item.

Mr. Nanak Chand Pandit : That is to omit or reduce. My motion is not that. I want to support the demand. The question is whether I can speak on the whole demand.

Mr. President : Not till motions proposing reductions in items and the whole demand are disposed of.

Mr. Nanak Chand Pandit : That has no application to what I am saying, because I am not going to make a motion for reduction of the total demand. I want to speak on the motion as it stands.

Mr. President : I have given my ruling, so, further discussion is useless. The honourable members cannot be allowed to speak on the whole demand.

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

That the grant be reduced by Re. 1, with respect to the item of Rs. 60,000—the pay of the Honourable Minister for Local Self-Government.

Sir, the question I am raising now requires the attention not only of non-official members but also of Government members. I have been an elected member of this Council many a time during the last 13 or 14 years, and I have always taken interest in its debates. But I have never started a discussion on the question of communal representation in the services. All that I have done as regards communal representation in this House is to put questions. And I have asked thousands of questions pertaining to communal representation. I rest contented with putting questions with regard to the proportion of different communities in the different departments of Government. But the Honourable Minister for Local Self-Government desired that I should bring forward this question in the House by moving a cut.

The honourable member who heard our conversation is not here, otherwise he would have borne me out, that the Honourable Minister agreed with me.

The Honourable Dr. Gokul Chand Narang : Is that his inference or is he indicating his own wish to you ?

Chaudhri Afzal Haq : The Honourable Minister said that he was prepared to satisfy me.

The Honourable Dr. Gokul Chand Narang : I never asked the honourable member to move that cut, I never did. After notice of the cut had been given we were having a private talk and I said it would have been much better if he had asked me for information before he was to move these cuts. But so far as I am concerned, I shall be very glad to explain the position, and to have the opportunity of doing so. The impression that has been created, Sir, is that it was I who asked him to move this cut.

Chaudhri Afzal Haq : But the fact is quite different.

The Honourable Dr. Gokul Chand Narang : This remark is most unfair. The only thing that I remember is that
 3 P. M. when I was in the lobby a friend of mine and the honourable member now in possession of the House were by my side and we had a talk about the Lyallpur municipal affairs. I told that friend that instead of sending questions if he had come to me personally, I would have satisfied him. I further said that now that the matter was coming before the Council I would be very glad to explain the position there. Does the honourable member really want to insinuate that I was instrumental in having this cut motion sent to the Council ? That, at any rate, is the impression created in your mind as well as in the mind of honourable members here. He makes this motion as if it were a collusive cut motion.

Mr. President : I have ruled more than once that conversations held between members inside or outside the House should not be brought in a discussion in the Council.

Chaudhri Afzal Haq : This is perfectly right, Sir, and I am aware of this rule. But what I pointed out was that the Honourable Minister had agreed with me on this point outside the Council. I am sorry, however, that he has felt aggrieved by my referring to it.

The Honourable Dr. Gokul Chand Narang : Not aggrieved, but surprised.

Mr. President : I cannot allow a dialogue to go on between the honourable members.

Chaudhri Afzal Haq : At any rate, the point under discussion is this. How many appointments were given to Muslims in the Hydro-Electric Branch which is under the Honourable Minister's control, during the current year ? It has been stated in answer to several questions asked by me that the share of Muslims in the newly-filled vacancies has been considerably meagre in spite of the fact that they have already very little representation in these services. In this connection I should like to draw your attention to a particular answer of the Honourable Minister. The question I had asked was something like this. How many new appointments were made during 1933 in various departments under his control and how many were given to Muslims out of the total number of appointments ?

The answer showed that Hindus were given more posts than Muslims in the cadre of clerks. The reason given by the Honourable Minister was that since Hindus were very meagrely represented in this cadre it was thought fit to make up their deficiency. I realise the veracity and reasonableness of this principle. There is no reason why the Hindus should not be given their due share in services where they are not fully represented. But such a good principle is never enforced when the question of making up the deficiency of Muslims is under consideration. Where the Honourable Minister finds that two hapless Muslim superintendents are present, he is at once anxious to bring in some Hindus to make up the deficiency of that community. But where only 9 out of a total of 42 posts come to the share of Muslims, that is, where their proportion is only 30 per cent. he does not move an inch.

The Honourable Dr. Gokul Chand Narang : Where ? Which posts do you mean ?

Chaudhri Afzal Haq : There are nearly 42 posts in the provincial service out of which only 9 have been given to Muslims. My objection is that whereas the Honourable Minister could not bear the idea that two Muslim superintendents should be there and he wanted to recruit 8 more Hindus, why should he have tolerated this paucity of Muslims in the provincial service ? The Honourable Minister declared in a speech at Rawalpindi that he was neither a Hindu nor a Mussalman. But I am very sorry to find that as far as distribution of services is concerned he is out and out a Hindu. He made two appointments in the gazetted staff and both of them were given to Hindus. There was one unfortunate Muslim holding a gazetted post but he was declared inefficient, though he is an *England returned gentleman*. So now all the three gazetted posts are held by Hindus.

The Honourable Dr. Gokul Chand Narang : Which office is the honourable member referring to ?

Chaudhri Afzal Haq : I am referring to shift engineers. Now what were the reasons for giving out that the Muslim shift engineer was inefficient ? I shall come to that point after the Minister has replied to my speech.

The Honourable Dr. Gokul Chand Narang : Does the honourable member mean to say that one shift engineer was removed ?

Mr. President : Does the honourable member know the name of the shift engineer ?

Chaudhri Afzal Haq : He is Abdul Ghani, Chaudhri. The vacancy was filled by the appointment of Lala Ram Ratan in spite of the fact that there were so many men already working in the department who were fit even to be teachers of Lala Ram Ratan. But it was thought proper to import a new man. He was given training for 4 months and when we enquired if he was an apprentice we were told that he was not. But when it was further enquired if his progress report had been called for from his officers, it was said that this could not be done as he was not an apprentice. Now, it can rightly be enquired from the Honourable Minister why the gentleman was appointed to a post about the work of which he did not know anything. But he is not supposed to answer such questions. He is after all a Minister

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and cannot be expected to be conversant with details. The details are best known to the officer in charge of the department. The result was that when work was given to the afore-mentioned gentleman he said, "Well, this is all work of figures for which I have no head. It is a matter of finance with which I am not conversant." So instead of declaring him inefficient there and then orders were passed that he be assigned some other task and his own work be entrusted to some one else. Is this a state of affairs for which anybody can claim credit? If the administration of a department means giving promotion to a certain man here and reverting another employee there, I dare say, this work can be entrusted even to a child. The Honourable Minister in charge of this department is expected to do something more. He is expected to pass orders that will improve matters, and result in the promotion of really efficient men. The House would be interested to know that the gentleman in question is still as ignorant of the work expected of him as anybody outside the department. I shall again refer to the matter when I rise to reply to the speech of the Honourable Minister.

Only recently the department was to have another commercial officer. Many Muslims applied for the post but it was given to Mr. Idnani though he had no experience of commercial work. He was given a higher grade only because he was a Hindu. Evidently the Minister thought that just as he was a monarch in his sphere the commercial officer would be in his. So, why not appoint a Hindu and retain the complete sovereignty of the department. I, for one, have not been able to think of any other reason for the appointment of a Hindu as commercial officer when so many Muslims could be found to fill that vacancy. It is a matter of common knowledge, that the servant moulds himself according to the pattern of his master. So when the newly appointed and specially favoured Ram Ratan saw that a great kindness and favour had been shown to him, he set to work in right earnest with a view to fulfilling the purpose of his master, which is nothing but giving the lion's share to Hindus in all the new appointments and neglecting the claims of the Muslims as far as possible. In appointments made under the control of Lala Ram Ratan the Muslims' rights were ignored in this manner. I may mention here that all these appointments are lower grade appointments. This is how Lala Ram Ratan who was only recently appointed an authoritative officer with an additional allowance of Rs. 50, gave proof of his being true to his salt. Of the 21 line superintendents that were appointed only three were Muslims. Of the 7 posts of linemen only four went to Muslims. Of the 8 meter-readers, three were Muslims. Of the 10 sub-station attendants only three went to Muslims. There was not a single Muslim amongst *mistris*. Then there were so many posts from which not a single one was given to Muslims. Then come the posts of clerks. Of the 25 clerks that were newly appointed 12 were Muslims. But this was only a show of justice or a ruse to convince the Chief Engineer, when report would be sent to him, that justice was done to Muslims. I shall point out to you that in this particular case also the Muslims were not given their due share. It was only a trick to show to people that where there is no need of any technical qualifications Muslims are given a liberal representation. The fact, however, was that whereas Hindus were appointed against

permanent vacancies Muslims were appointed only against temporary vacancies. The result has been that ten out of the newly appointed Muslims went back to their homes during the last month and two have gone out in this month. I need not dwell upon this trick of the Hindu officer at length. The instance shows as clearly as possible how the Muslims are thrown into the back ground in the departments under the control of the Honourable Minister.

Then it was thought most advisable to enhance the salaries of the Hindu clerks. So all junior Hindu clerks were put in the senior grade. The Honourable Minister may note their names and see for himself how special favours are shown to his community under his regime. The names of the clerks promoted from the junior to senior grade are as follows :—

Bhagwan Chand Sud, Diwan Chand, Mehr Singh, Malak Ram Chand, Sahib Singh and Ram Krishan.

The Honourable Minister had said, that he was not aware of the conditions in this department.

The Honourable Dr. Gokul Chand Narang : Who said that ?

Chaudhri Afzal Haq : The Honourable Minister himself.

The Honourable Dr. Gokul Chand Narang : I never said that I was not aware of the conditions in this department.

Chaudhri Afzal Haq : Did he not ?

مجرے قتل کر کے وہ بھولا سا قاتل لگا کہنے یہہ کس کا تازہ لہر ہے
کسی نے کہا جس کا وہ سر پڑا ہے کہا بھول جانے کی کیا میزبی خو ہے

It is really strange that the Honourable Minister should forget his own words.

As far as the provincial service is concerned, Sir, there are only seven Muslims and even here all Hindus are senior to them and the rights of Muslims for seniority are ignored. Let the Honourable Minister contradict this statement if he can. I would request him to read the reports of Colonel Battye in which he clearly laid down that people who had worked with him should be given greater chances for promotion. But now it is the regime of the Honourable Dr. Gokul Chand Narang. What does he care for the promises made by the late Colonel Battye ? Old order has changed yielding place to new and all old things have been thrown into the limbo of oblivion. The Honourable Minister claims to have appointed two Muslims and thus given them 50 per cent. share in those posts but I would refer him to the whole statement. A perusal of this statement will clearly show that Muslims are in a minority both in the lower and the higher grades. The Minister has harped on the same old tune that qualified Muslims are not available for the posts in this department. I would make it clear in this House once for all that such excuses can no longer reasonably be made. I undertake responsibility to bring him more qualified and better accomplished Mussalmans than those Hindu gentlemen whom he has thought fit to appoint, if he gives me only two days' notice. Is he sure, I should like to ask, that the men he has appointed are all very qualified and able gentlemen ? The House would be interested to know that in this department motor-drivers have been appointed as line superintendents.

The Honourable Dr. Gokul Chand Narang : Motor-drivers are cent. per cent. Muslims.

Chaudhri Afzal Haq : Not motor-drivers.

The Honourable Dr. Gokul Chand Narang : You just mentioned motor-drivers. There are 7 of them and all are Muslims.

Chaudhri Afzal Haq : I speak of line superintendents.

The Honourable Dr. Gokul Chand Narang : Sir, a preposterously wrong statement should be corrected then and there.

Mr. President : The Honourable Minister wishes to contradict the honourable member's statement.

Chaudhri Afzal Haq : There are plenty of opportunities and I have shown that he cannot contradict me. I have said that people who were motor-drivers have been appointed as line superintendents, though they are totally ignorant of the nature of this work. Moreover, I am speaking on the authority of the statements supplied to me by the Honourable Minister's own department. I should like to assure him, if assurance be needed, in this respect, that if he convinces me that the position I have taken up is a wrong one and the truth is on his side nobody would be more pleased than myself. If he convinces me that statements appearing in the Islamic press in this respect are all false, I shall be the first person to go out and tell the public that the Honourable Minister is perfectly just and his position is unassailable.

Mr. President : Motion moved is—

That the grant be reduced by Re. 1, with respect to the item of Rs. 60,000—the pay of the Honourable Minister for Local-Self Government.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Before I come to matters of detail to which the honourable member has referred I think it is necessary to say a few words with respect to the general policy which Government has been following in this respect so far as appointments to various departments are concerned. I think I cannot do better than begin by drawing the attention of this House to a most weighty statement which was made on the floor of this House as Finance Member by our late Governor Sir Geoffrey deMontmorency on the 19th of July 1927. The statement was to this effect :

Now, Sir, let me explain in some detail the principles which it has been the policy of the Government to follow in making recruitment to the provincial and subordinate services. Among these, first, and foremost comes the consideration of efficiency. This must always be a paramount consideration, as any deviation from it results in a deterioration in the standards of administration and waste of public money. It is useless to recruit a person who is not qualified for the duties entrusted to the services, but it must at the same time, be remembered, as one honourable member has observed, that 'qualifications' is a term which not only includes educational and scientific attainments but also includes other characteristics, such as in the case of some services, strength of character and in case of some services, special physical fitness and general alertness and general intelligence which is not always the same thing perhaps as mere educational attainments. In the second place, as I said yesterday, always bearing in mind, the supreme need for efficiency, Government aims at avoiding the undue preponderance of any one class in the public service to the prejudice of the reasonable claims of other classes of the community. This is the ideal to which we work, some honourable members may consider unsuccessfully, but nevertheless let me assure them that we do work sincerely and constantly to try to secure this principle.

Honourable member of this House would remember that this statement of Sir Geoffrey deMontmorency has been referred to over and over again when reply to questions relating to communal inequalities in services, and this statement has more or less become classical and a guiding principle to all officers of this Government. After this so far as this Department is concerned, I want to draw the attention of the House to the instructions which were issued by Government through me regarding the filling up of posts in this Department. They are contained in the letter which issued over the signatures of Mr. Astbury on the 18th of October 1932 before any appointments to the Branch in the operation stage were made. They were to this effect.

(1) The first choice should go to those already in the Hydro-Electric Branch who have good records ;

(2) The second choice for (i) technical posts to qualified students of the MacLagan Engineering College, and (ii) for non-technical posts to members of the depressed classes and persons who have previously rendered satisfactory service to Government. (But perhaps not even one depressed class boy has so far been recruited).

Chaudhri Afzal Haq : Very sorry.

The Honourable Dr. Gokul Chand Narang : (Probably they have not been able to find any one who would answer to the qualifications required, but certainly in clerical jobs the department would welcome some representation of the depressed classes, if they were qualified) and then subject to efficiency as the primary consideration the following percentages should be worked up to as far as possible, 50 per cent. Muslims and 50 per cent. non-Muslims. A list of sanctioned posts was to be supplied to the personal assistant to the Minister for Local Self-Government and that as appointments were made a list should be supplied to the personal assistant. These were the orders issued. Is there any honourable and reasonable member in this House who can take exception to any one of these instructions ? Then the only question is how far these instructions have been carried out ? This is the real question. So far as I am concerned, at the very beginning, I had these instructions issued. Then I come to the next stage in the method of appointment. My honourable friend, if he really had had a talk with me before he sent up these cuts he may not have been under the necessity of sending these cuts at all. He is probably the least communal in this House and has always claimed to be a nationalist and it would have given me very great pleasure to give him what information I could, but he never approached me for that. But that is neither here nor there. I am referring to it only because I believe that this criticism is based on lack of knowledge and is not due to malice, because I would not accuse him of any malice even towards me. The method of recruitment so far as gazetted jobs are concerned, is that these cases go to the Minister and they also go to His Excellency the Governor if the pay is in excess of a certain figure and as a rule all gazetted jobs go to His Excellency the Governor for approval. No other appointment comes to the Minister and this is a fact which unfortunately neither the honourable members of this House nor the press are aware of and this is the reason why the Minister is made the butt of attack and is supposed to be the author of the whole mischief, if there is any

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mischief. Unless you technically hold the Minister for every little thing that goes on in any department and you credit him with knowledge which no human being can possess, you cannot accuse the Minister for anything that may appear to you to be wrong in the departments under his control. The Minister did his duty, he asked that a list of all appointments should be sent up to him and directions were given with respect to the qualifications which were to be kept in view and with respect to communal proportions which were to be kept in view. So far as the Minister is concerned, he could not go any further. Then take the non-gazetted appointments. All these non-gazetted appointments are in the hands of the Chief Engineer. Some of them are made directly by him like the technical appointments. All appointments to technical jobs, non-gazetted appointments, are made by the Chief Engineer and the Minister need not even know who were the candidates and what their qualifications were, because under the rules the Chief Engineer is the final authority for these appointments, and it is a good thing that he is, otherwise the work of a department like the Hydro-electric Department where expeditionousness is as necessary as efficiency, would suffer. Then there are clerical jobs. These jobs are filled by the head of the office in which the appointments are to be made. For instance, we have a number of executive engineers at Pathankot, Lyallpur, Lahore and so on. They require staff for their offices. I do not think that even the Chief Engineer knows who are the persons appointed there. An executive engineer is a competent authority to choose his own subordinate staff. Honourable members should remember that subject to these general instructions these officers are competent and fully authorised to recruit staff that they want and if any inequalities are left you should see whether it is due to any communal bias in the appointing authority or to some other cause. It should always be borne in mind that appointments are not made in one place nor at one time. If the whole recruitment took place in one office and was to be made by one officer at one time, certainly he would have full facts before him. He would know that the orders of Government are fifty-fifty, but how does the executive engineer at Lyallpur know whether the executive engineer at Lahore is appointing two Muslims or three Muslims and two Hindus. The result is that in one place there is an excess of Muslims and in another there is an excess of Hindus or it may be that in two places there is an excess of Hindus with the result that if three appointments are made in a week or ten days, it might be said by a superficial observer that 66 per cent. of the appointments have gone to Hindus and only 33 per cent. to Muslims.

Chaudhri Afzal Haq : This is not relevant to the case.

The Honourable Dr. Gokul Chand Narang : All these have been counted in the number that has been communicated to the honourable member. Taking all the appointments together and looking into the method of recruitment this discrepancy or difference is bound to occur, but the thing is whether the officers have received the instructions or not to avoid all this communal disparity. If they have and they are sincerely working towards it, I think the honourable members should show sufficient patience to see whether when the whole recruitment has taken place communal balance is or is not kept up. The recruitment is still going on,

because new sub-stations are being built and more and more staff is daily being recruited. Therefore it cannot be said that the final stage has been reached and the Chief Engineer has had time to co-ordinate all the staff from all the branches and sub-stations to see whether the communal proportions have been fully brought about or not. There will be a time for you to consider this when the whole staff has been engaged. It is not that he is powerless to adjust a difference. Certainly he is not powerless. I have made it clear I hope that so far as appointments of gazetted jobs are concerned they alone come to the Minister, for the rest the Chief Engineer is fully competent and is fully authorised to make the appointments. Of course now that the matter has been brought to my notice that in certain places and in certain cadres the number of Muslims is smaller than the number of Hindus, certainly the attention of the Chief Engineer can be drawn to it, but it should not be understood that any communal bias was in the mind of the Chief Engineer or in the mind of his Secretary or his executive engineers. I am also to make it clear and I shall be very glad to be corrected if I am mistaken, that the Secretary to whom reference has been made in such uncomplimentary terms is not at all competent to make any appointment, and can make appointments of subordinate clerks in his office only subject to the sanction of the Chief Engineer.

Chaudhri Afzal Haq : Sanction is taken after the appointment is made.

The Honourable Dr. Gokul Chand Narang : If the Secretary puts up the case, no appointment can be made unless it is approved by the Chief Engineer so that it means that the Secretary is not competent to appoint even a clerk.

Chaudhri Afzal Haq : Will he see the record ?

The Honourable Dr. Gokul Chand Narang : I have seen the record perhaps not what you have seen or have been shown. All that I want the honourable members to understand is, before they allocate the blame, to understand the method of recruitment and then if they find that any recruiting officer has made a ny mistake then the matter can be brought to his notice, or to my notice and I shall see what can be done.

Now, Sir, let us see whether as a matter of fact, the paucity complained of was as great as to merit a discussion in this House. I have got a list supplied to me for this purpose. This is regarding the percentages of Muslims employed in the Electricity Branch and I believe it refers to all the appointments. Here I find that there are a number of appointments, a number of cadres in which the Muslims have either cent per cent. appointments or have much more than 50 per cent. My honourable friend said the Minister found two superintendents and he felt that all the two should not belong to one community and he removed one and put in another, if I could follow him rightly, due to his unfortunately bad throat.

Chaudhri Afzal Haq : The Honourable Minister will kindly read the reply to the question.

The Honourable Dr. Gokul Chand Narang : Which question ? In the first place, if I am not mistaken there were three superintendents. All of them were Muslims. Not one of them has been dismissed. Not one of them has been discharged. One was transferred from the headquarter,

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to Jogindernagar and he is now on leave. That is what I understand and two are still there. All the three superintendents are Muslims. No one has been turned out and no Hindu has been put in place of any one of them. (*Chaudhri Afzal Haq* : I never said that any one was turned out.) If the honourable member never said that, he can take it then that I am not contradicting him. But that is what I understood him to say. (*Chaudhri Afzal Haq* : Then the Honourable Minister has not followed me.) Very likely. I have already said that I have had difficulty in following the honourable member.

Take the case of overseers. There are 69.2 per cent. Muslim overseers. Take the case of draftsmen. There is a percentage of 65.2 belonging to the Muslim community. Take tracers. The honourable member mentioned tracers also. Among tracers I find according to the list that has been supplied to me 66.6 per cent. Muslims. The honourable member then particularly referred to meter readers. He said meter readers have been appointed who did not know what electricity is. It is very difficult to define what it is even for my honourable friend. But I take it that 50 per cent. of meter readers are also Muslims. I would not take the test inspector. There is only one. He is a Muslim. I will not say it is cent per cent. because that would really be misleading. Then meter inspectors. I do not know if the honourable member particularly referred to them. There are 66.7 per cent. of Muslims here. Then motor drivers. There are seven of them. All the seven are Muslims, a hundred per cent of them. Then we come to control room operators. The honourable member mentioned some operators. I do not know whether they were control room operators or some others. There are 50 per cent. of them Muslims. Then there are superintendents. Cent. per cent. of them are Muslims because ; there are three and all of them are Muslims. There were three. They were all Muslims. Now there are two and both of them are Muslims. One is on leave, and under orders of transfer. Then the head assistant. It is cent. per cent. Muslim, but there is only one. Then there are assistants and head clerks. These are important jobs. There are 54.5 per cent. Muslims here. Then stenographers. There are 50 per cent. of them Muslims. I have taken generally those who are above 50 per cent. The number of others in many cases is nearly 50 per cent. But if here and there they are less than 50 per cent., in other cases they are above 50 per cent. Does it mean, as I said the other day, that in every nook and corner the same percentage should be kept up and this chemical balance of communal appointments should be so exact, so exact that in every department of public service, in every town, not to speak of every tahsil or a district even, in every town in every office that percentage should be kept up. It has pained me very much to find some head lines in the press :

"Hindu raj in Civil Surgeon's office and so on !"

You find two clerks and one compounder there and all the three are Hindus and this is Hindu Raj ! It is just possible that there may be some three others occupying some other posts and all of them are Muslims. Sometimes we find "Hindu Raj in Executive Engineer's office." What are the facts ? The accountant is a Hindu ; the clerk is a Hindu, the chaprasi is a Hindu. This is again Hindu Raj !

These people do not care to see that there is not only one executive engineer in the whole cadre of engineers. There may be another executive engineer probably in the next district where the accountant and the clerk, both of them are Muslims. But no. They would not care to see it. In the same way I would blame Hindus if they did the same thing. Finding three places and not one of them occupied by a Hindu if they got up and began to cry Muslim Raj in the office of so and so that would be foolish, absolutely foolish, unjust and unfair. It would be like the blind man touching one leg of the elephant and saying this is the whole elephant. He touches his trunk, or his long nose and says this is the elephant. You must see the whole elephant and then you will have an idea of what an elephant really is. Whether Hindus, Muslims or Sikhs I would request them to take a broader view and not jump to conclusions from the appointments in one particular place or in one particular branch of a department or even in one department. What is necessary and proper to see is whether on the whole communities have been duly and justly dealt with. That is the real point of view which honourable members in this House and critics outside this House ought to take. When it came to my notice that these appointments were being made—I am trying to convince honourable members of my *bona fides*, it may be making an impossible attempt, but I must make an attempt honestly—when it came to my notice that the number of Muslims in higher grades was smaller I called upon the Secretary. Mr. Astbury was then the Secretary. And you all know what sort of man Mr. Astbury was. You could not have accused him of any communal bias at all. There was this European Secretary. I asked him, why is it that the number of Muslims in the higher grades is not according to their proportion? Could I do anything more than that? And I wish to read to my critics the reply that he gave me. On the 25th of November 1932, a long time ago, this is what I asked—

A few days ago when I asked Secretary, Electricity, whether there were any competent Muslim electrical engineers eligible for appointment in various grades as local managers, etc., he told me that there was a great paucity of properly qualified Muslim candidates and he promised to send me a note explaining the reasons for this paucity. May I have that note, please?

I sent this note to him. I did not know that my friend Mr. Afzal Haq had a large stock of competent engineers whom he could present for recruitment as he has claimed to-day. I shall refer the Chief Engineer to my honourable friend whenever any competent Muslim engineer is required. Here is Mr. Afzal Haq who has a large number of competent men. You may kindly refer to him. I shall certainly remember it. If my honourable friend is serious I shall take it seriously and ask the Chief Engineer to refer to him. The reply that I received from Mr. Astbury was this: I do not think I am going against any office decorum in reading it to the Council—

The departmental proposals submitted to Honourable Minister for Local Self-Government for filling the gazetted posts in the new Electricity Branch primarily for the operation of the Uhl River scheme have not approximated at all to the requirements of the formula of Government regarding communal proportions.

That is, the question I had raised myself.

The reason for this is primarily that the field of selection of qualified men does not correspond to the formula.

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Mr. Astbury has used rather involved language. It means suitable men cannot be had to satisfy the requirements of the formula.

In other words the applications received in response to advertisements in the Press shows a distinct shortage of qualified Muslims.

It is not a Hindu who is speaking—

By qualified is meant persons not only holding a specified academical degree or technical diplomas but having had experience in a paid post carrying responsibilities similar to the posts advertised. This disproportion is probably due to several causes. Firstly, the directorates of the companies operating electrical licences in the Punjab contain very few Muslims.

In fact I personally am not aware of a single Muslim director of an electric supply company in this province or of any electric supply company run by any Muslim directorate or owned by any Muslim firm or private gentleman. (*A voice*: Khan Bahadur Sardar Habib Ullah). I confess I do not know he is a director. There may be some, but very few. Probably the Secretary being in direct touch with the department, knows there are a few. I said I personally did not know—

Secondly the large electrical enterprises in India outside the Punjab are non-Muslim in origin, for example, the Tata Hydro-Electric undertakings and the Hydro-electric schemes of Mysore, Jammu and Kashmir and Nepal. Thirdly, opportunities for academical or technical training in electrical subjects were provided much earlier in parts of India where Muslims are in a minority. That is, in the Deccan. Those parts were the first to take up electrical enterprises or were provided by non-Muslim initiative, e.g., the Benares Hindu University, The Victoria Diamond Jubilee Institute, Bombay, and the Indian Institute of Science, Bangalore, none of which is controlled by Muslims. It is noticeable that of the qualified Muslim candidates whom we have got, the greater number have acquired their training and experience outside India.

This is the note that he sent me. The note is quite clear, it is no reflection on Muslim intelligence if there are fewer Muslim qualified electrical engineers than non-Muslims. I do not say the Muslims are not capable of learning that branch of work or that if they are given opportunities, they would not acquit themselves well. I have every respect for their intellectual gifts. The only question is whether they have had opportunities. This hydro-electric department is not a school. Seven crores of rupees, as all of you know, have been spent on this department. (*Shaikh Muhammad Sadiq*: Wasted.) The honourable member may say, wasted. That is a question of opinion. Seven crores of rupees have been spent. The Punjab taxpayer will have to pay about 35 lakhs a year in interest alone on the capital outlay of this scheme. Then again it is not that if a mistake is made there will only be monetary loss. The mistake may have fatal results. Lives may be lost. Therefore the head of the department is naturally anxious that he must have the very best men who have not only degrees from colleges and universities but who have also experience and have been working under some electricity scheme bearing some proportion in magnitude to the magnitude of the hydro-electric scheme of the Punjab Government. This has been the result. Can honourable members deny that Muslims have not had the same opportunities for acquiring electrical knowledge and electrical experience as non-Muslims have. It is natural that if you start a company you will be anxious to give an opportunity first to your own sons, nephews and relations or co-religionists before you think of others. And as all these electrical companies are mostly owned by non-Muslim directors it follows that the Muslims have not had the same opportunities of acquiring experience in

the operation of electrical schemes. The best thing is to persuade young Muslims to go and acquire practical experience. Many Hindus have come to me, take it from me, saying we have got this diploma, we have got this degree, we have spent five years in England, five years in America and so on. They say we have worked here, worked there and we want a job. I say to them, "Very well, you may apply. I shall send your application to the Chief Engineer. He will go through all the applications and will make the selection. If he sends up your name, I shall say, Yes." That is my stereotyped reply to every candidate for employment in the hydro-electrical department. I say that I am not an expert and the responsibility for the successful working of this scheme does not lie with me, primarily. I am only supposed to be the administrative head but the real head of the department is the Chief Engineer. He alone understands what qualifications are necessary for a particular job, and which candidate would suit for any particular job. All the applications go to him. He makes the selection. He puts up the names and they come through the Secretary who makes his notes. My honourable friend, I imagine, will say as he said the other day, that I am under the deputy commissioner, I do what the deputy commissioner says and what the commissioner says. (*Shaiikh Muhammad Sadiq* : No. This time it is the Chief Engineer). He will now say that I initial what the Secretary puts up and what the Chief Engineer puts up. I am not ashamed to confess that almost in cent per cent. cases, if not full cent. per cent. cases, this is what happens. And I tell honourable members if to-morrow any Minister were to take my place I would advise him to do the same because in a technical matter it is wise to be so guided. If it was a case of appointing public prosecutors or law officers I would certainly be my own judge. I may say, No. I know something of law. I know something of courts. I know the duties the public

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prosecutor is called upon to perform.

I am anxious to Indianise the department, but the Chief Engineer can rightly say that as he alone is responsible for the technical success of the scheme his choice should be accepted and I have to accept his recommendation even if a man has to be imported from abroad. This is the real state of affairs. You may consider me a weak Minister or whatever you like, but I consider it the safest thing to say ditto on such technical matters to what the Chief Engineer says, unless from an administrative point of view there is some defect which may occur to me or the Secretary may point out. I shall give an instance of this later. This is the position so far as the Hydro-Electric appointments are concerned.

My honourable friend made a mistake in referring to some individual cases and he particularly referred to a case of a shift engineer whose name he mentioned. I would not have considered it proper in this man's own interest to refer to his case, but I have been practically forced to enlighten this House as to why a notice was served on him dispensing with his services. My honourable friends will correctly appreciate my position when I tell them what happened.

The case is put up that this person is incompetent and not well qualified to hold the job that he is holding. I note on the case that as the number of Muslims in higher posts is comparatively small I would not like to have

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him turned out, and that efforts should be made to provide some other job for him for which he may be found competent. I send the case back. This is the utmost I could do. His case again comes up and this is the report which is made to me. I am not going to mention the name—

After very nearly twelve months' service —is very much in the same position as when he joined. He appears to be incapable of absorbing knowledge of an electrical or mechanical nature imparted to him.

This is not by a Hindu, but by a European officer—

I regret having to say that although—has proved very willing to learn he is unsuited for the post of shift engineer.

For the past seven months I have instructed him in the operation of the power plant, and I have spent more time with him than anyone else. As he is unable to carry out any operations properly it is necessary for me, whenever possible to be present when these take place. His method of operating is most unsystematic and if any trouble occurs he is quite unable to grasp the situation, and get back to normal conditions.

You can imagine what can happen if something goes wrong on transmission line. It must have happened in your own house. Sometimes there is a fuse in one room and the whole house is plunged in darkness. I am not still satisfied and say give the poor fellow another chance for various reasons. Then what I get is this —

The position is that I can find no post for a man who forgets instructions and endangers continuity of supply, and probably equipment, by not attending to instructions and seems incapable of understanding the requirements for operating a system such as we have. He has been tried for a year and within the first two months I had complaints of his slowness to grasp the underlying principles of the plant. I asked the Resident Engineer and Mr. ——— to persevere with his training, finally we have had to place someone else on shift to do his work and I cannot endanger the whole fabric by including unsuitable material. What post can you or Honourable Minister for Local Self-Government suggest. (*this is addressed to Secretary*) for a man who does not understand what he should do or why it should be done after ten or eleven months coaching. The boy is slow witted. As a local manager he would, I feel, be just as much out of his element. His proper element in my opinion is electrician to a small mill, ginning or flour, where he could tinker with the small motors to his heart's content, but how to find a place for him in our organisation is beyond me.

Supposing you were the head of a department and from the highest officer subordinate to you or the next highest subordinate to you you receive this report, will you not be neglecting your duty if you allow such a man to continue in service, in spite of efforts to find a suitable job in the whole department for him. This is one of the gentlemen to whom reference was made by my honourable friend. I am here to defend the action of my officers and I do not think that if they acted in a similar way against any one else of their subordinates any fault could be found with them.

I give another case one of a Hindu. He has also been similarly dealt with because it was found that he could not climb the towers properly, and that in describing a certain class of meter he had made a mistake which showed that he did not possess sufficient mathematical knowledge. (4 voice: Was he a gazetted officer?) Yes, he was a gazetted officer. The smallest complaint in the department is being attended to, in your own interest. If anything goes wrong in a sub-station, the whole scheme may go phut, and then, who will suffer? It will be you who will suffer, not any Minister particularly. The province as a whole will suffer. It is not only a

big stupendous scheme, it is at the same time a very delicate scheme, wherein great loss to property might occur and loss to life might occur, and therefore you cannot blame the head of the department or his subordinates if they are very particular in the choice of their staff.

Again please do not run away with the idea for a moment that I have less respect for Muslim brain as such. I believe they are capable of doing as great things as non-Muslims, only they have not had opportunities. The other day one of the honourable members put a question. I do not remember whether it was Chaudhri Afzal Haq or somebody else, but he put a question about the paucity of Muslim lady teachers in schools and the reply so far as I can recollect, was that there was a paucity of well qualified Muslim lady teachers. It is not that Muslim ladies are less brainy or that they cannot learn English or Persian or Latin equally well with their Hindu or Christian sisters. That is not the case, but owing to certain reasons which are known to you better than they are known to me, Muslims took to English education later than other communities did. In course of time there will be such an abundance of Muslim lady teachers that you will not be able to find jobs for them.

Take another case, of doctors. In the beginning until say ten or fifteen years ago the number of Muslim doctors was comparatively small and therefore Government could not at that time be blamed that it was partial inasmuch as it was not recruiting a sufficient number of Muslim doctors. That would have been an unjust criticism because the material was not available. Now that material is available the deficiency is being made up. In the same way take Roorkee passed people. How many Muslim boys from Roorkee until ten years ago were there? Very few, with the result that the Public Works Department, Buildings and Roads Branch, which recruited Roorkee people had a much larger number of non-Muslims in that department than of Muslims. Could you accuse Government of communal bias or of partiality? I believe you could not reasonably do so, because the field of selection was so limited. The same is exactly the case with the Hydro-Electric Department for reasons which I have shown to you and which Mr. Astbury on a requisition made by me explained in his note which I have just read out to you.

Another case was brought to my notice of a man having superseded certain people and having been appointed over the head of certain other people who are senior to him in pay and also in length of service. A Council question was asked and I said, yes, that has been the case. Again, I do not mind telling you the facts about that case. I think you are entitled to know the facts. An officer was wanted. The post was advertised. A large number of applications were received. The Chief Engineer in the first instance was anxious to import a man from abroad. I said, no let us first exhaust our own resources and if we cannot find a suitable man in India then we can go outside. He agreed. We advertised. A large number of applications came and the Chief Engineer went through them and said that none of the men suited him because he wanted a man who had plenty of experience in electric schemes, for, one of the duties he would be called upon to do would be to advise the owners of private factories.

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to replace their steam plants or oil engines by electrical plant. The whole process of mill conversion will have to be studied and explained to the owners of these factories. They will have to be convinced that if they substitute electric power in place of the power they are using at present, they will be saving so much. Unless the candidate was fully conversant with all these matters he will not be able to do useful work. After having exhausted all the applications that were received he suggested the name of an officer who was already serving in the Hydro-Electric Department. The post carried a salary of Rs. 520 a month in the cadre of executive engineers. The case came to me. I at once raised the objection which my friend has raised. I felt that the candidate chosen would supersede so many people and that there might be a great agitation raised if the man had to supersede so many of his seniors. So, I sent the case back. The case again came to me with the remark that the candidate chosen was the only man who would suit and that no other person either among the existing staff in the hydro-electric branch or from outside whose applications had been received would suit. What am I to do in such a case? I could not take responsibility in a technical matter like this. The responsibility must rest entirely upon the Chief Engineer and therefore he must be allowed to have his way. I agreed most reluctantly to his choice without personally knowing who the man chosen was. But I said that I was not prepared to give him Rs. 520. Though the Finance Department had agreed to a salary of Rs. 520, I was not prepared to give him more than Rs. 400 and even then I said that he must be appointed on probation for one year in the first instance and that if he came up to the expectation of the Chief Engineer by that time he might be confirmed, otherwise some other man would have to be found for the post. Can a Minister do more than that reasonably? This is the second definite individual case to which reference was made. I may tell you that many Hindus come to me not only from this department but from every department crying, 'Look at our qualifications and look at the qualifications of so and so a Muslim, who has been appointed. We have put in a service of 17 years here and 15 years there. Look at our degrees and diplomas. We are in a position to teach the man who has been appointed' and so on. I cannot help it. Some honourable members of this House have personal knowledge of these things. I cannot make myself more explicit. This is the only country unfortunately where merit is to be given the go-bye in some cases in order to keep up communal proportions. I am prepared to concede that if the difference between X candidate and Y candidate is the same as between 19 and 20 one should not mind it; but if the difference is as between 10 and 20, then certainly a line must be drawn there and any Minister or officer would really be acting dishonestly if he showed such an utter disregard to qualifications and sacrificed deserving people at the altar of communalism. (Hear, hear.) He would not be worthy of his salt if he yielded to that undesirable extent. That is the position. If in spite of all that I have just said, it is considered that there has been any injustice to any particular community in any particular branch of the department, it is open to Government to rectify the error. I lay down the principle, I lay down the policy and desire all the officers to act on that policy. If they have not succeeded in carrying it out to a cent. per cent. degree, they should not be guillotined for that, so long as no sordid motives can be attributed to them.

I know something more about the various matters which have been urged in the press or here, but I do not think it desirable to enter into those matters. Honourable members will do very well to sift the complaints when any are brought to them before they begin to ventilate them here in the Council. They should see who is the man who brings the complaint to them, whether he has any personal case or any personal motive, whether he has been taken to task by the department, and whether any disciplinary action has been taken against him. If that is so, you may listen to him carefully and cautiously but do not forget the proverbial grain of salt which in some cases may be a very big grain indeed. That is the only request that I can make to honourable members of this House. They should try to raise the standard of discipline and efficiency and not to lower it by bringing purely communal wrangles into the administration.

There is just one thing more which I must say before I resume my seat and that is, that there is no ground to be upset if there is any disparity. I admit that so far as higher grades are concerned Mussalmans have not been recruited, or rather, it has not been possible to recruit them, in the proportion in which they ought to have been recruited if sufficient number of well-qualified people had been forthcoming. But there is no reason to be upset over it. Wait for a bit, try to bring forward qualified people, ask your young men to acquire experience even if it be without pay. I remember, the late Colonel Battye, whose death we all mourn, one day had a talk with me about this. He said, 'whenever a young engineer comes to me for a job and I cannot give him any, I ask him to go and work somewhere if possible without pay even, until he can get a better job.' Just as capital is to a merchant so is experience to a technical man. He should collect that capital. Even if he does not get any return on that capital for sometime he should not become impatient. The honourable members will do well to advise their young men to make friends with the management of electric supply companies. Let them get into those companies even as unpaid probationers so that they may gain experience and then they will be justified in asking for higher jobs in which experience is necessary, perhaps more necessary than mere academic qualifications. I have also pointed out that the disparity is not so great even here. In some departments and in some cadres there is no disparity at all unless we take the excess of the Muslims over the percentage to which they are entitled. I have also submitted that this will certainly be gradually made up. This assurance has been given many times, and if necessary I shall repeat it now, that the claims of properly qualified men will never be rejected or ignored and keeping in view the words of Sir Geoffery deMontmorency that 'efficiency is the primary consideration' it will be certainly kept in view that every community is justly and fairly dealt with. It does not mean that they have not been justly or fairly treated before. They have been justly and fairly treated hitherto, but if the results are not considered satisfactory every effort will be made, properly qualified men forthcoming, to adjust any differences that may appear at the present moment. (*Cheers*).

Chaudhri Afzal Haq (Urdu): Sir, I am grateful to the Honourable Minister for Local Self-Government to this extent that if not anything more he has at least been pleased to hold out this promise that he will take steps in future to see that the deficiency in the proportion of Muslims is made

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up in this department wherever this deficiency exists. You will remember, Sir, that in my first speech I raised three definite questions, but the Honourable Minister has taken shelter behind the general discussion of the question. I admit that in a few cadres in this department the Muslims are holding 80 per cent. of the posts, but this will also be admitted that in others and in a large majority of these other cadres the percentage of the non-Muslims is 80 and even 100 as I have already shown. I can prove this again by quoting facts and figures, but as the time at my disposal is short, I will not go into this question in detail. The totals of the various cadres as given in the consolidated statement supplies that proof. My complaint is not so much against the recruitments made in the past as it is against the recruitments made last year. The Honourable Minister had promised on some other occasion that he would make every effort to make up this deficiency while making appointments in future. But I am sorry to point out that in spite of that promise, the appointments have, almost all of them, gone to one class even in the clerical cadre. And in the higher grades no Muslim has been taken.

The Honourable Dr. Gokul Chand Narang : Is the honourable member talking of appointments made in 1983 ?

Chaudhri Afzal Haq : Yes, I am referring to the appointments made in 1983. Not only has no Muslim been taken in the higher grades, but the one or two Muslims who were already working in these higher grades have been asked to go. I say even in the clerical grade one community has been particularly favoured.

Now I would like to draw your attention to two matters. First of all I would bring to your notice the case of M. A. Ghani Chaudhri. I will not refer to this matter in a manner that the Honourable Minister may think prejudicial to him.

The Honourable Dr. Gokul Chand Narang : What would you propose to do in such a case ?

Chaudhri Afzal Haq : Well, Sir, I was telling you that I will not mention it in a way—

The Honourable Dr. Gokul Chand Narang : I read out, Sir, that after two months complaints were received against him.

Mr. Nanak Chand Pandit : Are we discussing only one individual. Our time is being wasted.

Chaudhri Afzal Haq : Well, Sir, this matter relates to one Mr. M. A. Ghani Chaudhri I am sure that the Honourable Minister for Local Self-Government and the other Honourable Minister who was in charge of this department before him, must have taken some interest in this matter. Even I was sure of it before the Honourable Minister read about it. Mr. M. A. Ghani Chaudhri remained in charge of electricity for 12 months and there was no complaint against him during all this time. He did work to the entire satisfaction of his superiors. No entries were made against him in his record. In his record even remarks to the effect that at any time current failed for more than two minutes are to be found nowhere.

The Honourable Dr. Gokul Chand Narang : I know nothing about it.

Chaudhri Afzal Haq : This gentleman to whom I am referring worked for 12 months efficiently and did not give any cause of complaint to anyone. The circumstances are quite eloquent and they speak out the truth. A report is daily submitted to the Chief Engineer and during the course of the employment of the said gentleman at no time was any complaint made against him regarding his work. The only defect in this gentleman is that he is self-respecting and does not go to see and dance attendance on officers. But when an officer wants to find fault with the work of his subordinate he can do so. If an officer is bent upon finding fault he can find opportunity of doing so. When it was decided that Mr. Sahni should be taken the officer or the officers concerned found out causes of complaint against him (*Interruption*) yes, I know more about your department than you know. Then, Sir there is the case of Mr. Idnani. Perhaps the officers did not inform the Honourable Minister for Local Self-Government that Mr. Islam-ul-Haq was fully qualified and that he had also 12 years' experience in America to his credit.

Mr. Nanak Chand Pandit : Is it another gentleman who is going to be discussed ?

Chaudhri Afzal Haq : Yes, Mr. K. A. Ghani also applied for the post but his application was also rejected. When one is bent upon finding fault one can easily do so. Perhaps it might be said that qualified candidates are not forthcoming from amongst the Muslims. The gentleman to whom I have referred was a qualified candidate but his application was rejected. If you advertise a post you will find how many candidates can be found amongst the Muslims. Unfortunately posts are not advertised. (*Interruption*). The Honourable Minister says that the posts are advertised. But they are advertised only in Hindu papers and not in Muslim papers. Then, again in the gazetted posts of this department there is already a paucity of Muslims. Sometime back a post fell vacant and a Hindu gentleman was appointed to it. I am referring to the case of Ram Battan. It is asserted that vacancies are advertised but no such advertisement has ever appeared in the Muslim papers.

The Honourable Dr. Gokul Chand Narang : I never said that this post was advertised. I am misrepresented and as there is no opportunity to reply to this later I think it is better to contradict such misstatements then and there, so that if they are doing it unconsciously they may know the correct position. This gentleman was a qualified Extra Assistant Commissioner having passed all the examinations and there is no question of apprenticeship.

Chaudhri Afzal Haq : Sir, I was telling how appointments are made in this department and how a certain gentleman was taken.

Mr. President : I would request the honourable member to reply to the arguments advanced by the Honourable Minister and not to bring in fresh points.

Chaudhri Afzal Haq : It was asserted that appointments were made after the vacancies had been advertised and applications from different

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candidates had been received. I am laying bare facts before you. Only those posts are advertised for which candidates are forthcoming from the department itself. Twice vacancies were advertised and candidates were taken from the department, and the applications of outsiders were rejected. (*Interruption*) I am not talking of other departments. I am talking of this particular department which is under the charge of the Honourable Minister. You say that there is a paucity of such men amongst the Muslims who know the work of electricity, and therefore, there are few Muslims in this department. It is incorrect to say that there is a paucity of qualified candidates amongst the Muslims for this department. Tell me how many candidates you require and I will supply them to you. You have never asked for Muslim qualified candidates.

The Honourable Dr. Gokul Chand Narang : You never volunteered your services.

Chaudhri Afzal Haq : There is no denying the fact that I never volunteered myself, but this is also a well known fact that the Honourable Minister never advertised these posts and whenever any Muslims applied for any situation their applications were invariably rejected.

The Honourable Dr. Gokul Chand Narang : I do not know, but I shall enquire.

Chaudhri Afzal Haq : Just now when I asked as to why a particular Muslim was not appointed to a certain post the Honourable Minister replied that he was not an able officer. But when I have cited his qualifications and established his superiority, at least over Lala Ram Rattan the Honourable Minister may reasonably be expected to revise his opinion. Sir, the House can conclude from this instance that I have sufficient proof for what I say.

The Honourable Minister may undoubtedly claim that Muslims have a majority in the lower grade but this fact has been admitted by him that in appointments made since Lala Ram Rattan assumed office, Muslims share is equal to nil. He has further admitted that due consideration has not been paid to the announcement made by His Excellency Sir Geoffrey deMontmorency on July 19, 1927. I cannot sufficiently emphasise the fact, that it is not in the spirit of carping criticism that I have brought forward this motion. But these are the facts that Muslims' rights are being ignored in the departments under the control of the Honourable Minister and I feel that it is my bounden duty to draw attention to this injustice. I have quoted instances where non-Muslims were given employment, though capable Muslims were easily available. Then the Honourable Minister said that he had issued directions to his officers that due regard should be taken of the rights of the Muslims. I am glad to hear that, and, in fact I had stood up with the expectation that the Honourable Minister would make this reply. But any vigorous action does not seem to have been taken in this connection. I asked in a Council question as to how many officials were reprimanded for not having complied with the instructions of the Government in carrying out the instruction contained in the declaration of Sir Geoffrey deMontmorency. The Honourable Finance Member replied that only one official has so far been reprimanded on that account. I am glad

that the Honourable Minister has appreciated his position and has admitted that Muslims' rights have undoubtedly been ignored as regards appointments made in the lower grade during the time of Lala Ram Rattan.

The Honourable Dr. Gokul Chand Narang : I have never admitted that. I said, " I shall enquire."

Chaudhri Afzal Haq : I think the questions raised by me have found the sympathetic consideration of the Honourable Minister, and he has frankly admitted that Muslims have a genuine grievance in this respect. This shows that there is a good measure of agreement between the Honourable Minister and myself. I need not go, therefore, further into this question of the particular circumstances under which these grievances arose. I hope he would try in future to make up the paucity of Muslims, especially if any appointments are to be made by him in 1934. May I ask him once again if such an expectation will be fulfilled.

The Honourable Dr. Gokul Chand Narang : Do you not consider my assurance satisfactory ?

Chaudhri Afzal Haq : What does the Honourable Minister propose ? Should I press this motion or withdraw it.

The Honourable Dr. Gokul Chand, Narang : As you please.

Chaudhri Afzal Haq : I would rather press it.

The Honourable Sardar Sir Jogendra Singh : The Honourable Minister has given an assurance.

Chaudhri Afzal Haq : Very well, then I would withdraw it.

The motion was by leave withdrawn.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I wish to speak with regard to the whole demand which is before the House. I was congratulating myself and the members of the Council that this time at least we have been able to avoid communal wrangling, but unfortunately the last speaker, i.e., the proposer of the last motion destroyed that satisfaction. Practically this is the last Council, not the session of the Council, but the last Council. We are hoping that there would be new elections. So far as the present session of the Council is concerned, barring one or two occasions, the honourable members on all sides have shown a desire to come together and to profit by the reforms which were introduced under the Government of India Act, 1919, that is the present Reforms. It is better that now we should take a review of what the Council and what Honourable Ministers who are representatives of the Council have been able to achieve during the last 12 or 13 years during which this system of Government has been working.

Chaudhri Nazir Husain : What motion is the honourable member speaking on ?

Mr. Nanak Chand Pandit : I am speaking with regard to the pay of ministers. I was just submitting that if the review of the whole administration under the Transferred Departments is to be taken we will find that really during the last 12 or 13 years we have not been able to achieve anything substantial or useful. During the last so many years the main object of quarrel between the parties has been how many posts

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in this department went to the Hindus and how many to Muslims and how many to Sikhs. How many to the agriculturists and how many to non-agriculturists. Kindly see what we have achieved during these 12 or 13 years under this present system.

Chaudhri Nazir Husain : Is the administration for the last 12 or 13 years contemplated in the motion? Why is he referring to it?

The Honourable Malik Sir Firoz Khan Noon : If you are going to permit the honourable member to repeat here what he has been trying to do in London, to try to oppose the Reforms, it would be hardly fair to the House.

Mr. President : The honourable member will please speak to the motion.

Mr. Nanak Chand Pandit : I regret that the Honourable Minister has not read what I said in the Joint Parliamentary Committee. I said that an impression prevails that the Hindus of the Punjab stand in the way of the advancement of the country.

Mr. President : The honourable member should speak about the salaries of ministers.

Mr. Nanak Chand Pandit : I want to repudiate the insinuation contained in the remark and the suggestion conveyed in the remarks made by the Honourable Minister who has just sat down, namely, Sir Firoz Khan Noon. It is entirely wrong, it is false, it is calumnious to say, as is said every day, that any such statement was made by the Hindus or the representatives of the Hindus before the Joint Parliamentary Committee. These words are on record and had my honourable friend read them he would not have made the remarks that he has just made.

Mr. President : The word "false" is unparliamentary.

Mr. Nanak Chand Pandit : I said that the word was repeated everywhere and broadcast throughout the province.

Mr. President : And yet the honourable member thinks that he is in order in using that word? I think he should withdraw it.

Mr. Nanak Chand Pandit : I have not made a reference to the Honourable Minister. Do you mean to say that the word "false" being unparliamentary cannot be used at all?

Mr. President : To say that a statement made by a member of this House is false is clearly objectionable.

Mr. Nanak Chand Pandit : I have already said that I did not refer to the Honourable Minister.

Mr. President : To whom, did the honourable member refer then?

Mr. Nanak Chand Pandit : This statement has been repeated in the press throughout the length and breadth of the country.

Mr. President : I think the honourable member should withdraw it.

Mr. Nanak Chand Pandit : If my honourable friend has understood it that it referred to him, it is withdrawn. It was the general impression

that I was referring to, and I want to, repudiate that there was no such statement ever made in London. However, what I was saying was that instead of censuring the ministers I want to ask them a few questions. Have they jointly submitted a note to the Government that there is increase of corruption and that the corruption must be stopped? Have they jointly submitted a note to the Reserved Departments that during these years the case of murders in the Punjab has risen from 500 to 700? Have they ever submitted a joint note that so far as taxation is concerned in the province, it has been during these years on the increase? Has any joint action been taken by the three Ministers in all these respects?

Mr. President : Do the portfolios which they hold include these matters?

Mr. Nanak Chand, Pandit : It is at least understood by all constitutional experts that when these reforms were introduced the very object of the Reforms was that there should be joint responsibility not only between the transferred subjects, but even between the transferred and reserved subjects. That is exactly what I am trying to show. That is given in the Instrument of Instructions. The main reason for saying all these things is that now that the Council is beginning to realise that these things should be stopped, I would very seriously and earnestly request the ministers to note this. I am not saying anything against any one of them particularly. The time has arrived indeed when they should jointly do something and do away with these communal wranglings.

Mr. President : Will the honourable member please discuss the salaries of the Honourable Ministers?

Mr. Nanak Chand Pandit : If they do not do this I am not prepared to give them my vote for getting their salaries (*hear, hear*). If they want their salaries they should show during the next 1½ years that they are recognizing their duty.

The Honourable Dr. Gokul Chand Narang : Oh, you are giving us a warning.

Mr. Nanak Chand Pandit : The point is this, that during these 12 or 13 years the main object of the Reforms as understood by the people at large was that it would benefit the people at large.

The Honourable Malik Sir Firoz Khan Noon : So they have.

Mr. Nanak Chand, Pandit : One of the Honourable Ministers says that it has benefitted the people. It has not benefitted the people in the least. If he wants facts and figures he will find, so far as expenditure is concerned, there was a contribution to the Central Government to the tune of 156 lakhs which has been swallowed up. Then there has been increase in taxation. No relief has been given in taxation in land revenue, in *abiana* or in such taxation which really would have gone to help the people of the province and not the job hunters and job seekers of this department or that. If you consider from a purely national point of view, and not from a communal point of view, the reforms have proved a total failure.

The Honourable Malik Sir Firoz Khan Noon : Question.

Mr. Nanak Chand Pandit : You will go on questioning, and therefore I would ask my honourable friend to question every statement I have made.

[Mr. Nanak Chand Pandit.]

Has he ever tried sitting in the chair to persuade other two Ministers to come along to the two Executive Council members and make a statement to them that the country is groaning under a load of heavy taxation. If they have not done so they have not fulfilled the spirit of the Reforms. They can say "very well we were not there at the behest of the Hindus or Muslims or Sikhs together, and we are representing separate communities". They can give that answer, but I submit you cannot have these things unless there is a sense of joint responsibility which can only arise if the people, Hindus, Muslims and Sikhs in some matters have joint interest which can only arise if there are joint electorates, and it is the duty of every Minister to strive for it.

Mr. President : Joint electorates are not relevant to the demand under consideration.

Mr. Nanak Chand Pandit : I submit that it is absolutely relevant. Two or three years ago this House gave a mandate to the Honourable Ministers to evolve a formula which will satisfy all the parties. They have not done so.

The Honourable Dr. Gokul Chand Narang : We did attempt.

The Honourable Malik Sir Firoz Khan Noon : You will never accept it if it were put forward.

Mr. Nanak Chand Pandit : That is what I wanted to get out of you. I hope you will not say the same thing when another effort is made. Question now is that in order to have some sort of influence on the reserved subjects there must be some sort of joint action on the part of Ministers, and what I demand from them is that in the matter of corruption in services and corruption in the legal profession they should make a joint effort. Hindus, Muslims and Sikhs all suffer on account of corruption which is eating into the vitals of the services. They ought to have some sort of influence on the reserved half of the Government. You will remember that the Council in 1922 appointed a committee and that committee made a report and a large number of recommendations were made by the committee, and the Government accepted some of them.

S. P. M.

Mr. President : Order, order. The time for applying guillotine has come. The question is—

That a sum not exceeding Rs. 1,89,400 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, 1935, in respect of General Administration (Transferred).

The motion was carried.

ADMINISTRATION OF JUSTICE.

Mr. President : Question is—

That a sum not exceeding Rs. 41,85,400 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 1935 in respect of Administration of Justice.

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

Mr. President : Question is—

That a sum not exceeding Rs. 28,72,500 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, 1935, in respect of Jails and Convict Settlements.

The motion was carried.

POLICE.

Mr. President : Question is—

That a sum not exceeding Rs. 1,12,72,300 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, 1935, in respect of Police.

The motion was carried.

EDUCATION (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 5,73,100 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, 1935, in respect of Education (Reserved).

The motion was carried.

EDUCATION (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 1,49,08,800 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, 1935, in respect of Education (Transferred.)

The motion was carried.

MEDICAL AND PUBLIC HEALTH.

Mr. President : Question is—

That a sum not exceeding Rs. 48,88,800 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, 1935, in respect of Medical (Reserved and Transferred) and Public Health (Transferred).

The motion was carried.

AGRICULTURE.

Mr. President : Question is—

That a sum not exceeding Rs. 42,82,600 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1935, in respect of Agriculture (Transferred).

The motion was carried.

INDUSTRIES.

Mr. President : Question is—

That a sum not exceeding Rs. 12,25,700 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, 1935, in respect of Industries.

The motion was carried.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

Mr. President : Question is—

That a sum not exceeding Rs. 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, 1935, in respect of Capital Outlay on Industrial Development.

The motion was carried.

MISCELLANEOUS (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 8,36,900 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, 1935, in respect of Miscellaneous (Reserved).

The motion was carried.

MISCELLANEOUS (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 17,75,300 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, 1935, in respect of Scientific and Miscellaneous Departments and Miscellaneous (Transferred).

The motion was carried.

CIVIL WORKS (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 91,800 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, 1935, in respect of Civil Works (Reserved).

The motion was carried.

CIVIL WORKS (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 75,99,800 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, 1935, in respect of Civil Works (Transferred).

The motion was carried.

PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS ESTABLISHMENT.

Mr. President : Question is—

That a sum not exceeding Rs. 14,38,300 be granted to the Governor in Council and Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1935, in respect of charges on Public Works Department, Buildings and Roads Establishment (Reserved) and (Transferred).

The motion was carried.

HYDRO-ELECTRIC SCHEMES, WORKING EXPENSES.

Mr. President : Question is—

That a sum not exceeding Rs. 5,60,700 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, 1935, in respect of Hydro-Electric Schemes, Working Expenses (Transferred).

The motion was carried.

PUBLIC WORKS DEPARTMENT, HYDRO-ELECTRIC ESTABLISHMENT.

Mr. President : Question is—

That a sum not exceeding Rs. 6,89,000 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, 1935, in respect of charges on Public Works Department, Hydro-Electric Establishment.

The motion was carried.

CIVIL WORKS (CAPITAL).

Mr. President : Question is—

That a sum not exceeding Rs. 6,85,700 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, 1935, in respect of Civil Works (Capital).

The motion was carried.

HYDRO-ELECTRIC SCHEME—CAPITAL EXPENDITURE.

Mr. President : Question is—

That a sum not exceeding Rs. 78,26,900 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, 1935, in respect of Hydro-Electric Scheme—Capital Expenditure (Transferred).

The motion was carried.

FAMINE.

Mr. President : 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, 1935, in respect of Famine.

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President : Question is—

That a sum not exceeding Rs. 41,99,400 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, 1935, in respect of Superannuation Allowances and Pensions (Reserved).

The motion was carried.

COMMUTED VALUE OF PENSIONS (CAPITAL EXPENDITURE).

Mr. President : Question is—

That a sum not exceeding Rs. 8,46,000 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, 1935, in respect of Commuted Value of Pensions (Capital Expenditure).

The motion was carried.

STATIONERY AND PRINTING (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 9,15,200 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, 1935, in respect of Stationery and Printing (Reserved).

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 66,000 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, 1935, in respect of Stationery and Printing (Transferred).

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENTS (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 7,96,300 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, 1935, in respect of Loans by Provincial Governments (Reserved).

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENTS (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 3,07,300 be granted to the Punjab Government (Ministries of Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1935, in respect of Loans by Provincial Governments (Transferred).

The motion was carried.

REFUNDS (RESERVED).

Mr. President : Question is—

That a sum not exceeding Rs. 3,33,400 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, 1935, in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED).

Mr. President : Question is—

That a sum not exceeding Rs. 7,89,700 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, 1935, in respect of Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND (OTHER THAN STORES).

Mr. President : Question is—

That a sum not exceeding Rs. 5,70,000 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 payments for the year ending the 31st of March, 1935, in respect of Expenditure in England (other than Stores) under the control of the High Commissioner for India.

The motion was carried.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF SECRETARY OF STATE.

Mr. President : Question is—

That a sum not exceeding Rs. 21,400 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, 1935, in respect of Expenditure in England under the control of Secretary of State.

The motion was carried.

RESPONSIBILITY OF MINISTERS.

RULING RE—

Mr. President : Yesterday the Honourable Dr. Gokul Chand Narang raised a point of constitutional importance as to the responsibility of Ministers for the acts of such permanent officials of Government as they may do or perform under the provisions of statutes. The point arose from a supplementary question asked by the honourable member for Sialkot. The question, if I remember aright, was : why a certain person was nominated to the Fatehgarh Small Town Committee in the Gurdaspur district. The Honourable Minister replied that the nomination in question was made by the commissioner in the exercise of powers conferred upon him by a section of the Punjab Small Towns Act. What he meant to say was that he was not responsible for the act of the commissioner inasmuch as it was done under the provisions of a Statute.

The Honourable Dr. Gokul Chand Narang : What I submitted, so far as I can recollect, was that when an officer is endowed with powers under a statute and he exercises those powers and no other authority has the power under the statute, then the Minister cannot be held to be responsible for any act done by that officer under his statutory power. I also stated that the Minister might have a sort of supervisory power, that he might ask him whether he considers what he has done to be proper or improper. He might draw his attention but he had no right under the law to question his conduct.

Chaudhri Zafrulla Khan : He may or may not have a right to question the commissioner's act ; but he is responsible before the House for every detail of the administration of the department of which he is in charge.

The Honourable Dr. Gokul Chand Narang : I do not admit that a Minister or a Member is responsible for every individual action of every individual officer under his control. The fallaciousness of it can be exposed by extending it a little further. A chaprasi does not keep the office of a

[The Hon. Dr. Gokul Chand Narang.]
 tahsildar clean. Is the Honourable Revenue Member responsible for the untidy condition of the tahsildar's room, because the tahsildar's chaprasi or for the matter of that the tahsil's sweeper has not swept the tahsildar's office? It is certainly a *reductio ad absurdum*, but there is no other way so calculated to expose the hollowness of the preposterous proposition such as the one my honourable friend has laid before the House.

Chaudhri Zafrulla Khan : It is a most extraordinary doctrine. If the question of the tahsildar's office being swept or not being swept was of sufficient importance for the Council to have its attention engaged upon it, surely the person responsible for it would be the Honourable Member. He may not be actually personally responsible to go into the office and see that the office is swept clean, but he is responsible to the House for the person who is at fault.

The Honourable Dr. Gokul Chand Narang : I do not admit that proposition.

Mr. President : The Honourable Minister may or may not admit, but constitutionally he is responsible for all acts of all subordinates of his department whether they perform those acts under statutes or rules or under the executive orders of the Government.

The Honourable Dr. Gokul Chand Narang : Will you define responsibility?

Mr. President : Responsibility for all acts done by them on the executive or administrative side, but not on the judicial side. Does the Honourable Minister contend that when a commissioner or a deputy commissioner exercises certain powers under the provisions of a statute, he may flagrantly abuse or misuse his powers, and that the Minister in charge of the department is not responsible to the Council for such acts? If that is his position, will he please tell the House who else is responsible to the Council for such acts? I may mention that according to the Parliamentary Practice a Minister in charge of a department is responsible to the House of Commons for any action of any one in his department. His responsibility is three-fold. He is responsible to Parliament, to his brother Ministers and to His Majesty the King. Regarding a Minister's responsibility to Parliament the following sentence from volume I, on page 192, of Lawrence Lowell's Government of England, speaks for itself:—

The Minister is alone responsible for everything done in his department, and he receives all the credit and all the blame. The civil servant never talks in public about the policy of his department, never claims anything done there as his own work, and, on the other hand, Minister ought not to attribute blunders or misconduct to a subordinate unless prepared at the same time to discharge him.

It is common knowledge that, so far as the transferred departments are considered a Governor, acting on the advice of and in consultation with the Minister in charge of a department lays down the policy for the administration of that department. A Governor acting with a Minister forms Government. Therefore the policy thus laid down is the policy of the Government and not of the individual Minister, and it is the duty of all civil officers of Government to carry out that policy. Consequently, if any officer does not act in accordance with or does not give effect to the policy of the Government, the Government (i.e., the Governor *plus* the Minister), but

not the Minister alone, can take such officer to task. Every officer performs his official duties under the general supervision and control of the Government. A Minister is not justified to say that the officials of his department are not responsible for their acts to him, and that he is not responsible to the Council. If a deputy commissioner acting under a certain law or a commissioner acting under the provisions of a certain statute does things which are wrong, or which are a source of annoyance or inconvenience to the public, can it be contended that he is above law?

The Honourable Dr. Gokul Chand Narang : Whoever said that he was above law?

Mr. President : What else does the Honourable Minister mean when he says that certain things have been done, no doubt, by a commissioner under the provisions of a certain statute, but that he is not responsible to the Council for those acts of the commissioner?

The Honourable Sir Henry Craik : I cannot accept that your remarks apply to the reserved half of Government. The responsibility of the reserved half, under the present constitution, as my honourable friend opposite will support me, is to Parliament and not to this Council.

Mr. President : Yes. But that is not the position of Ministers, who are in charge of the transferred departments.

The Honourable Dr. Gokul Chand Narang : Let me make my position as clear as possible. The question unfortunately arose on a very petty point. But the constitutional question that has been raised is very important. In the particular case in question, the merits might have been one way or another and the Government might or might not agree with the action of the commissioner, might uphold his action or advise him to modify his action, and so on. That is a different matter. We are not now discussing the merits of that particular case. But so far as the constitutional question that you have been pleased to raise now is concerned, I submit I should have had warning or notice that you would be bringing it up just now.

Mr. President : If the House wishes to discuss the matter further on some other day, I shall have no objection.

The Honourable Dr. Gokul Chand Narang : Yes, so that we also may look into the question. This is a very complicated and difficult question, perhaps the most important constitutional question that has been raised in this Council, and it is necessary that the question should be properly studied and advice of legal officers sought, because it concerns the question of responsibility of ministers. But let me make one thing clear. It has never entered into my head, and I am sure it has never entered into the heads of my colleagues, that we are not responsible to this House. We know that we are responsible to this Council, and we have very good reason also to know that! It is not only from our knowledge of the constitution of the country that we know it, but every day we know that we are dependent upon the members of the Council and that our actions are open to criticism by them. Our actions are not only open to their criticism, but we ourselves have to be guided by them. We also on our part always try

[The Hon. Dr. Gokul Chand Narang.]
 as far as possible to be guided by their wishes. I also know that it is impossible not to be guided by the wishes of this Council properly expressed either in the form of a resolution or by the expression of opinions on measures brought forward before it by Government. But it is all a question of what responsibility means. You will remember I admitted the correctness of the proposition that we certainly had supervisory power, that the Government has got powers of supervision, control and guidance given to it under the statute itself. What I meant to say was this. Supposing an officer exercises power under an Act passed either by this very Council, or by the central legislature or by Parliament, has a Minister a *right* to interfere in his action? This is quite a different thing from the Minister's writing to that officer by way of advice or by way of pointing out that the action of that officer was not proper or that in future he should not exercise his discretion in such and such a way. Beyond that a Minister cannot have a right to interfere. Besides, the honourable members of this House should bear this in mind that the commissioners and deputy commissioners are not under the control of ministers except to a very limited extent. They belong to a service over which the ministers as such have absolutely no control. (*An honourable member*: That is an anomaly.) We have to face that anomaly. So long as the constitution is what it is, that is, diarchical, that anomaly must exist, and therefore the power of supervision, or guidance or control of ministers is also limited. We may like to have more power, but the question is whether we have got it at present. There was one point referred to by you. I think it was from a book that you read that no blame should be thrown upon any officer unless the Minister is at the same time prepared to discharge him. I believe I have correctly reproduced what you read out. Now apply that to the conditions here, to the power of ministers in this province. You will see that the ministers have no such power.

The Honourable Sir Henry Craik: Are we having a discussion on the constitutional point?

The Honourable Malik Sir Firoz Khan Noon: I have worked as a Minister for seven years, and the position taken by my colleague Dr. Gokul Chand Narang is not tenable. As a Minister I have been responsible for the acts of officers working under this ministry, and as long as I continue to be a Minister I must be held responsible for all acts of officers working under me. If the position that my friend has taken up is to be the legal position, it is going to make the position of ministry weak in future. I do not wish it to get into the minds of the public or of the Government officers that they are independent of the ministries, that they are not answerable to ministers or that we are not responsible to this House for their actions. I do not wish to take up the time of this House, otherwise I may be able to speak more on the subject.

Mr. President: It is the Minister, who is the fountain head from which the policy for the working of his departments emanates.

The Honourable Dr. Gokul Chand Narang: The policy emanates from the local Government. The Minister by himself does not constitute the Government. Under the Government of India Act, it is the Minister with the Governor that constitutes the Government.

Mr. President : I have already said so. But is it not the Minister, who with the concurrence of the Governor, lays down the policy to regulate the affairs and the inner working of his departments. I am glad that this much is conceded. Now a deputy commissioner or a commissioner, acting under the provisions of an Act or a rule or an executive order may either act according to the policy laid down by the Minister with the concurrence of the Governor or he may act against that policy. In the latter case, that is to say, if he does not care to act upon the policy laid down by the Government, the first remedy for the Minister is to approach the Governor with the complaint that such and such officer has not carried out the policy of Government. If his complaint does not receive the consideration it may deserve, the Minister may resign his office and then place before the Council a complete statement of facts, so that the elected representatives of the people may approach the Government of India or the British Government for the redress of their grievances.

The Honourable Sir Henry Craik : Is this a ruling from the Chair or a lecture on the constitution? I really do not understand what is the point before the House.

Mr. President : I am replying to the point raised by the Honourable Minister for Local Self-Government.

The Honourable Sir Henry Craik : You are interpreting the constitution. It appears that you are not interpreting the rules.

Mr. President : Certain acts of an officer were criticised when the Minister said that he was not responsible for that officer's acts.

The Honourable Sir Henry Craik : The only question before the Council is whether the conduct of a Minister can be raised in debate in this House. The question of the responsibility of commissioners or other officers of Government is not before the Council. You have stated certain views regarding the constitution which I for one am not prepared to endorse. I have worked this constitution now for a good many years, and I think that in certain respects the interpretation put upon by you is not in agreement with the actual facts. I do not agree that all members of Government are responsible to this House. That is not in accordance with the constitution.

Mr. President : I never said so. Probably the Honourable Member did not hear. I definitely stated that the executive members of Government are not responsible to this Council. Did I not say so? (*Voices : Yes, yes.*) I was asked to give a considered ruling, and I am giving it now. Had the Honourable Minister admitted his responsibility for the acts of the officers of his department the question would not have arisen.

The Honourable Dr. Gokul Chand Narang : I cannot admit that. I never wanted your ruling. I was simply replying to certain questions, and you got up and said that it was a constitutional question. As a matter of fact I did not ask you for a ruling. Further, I must say in fairness to the officers of Government that up to this time I have had no case in which any officer tried to go against the policy laid down by the Governor acting with the Ministers.

Mr. President: Did not the Honourable Minister say that he was not responsible for the act of the commissioner?

The Honourable Dr. Gokul Chand Narang: You have entirely misunderstood me. I was not referring to this particular case. In fact I agree with the commissioner's action. I do not differ with the commissioner at all. If I had differed I would have called upon him to modify his action.

Mr. President: Did not the Honourable Minister say that he was not responsible for the act of the commissioner?

The Honourable Dr. Gokul Chand Narang: I said that the act was that of the commissioner and then followed a volley of supplementary questions which I had to answer on the spur of the moment.

Mr. President: How the question arose was: when the Honourable Minister denied his responsibility for the act of the commissioner, I remarked that constitutional responsibility was his. Upon this the Honourable Minister again said that responsibility was not his, as the commissioner's act was done under the provisions of a statute.

The Honourable Dr. Gokul Chand Narang: I was not referring to that case.

Mr. President: Had the Honourable Minister admitted his responsibility to the House the matter would have ended then and there.

The Honourable Dr. Gokul Chand Narang: I am responsible to it. But I still maintain that it is doubtful if I can be held responsible for every single act of any officer. I may be responsible only to this extent, viz., if any objectionable act has been done by any officer and it is brought to my notice, I should take action. If I do not take any action to bring it to the notice of the offending officer, then I fail in my responsibility. Beyond that I do not claim any power, and I am not prepared to admit any further responsibility unless by a further study of the question. I am convinced that the proposition as you have put is correct.

Mr. President: So far as I can recollect I did not volunteer to give a ruling. I think I was asked to give one. Will the Secretary read the report of proceedings?

The Secretary then read out the relevant extracts from the proceedings—

Mr. President:—Is not a minister constitutionally responsible for any action of any one in his department?

The Honourable Dr. Gokul Chand Narang:—In that sense he may be. He may be theoretically and constitutionally responsible, not individually. (*Chaudhri Afzal Haq:* Not theoretically but practically). Impossible. If a certain officer has been mentioned by designation and has been given a statutory power to do a certain act, does the responsibility for his actions, even in that case, attach to the Minister?

Mr. President:—I will consider that aspect of the question.

The Honourable Mr. Miles Irving:—The question of responsibility is rather an important one. Have you finally decided on it?

Mr. President:—No. I shall look into it and give the House my considered opinion.

Mr. Nanak Chand Pandit: Can the House divest itself of its responsibility?

The Council then adjourned till 2 p. m., on Monday, the 19th March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 19th March 1934.

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 :—

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

Mr. A. Murphy (Chief Engineer, Irrigation).

STARRED QUESTIONS AND ANSWERS.

COMPLAINTS AGAINST CHAUDHRI KARTAR SINGH, SUB-INSPECTOR, POLICE STATION SADHAURA.

***3147. Khwaja Muhammad Eusoof:** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that several complaints containing allegations of corruption and abuse of power were sent to the Superintendent of Police, Ambala, against Chaudhri Kartar Singh, sub-inspector, police station Sadhaura, in November 1933 ;
- (b) whether it is a fact that the sub-inspector alleged the complicity of the head-constable and some other policemen with regard to these allegations ;
- (c) whether it is a fact that the transfer of the sub-inspector had been ordered but before it was given effect to, it was postponed till the result of the enquiry into the allegations against him ;
- (d) whether it is a fact that the head-constable and others who have been alleged to have a hand in the making of these allegations are not posted at Sadhaura Police Station during this enquiry ;
- (e) who is conducting the enquiry into these allegations ;
- (f) whether any of the police officers concerned made any protest against the conduct of enquiry by the inspector of police ;
- (g) if so, what action Government has been pleased to take in the matter ;
- (h) whether the enquiry will be held after transferring all the officers concerned ;
- (i) whether he will place on the table the complaints containing allegations made against the sub-inspector ;
- (j) what reasons led the Superintendent of Police to postpone the transfer of the sub-inspector ?

The Honourable Sir Henry Craik : (a) Yes.

(b) to (f) and (j) Enquiry was made according to the rules governing disciplinary enquiries in the Police Force. It is not in the interests of discipline that information on the points raised should be given.

(g) to (i) Do not arise.

BOARDING HOUSES.

***3143. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education be pleased—

(a) to lay on the table a list showing the number of boarding houses attached to Government educational institutions in the province ;

(b) to state how many superintendents are such as have held charge of the office of the superintendents of these institutions for over three years ;

(c) to state in how many cases the office has been entirely or predominantly occupied by a single community during the last five years ?

The Honourable Malik Sir Firoz Khan Noon : I regret the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

UHL RIVER HYDRO-ELECTRIC SCHEME.

***3149. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government please state—

(a) the total expenditure, up to December 1933, on the Uhl river Hydro-Electric Scheme ;

(b) how much money of the country has gone to foreign countries to purchase material, etc., in this connection ?

The Honourable Dr. Gokul Chand Narang : (a) The actual expenditure on the Uhl River Hydro-Electric Scheme up to December 1933 is approximately Rs. 510 lakhs.

(b) Of the above, expenditure incurred in England on Stores (Plant and Machinery) amounts to approximately Rs. 150 lakhs. It is probable that a portion of the balance has also found its way to other countries but Government has no information on this subject as it has no control over the transactions of the erection contractors.

INTERMEDIATE EXAMINATIONS.

***3150. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

(a) the number of students who took up Urdu, Hindi or Punjabi as optional subjects in the Intermediate examinations of the Punjab University held in the year 1931 and 1932 ;

(b) how many of them respectively passed in each subject ;

(c) how many of them obtained more than 40 marks in each of the three vernaculars ?

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

EMPLOYEES IN HYDRO-ELECTRIC BRANCH.

***3151. Khwaja Muhammad Euseof :** Will the Honourable Minister for Local Self-Government please state—

- (a) the total number of employees in the Public Works Department, Hydro-Electric Branch, communitywise ;
- (b) the ratio of the Muslims in the official branch, establishment branch and the labour branch ;
- (c) the total pay of the officials and the establishment ;
- (d) how much of it goes to each community ?

The Honourable Dr. Gokul Chand Narang : (a) The total number of employees on 31st December 1933 was 376. This does not include employees on the work-charged establishment or menials. The distribution communitywise is as below :—

Europeans and Anglo Indians	..	..	14
Muslims	..	..	153
Hindus	..	..	150
Sikhs	..	..	49
Others	..	..	10

(b) The branches mentioned in this portion of the question do not exist as such but if what is meant is the percentage of Muslims amongst officers, non-gazetted staff (clerical) and non-gazetted staff (technical), the figures are as blow :—

	Per cent.
Gazetted officers	19.57
Non-gazetted (clerical)	46.9
Non-gazetted (technical)	41.55

(c) The revised budget provision for the year 1933-34 is—

	Rs.
Gazetted officers	2,20,853
Non-gazetted establishment	2,55,346

(d) The Government accounts do not show expenditure on pay by communities, and Government considers that the labour involved in the preparation of the figures desired would be incommensurate with the advantage gained.

LANDS UNDER THE LOWER BARI DOAB CANAL.

***3152. Khan Haibat Khan Dahi :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the Government have granted concessions to the auction purchasers of 1925, 1927 and 1923 on the Lower Bari Doab Canal ;
- (b) whether it is a fact that the water supply on the Lower Bari Doab Canal has now been enormously decreased since the above auctions were made resulting in the decrease of the yield of land ;

[Khar. Haibat Khan Daba.]

- (c) whether it is a fact that the market value of the agricultural produce has fallen to a very low level since the time of the auctions of 1925, 1927, 1928 and 1931 ;
- (d) whether it is a fact that the auction purchasers of 1931 enjoyed no free crops whereas the purchasers of 1925, 1927 and 1928 enjoyed free crops ;
- (e) whether it is a fact that the lands put up for auction of 1931 were inferior to those sold in the years 1925, 1927 and 1928 ;
- (f) whether the Government is prepared to grant the same concessions as were granted to the auction purchasers of 1925, 1927 and 1928 ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) No.

(c) Prices are lower than in 1925, 1927 or 1928 but are not generally lower than in 1931.

(d) In the case of the 1925, 1927 (Montgomery) and 1928 auctions occupiers' rate, land revenue and cesses were remitted for the first four harvests but not *malikana*.

In the case of the 1927 (Khanewal) and 1931 auctions no remissions were allowed.

(e) No.

(f) The matter is under consideration.

MUNICIPALITY FOR OKARA.

***3153. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government please state—

- (a) the population of the town of Okara in Montgomery district ;
- (b) how many factories there are in this town ;
- (c) the total income of Notified Area Committee, Okara, for the years 1928-29, 1929-30, 1930-31, 1931-32, 1932-33 ;
- (d) how much of this income was from octroi and terminal tax ;
- (e) whether it is a fact that the Government issued a notification in 1929 or thereabout, that a second class municipality will be created at Okara ;
- (f) if answer to (e) is in the affirmative, why the Government has not been pleased to create a second class municipality at Okara till now ;
- (g) by what time a municipality would be created at Okara ?

The Honourable Dr. Gokul Chand Narang : (a) 10,712.

(b) Seven.

					Rs.
(c) 1928-29	..	..	..	..	78,177
1929-30	..	..	..	..	1,52,015
1930-31	..	..	..	..	1,25,172
1931-32	..	..	..	..	1,12,025
1932-33	..	..	..	..	1,00,485

(d) There was no octroi. Income from terminal tax was as follows:—

					Rs.
1928-29	..	..	..	..	82,698
1929-30	..	..	..	..	67,586
1930-31	..	..	..	..	71,578
1931-32	..	..	..	..	62,471
1932-33	..	..	..	..	54,575

(e) Yes.

(f) In June 1930 Government were informed by the Commissioner that no objection to the proposals had been received. Thereafter there was delay caused by the fact that, as the land in the area concerned was all Colony land, the Financial Commissioners desired to consider the cases of this place, and of Mian Channu and Khanewal, also notified areas to be converted into municipalities, together. For the last 2½ years the case has been delayed by difficulties experienced by the local officers in demarcating the areas and arranging for the representation of communities. The Commissioner has recently been informed that steps must be taken to complete the proposals immediately.

(g) The question will be considered as soon as a final report regarding the question mentioned in (f) has been received from the local officers.

SUB-COURT FOR OKARA.

***3154. Lala Chetan Anand:** Will the Honourable Member for Finance please state—

- whether it is a fact that one senior sub-judge and two sub-judges are working at Montgomery since 1928 to dispose of cases (civil) of Okara and Montgomery tahsils;
- whether it is a fact that representations have been made from officials and public for the establishment of a civil court at Okara;
- if the answer to (b) is in the affirmative, what action Government has taken on these representations;
- the total number of cases (civil) decided by sub-judges, Montgomery, in the years 1928-29, 1929-30, 1930-31, 1931-32, 1932-33, and out of these how many cases related to Okara tahsil;
- in view of the above, when Government propose to post a sub-judge at Okara?

The Honourable Sir Henry Craik: (a) One senior subordinate judge and one subordinate judge are posted permanently at Montgomery and an additional subordinate judge is posted there as necessity arises. The senior subordinate judge does the first and second class work of the whole district, while the sub-judge (and the additional, when posted there) do the third and fourth class work of Montgomery and Okara tahsils.

(b) Representations both for and against the proposal have been received.

(c) and (e) The High Court is satisfied that the state of work at Okara does not justify the posting of a subordinate judge there.

(d) A statement is laid on the table.

[Hon. Sir Henry Craik.]

Statement.

Court.	1933.		1932.		1931.		1930.		1929.		1928.	
	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.	Total No. of cases (civil) decided.	Number of cases from Okara tahsil.
Senior Sub-Judge, Montgomery	186	32	219	86	408	123	244	51	206	39	186	32
Sub-Judge, Montgomery—Regular Suits	2,585	764	1,600	470	2,716	797	1,912	306	2,360	703	2,585	764
Small Cause Suits	1,311	380	1,597	406	391	107	943	311	828	76	1,311	380
Additional Sub-Judge, Montgomery.	414	85	1,225	405	* Nil.	* Nil.	1,728	350	1,649	466	414	85
Total of two Sub-Judges	4,310	1,238	3,578	1,281	3,107	904	4,583	967	4,837	1,245	4,310	1,238

*There was no additional Sub-Judge here during the whole year, 1931.

MEMORIAL FROM ZAMINDARS OF ILAQA BEIT.

***3155. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether they received any memorial from the zamindars of *ilaqa beit*, district Hoshiarpur, tahsil Garhshankar, to the effect that since the Sarhind Canal has been started, the Sutlej has changed its course in the northern direction, thus washing away most of the agricultural lands of *ilaqa beit*, Garhshankar ;
- (b) whether the Government since the receipt of this memorial has prepared an alluvion and diluvion report ;
- (c) whether any officers have been appointed to enquire into the complaints of the zamindars of that *ilaqa* ; if so, what is the report ?

The Honourable Mr. Miles Irving : An enquiry has been made from the local authorities whose report is still awaited. The information will be communicated to the honourable member in due course.

JUMA PRAYERS BY MUSLIM SUBORDINATES OF CURRENCY OFFICE.

***3156. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) whether the Government of India referred the complaint of the Muslim subordinates to the Punjab Government, to the effect that Hindu officers in charge of Currency Office, Lahore, do not allow Mussalman subordinates to say their Juma prayers ;
- (b) if the answer to (a) is in the affirmative, what opinion the Punjab Government gave on it ?

The Honourable Sir Henry Craik : (a) Not, so far as I have been able to ascertain.

(b) Does not arise.

OFFICES OF DISTRICT AND SESSIONS JUDGES, MONTGOMERY AND LAHORE.

***3157. Chaudhri Afzal Haq :** Will the Honourable Member for Finance please state—

- (a) whether the Government in their letter No. 12494-Judl., dated the 20th April 1926, to the Secretary, Anjuman-i-Tahaffuz-i-Haq-ul-Muslemeen, Lahore, admitted that the building in which the offices of the District and Sessions Judges, Montgomery and Lahore are situated is an old mosque of the Mughal period ;
- (b) whether the Government said in the letter quoted above that the mosque would be handed over to the Muslims as soon as buildings were available to accommodate the above offices ;
- (c) whether the mosque is being used as an office of Government simply because no Government building is available for its accommodation ;
- (d) when the Government proposes to remove the above offices to a hired building and make over the mosque to the Muslims ?

The Honourable Sir Henry Craik : (a), (and (b) Part of the building was once a mosque, but the date of its construction is not known. It was purchased by Government in 1860 and at that time was being used as a private house. The letter to which the honourable member refers runs as follows :

"Proposals for the construction of new courts for the District and Sessions Judges of Lahore and Montgomery and of offices for the Legal Remembrancer's staff at present housed in the Shah Charagh Mosque buildings are under consideration. If it is finally decided to carry out these proposals, it will be possible, when the new courts and offices are completed, to relinquish the mosque. Government will consider the matter further at the proper time."

(c) If other Government buildings were available Government would consider relinquishing this building.

(d) There is no proposal to remove the offices in question to a hired building.

RETRENCHMENT OF VETERINARY INSPECTORS.

***3158. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state whether it is a fact—

(a) that four posts of veterinary inspectors in the Civil Veterinary Department were brought under reduction in 1933 as a measure of economy ;

(b) that the incumbents were selected for discharge by the Director, Veterinary Services, Punjab ;

(ii) if the replies to (a) and (b) be in the affirmative, will the Honourable Minister kindly state what criterion or principle was followed in selecting the persons concerned ?

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

(b) Yes.

(ii) Efficiency.

CIVIL VETERINARY DEPARTMENT.

***3159. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state whether it is a fact—

(a) that the superintendent, Civil Veterinary Department, Ambala circle, Ambala, is a Sikh ;

(b) that the superintendent, Civil Veterinary Department, Jullundur and Lahore circles, is a Hindu ;

(c) that the superintendent, Civil Veterinary Department, Rawalpindi circle, Rawalpindi, is a Hindu ;

(d) that the assistant superintendent, Civil Veterinary Department, Rawalpindi circle, Rawalpindi, is a Hindu ;

(ii) if the facts stated above are correct, will the Honourable Minister kindly say why the policy stated by the Honourable Member for Finance in the debate in the Legislative Council on the 19th July 1927, has not been followed ?

The Honourable Sardar Sir Jogendra Singh : (i) (a), (b), (c) and (d). Yes.

(ii) The statement laid on the table will show that in the Veterinary Service, as a whole, the policy quoted has been observed, in that no class has an undue preponderance.

Statement.

	European.	Muslim.	Hindu.	Sikh.	Total.
Indian Veterinary Service ..	4	..	..	1	5
Special posts ..	3	2	4	..	9
Provincial Service ..	..	13	3	4	20
Total ..	7	15	7	5	34

VETERINARY ASSISTANT SURGEONS.

***3160. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state—

(a) the total number of veterinary assistant surgeons in the grade of Rs. 100—10—300 ;

(b) how many are Muslims and non-Muslims ;

(ii) if the percentage of the Muslims is inadequate, will the Honourable Minister kindly say why the policy stated by the Honourable Member for Finance in the debate in the Legislative Council on the 19th July 1927, has not been followed ?

The Honourable Sardar Sir Jogendra Singh : (i) (a) 45.

(b) 11 Muslims and 34 non-Muslims.

(ii) Since 1925 until recruitment to the cadre of veterinary assistant surgeons was stopped every qualified Muslim was appointed in the Subordinate Veterinary Service. As a whole, Muslims hold 46.9 per cent of the total number of posts, and no community has any undue preponderance.

FINANCIAL COMMISSIONERS' OFFICE.

***3161. Mr. Muhammad Din Malak :** (i) Will the Honourable Member for Revenue be pleased to state—

(a) the total number of junior clerks and apprentices in the office of the Financial Commissioners' Punjab ;

(b) how many are Muslims and non-Muslims ;

[Mr. Muhammad Din Malak]

(ii) if the percentage of the Muslims is inadequate, will the Honourable Member for Revenue kindly say why the policy stated by the Honourable Member for Finance in the debate in the Legislative Council on the 19th July 1927, has not been followed?

The Honourable Mr. Miles Irving : (i) (a) and (b). Forty including the typist to the stamp auditor, of whom 13 are Muslims.

(ii) It is not possible always to secure a communal balance in every section of an office. As a matter of fact three out of the last four appointments went to Muslims.

SUPERINTENDENT, EXCISE BRANCH, FINANCIAL COMMISSIONERS' OFFICE.

***3162. Mr. Muhammad Din Malak :** (i) Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the post of superintendent, excise branch, Financial Commissioners' Office, has been held by a non-Muslim ever since its creation in the year 1920;

(b) whether it is a fact that the post of assistant dealing with the Excise staff in the said office has also been held by a non-Muslim ever since its creation, except for a short period;

(c) whether Government is aware that there is a great discontent in this respect among the Muslim Executive Excise staff;

(ii) if the replies to (a) and (b) be in the affirmative, what action Government proposes to take in the matter so as to remove the grievance of the Muslims?

The Honourable Mr. Miles Irving : (a) Yes, though a Muslim has occasionally officiated for brief periods.

(b) Yes.

(c) Government has no information.

(ii) Claims of qualified Muslim candidates will receive consideration when a vacancy occurs along with others.

SCHOOL IN MANDI BAHAUDDIN.

***3163. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the annual income of the notified area, Mandi Bahauddin;

(b) whether there is any Government, district board or notified area committee school in Mandi Bahauddin;

(c) if so, the grade and designation of such school?

The Honourable Dr. Gokul Chand Narang : (a) Rs. 25,000.

(b) No, but the Committee is paying a grant-in-aid of Rs. 2,225 per mensem towards the maintenance of the following schools:—

(1) Khalsa Primary and Middle School.

(2) Islamia Primary School.

(3) Khalsa Putri Pathshala.

(4) Sanatan Dharam Putri Pathshala.

(5) Arya Putri Pathshala.

(c) Does not arise.

NOTIFICATIONS OF DEPUTY SECRETARY TO GOVERNMENT PUNJAB.

***3164. Chaudhri Afzal Haq :** (i) Will the Honourable Revenue Member please lay on the table of the House a copy of notification no. 16173, dated the 21st of June 1919, and paragraph 2 (i) of letter no. 2075, dated the 6th of April 1929, from the Senior Secretary to the Financial Commissioners and Deputy Secretary to Government, Punjab, to the Deputy Commissioners of Punjab districts?

(ii) Will the Honourable Revenue Member please state—

(a) whether it has been brought to the notice of Government that no action is being taken on the above notification and letter by some of the Deputy Commissioners in the Punjab;

(b) if so, what action the Government proposes to take in this respect?

The Honourable Mr. Miles Irving : (a) The honourable member is referred to page 486 of part I of the *Punjab Gazette*, dated 27th June 1919. He is probably referring to notification no. 16176 and not to 16173. A copy of paragraph 2 (i) of letter No. 2075-R., dated 6th April 1929, from the Junior Secretary to the Financial Commissioners and Deputy Secretary to Government, Punjab, Revenue Department, to all Commissioners of divisions in the Punjab, to which the honourable member is referring is laid on the table.

(ii) (a) No.

(b) Does not arise.

Copy of paragraph 2 (i) of a letter no. 2075-R., dated 6th April 1929, from the Junior Secretary to the Financial Commissioners and Deputy Secretary to Government, Punjab, Revenue Department, to all Commissioners of divisions in the Punjab.

(ORDER OF THE GOVERNOR IN COUNCIL.

SUBJECT.—*Exemption of "Small Towns" from the scope of the Punjab Alienation of Land Act, 1900, and the Punjab Stamp (Amendment) Act, I of 1924.)*

2. As both these points are open to some doubt, I am directed by the Governor in Council to intimate for your information and guidance that :—

(i) Small Towns are not exempted from the operations of the Punjab Alienation of Land Act. Punjab Government notification no. 16176, dated the 21st June 1919, under section 24 of the Land Alienation Act merely exempts "areas included within the limits of any cantonment or municipality" from the operation of certain provisions of the Act.

SALE OF LAND TO NON-AGRICULTURISTS IN GUJRAT DISTRICT.

***3165. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) the number of cases in which sanction for the sale of agricultural land has been granted to non-agriculturists in Gujrat district—

(i) in 1933,

(ii) in 1934 (giving date up to which the figures are given) specifying the total area in respect of which sanction was given in each of the two years;

(b) the reasons for which each sanction was given, specifying the total area in respect of which the sanction was given?

The Honourable Mr. Miles Irving : (a) (i) Sanction was given in 897 cases, the area involved being 807 kanals and 7 marlas.

(ii) Nil.

(b) The reasons and other details concerning each of these cases, are recorded in the relevant orders, copies of which can be obtained in the usual way on the payment of fees. Government consider it against constitutional practice to supply such copies in reply to questions in this House.

SALE OF LAND TO NON-AGRICULTURISTS, MIANWALI DISTRICT.

***3166. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state the number of cases in which sanction under section 8, Alienation of Land Act, for the sale of agricultural land to non-agriculturists was given by Mr. Radha Kishan when Deputy Commissioner of Mianwali district specifying:—

- (i) the period for which Mr. Radha Kishan was Deputy Commissioner of the district;
- (ii) the total number of cases each year in which he gave the sanction and the total of the areas for each year in respect of which sanction was given;
- (iii) the reasons for which each sanction was given and the total area in respect of which it was given?

The Honourable Mr. Miles Irving : Sanction was given in 85 cases—

- (i) From 15th November 1929 to 7th September 1931 and 7th January 1932 to 2nd June 1933.

		Kanals	Marlas.
(ii)	1929-30 .. 12 cases the area involved being	948	11
	1930-31 .. 18 cases the area involved being	168	17
	1931-32.. 6 cases the area involved being	8,024	7
	1932-33 .. 4 cases the area involved being	620	2

- (iii) The reasons and other details concerning each of these cases, are recorded in the relevant orders, copies of which can be obtained in the usual way on the payment of fees. Government consider it against constitutional practice to supply such copies in reply to questions in this House.

EXECUTIVE ENGINEERS (ELECTRICAL).

***3167. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether Government is aware that of the two Executive Engineers (Electrical) appointed towards the end of 1932 under the Electrical Inspector to the Government, Punjab, one was European;

- (b) whether the Government is aware that the standard qualifications required for these posts as advertised were :
 - (i) Graduate in Engineering Science of a recognised University,
 - (ii) or a Member of a Chartered Engineering Institute ;
- (c) whether it is a fact that the European gentleman selected for
 - (a) possesses neither the qualification (i) nor (ii) as referred under (b), but possesses purely Mechanical Engineering qualifications and that too of a standard far below the qualifications advertised ;
- (d) whether the Government is aware that this European gentleman prior to his appointment as Executive Engineer was :
 - (i) in the service of Messrs. Planters Stores, Calcutta, and as consulting engineer to various tea gardens,
 - (ii) and with Messrs. Martin & Co., Calcutta ;
- (e) whether the Government is aware that the experience of this European gentleman under (d) sub-heads (i) and (ii) was purely in Mechanical Engineering line such as erection of Steam Turbines and oil engine plants at various power stations, e. g., Benares, Jubbulpore, Mutthra and Agra ;
- (f) whether the Government is aware that the Executive Engineer in question, selected in (a) is entrusted with the work of Electric Installations in Government Buildings in the province of which he had no experience at all ;
- (g) whether it is a fact that this European gentleman of 37 years has no Electrical Engineering qualifications whatsoever fulfilling the requisite standard qualifications as laid down for the responsible post of Executive Electrical Engineer ;
- (h) whether the Government is aware that the Chief Electrical Inspector to Government, Punjab, is shortly proceeding on leave ;
- (i) whether Government are aware that people are apprehensive that the European gentleman possessing so insignificant qualifications as referred to in (c) to (g) is supposed to officiate as Chief Electrical Engineer to the Punjab Government ;
- (j) whether Government intends to remove public grievances in this respect ?

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

(b) Yes.

(c) First part—yes.

Second part—no.

(d) Yes.

(e) No.

(f) No.

(g) No.

(h) Yes.

(i) No.

(j) Does not arise.

MUSLIMS ON STAFF OF MACLAGAN ENGINEERING COLLEGE.

***3168. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the total number of Sikh members of the staff of the MacLagan Engineering College, Moghalpura, and their percentage to the total members of the staff ;
- (b) the total number of assistant professors in the above college ;
- (c) the total number of Muslims on the staff of the above mentioned college ;
- (d) the total number of non-Muslim assistant professors and the percentage of each community ;
- (e) whether the Government is aware that since 1928 not a single post of assistant professor has been given to any Muslim ;
- (f) whether the Government intends to improve the percentage of Muslims on the staff of the MacLagan Engineering College particularly in the grade of gazetted assistant professors ?

The Honourable Sardar Sir Jogendra Singh : (a) Six, 15 per cent.

(b) Six.

(c) Fourteen.

(d) Six non-Muslim assistant professors (4 Hindus and 2 Sikhs). Hindus 67 per cent., Sikhs 33 per cent other communities nil.

(e) Yes.

(f) Yes, if and when such posts fall vacant or new posts are created, and provided suitable Muslims apply.

RECORD INSPECTION FEE.

***3169. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that before 1932 no record inspection fee was charged by patwaris from zamindars, and whether it is since being charged ;
- (b) whether it has been brought to the notice of the Government that the zamindars of the province are already groaning under the heavy burden of various taxations ;
- (c) whether the Government is considering the question of reverting to the old practice ?

The Honourable Mr. Miles Irving : (a) No. But before 1932 nothing was received by Government.

(b) Government know that in view of the general economic depression the zamindars of the province like other members of the community are finding every form of taxation to be burdensome.

(c) Government have undertaken to consider the matter.

UNSTARRED QUESTIONS AND ANSWERS

CLERKS IN LOWER JHELM CANAL CIRCLE.

802. Maulvi Mazhar Ali Azhar : Will the Honourable Revenue Member please state—

- (a) whether the Superintending Engineers in the Irrigation Branch have got full powers to deal with all cases of temporary establishment and the establishment on Circle scale ;
- (b) if the reply to (a) is in the affirmative, what element is there in the lower Jhelum Canal Circle office to safeguard the Muslim interests ;
- (c) whether it is a fact that the Superintending Engineer, Lower Jhelum Canal Circle, is a Hindu gentleman ;
- (d) whether it is a fact that the majority of permanent assistant clerks in the Lower Jhelum Canal Circle is that of non-Muslim ; if so, the number of such clerks as compared with the Muslims ;
- (e) whether it is a fact that the last two vacancies of clerks in the Lower Jhelum Canal Circle were filled up by non-Muslim temporary clerks ;
- (f) whether it is a fact that when the last vacancy of a clerk occurred in this circle, the communal ratio among temporary clerks in the Circle was equal ;
- (g) whether it is a fact that the last appointment of a Hindu temporary clerk in the Circle has exceeded for indefinite period the communal ratio fixed for the non-Muslims ;
- (h) whether it is a fact that the Muslim retrenched clerks of good qualifications were on the list of this Circle waiting for re-appointment ;
- (i) what circumstances led the Superintending Engineer to give this vacancy to a Hindu ;
- (j) if the reply to (e) above is in the affirmative what action he proposes to take in the matter ?

The Honourable Mr. Miles Irving : (a) Yes, subject to general instructions issued by Chief Engineer.

(b) Primarily the integrity of the Superintending Engineer. In addition right of appeal lies to Chief Engineer in all cases of punishment or of discharge not in accordance with Chief Engineer's orders.

In the Lower Jhelum Circle there are at present—

One Hindu executive engineer and 3 non-Hindus.

Six Hindu sub-divisional officers and 3 non-Hindus.

One Hindu deputy collector and 2 non-Hindus.

A statement is submitted half-yearly to Chief Engineer showing appointments made and persons discharged by communities.

(c) Yes.

[Hon. Mr. Miles Irving.]

(d) Yes.

Muslim permanent assistant clerks, 12.

Non-Muslims permanent assistant clerks, 24.

(e) Yes. There were already two Muslim and one Hindu temporary clerks in employment, accordingly the first vacancy was given to a Sikh.

(f) Yes.

(g) Yes. But if it had been given to a Muslim that community instead would have been in excess.

(h) Yes. As well as non-Muslims.

(i) Other considerations being equal the candidate with longest service and best record was selected.

(j) None. When making appointments of temporary staff the communal proportions of the temporary staff alone are considered.

SEARCH OF THE HOUSE OF KHUDA BAX OF QAZIWALA.

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

(a) whether the house of Khuda Bax, son of Qadir Bax, caste *Jhiwar*, water-carrier of village Qaziwala, tahsil Tarn Taran, district Amritsar, was searched on 5th September 1933 by the local police ;

(b) what was the case against him ;

(c) whether his house is still under lock-up ;

(d) whether the Superintendent of Police and Inspector-General received a petition from the said Khuda Bax, if so, what action the authorities have taken on his petition ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Khuda Bax was strongly suspected of participating in a burglary case.

(c) Government have no information.

(d) A petition from Khuda Bax was received by the Superintendent of Police, Amritsar, and was enquired into by a district inspector of police under his orders. The inspector made a thorough enquiry and came to the conclusion that the complaints were unjustified.

COW SACRIFICE, KALUWAL.

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

(a) whether it has been brought to the notice of the Government that Lala Sant Ram, Magistrate, 1st class, Hoshiarpur, had been deputed to settle the cow sacrifice question on the 'Id festival in village Kaluwal, tahsil Dasuha, in 1929 ;

- (b) whether it is a fact that the said magistrate arranged to take out the cow from the village to Galzian slaughter-house ;
- (c) whether it is a fact that at the request of the Hindus it was proposed that the cow should be taken out through the agricultural lands to the slaughter-house ;
- (d) whether it is a fact that all communities agreed to the proposal of the magistrate and the cow sacrifice was going on peacefully ;
- (e) whether it is a fact that in year 1929, Sikh community again raised objection and wanted to take away cow by force, and Mr. Jenkins then Deputy Commissioner under the police guard allowed the Muslims to make sacrifice, and they continued to make cow sacrifice peacefully in the year 1980 ;
- (f) whether it is a fact that when Mr. Bakhle took charge of the district, Hindus and Sikhs again protested and held a meeting in Kaluwal ;
- (g) whether it is a fact that Mr. Bakhle, Deputy Commissioner, Hoshiarpur, ordered the Mussalmans to take the cow to the slaughter-house three days before the 'Id and appointed a magistrate with orders that beef may be brought to the village through public road and not through agricultural lands ;
- (h) whether it is a fact that the magistrate refused to take cow under his protection up to the slaughter-house ;
- (i) whether it is a fact that cow was sacrificed within the four walls of a private house in the village Kaluwal in 1933 ;
- (j) if so, why the magistrature did not give protection as usual to the Mussalmans to take cow to the slaughter-house ?

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

COW SACRIFICE, KALUWAL.

805. Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to say—

- (a) whether it is a fact that district authorities in Hoshiarpur refused to give protection to the Mussalmans of Kaluwal to sacrifice cow as had been previously agreed in 1928 ;
- (b) whether it is a fact that one Maulvi Ibrahim and others were arrested long before 'Id in the year 1933, and were run in under section 107, C. P. C.
- (c) whether it is a fact that Maulvi Ibrahim and others were sent to jail on the occasion of 'Id in spite of their offering security bond in 1932 ;
- (d) whether it is a fact that in the year 1933 Mr. Bakhle even did not grant license for cow sacrifice to Mussalmans ;
- (e) whether it is a fact that some Mus-almans were arrested in Kaluwal village, tahsil Dasuha, for offering sacrifice of cow at 'Id festival in year 1933 ;

[Ch. Afzal Haq.]

- (f) what steps the Government have taken or propose to take to allow the Mussalmans to offer cow sacrifice according to the canon of their religion ?

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

— COW SACRIFICE, KARORE.

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

- (a) whether it is a fact that when Mr. Bakhle, Deputy Commissioner, took charge of district Hoshiarpur the Mussalmans of village Karore were not allowed to make cow sacrifice on 'Id in spite of the fact that the Mussalmans of Karore, tahsil Garhshankar, were allowed to sacrifice cow on 'Id long before ;
- (b) whether the Government is considering to take steps so that Mussalmans of the village Karore may be allowed to make sacrifice as usual on the 'Id festival ?

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

— STATEMENT BY FINANCE MEMBER.

Re CONTROVERSIAL CONSTITUTIONAL QUESTIONS.

The Honourable Sir Henry Craik : Sir, I wish to make a brief statement of personal explanation. During the discussion on last Friday afternoon on a certain constitutional point, I made certain observations, which I now realise might possibly be interpreted as implying disrespect to the Chair. I should greatly regret if you, Sir, should take anything that fell from me as implying any disrespect or as challenging your authority. No such intention was present in my mind.

I will only add this, that I was taken by surprise by the discussion referred to on a purely hypothetical matter, which I do not think it was fair to have referred to the Chair at all. I would refer in this connection to an opinion expressed by my predecessor as Leader of the House, Sir Fazl-i-Husain, in 1930, when he said—

If I may venture to point out, it is not right for any of us to ask you from the Chair to enter into constitutional controversies.

In future no such issue will be raised by any member on this side of the House without previous consultation with me and without my concurrence as Leader of the House and as the representative of Government in these matters.

Mr. President : I am glad to hear the personal explanation made by the Honourable the Leader of the House. I hope that it will remove every possibility of his observations being misunderstood. I fully endorse the suggestion that the honourable members should not, if possible, raise controversial constitutional questions and bring in the Chair.

**GOVERNMENT DEMANDS FOR SUPPLEMENTARY AND
TOKEN GRANTS, 1933-34.**

The Honourable Sir Henry Craik : I have to announce that all the supplementary demands entered in the order paper are recommended to this House by His Excellency the Governor.

LAND REVENUE.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 31,120 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.

Mr. President : Motion moved—

That a supplementary sum not exceeding Rs. 31,120 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.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Re. 1.

I want to urge upon the Government that there is no necessity of re-measurement operations in connection with the new settlement in the district of Lyallpur. The other day this question was going to be discussed, but when I started it was remarked by the honourable Financial Commissioner that there was a separate cut on this matter, and that the subject might well be postponed for discussion then. I acceded to the request, and had to postpone the discussion till I have now got the opportunity of urging that the re-measurement operations in the Lyallpur district are absolutely unnecessary. I learn from my friends in Lyallpur that when the Financial Commissioner, Development, paid a visit to that place a deputation consisting of some honourable members of this House approached him and made a request that there should be no re-measurement operations in the district. I learn that the reply of the Financial Commissioner was very sympathetic. I do not know personally what the reply was because I was not present in the deputation. I do not know the exact words used by the Financial Commissioner in his reply. But I am told that he promised that no re-measurements would be made in the sense in which the deputationists meant the word. I agree that in settlement operations generally the main measurements are necessary. But in the case of Lyallpur since the last settlement which was done only a few years ago—I think it was in 1922—there have not been many divisions of land, no new big roads, culverts or railway lines constructed, no big changes of any kind that would make re-measurement necessary. On the other hand, people are getting suspicious. They think that now that re-measurements have been started every field would be uselessly re-measured without any large gain to Government, but with much injury to the interests of some zamindars, particularly because there are chances that the re-measurement operations would take a very long time. It is past experience that re-measurements do take a very long time and cause unnecessary hardship on certain villages. In regard to Lyallpur the operations are not necessary because the already existing records of Government show the areas of the fields, the ownership of the fields, and so on. Every four years there is a revision of the records and in face of that revision,

[Mian Nurullah.]

remeasurement is hardly necessary. If remeasurements cannot be avoided the zamindars feel that the cost that Government incurs on them should not fall on the zamindars. The Government may take the cost upon themselves and hurry with the remeasurements as much as possible. In that case they would not have much grouse. Now although some of the zamindars offered their service to help the authorities in doing these remeasurements, the authorities generally refused their offer, and insisted on their own permanent staff carrying on the remeasurement operations. This entails a lot of expenditure. During the days of remeasurement all the village officers, the *amla*, the *kanungo*, the *patwari* and all the rest of them come to stay for a few days, and this entails additional cost to the zamindars. Though theoretically the cost on this score is very little, about Rs. 5, it amounts in practice to at least Rs. 100 or so to the whole village. The greatest objection to these operations is that when remeasurements are started over every field it will take at least two to three years to complete them, and in the meanwhile the people of the district shall have to bear the burden that had been imposed on them when the prices were very high in the year 1932. Even on the basis of the prices that prevailed in the years 1910 and 1912, the years when the Rakh Branch was brought under settlement, the prices were much higher than they are to-day. And the term of the last settlement having come to an end in 1932 people were expecting that Government would start settlement operations a few years before the term of the last settlement expired, by the end of 1932, or a year later. People feel it very hard to pay under the existing conditions. If there was some hope raised in their minds by a promise of the Government that while the new settlement was under consideration, they would give reasonable relief to the zamindars, they would feel satisfied and probably would not put forth this demand. It is well-known that for the last few months since the settlement operations have been started zamindars all over the *ilaga* in the district of Lyallpur had conferences, had meetings and passed a resolution requesting Government not to undertake the remeasurements. If Government could give them an assurance in this respect they would probably feel a bit satisfied. They have no objection to *tarmim* measurements only in those areas where there have been very many divisions of the holding or very many new changes. In these circumstances, I request the Government not to have the remeasurements carried out throughout the district. It is with that object that I move this motion.

Mr. President : Motion moved—

That the grant be reduced by Re. 1.

Mr. D. J. Boyd (Financial Commissioner): I am puzzled by this motion because remeasurements in the ordinary sense are not being done in the Lyallpur settlement at all. Remeasurement means the laying of base lines and from these base lines the mapping of the fields of the village. Base lines were laid in Lyallpur in the nineties of the last century, and there is no proposal whatever to vary those base lines in any way at all. The fields, so far as is necessary, will be re-mapped from these base lines, and as the base lines are in the form of squares the re-mapping is a very simple process. But the whole process is a process of *tarmim*. And the honourable member who has just sat down has told us that the Lyallpur people would

have no objection to *tarmim* measurements. I am puzzled, I really do not understand the position because there cannot be remeasurements. All that has to be done is the correction of maps and a *tarmim* measurement is enough for this purpose. Before the settlement started I asked the Director of Land Records to go to the spot and to satisfy himself whether it would be possible to do without any measurement, mapping and revision of records. We hoped that we could cut out these two portions of ordinary settlement operations and simply get on with the assessment work. The intention at first was to leave mapping and record work to the ordinary quadrennial revision which is done by the ordinary district staff. But after the visit of the Director of Land Records and his assistant, they were quite satisfied that all the maps would have to be brought up-to-date and the Director of Land Records reported accordingly. Actually one of the determining factors was this. Normally in modern settlements we make first of all a basic map on mapping sheets with squares printed on them. This is what is called the "part sarkar." It is filed in the revenue record room at the headquarters of the district. A second copy is made on a similar mapping sheet which is called the "part tahsil." That is kept in the tahsil. In the case of Lyallpur this second copy was left with the patwaris, and the result is that it is absolutely useless. It is now in rags and tatters. The patwaris hold copies which are known as "aqslatta." They are to be renewed from time to time. If the "part tahsil" were in good state we could make copies from it and the patwaris could, on their "aqslatta," enter such changes as have occurred if the changes were not excessive. To start making copies from the "part sarkar" at headquarters is very dangerous because that record is the authoritative record of the fields of the district in all the villages. If you start tracing from it you are apt to damage it. There is the danger of affecting its value as a standing record to which the presumption of accuracy attaches. We have therefore to be very careful of this record. But in any case it has been reported to me that there have been so many changes in canals, distributaries, water-courses and in railways, in fact there have been so many changes throughout the Lyallpur district that the "part sarkar" is of no use as a basis for map correction. So we must print the sheets showing squares which are already laid down and on these printed sheets show the fields as they actually exist.

I have told you of the opinion of the Director of Land Records. To make quite sure I recently wrote to the Settlement Officer and asked him how far it was necessary to revise the maps. His reply came a few days ago. At the beginning of a settlement you test all maps by running a line straight from point to point through the fields over a long line to see how far the map is accurate. These tests have been made for all the villages in the Lyallpur district and villages in Rakh Branch circle of the Sheikhpura tahsil. They show that in 99 per cent. of villages map correction is necessary. Patwaris have already been put on to this work, and they have got 100 maps ready. The Settlement Officer himself has received many applications protesting against the proposal to do remeasurement work in the present settlement. He says that so far as he can find out, these applications have been based on a misapprehension. The misapprehension is this, that a great many people have in their possession more land than they ought to have according to their shares as recorded in the revenue records,

[Mr. D. J. Boyd.]

and they are afraid that this possession will be disturbed if the settlement officers start measuring. The object of measurement is not to right any wrong whatever, if there is any, it is only to show the actual possession on the ground. If a man is in possession of more than his fair share it does not matter to the settlement staff at all. They do not turn him out of the excess area, but only measure the fields as they exist on the spot. If the people put this idea out of their mind it is quite possible that they would not object to the process of measurement that is going on.

Then the honourable mover was afraid that these mapping operations would ultimately prolong the settlement. I do not think he need be in the least afraid of that. The revision of maps in an area where *killabandi* has been done is a very simple process. It can be done very quickly, and I am quite sure it will be done long before —————

Mian Nurullah : How long will it take ?

Mr. D. J. Boyd : It is almost impossible to say how long it will take as Mr. Dobson and Mr. Penny did not, so far as I am aware, make any correction of maps and have no previous experience on which to base an estimate, but it must be obvious to anybody that in the case of square fields and rectangles the process is very much easier than in the case of field of irregular shape. Everything is plain sailing where *killabandi* has been done, and I think there need be no apprehension about the prolongation of the settlement owing to measurement operations.

You will remember that in a previous debate during the present session I told the House how the people of the Sialkot district were prepared to accept 25 per cent. increase in their revenue so that settlement operations might cease. I asked the villagers whether they would agree, and to my great surprise they were sensible enough to say "If we do not have our maps brought up-to-date we will have litigation for the next thirty or forty years. We would rather have trouble of settlement than this sort of expense." I have always heard that the people of Lyallpur district were the most enlightened people in the province. They have come from all parts of the province, they have exchanged ideas and have become intelligent by mixing with people of other parts of the province, and they are generally supposed to be the most advanced people in the whole province, and yet they do not appreciate the very great importance of having their maps and records brought up-to-date and made accurate. As ultimately responsible for the accuracy of the records and maps of the Lyallpur district I could not possibly agree to go on without a revision of both maps and records, because we have a period of 40 years before us during which no special revision will be made, and it would be a neglect of duty if the settlement staff failed to take this opportunity of getting maps and records right.

There is one thing more. The honourable mover said that the settlement staff is not accepting the offer of villagers to provide their own men for measurement operations instead of permanent men. I think probably what he means is this that when a particular revision is undertaken, the Settlement Officer asks every village to provide men. If the villagers undertake to do so and if they absolutely guarantee that those men will be present.

in the fields at seven o'clock every morning or whatever hour is fixed and that the same men will be sent every day so that they really become skilled in the work, we will accept the offer straightaway. But experience shows that that never happens. If every day different men are sent then they do not know the work and the work takes twice as long as it would otherwise take, and it is done in a most unsatisfactory manner. If the lambardars can satisfy their local settlement staff that they will attach two men permanently to the patwari until the map revision of the village is complete, that officer will be taken. That is the real difficulty. I think I have explained the position and have nothing more to say.

Mian Nurullah : I am very glad to hear what the honourable member has said. Still I would request Government to expedite these operations as much as possible because as long as measurements are being carried on in one tahsil all the other tahsils have to wait on and on, and I would request Government to have all these operations done simultaneously, if possible, in all tahsils, so that they have the result of settlement as early as possible. With these words I beg for leave to withdraw.

The motion was by leave withdrawn.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 31,120 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.

EXCISE.

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

That a supplementary sum not exceeding Rs. 31,800 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.

REGISTRATION.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 2,400 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 Registration.

The motion was carried.

IRRIGATION—WORKING EXPENSES.

The Honourable Mr. Miles Irving (Revenue Member) : Sir, in moving demand No. 4, with your permission I would like to say that since this agenda was printed, the Irrigation Department has been able to secure a saving of Rs. 55,320, and I desire that the sum of Rs. 5,70,000 be substituted for that on the paper.

[The Hon. Mr. Miles Irving.]

I beg to move—

That a supplementary sum not exceeding Rs. 5,70,000 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—Working Expenses.

The motion was carried.

IRRIGATION ESTABLISHMENT, OPEN CANALS.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 58,700 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 Irrigation Establishment, Open Canals.

The motion was carried.

CONSTRUCTION OF IRRIGATION.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 14,31,700 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 Construction of Irrigation.

The motion was carried.

DEBT SERVICES.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 49,000 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.

POLICE.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 1,16,200 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 Police.

Mr. President : Motion moved is—

That a supplementary sum not exceeding Rs. 1,16,200 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 Police.

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

Mr. President : The honourable member's motion is out of order.

Chaudhri Afzal Haq : Which one ?

Mr. President : The second one.

Chaudhri Afzal Haq : Why, Sir ?

Mr. President : In a debate on a supplementary grant the honourable member cannot raise a question of policy unless the grant itself gives rise to that policy.

Chaudhri Afzal Haq : But the demand was not discussed.

Mr. President : It was not the Chair's fault.

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

That the total grant be reduced by Rs. 1,16,000.

The Honourable Sir Henry Craik : Sir, is this in order ?

Chaudhri Afzal Haq : Sir, the demand was not reached on the—

Mr. President : That the demand was not reached is immaterial.

Chaudhri Afzal Haq : I will then move the first motion—

That the total grant be reduced by Rs. 1,15,000.

The Honourable Sir Henry Craik : Is the honourable member in order in moving this ? The money has been spent.

Mr. President : The motion amounts to a refusal of the supplementary demand.

Chaudhri Afzal Haq : Sir, I will try to show you that this budget is not a surplus budget as it has been shown.

Mr. President : How much of this amount is non-voted ?

The Honourable Sir Henry Craik : Rs. 270.

Chaudhri Afzal Haq : Sir, first of all I would request you to cast a cursory glance at the opening balance of each year since 1921. If you do this, you will find that although the different budgets for different years have been shown to be surplus budgets, in reality they were not. I refer you, Sir, to the budget for the year 1921-22. Before this in the opening balance Rs. 66,00,000 were—

Mr. President : I would request the honourable member to speak to the motion. The motion is that the total demand be reduced by Rs. 1,15,000 and it is on this motion that the honourable member can speak. A reference to previous budgets and previous balances does not appear to be relevant.

Chaudhri Afzal Haq : Sir, I wanted to show whether there is any necessity of reducing any portion of the budget. I wanted to bring it to the notice of the House that at a time when there is no money the expenditure should be reduced as much as possible. The budget although shown to be a surplus budget is not really so. Only on paper it is a surplus budget. Before 1921, Rs. 66,00,000—

Mr. President : The honourable member should speak to his motion.

Chaudhri Afzal Haq : Sir, the first point was that this budget is not a surplus budget but a deficit budget.

Mr. President : This again is irrelevant. The honourable member should give reasons why the items mentioned in the supplementary grant should not be allowed. We are not concerned at present with the budgets of 1921 or 1922.

Chaudhri Afzal Haq : Sir, this budget is not a surplus budget.

Mr. President : What budget is the honourable member referring to ?

Chaudhri Afzal Haq : The budget of 1983-84.

Mr. President : The supplementary demand is to be met from the revenues of that year.

Chaudhri Afzal Haq : Then, if we refuse this demand it would mean that so much money will be surplus for us.

Mr. President : The honourable member may argue that point.

Chaudhri Afzal Haq : This is what I say.

Mr. President : Very well.

Chaudhri Afzal Haq : Sir, it is a fact that during the last so many years all the budgets have been deficit budgets and the Government merely showed them to be surplus budgets. I was trying to convince you, Sir, that the budget of this year as that of last year, was not a surplus budget, and in order to make up the deficit it was necessary to reduce the police grant. If we reduce the police demand no harm will come to the province. The police is necessary to keep law and order and in its absence there is a danger of lawlessness. But I will show you, Sir, the case has been different here. I will put before you facts and figures to prove that with the increase in the police the crimes have also increased. I will show how much crime has increased with the increase of the police during the previous years.

Mr. President : We are not concerned with the previous years. We are concerned only with the supplementary demand which has been moved by the Finance Member. The honourable member may show why it should be negated.

Chaudhri Afzal Haq : That is the point I am meeting now. I am not talking about the budget. I am referring to the crimes. I am comparing the crimes of the previous years with those for the present year.

Mr. President : The honourable member is welcome to show that the budget is not a surplus budget or that the number of crimes during the year in question does not justify any supplementary expenditure.

Chaudhri Afzal Haq : May I draw your attention to Article 186 (3) (Rule 82) which reads as follows :—

Supplementary or additional estimates shall be dealt with in the same way by the Councils as if they were demands for grants.

Then, why am I not allowed to discuss the supplementary demand as I should have discussed a demand for a grant? I want to show to you, Sir, by putting before you figures of crime during the last so many years that it increased with the increase in the strength of the police.

Mr. President : I will allow discussion only of the demand before the House.

Chaudhri Afzal Haq : Please at least listen to the arguments I want to adduce.

Mr. President : The honourable member is welcome to make his arguments relevant, but he should not discuss the budgets from 1921 up to 1984.

Chaudhri Afzal Haq : I may assure you that I am not discussing the budget. I am only referring to crimes from year to year.

Mr. President : But those years have gone and the money sanctioned by the Council for those years has been spent. We are now concerned with the budget for the year 1933-34.

Chaudhri Afzal Haq : Sir, my submission is this that when I can discuss the budget demand why cannot I discuss a supplementary demand ?

Mr. President : The honourable member cannot discuss the policy. He can discuss the items detailed in the supplementary demand or the whole demand with policy, if any, underlying it.

Chaudhri Afzal Haq : I am not discussing the policy. Am I not entitled to place before the House arguments why this supplementary demand should be refused ?

Mr. President : Certainly. But those arguments should relate to the demand now before the House.

Chaudhri Afzal Haq : My arguments relate to the present demand. I was submitting that if we take the figures regarding crimes that have been committed during the last few years we will find that crime increased along with the increase in the police strength. I have not taken any one year's figures thinking that one year's figures may not be very convincing. I have taken figures regarding all the years since 1923 to show the truth of my statement. The more the Government increased the police the more the crime also increased.

Mr. President : I would request the honourable member to speak to the items or the whole demand. His reference to the year 1923 is irrelevant. Apparently the honourable member intends to discuss the whole of the police administration for the last dozen years. I cannot allow that.

Chaudhri Afzal Haq : How can I discuss the motion without a reference to the previous years ?

Mr. President : If the honourable member cannot help it, I cannot allow him to discuss the whole police administration. If the honourable member can show why this demand should not be sanctioned, he is welcome to do so.

Chaudhri Afzal Haq : How can I speak and how can I convince the House without referring to the crime of each year ?

Mr. President : To start with the honourable member may give reasons for this year and if necessary by way of illustration he may refer to previous years. But if he begins his speech with the police administration from the year 1921, I am afraid I cannot allow him to do this.

Chaudhri Afzal Haq : You know that the Police Administration Report of this year is not yet published. How can I discuss it ?

Mr. President : If the honourable member cannot discuss the relevant demand, I cannot help him. It is not for me to supply the Police Report.

Chaudhri Zafrulla Khan : If you refer to page 28 of this memorandum you will find it stated :

The strength of the force had been gradually reduced from 750 constables, the maximum strength in 1930 and it was hoped that it would be further reduced

and so on. If the memorandum proceeds to give reasons for the retention or extension of certain portions of this grant, would it not be in order for a member discussing this grant or opposing it—

Mr. President : Have I declared that all the reasons given there are relevant and necessary ?

Chaudhri Zafrulla Khan : Then the position is that Government in putting forward these demands are at liberty to give irrelevant reasons and any member in discussing the grant must not refer to them.

Mr. President : I express no opinion on that point.

Chaudhri Zafrulla Khan : With all respect I have not been able to understand the distinction which is sought to be drawn. The Chair has rightly said, "will the honourable member discuss this particular item." ? The honourable member says, "I am discussing this item, but as part of my argument I would say that these items should not be granted because the reasons given there do not apply," and in order to illustrate his point he wants to refer to the crime figures of previous years. If he is not to develop his argument with reference to these items by referring to the previous years, I cannot see how the matter can be proceeded with. If he is not allowed to say that in this particular year this additional force or the retention of this force is not necessary by comparison with previous years, how can the argument be developed ?

Mr. President : Let him first say that it is unnecessary during the current year by his arguments and by way of illustration, as I have already stated, he can refer to one or two previous years if necessary. But he has first to say why these items which are detailed on pages 26 and 27 should not be allowed. He will find all the items on pages 26 and 27, Supplies of Services, Contingencies, Travelling Allowance and so on. The total amount is also given. He has first to show why this expenditure should not be sanctioned. And in support of this argument he can by way of illustration refer to one or two previous years. But he wants to discuss the whole police administration and crime in the province from the year 1921 up to this day. How can I allow that ? I am not against his bringing in previous years if he can make them relevant. An able lawyer can make anything relevant.

Mr. Nanak Chand Pandit : Sir, am I to understand that the cut is not before House, but only the demand ?

Mr. President : May I propose the cut ?

Chaudhri Afzal Haq : I do not wish to move it.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Then I wish to speak about the whole demand and I propose that this demand should not be passed by the Council. My main reasons I will presently detail. The House will remember that in the month of July last in Simla there was a discussion with regard to bribery and corruption raised by one of the honourable members of this House.

Khan Bahadur Sardar Habib Ullah : The Honourable Finance Member in his speech delivered on that motion stated that there was undoubtedly corruption in the services. He further said that so far as Government was concerned, Government took every possible opportunity to meet this corruption.

Mr. President : Corruption is not under discussion.

Mr. Nanak Chand Pandit : But it is a part of the police duties to help in the suppression of corruption in services, elsewhere.

Mr. President : Police duties are not under discussion. They could have been discussed on the demand for the police in the main budget. But they cannot be discussed on a supplementary demand.

Mr. Nanak Chand Pandit : I have not finished explaining my position. This is a demand for additional police and the duties of the police are to find out those people who commit crime, bribery and so on. This fact was definitely brought to the notice of the Government by several members of this House in the course of the debate at that time and the Honourable Finance Member replied to that debate. Now if we turn to page 29 of this memorandum, we will find that the duties of the police force are stated, duties of this additional police force. I am going to make a reference to these very duties of this additional police force. Therefore you will see that when I am speaking to this motion I am not going to this particular demand. I am not going to discuss the whole question. Paragraph 3 on page 29 says :

The duties on which the police were employed can be divided into three categories, (1) those which have now become practically permanent but for which no sanction exists in the permanent establishment, (2) temporary or emergent duties the duration of which was not known and (3) temporary or emergent duties the duration of which could be estimated.

As regards the first class of duty, the growth of population and the suburban areas of large towns and changed economic and political conditions have all contributed to impose fresh duties on the police.

Now it is with regard to the fresh duties which are imposed on the police on account of the growth of the population and changed economic and political conditions that I intend to speak. Have I your permission, Sir ?

Mr. President : The honourable member may speak on matters referred to in the note.

Chaudhri Zafrulla Khan : Other matters are also referred to : communal tension, political expediency, terrorism and all sorts of things, agitation in neighbouring states and so on.

Chaudhri Afzal Haq : I am sorry you have not seen this memorandum. I saw it and I was relevant.

Mr. President : I may say at once that I have read every word of it and that is why I repeatedly requested the honourable member to speak to the motion.

Chaudhri Afzal Haq : I was only referring to this page of the memorandum.

Mr. Nanak Chand Pandit : Now these additional duties, according to this memorandum, on the police are on account of the growth of population and the suburban areas of large towns and changed economic and political conditions. But there is one very important omission made by the framers of this note, namely the increase of corruption in the services and an indication of corruption in the legal profession. These are due to the growth of population and changed economic and political condition.

Mr. President : He is now criticising an omission.

Mr. Nanak Chand Pandit : These are the fresh duties of the police for which this additional police has been enrolled. I was submitting that a particular matter was brought to the notice of the Honourable Finance Member at the July session. (*Interruption.*) I am only criticising the action of this year, the financial year 1933-34. I emphasise the words this year. This is a very important matter and I wish to place some very startling figures before the Honourable Finance Member, so that he may utilise, if he wants the additional force, for this purpose. Otherwise we are not going to give him this additional force. In the first place with regard to the legal profession, if you will permit me to say so—

Mr. President : Where is the reference ?

Mr. Nanak Chand Pandit : The reference is to page 29 of this memorandum. Since then corruption in the legal profession has grown so fast that it has become really a menace to the honesty and honourableness of the profession.

Mr. President : Has the supplementary grant been moved to engage police for controlling the legal profession ?

Mr. Nanak Chand Pandit : Fresh duties are imposed on the police. The police does not take note of these fresh duties imposed on it on account of the changed economic and political conditions.

Mr. President : The honourable member is again irrelevant. So, I request him not to persist in irrelevance.

Mr. Nanak Chand Pandit : I want to ask a question.

Mr. President : I am not going to answer questions. I have expressed my opinion.

Mr. Nanak Chand Pandit : I am irrelevant for the reason—

Mr. President : Why he is irrelevant is a different matter. I request him to speak to the motion.

Mr. Nanak Chand Pandit : As there is a large amount of bribery and corruption—

Mr. President : I request the honourable member to resume his seat.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) : Sir, as you are very particular about relevancy I will be relevant as far as possible. I want to attack this force. It has been alleged by Government that the police force under discussion came into existence to relieve three evils, firstly political happenings and incidents of terrorism, secondly the communal tension and thirdly the existence of

some sort of tribunals which necessitated the creation of some additional police force. These are the three reasons which Government has put forward for creating this additional police force. But all these reasons given by Government do not require such a force paid from the provincial revenues. I do not so much criticise the existence of this force, as I criticise its being paid out of the provincial revenues. The Government itself has been pleased to say on page 29 of the Supplementary Demands that communal tension has been growing very much. I will read a few lines :

Throughout the year widespread communal bitterness prevailed in the Hissar district while the unrest at Pundri and the old Fatehpur case continued to poison the life of the Karnal district.

Jullundur cases—Muhammadans carrying on processions with swords—Sheikhupura cases as also those of Hoshiarpur, Jhang, etc., etc., are also mentioned. But in the third paragraph the Government has been pleased to say "as the bulk of the duties of the Provincial Additional Police was divided between Amritsar and Lahore, the supervision of the force was entrusted to the Superintendents of Police of those districts thus dispensing with the need of special gazetted officer in charge." It is clear that this police was necessitated for Lahore and Amritsar but the whole province has been made to pay for it and it is a lame excuse that this was required for Pundri and Fatehpur. Those poor people had to pay for the additional police maintained there and not the provincial revenues. I do not understand why when it is a question for Lahore and Amritsar cities, the provincial revenues are being made to foot the bill.

Chaudhri Zafrulla Khan : The receipts go to the provincial revenues.

Kanwar Mamraj Singh Chohan : The point which I want to make is that when Lahore and Amritsar are the chief cause of the expenditure on these men, why should they not pay for it? I shall be very much pleased if the Honourable Leader of the House points out to me whether for the punitive police placed at Pundri and Fatehpur and Hissar any charge was made on the provincial revenues or whether it was the poor people of those places who paid for the police. Disturbances unfortunately take place in the province by some mischief or connivance of the officers, but, why should the poor people of that place be asked to pay for the police? The case is that when riots take place in the mufassil it is the poor dumb people of the districts that must pay for the police, but when it is the city of Lahore or the city of Amritsar then the provincial revenues must pay for the police. With these few words I oppose the whole demand.

The Honourable Sir Henry Craik (Finance Member) : The honourable member has overlooked the fact that part of the duties on which the additional police are employed are duties which have become practically permanent but for which no permanent establishment has been sanctioned. In that connection I would like to remind him and the House generally of the very great increase in the population in recent years especially in the large cities, for instance Lahore, population of which place has grown since 1921 from 280,000 to no less than 429,000 and Amritsar has grown from 160,000 to 264,000.

Mr. Muhammad Din Malik : Is the Honourable Leader of the House now in order to refer to past years?

Mr. President : He has to support the items under discussion.

Mr. Muhammad Din Malak : He is referring to the figures of the past years.

Mr. President : He may refer to them only as illustrations.

The Honourable Sir Henry Craik : The fact is that part at any rate of the additional police that is permanently stationed in the larger cities such as Lahore, Amritsar and also Multan is really doing duties for which a permanent increase of the police force is required and will eventually inevitably be made. Apart from that I do not think it is fair to say that the fact that a considerable part of this additional force is kept at Lahore and Amritsar is due to the misconduct of the inhabitants of those two places. The force is kept at Lahore and Amritsar as a sort of provincial reserve and can be despatched from those two places to any point where danger threatens. Also a considerable portion of that force is directly employed in duties connected with the terrorist movement, which is certainly not a local movement confined to Lahore and Amritsar, but manifestations of it are specially likely to occur in Lahore and Amritsar. I do not think, therefore, that it would be legal under the relevant provisions of the Police Act to charge the inhabitants of Lahore and Amritsar with the cost of the additional police maintained at these places.

The only other point I wish to make is that I can assure the House that every possible economy is being exercised in regard to this additional police force. It has been steadily reduced during the last two or three years and now stands, I think, at only about one-third of its original strength, and as time goes on we will bear in mind any possibilities of further reduction. I do not want to keep any part of this force longer than is absolutely necessary. I do not know if I would be in order in refuting the charges of extravagance against the Police Department generally but the honourable member who moved the cut motion apparently tried to point out that the expenditure was steadily growing. Let me just assure him in two words that that is not the fact. Expenditure is coming down slightly, not very much but slightly, every year in spite of the fact that——

Mr. Muhammad Din Malak : No cut has been moved about this and, therefore, the Honourable Leader of the House cannot speak.

Mr. President : It is an economic reduction. Question is—

That a supplementary sum not exceeding Rs. 1,16,200 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 Police.

The motion was carried.

EDUCATION (RESERVED).

The Honourable Sir Henry Craik (Finance Member) : I beg to move—

That a supplementary sum not exceeding Rs. 2,000 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 Education (Reserved).

The motion was carried.

MEDICAL AND PUBLIC HEALTH (TRANSFERRED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 57,800 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 Medical and Public Health (Transferred).

The motion was carried.

AGRICULTURE.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,80,900 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.

The motion was carried.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 4,330 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.

MISCELLANEOUS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 5,100 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 Miscellaneous (Reserved).

The motion was carried.

CIVIL WORKS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 5,000 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 Civil Works (Reserved).

The motion was carried.

CIVIL WORKS (TRANSFERRED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 2,00,100 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of Civil Works (Transferred.)

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,94,600 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 Superannuation Allowances and Pensions.

The motion was carried.

COMMUTED VALUE OF PENSIONS.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 4,29,700 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 Commuted value of Pensions.

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENTS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 6,46,700 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 loans by Provincial Governments (Reserved).

The motion was carried.

REFUNDS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,95,400 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 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. 20,900 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 Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND OTHER THAN STORES.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,25,920 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.

EXPENDITURE IN ENGLAND.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 200 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.

TOKEN DEMANDS.

ADMINISTRATION OF JUSTICE.

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 1934 in respect of Administration of Justice.

The motion was carried.

EDUCATION (TRANSFERRED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Education (Transferred).

The motion was carried.

INDUSTRIES.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a token sum not exceeding Rs. 10 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 Industries.

The motion was carried.

CIVIL WORKS (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Civil Works (Capital Expenditure).

The motion was carried.

HYDRO-ELECTRIC SCHEMES (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a token sum not exceeding Rs. 10 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 Schemes (Capital Expenditure).

The motion was carried.

EXCESS DEMANDS FOR THE YEAR 1931-32.

The Honourable Sir Henry Craik : I have to announce that the two Excess Demands for the year 1931-32 printed on the order paper are recommended to the Council by His Excellency the Governor. I move—

That an additional sum not exceeding Rs. 6,67,441 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March 1932 in respect of Civil Works—Capital Expenditure.

The motion was carried.

The Honourable Sir Henry Craik : I move—

That an additional sum not exceeding Rs. 43,514 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March 1932 in respect of Commuted value of Pensions—(Capital Expenditure).

The motion was carried.

THE PUNJAB TOBACCO VEND FEES BILL.

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That the Punjab Tobacco Vend Fees Bill as reported by the select committee be taken into consideration.

In making this motion I would only draw attention to two facts. The first is that the select committee's report is unanimous. The second is that the select committee have modified or omitted certain provisions of the Bill to which exception was taken in the debate on introduction. It has protected, by the proposed proviso to clause 3, the grower of tobacco and it has altered in certain respects the definition of manufactured tobacco. In certain other minor respects the Bill has been amended and modified with the object of causing as little trouble as possible to licence-holders and of eliminating, as far as possible, all opportunities for extortion or oppression by subordinates of the Excise Department. There is a very lengthy list of amendments on the paper, but certain of these are Government amendments directed to the same objects as I have mentioned and certain others are also framed with the same objects, which I am prepared to accept.

I hope that with this brief explanation the House will now agree to take the Bill as reported into consideration.

Chaudhri Zafrulla Khan : May I ask the Honourable the Leader of the House to give some explanation of the omission of the first two sub-clauses of original clause 11 of the Bill?

The Honourable Sir Henry Craik : The honourable member will see that in the Bill as introduced, there was a clause, clause 10, which gave excise officers not below such rank as the local Government may prescribe power to issue a warrant of search for any tobacco in respect of which an alleged offence has been or is likely to be committed. In the select committee we knocked that clause out and we consequently knocked out the subsequent clause 11 which prescribed a penalty for misuse of the power of search, because having removed the power of search a penalty for the misuse of that power would be unnecessary.

Chaudhri Zafrulla Khan : The position would be this that no search as contemplated by the original clause is now possible.

The Honourable Sir Henry Craik : Clause 11 only imposed a penalty for vexatious or unnecessary search.

Chaudhri Zafrulla Khan : With regard to certain kinds of searches vexatious or unnecessary the original clause 11 proposed to provide penalties. Such searches could be carried out under clause 10 and that is now gone. May I understand that it will now not be possible for anybody to have a power apart from clause 10 of searches which might be abused and to which clause 11 would have applied if it had remained? Supposing there is now a vexatious search, what is the penalty for it?

Khan Bahadur Shaikh Din Muhammad : The general law of the land provides for it. The Criminal Procedure Code is there and that can be applied.

Chaudhri Zafrulla Khan : I understand the position is that the extra power which this clause proposed to provide has been taken away by the select committee. Supposing there is a vexatious or perverse search, what is the penalty for it?

Khan Bahadur Shaikh Din Muhammad : The general law of the land is there.

Chaudhri Zafrulla Khan : I know as much of the general law of the land as the honourable member does.

Mr. Mukand Lal Puri : Under Section 8 (2) the power of search is still there and the salutary provision which the original Bill contained has been taken away by the select committee. The Bill appears to have been framed on the lines of the Excise Act and there is a similar provision in the Excise Act. A great wrong has been done by omitting this necessary provision.

Mr. President : Motion moved is—

That the Punjab Tobacco Vend Fees Bill as reported by the select committee be taken into consideration.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) : Sir, the preamble of the Bill runs :—

Whereas it is expedient to impose and levy a fee on the sale of manufactured tobacco

and the proviso to clause 8 reads :

Provided that any person who grows tobacco himself or with the aid of members of his family or by hired labour may without a dealer's license sell wholesale or keep for sale manufactured tobacco so grown.

The proviso to the Bill as it has emerged from the select committee has gone beyond the scope of the principles of the Bill. It has been understood that the principle of the Bill is that you have to impose a fee for the sale of manufactured tobacco, but under this proviso you exempt 80 per cent. of the people from that principle, so that this Bill as it has emerged from the select committee goes beyond the scope of the original Bill that has been discussed, and so it is out of order.

The Honourable Sir Henry Craik : I do not think there is anything inconsistent with the preamble in exempting certain classes of the population from the mischief of the Bill. I think all the lawyers in this House will

[The Hon. Sir Henry Craik.]

agree with me that it is easy to quote a hundred examples of that kind of thing in legislative measures. I will take only one. The Indian Penal Code makes certain acts offences, but it specifically declares that those acts are not offences when committed by a child under the age of seven. Similarly an act is not an offence when it is committed by a lunatic. This is only one example. I am sure any member familiar with legislation could think of many others. Moreover it is not correct to say that by this proviso we are exempting 80 per cent. of the population. It is probably broadly speaking fairly true that 80 per cent. of the population are engaged in agriculture, but it is only a very small portion of those engaged in agriculture who actually go in for the growing of tobacco. Therefore, there is nothing inconsistent in the proviso.

Chaudhri Afzal Haq : I quite agree that in certain legislations there is exception, but in this case the rule is the exception and the exception, the rule.

The Honourable Sir Henry Craik : The law only applies to municipalities, notified areas, small towns, cantonments and railway stations. It is certainly not the case that 80 per cent. of the people in municipalities and cantonments and notified areas and small towns are agriculturists. Only a fraction of them are agriculturists.

Mr. President : Does the honourable member contend that the scope of the Bill has been narrowed ?

Chaudhri Afzal Haq : Yes, Sir.

Maulvi Mazhar Ali Azhar (East and West Central Towns,, Muhammadan, Urban) : Sir, I beg to move—

That the Punjab Tobacco Vend Fees Bill be circulated for eliciting public opinion thereon.

Mr. President : I have not got the honourable member's motion before me. Did he give notice of it ?

Maulvi Mazhar Ali Azhar : No, Sir.

Chaudhri Afzal Haq : Sir, I want to know whether any notice is necessary in the case of dilatory motions.

Mr. President : I have ruled more than once that a notice is necessary, though in exceptional cases a motion has been allowed to be moved without notice.

Mr. Mukand Lal Puri : Sir, I understand that such notices were delivered by four members to your Secretary at 12-30 P.M. on Saturday.

Mr. President : I have not received any notice of any motion by any honourable member, but I will ask the Secretary. I have sent for the Secretary. He will also be able to tell when the Bill as reported by the select committee was circulated to the honourable members.

4 P.M.

The Honourable Sir Henry Craik : The report of the select committee was laid on the table of the House on the 2nd of March last. The signature of the Secretary of the Council is also dated the 2nd of March.

Mr. President : Perhaps some of the honourable members will be able to tell the earliest date on which they received copies of the Bill as reported by the select committee.

An Honourable Member : Five or six days ago.

Chaudhri Afzal Haq : It was again circulated to honourable members to-day.

The Honourable Sir Henry Craik : I got a printed copy of the select committee's report much earlier.

Maulvi Mazhar Ali Azhar : When was the notice of Government received for the motion to take the Bill into consideration ?

The Honourable Sir Henry Craik : At least a week ago, as far as I remember.

Mr. President : I understand from the Secretary that the Bill was sent to honourable members from the Council office on the 7th of this month.

Mr. Labh Singh : I draw your attention to Article 89 (2) which says—

If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted or be circulated for the purpose of obtaining opinion thereon.

I beg to submit that no question of limitation of time for notice applies to this article, nor is there any provision that two clear days' notice is necessary for a motion of this character.

Mr. President : Where is it exempted ?

Mr. Labh Singh : Unless there is a specific provision that notice is necessary, the amendment can be moved without notice.

Mr. President : Will the honourable member refer to Article 62 ?

Mr. Labh Singh : That Article applies to amendments contemplated in Article 90.

Mr. President : Article 62 is a general article and covers all cases unless a different rule is prescribed specifically. It reads :—

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

No period is specifically prescribed for this motion. Consequently, under Article 62 at least two clear days' notice is necessary.

Chaudhri Afzal Haq : This is neither an amendment nor a substantive motion. It is a dilatory motion which requires no notice.

Mr. President : If the honourable member will read the words of clause (2) of Article 89 he will see that it is distinctly and expressly stated to be an amendment—

If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed or be circulated for the purpose of obtaining opinion thereon.

So, this is clearly an amending motion and two clear days' notice is necessary.

Maulvi Mazhar Ali Azhar : May I know when the Honourable Member in charge gave notice that he would move that the Bill be taken into consideration ?

[**SECRETARY :** The notice was received from Government on the 9th of March 1934.]

Maulvi Mazhar Ali Azhar : When was this notice circulated to honourable members ?

Mr. President : Why should the notice be circulated to honourable members ? The motion is printed in the agenda and circulated to members.

[**SECRETARY :** The list of business for to-day was made available to honourable members on the 15th of March so that there was enough time for honourable members to give two days' notice of any amendments.]

Mr. Muhammad Din Malak : Unless my memory fails me, I think twice or thrice you have very kindly allowed the moving of the circulation motion without previous notice.

Mr. President : I may have allowed.

Mr. Muhammad Din Malak : Evidently that is what Maulvi Mazhar Ali Azhar wants to point out to you.

Mr. President : I do not think speeches can be made in this House by proxy.

Khan Bahadur Shaikh Din Muhammad : I wish to bring to your notice that my honourable friend, Mr. Mazhar Ali, had given notice of certain amendments to the Bill on the 16th March 1934 which evidently means that he had notice of this motion of the Honourable Finance Member even before the 16th.

Maulvi Mazhar Ali Azhar : I will oppose the motion, then ?

Mr. President : The honourable member is welcome to do so.

Mr. Mukand Lal Puri : I beg to submit that Article 91 applies only to amendments to the Bill referred to in Article 90. It does not relate to motions which may be moved as amendment under sub-clause (2) of Article 89.

Mr. President : Does the honourable member mean that Article 62 does not apply to amendments moved under sub-clause (2) of Article 89 ?

Mr. Mukand Lal Puri : Article 62 appears to cover my objection.

Mr. President : Yes, it does.

Mr. Mukand Lal Puri : I beg to submit that even the Government has not paid sufficient attention to this measure which is intended to be purely a taxation measure. It will be noticed that even after the select committee has considered the Bill the Government has given notice of eleven amendments which shows that Government could not have devoted that attention which it ought to have given in the select committee stage. There are only 11 clauses in the Bill and yet the Government has come forward with 11 amendments. If the Bill is now circulated for opinion it is possible that Government in the light of opinions received may bring forward 22 amendments. If the Government is anxious to hurry through the Bill we

on this side have no objection, but it would mean that the measure passed will not be a perfect one. We are here to assist the Government. At the select committee stage the assistance of members of the House on this side was not accepted and not a single member sitting on our benches was nominated. The Government itself, without consulting party leaders, nominated certain members, which nominations of course the House accepted by a majority. But it appears that one of the members of the select committee did not at all attend the meeting of the select committee, the other two attended on one day and thereafter they contented themselves by putting their signatures to what their colleagues, the members of Government had decided. But it appears that even inspite of consideration in the select committee the Government even now does not know its mind, because it has come forward with 11 amendments. Under those circumstances it would be advisable if the Government waives the objection and allows the circulation motion to be moved.

Khan Bahadur Shaikh Din Muhammad : No.

Mr. President : If the Government has no objection to the circulation motion being moved, I shall gladly waive my objection. But I may state for the information of the honourable members that had the Bill not been circulated to them in time, that is to say, if the facilities prescribed by rules, had not been afforded to members, I should have been only too glad to exercise my discretion in favour of the motion for circulation. But I am not able to understand why, when they have given notices of amendments to the Bill, they had not time to give notice of an amendment for the circulation of the Bill.

Mr. Mukand Lal Puri : Because the Bill is a technical measure.

Mr. President : That is no argument. Amendments to the clauses of the Bill require more time, because they require a careful study of the Bill, than a motion for the circulation of the Bill for eliciting public opinion on it.

Mr. Mukand Lal Puri : I may be permitted to submit that my object in supporting the proposal for circulation of the Bill is not because I want to delay the passage of the Bill, but because I want to assist the Government.

Mr. President : I call upon Rao Bahadur Chaudhri Chhotu Ram to move his motion for the recommitment of the Bill to the same select committee.

An Honourable Member : You have not taken the sense of the Council on the motion that the Bill be taken into consideration.

Mr. President : That I will do at a later stage.

Rao Bahadur Chaudhri Chhotu Ram : I do not wish to move the motion standing in my name.

Chaudhri Afzal Haq : Will you kindly find out whether the Government would agree to a circulation motion ?

Mr. President : Government does not agree ; Khan Bahadur Shaikh Din Muhammad has already said ' no ' to that suggestion.

Chaudhri Afzal Haq : But the ' no ' did not come from the Leader of the House.

Chaudhri Allah Dad Khan : You do not always consult the wishes of the Government members whenever a circulation motion is brought forward as an amendment.

Mr. President : Every case is governed by its own particular facts. Had the Bill not been circulated to the honourable members in time I would have exercised my discretion under Article 62 and allowed the amendment without any reference to Government ; but as the Bill was circulated in time, there is no reason for exercising my discretion in favour of the circulation motion.

Chaudhri Allah Dad Khan : I rise to oppose the motion moved by the Honourable Finance Member for taking the Bill into consideration, but before doing so, I should like to know whether you have put it to the Council.

Mr. President : I have already proposed it to the Council.

Mr. Labh Singh : Even if the Government is not prepared to waive its objection to the circulation motion, may I bring it to your notice that the agenda for today was left on our benches only on Friday last, Sunday intervening. We were given no time to deliver notice even if one were required.

(The Secretary pointed out that the agenda was distributed on Thursday the 15th.)

Mr. Labh Singh : Even then, certainly Sunday intervened and that created a difficulty. Really it is that we have had no adequate notice.

Mr. President : That is my difficulty too.

Mr. Labh Singh : I was only submitting that this is a point on which the Chair might exercise its discretion.

Mr. President : I have to exercise my discretion reasonably, not arbitrarily.

Mr. Mukand Lal Puri : The notice having been circulated on Thursday afternoon, Friday was the only day on which notice, if sent, would have been within time. You will acknowledge that when the select committee has reported and has made considerable alterations and the Bill is of a technical character on which neither the Punjab Government nor any lay members of this House, except those who have some experience in tobacco trade, can be expected to possess much knowledge, 8 or 10 hours time is not sufficient for members to give notice. Again at 12 o'clock on Saturday due notice was given. *(Interruption.)* It was a due notice except that it was not within time.

Chaudhri Zafrulla Khan : You would take one further factor into consideration. Each honourable member on studying the measure might find that it requires improvement in one or two particulars and he sends in only those amendments and at that time he may not be conscious of the necessity of circulating the Bill. But when a member looks at the other amendments he thinks that the measure is so bad that it needs recirculation. You are absolutely correct in stating that members have not sent in this motion in time. But the long list of amendments that are sent in is one matter to be taken into consideration by you.

Mr. President : This is not the only list. There are other lists which have not been circulated yet to members.

Chaudhri Zafrulla Khan : Therefore the consideration which I put before you is further reinforced.

Mr. Nanak Chand Pandit : When the Government itself sends notice of 11 amendments, that shows that the Government itself does not know its mind and it might be sending in some more amendments when they get some more useful information. This is a small Bill and already 11 amendments are sent in by the Government itself. Surely that is an additional point for consideration.

Mr. Labh Singh : I say with perfect confidence that if all these amendments of the Government are accepted, they will make a mess of the whole show. In their own interest they should take time to consider.

Chaudhri Allah Dad Khan : Sir, I rise to oppose the motion for consideration of the Bill.

Mr. Labh Singh : Do we understand that you have finally given a ruling that the motion for circulation cannot be moved ?

Mr. President : I have repeatedly said that the motion is out of time, and that unless the Government is prepared not to object to my exercising discretion in favour of the motion, I am not going to exercise it.

Mr. Labh Singh : In view of the demand raised from all parts of the House, you will request the Government on our behalf to waive the technical objection of insufficient notice.

Mr. President : I have received a notice under article 68 from Chaudhri Afzal Haq who proposes that the debate be adjourned.

The Honourable Sir Henry Craik : I recognise the spirit in which the honourable member on my right spoke and his desire to help in passing this Bill ; but I am afraid I cannot consider this as anything but a purely dilatory motion. The fact that so many members have tabled amendments to the Bill shows that they have had plenty of time to consider it and I really do not think I should be justified, taking into consideration the views of the House very generally expressed on the introduction of this Bill, in agreeing to the relaxation of the rules in favour of this purely dilatory motion. I would appeal to honourable members not to delay the passage of this measure which, as I have said, was generally welcomed on its introduction. It is the first fruit of what I hope in time will be an important feature of our fiscal administration. We must recognise that the principles on which our fiscal system rests at present are crumbling and tottering. We must give relief in some form and explore every possible avenue of taxation which will not fall directly on land. That is my profound conviction as Member in-charge of Finance and is founded on the experience gathered during the last 4 years. The justification for the Bill is that it was generally welcomed on introduction and particularly by the Leader of the largest party in this House, who said definitely that he welcomed any measure of this kind. Though I do not regard this particular measure as one of very far-reaching importance, and I do not anticipate that it will greatly add to our revenues, I do hope that the House will endeavour not to obstruct its passage by purely dilatory tactics, but will show that we the Punjab Legislative Council can, when necessary, legislate with a fair amount of promptness. I am sorry to appear unaccommodating in this respect, and I can assure honourable

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members who have tabled amendments that I shall be perfectly ready to consider in the most reasonable and accommodating spirit any amendments that may come up. It is quite true that there are a very large number of amendments and it is quite true that the Bill in its present form is not by any means perfect—I do not claim that it is—but at any rate we can improve it by its passage through the House if we all work together in an amicable spirit. I would regret very much if the Bill were to be circulated or re-committed or hung up in any way that would delay its passage very considerably. For that would mean that it cannot be passed in this session and I cannot say when it would be passed. It is not certain yet when another session will be held and even then there may be more urgent measures. I trust, therefore, that the House will agree to go on with the consideration of this measure.

Mr. President : What about Chaudhri Afzal Haq's motion?

The Honourable Sir Henry Craik : Motion for the adjournment of the debate?

Mr. President : Yes, under article 68.

The Honourable Sir Henry Craik : I submit that it is an abuse of the rules and standing orders.

Chaudhri Zafrulla Khan : Why?

The Honourable Sir Henry Craik : Because we have hardly begun to discuss the substance of the Bill. We have hitherto talked on points of order.

Khan Bahadur Shaikh Din Muhammad : You will be pleased to see that article 68 provides for those cases only where the House is being pestered with a debate which is absolutely unnecessary and the time of the House is being uselessly wasted. It is then that under article 68 any honourable member of the House can move that the debate be now adjourned. In this case, the motion moved in the circumstances in which it has been done means a deferring of the consideration of the Bill to an indefinite date, the resummoning of the Council at some other time for the consideration of the Bill, the consequential burdening of the Provincial Government's exchequer with unnecessary expense and an unjustifiable waste of the time of the House. Is it permissible under these circumstances to move a motion under article 68? You will be pleased to see this article reads like this :—

At any time after a motion has been made any member may move ' that the debate be now adjourned,' and unless it appears to the President that the motion is an abuse of the rules and standing orders, or an infringement of the right of reasonable debate, he shall put the motion ' that the debate be now adjourned.'

This naturally implies that you should see that the motion is not an infringement of the rights of reasonable debate. If this motion is allowed it would mean that you will curtail the course of this debate without any rhyme or reason, you will smother the Bill at its initial stage and then you would necessitate the resummoning of this Council for the consideration of this Bill. Article 68 therefore does not apply. This motion has not been made in a *bona fide* manner and it is clearly the abuse of the rules and standing orders. Therefore this motion should not be supported

by any honourable member of this House even if it is put to vote. It must be opposed.

(At this stage Chaudhri Afzal Haq stood up to move that the debate be now adjourned).

Mr. President : That motion could have been moved by a member who was in possession of the House. It is not by a written notice that he can move it.

Mr. Nanak Chand Pandit : He is going to move it now.

Mr. President : He is not in possession of the House. Had he been speaking on the motion for the consideration of the Bill he might have moved it.

Chaudhri Allah Dad Khan (Ambala division, North-East, non-Muhammadan, Rural) : Sir, I rise to oppose the motion which has been moved by the Honourable Finance Member. I want at the outset to take the point which has been urged before this House, namely, that this Bill is not injurious to the zamindars or tobacco growers. I will point out that it is as injurious to the interests of the growers or zamindars as to the interests of the dealers. The honourable member from Rohtak when he made his speech congratulating the Government on thinking of imposing a tax which he said would not directly hit the zamindars said that it would not hit the zamindars directly. He admitted all the same that it hits the zamindars indirectly. I submit that an indirect hit is more dangerous. You can see and withstand a direct hit but a hit which is given at your back, it may be quite an indirect hit, is the most difficult and in the words of Shakespeare the 'unkindest cut of all'. It is the most serious of all hits. The strangest of all things is that when Governments of all countries are trying to find markets for the products of the zamindars and when it has been urged by the Imperial Council of Agricultural Research that markets should be found more and more for the products of the zamindars, when every Government is doing its best to find value for the products of the zamindars, the Punjab Government is finding means to reduce markets for the goods of the zamindars. There is no doubt that the imposition of this extra tax will surely reduce the market if not altogether destroy it. I will explain it. When a tax is imposed on tobacco it is quite clear that the price will rise. Those people who deal in this commodity will surely take into account the tax which they have to pay. If I go to purchase tobacco, say, worth one anna, they will give me half of what they used to give me. And then there has already been levied an excise duty. There is therefore a double tax on tobacco. No matter who pays for it, but there is a double tax on tobacco. When the Honourable Finance Member announced in the Assembly the imposition of tax on tobacco I thought the Punjab Government would resist putting this Bill up or at least it will delay it for a considerable time to see how public opinion is focussed on the excise duty, but the Punjab Government is as impatient as anybody else. During this time of financial stringency when zamindar feels the need for every penny, they are further curtailing his earning power and further reducing the market which he could have for his commodity. I tell you and it is not a secret that tobacco is a very valuable crop for the zamindar. He earns a good deal by it, because it is easiest to grow and easiest to manufacture and dispose of. No sooner the zamindar gets the crop than it is sold off and it takes only 3 months for the

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crop to ripen and get ready. When you impose this double duty on tobacco the result will be that the people will be constrained to give up the habit of smoking. Smoking is not a very indispensable evil for a man and not so very difficult to give up either. It is very difficult to give up the habit of drink, but to give up smoking is not so very difficult. There have been cases where a man has sold his wife for obtaining money to indulge in drink but not so with tobacco. If you rebuke a man for smoking, he will give it up, I have seen hundreds of cases in villages every day where they have stopped smoking but I have not seen a man giving up wine altogether. If he does so, he will do it only for a short time and even then he will get rheumatism and will not be able to walk and will stagger at every step. So giving up of tobacco is very easy. Suppose a man embraces Sikhism, if he was given to smoking before, he will have to give it up, because Sikh religion prohibits the taking of tobacco in any form, but not so with wine.

The Honourable Sardar Sir Jogendra Singh : How do you know ?

Chaudhri Allah Dad Khan : So I say smoking of tobacco is not such a strong habit as cannot be given up. The result is that most of the people, not all but perhaps half of them will give it up because a double tax is imposed on it. Say half of the people will give it up, and the remaining half will reduce its consumption. I will illustrate it. When the price of envelopes was increased many people gave up writing envelopes so much so that the Honourable Finance Member of the Government of India admitted last year or the year before the last, that people had adjusted their writing to the size of post cards and had given up altogether the writing of the envelopes. There are cases that when you increase the price of a thing, it is certainly the case that men reduce their consumption. Either people altogether give it up or reduce it considerably. This reduction of consumption would be a death blow to the farmer. Of all the green crops that they grow, I have said, tobacco is the easiest. How do you realize your land revenue ? It is through tobacco. If you reduce the consumption of tobacco you will reduce your land revenue income. Whenever a demand for a land revenue instalment comes, people rush up and see how the tobacco is growing. It is this crop which helps them to pay off the land revenue demand. But when restrictions are placed on the growing of this crop, I cannot say how you will be able to raise your land revenue. Tobacco will remain a luxury for the town people but the zamindars in the far off places will give up the growing of this crop.

The Honourable Sir Henry Craik : Why ?

Chaudhri Allah Dad Khan : Because there will be no market, or it will be very much reduced.

The Honourable Sir Henry Craik : Nothing of that sort.

Chaudhri Allah Dad Khan : I have proved that by the example that I have given and the Honourable Finance Member should have been convinced of this. If you raise the price of a commodity its consumption becomes less. You increase the price of wheat and I tell you that a number of people will begin to take one meal a day, as they did in 1918-19.

Chaudhri Zafrulla Khan : You want the price of wheat to go up.

Chaudhri Allah Dad Khan : During the War the English gave up adding sugar to tea because they had to find money for the War and sugar had become very costly. This is a well known fact and for this reason I tell you that consumption gets reduced if prices are raised and thus the market is reduced. I have given you arguments and if you still do not accept my point of view it is only persisting in your own point of view. I have said that this will reduce the market and the poor farmers will be hard hit. The *bania* is a very careful person. So often it is said that he is a capitalist, and can afford not to purchase a thing for some time. It is the zamindar alone who will be hard pressed for land revenue and who will be anxious to dispose of the tobacco. The zamindar will have to beseech the *bania* to purchase tobacco. He will say, "Lalaji, do take it." But the *bania* will say "No I will not take it, I have to pay tax and the people of the town do not take tobacco so much." The poor farmer will then be forced to pay the tax to enable the *bania* to purchase tobacco and the bargain will be struck. That of course is the experience of every body. In my own village people were very much pressed for payment of their land revenue. People are fleeced in several ways, charged for one hundred and one things. They fear to go into the town and dispose of their produce even in the village. The result has been that cotton was sold at Rs. 4-10-0 a maund, one rupee less than the prevailing price in the neighbouring town. They were obliged to do it because they wanted to pay land revenue and wanted to meet other expenses. If there was any capitalist who could lend them money for one month, they would have gone to him and willingly met all the taxes imposed on them, not excluding such a tax as the proposed tobacco tax. Thus it is not only the dealer that is put to trouble by the Bill but it will hit the zamindars harder. It will hit them both ways. The rates will rise but the market will be reduced. The Bill is thus a double-edged sword from which the zamindar finds no escape. Is it proper I ask for Government to cripple the zamindar at this time of financial stringency? If the professions of sympathy on the part of Government in favour of the zamindar were real, Government would not have sought to introduce this measure at this time. I agree that the Government are in need of fresh sources of income. The committee appointed to find such sources made many recommendations but as this one hit the zamindars most it looks as if Government pounced upon this recommendation without any delay and acted upon it. Government should have tackled all other avenues suggested by that committee — the Retrenchment Committee. Have Government reduced the pay of their officers to the extent to which the Retrenchment Committee recommended? Have they reduced one of the chief engineers, one of the financial commissioners or two of the commissioners? It has been urged that this Bill has been brought forward in pursuance of the report of the Sources of Revenue Committee. Have Government, I ask, exhausted all the recommendations of that committee before resorting to this one? Tobacco taxation, in fact, should have been the last to take up. As I said the measure hits the zamindar the hardest. He is already charged 45 or 50 or even 60 per cent. interest by the money-lender. Should he be charged a few annas more in addition for the tobacco he uses? Surely the Bill is benefitting the people of the town at the expense of the zamindar.

[Ch. Allah Dad Khan.]

Then again, the wording of the Bill is very defective. There are many points which have been forgotten by the Government in drafting the Bill. I shall give only one instance. There is a funniest clause which has been added by the select committee. It reads :—

Any person who grows tobacco himself or with the aid of members of his family or by hired labour may, without a dealer's licence, sell wholesale or keep for sale manufactured tobacco so grown.

I wish to point out that this is the funniest provision of the Bill.

Mr. President : Provisions of the Bill cannot be discussed at this stage, only principles underlying them can be discussed.

Chaudhri Allah Dad Khan : I am not discussing the clauses. If I were to do so, I should have begun with the first clause and proceeded to the several clauses one by one.

Mr. President : What principle of the Bill is the honourable member now attacking ?

Chaudhri Allah Dad Khan : It was stated by the honourable mover of the Bill that the Bill is not injurious to the zamindars. I am denying that, and trying to show that it is a pernicious measure and most injurious to the zamindar class. There is no principle laid down in the Bill. I can only infer it from the wording of the Bill and can foresee its effects upon zamindars. If a man is allowed to grow tobacco and sell it, will there be any shopkeeper whom the Government can tax ? A shopkeeper can get one or two *kanals* of land, grow tobacco on them and say, this tobacco is grown on my field and I have kept it for sale. Can Government tax such a shopkeeper ?

Mr. Mukand Lal Puri : May I ask who is responsible for this provision ? Is it the Government or the Legal Remembrancer or the non-official members of the committee ? Because, that is the most pernicious feature of the Bill as has been rightly pointed out, introducing discrimination in trade. I want to know whether this proviso has been inserted at the instance of the non-official members of the committee or the official members of it.

The Honourable Mr. Miles Irving : This proviso has been put in by the committee, not by this or that section of it.

Chaudhri Allah Dad Khan : To my mind this proviso appears to be the funniest provision of the Bill. If a man brings tobacco grown by himself for sale into the town on a rainy day, suppose he brings it in five carts and he is the owner of only two bighas of land, the excise inspector will hold him up as he enters the town limits. He will ask him how with two bighas he was able to grow so much tobacco. The fact may be that the man had a rich harvest but the excise inspector would not believe it. He would charge him with taking tobacco belonging to others and would begin molesting the person. By the time he proves that the tobacco is his own and is let off much time will be lost. He should have spent much money in the meantime. So one principal feature of the Bill is that no farmer will come to sell tobacco in the town. The shopkeeper will go to the village. He will manage to own one or to *kanals* of land and purchase all the tobacco grown by the village. He will then bring it to town for sale and escape all tax because he

owns some land and will allege that all the tobacco is grown on that land. Then again what is the principle of distinction between wholesale and retail dealings? The question of licence is discussed in a later section. It is laid down that the collector shall grant a license to each prospective dealer of tobacco, on conditions laid down in the rules which Government are going to make. The whole power is thus taken on to the rules and I am quite sure that the rules will be so enacted as to aggravate the hardship of this impost.

Mr. President : When the rules come before the House, the honourable member can have his say about them.

Chaudhri Allah Dad Khan : But I can now anticipate them. From the very words it appears that discretion is left to the collector to grant or refuse licence. That will cripple all tobacco trade and will lessen even the revenues of the Government of India under income-tax, as there is the certainty of the dealer's income being reduced. Government should, therefore, think twice before enacting such a measure as this. That provision which was perhaps the most salutary one has been excluded now. So I appeal to honourable members to throw this Bill and nip the evil in the bud, not to allow the Bill to go through the House and cause injury to both the growers and sellers of tobacco.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*) : Sir, the reason of my

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opposing this Bill is not that I grudge a little more revenue to the Government, but the thing which induces me to oppose this measure is this. I realise that if this Bill is passed and comes into force very little revenue will come into the Government treasury. But on the other hand the people will be subjected to a lot of inconvenience. My point is that if the Government was desirous of getting some revenue out of tobacco they ought to have done this in such a way that more money would have come to them without causing any hardship to the people.

(At this stage Mr. President left the chair and it was occupied by Chaudhri Zafulla Khan.)

It was pointed out at the time of the introduction of this Bill in the Council that it will involve the illiterate zamindar in great difficulties. The Honourable Finance Member has said that the possibility of such difficulties is obviated by amending clause 8 by the addition of a new proviso. Another amendment has been effected in clause 11 the greatest part of which is deleted. Moreover, clause 14 is amended by deleting part (b) of its sub-clause 2. But in spite of all these amendments I am constrained to say that the Bill as it has emerged from the select committee may be acceptable to the Government themselves but it is certainly not acceptable to the elected members of this House. Our first objection was that it is not proper to evolve new methods of instituting cases against the people and extorting money from them. But though it has been provided in the proviso to clause 8 that "any person who grows tobacco himself or with the aid of members of his family or by hired labour may without a dealer's license sell wholesale or keep for sale manufactured tobacco" our objection still stands. This proviso will not save the zamindars from the botheration of being hauled before courts of law. If any zamindar enters the vicinity of a municipal committee or a railway station the policemen will be able to arrest

[Maulvi Mazhar Ali Azhar.]

him. The plea that the tobacco in the possession of the person arrested was grown by him or by his tenant or by his family people or by hired labour can be made only in the court. All of us know that the greatest trouble which an accused suffers is met with in going through the whole procedure before the court and in the hands of the police. No provision has been made in the Bill to save the poor zamindars from this trouble. Under these circumstances we are justified to complain that the Bill, if enacted, will bring more harm than good to the province. I may point out that the poor zamindar who is a new comer in the city will not be able to ask anybody to stand surety for him and thus he will be entirely at the mercy of the police. I hope the House will bear in mind such difficult situations.

Another amendment has been made in clause 14 part (2) wherefrom clause (b) is deleted. It was provided in (b) that the Government will prescribe " the quantity of tobacco possession in excess of which shall be deemed to be possession for the purpose of dealing with it in contravention of this Act." But now by the deletion of this provision anybody who is in possession of a quarter of a seer of tobacco will be hauled up. If the provision were allowed to be retained the authorities could prescribe that more than two, four or even ten seers of tobacco should not be possessed without a licence otherwise it will be taken for granted that the possessor intended to use the same in contravention of this Act. This matter demands, Sir, the closest attention of the honourable members. My impression is this that the deletion of part (b) of clause 14 (2) has made the Bill worse than it was at the time of its introduction.

As far as the amendment of clause 3 is concerned, it has made it possible for all and sundry to deal in tobacco. Any person who grows tobacco himself or with the help of hired labourers or his family can sell tobacco within the limits of a municipal committee or at a railway station. All distinction between a non-agriculturist and statutory agriculturists have been done away with. You will be providing no facilities for the zamindar and imposing no check on the non-zamindar by accepting this amendment as far as the sale of tobacco in prescribed areas is concerned.

One thing which has not as yet been pointed out and which will be greatly emphasised later, is this. By enacting this ordinary measure you are creating an unsalutary distinction between one section of the people and another. You have laid down that certain people are fully authorised to deal in a commodity and others must obtain a licence to deal in that commodity. This is not proper. I hope the Government will give due consideration to this point, and will not be a party to create such invidious distinctions.

Then we have to consider the possible effect of this Act on the people and their liberty. A little thought will convince us that the police will be in a position to exercise great authority if this Bill is passed. All of us know that many fictitious cases are instituted against people for illegal possession of liquor or opium. The plea of the accused more often than not is that the commodity was placed in his house by his enemies. Does not the Government think that hereafter such cases will be brought forward for illegal and unauthorised possession of tobacco? Moreover, there is no

moral or religious ban on the use of tobacco and it is freely used by men and even women of all communities except the Sikhs. People who are not in the habit of smoking themselves, have so often to make arrangements of a smoke for their guests. It is, therefore, unimaginable how many people may be involved in trouble if so many dangers are incurred in having tobacco in possession. I have grave fears that whereas the Government will get Rs. 60,000 or 70,000 as revenue by the enactment of this measure the number of cases to be tried by their magistracy under this Act will also correspond to these figures.

Another salutary provision in the Bill as presented to the Council was clause 11 which provided that "any excise officer who, without reasonable ground or suspicion, enters or searches or causes to be searched, any building.....shall on conviction be liable to imprisonment and fine....." But the select committee have deleted this part of the clause.

The Honourable Sir Henry Craik : The honourable member is repeating the arguments and making the point which you yourself made.

Mr. Chairman (Chaudhri Zafrulla Khan) : I merely asked for information on that occasion. I was not arguing the point.

Maulvi Mazhar Ali Azhar : It has been said that these provisions have been deleted because the presumption in clause 2 is done away with. But clause 11 had nothing to do with clause 12. As a matter of fact clause 12 became redundant after the deletion of clause 14 (2) (b) wherein it was provided that the Government will have to prescribe "the quantity of tobacco possession in excess of which shall be deemed to be possession for the purpose of dealing with it in contravention of this Act." When no quantity is to be prescribed, possession of any quantity, howsoever large, can create no adverse presumption. But my point is that when no specific quantity is prescribed the possession of any quantity howsoever small could be alleged to be illegal. This is objectionable. I beg to point out that this will cause many difficulties and create many grave situations. All of us know that many strange witnesses will become available all of a sudden in such cases to say that they were offered tobacco for sale and the poor helpless accused will be at a loss to understand as to wherefrom the evidence has cropped up. We at this time cannot imagine what sort of evidences will be brought forward by the prosecution in such cases. We, therefore, should try our best not to pass such measures which are bound to create such mischief. I have every reason to believe that there will be no end to prosecutions if this measure is enacted and in fact nobody will be safe from trouble. The rich zamindars may well cherish this consolation that they will be able to carry any quantities of tobacco in their motor-cars without being questioned as to the legality of its possession. But they should bear in mind that it is their duty to look after the comforts of the petty zamindars also and not be a party to such measures as may be calculated to bring untold inconvenience to them. The poor zamindar will constantly be in danger of arrest and will not be able to regain liberty without furnishing reliable surety which will certainly not be available in cities and at railway stations at a great distance from his native village. In short, you will be throwing the poor people of this province into a veritable whirlpool of misery by

[Maulvi Mazhar Ali Azhar]

enacting this measure. If you want to get more revenues, adopt such means as may be harmless and may not become stumbling blocks in the way of the honest wayfarer.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban) (Punjab): Sir, if the Government propose to enhance their revenues by levying a fresh tax they are perfectly entitled to do so, and they have our full sympathy, but they should refrain from enacting such measures which may subject the poor masses to undue hardship. Tobacco is a commodity which is freely used by Hindus, Muslims, Christians and in fact by all communities except the Sikhs. So it is this community which can recommend a wholesale taxation on tobacco without incurring any liability themselves. These verses of the Punjabi poet clearly depict their views on this point:—

اے روز تمباکو چٹی ایس تمباکو وچ کچھ نہ کہتی
ہتی والا کچھ نہ دے پیئے والا ہویا حیران
واہ واہ حقے تون قربان
ایس حقے کئی جٹ اجارے دکی چنگ پکی کہلوارے
کردی ساز سواہ کزراں پیئے والا ہویا حیران
واہ واہ حقے تون قربان

So they have decided to lend their unanimous support to this Bill. But I should like to point out to the Government that only very rich people would be able to support this measure. High officers drawing Rs. 5,000 per mensem can very well afford to buy packets of costly cigarettes worth even five annas each. So cigarettes may be taxed. But the poor people smoke only common tobacco; it, therefore, should not be taxed. The Government should realise that a tax on tobacco would be a tax on the poor. So they may impose a tax on costly cigarettes like Scissors and Gold-flake and spare the common tobacco. The zamindar will also be hit hard on account of this taxation. It will become difficult for him to dispose of his commodity freely now that restrictions have been put on its sale. Sir, the Government should be extremely chary of imposing a tax on tobacco when the zamindar is already giving away a considerable portion of his produce to sub-inspectors of police, tahsildars and even deputy commissioners and other officers of the Government. (Laughter). Whenever any of these officers goes to a village he is sure to return with a good quantity of tobacco.

In the end I would suggest that if the talented members of this House are seriously desirous of increasing the Government revenue they should devise some other means for that. One source of income which may considerably swell the Government revenues would be an increase in the duty on liquor. As drinking is, or at least should be, the habit of only well-to-do people, an increased duty on liquor will entail no hardship on the consumers of this commodity. I would, therefore, suggest that this Bill be withdrawn and other avenues of income be explored. After all there would be nothing out of the ordinary in withdrawing this Bill. Every day people move motions and then withdraw. (Laughter).

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadian, Rural) (*Urdu*): Sir, it was pointed out at the time of the introduction of this Bill in the Council that voice has been raised from every quarter that something should be done to lighten permanently the burden of the zamindar. Now, there are only two ways of providing permanent relief to the agricultural classes. First, that a reduction be effected in the provincial expenditure and secondly, that measures be adopted to raise revenues from fresh sources. Another way to get more money would be partially to reduce expenditure and partially to increase revenues. But as far as the cutting down of expenditure is concerned the Council has passed the next year's budget without any reduction. There is no doubt that the people's representatives have no power to touch certain items of Government expenditure, but there is no denying the fact that even where they have the power to do so they treat the matter indifferently and pay no attention to it. This Bill is a means to bring more money into the Government treasury so that funds may be available to afford relief to the zamindar who is in sore distress.

It has been argued that we should not bestow fresh powers on police and excise officers for the sake of obtaining a paltry sum of Rs. 60,000 or Rs. 70,000. If this objection is seriously raised, I think, we can recommend that the licence fees be enhanced. Moreover, the smallness of an amount should not be made an argument for refusing that amount. We should not forget the sound principle which is applicable to such instances:—

قطرہ قدرہ بہم شرد ہمار

If such amounts begin to pour in regularly, six or seven lakhs from one source, two or three lakhs from another, a few lakhs from a third source and so on, the zamindars will have a stronger ground to claim relief. When the Government has money to afford relief to them, they will not refuse it. The zamindars will be able to say, "Come on, afford us relief in proportion to the increase in your revenues. We do not want more; you should give us at least this much."

Another objection raised is that Government has created another invidious distinction by allowing a certain section of the people to sell tobacco without procuring a licence and making it compulsory for other people to have a licence if they want to deal in that commodity. But the question requires to be viewed differently. The zamindar does not deal in tobacco as a shopkeeper or a businessman does. He does not sell tobacco to make profit. He produces the commodity in raw form and he has to dispose it off. The licence is made compulsory in those cases when people want to deal in this commodity as a profession. But if a person who has produced tobacco in raw form with the help of his family folk or his tenants or his servants, comes to dispose of his commodity in the market without a licence no exception can reasonably be taken to his doing so. But it is advisable that the taking of a licence should be made essential for all those who want to sell tobacco as a business, in order to get profit out of it.

Further it has been pointed out that there are some such clauses in the Bill which may easily be abused and the people may be involved in great difficulties on account of them. But the select committee have deleted most

[R. B. Ch. Chhotu Ram.]

of such clause and notices of amendments have been given in respect of others. Honourable members can very easily move other amendments in various clauses when they come up for discussion and in this way the rigour of those sections and clauses can be eliminated or toned down as circumstances require. Then, the Council has full powers to throw out the Bill if it considers that as a whole it is likely to prove a nuisance rather than a useful thing.

The honourable members have already accepted the principle of the Bill as a sound and reasonable one. They have agreed to tax a commodity which is only a luxury and not a thing of necessity. So it does not lie in the mouth of any body now to oppose the principle underlying this measure. I think no one should object to a tax being levied on tobacco. The honourable members should, on the other hand, welcome this tax, because it imposes restrictions on the sale of a commodity of luxury.

Again, it would be mere waste of time to oppose this Bill at this stage. The motion for introduction has already been discussed and passed by this Council. The Bill was referred to a select committee with the approval of the Council. Now it is time for discussing it clause by clause and moving amendments where necessary. Now we have to decide the details as to what should be the extent of this tax and what should be its form and under what conditions it should be levied. The time for objecting in principle to the giving of powers to the police and excise officers has also elapsed. What we have to do now is to discuss the Bill in its present form, that is, as it has emerged from the select committee. Moreover, amendments have already been tabled to restrict and regulate the powers proposed to be given to the police under this Bill. If the Council accepts those amendments the fears of police zoolam will be allayed—nay completely be removed. It is, therefore, not proper that the Bill should be opposed at this stage. Amendments may be moved when the discussion of the Bill clause by clause is commenced and if Government opposes the amendments without giving convincing grounds the Council has powers to throw out the Bill.

My request is simply this that the Bill now before the House need not be opposed at this stage. We will have sufficient time to oppose it when it is considered clause by clause. I hope Government will not object to such amendments as are intended for the improvement of the Bill, and you, Sir, I hope, will be pleased to waive objection to such amendments on the ground of short notice. I would request the House not to oppose the Bill at this stage. With these words I resume my seat.

Khan Bahadur Shaikh Din Muhammad : I move—

That the question be now put.

The Chairman (Chaudhri Zafarulla Khan) : The question is—

That the question be now put.

(At this stage Mr. President resumed the chair when the division bell commenced ringing.)

Kanwar Mamraj Singh Chohan : No one from our party or from the Sikh party has spoken.

The Council divided : Ayes 47 ; Noes 19.

AYES :

Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Latifi, Mr. A.
Akbar Ali, Pir.	Marsden, Mr. P.
Arjan Singh, Sardar.	Miles Irving, The Honourable Mr.
Bahadur Khan, Sardar.	Mohan Singh, Sardar Bahadur Sardar.
Bishan Singh, Sardar.	Mohindar Singh, Sardar.
Boyd, Mr. D. J.	Mubarak Ali Shah, Sayad.
Buta Singh, Sardar Bahadur Sardar.	Muhammad Hasan, Khan Sahib
Chhotu Ram, Rao Bahadur Chaudhri.	Makhdum Shaikh.
Craik, The Honourable Sir Henry.	Muhammad Hayat Qureshi, Khan Bahadur Mian.
Din Muhammad, Khan Bahadur Shaikh.	Murphy, Mr. A.
Faqir Husain Khan, Chaudhri.	Muzaffar Khan, Khan Bahadur Nawab.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Nazir Hussain, Chaudhri.
Fazl Ilahi, Khan Sahib Shaikh.	Noor Ahmad Khan, Khan Sahib Mian.
Firoz Khan Noon, The Honourable Malik Sir.	Nurullah, Mian.
Garbett, Mr. C. C.	Ogilvie, Mr. C. M. G.
Gokul Chand Narang, The Honourable Dr.	Raghubir Singh, Honorary Lieutenant Sardar.
Gurbachan Singh, Sardar.	Rahim Bakhsh, Maulvi Sir.
Haibat Khan Daba, Khan.	Rahman, Khan Bahadur Dr. K. A.
Hearn, Mr. J. W.	Riasat Ali, Chaudhri.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Sampuran Singh, Sardar.
Jawahar Singh Dhillon, Sardar.	Sanderson, Mr. R.
Jogendra Singh, The Honourable Sardar Sir.	Shave, Dr. (Mrs.) M. C.
Kesar Singh, Rai Sahib Chaudhri.	Sheo Narain Singh, Sardar Bahadur Sardar.
Labh Chand Mehra, Lala.	Wace, Mr. F. B.

NOES :

Afzal Haq, Chaudhri.	Mazhar Ali Azhar, Maulvi.
Allah Dad Khan, Chaudhri.	Muhammad Eusoof, Khwaja.
Bansi Lal, Chaudhri.	Mukand Lal Puri, Mr.
Bhagat Ram, Lala.	Narendra Nath, Diwan Bahadur Raja.
Chetan Anand, Lala.	Nathwa Singh, Chaudhri.
Gopal Das, Lala.	Nihal Chand Aggarwal, Lala.
Labh Singh, Mr.	Pancham Chand, Thakur.
Lekhwati Jain, Shrimati.	Pandit, Mr. Nanak Chand.
Mamraj Singh Chohan, Kanwar.	Ramji Das, Lala.
Mayadas, Mr. E.	

Mr. Nanak Chand Pandit : May I just make one statement in this connection ? I wish to make it on behalf of myself.

Mr. President : Has the honourable member a right to make a statement ?

Mr. Nanak Chand Pandit : I wish to make it with your permission.

Mr. President : But I have no power to give permission.

Mr. Nanak Chand Pandit : Then I do not take part any further in the discussion of this Bill.

(The honourable member then left the Chamber.)

Mr. President : The question is—

That the Punjab Tobacco Vend Fees Bill as reported by the select committee be taken into consideration.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, I beg to move that the following new clause be added :—

- (1) An excise officer empowered to investigate offences punishable under this Act may arrest without warrant any person who commits an offence under section 5 (1) of this Act ;
 - (a) if the name and address of the person are unknown to him, and
 - (b) if the person declines to give him his name and address, or if there is reason to doubt the accuracy of the name and address, if given.
- (2) A person arrested under this section may be detained until his name and address have been correctly ascertained, or he has furnished bail for his appearance before a magistrate, if and when required.

The object which I have in view in moving this amendment is to obviate the possibility of any officer of the Excise Department having power to investigate offences making a wrong use or harsh use of the powers which he will have under this Act. The safeguard which this amendment proposes is that the powers of arrest of an excise officer without warrant will be definitely limited by certain conditions and those conditions are that the name and address of the person sought to be arrested should be unknown to the officer who is taking cognizance of the offence ; secondly that the accused person ought to be arrested without warrant only if he declines to give his name and address or if the name and address are given, but the officer is not satisfied as to the accuracy of the name and address given. Then if that contingency arises and the investigating officer has occasion to arrest that man there is another condition imposed and that condition is that he must accept bail if offered. If the man whose address is unknown to the officer investigating into the offence under this Act or the address and name as given are not believed to be accurate by that officer, the man whom it is sought to arrest has an option of offering bail. As soon as bail is offered the bail must be accepted because the offence is bailable. The officer has no option whatsoever to refuse to accept bail when offered. Therefore this clause has these advantages. If ever an excise officer uses his powers of arrest unnecessarily or harshly then the remedy is easy and lies in the hands of the arrested person himself. He can offer bail and as soon as bail is offered he has a right to be released. I think Government will have no objection to the acceptance of this amendment.

(Honourable President inquired if the honourable mover had the leave of the House to move the clause. The leave was granted.)

Rao Bahadur Chaudhri Chhotu Ram : I beg to move—

That the following new clause be taken into consideration :—

- (1) An Excise Officer empowered to investigate offences punishable under this Act may arrest without warrant any person who commits an offence under section 5 (1) of this Act ;
 - (a) if the name and address of the person are unknown to him, and
 - (b) if the person declines to give him his name and address, or if there is reason to doubt the accuracy of the name and address, if given.
- (2) A person arrested under this section may be detained until his name and address have been correctly ascertained, or he has furnished bail for his appearance before a magistrate, if and when required.

Mr. President : Motion moved—

That the following clause be taken into consideration :—

- (1) An Excise Officer empowered to investigate offences punishable under this Act may arrest without warrant any person who commits an offence under section 5 (1) of this Act ;
 - (a) if the name and address of the person are unknown to him, and
 - (b) if the person declines to give him his name and address, or if there is reason to doubt the accuracy of the name and address, if given.
- (2) A person arrested under this section may be detained until his name and address have been correctly ascertained, or he has furnished bail for his appearance before a Magistrate, if and when required.

The Honourable Sir Henry Craik : I am prepared to accept this with a very slight verbal alteration. I should like to move a very small verbal amendment in the first words in place of the words "An Excise Officer empowered to investigate offences punishable under this Act" I should like to insert the words "Any such officer may."

Chaudhri Zafrulla Khan : The amendment will result from your placing this clause somewhere in the Bill. The House does not know where you propose to put it.

The Honourable Sir Henry Craik : I propose to insert it as sub-clause (a) to the proviso to sub-clause 2 of clause 8.

Chaudhri Allah Dad Khan : The amendment has just now been moved and time should be given to members to move amendments to it.

Mr. President : Is any notice period prescribed for amendments to amendments?

The Honourable Sir Henry Craik : I accept the new clause and I may add that in the drafting committee we will consider the place in the Bill where it is to be placed and what consequential and verbal changes are necessary.

Mr. President : Question is—

That the proposed new clause stand part of the Bill.

The motion was carried.

Mr. Mukand Lal Puri : May I point out the effect of the new clause on sub-clause (2) of clause 8. It empowers every excise officer to exercise the powers of a police officer in charge of a police station.

Mr. President : Perhaps the objection raised by the honourable member may be covered by one of the general amendments or by a consequential amendment.

Mr. Mukand Lal Puri : It is not a question of consequential amendments. It appears to me that the addition of the clause suggested by Rao Bahadur Chaudhri Chhotu Ram is entirely useless because this clause does not restrict the power which an excise officer possesses under sub-clause (2) of clause 8. Clause 8 (2) confers a power to arrest and the clause proposed by Chaudhri Chhotu Ram does not in any way restrict the power conferred by the sub-clause (2). Sub-clause (2) of clause 8 lays down that every such officer shall in the conduct of such investigation exercise the powers conferred by the Code of Criminal Procedure, 1898, upon an officer in charge of a police station for the investigation of a cognizable offence. That gives him an unrestricted power to arrest. If you add merely to it that such an officer may also arrest under other circumstances, you do not restrict the powers of the excise officer already conferred upon him by clause 8 (2).

Mr. President : Will the honourable member please read the provision of the Criminal Procedure Code under which the power of investigation includes the power to arrest ?

Mr. Mukand Lal Puri : If you would supply me with a copy of the Code, I will show that an officer incharge of a police station has the power to arrest any person in cognizable offences irrespective of whether he knows the name and address of the person or not. What Chaudhri Chhotu Ram proposes is that if the excise officer, knows the name, he must be content with taking the name and address and depart.

Mr. President : Will the honourable member point out any provision of the Criminal Procedure Code which says that the power to investigate includes the power to arrest ?

Mr. Mukand Lal Puri : Every such officer shall in the conduct of such investigation exercise the powers conferred by the Code of Criminal Procedure.

Mr. President : For what purpose ?

Mr. Mukand Lal Puri : Upon an officer incharge of a police station for the investigation of cognizable offences. And a cognizable offence is one, according to the Criminal Procedure Code, "in which a police officer may arrest without a warrant."

Chaudhri Allah Dad Khan : May I point out that you have just proposed that this clause should stand part of the Bill? You have not put the question so that the merits of the clause might be discussed.

6 P.M.

The Honourable Sir Henry Craik : If I may be allowed I think I can remove the apprehension of my honourable friend. If, assuming that he is right and that sub-clause (2) of clause 8 gives an officer power to arrest during the course of an investigation, then we take this new clause and we use it as a proviso to the sub-clause. We thereby limit the power given by the sub-clause. We start with this general power but we limit it in the case of those who have committed the offence in view of the excise officer.

Mr. Mukand Lal Puri : The new amendment which has been shown to me by Khan Bahadur Shaikh Din Muhammad does away with the difficulty; but the original amendment of Rao Bahadur Chaudhri Chhotu Ram was entirely meaningless. I am quite satisfied, with the new draft shown to me by Mr. Din Muhammad.

Chaudhri Zafrulla Khan : Is not the present position this? All that has been done is that the new clause has been adopted. When the House comes to consider clause 8 in the Bill it can be provided that to the extent to which sub-clause (2) of that clause is inconsistent with what the House has already adopted, it should be modified.

Mr. Mukand Lal Puri : This is only a permissive clause. It is not restrictive clause at all. Clause 8 (2) is certainly not inconsistent with it.

Khan Bahadur Shaikh Din Muhammad : In order to meet some of the objections that were raised against this Bill, we have thought it fit to expressly mention in the Bill that all offences punishable under the Act shall be bailable. It was pointed out to us that if we say so, no discretion would be left in the excise officer to refuse bail.

The Honourable Sir Henry Craik : The new clause only applies to cases of arrest for an offence committed in the view of the excise officer.

Khan Bahadur Shaikh Din Muhammad : You will be pleased to see that section 8 makes it clear. It reads :

Every such officer shall in the conduct of such investigation exercise the powers conferred by the Code of Criminal Procedure, 1898, upon an officer in charge of a police station for the investigation of a cognisable offence.

These powers have been conferred upon an excise officer; but Government did not intend to take away the powers of the police officer.

Mr. President : Does the Government mean that offences under this Bill when it becomes law shall be cognisable by the police as well as by excise officers.

Khan Bahadur Shaikh Din Muhammad : It is just the same as an offence under the Excise Act.

Mr. Labh Singh : On a point of order. This morning a statement was made by the Honourable the Leader of the House and it was confirmed by you that the Chair would not be in order in making constitutional pronouncements. Similarly I would like to know if the Chair is within its rights to give legal advice to the Government.

Mr. President : No. But it is the duty of the Chair to see that inconsistent clauses or amendments are not passed.

Sardar Arjan Singh : As a matter of actual practice in all excise offences what takes place primarily is, that the offence is enquired into by the excise officer. When he has finished with his investigation he sends a *rugqa* and that goes to the police sub-inspector and he incorporates what has been done by the excise officer in his first information report and has a formal challan prepared. He sends it on and that is, I think, the position of Government in regard to offences under this Bill.

Mr. President : Under the new clause which the House has just adopted an excise officer cannot arrest an alleged offender if his name is given. But if the offence is made cognizable, will not the police officer arrest him at once?

Khan Bahadur Shaikh Din Muhammad : When originally this amendment was moved it was not known whether Rao Bahadur Chaudhri Chhotu Ram's amendment would be accepted by Government. If you think this present amendment is inconsistent with what the House has already passed you might be pleased to take up this new clause to-morrow.

Chaudhri Zafrulla Khan : If Government want to consider the consequences which follow from a new clause which has already been adopted by the House we shall certainly have no objection to that course.

At this stage the Council adjourned till 2 P.M. on Tuesday, 20th March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 20th March 1934.

The Council met at the Council Chamber at 1-30 p.m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

PUBLIC PROSECUTOR, GUJRAT.

***3170. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that some important criminal appeals in the court of Khan Sahib Abdul Aziz, Additional Sessions Judge, Gujrat, were entrusted for conduct on behalf of the Crown to a Hindu candidate for Public Prosecutorship;
- (b) how long the gentleman in question had been a candidate when the appeals were given to him;
- (c) whether it is a fact that there were then two Muslim candidates who were both senior to the said Hindu gentleman;
- (d) whether it is a fact that one of the Muslim candidates had been acting as officiating and special Public Prosecutor on previous occasions, and if so, when and for how long;
- (e) how long the name of the said Muslim had been on the list of candidates;
- (f) whether the other Muslim candidate had also acted as special or officiating Public Prosecutor, and if so, when and for how long, and how long had he been on the list of candidates for Public Prosecutors;
- (g) the designation of the officer who gave this preference to the junior Hindu candidate over the senior Muslim candidate?

The Honourable Sir Henry Craik : (a) Yes.

(b) About four and a half months.

(c) Yes.

(d) Yes; for about 8 months in 1928 and for 3 months in 1932.

(e) About seven years.

(f) No; his name has been on the list for about 5 years.

(g) The District Magistrate, Gujrat. I am making enquiries into the matter.

COURT ATTACHMENTS.

***3171. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance be pleased to state—

- (a) whether the Government is aware of the fact that houses occupied by the agriculturists for agricultural purposes are frequently attached by some of the Civil Courts in the Gujrat, Jhelum and Sialkot districts and sold in the execution of decrees against agriculturist judgment-debtors, though they are exempt from attachment and sale under section 60, Civil Procedure Code, and that there have been innumerable instances of such breaches of statutory law in these districts in the last few years ;
- (b) whether Government will have a list of cases, in which such contravention of the law has taken place, prepared and placed on the table of the House ;
- (c) what action the Government proposes to take with regard to the illegalities committed in the past and what action it proposes to take to stop similar contravention of the law in future ?

The Honourable Sir Henry Craik : (a) Government is not aware of any cases in which houses exempt from attachment and sale under section 60, Civil Procedure Code, have been sold. The reports of the District Judges show that in cases where attachment took place, the house has invariably been released on the judgment-debtor establishing his agricultural status.

(b) and (c) Do not arise.

EROSION COMMITTEE REPORT.

***3172. Thakur Pancham Chand :** Will the Honourable Member for Revenue please lay on the table the report of the Erosion Committee ?

The Honourable Mr. Miles Irving : The Report¹ of the Punjab Erosion Committee is laid on the table.

SUGARCANE CROP IN KANGRA DISTRICT.

***3173. Thakur Pancham Chand :** Will the Honourable Member for Revenue kindly state the total area in the Kangra district under sugarcane cultivation in the years 1931, 1932, 1933, respectively ?

The Honourable Mr. Miles Irving : 4,259, 4,762 and 4,801 acres, respectively.

MURDERS IN KANGRA DISTRICT.

***3174. Thakur Pancham Chand :** Will the Honourable Member for Finance kindly state—

- (a) the number of murders in 1931, 1932 and 1933, respectively, in the Kangra district ;
- (b) out of this how many murder cases were sent up for trial and how many cases remained untraced in the years 1931 and 1932 ;
- (c) whether it is a fact that with the opening of railway the number of murders has increased in the Kangra district ?

¹Placed in the Library.

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

(c) No.

Statement.

NUMBER OF MURDERS IN			NUMBER OF MURDER CASES SENT UP FOR TRIAL IN			NUMBER OF MURDER CASES WHICH REMAIN- ED UNTRACKED IN	
1931.	1932.	1933.	1931.	1932.	1933.	1931.	1932.
15	9	7	4	4	5	3	3

MOTOR ACCIDENTS IN KANGRA DISTRICT.

***3175. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

- the number of motor vehicles registered and plying for hire in Kangra district in 1931, and 1932, respectively ;
- the number of motor accidents resulting in (i) deaths and (ii) injuries in the years 1931, and 1932, respectively ;
- the amount of fine imposed on drivers and owners of motor vehicles in the Kangra district in the years 1931, 1932 and 1933, respectively ?

The Honourable Mr. Miles Irving : The required information is being collected and will be supplied to the honourable member when complete.

COURT COPIES IN KANGRA DISTRICT.

***3176. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

- whether it is a fact that in the Kangra district courts the practice is that those who apply for copies have first to come to the headquarters Dharamsala 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 ;
- if so, what steps Government intend to take in removing the grievances of the public ?

The Honourable Mr. Miles Irving : (a) No.

(b) Does not arise.

CLOSURE OF NORTHERN GATE OF POLICE LINES, QILA GUJAR SINGH.

***3177. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the northern gate of the police lines, Qila Gujar Singh, has been entirely closed and locked under the orders of the line officer and on that account the families of the police officials and police men living inside the police lines have to walk round the eastern gate of the lines which is very far and inconvenient to them;
- (b) if so, what steps Government proposes to take to remove the inconvenience of the police officials' families caused by the closure of this gate?

The Honourable Sir Henry Craik : (a) The gate has been closed with the approval of the gazetted officer in charge of the lines to prevent unauthorised persons entering the lines. No complaint of inconvenience has been made to any police officer.

- (b) None.

DISCHARGE OF MUHAMMAD HUSSAIN, AGRICULTURAL DEPARTMENT.

***3178. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that one Muhammad Hussain was an approved candidate and officiating clerk in the office of Deputy Director of Agriculture, Gurdaspur;
- (b) if so, why he was not appointed to one of the 5 permanent vacancies filled by Sardar Sahib Kharak Singh, the then Deputy Director of Agriculture;
- (c) whether all the vacancies were filled by Hindus and no post was given to a Muhammadan;
- (d) whether M. Muhammad Hussain was granted testimonials by Sardar Sahib Kharak Singh himself and other officers of the department to the effect that Muhammad Hussain's work was satisfactory and he should be given a permanent job;
- (e) if so, why he was not confirmed in any appointment during his 5 years' service as an apprentice and officiating clerk;
- (f) whether M. Muhammad Hussain was turned out from the office on making his representation on 12th November 1930 for confirmation;
- (g) if so, what action was taken by Sardar Sahib Kharak Singh on that representation and whether M. Muhammad Hussain's explanation was called for;
- (h) under what rules M. Muhammad Hussain's services were dispensed with within a minute's notice and whether Sardar Sahib Kharak Singh was competent to do so;
- (i) whether it is also a fact that M. Muhammad Hussain represented his case to the Director of Agriculture, Punjab, if so, what action the Director took in the matter?

The Honourable Sardar Sir Jogendra Singh : (a) Lists of approved candidates are not maintained in the offices of the Deputy Directors of Agriculture.

(b) Muhammad Hussain was allowed to work without pay as an apprentice on the clear understanding that he would have no claim to any post which might fall vacant.

(c) Five vacancies were filled : 3 by Hindus ; 2 by Sikhs.

(d) He was given notes on his work from time to time by Sardar Sahib Kharak Singh ; but he was never recommended for a permanent post in the department.

(e) Does not arise.

(f) When he made his representation on the 12th November, 1930, certain cases against him were under enquiry. As a result of these he was not retained in service after the 26th November, 1930.

(g) The representation was forwarded in the ordinary way. No explanation from Muhammad Hussain was required.

(h) He was never accepted permanently for Government service and his temporary services could be dispensed with by the Deputy Director at any time.

(i) A representation was duly received by the Director of Agriculture and considered. At the time of his discharge Muhammad Hussain owed money to Government and was found to have been responsible for misappropriation of Government money and for shortages in stores. On being called on to explain charges in this connection Muhammad Hussain refused to take delivery of the letters. The retention of such a person in Government service was obviously undesirable.

MOTOR LORRIES BETWEEN NAROWAL AND ZAFARWAL.

***3179. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the motor lorries plying for hire between Narowal and Zafarwal have to pass within a portion of the city of Narowal where owing to very insufficient room in that portion of the bazar the motor lorries cannot pass without putting the lives of the people in danger ;

(b) if so, when Government proposes to construct a road outside the city of Narowal to save the people from danger ?

The Honourable Mr. Miles Irving : (a) Yes. Lorries have to be driven with great caution as the bazar is very narrow.

(b) As soon as the necessary funds are available.

REMOVAL OF TAHSIL FROM ZAFARWAL.

***3180. Chaudhri Allah Dad Khan :** With reference to the answer to starred question No. 2404,¹ will the Honourable Revenue Member be pleased

[Ch. Allah Dad Khan.]

to state whether Government propose and if so, how, to compensate the citizens of Zafarwal in the Sialkot district whose business and prosperity has greatly suffered owing to the removal of the tahsil headquarters from that town?

The Honourable Mr. Miles Irving: Government do not propose to compensate the citizens of Zafarwal for the removal of the tahsil headquarters.

SANITATION OF ZAFARWAL.

***3181. Chaudhri Allah Dad Khan:** With reference to the answer to starred question No. 2405,¹ will the Honourable Minister for Education kindly state what action has so far been taken by Government on the various suggestions made on their inspection reports by the officers of the Public Health Department who visited the town of Zafarwal from time to time?

The Honourable Malik Sir Firoz Khan Noon: It was for the Zafarwal Town Committee to take action, and the officers of Government urged them to do so. It is understood that the Committee have carried out some of the suggestions of the Public Health Department officers, but not all owing to insufficiency of funds.

SHAJRA OF ZAFARWAL.

***3182. Chaudhri Allah Dad Khan:** With reference to the answer to starred question No. 2406,¹ will the Honourable Revenue Member be pleased to state whether the new *shajra* has so far been completed and kept for reference with the patwari at Zafarwal in the Sialkot district?

The Honourable Mr. Miles Irving: Yes.

MEDICAL PRACTICE BY MUNICIPAL COMMISSIONER, ZAFARWAL.

***3183. Chaudhri Allah Dad Khan:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner of Sialkot has given written permission to a municipal commissioner of Zafarwal to administer English and Allopathic medicines to the public there;
- (b) if so, whether that municipal commissioner has got any medical degree, diploma or certificate from the Punjab University or some other medical authority to the effect that he is competent enough to prescribe and administer medicines to the people;
- (c) if the answer is in the negative why such permission which has put the public into risk of life has been granted to an incompetent person and what action Government proposes to take against the Deputy Commissioner for giving such irregular permission?

The Honourable Dr. Gokul Chand Narang : (a) No. The town committee appointed as a *hakim*, a practitioner of the Unani, and not of the English or Allopathic system of medicines. It was not necessary for the Deputy Commissioner to give permission for such an appointment, but the town committee asked the Deputy Commissioner whether he approved, and he replied that he did, as the practitioner was to receive no allowance from the committee.

(b) It is a fact that the practitioner has not the qualifications required by rule 8 of the rules regulating the appointments of employees of town committees, which relates to the qualifications of *hakims* and *vaid*s.

(c) The matter is under consideration.

CHAUDHRI BALDEO SINGH, DEPUTY SUPERINTENDENT, VETERINARY DEPARTMENT.

***3184. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that Chaudhri Baldeo Singh, P. V. S., was appointed Deputy Superintendent, Civil Veterinary Department, on the recommendation of the Director, Veterinary Services ;

(b) whether Chaudhri Baldeo Singh's knowledge of English is good ;

(c) whether he was exempted from passing the post refresher course at the Punjab Veterinary College, which is necessary for promotion to the provincial service ;

(d) the reasons for promoting him to the provincial service ?

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

(b) No.

(c) Yes.

(d) His good work and satisfactory record of service entitled him to promotion.

POST OF PROFESSOR OF PATHOLOGY, VETERINARY COLLEGE.

***3185. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state whether it is a fact :—

(i) (a) that the post of Professor of Pathology at the Punjab Veterinary College was borne on the cadre of the Indian Veterinary Service ;

(b) that it has not been included in the cadre of the new Punjab Veterinary Service, Class I ;

(c) that it is held by an officer on special contract ;

(ii) If the facts stated above are correct, will Government kindly state the reasons for not including the said post in Class I, which is to replace the Indian Veterinary Service ?

The Honourable Sardar Sir Jogendra Singh : (i) (a) The post is still borne on the cadre of the Indian Veterinary Service.

(b) This is so.

(c) Yes.

(ii) Nothing would be gained by including this post in Class I so long as it is held by a temporary officer on contract.

DEPUTY SUPERINTENDENTS, VETERINARY DEPARTMENT.

***3186. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state:—

(a) when the Director, Veterinary Services, was made a separate Head of Department ;

(b) since then how many posts of Deputy Superintendents, on the district cadre, have been filled up by Muslims, Hindus and Sikhs, both permanently and temporarily ;

(c) whether the persons concerned were selected by the Director or by the Government ;

(d) what criterion or principle was followed in making the selection ?

The Honourable Sardar Sir Jogendra Singh : (a) From the 4th of July 1928.

			Muslims.	Hindus.	Sikhs.
(b) (i)	Permanently	.. ..	2	..	1
(ii)	Temporarily including officiating	.. ..	2	1	1

(c) The persons concerned were selected by Government on the nomination of the Director.

(d) Merit.

CHAUDHRI KAHAN SINGH, DEPUTY SUPERINTENDENT, VETERINARY DEPARTMENT.

***3187. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture be pleased to state whether it is a fact—

(a) that Chaudhri Kahan Singh, P.V.S., was permanently appointed to the post of Deputy Superintendent, Civil Veterinary Department, in the year 1929 ;

(b) that he has been made senior to those Deputy Superintendents who had long been confirmed in the provincial service ;

(c) that under rule 11 of the Punjab Veterinary Services (Class II) Rules, 1933, published with Punjab Government notification No. 1470-D., dated the 16th June 1933, the seniority of the members is to be determined from the date of confirmation in the service ?

(ii) If the facts stated above are correct, will Government reconsider its decision in the light of (c) above ?

The Honourable Sardar Sir Jogendra Singh : (i) (a) In 1930.

(b) There are six Deputy Superintendents now junior to him who were confirmed as such before him, but he had held gazetted rank continuously three years longer than the most senior of these had done.

(c) Yes.

(ii) No. This officer's seniority was fixed without reference to the rule quoted which had not then been notified.

MEMORIALS TO GOVERNMENT BY THE VETERINARY STAFF.

***3188. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that memorials addressed to Government through the proper channel by the Veterinary Staff are withheld by the Director, Veterinary Services, Punjab, and if so, the total number of the memorials so withheld by him ;
- (b) whether he is authorised to withhold the memorials addressed to Government ;
- (c) whether during the year 1933 Government had to take action on the advance copies of certain memorials submitted to them direct ;
- (d) if the facts stated above are correct, what action Government contemplates to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) Some memorials have been so withheld with what the Director, Veterinary Services, considers to have been ample warrant. The number cannot be given as it is not shown to what period the question relates.

(b) There are no specific rules on the subject.

(c) Some copies of memorials were received by Government direct in 1933 and were dealt with.

(d) The Director, Veterinary Services, will be directed to forward memorials addressed to Government in future.

AGRICULTURISTS IN VETERINARY SERVICE.

***3189. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether in the Resolution passed by Government in 1919 the percentage of agriculturists in the Provincial Veterinary Service was ordered to be maintained at 66 per cent. for the future ;
- (b) the total number of posts held by *bona fide* agriculturists and non-agriculturists in the Punjab Veterinary Service, Class II ;
- (c) if the representation of the agriculturists is below the prescribed percentage, what action Government proposes to take in the matter ?

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

(b) The Service is not yet complete. The percentage at present is agriculturists 12 (60 per cent.) and non-agriculturists 8 (40 per cent.).

(c) Agriculturist candidates with required qualifications will be given special consideration in future recruitment to the Services.

MUSLIMS IN VETERINARY DEPARTMENT.

***3190. Mr. Muhammad Din Malak :** With reference to the reply to question No. 2380¹ (starred) asked on the 2nd March 1934, will the Honourable Minister for Agriculture be pleased to state why the policy stated by the Honourable Member for Finance in the debate on the 19th July 1927 has not been followed?

The Honourable Sardar Sir Jogendra Singh : In Veterinary Department, taking the whole Department, no community has been allowed to have an undue preponderance.

MUSLIMS IN VETERINARY DEPARTMENT.

***3191. Mr. Muhammad Din Malak :** With reference to the reply to question No. 2881² (starred) asked on the 2nd March 1934, will the Honourable Minister for Agriculture kindly say why the policy stated by the Honourable Member for Finance in the debate on the 19th July 1927 has not been followed?

The Honourable Sardar Sir Jogendra Singh : The honourable member is referred to the reply given to part (ii) of Council question No. 3159 (starred).

MUSLIMS IN THE OFFICE OF PRINCIPAL, VETERINARY COLLEGE.

***3192. Mr. Muhammad Din Malak :** With reference to the reply to question No. 2888³ (starred) asked on the 2nd March 1934, will the Honourable Minister for Agriculture be pleased to state why the policy stated by the Honourable Member for Finance in the debate on the 19th July 1927 has not been followed?

The Honourable Sardar Sir Jogendra Singh : Since July 1927, no opportunity of filling a permanent vacancy in the office of the Principal, Punjab Veterinary College, has arisen. During the past 5 years, for which information has been collected, there have been nine appointments made in leave arrangements for varying periods all of which were held by Muslims.

HEAD CLERK, VETERINARY COLLEGE.

***3193. Mr. Muhammad Din Malak :** With reference to the reply to question No. 2834⁴ (starred) asked on the 2nd March 1934, will the Honourable Minister for Agriculture kindly state why the policy stated by the Honourable Member for Finance in the debate on the 19th July 1927 has not been followed?

The Honourable Sardar Sir Jogendra Singh : Reference is invited to the reply to the previous question No. 3192.

^{1,2,3,4} Pages 405—408 ante.

⁵Page 979 ante.

LAND REVENUE IN JULLUNDUR DISTRICT.

***3194. Chaudhri Muhammad Abdul Rahman Khan :** (a) Will the Honourable Revenue Member kindly lay on the table a list regarding the Jullundur district showing the variations of the assessment of land revenue, according to the provisions of Section 48 (b) of the Land Revenue Act 1928 ?

(b) If the answer to (a) above be in the negative, what are the reasons for not giving effect to the provisions of the Act mentioned in (a) ?

The Honourable Mr. Miles Irving : (a) and (b) The attention of the honourable member is invited to the proviso of section 48-B. The section is not applicable to the assessment of the Jullundur district which was made in 1915-16.

COMMISSIONER, RURAL RECONSTRUCTION.

***3195. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

(a) whether Mr. F. L. Brayne has been permanently appointed to his present post of Commissioner, Rural Reconstruction ;

(b) whether he has been complaining of the inadequacy of his staff ; if so whether it is intended to give him more staff and if so, when ?

The Honourable Mr. Miles Irving : (a) The appointment has been sanctioned temporarily in the first instance.

(b) It is contrary to constitutional practice to disclose recommendations made to Government by its servants.

Mr. Mukand Lal Puri : Will Government provide sufficient funds to the Commissioner, Rural Reconstruction, to carry on the beneficent work ?

The Honourable Mr. Miles Irving : It is for the Council and not Government to provide funds.

Mr. Mukand Lal Puri : Will Government take an initiative in the matter ?

The Honourable Mr. Miles Irving : The matter will be borne in mind in considering the whole question.

PUNJAB TOBACCO VEND FEES BILL.

Mr. President : The Council will now proceed with the consideration of the Punjab Tobacco Vend Fees Bill.

Khan Bhadur Shaikh Din Muhammad (Assistant Legal Remembrancer) : Sir, there was some misapprehension in my mind about the form in which Chaudhri Chhotu Ram's amendment was passed by the House yesterday. You will be pleased to see that Government had agreed to accept that amendment with certain modifications and the Honourable Leader of the House had read those modifications also before the House, but when the matter was put to the vote it was the amendment as printed on the agenda that was passed and that amendment now forms part of the Bill. Government is prepared to accept that amendment as it stands. In these circumstances I do not wish to move the amendment that stands in my name.

Mr. Mukand Lal Puri (Punjab Industries): Sir, I beg to move for leave to introduce the following new clause :—

The following be added as a new clause after clause 9 :—

Any Excise Officer, who, without reasonable ground or suspicion enters or searches or causes to be searched, any building or vexatiously and unnecessarily detains, searches or arrests any person shall on conviction be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

No magistrate shall take cognizance of an offence punishable under this section except on the complaint or report of the Collector or an Excise Officer authorized by him in that behalf.

Reference was made yesterday to the Government having omitted in the select committee the clause as to search. It has also inadvertently perhaps omitted the precautionary clause which had been inserted in the original Bill. Therefore I propose to introduce the new clause to supply the omission.

Mr. President : Does not the honourable member propose to include paragraph 3 as well ? It reads—

Except with the special sanction of the Local Government, no magistrate shall take cognizance of any offence punishable under this Act, unless the prosecution is instituted within a year after the date on which the offence is alleged to have been committed.

Khan Bahadur Shaikh Din Muhammad : It is not necessary to include the third paragraph also, for it is already in the Bill.

Mr. President : Would it not be desirable to move for the insertion of the whole of the new clause and get the existing one deleted in the drafting committee ?

Khan Bahadur Shaikh Din Muhammad : That is not desirable for this reason that in the existing clause, that is, the clause as approved by the select committee, the period has been reduced from one year to six months, whereas in the proposed new clause which seeks to restore the original clause the period is fixed at one year. The idea is to allow the period to stand as fixed by the select committee.

Mr. President : Very well. Motion moved—

That leave be granted to introduce the following new clause—

Any Excise Officer, who, without reasonable ground or suspicion enters or searches, or causes to be searched, any building or vexatiously and unnecessarily detains, searches or arrests any person shall on conviction be liable to imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

No magistrate shall take cognizance of an offence punishable under this section except on the complaint or report of the Collector or an Excise Officer authorized by him in that behalf.

The Honourable Sir Henry Craik : Sir, this new clause appeared in the old Bill as introduced in the Council. It was cut out in the select committee because the select committee also cut out the old clause 10 which gave special powers of search to any magistrate or any excise officer of such rank as the local Government may prescribe. But it is a fact that in spite of the omission of the old clause 10, the excise officer duly empowered will retain certain powers of search under the existing clause 8. As I said yesterday, I am anxious to minimise any chance of oppression or extortion. I am therefore quite willing to agree to the restoration of the old clause 10

with the object of stopping or reducing such opportunities for oppression. A similar clause does appear in the Punjab Excise Act and I think in two other Acts, namely, the Punjab Opium Act and the Dangerous Drugs Act. I have therefore no objection to this provision being inserted in the present Bill.

Mr. President : The question is—

That leave be given to move the new clause.

The motion was carried.

Mr. Mukand Lal Puri : I beg to move—

That the new clause be taken into consideration.

The motion was carried.

Mr. Mukand Lal Puri : I beg to move—

That the new clause be adopted.

The motion was carried.

Clause 1 (2) and (3).

Mr. President : Clause 1, Sub-clause (2) and (3).

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural), : Sir, I beg to move.—

That in clause 1, sub-clause (2), line 2, after the word 'cantonments' the words 'court premises' be added.

In moving this amendment I have only to remark that it is in accordance with the object underlying this Bill, namely, levying a small tax on tobacco. Very often court premises are outside municipal limits or cantonment areas. If my amendment is not accepted the result will be that shopkeepers in court premises who vend tobacco in any form will escape paying this tax. In Ludhiana, I know the court premises are outside the municipal limits and there will be an evasion of this duty by the vendors of tobacco in the court premises there.

Maulvi Mazhar Ali Azhar : I rise to a point of order. I submit that this amendment is beyond the scope of the Bill.

Mr. President : Besides, "court premises" are nowhere defined.

Chaudhri Riasat Ali : There must be some definition of court premises; otherwise, how has it been possible for letting on contract the right to sell articles by shop-keepers within those premises? The court premises have boundaries clearly demarcated.

Diwan Bahadur Raja Narendra Nath : I do not think it necessary that this amendment need be moved, for, if in any place court premises are not within municipal limits, it is open to district authorities to move Government to include the court premises within municipal limits.

Mr. President : Does the honourable member insist upon moving his amendment?

Chaudhri Riasat Ali : No, I am not very particular.

Mr. President : The question is—

That sub-clauses (2) and (3) of clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. President : Clause 2.

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer) : Sir, I beg to move—

That in sub-clause (a) of clause 2 the words 'Excise Commissioner' be deleted.

At first it was intended to bring into existence the excise commissioners but the Government does not think it necessary now to do so. Therefore, I move that these words be deleted.

Mr. President : The question is—

That in sub-clause (a) of clause 2 the words 'Excise Commissioner' be deleted.

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I beg to move—

That for sub-clause (d) of clause 2, the following be substituted :—

manufactured tobacco means tobacco in any shape or form intended for the purpose of smoking, chewing or for use as snuff, or any preparation or admixture of tobacco intended for the said purpose or use and includes bidis, cigarettes or cigars.

You will be pleased to see that the definition as it originally stood and as was reported by the select committee included in manufactured tobacco besides bidis, cigarettes, or cigars any admixture or preparation of tobacco. It was brought to the notice of Government that in certain parts of the province tobacco was consumed in its natural condition and was smoked even in that condition. In order to meet those cases, it has been considered necessary to amend the definition in the manner in which I have moved the motion.

Mr. President : The question is—

That for sub-clause (d) of clause 2, the following be substituted :—

manufactured tobacco means tobacco in any shape or form intended for the purpose of smoking, chewing or for use as snuff, or any preparation or admixture of tobacco intended for the said purpose or use and includes bidis, cigarettes or cigars.

The motion was carried.

Mr. President : The question is—

That clause 2 as amended stand part of the Bill.

The motion was carried.

Mr. Mukand Lal Puri : May I know from the Government what is meant by *nicotiana rustica* and *nicotiana tabacum* appearing in sub-clause (c) of clause 2?

2 P. M.

Khan Bahadur Shaikh Din Muhammad : That is only a scientific description of what tobacco is.

Clause 3.

Maulvi Mazhar Ali Azhar : Sir,

Mr. President : The word 'or' is not included in the honourable member's amendment which without that word will be meaningless.

Maulvi Mazhar Ali Azhar : It is a question of drafting. It can be set right.

Mr. President : The honourable member may now include in his amendment the word 'or'.

Maulvi Mazhar Ali Azhar (East and West Central towns, Muhammadan, Urban) (*Urdu*): Sir, I beg to move—

That in clause 3, lines 2 and 3, the words "to keep manufactured tobacco for sale or" be omitted.

Obviously it will be an offence under this clause not only to sell but even to keep manufactured tobacco and consequently it is not very difficult to see that it will cause many hardships to many innocent persons. You will be pleased to see, Sir, that there is no provision in this Bill as to how much quantity of manufactured tobacco can be kept without being punishable under this Bill; and this is an additional reason to apprehend that in many cases innocent persons will be involved. There will be a number of cases in which persons will be challaned for keeping such tobacco not for sale but for their own use and such persons will have to undergo many difficulties and incur heavy expenses to prove in the courts that the tobacco found in their possession was not meant for sale. By the retention of the words, which I propose should be omitted, many a mischief maker will be tempted to feed his grudge against their enemies and many false cases will be started. The framers of this Bill cannot have meant that such innocent persons should be put to any unnecessary trouble and I am sure that the Government will see that its purpose will be served if only such persons are made punishable who are found to be selling manufactured tobacco without a licence. It is for this reason that I propose this amendment and I am confident that the Government will have no objection in accepting it.

Mr. President: Motion moved—

That in clause 3, lines 2 and 3, the words "to keep manufactured tobacco for sale or" be omitted.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, Rural): Sir, I rise to support this amendment. It is a very useful amendment. The retention of these words in the clause shows that the framers of the Bill had not the least idea about the business in markets. I give an instance. If I bring my cotton to the city and I find that the prices are low, then I give my stuff to a broker or *arhti* so that he can keep it with him and sell it later when the prices rise. He will keep the stuff in his godown and I will have to pay him 2 annas per maund. He sells it when the prices are favourable. In this way I need not take my stuff back to the village. This is done in a majority of cases and I have done it myself in Ambala. If this amendment which is now moved is not accepted, it will be very hard on the growers of tobacco who have been exempted from the operations of the Act. They will bring a cartload or two of tobacco to the town and if they find that the rates are low, where will they stock it? A shopkeeper cannot keep it if he has no licence. The *arhti* (or broker) never gets any licence. So under the clause as it is, the growers will have to sell the stuff at whatever rates that are prevailing at that time or they will have to take back the tobacco home which means additional expenditure. So this is hard on the growers of tobacco whom we are exempting from the provisions of this Bill. If this amendment is accepted, it will be an advantage to the grower. Otherwise they cannot keep it with any person till better prices prevail, because that person will come to trouble if he has no licence. So this safeguard should be provided.

Mr. President: Safeguard for whom?

Chaudhri Allah Dad Khan : For the zamindar.

Mr. President : Has not the honourable member read the proviso to the clause?

Chaudhri Allah Dad Khan : I have read the proviso and I have explained that in view of that proviso this amendment is necessary ; because the grower of the tobacco is exempt from the operations of this Bill and when he brings it from the village he must keep it with the shopkeeper.

Mr. President : So long as the tobacco is his property and it is kept for sale by him, the case appears to be fully covered by the proviso.

Chaudhri Allah Dad Khan : Suppose he keeps it with the *arhti*.

Mr. President : So long as it is his property and it is he who is keeping it for sale, his case would be fully covered by the proviso.

Chaudhri Allah Dad Khan : Suppose he keeps it with a *bania*. The officer comes and says, it is unlawful for you to keep it. Even on a small technical point he may be convicted. I have also thought over this. I think if this amendment is not accepted, it may lead to some trouble. There is a likelihood of serious loss in most cases. As we know, it is the general practice that the farmers never sell it immediately when it is brought. Everybody who is a big farmer must have that experience. They must store the stuff for some days. With these words, I beg to support the amendment.

The Honourable Sir Henry Craik (Finance Member) : I am afraid I cannot accept this amendment. The honourable member who has just sat down has expressed an apprehension that this law will tell hard on the grower of tobacco whom we are trying to protect by the proviso to this clause. It will not in any way whatever affect the grower. (*Interruption*). No, it cannot. Government will shortly move an amendment to the proviso extending the exemption to any grower who either keeps for sale or sells manufactured tobacco either himself or through any person acting on his behalf. If what the honourable member has described is an actual picture of the ordinary transaction of a zamindar grower bringing tobacco to a town, which I very much doubt, even then he is entirely covered by the proviso as we propose to amend it. But what actually happens, I imagine, is that the zamindar brings his tobacco to a town and sells it or deposits it for sale with a wholesale dealer, who must under this Bill have a licence.

Chaudhri Allah Dad Khan : Suppose he keeps it with an *arhti*.

The Honourable Sir Henry Craik : Then the *arhti* is an agent acting on behalf of the grower. He is either a wholesale dealer or he is a grower's agent. If he is a wholesale dealer, then he must have a licence. (*Interruption*). If the honourable member would allow me to proceed I might be able to explain my position. It does not matter if the *arhti* is a dealer in a thousand articles. If one of the articles is tobacco he must have a licence. If he is not a dealer in the sense that he does not sell, he is merely a store-keeper or a bailee, which is, I think, the correct legal phrase, in that case he is the agent of the grower and he will be protected by the proviso as we propose to amend it. I cannot make it plainer than that.

On the other hand there is, in my opinion, a very strong reason for making it necessary to have a licence both for keeping for sale and for actual selling. I would ask the House to take the case of a man who sets up a stall

or a hawker who carries on his trade in a railway station. An excise officer may see this man with his stall covered with cigarettes obviously intended for sale. He ought to be able to arrest him on the spot or at any rate charge him with an offence on the spot for keeping tobacco for sale. He ought not to have to wait till some customer comes along and buys cigarettes from him. That might lead to a *mala fide* purchaser being put up by the excise officer to make a purchase. But the mere fact that the man displays goods for sale ought, in my opinion, to amount to a breach of the law. If we are to make it obligatory to have a licence at all it should not be necessary to prove an actual transaction of sale. We must therefore keep these words 'to keep manufactured tobacco for sale' as well as the words 'to sell manufactured tobacco'.

Maulvi Mazhar Ali Azhar (Urdu) : Sir, the instance of a person having a stall of cigarettes at a railway station, which the Honourable Finance Member has cited, is inconceivable. It can never be that a man may be keeping cigarettes at such a stall for the sake of only keeping them as a show or that he should sell the cigarettes only when no officer of the Government is seeing him. If he wants to sell cigarettes, he will certainly obtain a licence. Of course there can be any number of such cases in which people may be challoaned and put to many hardships for keeping manufactured tobacco not for sale but for their own use particularly, when as I have said already, no provision has been made with regard to the quantity which a person will be entitled to keep without a licence. It is, therefore, necessary that this proposed amendment should be made in the interests of justice and equity.

The Honourable Sir Henry Craik : Sir, my answer to that is that some provisions of the law resembling this exist in the case of several other commodities such as opium, petrol and wine. It is not the experience of say motor-car owners that because they keep a few gallons stored in the garage an excise officer immediately starts to accuse them of storing petrol for sale. I think the honourable member's apprehension that people who happen to possess a few cigarettes or cigars may be charged for keeping them for sale is entirely fantastic and is no reply to the argument that I have brought forward for the retention of these words which he desires to omit.

Mr. President : Question is—

That in clause 3, lines 2 and 3, the words 'to keep manufactured tobacco for sale or' be omitted.

The motion was lost.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu) : Sir I beg to move :—

That in line 3 of proviso to clause 3 after the words 'or by' and before the word 'hired' the words 'tenants or' be added.

The object of this amendment is to extend the protection, which has been given to the zamindars, to the tenants as well. In many cases, as the honourable members are aware, the zamindars do not cultivate lands themselves and in some cases they do not get their lands cultivated even by hired labourers. In such cases the tenants cultivate lands for them and if pro-

[K. B. Mian Muhammad Hayat Qureshi.]
 tection is not afforded to the tenants, the protection afforded to the zamindars will be meaningless. It is also clear that this amendment, if adopted, will not frustrate the object of the Bill in any way. I am confident, therefore, that the Government will readily accept the amendment.

The Honourable Sir Henry Craik : I accept this amendment.

Mr. President : The question is :—

That in line 3 of proviso to clause 3 after the words 'or by' and before the word 'hired' the words 'tenants or' be added.

The motion was carried.

Khan Bahadur Shaikh Din Muhammad (Assistant Legal Remembrancer) : I beg to move—

That in line 4 of the proviso to clause 3 after the word "license" and before the word "sell" the following words be added :—

"either himself or through any person acting on his behalf."

Sir, these words are added merely to meet an objection which was raised that a grower will be placed in a very awkward position if he alone is exempted when he goes for sale himself and in order to meet the wishes of the House the Government has accepted this suggestion.

Mr. Mukand Lal Puri : Not the wishes of the House, but of certain portions of it. May I ask if they have given any independent thought to the matter apart from the expression of the wishes of a certain portion of the House?

Mr. President : Motion moved—

That in line 4 of the proviso to clause 3 after the word "license" and before the word "sell" the following be added :—

"either himself or through any person acting on his behalf."

I hope the Government have carefully considered the matter in the interest of good legislation.

The Honourable Sir Henry Craik : I have certainly given the question very careful thought. I resent the suggestion that I have put anything before the House to which I have not given careful thought. The circumstances roughly are as follows. A cultivator grows a certain amount of tobacco on his own field either supplying the labour himself or with the aid of hired labour or through tenants or with the aid of the members of his family. We want to protect that man and to allow him to bring the tobacco into the nearest town and sell it. We do not want to make it absolutely obligatory on him to bring it himself. The ordinary custom is to send a servant or possibly the womenfolk of the family to carry tobacco to the nearest town. Unless we put in these words only the grower himself will be protected. We do not want to make it necessary for every grower to go to the market himself. Why should he not be at liberty to send a relative or agent or servant? We intentionally made the amendment so as to include a member of the family or a tenant or servant.

Mr. President : Question is—

That in line 4 of the proviso to clause 3 after the word "license" and before the word "sell" the following be added :—

"either himself or through any person acting on his behalf."

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram : I beg to move—

That in line 4 of the proviso to clause 3 the word ' wholesale ' be deleted.

No speech is needed.

Mr. President : Motion moved—

That in line 4 of the proviso to clause 3 the word ' wholesale ' be deleted.

The Honourable Sir Henry Craik : I have no objection to that omission. This will allow the grower to bring his tobacco into the town and to sell it to anybody he likes. I admit that there will be a certain loophole in the Act, but the contingency is so improbable and the thing would be done on so small a scale that I am prepared to accept that slight loss of revenue. There really is a very limited quantity of tobacco grown actually in the Punjab. There are no cigars or cigarettes or practically none manufactured in the Punjab. So that, if any zamindar is enterprising enough to set up a small shop and sell his own tobacco grown on his own land I would not object to it.

Mr. President : Question is—

That in line 4 of the proviso to clause 3 the word ' wholesale ' be deleted.

The motion was carried.

Mr. Mukand Lal Puri : I beg to move—

That in the proviso to clause 3, the word " manufactured " be omitted.

Mr. President : Motion moved—

That in the proviso to clause 3, the word " manufactured " be omitted.

The Honourable Sir Henry Craik : May I make one observation on the amendment ? I would like to point out that if you omit the word ' manufactured ' you may as well omit the whole proviso because anybody can keep for sale or sell unmanufactured tobacco. It is not an offence at all, and there is no necessity to exempt any person or any class of persons from doing it. Anyone can keep for sale or sell tobacco that is not manufactured. It is no offence under this Bill or any other Act. Therefore there is no object in the proviso at all if it merely exempts people who are keeping for sale or selling tobacco. If you omit the word ' manufactured ' you may as well omit the whole proviso.

Chaudhri Zafrulla Khan : Would it be correct to say " manufactured tobacco so grown." Should it not be " tobacco manufactured from tobacco so grown " ? Is manufactured tobacco grown ?

Mr. President : It appears that the new definition of " manufactured tobacco," which the House has accepted to-day, is so comprehensive that it includes tobacco in any shape and in any form.

Chaudhri Zafrulla Khan : So that the moment that tobacco is grown it is manufactured, and this Act will contemplate manufactured tobacco growing. To me it does read rather uncouth to say ' manufactured tobacco so grown.' It does not read correctly whatever the practical effect of it is.

Khan Bahadur Shaikh Din Muhammad : We are prepared to make any verbal amendments if necessary.

Mr. President: Question is—

That in the proviso to clause 3 the word 'manufactured' be omitted.

The motion was lost.

Mr. President: The motion is—

That clause 3 without the proviso stand part of the Bill.

The motion was carried.

Mr. President: The question is—

That the proviso to clause 3 stand part of the Bill.

Mr. Mukand Lal Puri (Punjab Industries): It is very difficult if not impossible at this stage for me to convince the Honourable Finance Member of the great injustice he has done to the Bill itself, if not also to the very object he had in view in proposing this Bill, by agreeing in dribblets to amendments after amendments to clause 3. The Bill as originally drafted contained no proviso to clause 3 and for very good reasons. The Honourable Finance Member in introducing the Bill said that he did not expect to make very much of a revenue out of this Bill. In fact, Rs. 50,000 or a lakh was the utmost that he expected. But the real object was that Government wanted to collect information for statistical purposes, as had been suggested to them by the Government of India, so that on a future occasion it might form a basis for a decent amount of taxation. That is the only object for which this legislation was introduced. Otherwise, no one, much less the Honourable Finance Member, would have justified such a harassing piece of legislation for the possibility of raising a paltry sum of Rs. 50,000 or a lakh. Such is, however, the great fear of the Punjab Government of the possibility of wounding the susceptibilities of the rural members of this Council that in the original Bill itself they defeated the very object they had in view, by confining the application of this Act to the municipal areas, small towns and notified areas only and by excluding the rest of the province. We, on these Benches, are in favour of taxation of tobacco, and if the Punjab Government or the Government of India can raise a substantial amount of revenue by taxing tobacco, we would gladly vote for it and I, for one, would vote for a fairly heavy amount of taxation. But that is not the object of the Punjab Government. Their object is to calculate the possibilities of taxation which in this province could be raised from tobacco. And the first mistake that they committed was that instead of taking power in their hand for legislating for the whole of the province and reserving to themselves, as they have very wisely done, the power to extend the Act to whatever portion of the province they liked, they have denied themselves the right of extending the Act to any but a very small portion of the province, i.e., to the municipal areas and the notified areas and small towns only. It is not for me to suggest to the Government their course of action, but for reasons best known to them, they have denied themselves whatever benefit they could derive by assistance from our Benches. None from our side was asked to serve on the select committee, and the motion for circulation of the Bill for eliciting public opinion or for reconsideration by the select committee was viewed with disfavour. Therefore in this way Government have practically ruled out of order nine-tenths of the statistical enquiry. Manufactured tobacco, as we all know, is used largely in villages and in places which are not notified areas and which are outside small towns and municipal committees. More than

nine-tenths of the field of enquiry has practically been thus shut out. And this has been done not because of any real danger to the Bill if extended to the whole of the province, because I know that this Council would be prepared to pass any decent piece of legislation which has got commonsense behind it, but on account of unjustified nervous fear of the Government that if the Bill were extended beyond notified areas the so-called zamindar or the Muslim party in the House would oppose it, and such opposition would be the death knell of this measure. I submit that the Punjab Government made a mistake there. Having made that mistake, if they wanted to confine their statistical enquiry to the municipalities, small towns and notified areas, one would have expected that they would try to get an accurate statistical estimate within those areas. But by adding this proviso they have denied themselves of even that possibility. The proviso as amended up to this time stands as follows :

Provided that any person who grows tobacco himself or with the aid of members of his family or by hired labour or by tenants may without a dealer's license, sell or keep for sale manufactured tobacco so grown either by himself or by any person acting on his behalf.

What this proviso means is that two persons may own neighbouring shops in Anarkali or in any other town and sell manufactured tobacco and yet one of them may be compelled to have a licence, to pay a certain amount of taxation, be compelled to keep an account, be liable to search and other penalties provided in the Act and rules, and the other person may not at all be so liable. I was quite prepared to accept the suggestion which Rao Bahadur Chaudhri Chhotu Ram put forward yesterday, and which was reiterated by the Honourable Finance Member to-day, that a cultivator who actually cultivates tobacco and wishes to take his tobacco so grown into the town to sell it there for the occasion may not be under the necessity of taking a licence. Make such provision in the Bill and I would welcome it. Such a proviso can be now drafted. But the present proviso introduces discrimination in trade and permits a landlord or a lessee to open a shop to sell snuff, for instance, manufactured from his tobacco, and sell it without licence,—a thing which the Government does not really wish to permit. Take the case of a small town like Hazro where the tobacco trade is concentrated and where these rival interests are in conflict. There two persons can keep a godown, one is liable to the restrictions of the Act and the other is not at all liable to those restrictions. It is absolutely wrong to say that we are helping the actual cultivator by this proviso. We are not at all helping the cultivator. The proviso as it is framed does not say that the person who actually cultivates the tobacco himself shall be exempt from the licence, but if anyone takes out a small area of land on lease, say, for a year, he can open a shop of *khamira* tobacco or of snuff prepared from that, and he shall not be under the necessity of taking a licence. (*The Honourable Sir Henry Craik* : If he grows it himself). No, even if he grows it through his tenant, through hired labour, through members of his family—kindly read the proviso again. If, for instance, my friend Raja Narendra Nath decides to open a snuff shop in Anarkali (*laughter*), he will not be under the necessity of taking a licence. I most strongly object to such a matter, on general principles—(*Interruption by Chaudhri Zafulla Khan*)—because as none more than Chaudhri Zafulla Khan should know that it is one of the most dangerous and pernicious principles to make such kinds of discrimination in trade.

[Mr. Mukand Lal Puri.]

Two men carry on the same business in the same place, under identical conditions and you place restrictions on one man and not on the other and why? Because of the weakness of the Punjab Government, because the Punjab Government has not the courage to stand up for what it considers to be right and not even equitable, and they have been compelled, against their better judgment, to accept this proviso, under the threat or imaginary fear of not otherwise being able to see this legislation through. This proviso, Sir, not only defeats the very object which the Honourable Finance Member has in view, but introduces a most vicious principle, and those who have advised the Finance Member to accept this proviso have not acted in the best interests of the province. I wish to record an emphatic protest against this proviso and the principle underlying it.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I rise to oppose this motion. From what I have been able to gather from the arguments advanced in favour of the motion the honourable member has argued that there has been a differential treatment between the rural areas and the urban areas (*Mr. Mukand Lal Puri*: No).

Mr. President: Did he say so?

Chaudhri Riasat Ali: He says that taxation has not been so much imposed on those who grow tobacco either themselves or by hired labour as it has been imposed on those people who store tobacco for sale. That much he has said. The first thing which I would submit is that the clause as it stands is intended to protect the cultivator and not the statutory agriculturists as such or anybody who belongs to a rural area. There is no harm if, as he said, he hires four kanals of land for cultivating tobacco, even if he be a man living in the city, there is no harm if he is also protected because the object is to protect the cultivator and not anybody else, whether he belongs to a rural area or an urban area, does not count. Government if it has laid down this clause has done it because the zamindars have already been burdened too much and there is no scope for imposing further taxation on the zamindar, on the man who sells tobacco which he has sown himself or by hired labour or through his tenant. The honourable member forgets that out of 1,066 lakhs of our provincial income, 901 lakhs are paid by the cultivator. This is the state of things, and I cannot imagine how the zamindar can stand a pie of further taxation. When out of the whole provincial income of 1,066 lakhs only 165 lakhs is contributed by other sources of revenue, Government is quite justified in not discouraging in any way the cultivation of tobacco, specially in a state of affairs when the price of other commodities which the cultivator grows has gone to a state of depression which has been unparalleled in living memory. It is not only in the interest of Government, but it is in the interest of the honourable member himself, in fact of everybody in this province, that he should keep the cultivator alive. Unless that is done there is no hope of our province making any progress, and there is no hope of our adding to the wealth of our country in any way. If the zamindar or anybody who cultivates tobacco is exempted from the operations of this Act, it only means that he will be able to cultivate tobacco freely and will be able to make both ends meet. As the proverb goes, 'Government must drive the nail where it will go.' Where there is no scope for further taxation I do not think it is fair on the part of Government to impose any. It is

impossible for the Government to exclude this clause from this Bill under the circumstances. With these words I oppose this motion.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I stand to support my friend inasmuch as he says that this proviso should not form part of clause 8 of this Act. My anxiety for the interests of rural classes is no less than anybody else's who is representing those classes here. But I think we must try to be logical. We must try to be just. When we say that some experiment has to be made and when we have been addressing the Government to adopt means which might bring in some income to Government and the Government have undertaken this legislation with a view to ascertain and see whether this experiment would make a success or not, Government are putting themselves in the wrong position by taking steps which would not lead Government anywhere. Government would not be in a position to know the merits and demerits of the experiments until and unless they take all the facts into consideration and they take all the steps to ascertain what this experiment means, what amount of income it will bring in and how it will work. Therefore I am for supporting the cultivator so far as it can be done, and one way of doing it is that the countryside has been exempted. It is only certain areas that have been brought under the operation of the Act and, therefore, that protection should have been considered sufficient.

Again, I would have supported this proviso had it not got a loophole which the Honourable Finance Member himself was pleased to remark it contains. That loophole is, as pointed out by the Finance Member and also by Mr. Puri, that it is creating invidious distinction. After all you are putting a ban upon a certain shop-keeper who is carrying on his shop in the same town, in the same place and is doing identically the same work. Therefore it is absolutely illogical to afford protection to one kind of shop-keeper and to deprive the other of that protection. The question is this. A certain shopkeeper has set up a shop in a town. There is doubt whether this shop-keeper himself has grown, cultivated or himself imported tobacco into the town or whether he is a bogus grower. He says that he has himself grown it while as a matter of fact he might not himself be the actual grower. Therefore I would strongly support that this proviso should not form part of this clause.

Then again Government will not be in a position to get all the income that it possibly can. It cannot be denied that after all tobacco is a luxury and Government should tax that luxury. I am not inclined to speak in the way in which my friend spoke. He charged Government with weakness and pusillanimity. I think if Government have done it they might have done it with a solicitude for a certain class of people. They should have done something to the effect that when that commodity is being brought to the town the zamindars should not be taxed and they should not be required to have a licence for that purpose. But the thing should end there, they should not be allowed to carry on a shop in competition with other shop-keepers in the town or in the areas covered by this Act.

Chaudhri Zafrulla Khan (Sialkot, Muhammadan, Rural): Sir, so far as I have been able to follow the arguments of those honourable members who have said that this proviso should be omitted, I find that to a certain extent they themselves

[Ch. Zafrulla Khan.]

admit the need for this proviso. They do admit that it should be possible for a cultivator of tobacco to bring his tobacco to towns and to sell it to a licensed dealer. I believe there is no difference of opinion on that point. But you cannot provide for that unless this proviso is retained. (*Interruption*). Amendments to this proviso have been moved, but the Council has rejected them. An apprehension has been expressed that it might make it possible for a cultivator of tobacco to set up a shop within a municipal area and sell tobacco there without a licence. On the other hand, it may make it possible for a tobacco seller to secure a tobacco farm as it were and to grow his own tobacco and sell it in town. My submission is that these are purely hypothetical cases. Past experience shows that there is no temptation to indulge in this kind of thing at present. But in future, if such cases arise in such large numbers and in such volume as to amount to a serious evasion of the provisions of the Act, no doubt Government will take proper steps to have the Act amended so as to put an end to the actual evasion. The amending Bill will be designed to meet the actual cases that may arise. This proviso is designed to meet genuine cases in which there would be hardship if this proviso did not exist, and it is only reasonable that it should be retained.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : I have nothing new to urge in view of what has been said by my friend on my right. I do object to the invidious distinction which this proviso introduces. The consequences of this proviso have not been fully foreseen by those who have introduced it in the Bill and by those who support it. My honourable friend the member for Sialkot has admitted that there is a possibility of the Act being circumvented and the provisions of the law being evaded. But he argued that that will not occur to any very large and appreciable extent. (*Chaudhri Zafrulla Khan* : That possibility exists with regard to all legislation.)

I myself intended to move the amendment asking for deletion of the proviso. I felt that an amendment of this sort from me, or even any suggestion made by me against the apparent interest of zamindars will be opposed by my friends opposite and would not be accepted. I, therefore, did not move the amendment myself. I may, however, point out one thing. The Act applies to areas in which there are a large number of land-owners who are commercially inclined. The Act applies to municipalities, small towns, notified areas, and so forth. In all these places there is a large number of land-owners who not only own land within the limits of municipal areas but also in the neighbourhood of those areas. They are commercially inclined and this commercial spirit can easily be imbibed by statutory agriculturists. I know that if any evil manifests itself on a large scale Government will adopt some remedy. But I do not see why the evil should be allowed to crop up at all.

That is one point. Another point is that the definition of tobacco has been unduly enlarged, that is to say, it makes no discrimination between raw tobacco and manufactured tobacco. I do not think there was any necessity for the old definition to be changed. The new definition of tobacco has introduced difficulties, and has probably necessitated the retention of this proviso. I submit that the proviso gives opportunities to circumvent

the law and frustrate the object of the Bill which the Government has in view. I, therefore, support everything that has been said by the honourable member for Industries.

The Honourable Sir Henry Craik (Finance Member): Sir, it is perhaps desirable that I should give briefly the history of this proviso. As I explained while introducing the Bill, there have been two conferences called by the Government of India of the representatives of local governments on the question of a tax in one form or another on the tobacco trade. All authorities were agreed at that conference of one thing, that it was impracticable and undesirable either to tax the cultivators or to license the cultivation of tobacco. That, I explained, was one of the fundamental principles on which we base this legislation, that there should be no tax on the actual cultivation of tobacco. It was pointed out to me that the Bill in its original form, that is, as introduced, did penalise the grower of tobacco in the Punjab who might have a small quantity of tobacco to dispose of, and who would ordinarily bring it to the nearest market town and sell it to a wholesale dealer or retail dealer. It appeared that if it was made an offence for anybody to keep or sell tobacco prepared in any way, then there was a chance of the cultivator engaged in the process being penalised. That, we all agreed, should be avoided. Therefore we started to grant exemption to the cultivator, the actual grower, by means of this proviso.

The House does not seem to realise that the actual amount of tobacco grown in the Punjab is very small indeed. It cannot amount to more than a fraction of the amount of tobacco consumed. The greater amount of tobacco is imported. The tobacco designed for smoking in a *hookah* is imported from the North-West Frontier Province or from the United Provinces or Behar. (*Interruption*). The only district in the Punjab where tobacco cultivation is of any importance is near Hazro, where there is a fairly large trade in the manufacture of one particular form of fine tobacco which is sold for consumption as snuff. In all other districts in the province, so far as I am aware, tobacco is grown by quite small cultivators in a marla or two of his land or in a corner of his holding. It is not grown as a commercial proposition at all, broadly speaking. There is no such trade as my honourable friend on my right seems to think. The other forms of tobacco, cigars and cigarettes, are wholly imported. Bidis, I understand, are wholly made in towns. The contingency that a cultivator might start tobacco farming on a large scale and carry his produce to the nearest town and set up a shop and sell his produce is extremely remote. If a man has the energy and initiative to do that, he will not be stopped by having to pay a licence fee of Rs. 2 or Rs. 3. If Rao Bahadur Chaudhri Chhotu Ram is going to set up a tobacco farm on the outskirts of Rohtak and also open a shop to sell his produce, the small fee of Rs. 2 or Rs. 3 is not going to stop him from doing so. Therefore the proposition of the honourable member that this is an invidious discrimination between two classes of people engaged in the same occupation is extremely far-fetched. We are not really discriminating between two classes of people engaged in the same occupation. It is ridiculous to say that this proviso makes an invidious discrimination between the two classes of people. It is nothing but an attempt to do what everybody wants to do, that is, to make the producer independent of the middleman, and that I think everybody in this House ought to support. I, therefore, trust that the House will agree with me and reject the proposal to omit the proviso.

Mr. President : The question is—

That the proviso to clause 3 stand part of the Bill.

The motion was carried.

Clause 4.

Mr. President : Clause 4.

Khan Bahadur Shaikh Din Muhammad : I beg to move—

That in sub-clause (1) of clause 4 for the words 'granted by the Collector within his district or by' the following words be substituted—

'obtainable from the collector or from.'

First I may point out that the word 'of' in the list of amendments is a misprint for 'or.'

Next, I submit that the amendment is intended to meet the wishes of the House who represented to the Government that under the existing clause there is the possibility of a shopkeeper being refused a licence by the collector or by any other person whom he authorises. So, instead of the words 'granted by' the words 'obtainable from' have been substituted so that there may be no difficulty in obtaining the licence from the collector or from any other person whom he may authorise.

Mr. President : The question is—

That in sub-clause (1) of clause 4 for the words 'granted by the Collector within his district or by' the following words be substituted:—

'obtainable from the Collector or from.'

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I beg to move—

That in (b) of sub-clause (2) of clause 4, the words 'or the Excise Commissioner as the case may be' be deleted.

This is a mere consequential amendment.

The motion was carried.

Mr. President : The question is—

That clause 4 as amended stand part of the Bill.

The motion was carried.

Clause 5.

Mr. President : Clause 5.

Lala Nihal Chand Aggarwal (East and West Central towns, non-Muhammadans, Urban) (*Urdu*): Sir, I beg to move—

That in sub-clause (1) of clause 5, last line, for the words 'one hundred rupees,' the following words be substituted:—

'ten times the prescribed licence fee.'

Sir, I think the penalty under this provision is too much as compared with the small licence-fee which will be prescribed. I would, therefore, fix the penalty at ten times the prescribed licence fee.

Rao Bahadur Chaudhri Chhotu Ram : No, the provision is better as it is.

Mr. President : Motion moved—

That in sub-clause (1) of clause 5, last line, for the words 'one hundred rupees,' the following words be substituted:—

'ten times the prescribed licence fee.'

The Honourable Sir Henry Craik (Finance Member): I think the honourable member has not possibly noticed the words "fine which may extend to one hundred rupees." That gives the court complete discretion to impose a smaller fine in suitable cases. I would not like to bind the court down to inflict a fine which must be limited to ten times the prescribed licence fee, which may in certain cases be very small indeed. I do not see what objection there can be to giving the court the discretion which we find in the ordinary penal sections of most laws. After all for a third or fourth offence or in a case where a man is a retail dealer on a large scale, perhaps running half a dozen shops in some town, I do not think Rs. 100 in such circumstances would be any too severe punishment for not taking out a licence. In any case that is only a maximum.

Lala Nihal Chand Aggarwal: I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Mr. President: The question is—

That sub-clause (1) of clause 5 stand part of the Bill.

The motion was carried.

Mr. President: Sub-clause (2) of clause 5.

Mr. Mukand Lal Puri (Punjab Industries): The Honourable Finance Member has stated that the licence fee will be a paltry sum of Rs. 2 or Rs. 3.

The Honourable Sir Henry Craik: I did not definitely state that.

Mr. Mukand Lal Puri: It may be Rs. 5 or Rs. 10.

The Honourable Sir Henry Craik: Probably less than Rs. 10.

Mr. Mukand Lal Puri: The penalties which are prescribed in the Act are that fine may extend to Rs. 100, and so the maximum fine which even the worst offender will get cannot exceed Rs. 100. It does not seem to be the intention of this House or, as far as I understand, even the intention of the Government that any person should be deprived of his right to sell tobacco by reason of not taking out licence or by even infringing a small provision of the Act or on conviction. A person who is carrying on or wishes to engage in tobacco trade should be allowed to do so without taking any one's permission except that he should pay a tax by taking a licence. If you keep this provision, namely, if a person has been convicted rightly or wrongly, it is also open to the collector to cancel his licence, you will be practically giving to the collector the power to determine whether a particular person shall or shall not carry on a particular trade. I do not think that the Government ever intended that for failure to comply with the provisions of this Act a person should be deprived of carrying on what is normally a good trade. Therefore, I submit that this sub-clause may be omitted as the penalties otherwise existing are enough. Any person who has infringed any of the provisions of this Act or any rules made thereunder can be prosecuted and he can be punished. If you give the power of cancellation of the licence to the collector, you practically induce that man to make an attempt to corrupt the subordinate officials, whenever he is prosecuted, lest he might lose his licence. If you give the power to the collector to determine whether after conviction a person should or should not be allowed

[Mr. Mukand Lal Puri.]

to carry on his trade, that is a far greater power than the powers which Chaudhri Chhotu Ram proposed yesterday should not be given under the Act and which were accepted by the House and the Government. If a person is arrested for an offence which you have made bailable, he can give a bail and go away. But his conviction should not lead to his being deprived of his ancestral trade. If the licence is cancelled, what is he to do with his stock? After all, the sale of tobacco is not like the sale of opium. So I think the Government need not have this unnecessary provision.

The Honourable Sir Henry Craik (Finance Member): I do not attach very great importance to this particular clause. But it is, I think, taken if my memory is correct, from the corresponding clause of one of the Excise Acts. I must say it does seem to me a reasonable proposal that when anybody is convicted for having committed a breach of the fiscal law, he should have his licence cancelled. The contingency will very rarely occur, as far as I can see, because I hope that the conditions of the licence will be as simple as possible, and it will be very rarely that such a contingency will arise. My point is that if a man sells tobacco without a licence, then this clause would not apply. We discussed in the select committee the question of a power to prescribe by rule the quantity of tobacco which any licence-holder may keep. But there is no rule-making power on this subject in the Bill as it has emerged from the select committee. Possibly there might be a condition in the licence to the effect, for instance, that no licence holder is to sell tobacco to a child under a certain age, and I think if a man is caught infringing that condition it is not unreasonable to give the collector power to suspend his licence or even in extreme cases to cancel it.

Chaudhri Zafrulla Khan: What would be the effect of cancelling the licence? Would the man be debarred for ever?

The Honourable Sir Henry Craik: He could apply again for a fresh licence.

Chaudhri Zafrulla Khan: If a fresh licence is to be granted as a matter of course what would be the practical effect of cancellation?

The Honourable Sir Henry Craik: He will have to pay the fee twice over.

Mr. Mukand Lal Puri: If that is what is intended by this clause, that cancellation will only mean payment of the licence fee once again, then it does not matter. But if a man's new application for licence is to be considered on any other than fiscal grounds, then of course it makes all the difference.

Chaudhri Zafrulla Khan: Suppose a man is suspended for three months and another man's licence is cancelled. The latter can immediately apply for renewal. So cancellation is a lighter punishment than suspension.

The Honourable Sir Henry Craik: I think it is better to leave the discretion to the collector.

Maulvi Mazhar Ali Azhar: He may be made to pay some additional fine amounting to licence fee.

The Honourable Sir Henry Craik : As far as I am aware similar provisions in other Acts dealing with excise subjects have worked quite satisfactorily and I think the House might rely on the collector to work this clause with discretion.

Chaudhri Zafrulla Khan : Could there be rules on the point?

Mr. Mukand Lal Puri : If there could be a rule to the effect that cancellation would only mean taking out a fresh licence and payment of another licence fee then it is all right and I do not insist upon its omission.

The Honourable Sir Henry Craik : I will see that there is a rule.

Mr. President : The question is—

That sub-clause (2) of clause 5 stand part of the Bill.

The motion was carried.

Clause 6.

Mr. President : Clause 6.

Khan Bahadur Shaikh Din Muhammad : I move—

That in line 1 of clause 6 after the word "person" and before the word "is" the following words be added:

"who does not hold a dealer's license."

This is a consequential amendment.

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I move—

That in clause 6, lines 3 and 4, the words "for being without a license" be omitted.

This is also a consequential amendment.

The motion was carried.

Mr. President : The question is—

That clause 6 as amended stand part of the Bill.

The motion was carried.

Clause 7.

Mr. President : The question is—

That clause 7 stand part of the Bill.

The motion was carried.

Clause 8.

Mr. President : Clause 8.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadan, Rural) : Sir, I beg to move—

For proviso (a) to sub-clause (2) of clause 8, the following be substituted:

If on investigation such officer is of opinion that there is not sufficient evidence or reasonable ground of suspicion to justify the reporting of the case to a magistrate, or that the accused person may be discharged with a warning, such officer shall make a full report of the case to his official superior and be guided by the order which he shall receive on such report.

The sub-clause as it now stands seems to contemplate that the offending person has been already arrested and is in custody and that he may have to be forwarded to a magistrate. Then again further on we have the words "shall release him on his executing a bond with or without sureties, to appear if and when so required before a magistrate."

[R. B. Ch. Chhotu Ram.]

This again implies that the person suspected is already under arrest. But this arrest would seem to conflict with the provisions of the new clause already added on my motion. I therefore move this amendment.

Mr. President : Motion moved—

For proviso (a) to sub-clause (2) of clause 8, the following be substituted :

If on investigation such officer is of opinion that there is not sufficient evidence or reasonable ground of suspicion to justify the reporting of the case to a magistrate, or that the accused person may be discharged with a warning, such officer shall make a full report of the case to his official superior and be guided by the order which he shall receive on such report.

The Honourable Sir Henry Craik : I have no objection in principle to this amendment. But really I do not think on consideration that it is necessary. The honourable member's amendment contemplates the case of an accused person who is not under arrest and suggests that in such a case when it is found out that there is not sufficient evidence or reasonable ground of suspicion, the excise officer shall merely report the case to his superior officer. The proviso as it has emerged from the select committee, I think, is rather wider than the present amendment and contemplates both that case and the alternative case where a person accused is under arrest. If the honourable member does not mind, it is better to leave the original clause as it is.

Rao Bahadur Chaudhri Chhotu Ram : I beg leave to withdraw my amendment.

Shaikh Muhammad Sadiq : I want to speak on the amendment.

Mr. President : But the honourable member wishes to withdraw it.

Shaikh Muhammad Sadiq : I oppose leave being granted. He should not be given permission to withdraw the amendment.

Mr. President : The question is—

For proviso (a) to sub-clause (2) of clause 8 the following be substituted :—

If on investigation such officer is of opinion that there is not sufficient evidence or reasonable ground of suspicion to justify the reporting of the case to a magistrate, or that the accused person may be discharged with a warning, such officer shall make a full report of the case to his official superior and be guided by the order which he shall receive on such report.

The motion was lost.

Chaudhri Zafrulla Khan : There is a verbal amendment to be made in line 5 of proviso (a). I move—

That in line 5 of proviso (a) to sub-clause (2) of clause 8 the word 'person' be added after the word 'accused'.

I think this was intended to be put in there and the omission is only a misprint.

The Honourable Sir Henry Craik : I have no objection.

The motion was carried.

Mr. President : Question is—

That sub-clause (1) of clause 8 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That sub-clause (2) of clause 8 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That proviso (a) to sub-clause (2) of clause 8, as amended, stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That proviso (b) to sub-clause (2) of clause 8 stand part of the Bill.

The motion was carried.

Clause 9.

Mr. President : Clause 9.

(*Maulvi Mazhar Ali Azhar rising to move his amendment.*¹)

Mr. President : May I invite the honourable member's attention to new clause No. 1 which was moved and adopted by the House yesterday?

Maulvi Mazhar Ali Azhar : If a person is unable to furnish bail—

Mr. President : The honourable member should have moved this as an amendment to the other amendment. The question is—

That clause 9 stand part of the Bill.

The motion was carried.

Clause 10.

Mr. President : The question is—

That clause 10 stand part of the Bill.

The motion was carried.

Clause 11.

Mr. President : Clause 11.

Rao Bahadur Chaudhri Chhotu Ram : I move—

That in line 3 of clause 11 (a), the word "or" be inserted after the word "permitted."

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I move—

That in sub-clause (b) of clause 11, the words "and registers" be omitted.

This amendment is also proposed to meet the wishes of the House. Further we have deleted the power of making rules in connection with the keeping of registers and it is therefore considered necessary to delete these words from this sub-clause.

Mr. President : The question is—

That in sub-clause (b) of clause 11, the words "and registers" be omitted.

The motion was carried.

¹At the end of clause 9, the following sub-clause be added:—

Every warrant of arrest issued under this Act shall be bailable and every person arrested without warrant shall forthwith be told that he can be released on furnishing bail and should be given proper facilities for enabling him to furnish bail; but if he is unable to furnish bail he should be released on executing a personal bond to appear when and where required.

Mr. President : The question is—

That clause 11 as amended stand part of the Bill.

The motion was carried.

Clause 12.

Mr. President : Clause 12.

Khan Bahadur Shaikh Din Muhammad : I move—

That in sub-clause (b) of clause 12 the figure '7' be deleted.

This figure has become unnecessary in view of the amendments which were made by the select committee.

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I move—

That in (c) of sub-clause (2) of clause 12 after the word 'by' and before the word 'officers' the word 'its' be added.

This is a mere verbal amendment.

The motion was carried.

Khan Bahadur Shaikh Din Muhammad : I move—

That in sub-clause (3) of clause 12, lines 1 and 2, the words "or the Excise Commissioner as the case may be" be deleted.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram : I move—

That sub-clause (3) (d) of clause 12 be omitted.

The reason why I urge that this particular sub-clause should be deleted is that a number of small shop-keepers or hawkers probably will be illiterate. They may not be able to maintain any accounts or keep any registers. Another objection which seems to me to be very valid is that this particular sub-clause does not arise from any of the preceding provisions of the Bill. Therefore I move that the sub-clause may be deleted.

Mr. President : Motion moved—

That sub-clause (3) (d) of clause 12 be omitted.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : This sub-clause creates a great hardship on the small shopkeepers. If a man is selling cigars, on a small scale, he should show how many he has sold, the price realised, and he should maintain a register and make entries of sales. It will be a tyranny to impose this obligation on small hawkers. A tobacco dealer for instance sells 2 seers at one time and I ask, is he to write down every *chhittack*, every ounce that he has sold? Everybody knows that the weight of tobacco diminishes under heat and increases in the rainy season. If a person shows that he has so much of tobacco and if in the summer it gets less in weight, he might be hauled up and asked to explain how it happened. It might be presumed that he had sold more and made a wrong entry in the registers. I earnestly request that such persons be not obliged to keep these accounts and registers. The object of the Bill is to get revenue and statistical information, not to go through accounts. I therefore support the amendment.

The Honourable Sir Henry Craik (Finance Member): I am afraid I cannot accept this amendment. I would call attention to the fact that the Bill gives the rule-making authority complete discretion to decide by what licence-holders accounts shall be maintained and by what licence-holders returns shall be submitted. As I explained one of our objects in passing this Bill was to obtain information as regards the volume and extent of the tobacco trade in this province. And in order to do that we must be in a position to examine accounts and to get documentary proof if possible of what the volume of the trade is. But I will give the honourable member an undertaking, which he is quite at liberty to quote against me, that the rules will not prescribe that hawkers need keep any account. The rules will probably I think only prescribe that accounts must be kept by wholesale dealers. That is not a hardship because, as a matter of fact, I take it practically all wholesale dealers of any size do in practice keep accounts. I know that the agents of the Imperial Tobacco Company through whom a great number of cigarettees are distributed necessarily keep for their own protection careful accounts because their commission depends largely on their sales. And I cannot see any hardship in requiring wholesale dealers to keep accounts. As regards retail shops I cannot give an absolutely sweeping undertaking that we shall never require accounts. But certainly the present intention is that the smaller shops should not be required to keep any accounts at all and the power given by the Act of inspecting accounts will merely mean inspecting such accounts as there happen to be. And as I have said in regard to hawkers there is no intention of prescribing any accounts at all. I hope that in view of this explanation the honourable member will not press his amendment.

Mr. Labh Singh (Rawalpindi division and Lahore division, North, non-Muhammadan, Rural): I beg to support the amendment that has been moved. The honourable the Leader of the House has been pleased to say that when rules are framed they would be made to apply only to wholesale dealers. So far as I am aware, we have no definition of wholesale dealers. It would be really difficult to define so far as tobacco is concerned, who is a wholesale and who a retail dealer. Does a man who sells say 20 maunds a month or 80 maunds come under the description of a retail dealer? Apart from this difficulty the other practical question is how to meet the second point raised namely supposing a wholesale merchant is illiterate, would you compel him to keep an accountant? That would be impracticable. And then, thirdly the principal point which was raised when this Bill was introduced and even now is that one of the objects of this measure is to gather statistical information. On what points do you want statistical information? Can you have data more accurate than those provided in the revenue girdawaris? The quality and quantity of tobacco can be calculated and it can be easily seen which part of the province produces the same. But is it difficult, it may be asked, to estimate how much of the stuff is consumed in the villages and how much of it goes to the municipalities? With regard to the latter, however, all accounts of the quantity that passes into the municipal limits can be had from the municipal offices. There is always a terminal tax or octroi imposed on tobacco and every municipality will give you the quantity which is annually imported into its area. I very respectfully submit that the provision relating to the keeping of accounts

[Mr. Labh Singh.]

is vexatious in the extreme and obviously unnecessary and is not calculated to serve the purpose which it is intended to serve. That purpose is very well otherwise served and all information regarding the quantity annually imported into municipalities can be gathered from their terminal tax departments. It is an extremely unnecessary hardship to ask people to keep accounts, more especially when you are unable to give any definition of wholesale or retail vendor.

Mr. Owen Roberts (Non-official, nominated) : I think I can help my honourable friend to a definition of a wholesale dealer. He may be defined as a dealer who normally supplies goods to traders as distinct from one who sells by retail to individuals.

I entirely sympathise with the honourable member in the matter of the scrutiny of accounts. I had hoped that one clear object of this Bill was to make this tax an even tax, on all persons without respect to the quantity of the business done. If that principle is to be departed from, I think Government will be courting trouble by examining accounts and will raise many difficult problems.

Rao Bahadur Chaudhri Chhotu Ram : I am afraid I must press this amendment to a division and my reason is this. It is true that in discussing this amendment informally I adopted an attitude which was rather indeterminate. While I did not give actually an assurance to the Honourable Finance Member that I would withdraw it, I said that if it were confined to wholesale dealers the mischief would be greatly minimised. This may have led him to believe that I was luke-warm about this amendment. But I had made it plain to the Honourable Finance Member that if anybody got up in the House and said that this amendment did not arise from any of the provisions of the Bill it would be very difficult to defend the position of Government. It is true that there have been many linguistic blemishes in other pieces of legislation. There are some linguistic blemishes here also. Perhaps it may not be entirely feasible to have every piece of legislation logically perfect. The present legislation also suffers from this defect. So, if any such defects are pointed out in the House there is no reason why Government should not readily agree to the removal of those defects. Another very serious thing to which I wish to draw the attention of the Honourable Finance Member is that this clause as it stands is not really essential to the object underlying this Bill. After all, the object underlying this Bill is to levy a certain amount of fee on every seller of tobacco. The addition of a clause that every petty shopkeeper or even a wholesale dealer should be under a necessity to maintain registers or keep accounts is not essential to that object at all. Therefore I hope that the Honourable Member in charge of the Bill would agree to this amendment.

The Honourable Sir Henry Craik : I do not attach very great importance to this clause. If it is the general wish of the House to drop this clause, I am prepared to accept it. The honourable member opposite (Mr. Owen Roberts) has just told me that the distinction between a wholesaler and a retailer is not always quite as simple as I had supposed and that in some cases a man is both a wholesaler and retailer. Possibly that might give rise to trouble.

If it is the general wish of the House that this clause should be dropped I have no objection.

Mr. President : The question is—

That sub-clause (3) (d) of clause 12 be omitted.

The motion was carried.

Mr. President : The question is—

That sub-clause (1) of clause 12 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That sub-clause (2) of clause 12 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That sub-clause (3) (a), (b) and (c) stand part of the Bill.

The motion was carried.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (Urdu) : Sir, I beg to move—

That in clause 12 (4), between the words 'previous' and 'publication' add the following :—

"discussion in the local legislature and"

As is evident this amendment has been moved with a view to securing an opportunity for the Council to discuss the rules that may be made under this Bill and to suggest necessary changes in them before such rules are enforced. I do not want to say anything and in fact I have nothing more to say with regard to this amendment and I am sure that the Government will have no objection to accepting it.

Mr. President : Motion moved is—

That in clause 12 (4), between the words 'previous' and 'publication' add the following—'discussion in the local legislature and.'

The Honourable Sir Henry Craik (Finance Member) : I recognise the principle underlying the honourable member's amendment. But I do not like the wording of it. I am prepared to accept an amendment saying that the rules shall, before they come into force, be laid on the table for a reasonable time and then it will be open to any member to move that they should be discussed or taken into consideration. But I do not think it is necessary to say that they should be previously discussed in the Council, because then the Council might refuse to discuss them and the rules would never come into force. I do not think there is any model, any example in our recent legislation at any rate, of any provision of that kind. But if the honourable member would like the clause to read—"All such rules shall be subject to the condition of previous publication in the Gazette and shall be laid on the table of the House" I shall be quite willing to accept that.

Mr. President : As Mr. Mukand Lal Puri's amendment is more comprehensive than that which stands in the name of Maulvi Mazhar Ali Azhar, I propose to put it first.

Chaudhri Zafrulla Khan : It is a new clause and cannot be taken up at this stage.

Mr. President : I cannot allow a new clause to be moved at this stage but if the honourable member is able to give his amendment the shape of a verbal amendment, I will allow it.

Mr. Mukand Lal Puri (Punjab Industries) : Sir, I beg to move—

That at the end of sub-clause (4) of clause 12 the following words be added: 'and approval of the Legislative Council.'

Mr. President : Motion moved is—

That at the end of sub-clause (4) of clause 12 the following words be added: 'and approval of the Legislative Council.'

The Honourable Sir Henry Craik (Finance Member) : I do not think the condition of the sanction of the Legislative Council is necessary or is in accordance with the usual practice. In fact—I speak subject to correction—I do not think any Act has contained a provision to that effect. Some Acts have contained, I think, provisions to the effect that the rules should be laid on the table and shall be open to discussion and as I have said I am willing to do that, but to give a rule-making power and then to say that the rules shall be subject to the sanction of the legislature seems to be a rather topsy-turvy proceeding. You give two authorities, the Government and the Financial Commissioners, power to make rules. Then you prescribe that those rules shall be subject to the sanction of the legislature. That is a procedure of a somewhat anomalous nature and likely to cause delay. Because for one thing there is often an interval of many months between two sessions of the Legislative Council, and for another thing if the rules are at all long and complicated, it will be a matter of considerable delay in getting the sanction of the Council. And if the rules are amended by the Council it does not follow that the rule-making authority will necessarily accept the amendments made by the Council. What I suggest is that we should follow what was done in the case of the Executive Officers Act where it was provided that in addition to observing the procedure laid down in section 21 of the General Clauses Act, the local Government shall publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby, at least, thirty days before a meeting of the Punjab Legislative Council. The Local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft, in order to give any member of the Council an opportunity to introduce a motion for discussing the draft.

Mr. President : The first point to consider is whether the motion is in its proper form or not and also whether it is in order or not. The question whether it should be adopted or not is for the House to decide.

The Honourable Sir Henry Craik : Is the honourable mover of the motion prepared to accept the alternative amendment on the lines of section 11 of the Punjab Municipal Executive Officer Act?

Mr. President : That is a different matter. If the motion is to be considered on merits, then the honourable member may certainly put forward that suggestion.

Mr. Mukand Lal Puri : If there is agreement on all sides of the House that the motion in a particular form should be adopted, you will certainly be pleased to give your permission to incorporate that provision in the Act.

Mr. President : Does not the honourable member wish to press the motion in the form in which it has been moved ?

Mr. Mukand Lal Puri : No.

The Honourable Sir Henry Craik : Shall I move it in the revised form ?

Mr. President : Does the House agree to the Honourable Leader of the House moving the amendment in the altered form ? (*There was no dissent*).

The Honourable Sir Henry Craik : I move that for sub-clause 4 of clause 13 the following be substituted :—

- (4) Before making any rules under the provisions of this section, the Local Government shall, in addition to observing the procedure laid down in section 21 of the Punjab General Clauses Act, 1898, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby, at least thirty days before a meeting of the Punjab Legislative Council. The Local Government, in order to give members of the Council an opportunity for moving a motion for discussing the draft, shall defer final publication of the rules until after the expiry of the date fixed for consideration of a motion for such discussion, provided that notice of such motion has been given before the first meeting of the Council held after the expiry of thirty days from the publication of the draft.

Mr. President : The question is—

That leave be granted to move the proposed motion.

The motion was carried.

The Honourable Sir Henry Craik : I move—

That the proposed motion be considered.

The motion was carried.

The Honourable Sir Henry Craik : I move—

That the proposed motion be adopted.

The motion was carried.

Mr. President : Under the provisions of Article 94 of the Business Manual I appoint a committee consisting of the Honourable Member in Charge of the Bill and the Deputy President of the Council to examine and report what amendments of a formal and consequential character should be made in the Bill as a matter of drafting. The question to be considered by the House is : when the committee should submit its report. Three items of Government business have to be disposed of before the Council is adjourned *sine die*, first, the introduction and motion for circulation of the Bill relating to indebtedness ; secondly, consideration of the proposed rules under the Punjab Municipal Executive Officer Act ; and thirdly the discussion of the Franchise Committee's Report.

Diwan Bahadur Raja Narendra Nath : With regard to the last item on the agenda, viz. discussion of the Franchise Committee Report, it is the wish of the members of my party that discussion should be postponed to some other day or to some future session. The report has been in their hands only for two or three days past and during these two or three days

[D. B. Raja Narendra Nath.]

they have been engaged with other matters connected with the work of the Council. Therefore, they have not been able to go carefully through the report. It is, therefore, their wish that the consideration and discussion of the Franchise Committee Report should take place on some other date in some other session.

Mr. President : Is it the pleasure of the House that the discussion of the Franchise Committee Report be postponed ?

Dr. (Mrs.) M. C. Shave : I want to press the immediate consideration of the report.

Rao Bahadur Chaudhri Chhotu Ram : So far as my party is concerned the report may be taken up next session.

Mr. President : Barring the honourable lady member, Dr. Shave, the whole house is unanimous, that discussion of the Franchise Committee Report be postponed. Then only two items are left, viz. the Bill relating to Indebtedness and rules under the Executive Officer Act. I think the Indebtedness Bill will not take long.

The Honourable Sir Henry Craik : If the House will show a similar self restraint I will undertake to finish the circulation motion in five minutes. I think I can undertake also to present the drafting committee's report to-day at about a quarter to six.

Mr. President : I have no objection. But the honourable member may require time for the report of the Draft Committee. So we may consider it on the 22nd or the 23rd March.

The Honourable Sir Henry Craik : I would prefer the 22nd.

Mr. President : We might take up the discussion of rules under the Executive Officer Act after disposing of the Indebtedness Bill.

The Honourable Sir Henry Craik : I am in your hands.

Mr. President : The drafting committee on the Tobacco Vend Fees Bill will submit its report on the 22nd March. I request the Member in Charge of the Bill to hand over the report, as soon as it is ready, to the Secretary of the Council so that he may get it printed and circulated to honourable members of the Council in time.

The Honourable Sir Henry Craik : I shall certainly do so.

THE PUNJAB RELIEF OF INDEBTEDNESS BILL.

The Honourable Sir Henry Craik (Finance Member): Sir, I introduce the Punjab Relief of Indebtedness Bill.

The Honourable Sir Henry Craik : I beg to move—

That the Punjab Relief of Indebtedness Bill be circulated for the purpose of eliciting opinion thereon.

I do not propose at this late stage of the session and the late stage of the afternoon when probably honourable members will be craving for tea and possibly also for tobacco to delay the House long with this Bill. There will be ample opportunities of discussing this very important measure at a later stage. At present I only move that it be circulated for eliciting opinion.

As regards the measure and the reasons which have led up to it I need say only a few words, because they are well known to all members of the House. I think most of us will accept the position that the time has now come when the legislature must step in. The position as regards rural credit in this province is practically such that debts cannot be repaid. In actual practice there is something very like a moratorium. Creditors cannot recover and debtors cannot pay. It is, in these circumstances, necessary to seek a legislative remedy of some kind. It has now become the task of the legislature to face this problem of rural indebtedness and to try to devise a remedy. The remedy proposed in the Bill is of various kinds and I need not dilate on them, especially as the statement of objects and reasons is fairly full and the Bill has been before the public for some 10 or 12 days and probably all members have read it. I only wish to say this that I do not claim, in fact I am very far from claiming at the moment, that the Bill is perfect or complete or even that this is anything like its final form. I have no doubt that it will be very substantially changed during its passage through this House. But I am certain that I will at any rate find on all sides of the House a readiness to help to shape it into the best practical form calculated to meet the difficulties of the moment and that I feel sure that all members will be actuated by the feelings which have actuated the Government and which are contained in the statement of objects and reasons, that is, to find the best possible solution of the problem and to avoid doing anything which will seriously impair or completely destroy the system of rural credit. I hope the House will agree to this motion for circulation.

Chaudhri Zafrulla Khan : Can the Honourable Leader of the House inform us as to the subsequent programme with regard to this measure in order to enable us to judge whether this motion for circulation is the proper motion at the present moment? Does the Government intend to fix any date by which opinions should be elicited?

Mr. President : Nothing can be done further before the next sitting of the Council.

Chaudhri Zafrulla Khan : Can the Honourable Leader of the House tell us when the next session of the Council will be called?

The Honourable Sir Henry Craik : The calling of a session does not rest with me. I can, however, convey to His Excellency the Governor the wishes of the House. He will certainly be glad to meet the wishes of the House in that matter. We ourselves recognise the great importance of this legislation and we also recognise that the sooner it is passed the better. I dare say it will be possible to arrange for a session at any time during summer that may be convenient to honourable members.

Mr. President : The question is—

That the Punjab Relief of Indebtedness Bill be circulated for the purpose of eliciting opinion thereon.

The motion was carried.

RULES UNDER THE PUNJAB MUNICIPAL (EXECUTIVE OFFICER) ACT.

Mr. Owen Roberts (Non-official nominated): I understand that no motion is necessary in regard to the subject before the House. I shall therefore, straightaway proceed to deal with my subject.

The newness of the subject leads me to think that I should try to lay down for myself some definite lines on which the discussion of the rules might reasonably proceed to the advantage of the House, and in this sense I feel that we ought to try and arrive at some general understanding with respect to the obligation, if any, that Government incurs when it decides to make rules; and if we come to the conclusion that an obligation has been incurred what the nature of that obligation is. I shall, therefore, endeavour to confine myself to these points. I must resort to illustrations to achieve this result, and will proceed to take notice of the first of the rules. The rule as framed is to all intents and purposes perfectly harmless. It says —

The Executive Officer is the principal Executive Officer of the Municipal Committee and all other servants of the Committee are subordinate to him.

In other words, the executive officer is merely one of a number of persons who are in the service of the committee, and that as he is the most senior of them all the remaining of the servants are subordinate to him. This is not, on the face of it, an unreasonable claim. But it is my unfortunate position that I have to point out that there are no servants of the committee and, therefore, the word "other" which occurs in the rules and to which it owes much of its meaning, has no value whatever. To substantiate this statement I must refer, with your permission, Sir, to two executive orders passed by the Ministry, two letters written by the Ministry purporting to interpret sections of the Municipal Executive Officer's Act. The first of these letters I understand arose out of an audit objection. The audit officer raised an objection to the appointment by the Municipal Executive Officer of Lahore of a man whose scale of salary commenced from Rs. 45, and rising by annual increment of Rs. 4, reached a maximum of Rs. 85

(At this stage Mr. President left the chair and it was occupied by Sardar Sahib Sardar Ujjal Singh of the Panel of Chairmen).

It is contended by the audit officer that this required the sanction of the general committee. The objection appears to have been considered by the committee and upheld by it, but it was overruled in a letter of the Deputy Commissioner, dated the 1st February. I am quoting from the supplementary agenda for an ordinary meeting of the Lahore Municipal Committee held on Monday, the 19th February 1934. The letter reads as follows:—

Endorsement No. W-1-227-1316, dated the 1st February 1934, from the Deputy Commissioner, Lahore, forwarding for future guidance of the Committee copy of paragraph 2 of the Punjab Government letter No. 2587-L. S. G. (Committee), dated the 24th January 1934 (copied below).

Subject.—Proposed amendment of section 4 (b) (1) of the Punjab Municipal (Executive Officer) Act, 1931.

I will read only a portion of this letter.

The figures given in clause (1) of sub-section (b) of section 4 of the Punjab Municipal (Executive Officer) Act, 1931, refer to the minimum and not to the maximum grade pay, and consequently appointments to post of which the pay at the time of appointment does not exceed Rs. 45 per mensem should be made by the Executive Officer.

RULES UNDER THE PUNJAB MUNICIPAL (EXECUTIVE OFFICER) ACT. 1071

The second illustration to which I must draw the attention of the House will be found in the same agenda paper and it relates to the powers of discipline which the executive officer exercises over municipal employees. It occurs in item 5 of the agenda paper, and I will read just the last paragraph of it :—

Section 39 of the Punjab Municipal Act, 1911, as amended by section 18 of the Punjab Municipal (Amendment) Act, 1933, empowers a Municipal Committee to remove, dismiss, suspend or otherwise punish any officers or servants appointed by it. Section 4 of the Punjab Municipal (Executive Officer) Act, 1931, read with Schedule 1, vests the whole of this power in the Executive Officer, except the power of removal or dismissal of any officers or servants with a salary of over Rs. 45 per mensem, thus leaving the power of suspending and punishing all officers and servants appointed by the Committee with the Executive Officer.

Now, Sir, these two illustrations taken from one and the same agenda paper of a municipal committee go to show that the power of appointment of municipal servants has passed to the executive officer ; it also goes to show that the control and discipline of all municipal servants is vested in the same officer, and I submit that these two illustrations show that there are no servants of the committee. To say that there are any servants of the committee is to perpetrate a colloquialism, a colloquialism which is committed every day when we refer to " Mary's nurse." Mary being an infant in arms has a nurse whom she has neither the power to appoint nor the power to control nor the authority to remove. That is exactly the position in which municipal committees have been placed under these rules. Before going further I will elaborate this point slightly because there is—

The Honourable Dr. Gokul Chand Narang : May I just say something on a point of order. I do not want to interrupt his argument, but I believe that the matter under discussion is the rule made under the Act and not any letters issued either by the Deputy Commissioner or the Ministry of Local Self-Government or any interpretation given to them. Only these 7 rules which are before the House are under discussion.

Mr. Labh Singh : And perhaps, which is more important, and not the Act, itself.

Mr. Owen Roberts : When I commenced I said that I faced the difficulty of this subject not having been discussed before and the two points I wished to raise were in the first place whether Government took up any obligation when it made rules. I have given two illustrations of executive orders which in my opinion should have been made the subject of rules. The question is, what are the Government's obligations when it undertakes to make rules ? Can we say that it may make a rule on this subject on the one hand and on the other achieve its ends by means of executive orders ? May it one day proceed by rules and on another day by executive orders ? The rule has to come before this House but not the executive order.

The Honourable Dr. Gokul Chand Narang : Executive order is not being discussed. That may be criticised on some other occasion in connection with something else, but to-day if rules of relevancy have to be observed then only these particular rules are the subject of discussion and nothing else. The Act may not be to the liking of the honourable member, and these letters may not be to his liking either, but just now it is only the rules which should be discussed.

Mr. Chairman (Sardar Sahib Sardar Ujjal Singh): I think the honourable member should confine himself to the rules.

Mr. Owen Roberts : I will make my remarks strictly relevant to the rules made under the Act. My point is that the rules as they stand are entirely defective. They should have included other matters which they have failed to include, and my only object is to bring this point to the notice of the House. I must also anticipate the objection that may be raised that the executive officer's power is limited to appointing persons drawing a certain salary, and that my argument is, therefore, without force, but that will not hold water because a municipal committee like every other public service is comprised of grades, and it is only natural for a man who joins the lower grades to expect promotion to the higher grades, and, therefore, when you entrust one man with the appointment of servants of a grade almost at the bottom you have practically entrusted him with the appointment of all the servants of the committee, because in the course of time the man on the lower grade must rise to higher grades. If that is not so you face the committee with a dilemma. They must either refuse promotion from one grade to another or allow the executive officer to exercise his powers of appointment, and it is for this reason I say that there are no servants of the committee and, therefore, the rule is of no effect. As regards the executive officer himself when he is appointed by Government clearly he is not a servant of the committee. It neither appoints him nor has it the power to remove or take any disciplinary action against him, and he is not a servant of the committee. Similarly the power of engagement of all other servants of the committee are vested in him and not in the committee and therefore there are no servants of the committee, and rule 1 ceases to have any meaning whatsoever. The question arises how this situation has arisen. I will refer the House to bye-law No. 40 of the Lahore Municipal Committee. This bye-law has been approved by Government and it lays down "that the president and in his absence the vice-president shall be the chief executive officer of the municipal committee. He shall superintend the affairs of the committee generally, he shall enquire or cause enquiries to be made regarding all complaints made to him with respect to municipal affairs, he shall control the officers and servants of the committee and do in all cases what is necessary" and so on. Here certain functions are definitely attached to certain elected officers of the committee and the first rule is a plain contradiction of the whole of this provision, because as I read it, it says the executive officer is the principal executive officer of a municipal committee. The situation then is this that by these rules, if this rule is a correct interpretation of the Act, you have completely emasculated the municipalities to which these persons have been appointed, and in order to be perfectly sure that in the matter of employment of servants or in the matter of control of staff there should be no trace of power left with them the Ministry has proceeded not under the rules as it should have done, but under executive orders to further interpret the law placing all the control of municipal servants under the executive officer, and laying down that he is the sole appointing authority of a certain class of servants which in fact puts in his hands the appointment of all servants of the committee. These are very clear considerations which we are entitled to take into account when we are considering whether Government incurs any obligation when it decides to make rules, and, if so, what is the character of

that obligation. It is my submission that Government does incur an obligation. It is one of those points at which the intention of an Act becomes clearer than at any other moment, and Government should pause and realise the logical consequences of the legislation giving rise to the rules. This is a clear obligation which Government incurs when it undertakes to make rules. The second point is that it is only fair that when you put a section in an Act under which rules may be made and that these rules must come before this House, Government has no right to proceed in this indirect way to achieve its objects without consulting this House.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) :

5 p. m. We have spent many days in committee in making the rules, yet the things are really so complicated that it is not possible to frame them so as to satisfy everybody. The effect is that certain rules which were made by the majority in the committee, we must admit, are defective. Government have laid before us now seven rules, all of them equally important. I am not going to criticise every rule because in my opinion some of the rules must exist. But there are certain rules which I think we must change.

First comes the provision relating to the power of transfer given to the executive officer under the proposed rules. When we say that the executive officer has the right to transfer any person getting a pay of less than Rs. 100, it may be that in certain municipalities he can transfer all the employees, because there would be no officer drawing over Rs. 100. We should classify the municipalities and confer this power with reference to, say, the first class municipalities. In some municipalities even the secretary will get a pay of less than Rs. 100 and the executive officer is given power to transfer even the secretary. Again in certain cases it may happen that even the executive officer draws less than Rs. 100. Is it the intention to give such an officer power of transfer up to Rs. 100? The rule appears to me to be ridiculous for it lays down that whatever be the pay of the executive officer, whatever be the status of the municipal employee, the former shall be at liberty to transfer the latter provided the pay of the latter does not exceed Rs. 100. We do not want that the municipal committees should be deprived of the powers of transfer, but that the executive officer may also be given powers of transferring simultaneously. What we do want is that in the case of certain officers who are not the immediate concern of the municipal committee and whose grade or status is so low that the committee should not worry itself about the question of transfer the executive officer should have the power of transfer in his hands. For example, in the case of technical staff like overseers, etc., or clerical staff of the lower grade or in the case of employees such as sanitary sub-inspectors, we will not mind the power being given to the executive officer. If, for instance, one typist is to be transferred from one section to another, surely the municipal committee should not insist that it must be effected through it. If these ordinary transfers are to be left in the hands of the committee the fear is that they may take a long time. Hence it should be proper that the executive officer should have the power in regard to them. Again, by giving the power of transfer to the extent provided in the rules we are creating a great jealousy between the small municipal committees and the executive officers. We must in a way specify what kind of officers the executive officer can transfer. Simply

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to say that such employee should be drawing less than Rs. 100, which means that in the case of some municipalities we are handing over all powers of transfer to the executive officer, is only to create jealousy between the executive officer and the municipal committee. The limit of Rs. 100 may not be excessive in a place like Amritsar or Lahore, but it is certainly excessive in the case of smaller municipalities. Government should at least try to clarify the position by saying what sort of persons with what sort of status are liable to the powers of transfer given to the executive officer. I should think that even a limit of Rs. 45 is too much in certain cases. The only course before Government is to grade the municipalities and restrict the power of transfer in the case of higher grade committees, or they should give the status of the employees who could be transferred. As the rule stands at present, the rule can be made to appear that a typist in the health department cannot be transferred to the finance section of the committee's office. A technical man should in no case be made to work in the non-technical side. It may be said that this is a far-fetched apprehension. But when jealousy springs up between the executive officer and the municipal committee it is not improbable that such transfers would take place. I agree that it will not happen in the ordinary course. I quite realise that an executive officer who does such transfers would receive admonition from Government probably though he may defy the municipal committee otherwise. I agree with my honourable friend the previous speaker that every executive officer must be made to realise that he is responsible to the municipal committee. Certain executive officers, I am glad to say, as in the case of the officer in Amritsar, are willingly co-operating with the committee, but there are others who take shelter behind the dots and dashes of the Act and who seem to think that as it is the Government that appoints them, [they are in no way servants of the municipal committee and that they would receive orders only from Government. I think this tendency should be checked and severely checked at once. They must be told to realise that although they are appointed by Government, it is because the committee could not come to a conclusion within itself on the question of his appointment, and that they are appointed by Government on behalf of the municipal committee, and that so long as they are in service they are the servants of the municipal committee and have only to look to Government when their rights are in any way transgressed. So, there appears to be no harm in making it clear that they are servants of the committee. As it is, the executive officers think that because the Act had been brought into force by Government against the wishes of certain municipal committees, so the Government are against the committees, and that the executive officers are at liberty to do anything they please, and expect to be supported by the Secretary, Transferred Departments. To check this growing tendency it should be made clear to them that the Government comes in only as a supervisory body, and to my mind there seems to be no harm in stating clearly in the rules that they are responsible to the committees alone.

Another point is that although we discussed the sixth rule in the draft very exhaustively in the standing committee and we passed the draft which was much better than the one put up by Government, our views are ignored in the rules put up for objections. We said that if the budget was re-

jected or amended by the commissioner, it should come back to the municipal committee. Unfortunately that portion of the clause has been deleted in the rules by Government although we discussed it fully. I say if this is the result of the deliberations in standing committees it is wasting the time of Government officers and wasting our time to appoint such committees. I do not know why the Secretary or the Honourable Minister failed to bring that point before Government and embody it in the draft rules. It was a recommendation to which the Honourable Minister was himself a party having been a member of the committee. The question is what would happen if the commissioner altered the budget of the committee? The rules are silent on the question. The executive officer cannot amend it. The deputy commissioner cannot amend it. Even the Government cannot amend it. If the commissioner amends the budget, and if the budget is not passed, the municipal servants will not get their pay, and the municipal committee will be in a fix and the whole business will be paralysed as it may take months and months before the matter is settled. It will be harmful to the municipal servants and to the public at large that the budget should be allowed to hang fire for months because the Government have not provided for that contingency.

The Honourable Dr. Gokul Chand Narang : I do not think the honourable member's memory is serving him right.

Shaikh Muhammad Sadiq : No. I remember very well that this was fully discussed. The Secretary should have made a note of it. If it is not there, it comes to this that we should keep a note of every bit of what passes at the committee. We usually pass a clause and leave it to the Secretary to put it in proper language. I hope Mr. Marsden will scratch his head and recollect that this point was discussed in the committee at length, and it was ultimately decided that if the commissioner amends or rejects a budget it should be sent back to the committee again for approval so that the committee could accept or reject it. Under the draft rule it was laid down that the executive officer shall at once inform the deputy commissioner who will send the budget to commissioner along with any modification which the Finance Department may have proposed. What I am still at a loss to find out is, why this point as regards commissioner has been left out. Under the old rules it used to come to the commissioner also for final approval. I do not know what will be the effect of this rule and whether it will take away the power altogether from the commissioner. We discussed this in committee, and we decided that it should be sent on to the commissioner and that the deputy commissioner should only be a sort of post office. Government in framing these rules should have seen the existing rules and have tried to bring the present rules in a line with the old rules as far as possible.

Then under rule 4 the executive officer is empowered to conduct enquiries unless the committee appoints some other person to do so. This would give rise to unnecessary and bitter differences between him and the municipal committee. Ordinarily when an enquiry is to be made it should be left to the committee to appoint any person or persons to make an enquiry. When you say in this rule that the executive officer shall make an enquiry and now if the committee passes a resolution that he should not conduct

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the enquiry it would be tantamount to a vote of censure on the executive officer. It would be understood that because a committee passed such a resolution so the committee has no confidence in him, hence we must avoid this situation arising. I hope Government will frame rules in such a way that it should be incumbent on the committee at the time when they are ordering an enquiry whether that enquiry should be conducted by the executive officer or by somebody else, but the committee should be left free choice. In fact I should leave out the reference about the executive officer altogether because it should be left to the committee to say as to who should inquire into the case. If the committees are sensible they would leave the enquiry to the executive officer himself. If we retain the rule as it is then in many cases it is likely that a member will accuse the executive officer with partiality and would like the enquiry conducted by some one else. In this way every day bickerings will go on, and it would be an insult to the executive officer to be brought in again and again into the discussion.

The Honourable Dr. Gokul Chand Narang : Does the honourable member want that word 'shall' be changed to 'may'.

Shaikh Muhammad Sadiq : Something like that. We should not give a chance to members to unnecessarily attack the executive officer. Then the rule says that in cases where he has power to dismiss the employee he shall himself institute an enquiry. I propose that the word 'shall' be changed into 'may'. Do you mean to say that because the executive officer is there, the municipal committee ceases to function? I think in cases where the executive officer dismisses a man the committee should first confirm the dismissal. The rule says that the executive officer shall report for the information of the municipal committee all orders of dismissal passed by himself. There is no question of information. The question of dismissal must be placed before the municipal committee which should confirm the executive officer's orders. If the committee agrees then the dismissal is final. If the municipal committee does not agree, then the matter must be placed before a third party, viz., a deputy commissioner or some other officer.

Then the municipal committee has no right even to question whether the executive officer has rightly or wrongly dismissed a municipal servant. Every employee of the municipality drawing up to Rs. 45 is a Government servant as he is appointed by the executive officer who is himself a Government servant. The rules have been framed in such a way that the executive officer cannot be selected by the municipal committee, and naturally he is appointed by Government. What is wanted is summary power to be given to the executive officer, but let the matter also be discussed by the municipal committee. The executive officer dismisses a subordinate. The matter is brought before the municipal committee for information. If they approve of it, it should be considered that the man is dismissed. If not, then the matter should be placed before a third party. Even in the case of dismissal of a chaprasi in the Financial Commissioner's office the appeal lies in the Financial Commissioner.

Previous to this Act the municipal committee had power of dismissal, but now under this Act that has been handed over to the executive officers. All that the municipal committee can do now is to start discussing when a matter like this is brought before it. They can do nothing but discuss and discuss. If you think that the committees should do something, give them some power, do not just place the information before them, for they will only start useless discussion and waste time.

(At this stage Mr. President resumed the chair).

I am personally not in favour of controversy. I think that administration must be carried on, and it should be carried on with the least quarrel and as smoothly as possible. Do not throw this apple of discord before the municipal committee. The atmosphere there is different from the atmosphere we have in this House.

Then I come to the question of communications addressed on behalf of the municipal committee to the local Government or to the officers of the local Government. Our rule says that all communications should be signed by the executive officer. The executive officer is no doubt the head executive authority, but he should be addressed in such a way as, for example, the Government is addressed, as the Governor in Council. Something should be done to show that they are really addressed to the committee itself. If you address letters to the executive officer you will eliminate the committee altogether. The communications should be addressed in such a way as to show clearly that they are meant for the committee. Let them be addressed to the municipal committee itself or let them be addressed to the president of the committee. Under the present rule every letter would be addressed to the executive officer. You should make it clear that every letter which comes to the executive officer and every letter which the executive officer sends is the property of the municipality. The executive officer should not be able to say, as did the Executive Officer in Ludhiana, that the communications he receives from the deputy commissioner is a private communication. An executive officer can communicate with the deputy commissioner only as an executive officer. *(A voice: But the rule does not authorise him to do so).* There seems to be a loophole. If there is not, I am very glad, but I would like to see that the executive officer does not get any letter which he can keep as confidential from the municipal committee. Every member of the municipal committee should have access to that letter, and should have the right to send for it. He should not be in a position to write anything confidentially to Government. All communications which he answers must be kept on record, and should be available for every one. *(A voice: That question is not before us, and this rule does not encourage such a thing).* We have to frame rules. This rule can be changed in such a way that it will make it clear that all correspondence is the concern of the municipal committee and that all papers should be on the file. We must create the idea that the executive officer is there for the good of the public, and that he is a municipal servant for the good of the municipal committee. I am very glad that as a rule executive officers are very sensible, and they are experienced, but we have to deal with all sorts of people. Some of them think that they can write privately against municipalities to the deputy commissioner, and that all such communications are his private property. Therefore whenever they deal with correspondence officially it should be official

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correspondence. It may be that they do not want to show it to every member of the public, but the correspondence should be open at least to the president, vice-president or some other similar officers of the committee. But it must be made clear that all communications which they receive and communications which they send are the property of the municipal committee, and they cannot keep anything from the municipal committee. They spend the stamps of the municipal committee, they use municipal stationery. They may write any letter that they like privately to deputy commissioners in their own names as any other correspondent will write, but anything received officially they must put before the committee. An executive officer should not enter as far as possible into party politics, and he should be a servant of the municipal committee.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): Sir, first of all I would like to invite the attention of the Honourable Minister for Local-Self Government to the answer to a Council question by me which runs as follows:—

Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of municipal committees where executive officers have been appointed by the Government;
- (b) the number of those municipalities which did not co-operate with the executive officers;
- (c) whether Government is aware of the general opinion that the executive officers are a source of trouble rather than a help to the municipal administration?

The answer to the above is as follows:—

- (a) Nine.
- (b) The question of non-co-operation did not arise. The executive officer is the servant of the committee.
- (c) No.

Well, Sir, if you appoint a servant you should naturally expect him to obey your orders and carry out your instructions. Supposing on my request or otherwise the Honourable Minister appoints a servant. But if the latter were to perform the duties that I assign to him or if he were to work under my instructions he would in fact be my servant rather than that of the Honourable Minister. It is said that the executive officer is a servant of the committee. But as a matter of fact, he has been placed over the head of all other municipal servants thus depriving the committee from its control over the municipal administration. He is all in all. The municipal committee has absolutely no control over him. Of course it is stated in the answer given to the question quoted above that the executive officer is a servant of the committee. How can that be when the duties that he is required to perform are assigned to him not by the committee but by the Local Government? The draft rule No. 2 reads as follows:—

The Executive Officer shall be responsible for the general control of the Municipal Office.

But to whom shall he be responsible? To the Honourable Minister or to the Local Government? If he is responsible to the Minister he is in fact the Minister's servant and not of the committee. The Minister is the appointing authority. He has to work under the Minister's instructions and still it is said that he is not the Minister's servant. This is the worst form of irresponsibility. This is the ugliest phase of bureaucracy we have ever known.

The Honourable Dr. Gokul Chand Narang : (Live and learn).

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Chaudhri Afzal Haq : Supposing I request the Honourable Minister to appoint a certain person to a certain post—though I actually never did this before—and he in fact appoints him on my recommendation. If I were to issue instructions to him while sitting in my native place, Garhshankar, nothing would look more objectionable than this. The executive officer is himself a servant although he is placed over the head of all other servants. But sometimes he asks his master to dismiss certain other servants irrespective of the fact whether the work would thereby suffer or not. This is how he is doing. In fact the Honourable Minister has not so far made up his mind although he has stated in the answer to the Council question referred to above that the executive officer is a servant of the committee. No gentleman can ever tolerate the existence of a servant on whom he has no control whatsoever. Such a servant would either be kicked out of his job or he would himself leave the service. Similar would be the fate of these executive officers. They would either themselves leave service or the committees would cease to exist. No one can ever like to confer such wide powers on his servant.

The Honourable Dr. Gokul Chand Narang : Question.

Chaudhri Afzal Haq : The Honourable Minister may question, but the fact remains that no authority can ever engage such a servant.

The Honourable Dr. Gokul Chand Narang : Are we now discussing the Act or the Rules?

Chaudhri Afzal Haq : I am not at all referring to the Act, I am merely discussing the position it has created.

The Honourable Dr. Gokul Chand Narang : I think the honourable member is probably unaware of the provisions of the Act, and therefore he is arguing as if we were providing something new. These rules are simple made to simplify the powers given under the Act. He is objecting to the provisions of the Act which is irrelevant.

Mr. President : The honourable member should confine his criticism to the rules.

The Honourable Dr. Gokul Chand Narang : Knowing that the rules are subject to the Act.

Chaudhri Afzal Haq : I am referring only to the rules. But it has become a habit with the Honourable Minister to interrupt, although it is a habit with me to go on with what I have to say, in spite of such interruptions.

The Honourable Dr. Gokul Chand Narang : I think it is my right to draw the attention of the Chair when any honourable member is indulging in irrelevant talk.

Mr. President : The honourable member is not in order in making the personal remark, that it is the habit of the Honourable Minister to interrupt.

Chaudhri Afzal Haq : Well, Sir, I would now with your permission read out the draft rule No. 4 which is as follows :

When the Executive Officer takes action under rule 3 of the rules regulating the dismissal of employees, published with Punjab Government Notification No. 4421, of February the 17th 1925, he shall himself conduct the inquiry if he has powers to dismiss the employee. He shall report for the information of the Municipal Committee all orders of dismissal passed by himself.

This also aims at the same thing. The committee shall not interfere with the executive officer in the exercise of his powers. I would also invite the attention of the House to draft rule No. 7 which reads as follows :—

The Executive Officer shall be responsible for carrying out, either himself or under his orders, all auctions for the disposal, either by sale or lease or otherwise, of municipal property.

If the statement made in the answer to the Council question referred to above had also been provided in these draft rules there would have been no quarrel about it and the House would have been satisfied. I believe the Honourable Minister is anxious to see the smooth working of this Act.

The Honourable Dr. Gokul Chand Narang : Certainly I am.

Chaudhri Afzal Haq : Let him then make a provision to that effect in the rules now. To remove all doubts on the point let him say clearly and in so many words that the executive officers are under the municipal committees and that they are responsible to them in every way. By doing that he will be doing a service to the public at large.

Mr. P. Marsden (Secretary, Transferred Departments) : Sir, I am glad to be able once more to express my thanks and congratulations on behalf of Government to Mr. Sadiq for his extremely useful criticisms of the rules. He has not only given most useful criticisms in this House, but he also did all the spade work, real yeoman service, in the Standing Committee meetings held for framing these rules. In such matters he speaks with great authority. All that I want to do, in the very short time left, is to satisfy honourable members that very great care has been taken to consult all those who are concerned, the municipal committees, and their executive officers, and the local officers, and to get from them their opinions about the difficulties both of the committees and the executive officers, and to see how these difficulties can best be met by rules. A very large number of opinions were received, and many suggestions volunteered were also considered. It was found that a considerable number of rules suggested were not necessary, because the provisions that it was desired to make by rule were found to be provided by the Act itself ; and in the end, the number of rules, which it was first thought would be very formidable, were whittled down to a very small number. It appeared that it was only these 7 rules that we needed to enable the committees and the executive officers to carry out the principles of the Act.

Now Mr. Owen Roberts, who also did yeoman service in the Standing Committee on Local Self-Government, has made some criticisms to-day which I hardly thought were justified. His main point was that some more rules ought to have been included, and he went on to explain this by saying that there ought to be certain interpretations of the Act included in these rules. He pointed out that the Government has sent such interpretations

of the Act to the committees, that these were interpretations of very important sections of the Act, and that it was essential that these explanations, these interpretations, of the Act should be included in these rules, so that the public and the committees might see precisely where they stand. The particular clauses of the Act which he mentioned in that connection were two provisions, which as a matter of fact were considered by the Standing Committee on Local Self-Government. These were the provisions regarding the power of executive officers to appoint and dismiss employees of the committee who have salaries of a certain amount, and the power of the executive officers to suspend employees of the committee. Now I do not think you can possibly put interpretations of the Act into the rules. Rules are rules under the Act, and the matters which Mr. Owen Roberts mentioned are matters which it was the duty of the Government to explain to the municipal committees and the executive officers. Their explanations in each case were needed because the committees themselves intimated to the Government that they were in doubt about the meanings of these sections.

The other main objection of Mr. Owen Roberts was that these rules give too much power to the executive officers; but I think he ought to have noticed that to a large extent these rules limit the power of the executive officers. Powers of the executive officers are limited in at least four of these rules in particular, as regards budgets. Their power over the employees of the committee were given by the Act. It is quite true that a definition of these rules is to some extent an interpretation of the Act, I mean, first of all, where it is stated that the executive officer is the principal officer of the municipal committee and that servants of the committee are subordinate to him. Well, that rule was found to be very necessary because the committees and the executive officers were doubtful of the implications of the Act, and of the exact extent to which servants of the committee, were made subordinate to executive officers. In this connection I would like to observe that when one of the Bills, I think it was the Bill of Malik Muhammad Din, was being discussed in this House, Mr. Mohammad Eusooif referred to an example, I think it was the only example that was given of the abuse of their powers of control of employees by executive officers. But when I looked up that example which he gave, as I wanted to see if there had been specific examples given, I found that that was rather a good example in the opposite direction. He told a long tale about the municipal typist at Ludhiana, how he was ordered by the vice-president to do a bit of typing, and the typist informed the vice-president that he was under the orders of the executive officer as regards his duties, and that therefore he was afraid that he could not on his responsibility agree to do that work. Well, then the vice-president became very angry, and referred the matter to the president, and the two of them wanted the typist to be immediately suspended, and passed orders that the unfortunate man should not even be allowed to cross the threshold of the committee's office. Now the executive officer is, under the Act, the authority to suspend, and the executive officer agreed with the employee that the employee ought to take his orders in such matters from him. If the employees did not do so, it is obvious that the work of the committee would be extremely disorganized. The employees might be spending their time on matters which would be conflicting with their duties, and which would therefore lessen their efficiency.

[Mr. P. Marsden.]

I do not know what happend to that official, but it seems to me that he was—

Khwaja Muhammad Eusoof : He was in jail about a week back.

Mr. P. Marsden : I am only concerned with the work of that employee in that committee.

Shaikh Muhammad Sadiq : From your statement it appears that an employee of the committee cannot be asked to do anything about the committee even by the chairman. This would be ridiculous.

Mr. P. Marsden : Honourable members will agree that this much is quite clear, that the employees of the committees, in the matter of their work and their daily duties, should be responsible to the executive officer, and, that if the executive officer had not supported this employee, the efficiency of the committee in the end would have suffered. After all, the great aim of the Executive Officers Act, and of the rules now framed under that Act, is to place responsibility for the efficiency of the office and for the executive functioning of the municipal committees in one particular hand, and to separate, to discriminate between, the deliberative duties or functions of the committee and the executive functions of the committee. If a poorly qualified, an inefficient officer, is appointed as executive officer, then of course the purposes of the Act and the rules must fail. There is no doubt whatever that the duties of the executive officers are exceptionally difficult, and it is essential that you should get as an executive officer as highly qualified a man as you possibly can. That, I think, should be the aim of gentlemen like Khwaja Muhammad Eusoof and Mr. Sadiq and other members who are particularly interested in municipal administration. They should realize that they have got in the Act and the rules an instrument for improving the administration of municipal committees, and their one aim should be to see that as good an executive officer is appointed as can possibly be got in the open market, and by open competition, for their municipalities. There is not the least doubt that individual responsibility for the efficient working of the committees is the one thing that is wanted, and the absence of which has led to the failure of municipal administration, to some extent, in the past.

Mr. President : Do any more members wish to discuss the rules ?

(Several members expressed their desire to speak).

The Council then adjourned till 10-30 A. M. on Thursday, the 22nd March 1984.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL

Thursday, 22nd March 1934.

The Council met at the Council Chamber at 10-30 A. M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following members were sworn in :—

Khan Bahadur Mian Mushtaq Ahmad Gurmani (non-official, nominated).

Mr. A. S. Bokhari (Professor, Government College, Lahore).

Chandhri Muhammad Hussain (Inspector of Vernacular Education).

RULES UNDER THE PUNJAB MUNICIPAL (EXECUTIVE OFFICER) ACT.

Mr. P. Marsden (Secretary, Transferred Department): Sir, I was just saying, when the Council adjourned the other day, that it was not practicable to put into these rules certain matters mentioned by Mr. Owen Roberts, because they were mere explanations of the Act rather than rules under the Act; and I was going on to deal with the position taken up by Mr. Owen Roberts, as also by Mr. Afzal Haq, that the powers of the executive officer are so extreme and so inexhaustible as given by the Act that the rules ought to lessen their powers much more than they have done. I pointed out that the chances of salvation of municipal administration will depend on this increase of responsibility, of one individual officer, who should be able to make the administration function efficiently, and that one must discriminate between the deliberative and executive functions of a committee. Until it is realised that there must be one executive authority on whom responsibility can be fixed, there is very little hope of improvement. Probably it was a realisation of this which induced the two chief commercial bodies in this province to record their emphatic condemnation of Mr. Muhammad Din's Amendment Bill, and to record their approval of the powers given to the executive officers by the Act. I refer to the opinions expressed by the Northern India Chamber of Commerce and the Punjab Traders' Association. It is essential that the committees should appoint good executive officers themselves; and, Sir, I am sure that the views of the honourable members who have spoken, and who said that there can be no hope of committees attaining the requisite majority to appoint the best executive officer out of the candidates available, are over-pessimistic. I would prefer to be far more optimistic. I believe that the example that has been set by the little municipal committees of Bhiwani and Rupar will very soon be followed by the larger municipal committees. It is very difficult to believe that, when the health and welfare of the members of the committee

[Mr. P. Marsden.]

and that of their dependents, of their families and their wives and children, depends on the efficient functioning of the committee, there is no chance of five members out of 8, 10 out of 16, of 20 out of 32 members, being prepared to put their heads together and to select the best and the most efficient candidates out of all those who come before them for the post of an executive officer.

Mr. President : Is the honourable member discussing the draft rules ?

Mr. P. Marsden : The main point by the three honourable members who have spoken has been that you ought to lessen the powers of the executive officers, because it is quite hopeless, the law being as it is, to suppose that the committee will be able by a five-eighths majority to appoint an executive officer, and that it is desirable that the powers of the executive officer should be far less than they are at present. I think, therefore, that it is necessary to explain that it is unreasonable to suppose that it will not be possible in the near future to obtain that majority. I only have one more sentence to add on that point. If honourable members really believe that it is impossible that you can get that majority, which is only just more than a bare majority, for the appointment of an executive officer, then I think that their views on the future of self-government in this province, and their opinions regarding the future of democracy in this province, must be extremely pessimistic. One of the honourable members alluded once more to Lord Ripon and to the fact that he would be writhing in his grave because of the anti-democratic principles which we have been adopting. But I am quite sure that it is not a case of writhing, that Lord Ripon would be moving even more vigorously, if he could realise that honourable members hold that it is absolutely impossible to get this comparatively small majority, only just more than a bare majority, in a matter so vitally important.

Mr. Muhammad Din Malak : Is the honourable member in order in discussing the five-eighths majority which is not in the rules ? And no amendment has been proposed on the subject of five-eighths majority.

Mr. P. Marsden : I do not think the honourable member was present when the three members spoke the other day on this particular point. But I have done with that. Now I come to the specific objections raised by Mr. Sadiq to these rules. He took the rules one by one, and the first rule on which he dealt was rule No. 3. He urged that it should not be within the power of the executive officer to order the transfer of a municipal employee to a department for which he is not suitable. But the rule has been so framed that it is only possible for the executive officer to transfer an employee within the same department. I am not at all sure that it would not be wiser to give the executive officer rather a larger power, as he is responsible for the functioning of the municipality. But anyhow, as it stands, it is impossible to say that the power given to the executive officer by that rule is extreme. Again, Mr. Sadiq complained with regard to the powers given to the executive officer in the matter of the budget, and his complaint was that the recommendations of the standing committee had not been followed. As a matter of fact, the changes that were made in that particular section, after the meetings of the Local Self-Government Standing Committee, were

with a view to bring the rule into harmony with the Municipal Account Code. Some of the committees were doubtful whether in view of the powers given to the executive officer by the Act, it was still necessary for them to follow the provisions of the Municipal Account Code, and now it will be seen that owing to the dates which have been specified in this rule it is possible for the executive officer to present his budget, and for the budget then to be considered by the finance sub-committee, and for the finance sub-committee and the whole committee to go through all the procedure which they have been going through in the past, and for the budget then to be submitted as in past times to the controlling authorities. Mr. Sadiq complained that it is not possible now for the Commissioner to return the budget to the committee for reconsideration. But as a matter of fact, he is under a misapprehension there, because it is still perfectly possible for the Commissioner when he receives the budget to make any opinions or objections that he likes and to send it back to the committee for reconsideration.

Then, Mr. Sadiq, like the two other honourable members who spoke, criticised the rule regarding correspondence. Really it is impossible that there should be any other sort of rule except the one which has been framed. It has been explained before in discussions in this House that there is no idea whatsoever of the executive officer being treated as the ultimate authority, or of leading the public to suppose that they are not writing to the committee when they are writing to the executive officer. The executive officer is only the channel of correspondence, just as the secretary used to be. As explained the other day in a debate on the Amendment Bill, the utmost pains have been taken to expound to the committees and to the executive officers the exact position of the executive officer in this respect. There is one sentence in the instructions sent out by the Government which I will re-read, because it is obvious that Mr. Owen Roberts and Mr. Sadiq were still under a misapprehension on that point. It was therein stated :—

An executive officer should always bear in mind that letters addressed to him are really addressed to the committee, and he should be exceedingly careful in exercising his discretion in deciding whether the matter under correspondence is one which the committee would desire him to deal with on his own responsibility; and if he has any doubt concerning the matter he should consult the president.

I think there can possibly be no doubt that, as a result of this rule and as a result of the instructions sent to the committees, the executive officers must realise what is their precise function and what is the limit of their duties, in the matter of correspondence.

Then, there is one more rule which was strongly criticised by all the three honourable members, and that was the rule about enquiries into the conduct of servants of the committee. It was found very necessary, as a result of Mr. Dobson's enquiry into the affairs of the Lahore Municipal Committee, that some method should be devised not only for speeding up enquiries of that sort, but also for ensuring that they should be conducted in a way more equitable and just and fair for the municipal employees themselves. Honourable members will remember that several examples were given in that report of enquiries which were conducted by members, sometimes two, and sometimes three members of that committee, which lasted not only for six months, not only for a year but sometimes as much as even two or

[Mr. P. Marsden.]

three years. The result was that in some cases the employees had extremely hard luck. It was found that they were not to blame, and they were ultimately re-instated. Sometimes it looked as if they ought not to have been reinstated; but owing to the time that the enquiry took it was impossible in the end to come to a correct approximation of their guilt. Again, another result was that the committee was involved in very heavy expenditure in which they never ought to have been involved. For, as the result of the length of time which those enquiries took, the committee had to pay salaries not only of those officials who were ultimately re-instated, but also of the officials who were appointed in their place. It is therefore very necessary that there should be some authority, upon whom responsibility can be fixed, who shall conduct the enquiries. The enquiries cannot be arbitrarily conducted, or secretly. They have to be conducted according to the rules for enquiry into the conduct of servants which have been framed by Government, and those rules are extremely detailed and explicit. The facts against the employee have to be stated, the charges have to be read to him, he can be heard in person, and he can produce witnesses. So it is quite impossible to suppose that any employee can be dismissed without a proper enquiry and without the whole of his case being heard.

Those are the rules about which specific criticisms have been made. As I said, before, the main burden of the complaint of Mr. Owen Roberts and of Chaudhri Afzal Haq was that under the Act the powers of executive officers were too great and should be lessened. I trust, however, that honourable members who discuss the rules hereafter will confine themselves to a criticism of the rules, and not go on to criticism of the Act. And here I would point out that in the case of this particular Executive Officer Act far more was left to the Government to decide by rules than was the case in the Acts of other provinces. In most of the other Acts the powers that have been given by these rules to executive officers have been given by statute, and are contained in the Act itself. I think it will be found that all of the powers which are conveyed or which are defined in these rules can also be given under the Acts of other provinces. In some cases they have specifically been given.

I would like to add that in taking yesterday one specific example, which an honourable member once gave to show that executive officers were abusing their powers, I only mentioned that example because it did seem to me when I read it, and it was the only example then given, that it was an example not of executive officers abusing their powers but of the opposite. That is to say, it seemed a very good example of the way in which executive officers ought to see that the functioning of the municipality is carried out efficiently. I could quote lots of examples of another sort, I mean of difficulties and embarrassments that have been put by some committees in the way of their executive officers. But I do not want to do this. It is not necessary. I have noticed that all the difficulties that have arisen, and all the disputes that have taken place between members of municipal committees and executive officers, were largely due to a doubt regarding the exact functions of the executive officers, and the precise scope of their duties. And I am quite sure that when these rules have been issued, and when it is quite clear what are the respective functions of the executive officers and

of the sub-committees and of the committees, I am quite sure that those difficulties will at once disappear, and that henceforward it will be found that the working of the Executive Officer Act, and the relations of the committees with their executive officers, will be far smoother than till the present they have been.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): If some of the remarks made by previous speakers are off the point, those by the Secretary, Transferred Departments, merit the same condemnation.

Mr. President: I would request the honourable member to confine his remarks to the draft rules under discussion.

Chaudhri Allah Dad Khan: I am coming to the rules. I was only attempting to offer an introductory remark to my speech. If any reply to the honourable member who spoke last is needed I shall take it up later. I shall now take up the rules and briefly discuss them with reference to the sections of the Act under which they purport to have been made. The first rule says that the executive officer is the principal executive officer of the municipal committee and that all other servants of the committee are subordinate to him. In the Act which is in my hands, the Executive Officer Act, it is nowhere said that the executive officer is the only person for carrying on the executive duties of the committee. There are some duties which are given to him by sections 4 to 9 of the Act, but it has not been said anywhere that even in other respects the municipal committees are superseded, and that the executive officer is the only officer to carry on the executive duties. After all the duties of a municipal committee are only executive. I have not seen any committee delivering judicial pronouncements or carrying on any big administrative scheme. Their duties are all executive, and all executive work is proposed to be given to the executive officer. It means that he will be the only executive officer of the municipal committee and the president and vice-president and the secretary of the committee, with all the members, I wonder what they are there for. I am right in saying that the right of appointing the executive officer appertains only to the Government, for it has been made clear by the fact that out of the ten executive officers who have so far been appointed only one has been appointed by the municipal committee concerned. With that exception, of course, it is true to say that executive officers are all appointed by Government, and the executive officers have been made by this rule the principal men in the committee. How can it then be maintained that this department, after this rule, will remain a popular department, a department in which the voter can exercise his right? The executive officer appointed by the Government is the principal officer, and the municipal committee is turned into a department of Government. So, let no one say, after this rule that the popular element plays any part in the executive work of municipal committees. After this rule is passed, the municipalities become Government departments controlled by the commissioner, deputy commissioner and the local Government according to section 11 of the Executive Officer Act. The executive officer is not amenable to the president of the committee, for he is directly and immediately a subordinate of the deputy commissioner, the commissioner and the local Government. How can it be said that after the rules there

[Ch. Allah Dad Khan.]

remains any shred of power with the municipality? I urge that this rule is not in accordance with the spirit of the Act. When section 4 (1) of the Act was enacted it was understood that the powers which were going to be given to the executive officer would be exercised subject to any rules that might be made under that Act. It was thought by every member who supported the Act—and most of the members did not support it—that perhaps the Government would frame rules by which a brake would be applied to the unlimited power of the executive officer. Instead of that the only curb or check that was on him from the municipal committee is taken away by these rules and by those that follow it. I maintain that in terms of section 4 (1) of the Executive Officer Act this rule is *ultra vires* of the Act.

I then pass on to rule 2. It says:—

The executive officer shall be responsible for the general control of the Municipal Office. In particular, he shall see that adequate measures are taken against the loss or mislaying of, or tampering with, office files, shall issue orders for this purpose, and shall see that the servants of the committee comply with those orders. He shall see that all files are paged and indexed, and that no file is taken from the Record Room without a receipt being given for it and placed on a register maintained for the purpose.

This is exactly the business of the secretary of the committee. Looking after the office, seeing whether the clerks come in time, if the files are kept in a proper box and such other duties are properly the domain of the secretary of the committee. The executive officer, true to his name, should be given only executive duties. Why saddle him with office work and make him not only interfere with it but supersede the secretary of the committee? The executive officer has already been given powers of a secretary under section 5 of the Act, and in addition to it this rule enlarges the provision. After this rule is passed, what need is there for a secretary in municipal committees?

It was interesting that those powers in the Act were not to be exercised, but were to be kept only for cases of emergency or for cases of mismanagement. If you give this ordinary work to the executive officer, then you will be simply replacing the municipal secretary by the executive officer. Why then pay such handsome salary to the municipal secretary? These officers are drawing very high salaries, some of them as much as Rs. 500. Why do you waste all that money? You do not need the president, the vice-president or the secretary, because the executive officer can perform all the functions of those officers. This routine work of the office I have never seen being given to an executive officer. I put the question to members of Government—and some of them have been deputy commissioners—I ask them, if they were saddled with the routine work of the office in the district what would have happened? Would they be able to carry on their executive work in the villages and outside office if they were to be saddled with the routine work? Here is a file in a wrong box, I bring it to the other side. Here is a letter which has been put in the wrong file, it is brought to another file. If that sort of work is done by deputy commissioners, then the superintendent of the office would be absolutely dispensed with. Now the executive officer is in the same position. If he is to be given the work of supervising the working of the

office, he must be super-human if he can do all that in addition to his executive work. All I can say is that it will result in serious trouble. He will interfere in season and out of season with the work of the poor employees of the office and they will fear him like death. That will be the only effect, but I know that he will not be able to devote time to the supervising part of his work. How can he? Look at the secretary. The secretary is a busy man. He works all day long. He starts work at 10 o'clock and finishes it hardly before 6 o'clock in the evening. Can the executive officer sit for so long? If he thinks he can, who will do the other work for him? If this rule is passed, there will be no work left for the secretary for the whole of it will go to the executive officer. But, as I have said, why should you cripple the municipalities? If the secretary can do some useful work, why are you passing it on to the executive officer, and if he can, why retain the secretary at all? That disposes of rule 2.

I come now to rule 3. This rule is an outrage on the practice of Government up to this time. I do not know whether the provisions of the Executive Officers Act can ever justify such an interference with the established practice in the case of all public servants. It says :—

The executive officer shall not order the transfer of municipal employees without the orders of the municipal committee, unless the employee is transferred within the same department and is drawing a salary of not more than one hundred rupees.

According to section 4 (b) the executive officer is competent to deal with all those servants in Lahore Municipality who draw Rs. 45 per mensem and elsewhere with those servants who draw only Rs. 25. But by this rule you are transgressing the provisions of the Act and you are giving him powers practically over all other servants in the municipal committee—leaving Lahore and Amritsar where they are drawing very high salaries: I mean powers over municipal servants drawing not more than Rs. 100 but more than Rs. 25. The result is that not only is he controlling servants who get Rs. 25 but all other servants. Under this rule the executive officer can transfer a man from one place to another within the same department. Do you think that the municipality is a State in which one official from the Public Works Department is appointed a Judge of the Chief Court or another official of the Irrigation Department is appointed the Accountant-General of the State? This reminds me of a very amusing incident which Colonel Powney Thompson had in a State. He inquired from the Accountant-General, "Have you passed any accounts examination?" On his reply being in the negative, he again asked: "How are you carrying on, then?" "Experience," was his reply. Then he inquired of a judge of the Chief Court, "Have you passed any law examination, LL.B., or any other." "No", was his reply. "How are you carrying on, then?" "By experience," he answered.

Mr. President : The honourable member will please not bring in any irrelevant matter.

Chaudhri Allah Dad Khan : Sir, the municipality cannot transfer a servant from one department to another. It is done only in Indian States and not under British Government.

Mr. President : If possible the honourable member should not bring in Native States.

Chaudhri Allah Dad Khan : I say, if there is a man in the octroi post, do you expect him to be transferred elsewhere as a municipal engineer? You will transfer him from one place to another within the municipality in the same department and there is hardly any other work which remains. If this rule is imposed, the spirit of section 4 (b) of the Act which says that the executive officer will be competent only to deal with servants drawing Rs. 45 in the Lahore Municipality and Rs. 25 elsewhere will be violated. If this rule is made, the executive officer will be able to deal with all municipal servants because the transfer is the only thing generally with which servants are usually concerned. Transfer is the most troublesome thing to a public servant. Therefore every servant will be under the thumb of the executive officer for all time to come and the efficiency of the work will suffer. This rule is against the spirit of the Act. When the executive officer does not control the other municipal servants, why do you give him this power of transfer? The power of transfer is the greatest power that gives control over a servant. If you cannot transfer a servant, he can defy you. If you give this power to the executive officer, you are transgressing the spirit of the Act. For that reason this rule should not be enacted, and it should not be allowed to transgress the provision in the Executive Officer Act. We objected to it even then, but now you are extending it. What you could not directly do, you are attempting indirectly to do now, by giving him this power of control over all municipal servants. I have illustrated sufficiently that transfer is the chief thing which the servants fear most.

Then I come to rule 4 (a). It runs :—

When the executive officer takes action under rule 3 of the rules regulating the dismissal of employees.....he shall himself conduct the inquiry if he has power to dismiss the employee. He shall report for the information of the municipal committee all orders of dismissal passed by himself.

This is most outrageous. You cannot bring a charge against an employee, hold an inquiry yourself and then dismiss him. How can it be done? Under the Classification Rules which have been framed by the Secretary of State it has been clearly laid down—

The Honourable Sardar Sir Jogendra Singh : Do those rules apply?

Chaudhri Allah Dad Khan : We must have the spirit of those rules ever before us. In the absence of any rules the Fundamental Rules are generally applied in municipalities. It has not been the accepted principle of British administration and it has never been in force so far as I have seen from the very time the British rule came to India, that an officer brings a charge against a man, makes an inquiry into the case and himself dismisses him. This rule has never been acted upon. If there is a charge against a certain official, an inquiry is made by another officer, and on the submission of his report action is taken against that official by another official. For instance, a deputy commissioner never dismisses an official, unless an inquiry has been made by a subordinate of his and a report submitted by him to the deputy commissioner. Suppose the deputy commissioners were given the power of themselves framing a charge, themselves holding an inquiry and then dismissing servants drawing Rs. 100 or below, the whole district would be destroyed in no time, and there will be hardly any confidence-

left in the minds of public servants in the matter of stability of their service. But you are giving this power to the executive officer who is so much abused everywhere and who is so much ill-spoken of by everybody. Even the municipalities have given addresses to the Honourable Minister deprecating the appointment of executive officers. After this, do not say that local self-government is left in the Punjab. The only thing you have to do is to appoint executive officers in all the municipalities and the whole municipal administration is gone. You give this autocratic power to your officers throughout the Punjab and the whole work of the past years is undone. This autocracy is worse than Hitlerism, and you expect the Council to accord approval to this sort of rule. Even Hitler has not been so autocratic. This autocracy is being established in the Punjab municipalities. After that, do you think there will be any servant left with any sense of self-respect? For, all employees with a sense of self-respect will say good-bye to municipal employment. Do not say afterwards that there is any democratic government or popular administration in the municipalities. If they continue to remain there they will be there under the thumb of the executive officer. Even among friends, the members of the Government, there are deputy commissioners who cannot dismiss a naib-tahsildar. It is the Government that dismisses a naib-tahsildar. If the deputy commissioners are given the power of dismissing naib-tahsildars the districts will go to dogs in no time, and their administration will in no way be better than the administration in Indian States.

You are giving this power to the executive officer particularly after your experience of two big municipalities in the Punjab. The experiences of two municipalities where they have got executive officers have been brought to the notice of Government, namely Ludhiana and Sialkot. In view of these facts I really wonder whether the Governor will ever approve of these rules. These rules go against the fundamental principles of justice. Do you ever think that an executive officer, if he is displeased with a subordinate will hold an impartial enquiry against him? The natural result will be that the municipal servant will be dismissed even though he may have committed no fault.

Coming to the next sub-division of this rule, it says that if the executive officer has not the power to dismiss a servant, in such cases the committee shall have the enquiry conducted by the executive officer unless the committee decides that the enquiry should be held by some person other than the executive officer. What will happen in this case? If the finding of the executive officer is not upheld by the committee he may refuse to convene a meeting for a month, and thus force the committee to uphold his own views. The other day it was said that these official members will be departing from us, from this Council. That is for our good. We do not want them. In fact it is they that have brought Government into difficulty. They do not mind public opinion. If they had only cared for public opinion Government would not have been so maligned and so much made the butt of ridicule.

Mr. President : Is the honourable member relevant?

Chaudhri Allah Dad Khan : I am submitting that it is the Government officials who are responsible for such bad and defective rules. I mean some of the official members.

[Ch. Allah Dad Khan.]

I was saying that if the Executive Officer Act gave power to the executive officer to dismiss municipal servants drawing Rs. 25, these rules give him power to dismiss servants drawing even more salary and practically all servants of the committee. For, it would be nothing else if the executive officer is to hold the enquiry about a servant drawing more than Rs. 25; and this is what the rule provides for. The Secretary, Transferred Departments, was too hasty to rise to speak. In this connection I must refer to the lines of a poet—

ط شوق دینے میں جادے نہ کرنا محلہ، قلعہ زمانہ دیکھ لےنا

No sooner a speech is made in the Council than the official members get up to speak. Because they are officials they get the first chance to speak, of course with your permission. Now, he must get up again to reply to these arguments of mine.

The Honourable Sir Henry Craik : On a point of order. The honourable member says that an official gets the first chance to speak. That, I think, is a great reflection on the Chair.

Mr. President : I did not catch the honourable member's words.

Chaudhri Allah Dad Khan : Several times the honourable member was stopped from going into irrelevance, and but for the fact that he was stopped by you he would have indulged in more irrelevance. For, the whole of the day was taken by him to an introduction. He admitted to-day the fact.

Mr. President : Is this a good ground for making an irrelevant speech?

Chaudhri Allah Dad Khan : I am not irrelevant. I am simply answering his arguments. There was no argument to which he replied, but he has given me occasion to reply to him. Coming to the subject before us I submit that I am justified by the remarks that I have made in saying that this rule is an outrage on the British sense of justice.

Mr. President : How many times does the honourable member propose to repeat this argument?

Chaudhri Allah Dad Khan : I have now done with this rule. I shall now proceed to rule 5. This is a very funny rule, and I am sure you will be amused by it.

Mr. President : I request the honourable member to be brief.

Chaudhri Allah Dad Khan : You have not fixed any time limit.

Mr. President : But the honourable member has taken more than half an hour. Many members wish to speak.

Chaudhri Allah Dad Khan : Very well, Sir. If you read rule 5 you will yourself feel amused. It reads—

All communications addressed on behalf of the municipal committee to the local Government or to the officers of the local Government shall be signed by the executive officer.

This is really ridiculous. There is, first of all, no mention as to whether he is to sign the communications on his own account or on behalf of the

president. Suppose, for instance, the president writes a letter to Government complaining against the executive officer. Suppose the president wants to inform the Government that the executive officer is not working properly or does not convene meetings properly, and that he should, therefore, be dismissed. Of course, the Government will have to be addressed for getting the executive officer dismissed, because the municipal committee itself cannot get the requisite majority to dismiss him. In such a case, is the executive officer to sign that letter? This is really funny and ridiculous. Besides there is no indication in the rules that the executive officer is a subordinate of the president. The president can of course dismiss him if he has got a majority of two-thirds of the members of the committee behind him. But the requisite majority of the committee to get the officer dismissed is an impossibility. I, therefore, submit that this rule should not exist. I believe at least His Excellency the Governor will not give his assent to this rule. There is another provision in the rule which also is worthy of notice—

All important correspondence between Government and the committee should be laid before the President and the committee for information.

Now, who is to judge the importance of the correspondence? Of course, the executive officer. The executive officer can always withhold a correspondence from the president or the committee, and yet plead that he did not do so because he did not consider it important. There is no provision by which the executive officer can be punished for this default unless it be that the committee by a majority of five-eighths decides to dismiss him, and this, as the House already knows, is an impossibility. Therefore, the executive officer will, for all practical purposes, be an autocrat.

There is only one thing in which the Executive Officer Act leaves some power in the municipal committee, and this is, the preparation of the budget. But that power too has been curtailed. The rule says that the executive officer shall prepare the budget and put it before the municipal committee. If the municipal committee does not meet for a month thereafter, or if it does not adopt the budget within a month, then the executive officer will at once intimate the fact to the deputy commissioner with the modifications suggested by the finance sub-committee. Why should the budget be adopted within a month? Where is the sanctity in that period? Even in this Council that is not the case. It is not a rule in this Council that if the budget is not passed within one month it automatically stands as passed. There are so many checks as regards the budget in the case of a municipal committee and possibly the committee cannot decide about the budget in a month or so. You yourself, Sir, have got experience of municipal administration and you are in a good position to judge whether this rule is workable.

In conclusion I may say after reading these rules that the executive officer is in such a position that the municipal servants are under him, the budget is under him, the president is under him, the secretary is under him, in fact he may say—

I am the monarch of all I survey,

My right there is none to dispute.

Mr. Manohar Lal (Punjab University) : I have not studied the implications of these rules and I rise merely in connection with what might appear

[Mr. Manohar Lal.]

rather a formal matter, and that is rule No. 1 as it stands. It strikes me that it suffers from double defect. The first portion is a description of what an executive officer is, and the second portion relates to his powers over certain other servants of the municipal committee. You will see that the first portion which I personally did not expect to find in the rules is described in a manner that is far from happy. One might go further and say that in half a dozen words it contains a very serious blemish. You see that it runs thus—

The executive officer is the principal Executive Officer of the municipal committee.

Was it intended deliberately to commit a howler or does it show some special wisdom on the part of the department? "The executive officer is the principal Executive Officer," and you will see, Sir, that the second time the executive officer figures here, also you have the capital letters, Executive Officer. I could understand an executive officer being defined as the principal executive authority of the municipal committee. That would have some meaning though I would like to see it elsewhere in the Act. But to say that the sole executive officer, the only person who can be so described, is the principal executive officer of the municipal committee certainly is beyond me, and I feel this, without having investigated the rules any further, that those responsible for drafting these rules did not exercise that measure of care which draft rules on an important topic of this description which have agitated the minds of this Council should have received. They should have received a more serious attention, and I trust that, before these rules are issued to any of the municipal committees, where the prying eyes of critical school masters may pick defects, that this matter at any rate will be set right.

Khwaja Muhammad Eusoof (South-East Towns, Muhammadan, Urban) (*Urdu*): Sir, I shall be content with making a few observations with regard to each one of these draft rules in the light of my personal experience. One thing that is clear beyond all doubts from these rules is that the Honourable Minister appears to be bent upon taking away what little life remains in the local bodies. He is perhaps anxious to make them altogether lifeless. Take rule No. 1. It proposes to give complete control over the municipal employees who are paid from the public fund and not by the Government. Sir, it is hardly necessary for me to say that even a most well-intentioned executive officer cannot be expected to take as much care of the welfare and interests of the public as those who are elected and returned to these local bodies by the public, and who depend for their very existence in them on the votes of the public at large. It is only these representatives of the public who can be fully entrusted with the use of money that is paid by the public in the form of taxes to a municipal committee. Similarly, the employees of a local body must have the interest of the public very dear to them if, of course, they are, and they know that they are, in service, or that they will continue to be in service if they discharge their duties to the entire satisfaction of the representatives of the public. But this rule will make them independent of these representatives. They will naturally make every effort to please one individual who is proposed to be given complete control over them. They will cease, then, to care very much for the interest of the public. There is another point worthy of note in this connection. The superin-

tendents of water works, the health officers of the committees and the municipal engineers, who usually are men of high qualifications and high status and who in almost all cases possess British qualification such as Diploma in Public Health, will feel it a standing insult for them if they are placed under the executive officers. They will never be able to put their whole heart into their work, and thus the administration of the local bodies will very much suffer. Another result that will follow from this rule is that in order to please the executive officers, who will have very wide powers for the retention, promotion and dismissal of the municipal employees, the servants of the local bodies concerned will not hesitate to criticise and backbite the members, and particularly those members who may not be on good terms with the executive officers. The members will also split up into parties some on the side of the executive officer and others against him, and thus there will come to be created factions in the local bodies which are already proving a curse to the public life. These servants of local bodies and some of the members too will also go so far as to use the press and the platform in vilifying some and in praising others as was done in the case of the Ludhiana Municipal Committee. The Honourable Minister and his Secretary are, I hope, aware of it. It is, therefore, easy to judge that the municipal committees will be turned into cockpits, and the interests and the welfare of the public will be totally ignored and sacrificed. In this connection it should also be borne in mind that the executive officer will not be able single-handed to look to the work of a large number of servants of the municipal committee, and the result will be that corruption will prevail as it is already prevailing in these local bodies. I know a number of such cases of corruption, and if the Honourable Minister and his Secretary were to ask me I can let them know of these cases. But I shall refrain from making mention of them here as these are confidential. Time was when secretaries of these bodies used to be all in all, and when they used to take a keen interest in the affairs of these bodies. Even now they take a good deal of interest in their work. But now under these proposed rules they will be mere figure-heads, and they will certainly cease to take any interest in the performance of their duties. They will do only as much as will entitle them to earn their pay and nothing else. In short every one connected with these local bodies will cease to take care of the interests of the public, and I should think that most of them will play into the hands of the executive officers who, of course, will always be backed by the Government.

I now pass on to rule 2. This rule, if made, will make the position of the presidents and the vice-presidents of municipalities very anomalous. According to this rule it will entirely depend upon the executive officers to show or not to show any file to the presidents and the vice-presidents, and for the matter of that to the members concerned. And if any of these happen to be a little hot-tempered and insist on being shown a particular file, it will be very easy for the executive officer concerned to dismiss his request on the plea of discipline. He will at once say, 'Please get away, it is against discipline to show you the file' I admit that there will be members who will be afforded every facility to have access to the records of a local body as being favourites of the executive officer concerned. But that differential treatment will also go to create factions and ill-will between different groups of members, and this is a state of affairs which no sensible man would like to see.

[Khawaja Muhammad Eusoof.]

Rule 3 which gives powers of dismissal, etc., to the executive officers is also absurd on the face of it. I ask, how will it be possible for one man, I mean the executive officer, to know the capabilities and judge the efficiency or inefficiency of so many servants of a local body. It will be conceded that it will not be possible for him to so judge them all, and therefore it appears ridiculous to give him this power over all the employees of a municipal committee. The Honourable Minister and his Secretary will perhaps say in reply that he will consult the immediate officers of the servant or servants to be dismissed or otherwise removed from service. But I say that these immediate officers, whether municipal engineers or health officers, will never dare to go against the wishes of the principal executive officer. They will not oppose the latter who is even now looked upon by them as a spy of the Government, and they will even go so far as to be dictated by him. It is, therefore clear that he will have his way everywhere in these matters. Conscious of his unlimited powers he will use them or rather misuse them to annoy some of the members not belonging to his party. He will post a sanitary inspector known to such a member at a place where he will have to face troubles, and thus he will make that member feel how much harm he can do those opposed to him. He will use his tactics to win over to his side even some of the independent members. I very much fear that the servants of the municipal committees will, on the enforcement of these rules, cease to care for their immediate officers, and it is not very unlikely that as a result of this attitude of the servants the work and the administration of these bodies will suffer very much. I will not be surprised that if after some time a deadlock is created by such a conduct of the servants of the committees.

Now I come to rule 4 (a) and (b). It will suffice to say in this connection that if this rule is enforced the committees will cease to function in the real sense of the word. Everything will be done by the executive officer, and the committees will have to be content with noting for their information all that the executive officer will have done.

My honourable friend Chaudhri Allah Dad Khan Sahib has rightly pointed out that according to rule 5 it will be for the executive officer to decide what papers should be laid before the president and the committee and what papers should not be so laid. In the circumstances there will be many things connected with the administration of the municipal committees which the presidents and the committees will never come to know of. This is really going too far. It is very strange that the representatives of a public body, who are there to safeguard the interests of the public and who alone hold the trust, should be kept ignorant of so many things which the executive officer may not deem it necessary to bring to their notice. Who is he to decide what matters are worthy of the notice of the representatives of the public and what are not? It is in the interest of public and of good administration that every little matter should be brought to the notice of its representatives and every paper, even a small *ruqa* that may be received by the committee, should be put before the president and the committee as a fresh receipt. I hope the Honourable Minister will see the wisdom of this suggestion and will see that this power is not given to the executive officer.

Rule 6 deals with the preparation of the budgets of the municipal committees. According to this rule it will be incumbent on the municipalities with executive officers to prepare their budgets by a certain fixed date after which the budgets prepared by the respective executive officers will be taken to have been prepared and adopted by such committees. One who is aware of the way in which papers sent by the municipal committees are dealt with in the offices of the deputy commissioners and commissioners will at once realise that in almost all cases the budgets will be prepared by the executive officers, and under this rule the estimates so prepared by them will be thrust upon the committees. The Honourable Minister will perhaps say that the date has been fixed to expedite the work and to see that the estimates of expenditure and income are submitted by the committees in time. But how should I believe that he genuinely desires to see the work expedited when I see that no provision has been made to compel the deputy commissioners and the commissioners to expedite the work in their turn. The Honourable Minister cannot be ignorant of this fact that these estimates and in fact almost all correspondence by the municipal committees are withheld in the offices of the deputy commissioners and the commissioners for an unnecessarily long time. But no action has been taken against them and no action will ever be taken against them in future too. It is only the poor local bodies that are made victims of every rigid and hard and fast rule.

In the last rule the climax has been reached. I need hardly say that under this rule the executive officers will be able to do what will please their fancy, and there will be no one to check them. The public fund—and I should say the public trust—which is so sacred in the eyes of the members as representatives of the public will be mercilessly misused. The executive officers being ignorant of the administration of local bodies will entrust this work of auctioning to their subordinates and to their favourites, and you can very well judge what will be the fate of the trust so sacred to the members.

The Secretary, Transferred Departments, was pleased to refer to the case of a clerk in his speech which is now a thing of the past. I can quote a number of other cases of a more serious nature about which it will not be possible for the Secretary or the Minister to give a satisfactory explanation. But I refrain from making any mention of them as the matter is not strictly relevant to the rules under discussion. If the Government is bent upon enforcing these rules as it appears to be, it will be better to supersede all the local bodies. It is no use having elections and spending so much over them. Let them be taken over by the Government once for all.

Mr. President : Which rule is the honourable member now discussing ?

Mr. Labh Singh : He is discussing the spirit of the rules.

Khwaja Muhammad Eusoof : I say that if the rules are to be enforced it is better not to stage a farce and to run elections. It is no use continuing these local bodies any longer if the Government is bent upon destroying the very spirit of local self-government. With these words I oppose these draft rules with the contempt they deserve.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadan, Rural): Sir, whenever any matter relating to urban areas comes under discussion I have to make a conscious effort to make myself interested in it. The present rules relate to matters of urban concern. However, as these rules relate to a subject to which the greatest possible importance has been attached by successive generations of Indians, I think it is only right that I should speak a few words with regard to them. Local Self-Government has always been regarded as the best possible training ground for the exercise of higher powers by Indians, and, therefore, anything which relates to the sphere of local self-government should be a matter of paramount concern to everybody. Now, when the Executive Officer Act was passed people felt perturbed as to the reaction which it may have on the field of local self-government. That Act was passed, executive officers were appointed under that Act, and now it remains to be seen how these officers exercise their powers; whether these executive officers exercise their powers in a manner which will leave the institution of local self-government in a state of normal strength or they exercise their powers in a manner which will be found more conducive to the growth of local self-government or they exercise their powers in a manner which will have the effect of killing local self-government in this province. I am afraid the appointment of executive officers by municipalities themselves under that condition is really impossible of fulfilment, that is, appointment by a five-eighths majority. That in itself was bad enough. Now the rules that we have before us go to show that these executive officers are going to have powers which will in the end entirely kill local self-government in this province. It is really a matter for the greatest pity that local self-government should receive its quietus, its last mortal blow, in the time of a minister who once called himself a nationalist and a swarajist. I would make an appeal to him to consider whether these rules will not be abused by executive officers who are in 90 per cent. cases officers of Government. The relative importance which requires to be attached to these rules is also determined by the fact that executive officers are in 90 per cent. cases those who are, both in form and in fact, nominees of Government. Therefore these rules require to be studied with great care.

Now I will come to rule 1. Rule 1 lays down that all other servants of municipal committees will be subordinate to the executive officer. From these words it seems to follow that the executive officer also is a servant of a municipal committee. I wonder whether it would be right to call the executive officer a servant of a municipal committee. Of all the features, of all the incidents which characterise a servant, the most important feature is one which relates to appointment and dismissal. Now in 90 per cent. cases the appointment and dismissal of an executive officer rests, as experience has already made abundantly clear, with Government. Further, I come to the second portion of rule 1 where it is stated that all other servants of a municipal committee will be subordinate to the executive officer. This rule has the definite effect of creating a hostile and parallel government within a government. Municipal committees of the province had within certain definite limits certain powers which they exercised for the good of the population which was within their jurisdiction. Now this rule creates a parallel authority within a municipal committee which has been

authorised to exercise those powers. This rule brings about a very real conflict between the municipal committee as a whole on one side and the executive officer on the other, and also between the president and vice-president of a municipal committee and the executive officer. Are municipal servants to be subordinate to the executive officer or the president? The president is the elected representative of the House, a member who has been elected by the representatives of the people to exercise certain powers within the sphere of a municipal committee. Here you shove in another man over whom neither the municipal committee, nor the members of the municipal committee, nor the president, nor the general public have any control whatsoever. Thus so far as the exercise of municipal powers is concerned, there will be a real and genuine conflict between the president as the elected representative of the people on one side and the executive officer as the nominee, in 90 per cent. cases, of the Government on the other. Therefore the public naturally will feel perturbed as to the manner in which this conflict is going to affect the cause of local self-government. Among all conflicts between popular representatives and nominees of Government it is not very difficult to say which way the sympathy of the local Government will lie. Now the Secretary, Transferred Departments, was pleased to say that these executive officers are perfect angels, they will carry into effect the policy which underlies these rules in a spirit of sweet reasonableness. Well, the instances which he himself quoted and the view which he himself expressed with regard to them go to show that these executive officers are far from being angels, and the view which the local Government takes of the manner in which they exercise their powers is anything but one which will have a reassuring effect on the minds of the public. One of the incidents quoted related to the municipality of Ludhiana. The vice-

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president ordered a certain clerk to type a letter, not a private letter but a letter relating to the business of the municipal committee. That clerk had the impudence to say that he was not going to take his orders from any one but the executive officer himself. And the Secretary in the Transferred Departments maintains that that was a perfectly reasonable view. If that is the view of the Secretary, Transferred Departments, I will only say that the sooner the municipalities are superseded under section 233 of the Act and the whole fabric of local self-government is brought to an end, the better. Where is the use of having these sham municipalities, where is the use of having elected presidents, or having elected vice-presidents, who cannot exercise power even over a servant for whom they pay? It is not the local Government which pays these clerks; it is not the Secretary, Transferred Departments, who is responsible for the payment of the salaries of these clerks. Nor is it the Minister who pays from his pocket or from provincial revenues the salaries of the clerks. And yet, the Secretary, Transferred Departments, stands up in this Council and says that the attitude taken up by the typist was perfectly reasonable. If this is the spirit which is going to be displayed by executive officers and if this is the attitude which is going to be adopted by the representatives of local self-government in this Council I can only say that local self government will soon come to an end. It exists only in form. The substance is already gone. Therefore I have the strongest possible objection to this rule. All the servants of the municipal committee should be subordinate either to the committee as a whole or to its elected

[R. B. Ch. Chhotu Ram.]

representatives, the president and in his absence the vice-president. The executive officer should only be in a position to make suggestions to the president or the vice-president, and after he has made his suggestion take orders with regard to municipal employees from the elected representatives of the people in the committee. He should not be in a position to issue independent orders which may be repugnant either to the municipality itself or to its elected head for the time being.

I have nothing to say with regard to rule 2.

But on rule 3 I have to make certain observations. The rule is worded in such a manner as if the object of the rule were to place a restriction on an already existing power of the executive officer, while the real object is to invest him with certain powers which did not exist before. I will just read from that rule. The rule reads as follows :—

The executive officer shall not order the transfer of municipal employees without the orders of the municipal committee, unless the employee is transferred within the same department and is drawing a salary of not more than one hundred rupees.

The object was to invest the executive officer with powers of transfer of a certain class of municipal servants. The wording is such that it may incline a superficial reader to believe that the object is to restrict the powers of that executive officer, that he shall not transfer such and such servants unless the transfer takes effect within the same department. Here again my objection is the same. The executive officer should have no independent powers of transfer over the servants of a municipality. He should exercise his powers only after he has received orders from the president of the municipality. Unless this is done there will be a perpetual conflict between the municipality and its executive officer. The municipality may or may not like the transfer of a particular servant from one post to another post, from one set of functions to another set of functions. The executive officer may take it into his head to transfer a particular man from one branch of the same department to another branch without regard to the wishes of the municipality or its president. Here, again, if there is a conflict, I beg to submit most respectfully, but most emphatically, that the will of the elected representatives of the people should prevail and not the will of the nominee of the Government. If the object is to ensure the efficient working of these local bodies, if the object is to introduce an element of greater efficiency into the administration of municipal bodies I beg to submit that every possible step should be taken in order to eliminate every element of friction. Instead of doing that you have introduced a very large element of friction here. I am not speaking of the Executive Officer Act at all. I am speaking of this rule which has been framed under it. There should be no independent power entrusted to the executive officer of transferring any class of servants except under the orders and, in some cases, after the approval of the president of a municipality.

Lastly, I come to rule 5. This rule relates to any correspondence that may pass between a municipality and the local Government. The rule enjoins upon the executive officer that he should place all important correspondence before the president or the municipality concerned. Here again who is going to interpret the word 'important'? It is not the president

who will have the right to interpret the word, it is not the municipality which will have the right of interpreting this rule. The discretion to interpret this rule lies exclusively and solely with the executive officer. He may characterise any correspondence as unimportant which may be really very important. If his mistake is brought to the notice of the local Government, the local Government at best, may say "After all it was an error of judgment, and not a very serious thing; we therefore wish that the matter may be regarded as closed." This may lead to perpetual conflict between a municipality and its executive officer. The municipality may regard a score of letters as important which have been regarded by the executive officer as unimportant and which have been withheld from the municipality or the president or both. Therefore I beg to submit that the invariable practice should be for every letter to be placed before the president who is the elected representative of the people, and if he thinks that any letter or any correspondence is of very trivial moment he may not bring it to the notice of the municipality. But it should not rest with the executive officer to decide what correspondence will be brought to the notice of the municipality or its president and what correspondence will not be brought to their notice.

Another reference was made by the Secretary, Transferred Departments, to the municipality of Bhiwani. He says that the municipality of Bhiwani was after all able to appoint its executive officer by a unanimous vote and therefore there is no reason why other municipalities should not equally be able to appoint their own executive officer. (*Mr. P. Marsden: And Rupar*). Very well. Let there be two. However, I know nothing about Rupar; but I know something about Bhiwani. The unanimous resolution of that municipality to appoint its own executive officer was opposed by the deputy commissioner of the district, and it was after several months when an executive officer selected by the municipality itself was allowed to be appointed. This came about only after the original resolution had been passed unanimously once over again. If that is the extent to which local officers can go in order to interfere with the actions, decisions and resolutions of one municipality, what guarantee is there that other municipalities would be encouraged or allowed to appoint their own executive officers? After all, two out of eleven is not a very large percentage. It is a hopelessly disappointing percentage, and I feel that not only is the rule of five-eighths majority hard to fulfil but the attitude of local officers is in general very hostile to the fostering of a real spirit of local self-government in these bodies. Therefore these rules at least should be as liberal as possible. The rules should be restrictive of the authority of the executive officer. They should not be such that the executive officer may do anything that he likes whether his action appeals to the president or to the municipality or does not appeal to them, whether it is entirely repugnant to the express wishes of a municipality or whether it is in accordance with them.

I have drawn the attention of the Honourable Minister to three points. It rests with him to pay such heed to them as he likes. He may entirely ignore the wishes of this House. He is in a position to do that because he has the solid phalanx of official and nominated members behind him. If that phalanx were not there the decisions taken in this House might be different and might receive more attention than they do at present.

Mr. E. Mayadas (Nominated non-official): Objection has been raised to the rules because the rules in the opinion of certain members confer on the executive officer too great powers. The appointment of the executive officer in the beginning was objected to, and now that certain further powers have been given him, naturally objection has been raised. These objections are not entirely without some foundation, because the members of a municipal committee are looked upon as representatives of the people, and when you confer some power on the executive officer you are taking away that much power from the members. And by making these rules you give still further powers to the executive officer. That is why it is felt that the municipalities are being, if not exactly insulted, at least that injury is being caused to them. But I would like to ask one question. In the sense that municipalities are supposed to convey the maximum benefit to the taxpayers, in that sense, do the municipalities of the present day represent the people? I feel compelled to say that in the majority of cases these municipalities are not the representatives of the taxpayers.

Take the first rule. The executive officer is made the chief executive authority, and he will be held generally responsible. One thing which I feel certain that he will do straightaway will be that he will order that all plans of municipal lands be prepared. I doubt if there is a single municipality that knows where its lands are and what the dimensions of such lands are. And this will probably be one of the first things that the executive officer will do. And I believe in some cases municipalities that were given lands by Government, to be looked after, have sold those lands and pocketed the money.

Rule 2 is about the office. Is there anything objectionable in that, in requiring that files should be kept paged and indexed? I should like to know in how many municipalities the files are paged and indexed and how many municipalities have insisted on receipts for files when they go out of the office. Sir, is it not astonishing to find that in a certain municipality 508 files had disappeared, and after all the efforts that could be made only 14 have been recovered? And yet it is being objected that these rules are unnecessary and superfluous.

Take the case of rule 3—transfer of employees. Could any executive officer ever think of transferring a man except it be in the interest of efficiency of the municipality? But it is not so when members of municipalities order the transfer of an employee. We cannot close our eyes to facts as they stand.

Take rule 4 about enquiries. We find how in certain circumstances employees have been suspended and have been kept suspended sometime for about two years and after that time, according to the party in power, they have either been given full pay for the period of suspension or dismissed. In either case a grave injustice has been done either to the tax-payer or to the employer himself.

Take rule 5 which requires all communications to be addressed to the executive officer. Is it not the case at the present time that Government has to write again and again, and correspondence is neglected not for one year but for years at a time, and if in future the executive officer is to be held

responsible, is it a bad thing? Should not the municipal committee feel relieved that some one has come who will do this work for them now and also do it more promptly?

Take the case of framing the budget, i.e., rule 6. How often do we read of budgets having been framed so carelessly that municipalities were running into bankruptcy by over-estimating their receipts in order that a larger amount of expenditure may be provided for. I have got an auditor's report with me to show that what I say is based on facts.

Take rule 7 about auctions and leases. We know from audit reports how money is lost and wasted, and if a certain person is made responsible from whom we can make recoveries if anything is lost, is that rule a bad one?

Then objection is made that so much power has been given to a man who is called a servant, but who is more in the nature of a master. In this connection I do believe that the matter is really worthy of consideration whether the man should not be a servant of Government, and that he should be there only for such length of time as the municipality has begun to work properly and he may then be removed. One result of these rules will be to protect several municipalities from drifting into a position where they might be required to be brought under suspension, so that the rules will really prove a protection to the municipalities.

I beg to point out to the honourable members, if they have had the opportunity of reading notification No. 23861 of 15th September 1933, that they would have been saved a lot of trouble and the arguments now advanced would not have been advanced because the facts quoted by the commissioners in that notification show how very necessary it is to have these rules. The only one municipality which has been shown up in this notification as being run carefully is the municipality of Moga, and that is because an official is the president, although not in an official capacity.

One honourable member raised the point that if municipalities do not do good work, then the members run the risk of not being returned again. I would like to know if there has been any instance in which a municipality has done bad work and its members were not able to get back again? It is because the tax-payer is not yet sufficiently educated, and all he knows is that he is going to be given a drive in a lorry, and that he is going to get a nice feed, and whoever provides attractive arrangements for his entertainment receives his vote.

Another honourable member said that these rules will kill local self-government. If we have this kind of local self-government that does not serve the tax-payer, the sooner it is killed the better.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Let me at once point out that I do not claim that either the Executive Officer Act or the rules which we have drafted under that Act are intended to promote democracy. Certainly they are not intended to promote democracy. They never claimed to have been enacted or framed for that purpose. Democracy is a very fascinating term from certain points

[The Hon. Dr. Gokul Chand Narang.]

of view, and has a very great appeal to some people. It has no less appeal to me than to some of my honourable friends, and I assure you that my association with official members has not made me impervious to the calls of democracy or unresponsive to its proper demands. I may also say that the Executive Officer Act is not a normal measure, nor are the rules a normal measure. But as Mr. Mayadas has pointed out our local bodies are not carrying on their functions with normal efficiency or with the efficiency and success with which they are expected to carry on the administration. If they are in an abnormal condition, I think you will have to put up with some sort of abnormal law, and I am sure that when you dispassionately reflect over the whole situation you will agree that abnormal conditions do require abnormal measures, and I admit that the Executive Officer Act and the rules framed under it are in the nature of abnormal measures. As soon as conditions improve and we find or those who succeed us find that the municipal administration has improved, that the municipal commissioners have begun to show a greater sense of responsibility and are giving proper time and care to their municipal duties, I have no doubt that the Government of that time will take early steps to remove the Act from the statute book, and that the rules will also go away. But as long as the present conditions continue to exist, I am sure all reasonable persons would agree that their necessity—you may call it a necessary evil or whatever you like—cannot be denied. I may also say, to make the position clear, that we framed these rules after very great care. We invited suggestions from presidents of municipal committees as well as from executive officers and local officers. We consulted our law officers. We were not content with that. We held several meetings—I am sure to the great annoyance of the Finance Member—of the Standing Committee on Local Self-Government. Probably twelve meetings of the Standing Committee on Local Self-Government were held, and every aspect of the question was discussed before these rules were framed. So that it is not that Mr. Marsden sat down in his office one day or I or anybody else took up his pen and dashed off these rules. That has not been the case. The honourable members may take this from me that every possible care was taken in the framing of these rules, and no authority that was available to us was spared and every available material was pressed into service for assistance and guidance. It is impossible for any measure to be perfect, and I do not claim any superhuman perfection for these rules. There may be a loophole. But this is the best we have been able to do, and unless honourable members suggest some better alternatives we have to be content with those rules, but let me assure them that the discussion that has taken place in this House will not be treated with indifference. All the speeches will be read with care, and if we find any suggestions that are of practical value we shall try to act upon them and may introduce modifications that these suggestions may render necessary. I assure you of the most careful consideration of all that has been said in this House.

After that let me, however, remove a few misunderstandings that the speeches made here have betrayed. Every rule that has been made falls under one section or another of the Act, and has been either modelled on similar rules framed in other provinces or, where no rules have been framed, on the relative sections in the Municipal Acts of other provinces. In fact I

asked the office to prepare a statement showing which of our rules corresponded with the rules or relevant section in the Municipal Acts of other provinces, and I assure you that as far as we could take assistance from similar rules and sections in other provinces we did avail of that assistance.

I may here at once dispose of one objection from Mr. Manohar Lal. He raised a formal objection to the wording of the first rule. Let me assure him that we have not committed any howler, in any case, no deliberate howler, and if it is a howler according to his erudite criticism of this rule, we have committed that howler in very good company. That rule has been bodily taken from the Calcutta Municipal Act and the language is exactly the same as used in section 52 of the Calcutta Municipal Act. However, I am still grateful to him for one thing and that is that the letters in "Executive" and "Officer" in the second place should not be capital. As an accomplished pedagogue he has given us this advice and has warned us against the criticism of school masters. He has been the master of school masters in his previous days, and I have ventured to describe him as a pedagogue as he used this word for himself in a disclaimer that he published in some newspapers in connection with an article which had appeared under the signature of some other Manohar Lal. I am very grateful to him for suggesting this correction, and I am sure this mistake will be corrected when the rule is finally printed.

With respect to rule 1, the criticism is that the executive officer has usurped the place of the municipal committee. The very rule itself shows that he is being treated as the servant of the municipal committee. The word 'other' shows that he is himself the servant of the committee. If he does not behave anywhere as the servant of the committee, under the law and the rules which Government is framing, certainly he will be called to action. (*Several voices*: By whom) By the committee itself and also by Government. (*Another voice*: Under what rule?) Government can dismiss him at any time and the committee can dismiss him at any time if he behaves in such a manner. If the committee cannot dismiss him it is the fault of the committee and not the fault of the Government. Power has been given to them. If they do not exercise it it is not the fault of Government. The master can only take the horse to the water, but if the horse does not drink the water he cannot help it. They have the power and if they do not exercise it, it is their own fault.

Then rule 2 briefly deals with the responsibility of the executive officer for the general control of the municipal office. That is only natural. He must exercise the same powers as the secretary under section 5 of the Act. Then rule 3 is only in curtailment of his power and not in extension of his powers under section 4. Rule 4 also imposes a responsibility upon the executive officer. (*An honourable member*: What responsibility?) Responsibility under the law. An executive officer is responsible, let me point out at once, to the committee and also to Government, just as every other officer is responsible to the committee as also to the Government. The deputy commissioner can take, for instance, action under section 41 against any employee of the committee. (*An honourable member*: Can the committee take any disciplinary action against the executive officer, and, if so, how? Can the committee impose a fine on him?) The executive officer has to deal with the budget and that is a duty which is laid upon him under

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section 8 of the Act. Rule 7 is also only a part of his executive duties, namely, to order or to arrange for the auction of municipal property whenever an auction becomes necessary.

It was pointed out by Mr. Owen Roberts that one of the bye-laws of the Lahore Municipal Committee laid down that the President was the chief executive officer. I may draw his attention to section 4 (d) of the Act which lays down that all bye-laws which are not consistent with the Act shall be deemed to be repealed. If Mr. Owen Roberts had remembered that, he would have abstained from that criticism of his. With respect to enquiry, the power is only administrative and the executive officer stands in the shoes of the municipal committee under section 10 of the Executive Officer Act. With respect to correspondence a very curious proposition was made by the honourable member from Ludhiana (Khawaja Muhammad Eusoof) and the leader of the Unionist Party (Rao Bahadur Chaudhri Chhotu Ram), that every paper should be laid before the president. I do not know whether my honourable friends have so much time that they would like to see every scrap of paper placed before them. But all presidents have not got as much time. My honourable friend himself was a Minister for so many years, and I really wonder how many letters issued by the Secretary of Government were signed by him. The secretary of the committee issued those letters before, now under the rules it is the duty of the executive officer to issue the letters. It is only a formal affair. But if he sends any letters without consulting the president he does so at his own risk and the committee and the Government would know how to deal with him. I have got a great deal to say about these rules, but I have not got the time to deal with them in greater detail. But I believe that the few remarks which I have made will suffice to clear some misunderstanding from which some of the speeches seemed to suffer (*Cheers*).

THE PUNJAB TOBACCO VEND FEES BILL.

The Honourable Sir Henry Craik (Finance Member): Sir, I present the report of the drafting committee on the Punjab Tobacco Vend Fees Bill.

Mr. President: The report of the drafting committee has been circulated to honourable members. The amendments proposed by the committee are merely of a formal and consequential character. I hope the honourable members agree to these amendments (*honourable members: Yes*).

Khan Bahadur Shaikh Din Muhammad: Sir, in order to make clause 5 (1) look more symmetrical I propose a merely formal amendment therein, namely,—

That in sub-clause (1) of clause 5, lines 1 and 2, for the words 'without a dealer's licence' the words 'in contravention of the provisions of section 3 of this Act' be substituted.

The motion was carried.

The Honourable Sir Henry Craik: I move—

That the Punjab Tobacco Vend Fees Bill be passed.

Mr. President: Motion moved—

That the Punjab Tobacco Vend Fees Bill be passed.

Mr. Labh Singh (Rawalpindi division and Lahore division North, non-Muhammadan, Rural) : Sir, the report of the drafting committee has been presented and the motion that the Bill be passed has been moved by the Honourable Member in charge of the Bill. I have very little doubt that the Bill will go through. Yet I feel that I should be failing in my duty if I did not take this opportunity to place on record my protest against the measure and its contents on one side and against some of the tactics which were resorted to in order to secure the passing of the Bill on the other. I believe that from both these points the measure is open to the gravest exception. When the Bill was introduced it was explained at great length that it was a purely revenue measure and that the second object of the Bill was that it was intended to facilitate the compilation of statistical information in order to oblige the Government of India. It was said that information was required of the quantities of tobacco manufactured and sold and that this measure would help us in collecting the necessary figures. These were the two principal objects which were placed before us. I was not present at the time when the Bill was introduced, but I have since read the debates and I find that almost every section of the House was in favour of it. No objection was taken to taxing this item of luxury. Speeches were made almost from every part of the House in favour of this tax being resorted to in order to get more revenue for our provincial exchequer. Objections were, however, taken to the provisions of the Bill and to certain avoidable inconveniences which those provisions were likely to produce. But since there was almost general unanimity on the part of all sections of the House I should have thought that this was a golden opportunity for producing a piece of legislation which may be a model in structure, a model in contents and a model in form and in effect, unexceptionable from every point of view. We were all agreed as to the tax being imposed on a moderate scale to begin with. The article suggested for taxation was also one to which some of us out of conviction and others out of necessity felt that no exception could be taken. But the Government, I would submit, from the very start showed want of faith in the collective wisdom of the House. In the first place it will be observed that when the select committee report was placed before the House it was pointed out that the draft was defective in various particulars, both materially as well as technically, and that it was proper that the measure should be circulated for eliciting public opinion or at the least that it should be recommitted to the same select committee or a slightly modified select committee so that these defects may be removed after a dispassionate consideration of the contents of the measure. One of these amendments was not permitted to be considered because sufficient notice had not been given; and the other one, I will not say collusively, but for reasons undisclosed, not moved. Then, a large number of amendments were put forward on behalf of Government in order to incorporate certain necessary changes which were thought had become absolutely essential in order to make the Bill a workable affair.

Now, I want to show that sufficient consideration and mature thought had not been given to the framing of this measure. Although on the face of it it was a very simple measure with respect to which all sections of the House were in complete agreement—I do not propose, and it is not in my province in any way to criticise the composition of the select committee—I would say

Mr. President : The honourable member will be in order if he speaks to the provisions of the Bill as finally passed by the House.

Mr. Labh Singh : And partly also if he speaks of the history relating to the framing of the various amendments and also how they were dealt with at the various stages.

Mr. President : At this stage the honourable member can speak on the whole Bill as passed but not on the procedure followed by the select committee or by the House.

Mr. Labh Singh : I was only saying that for some reason best known to Government they refused to avail of the opportunity to make necessary corrections in the measure as also to avail of the assistance which we on this side of the House offered to them in order to bring the Bill in accord with the expressed wishes and purpose of the House. I am only making a complaint that I have not been able to discover the reasons why it was so done.

Firstly, I shall submit that my objection is both as to the form as well as to the contents of the Bill. Taking the question of form, it was said that the House wanted to tax tobacco. I ask a simple question, Have we done so ? Has this Council really taxed tobacco ? Have we placed an excise duty on the vend of tobacco ? I have read the Bill from the beginning to the end and I discover that no tax has been levied on the vend of tobacco at all. I do not know whether the sale of tobacco is taxed to the extent of £100 to an ounce or perhaps a shilling to a pound or at what rate. We were here primarily to consider the incidence of taxation and to formulate proposals in order to tax a commodity. But what have we done ? We have only given a sort of a *carte blanche* to the executive government. We have told them that they can tax tobacco in any manner they like and up to any extent they please. In doing so we have not been fair to ourselves. We have only gone through the form of legislation. We have not legislated at all so far as this excise duty on the sale of tobacco is concerned.

The Bill is from beginning to end only an outline. It is a pure outline. It says that tobacco should be taxed. We could have done that not with the aid of a Bill but by simply tabling a resolution that in the opinion of this Council it is necessary to tax tobacco. That would have served the purpose. Because that is what in essence this Bill amounts to. It does not say what is the extent of the tax and so on. This is I contend a bad form of legislation. I have always from my seat in the House protested against this method of legislation. This is bad in the extreme. Government takes advantage of our weakness and our internal divisions and it is why that this form of legislation is resorted to and accepted by us as if it were the right thing. We have not really given adequate consideration to the matter. We find that although we have spent two or three days on consideration of this measure we have not done what a legislative body ought to do, namely, apply our minds to the real problems of the proposed tax. All that we have done is to say in a general way that tobacco should be taxed and that is in one word the proper construction of this Bill. That is my objection to the form.

As to the contents of the Bill, so far as it has any, I would say that my objection is equally serious if not more so. I have submitted that so far as the form is concerned, we have in a way stultified ourselves, and we have not performed our functions which it is our duty to perform as a legislative body.

This remark applies equally also to the substance of the measure, to its contents. If we analyse them we will find that they suffer from various defects and my submission in one word is that this measure violates all principles of good business as well as good law. The Bill itself is a very minor matter, but the points of principle involved are of fundamental significance. If we look to the proviso to section 3 we find that it is in essence the type of the whole thing. It has three fundamental errors to put it euphemistically, because they are not really mere errors. An error is something which comes in undesignedly or is the result of mistaken judgment. But this is something which is worse. The proviso is full of mischief pure and simple. This proviso to section 3 is mischievous in three ways. In the first place it would tend to divert trade from particular localities. Governments are anxious, local bodies are anxious that such diversions should not take place to their own prejudice and to the undue advantage of other governments or other bodies. This is one of the fundamental duties of Government that diversions of this description should not be brought about by any governmental action, but this Bill would procure that diversion. Manufacture of tobacco in municipalities is being taxed under this Bill. Supposing I am carrying on my business of selling tobacco in Gujranwala. I am only putting it hypothetically. Now what is there to prevent me just walking over the municipal limits and setting up a factory outside the municipal limits?

The Honourable Sir Henry Craik : I should be delighted if you did.

Mr. Labh Singh : Then the municipality would be deprived of this trade which was normally going on inside its limits. Nor can you go on extending the limits of a municipality indefinitely. So this Bill would be tending to divert trade. I do not wish to go through this question at great length, but I have made it sufficiently clear that this measure tends to divert trade from localities. Secondly, another effect which is much more pernicious is that it would divert trade from individuals. Under this proviso to clause 3—I would not be again very lengthy, but I want to make it explicit and clear—we are setting up certain privileged individuals to the prejudice of another community or another class of individuals. In so far as this proviso tends to divert trade from one class of individuals to another, I would very respectfully submit that it is unfair in the extreme and under normal conditions a legislation of this description would never be placed on the statute book. But now things being as they are, we are helpless and we have got to put up with anomalies of this kind. While on this point, I would say that the entire Bill is capable also of the completest evasion. Under this proviso to clause 3—into the genesis of which I need not go—he who runs can read both the meaning of it as well the underlying motive.

Rao Bahadur Chaudhri Chhotu Ram : It was never concealed.

Mr. Labh Singh : Of course not. It is thoroughly unabashed. It is the result of an open but an unholy alliance. There is nothing to conceal. I know you are quite proud of it. But I am only trying to emphasise the unholiness of this alliance and the results of that unholy alliance which we see in the formulation of this proviso.

Rao Bahadur Chaudhri Chhotu Ram : Do not be frightened by shadows.

Mr. Labh Singh : Government perhaps thought that they could not pass this measure without your aid and in order to procure your aid they perhaps agreed to accept this proviso which in the name of common sense is really, perfectly and utterly mischievous as I have already stated. I stated that the entire Bill is susceptible of the completest evasion. It will lead us nowhere. It will not enable us to compile any statistics which would be of any value either for the provincial Government or for the Government of India. It would lead us nowhere. The proviso reads :

Provided that any person who grows tobacco himself or with the aid of members of his family or by hired labour may without a dealer's license sell wholesale or keep for sale manufactured tobacco so grown.

Is this really workable, Sir ? Will it lead us anywhere ? Every tobaccoist may take a person who plants tobacco on his land as his partner and he can evade the provisions of this law. Or a man may himself take on lease a bit of land and grow tobacco on it. No doubt the proviso contains the words 'so grown.' But the onus of showing that any particular quantity was not so grown would be on the Government. It would be for the Government to show that the entire tobacco in the vendor's possession was not the tobacco which was grown on his own land. Any way it is perfectly clear that this proviso would lead to the utmost evasion and to the rendering of the meaning of this Bill entirely nugatory.

Mr. Muhammad Din Malak : Do not tell them or they will bring in another amendment.

Mr. Labh Singh : I agree. Not only have they now brought in amendments at every stage but even after the Bill is passed there will be necessity of bringing in amending Bills on so simple a matter like this, with respect to which all sides of the House were agreed. The Bill has been piloted through the House in a manner which really leaves everything to be desired. It ought to have been considered on its merits. It is a purely technical measure and it should have been dealt with technically. It should not have been considered from the point of view of party politics or of securing the votes of this part or that part of the House. (*An honourable member :* It is an insinuation). I am making no insinuation at all. I am making a plain attack on things as I have seen them in this House during the last two or three days with respect to this measure. I am not mincing matters. There is no question, therefore, of insinuation. My third objection is that the Bill also commits the third mistake of interfering with business. The Bill is highly discriminative as well as interfering. So on all these three grounds, *viz.*, that it would tend to divert trade from particular localities, that it would tend to divert trade from particular individuals and that it would seriously and directly interfere with business, this Bill should be condemned. I have no doubt that it will go through, but all the same I would have failed in my duty if I had not brought these aspects of the question before the House.

Rai Bahadur Mr. P. Mukerji : On a point of order. The last speaker has raised important questions, first, of commercial discrimination and second, of diversion of trade. I think, Sir, although I had no intention of speaking on the Bill before the House, you will permit me to speak a few words, if there is time, on these two questions.

Mr. President : This is not a point of order.

The Honourable Sir Henry Craik (Finance Member) : Sir, I do not wish to detain the House more than a few minutes. There are one or two points in the speech of my honourable friend from Gujranwala to which I must reply. He accused Government of "want of faith in the collective wisdom of the House." To that I would only reply that in the course of a long experience in this House, an experience which is much longer than that of most of the honourable members I can hardly recollect a measure in which the member in charge was so ready to meet the wishes of the House in almost every respect. There was not a single amendment which I considered was consistent with the main objects of the Bill which I did not agree to accept, and I would point out that one of the most important changes in the Bill after the select committee stage was made at the instance of a member of the honourable member's party, namely the reinsertion of what is now clause 10 of the Bill. I did not at any stage refuse to accept the assistance which on behalf of the honourable member's party was offered to me by Mr. Mukand Lal Pari and I took no exception to the discussion of any amendments which possibly had been tabled without due notice. The second point I would like to say is that the honourable member has accused us of having passed a piece of legislation which is a mere shell, that is to say we have simply passed the principle that an excise duty shall be imposed on the sale of tobacco and have not actually fixed the rate of the tax. In doing that we have followed the model of practically every Excise Act in this country and, I believe, in every other country. There is hardly an Excise Act that I know in which the rate of tax is specified in the Act. The rate of tax is invariably left to some executive authority. I would call your attention to the fact that Parliament in England very recently agreed to a revolutionary change in imposing duties on certain foreign imports and Parliament passed in one sitting, I think, a very brief Act setting up a board of three, none of whom was a member of the Government and giving them absolute power to impose any scale of duties they liked on any article. That law is still in force and is being used almost daily in England. That I think is a sufficient answer.

Mr. Manohar Lal : Wise democracy.

The Honourable Sir Henry Craik : The third point raised was that the effect of the proviso to section 8 will be to divert trade from localities. He may not be aware of the fact that the only tobacco trade of any kind on a large scale now in the Punjab is conducted by the Imperial Tobacco Co. That Company's main warehouse is already carefully located outside Lahore municipal limits. Their warehouse where all cigarettes and cigars are stored and distributed is at Shahdara, deliberately put outside Lahore municipal limits. A further objection to proviso to clause 8 is based on what I submit is a complete misapprehension, namely, that tobacco is grown in the Punjab on a commercial scale. That is not a fact. Tobacco is grown merely to supply the local needs of those who smoke the *huqqa* and is not manufactured in the sense that cigars or cigarettes or pipe tobacco are manufactured.

Mr. Muhammad Din Malak : Except in Hazro.

The Honourable Sir Henry Craik : Hazro is represented in this House by an honourable member who was actually a member of the select committee and agreed to the Bill. That honourable member brought from Hazro a small deputation of the persons employed in the trade to see me and I was able to satisfy them, I hope, that the Bill would do them no damage whatever. They were not I understand growers but were dealers.

I deny the two charges brought against me by the honourable member, the first that the proviso to clause 3 confers any privilege on any community or class. There is no question of community in the sense of religious community, there is no mention in the proviso of any class such as statutory agriculturists. Anybody who chooses to grow tobacco and sell it can claim the privilege of the proviso. If the honourable member himself chooses to grow tobacco on a bit of land or sell it I should be delighted to see him doing so. As I said the other day, if any person whether he is a zamindar or not, whether he is an agriculturist or shopkeeper, has the energy and initiative to start growing tobacco on a commercial scale and bringing into town to sell he is not going to be deterred by a small vend-fee.

Lastly, I want to repudiate and repudiate very warmly the suggestion that this proviso has been inserted as a result of an unholy alliance between Government and a party in this House. It is a common complaint of minorities when they find themselves defeated to talk about unholy alliances between various sections. In this case the charge is completely unfounded. Long before this Bill came before this House we had a long discussion in Government regarding the insertion of a proviso very much on the lines of the present proviso which actually was taken from an Act in force in another province (*hear, hear*). I did not insert it in the Act as originally introduced because I was then under the impression that the distinction between manufactured and unmanufactured tobacco made in the definition would have the effect of exempting from taxation any tobacco brought in by growers into towns. It was only when it was pointed out to me that some tobacco brought in towns might be reckoned as manufactured tobacco and might, therefore, be taxable that we once more inserted the proviso. There was no question of dictation from any quarter of the House or any unholy alliance. I am quite sure the leader of the party with which I am supposed to be in unholy alliance will endorse my remarks (*A voice : Why not ?*). I claim that we consulted every quarter of the House and we have been most ready to accept and have actually accepted every suggestion from every quarter of the House and I think it is unfair to say that I have treated the collective wisdom of the House with a lack of faith, or that the Bill does not represent the true opinion of the House. (*Cheers*).

Rai Bahadur Mr. P. Mukerji (Punjab Chamber of Commerce and Trades Association, Commerce) : The reason why I wanted to speak was to explain my position with regard to the charge brought by the honourable member from Gujranwala that this was a legislation which tends to discriminate between classes. The Honourable Leader of the House has lightened my task by explaining that it does not discriminate in any way between classes. That is the position which I wanted to clear because discriminatory legislation of any kind has been objected to by my constituents from the very beginning.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I will take only two minutes. You will notice that the sanction of the Governor-General was obtained for the original Bill but the Bill which we have passed now is quite different. It says in the definition of the word "manufactured tobacco" that the words mean tobacco in any shape or form intended for the purpose of smoking or chewing. This is different from the definition in the original Bill for which sanction was obtained. Therefore the Bill is *ultra vires*. This is my first objection. I have no time to explain my objections in detail. I will simply put my objection. The second point is this that the sanction of the Governor has not been obtained. If it had been obtained it may have been placed on the table of the House to satisfy the members as I raised this objection in the beginning. And as this has not been done I take it that the sanction has not been obtained. Therefore the Bill is *ultra vires*. My third objection is that clause 8 of the Bill is contradictory in itself. For instance, the third clause contradicts the first and the second clauses altogether. The second clause says—

Every such officer shall in the conduct of such investigation exercise the powers conferred by the Code of Criminal Procedure, 1898, upon an officer in charge of a police station for the investigation of a cognizable offence.

The third clause says that he can do so only when he does not know the name and address of the accused. This contradicts the previous clause. With these defects in it the Bill cannot be passed.

Rao Bahadur Chaudhri Chhotu Ram : Question may now be put.

Mr. President : Question is—

That the question be now put.

The motion was carried.

Mr. President : Question is—

That the Punjab Tobacco Vend Fees Bill be passed.

The motion was carried.

The Council then adjourned till 2-30 p.m.

The Council re-assembled at 2-30 p.m. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

REMISSION OF LAND REVENUE IN MIANWALI.

***3196. Khan Bahadur Captain Malik Muzaffar Khan** : Will the Honourable Revenue Member please state—

- (a) whether he is aware that Mianwali is almost wholly a barren district, not served by canals or any other source of artificial irrigation ;
- (b) whether he is aware that there has been no rain this year for the *rabi* crop after it was sown ;
- (c) whether he is aware that the present *rabi* crop has suffered from intense frost ;
- (d) if the answers to (a), (b) and (c) are in the affirmative, whether Government intends to sanction a general remission in the land revenue demand for *rabi* 1934 ; if so, to what extent ?

The Honourable Mr. Miles Irving : (a) It is true that the Mianwali district has no artificial sources of irrigation, except the Namal and Kurram canals.

(b) On the contrary, there was sufficient rain all over the district in February and March.

(c) It is true that the gram crop suffered from frost ; but this damage has fortunately been remedied to some extent by the rain.

(d) As most of the damaged area is under fluctuating assessment where the demand is assessed on the area matured no question of a general remission arises.

ZILLADARS.

***3197. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

(a) the names, tribes, districts and academical qualifications of the candidates whose names were sent up by Superintending Engineers for the post of zilladar before the last selection was made ;

(b) the names, tribes, districts and educational qualifications of those who were finally selected for the post of zilladar at the selection held last year ?

The Honourable Mr. Miles Irving : (a)

Hindus	37
Muslims	40
Sikhs	13

Details as to tribes, districts and qualifications are not readily available and it is not considered worth the labour involved to obtain them.

(b) A statement giving the information desired, with the exception of candidates' names, is laid on the table.

Statement.

	TRIBES.			Districts.	Academical Qualifications.
	Hindu.	Muslim.	Sikh.		
Outsider Candidates	1	..	..	Lyallpur ..	B.A.
	1	..	..	Gujranwala ..	F.A.
	..	1	..	Lahore ..	B.A.
	..	1	..	Rawalpindi ..	F.A.
	..	1	..	Lyallpur ..	F.Sc. (Agriculture) L. C. Examination from Agricultural College.
	..	1	..	Lahore ..	B.A.
	..	1	..	Lahore ..	F.A.
	1	..	..	Rohtak ..	F.Sc.
	..	..	1	Ferozepore ..	B.A.
	1	..	..	Gurdaspur ..	Matric.
Departmental Candidates.	..	1	..	Hissar ..	Entrance, Patwar Field Qanungo.
	..	1	..	Gurdaspur	Matric.
	1	..	..	Rohtak ..	Matric.
	1	..	..	Gujrat ..	Entrance.

ROZNAMCHA ESTIMATES.

***3198. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state in respect of Sampla, Garhi Sampla, Kheri Sampla, Naya Bas, Bidhlan, Asan, Bhagwatipur, Banyani, Kanheer, Nigana villages of Rohtak tahsil, Gumar, Sheikhpura, Khizarpur Ahir, Sanpera, Pipli Khara, villages of Sonapat tahsil, Dhandhlan, Gochhi, Chhochhi, Matan, Jakhanda, Bamnauli, Kanodah, villages of Jhajjar tahsil, and Jagsi, Bumana, Chhatera, Kasinda, Kasaindi, Kakana, Khanpur Kalan, and Mahmudpur, villages of Gohana tahsil, in Rohtak district :

- (a) the proportion of yield (so many annas in the rupee) as first estimated and noted in the *roznamcha* of the patwari ;
- (b) whether any alteration was made in the estimate of the yield originally made, if so, by whose order and to what extent ;
- (c) the number of houses fallen or damaged as reported by patwaris ;
- (d) the proportion of remission, if any, granted to land revenue?

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

REMISSIONS.

***3199. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the number of instances in which action for alleged corruption in respect of the grant or withholding of remission of land revenue or *abiana* was taken in the districts of Rohtak, Gurgaon, Karnal and Hissar, after the excessive rain of September ;
- (b) the nature of the action taken or punishment awarded ?

The Honourable Mr. Miles Irving : The Executive Engineer, Rohtak division, now reports that two cases of corruption were reported, but for want of evidence no action could be taken against the officials concerned.

PUBLIC PROSECUTORS.

***3200. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of public prosecutors appointed during 1931, 1932, 1933 and 1934 ;
- (b) the number of Hindus, Muslims and Sikhs among them and the number of statutory agriculturists under each group ;
- (c) the exact standing in profession when each candidate was appointed ?

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

[Hon. Sir Henry Craik.]

Statement.

YEAR.	Number of Public Prosecutors appointed.	HINDUS.		MUSLIMS.		SIKHS.		Standing in profession at the time of appointment.
		Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	
1931	4	..	1	3	..	..	..	One of about 12 years. One of about 17 years. One of about 18 years. One of about 28 years.
1932	3	..	2	..	1	..	..	Two of about 10 years. One of about 19 years.
1933	2	..	*1	..	..	..	..	One of about 9 years. One of about 17 years.
1934	1	..	1	..	..	..	..	About 13 years.

*The other was a Christian (non-agriculturist).

PUBLIC PROSECUTORS.

***3201. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the names of those Public Prosecutors who were appointed in grades other than the lowest in the first instance ;
- the exact grades in which they were appointed ;
- the tribes of the persons referred to in (a) ?

The Honourable Sir Henry Craik : (a), (b) and (c) The honourable member has not specified the period for which the information is required. A statement is laid on the table giving information since 1926.

Statement.

Name of Public Prosecutor.	Grade.	Tribe.
1. Pandit Bindra Ban	Ra. 750	Non-agriculturist.
2. Mr. Raj Krishna	1,200	Ditto.
3. Khan Sahib Babu Shaikh Muhammad	750	Agriculturist.
4. Mr. B. A. Jeremy	500	Non-agriculturist (Christian).

STANDING COMMITTEES OF COUNCIL.

***3202. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the names of Standing Committees of the Council for the departments under their control ;
- how many times meeting of these Committees were held in 1931, 1932 and 1933 ;
- in any case where no meetings have been held the reasons for not making use of Standing Committees ?

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

Statement showing the number of meetings held by the Standing Committees of the Punjab Legislative Council.

Name of Standing Committee.	1931-32.		1932-33.		1933-34 UP TO 10TH FEBRUARY 1934.	
	Number of meetings.	Reasons for not holding meetings.	Number of meetings.	Reasons for not holding meetings.	Number of meetings.	Reasons for not holding meetings.
Standing Committee on—						
1. Education ..	1	..	1	..	3	..
2. Jails ..	..	No matter arose of sufficient importance to justify the summoning of a Committee.	1	..	..	As in 1931-32.
3. Excise ..	1	..	1	..	1	..
4. Land Revenue ..	1	..	2	..	..	As in No. 2 of 1931-32.
5. Finance ..	6	..	6	..	4	..
6. Canals ..	1	..	1	..	1	..
7. Local Self-Government.	2	..	1	..	6	..
8. Public Health ..	1	..	..	As the financial stringency prevented new schemes being started there have been no questions of sufficient importance for the Committee to consider.	..	As in 1932-33.
9. Industries ..	1	..	2	..	..	As in No. 2 of 1931-32.
10. Police ..	..	As in No. 2 of 1931-32 ..	..	As in No. 2 of 1931-32 ..	..	As in No. 2 of 1931-32.
11. Agriculture ..	..	As in No. 2 of 1931-32 ..	1	..	1	..
12. Co-operative Societies	1	..	1	..	..	The meeting will be held in the summer.

AGRICULTURAL AND VETERINARY COLLEGES.

***3203. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the number of students under training on the 15th November of each of the years 1929, 1930, 1931, 1932, and 1933 in the Agricultural College at Lyallpur and the Veterinary College at Lahore and the average annual expenditure on these colleges for the quinquennium ending with the financial year 1933-34 ?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.

Number of students under training on the 15th November.

	Year.		
Agricultural College	.. 1929 ..	..	325
	1930 ..	..	353
	1931 ..	..	286
	1932 ..	..	222
	1933 ..	..	226
Veterinary College	.. 1929 ..	..	199
	1930 ..	..	165
	1931 ..	..	124
	1932 ..	..	97
	1933 ..	..	64

Average annual expenditure for the quinquennium ending with the financial year 1933-34.

Agricultural College .. The laboratories and other equipment, etc., in the College are shared by teaching and research staff. According to rough calculations the average annual expenditure on teaching based on the figures of the four years ending 1932-33 was approximately Rs. 1,98,000. The figures for the year 1933-34 cannot be given before April 1934.

Veterinary College .. Rs. 1,47,945.

RASUL SCHOOL OF ENGINEERING.

***3204. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state in respect of the Rasul School of Engineering—

- (a) the total number of admissions in 1930, 1931, 1932 and 1933 ;
- (b) the number of those who passed out in the years referred to in (a) ;
- (c) the number of those who obtained appointments under the Punjab Government in the years referred to in (b) ;
- (d) the number of statutory Hindu agriculturists among those referred to in (a), (b) and (c) ?

The Honourable Sardar Sir Jogendra Singh : (a) The total number of admissions of British Punjab students into the 1st year Overseer class in the years 1930, 1931, 1932 and 1933 were :—49, 50, 39 and 39 respectively.

(b) The number of those who qualified at the end of the two years' course in the years referred to in (a) were :—
47, 55, 42 and 53.

(c) The number of those who obtained permanent appointments under the Punjab Government in the years referred to in (b) were :—19, 18, 12 and 13.

(d) The number of statutory Hindu agriculturists among those referred to in (a), (b) and (c) were :—

(a) 6, 1, 1 and 1.

(b) 2, 6, 6 and 1.

(c) 1, 1, 1 and nil.

FILM CENSORSHIP.

***3205. Lala Bhagat Ram :** Will the Honourable Member for Revenue please state—

(a) whether the attention of the Government has been drawn to the agitation of the Hindus in general and the Punjab Mahabir Dal in particular against the various films which fall under section 5 (e) and section 10 (2) (6) of the Cinematograph Act, II of 1918, as amended by Act XXIII of 1919 as they are found to be materialising the Hindu deities and offending their religious susceptibilities by portraying their deities in distorted form ;

(b) whether it is not due to the fact that no member well-versed in Hindu Shastras is associated with the Censors in advising them as to the propriety or otherwise of such films ;

(c) whether it is a fact that some of these films were found really objectionable by the Censors and action was taken against them ;

(d) if so, whether the Government has taken any steps to prevent the shooting of such films in future so as to avoid the possibility of unrest and alarm among the Hindus ;

(e) what steps Government propose to take in connection with part (b) and (d) of the question ?

The Honourable Mr. Miles Irving : (a) Yes. The honourable member is presumably referring to clause (e) of paragraph 5 and clauses (2) and (6) of paragraph 10 of the note issued by the Bombay Board of Film Censors which contains suggestions as to the principles on which the censorship of films should be carried out and which the Punjab Board of Film Censors follow.

(b) No.

(c) Yes.

(d) and (e) There is no provision in the Cinema Act which empowers the Local Government to control the actual production of films. As regards the control of their public exhibition, the attention of the honourable member is invited to the answer given to parts (a) and (e) of starred Council question No. 2850.¹ Government considers the existing arrangements adequate.

PUNJAB MENTAL HOSPITAL.

***3206. Lala Chetan Anand :** Will the Honourable minister for Education please state—

- (a) the number of doctors employed at Punjab Mental Hospital at Lahore apart from the Superintendent and their academic qualifications for the jobs they hold ;
- (b) whether any of these doctors holds a special diploma in mental diseases ;
- (c) whether it is not a fact that one of these doctors, *viz.*, the Deputy Superintendent of the said Hospital proceeded to England on study leave but could not succeed in obtaining the qualifications although he appeared in the examination in London ;
- (d) if the answer to part (b) is in the negative and to part (c) in the affirmative, what steps the Government proposes to take with regard to doctors who possess special educational qualifications for the jobs in the Mental Hospital ;
- (e) whether it is a fact that the staff of the Mental Hospital is always derived from the members of the P.C.M.S. even though they may not hold any special qualifications respecting mental diseases ;
- (f) whether the Government is prepared in view of these considerations, to consider the question of appointing the doctors who have obtained a special diploma in mental diseases after a special course of training in the United Kingdom ;
- (g) whether it is a fact that such doctors are available in this province and have applied for a job in the Mental Hospital ?

The Honourable Malik Sir Firoz Khan Noon : (a) Five, with academic qualifications as under :—

- | | |
|--|--------------------|
| (1) Deputy Medical Superintendent.. | M.B.B.S. (Punjab). |
| (2) Assistant Deputy Medical Superintendent .. | Ditto. |
| (3) House Surgeon, Women's section | Ditto. |
| (4) Sub-assistant surgeon .. | M.P.L. (Lahore). |
| (5) Sub-assistant surgeon .. | L.S.M.F. (Punjab). |

(b) No.

(c) Yes.

(d) The Government will be prepared to consider their claims along with the claims of other applicants on a vacancy occurring.

(e) Yes. The staff, other than the Superintendent, is recruited from the P.C.M.S. and the sub-assistant surgeons of the Punjab.

(f) The reply is the same as the reply to (d).

(g) So far only one private medical practitioner has applied for a post in the Punjab Mental Hospital, and he has the diploma of Psychological Medicine (D. P. M.) of the Conjoint Board of London. It is not known whether there are other doctors in the province possessing the D. P. M. or the M.D. London (Psychiatry), which are the two British mental disease degrees.

PRISONERS SUFFERING FROM TUBERCULOSIS.

***3207. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) the number of prisoners in Punjab jails suffering from tuberculosis in the year 1933 ;
- (b) the number of prisoners who caught this disease while in jail ;
- (c) the number of prisoners who contracted this disease while in New Central Jail, Multan ;
- (d) whether the Government intends to house all the prisoners suffering from tuberculosis in a separate jail ?

The Honourable Sir Henry Craik : (a) 191.

(b) 113 developed the disease while in jail but it is not possible to say in how many of these cases it was latent before admission.

(c) 3.

(d) Yes, when funds are available.

LAND REVENUE IN HISSAR DISTRICT.

***3208. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that land revenue of three or more crops of more than one hundred *barani* villages in the Hissar district is outstanding on account of suspensions granted by the Government ;
- (b) whether it is a fact that the zamindars of the *barani* villages in the Hissar district have been hard hit on account of constant famines and their paying capacity has much decreased ;
- (c) whether it is also a fact that no special rules for the remission of suspended land revenue of the *barani* villages of the Hissar district has so far been framed by the Government ;
- (d) if the answers to (a), (b) and (c) be in the affirmative, whether the Government, taking into consideration the dire poverty of the famine stricken zamindars of the Hissar district, is prepared to take necessary action with regard to—
 - (i) the suspended land revenue of such villages where more than one year's land revenue is outstanding ;
 - (ii) automatic remission of land revenue in case of suspension of land revenue of two harvests of a *barani* village.

The Honourable Mr. Miles Irving : (a) Excluding the village^s in which suspended land revenue is proposed to be remitted with the instalment for *kharif* 1933, the number of *barani* villages in which suspended and revenue is outstanding for three or more crops is six only ;

(b) Yes.

(c) It is correct that no special rules for *barani* villages as distinguished from other villages have been framed ; but there are special rules for remissions for the district as a whole.

[Hon. Mr. Miles Irving.]

(d) Government consider that the ordinary rules will adequately meet the case of the few *barani* villages in which suspended land revenue is outstanding for three or more crops.

DAMAGE TO OILSEEDS AND GRAM CROPS, HISSAR DISTRICT.

*3209. **Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that great damage has been done by the severe cold to the outstanding oilseeds and gram crops in the Hissar district ;
- (b) whether it is also a fact that besides severe cold *telia* insect is also responsible for heavy damage to the oilseed crop in that district ;
- (c) if the answers to (a) and (b) be in the affirmative what measures of relief Government proposes to adopt ?

The Honourable Mr. Miles Irving : (a) The oilseeds and gram crops have been adversely affected by the severe cold, but have since improved.

(b) No.

(c) The question of relief will, if necessary, be considered in the ordinary course at the conclusion of the *girdawari* when the crop figures for the *kharaba* and matured areas are available.

TAGAVI IN THE HISSAR DISTRICT.

*3210. **Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that large amounts of *tagavi* 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 a fact that most of the amount of *tagavi* thus advanced could not be recovered on account of failure of crops and has been suspended from time to time ;
- (c) whether it is a fact that Government had to forego a sum of about 11½ lakhs of rupees advanced to the people of the Gurgaon district as *tagavi* during the last seven or eight years ;
- (d) if the answers to (a), (b) and (c) be in the affirmative, whether Government proposes to take any steps for the remission of overdue instalments of *tagavi* of seed and fodder, etc., advanced to the zamindars of Hissar district ?

The Honourable Mr. Miles Irving : (a) *Taqavi* has been advanced on a liberal scale during the last four years.

(b) Yes.

(c) Yes ; a sum of Rs. 18½ lakhs has been remitted.

(d) The question of remissions will be considered in due course on the merits of each case in accordance with the rules.

STOPPAGE OF CONSTRUCTION WORK IN REWARI.

***3211. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether he received any representations, dated 1st January 1934, and 10th January 1934, from Lala Bishambhar Dyal of Rewari complaining of the stoppage of construction work on a piece of land in Khari Baoli recently purchased by him from the committee (if so, copies of these may kindly be laid on the table) ;
- (b) what action he has taken in the above representations ;
- (c) whether he has made a thorough investigation in the matter before coming to any conclusion ?

The Honourable Dr. Gokul Chand Narang : (a) Yes. Government are not prepared to lay the copies of the said representations on the table.

(b) and (c) The first was filed after thorough consideration and the second is still under investigation.

AUCTIONEERS.

***3212. Lala Jyoti Prasad :** Will the Honourable Member for Finance be pleased to state—

- (a) whether a letter No. 2401-A/XI.C.4, dated 30th March 1933, was issued by the Registrar, High Court, Lahore, to all the District and Sessions Judges, in the Punjab (if so, a copy of that letter may kindly be laid on the table) ;
- (b) the districts where auctioneers have been appointed in pursuance of the letter referred to above ;
- (c) whether directions contained in clause (i) of paragraph 3 of the aforesaid letter have not been followed in the appointment of auctioneers by the Sessions Judges in some of the districts ;
- (d) if so, what are those and reasons for deviation from the directions issued in this connection ?

The Honourable Sir Henry Craik : (a) Yes ; a copy is laid on the table.

(b) In all districts except Attock and Mianwali.

(c) and (d) Government have no information. Enquiries will, however, be made if the honourable member will furnish details.

Copy of a letter No. 2401-A/XI-C-4, dated the 30th March 1933 from the Registrar,
(1) all District and Sessions Judges in
High Court of Judicature at Lahore, to—
(2) the District and Sessions Judge, Delhi.
the Punjab

I am directed to refer to Rule 20 of Chapter 12-L of High Court Rules and Orders, Volume I, under which sales in execution of decrees should ordinarily be conducted by the Nazarat staff, but at the headquarters of the districts where there are Official Receivers, or regular firms of public auctioneers carrying on business, the District Judge may arrange for the sale of property by such auctioneers or Official Receivers.

[Hon. Sir Henry Craik.]

2. In 1930 at the request of the District and Sessions Judges concerned, the rule was relaxed by the Judges in two districts, and the District Judges were authorised to employ firms of auctioneers for the conduct of sales in execution of decrees throughout the whole of the districts, subject to the condition that substantial securities were taken from the firms of auctioneers to be entrusted with the work to guard against the risk of loss to Government.

3. The reports submitted by the District Judges of these districts on the working of the scheme have shown encouraging results, and the Judges have consequently decided that the scheme for the sale of attached properties through non-official auctioneers should be extended to all districts in the Punjab. Their Lordships are therefore pleased to issue the following instructions in connection therewith:—

- (i) Sales should be conducted by non-official auctioneers in preference to the Nazarat staff. In each district the District Judge should appoint a firm of auctioneers, or the Official Receiver if there is one, to conduct sales throughout the district. A large firm of auctioneers, with sufficient staff and substantial resources, should be preferred to smaller firms or to the Official Receivers, and the firm should belong to the particular district. If in any district no suitable auctioneer can be found, or no auctioneer is prepared to accept the terms offered, sales should continue to be conducted by the Nazarat staff, but in such cases the matter should be reported to the High Court.
- (ii) Deductions should be made from the proceeds of sales at the rate laid down in paragraph 19 of Chapter 12-L of the Rules and Orders of the High Court, Volume I. Eighty per cent. of the sums realised by such deductions should be paid to the auctioneer, and twenty per cent. should be credited to Government to cover the cost of supervision. Incidental expenses, such as advertisement charges, will be met by the auctioneers out of their commission.
- (iii) The rule regarding attendance of an officer of the court at each sale, as contained in paragraph 20 *ibid.*, should be strictly followed.
- (iv) Each firm of auctioneers appointed should be required to furnish sufficient security to the satisfaction of the District Judge. Official Receivers need not be required to furnish additional security.
- (v) The scheme should be treated as experimental for two years, at the conclusion of which reports should be submitted by District Judges, and steps will be taken to amend the rules in Chapter 12-L. I am to ask that steps should be taken to give effect to the above orders immediately on receipt of this letter; the arrangements made should be reported to this office, giving full particulars of the firms selected and the securities required from each. The securities should be in one of the forms prescribed for Official Receivers in paragraph 1 of Chapter 5-A, High Court Rules and Orders, Volume II.

DELHI-MONTGOMERY ROAD.

***3213. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that some ten miles of the road from Hansi towards Rohtak side on the Delhi-Montgomery Road are in a hopelessly bad condition and are quite unfit for vehicular traffic;
- (b) if so, what steps Government proposes to take to put the road in proper order?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, the road is in a bad condition, but not unfit for vehicular traffic.

(b) The supply of stone metal for all these miles is being arranged. Four of them will be re-surfaced by 15th April and the remainder by 31st July 1934.

OUTLETS ON HISSAR MAJOR.

***3214. Lala Jyoti Prasad :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that outlets on Hissar major from Ludas to Minganikhera in the Hissar district have been reduced in number and size ;
- (b) whether before bringing about reduction notices were served on the land owners informing them of the proposed change and their grievances heard ;
- (c) if not, why not ;
- (d) whether it is a fact that nearly all the land-owners owning lands in that area are much dissatisfied with the proposed arrangement ;
- (e) if so, what steps Government proposes to take in order that they may have their outlets of the same size which they used to have for the same areas previously ?

The Honourable Mr. Miles Irving : (a) Yes.

- (b) Yes.
- (c) Does not arise.
- (d) No.
- (e) Does not arise.

CANDIDATES FOR THE POST OF SUPERINTENDENT, DEPUTY COMMISSIONERS
OFFICES, LAHORE DIVISION.

***3215. Chaudhri Shah Muhammad :** Will the Honourable Revenue Member be pleased to state—

- (a) the names of the candidates in the division of Commissioner, Lahore, for the post of Superintendent, Deputy Commissioners' offices in that division ;
- (b) whether it is a fact that law graduates and M.A.'s already in Government service applied for enlistment as candidates for the post of Superintendent, Deputy Commissioners' offices, but their applications were either not considered or rejected, and that the persons mentioned in (a) above were selected ;
- (c) whether it is a fact that of the accepted candidates three belong to the Commissioner's office establishment, and only one belongs to the establishment of a Deputy Commissioner's office ;
- (d) whether it is a fact that all the four accepted candidates are matriculates only ;
- (e) the family status and position of the candidates who have been enlisted for the posts of Superintendents in Deputy Commissioners' offices in Lahore division, explaining the services rendered by their fathers to Government and their positions in Government ?

The Honourable Mr. Miles Irving : (a)

Chaudhri Abdur Rahman.

Shaikh Ghulam Ahmad.

M. Muhammad Alim.

L. Daulat Ram.

(b) One M.A. and one LL.B. in Government service applied to have their names placed on the list of candidates. Their applications were duly considered, but they were not considered suitable for employment in the post of Superintendent of a Deputy Commissioner's office.

(c) Yes.

(d) Yes.

(e) It is against constitutional practice to publish information of this character with respect to individuals.

DISTRIBUTION OF WORK IN COMMISSIONER'S OFFICE, LAHORE.

***3216. Chaudhri Shah Muhammad :** Will the Honourable Revenue Member be pleased to place on the table a list showing the distribution of work made in the office of the Commissioner, Lahore division, between the Superintendent, assistant superintendent, head assistant, General Branch and head assistant, Local Fund Branch, giving also the pay of these officials and the grades of their pay ?

The Honourable Mr. Miles Irving : Government does not consider it to be in the public interest to give the information.

PURCHASE OF LAND BY NON-AGRICULTURIST, LALAMUSA.

***3217. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member be pleased to—

(a) state whether it is a fact that one Hari Singh, a commission agent and ghee seller of Lalamusa, who is a non-agriculturist, was given permission by the Deputy Commissioner of Gujrat for the purchase of 400 *kanals* of agricultural land ;

(b) place on the table of the House a statement giving full particulars about the said land, including the names of those from whom the land was purchased, and a statement of the reasons for which the permission was given and particulars of the sale money ?

The Honourable Mr. Miles Irving : (a) Yes ; by an order, dated 25th November 1931. The area involved was 24 *kanals* and 9 *marlas*, and not 400 *kanals*.

(b) A statement is laid on the table. A copy of the order, which gives full particulars, is obtainable from the Deputy Commissioner's office on the payment of the usual fee. Government consider it against constitutional practice to supply such copies in reply to questions in this House.

List of mutations in favour of Bhai Hari Singh of Lalamusa for agricultural land sold by agriculturists during the last 7 years with Deputy Commissioner's permission.

Field Nos.	Area.		Persons from whom the land was purchased.	Detail of sale money.	REMARKS.
2452/2009, 2456/2009 ..	Ks.	Ms.	Ahmad, Gujjar of Khawaspur.	Rs. 700	No more detail of money is given in the mutations.
$\frac{1}{4}$ share of 1811 to 1813, 1816, 1816, 1817	5	15	Muhammad Khan, Gujjar of Khawaspur.	2,000	
1424					
1453 1986					
1088 1520					
$\frac{1}{4}$ share of No. 1079	7	0	Ditto	1,000	
718-719					
727					
$\frac{1}{4}$ share of No. 1077	5	12	Ditto	1,000	
715 to 719.					
1090					
771	4	2	Ditto	2,000	
1					
Total ..	24	9	..	6,700	

GOVERNMENT SITES IN MANDI BHAUDDIN.

***3218. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member be pleased to state the areas of the Government sites in the notified area of Mandi Baha-ud-din which—

(a) have been—

- (i) given over to Hindus free of charge for building temples and other religious places ;
- (ii) taken illegal possession of by Hindus for building temples and other religious places ;
- (iii) sold to Hindus as temple sites or sites for other religious places and the sale-money realised in each case ;

(b) have been—

- (i) given over to Sikhs free of charge for building Gurdwaras and other religious places ;
- (ii) usurped by Sikhs for building Gurdwaras or other religious places ;
- (iii) sold to Sikhs for building Gurdwaras or other religious places and the sale-money realised in each case ;

[Sayad Mubarak Ali Shah.]

(c) have been—

- (i) given over to Muslims free of charge for building mosques or other religious places ;
- (ii) sold to Muslims for building mosques stating also the sale-price realised ?

The Honourable Mr. Miles Irving : The information is being collected, and will be supplied to the honourable member when ready.

PURCHASE OF A SITE FOR GURDWARA IN MANDI BAHU-UD-DIN.

***3219. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Sikhs in Mandi Baha-ud-din purchased a site for a gurdwara ;
- (b) whether it is a fact that they have not paid the Government for the said site ;
- (c) whether the Deputy Commissioner of Gujrat district has taken any action so far for the recovery of the price ; if not, why not ;
- (d) what steps the Government proposes to take to recover the price now ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) Part, at any rate, of the price was paid. It is not certain whether the whole site was paid for.

(c) No. The matter was not brought to his notice.

(d) The matter is under the consideration of Government.

ENCROACHMENT OF GOVERNMENT SITES IN GUJRAT DISTRICT.

***3220. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member be pleased to state :—

- (a) whether it is a fact that certain Government sites were encroached upon by the Hindu shopkeepers in the notified areas and small towns of Gujrat district, particularly Lalamusa and Mandi Baha-ud-din ;
- (b) whether it is a fact that a list of such encroachments and usurpations was officially prepared ;
- (c) whether he will place the list along with the names of those who made the various encroachments and usurpations on the table of the House ;
- (d) whether any action has been taken by the district authorities concerned to reclaim these encroached and usurped sites from the usurpers ; if not, why not ?

The Honourable Mr. Miles Irving : (a) No.

(b), (c) and (d) Do not arise.

CIVIL APPEALS IN HISSAR.

***3221. Lala Bhagat Ram :** Will the Honourable Finance Member kindly state —

- (a) the total number of civil appeals decided by the District Judge, Hissar ;
- (b) how many of them were regular appeals ;
- (c) how many of them were miscellaneous appeals—
 - (i) in insolvency cases ;
 - (ii) against execution orders ;
- (d) how many of these appeals were decided in *kachcha peshi* ;
- (e) the number of appeals decided in which notices were issued to the other side ?

The Honourable Sir Henry Craik : As the honourable member has not stated for what period the information is required, it is not possible to reply to his question.

ROORKEE ENGINEERING COLLEGE.

***3222. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) what contribution Government makes per year to the Roorkee college and for how many students ;
- (b) how many such students passed in the last 3 years ;
- (c) how many of them have been employed by the Punjab Government ;
- (d) whether Government gives any guarantee of service to these students ; if not, why not ?

The Honourable Sardar Sir Jogendra Singh : (a) Rs. 52,500 per annum on the understanding that not less than seven students are admitted in each year.

(b) Fifty-four.

(c) None.

(d) Government gives no guarantee of service as it is unable to accept the principle that if Government assists persons with their education Government is also bound to provide posts for them.

ALIENATION OF AGRICULTURISTS LAND.

***3223. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state the number of alienations of land in—

- (a) Mandi Bahauddin,
- (b) Kandhanwala,
- (c) Pindi Bahauddin,

from the 1st of January 1930 up to date in which permission for sale to non-agriculturists has been granted under section 3 (2), Alienation of Land Act, 1900, stating also the total area for each place ?

The Honourable Mr. Miles Irving : (a) Nil.

		Kanals.	Marlas.
(b) 97, the area involved being	107	19	
(c) 155, the area involved being	450	13	

GIRLS' SCHOOLS.

***3224. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the names of all the Girls' High and Middle Schools in the Punjab, and the total amount of aid given to such recognised non-Government schools in the last year?

The Honourable Malik Sir Firoz Khan Noon : Presumably grants from provincial revenues are meant. If so, the honourable member is referred to the printed statement of grants sanctioned for aided Indian Schools in the Punjab during the years 1928-29 to 1932-33. A copy of this statement was supplied to all the M. L. C.s in January last.

WOMEN EMPLOYEES IN GOVERNMENT.

***3225. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- the total number of women employed community-wise (Hindu, Sikh, Muslim, Christian, European and Anglo-Indian) in the Education Department and in recognised private schools ;
- their number as above employed in the Medical Department as nurses or doctors ;
- how many of them are married ?

The Honourable Malik Sir Firoz Khan Noon : If the object of the honourable member is to ensure that married women shall not be employed, the answer is that it is difficult to find qualified women teachers who remain unmarried for long. But if the object is to ensure that married women teachers should always be employed because of their ripe age, the answer is that a married woman has sometimes to work under certain disadvantages, e.g., looking after her home and children, and she may not be suitable for a particular post. The best course is to leave the discretion of the Department unfettered so as to allow it to recruit the most suitable person available. In view of this I hope that the honourable member will not press for the collection of the information asked for as such a course will involve time, labour and expense out of all proportion to the object that will be served by the information when it is collected.

WOMEN EMPLOYEES IN GOVERNMENT.

***3226. Shrimati Lekhwati Jain :** Will the Honourable Minister for Agriculture be pleased to state :—

- the total number of women, community-wise (Hindu, Sikh, Muslim, Christian, European and Anglo-Indian), employed in the departments under him ;
- how many of them are married ?

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

- (1) Co-operative Societies Department .. One Christian.
 (2) Public Works Department, Buildings and Roads Branch One Anglo-Indian.
 (b) None.

WOMEN EMPLOYEES IN POLICE.

***3227. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether there are any women employed in the Police Department in the Punjab ;
 (b) if so, their number community-wise (Hindu, Sikh, Christian, Muslim, European and Anglo-Indian) ;
 (c) how many of them are married ?

The Honourable Sir Henry Craik : (a) and (b) Four—one in the Police force and three as stenographers. They are Europeans and Anglo-Indians.

- (c) Two are widows and two are unmarried.

KARNAL MUNICIPAL COMMITTEE.

***3228. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that according to the new constitution of the Karnal Municipal Committee the strength of its members is 16, 12 elected and 4 nominated ;
 (b) whether it is also a fact that according to the population and voting basis formula, the number of Hindu members is 7 and that of the Muhammadans 5 ;
 (c) whether in the last election of Karnal Municipal Committee two Muslims were nominated and one Hindu and one official Civil Surgeon were nominated ;
 (d) whether by thus nominating two Muslims and only one Hindu the majority of the Hindus has been reduced by one where there was already a difference of two, and by nominating one official, the majority of the Hindus has been altogether changed and converted into a minority ;
 (e) what steps the Honourable Minister intends to take to redress this wrong done to the Hindu interests ?

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

- (b) Yes, so far as elected members are concerned.

(c) Yes.

(d) Yes, but the Hindu majority was not converted into a minority.

(e) Government will consider, if any action is necessary.

WATER SUPPLY IN AMBALA CITY.

***3229. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that all the private water connections in Ambala city are without brass-cocks ;
- (b) whether the brass-cocks varying in size are the measure for charging water rate ;
- (c) whether it is a fact that the Executive Officer, quite cognizant of the loss to the municipal fund due to the absence of brass-cocks on the private connections, did not see his way to enforce the same orders as he did in case of public connections ;
- (d) whether it is a fact that the Executive Officer did not ever entertain the question of metering the private connections though repeated instructions have been issued to him by the authorities to this effect ;
- (e) whether it is a fact that under instructions from the Executive Officer, Ambala, brass-cocks have been fixed on public hydrants at the cost of the public ;
- (f) whether it is a fact that where the residents of the locality failed to put such brass-cocks on their hydrants, such hydrants were closed and in some cases, these remained closed for months together ;
- (g) whether it is a fact that many complaints have been addressed to the higher authorities against this action of the Executive Officer ?

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

UNSTARRED QUESTIONS AND ANSWERS.

BUDGETS OF LOCAL BODIES.

807. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether during the past year all local bodies submitted properly prepared budgets by due dates ;
- (b) the names of local bodies that failed to do so by prescribed date ;
- (c) the names of local bodies that entirely failed to prepare a proper budget ?

The Honourable Dr. Gokul Chand Narang : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

WOMEN MEMBERS IN MUNICIPALITIES.

808. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that in the Lahore Municipal Committee women are admitted as members ;
- (b) whether there are any women members in any other municipal committee of the province :
- (c) if not, why not ?

The Honourable Dr. Gokul Chand Narang : (a) Yes, there are three ladies who were appointed members of the Municipal Committee of Lahore.

(b) Yes, in four others.

(c) Does not arise.

MUNICIPAL VOTERS.

809. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to lay a statement showing for the following 8 districts the number of municipal voters, under heads—

- | | |
|--------------|------------------|
| (i) Muslims. | (iii) Sikhs. |
| (ii) Hindus. | (iv) Christians. |
| (v) Others. | |
1. Sialkot.
 2. Gujranwala.
 3. Lahore.
 4. Amritsar.
 5. Gurdaspur.
 6. Sheikhupura.
 7. Lyallpur.
 8. Montgomery ?

The Honourable Dr. Gokul Chand Narang : The required statement with an explanatory note is laid on the table.

Statement.

Serial No.	Districts.	Muslims.	Hindus.	Sikhs.	Christians.	Others.
1	Sialkot	17,114	4,963	914	738	52
2	Gujranwala	16,824	8,524	2,398	651	36
3	Lahore	82,610	42,943	6,927	1,176	1,661
4	Amritsar	38,404	40,939	13,405	185	486
5	Gurdaspur	9,810	7,167	641	273	12
6	Sheikhupura	1,834	1,063	782	42	154
7	Lyallpur	3,044	7,432	1,923	379	144
8	Montgomery	2,622	3,023	721	54	47

NOTE.—(1) In Lyallpur Municipality a large number of the Muslims did not get their names registered.

(2) Separate figures for Christians and "others" are not available in the case of Narowal (district Sialkot), but the voters are shown as "Christians and others" (79) : these figures have not been shown in the statement.

(3) The voters' lists of the new municipality of Sheikhupura are under preparation and hence the figures for Sheikhupura district do not include those for Sheikhupura municipality.

(4) In the case of municipalities of Gujranwala district the figures are based on preliminary rolls which have yet to be revised.

MEMBERS OF MUNICIPALITIES.

810. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to lay a statement on the table showing the number of members of municipalities under heads (a) Muslims, (b) Hindus, (c) Sikhs, (d) Christians, and (e) others for the districts of—

- (1) Sialkot, (2) Gujranwala, (3) Lahore, (4) Amritsar, (5) Gurdaspur, (6) Sheikhupura, (7) Lyallpur, (8) Montgomery ?

The Honourable Dr. Gokul Chand Narang : The required statement is laid on the table.

Statement.

Serial No.	Districts.	(a)	(b)	(c)	(d)	(e)
		Muslims.	Hindus.	Sikhs.	Christians.	"Others."
1	Sialkot	27	8	6	2	..
2	Gujranwala	25	14 (plus 1 ex-officio.)	3	1	..
3	Lahore	56 (plus 2 ex-officioes.)	32 (plus 2 ex-officioes.)	6	1	4 (Europeans.)
4	Amritsar	17	16	7	2	..
5	Gurdaspur	28	25 (plus 1 ex-officio.)	3	1 (plus 3 ex-officioes.)	..
6	Sheikhupura	12 (plus 3 ex-officioes.)	8 (plus 1 ex-officio.)	5 (plus 2 ex-officioes.)	..	..
7	Lyallpur	7	19	4	1	..
8	Montgomery	12	10	2	..	..

INDIAN CHRISTIAN VOTERS.

811. Mr. E. Mayadas : Will the Honourable Revenue Member be pleased to state the number of Indian Christian voters, at the time of last Council elections, in the following districts—

- | | |
|-----------------|------------------|
| (1) Sialkot. | (5) Gurdaspur. |
| (2) Gujranwala. | (6) Sheikhupura. |
| (3) Lahore. | (7) Lyallpur. |
| (4) Amritsar. | (8) Montgomery. |

The Honourable Mr. Miles Irving : The total number of Christian voters of the Punjab Legislative Council in these districts according to the electoral rolls of 1929 is given below. Separate figures for Indian Christians are not available.

Sialkot	367	Gujranwala ..	65
Lahore	1,664	Amritsar ..	221
Gurdaspur ..	416	Sheikhupura ..	230
Lyallpur	300	Montgomery ..	117

PROPAGANDA AGAINST DRINK.

812. Mr. E. Mayadas : Will the Honourable Minister for Agriculture be pleased to state the amounts that Government intend to spend or have already spent during the current year on propaganda against drinking liquor?

The Honourable Sardar Sir Jogendra Singh : None.

WOMEN'S CHRISTIAN TEMPERANCE UNION, DELHI.

813. Mr. E. Mayadas : Will the Honourable Minister for Agriculture be pleased to state—

- whether it is a fact that some years ago the Government made an enquiry from the Women's Christian Temperance Union, Delhi, if the Union was a registered body;
- if so, whether Government will be pleased to lay a copy of the letter on the table?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

TEMPERANCE PROPAGANDA.

814. Mr. E. Mayadas : Will the Honourable Minister for Agriculture be pleased to state if since the introduction of the Reforms, any money has been spent on temperance propaganda; if so, in what year, and what amounts?

The Honourable Sardar Sir Jogendra Singh : The amount spent is noted against each financial year :—

					Rs.
1929-30	..	..	..	..	1,000
1930-31	..	..	..	..	1,000
1931-32	..	..	..	..	2,000

BOOKS ON EVILS OF ALCOHOL.

815. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

- whether in primary, middle and high schools any books are taught which explain in simple language the evils of the use of alcohol;
- if so, whether he will lay a list of such books on the table?

The Honourable Malik Sir Firoz Khan Noon : The Director of Public Instruction is being requested to bring the suggestion to the notice of authorities that approve of text books. I hope this will satisfy the honourable member and that he will not press for the information being collected.

TEMPERANCE PROPAGANDA.

816. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to state whether any municipal committees and district boards are spending money on temperance propaganda ; if so, what are their names and what was the amount spent during 1932-33 ?

The Honourable Dr. Gokul Chand Narang : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

COPYISTS IN DEPUTY COMMISSIONERS' OFFICES.

817. Mr. E. Mayadas : Will the Government be pleased—

- (a) to lay a statement on the table showing the number of copyists attached to offices of deputy commissioners ;
- (b) to state whether the number of copyists is fixed in proportion to the volume of work ;
- (c) to state whether it is a fact that in some districts the recruitment is not based on any principle, and that appointments are made irrespective of the volume of work ;
- (d) to state whether the Government is considering the question of issuing orders by which recruitment might be made on a uniform principle ?

The Honourable Mr. Miles Irving : (a) A statement is laid on the table.

(b) Yes.

(c) No.

(d) Orders already exists in paragraph 38 (c) of the Financial Commissioners' Standing Order No. 5 and the question is being further considered.

Statement.

COPYISTS IN DEPUTY COMMISSIONERS' OFFICES.

Hissar	.. 20	Gujranwala	.. 19
Rohtak	.. 17	Sheikhupura	.. 16
Gurgaon	.. 12	Gujrat	.. 36
Karnal	.. 17	Shahpur	.. 17
Ambala	.. 30	Jhelum	.. 27
Simla	.. 4	Rawalpindi	.. 18
Kangra	.. 25	Attock	.. 22
Hoshiarpur	.. 50	Mianwali	.. 48
Jullundur	.. 41	Montgomery	.. 20
Ludhiana	.. 49	Lyallpur	.. 21
Ferozepore	.. 31	Jhang	.. 16
Lahore	.. 26	Multan	.. 17
Amritsar	.. 38	Muzaffargarh	.. 15
Gurdaspur	.. 15	Dera Ghazi Khan	.. 10
Sialkot	.. 17		

EMBANKMENT NEAR FEROZEPORE-JULLUNDUR RAILWAY LINE.

818. Mr. E. Mayadas : Will the Honourable Revenue Member be pleased to state—

- (a) when the earth embankment above the left bank of the Sutlej where the Ferozepore-Jullundur Railway line crosses this river was built ;
- (b) how many years after opening of the Railway it was built ;
- (c) with what object was this embankment built, whether it was to protect a part of Zira tahsil (Ferozepore district) from flood which would otherwise have been so liable ;
- (d) whether it is a fact that in the beginning of 1933 a portion of this bund was lying damaged ; if so, what was the length of the damaged portion and when it was damaged ;
- (e) whether it is a fact that about the beginning of 1933 the Civil authorities pressed upon the Railway to repair the bund, as otherwise in case of flood there was fear of the countryside being submerged ;
- (f) whether it was the duty of the Railway to keep the bund in a good state of repair ;
- (g) whether it is a fact that the Railway did not carry out the necessary repair ;
- (h) whether it is a fact that in 1933 when the river was in flood the water found its way through the damaged portion and flooded a large part of the Zira tahsil ;
- (i) the particulars of damage caused, showing area submerged, number of villages damaged, number of houses destroyed and approximate value of damage to house and other property ; area of *kharif* crops entirely destroyed and value of damage ; crops partially destroyed and value of damage ; extent to which *rabi* sowings have suffered on account of the flood ;
- (j) what assistance has been given by Government to sufferers from flood ;
- (k) whether Government has asked the Railway to pay some part of the damage caused because of their failure to keep the bund in repair ; if not, why not ?

The Honourable Mr. Miles Irving : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

DISTRICT BOARD VOTERS IN FEROZEPORE.

819. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to lay on the table a statement showing district board voters in Ferozepore district showing (a) Muslims, (b) Hindus, (c) Sikhs and (d) others ?

The Honourable Dr. Gokul Chand Narang : The number of voters of different communities in the District Board of Ferozepore is as under :—

				<i>Number of Voters.</i>
(a) Muslims	..	..	..	22,976
(b) Sikhs	..	..	..	46,817
(c) and (d) Hindus and others	..	..	..	10,229
Total				80,022

No separate figures are available for " Others," as they are grouped with the " Hindus " for purposes of general elections.

MEDICAL OFFICERS OF RURAL DISPENSARIES.

820. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to state—

- whether medical officers in charge of district board rural dispensaries are whole-time servants ;
- whether it is a fact that in many of these dispensaries in certain seasons work is slack ;
- what special work these medical officers are expected to do during slack season ;
- whether during slack season the medical officers of rural dispensaries visit schools in their neighbourhood and collect information as regards enlarged spleens and other general ailments of the students ?

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

(b) to (d) The information is being collected and will be communicated to the honourable member when ready.

DAMAGE BY FLOODS IN PALWAL.

821. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Member for Revenue please state—

- whether he is aware that the Palwal tahsil of Gurgaon district suffered very heavily from the floods of September last resulting in the complete destruction of crops and also considerable damage to house-property ;
- whether he is aware that closely following the destructive floods, epidemics broke out in the same place and are still lingering there ;
- whether relief measures commensurate with the devastation have been undertaken or given to the suffering people there ;
- the details of such relief under specific heads ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) There was no epidemic, though there were some cases of malaria.

(c) Yes.

(d) About Rs. 8,000 was distributed by way of gratuitous relief. Land revenue has been suspended or remitted in deserving cases. *Tagavi* loans have been given on a liberal scale. The people suffering from malaria were supplied with necessary medicines free of charge.

FLOOD RELIEF IN ROHTAK.

322. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Member for Revenue please state—

(a) what proportion of the relief consequent upon flood destruction the Government has given towards rebuilding houses in the Rohtak district ;

(b) what sum from all sources the Rohtak people have received for this purpose ;

(c) what has been granted to the Rohtak district, as a whole, from the Famine Relief Fund of the province ?

The Honourable Mr. Miles Irving : (a) No definite proportion of the funds granted for relief was earmarked for the rebuilding of houses.

(b) Altogether Rs. 38,711-12-3 was disbursed in the Rohtak district. Separate figures are not available for grants for rebuilding houses.

(c) Rupees 20,000.

FLOOD RELIEF IN PALWAL.

323. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Member for Revenue please state—

(a) whether he is aware that the Palwal tahsil of the Gurgaon district is subjected to the rules of the United Provinces Government for irrigation purposes ;

(b) whether while the Rohtak district and other flood-stricken areas of the Punjab have been treated under the Punjab remission rules, as regards remission of water-cess the Palwal tahsil alone has to suffer under the double disadvantage of (i) being subjected to the more harsh rules of the United Provinces Irrigation Department, and (ii) of paying the higher Punjab rates for water ;

(c) whether he is prepared to give the Palwal tahsil the same degree of help and relief as has been given in the case of Rohtak being within the Punjab Province ;

(d) whether any steps are being taken to do away with the anomaly of dual government mentioned above in the case of Palwal ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) and (c). The honourable member is probably referring not to the ordinary remission rules but to the special measures of relief given on account of floods. The Punjab Government and its officers were in constant touch with the United Provinces Government and its officers on the subject, and the Punjab Government has no reason to be dissatisfied with the generosity of the United Provinces Government. The ordinary United Provinces rules for remission are very similar to those in force in the Punjab, and while the Punjab rates are higher for sugar and cotton they are lower for wheat, barley and oilseeds.

(d) No.

THE NORTHERN INDIA PUBLISHING HOUSE LIMITED.

824. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue please state—

- (a) whether the Government is aware that Mr. Vedavyas, M.A., LL.B., Advocate, Lahore, who is the son-in-law of the Director of Industries, has started a Company in Lahore called The Northern India Publishing House, Ltd., for the publication of law journals ;
- (b) whether the Government is aware that many of the joint stock companies in the Punjab have purchased the shares of The Northern India Publishing House, Ltd. ;
- (c) whether it is a fact that such joint stock companies have purchased the shares not of their own free will and as a matter of lucrative investment ;
- (d) whether the Director of Industries is the father-in-law of Mr. Vedavyas, the Managing Director of The Northern India Publishing House, Ltd. ?

The Honourable Mr. Miles Irving : (a) Yes.

(b) The figures given below speak for themselves :—

Total number of shareholders of the company.	Number of Joint Stock Company shareholders.	Total number of shares sold up to 2nd March 1934.	Number of shares purchased by joint stock companies.
351	5	2,595 of the nominal value of Rs. 2,59,500.	29 of the nominal value of Rs. 2,900.

(c) and (d). No complaint has been received by Government from any of the companies concerned as to the exercise of undue influence by the Director of Industries. Government most strongly repudiates any suggestion of undue influence having been exercised by that officer.

ADMISSION TO THE SENIOR VERNACULAR CLASS OF JULLUNDUR NORMAL SCHOOL.

825. Maulvi Mazhar Ali Azhar : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that no Muslim candidate was taken from the Lahore division in the senior vernacular class, Jullundur normal school in 1933, if so, why ?
- (b) whether it is a fact that selection to the senior vernacular class of a normal school is ordinarily made from the teachers who have passed the junior vernacular certificate examination in the first division of the previous years ;
- (c) whether any candidate who passed the junior vernacular certificate examination in the year 1933 was taken in the senior vernacular class of the Jullundur normal school just after the publication of the result in June 1933, and if so the reasons for which he was admitted against the rule quoted above, especially when there was no paucity of suitable candidates ;
- (d) whether it is also a fact that the said candidate was taken against a vacancy for a Muslim candidate ?

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

ABIANA.

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

- (a) whether it is a fact that the *abiana* rates were raised when the price of produce of land was very high ;
- (b) whether the price of the produce of land has greatly gone down affecting the financial conditions of the agriculturist very adversely, and a committee was appointed by the Government last summer to suggest reductions in the *abiana* ;
- (c) whether the report of that committee has reached the Government ;
- (d) what steps Government propose to take to give effect to those recommendations ?

The Honourable Mr. Miles Irving : (a) Water rates were increased with effect from *khariif* 1924,—*vide* Punjab Government Resolution, dated 3rd October 1924. This Resolution explains fully the reasons for increase in water rates.

(b) Yes.

(c) Yes.

(d) The matter is under consideration.

DAMAGE TO WHEAT CROP COLONY DISTRICTS.

827. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member be pleased to state—

- (a) whether the cold wave has done great damage to the young wheat crop recently throughout the colony districts of the Punjab ;
- (b) whether it has greatly destroyed the already gloomy prospects of the agriculturists of the province (owing to the present depression) so far as the wheat crop and fodder crop this year are concerned ;
- (c) if the answer to the above be in the affirmative whether the Government intends to adopt relief measures in the shape of remitting a considerable portion of Government dues on the present wheat crop ; if not, why not ?

The Honourable Mr. Miles Irving : (a), (b) and (c). Until the crop is ripe it is impossible to say what its condition will be and whether relief will be necessary.

 CONTRACTORS, SARGODHA CIRCLE.

828. Sayad Mubarak Ali Shah : (i) Will the Honourable Revenue Member please state—

- (a) the total number of approved contractors in the Sargodha Circle of the Lower Jhelum Canal, and their number communitywise ;
- (b) the total amount of money for which contracts were given in that circle to different contractors during the last three years ;
- (c) the amount of money paid to these contractors communitywise ;
- (ii) if there be great disparity between the amounts of money paid to contractors belonging to different communities, what are the special reasons for this and what steps does the Government intend to take in order to make up this disparity ;
- (iii) how many of the contractors belong to the statutory agricultural tribes and whether there is a great difference between contractors of statutory agricultural tribe and non-agricultural tribes ?

The Honourable Mr. Miles Irving : The question cannot be answered without reference to the local officers. As the labour involved in obtaining the information will be very considerable, Government considers that the time and money to be expended in collecting it would not be justified.

BHAKRA DAM SCHEME.

829. Rai Bahadur Lala Sewak Ram : Will the Honourable Member for Revenue kindly state—

- (a) what progress has the Bhakra Dam Scheme made during the last year after the assurance given by the Honourable Member for Revenue in reply to a question of Rao Bahadur Chaudhri Chhotu Ram in this House on 4th April, 1933 ;
- (b) whether the special division opened to pursue and bring the scheme up to date has been closed in December, 1933 ; if so, the reasons which led the Government to this decision ;
- (c) whether it is a fact that surveys started in connection with the scheme are going to be stopped and left incomplete ; if so, whether it is an indication of Government's definite unwillingness to undertake the scheme ;
- (d) if the reply to the latter part of (c) is in the affirmative, what Government is doing to fulfil its pledges to the famine-stricken areas of the eastern Punjab ;
- (e) in case the Bhakra Dam Scheme has to be postponed for some reason or the other, whether the Government will consider the advisability of constructing the extensions from Jumna Canals contemplated in 1910-11 and which were dropped on account of Bhakra Dam Project being taken in hand ?

The Honourable Mr. Miles Irving : The honourable member is referred to the replies given to starred question No. 3136.¹

DEPUTY COLLECTORS IN IRRIGATION DEPARTMENT.

830. Lala Gopal Das : Will the Honourable Member for Revenue kindly state—

- (a) the number of deputy collectors in the Irrigation Department of this province ;
- (b) how many of them are Hindus, Muhammadans and Sikhs ;
- (c) how many are at present posted in Amritsar and to which communities they belong ?

The Honourable Mr. Miles Irving : (a) Thirty-five.

(b) Hindus ..	..	..	..	..	6
Muhammadans ..	..	..	..	..	20
Sikhs ..	..	..	..	..	8
Christian..	..	..	..	..	1
(c) Hindu ..	..	..	..	..	1
Muslims ..	..	..	..	..	2

RESOLUTIONS.

REMOVAL OF SEX DISQUALIFICATION FOR LOCAL BODIES.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*): Sir, the other day when the resolution by Shrimati Lekhwati Ji came up for discussion, I tried to explain the action which the Punjab Government had taken in the matter on its own initiative. It was in 1932 that this matter was placed before one of the meetings of the Standing Committee on Local Self Government, and with the consultation of that Committee a notification was issued by the Government in which it was proposed to give the right of vote to women in municipalities with communal electorates. To that proposal objection was received from 20 members of the Council and thereupon the matter was again considered, and it was decided to leave the choice in this matter to the committees themselves. Accordingly a second notification was issued in November 1932 in which it was laid down that if any municipal committee with communal electorates passed a resolution that women should be given the right of vote, the Government would make the necessary change in rule No. 6 of the election rules thereby enabling women to have their names registered as voters in respect of such a municipal committee. I need hardly say that no objection was taken to that notification, and consequently it was confirmed as having the approval of the public in general. But I am sorry to point out that during these 16 months since this notification was confirmed, no municipal committee, except that of Ferozepore, where the right of vote has been extended to women, has so far passed such a resolution to that effect. Even the municipalities of Ludhiana, Multan and Jagadhari, which expressed themselves in favour of the first notification, which was afterwards withdrawn, have not availed of the opportunity given to them by the second notification. I should think that either some of the municipal committees have not been made aware of the existence of this notification by the Government or if they are aware of it, as they should be, they have found that the public in general is not prepared to favour the idea of giving this right of vote to women.

Shrimati Lekhwati Jain: Was a copy of the notification made available to all the municipal committees?

The Honourable Dr. Gokul Chand Narang: Yes, a copy of it must have been supplied to each one of the municipal committees concerned. It is also possible that the municipal committees may not have informed the public of the existence of this notification. However, the fact is that with the exception of one committee no other committee appears to have so far moved in the matter. All the same it will be admitted that the Government has done its duty in the matter, and it is, therefore, not to blame in any way. It has done all it could, consistent with its policy, and the matter now rests with the municipal committees or, for the matter of that, with the public. It is now the duty of persons like the honourable mover of this resolution and other women and even men of their way of thinking to try to create public opinion in favour of this right being given to women. To achieve this object it will be necessary for Shrimati Ji and for others who support her to make a vigorous propaganda to win the public to their side, and if they once decide to make this propaganda I am sure that there will

be very few who will not be influenced by this propaganda and who will hesitate to submit to this desire on the part of women. I should think that the committees can be compelled by the persuasive powers of women to pass such resolutions as will give the women this right of vote. This I may make clear that Government, consistently with its policy, cannot take upon itself to compel the municipal committees to pass such resolutions, and I will again say that efforts will have to be made to educate public opinion to achieve the desired end.

This is about the municipal committees with communal electorates. There is another kind of local bodies in which the system of communal representation does not prevail. They are small town committees. In regard to such committees it was not in conformity with the policy of the Government to issue a notification such as the one which has been issued in regard to municipal committees. But even in the case of such local bodies I am prepared, if I can satisfy the honourable mover thereby, to undertake to draw their attention to the wish of the honourable mover as expressed in the resolution. I am prepared to go a step further and say that if small town committees were to pass similar resolutions asking for a change to be made in the election rules so that women may have the right of vote, the Government will be prepared to make the necessary change. This is the utmost extent to which I can go. Here again it will depend upon the public and public men whether this right of vote is given or not given to women.

There is yet another kind of local bodies which are called district boards, and which mainly concern the rural population. In the case of these local bodies the matter is quite different. My honourable friend from Rohtak has rightly claimed to have a better knowledge of these local bodies than Shrimati Ji or even I can claim to have. He has told us that if the Government insisted on giving the right of vote to women in respect of these local bodies, *lathis* will be freely used, though I am sure that Chaudhri Sahib will not be one of those who will make use of *lathis*. It is, therefore, clear that Shrimati Ji will have to put up a hard fight to persuade Chaudhri Sahib and others of his way of thinking to get this right of vote for women in respect of district boards. As I have already made it clear, the Government does not consider it desirable to compel them to extend this right to women as it is not prepared to compel other local bodies. Of course in the case of district boards I can promise to refer this matter to them, although I know, as well as the honourable mover knows, what the reply will be.

Mr. Mukand Lal Puri : If any municipal committee were to express its desire to give the right of vote to women, the Government then should have no objection to granting that request.

The Honourable Dr. Gokul Chand Narang : That I have already made clear. I have said that according to notification No. 34868, issued in November 1932, any municipal committee with communal electorates can pass a resolution to the effect that it has been decided to give the right of vote to women and the Government will be too glad to make the necessary change in the election rules in respect of that committee. As regards other committees with joint electorates it will not be wise to take a similar step. The Standing Committee on Local Self-Government was also of the same

[The Hon. Dr. Gokul Chand Narang.]

opinion. It was rightly opposed to the extension of this right to women in respect of such committees because, as we all know, there will be very few Muslim ladies who will come forward to have their names registered as voters if this right is extended to women, and the number of such Hindu and Sikh ladies who will like to become voters will be larger. Thus the voting strength of the Muslims in such committees will be adversely affected. So far as municipal committees with communal electorates are concerned, the difficulty will not arise because it makes no difference to any community whether a member is returned by 200 votes or by 500 votes. However, I may assure the honourable mover that so far as my personal views are concerned I am in perfect sympathy with her. I hope I have said enough to satisfy the honourable mover, and she will see that it will be no use pressing her resolution.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (*Urdu*): Sir, it is with great reluctance

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that I have stood up to oppose a resolution which has been moved by an honourable lady member of the House. I am not opposing this resolution because I have really anything against the honourable mover. I am opposing it because our holy books so enjoin upon me. Our scriptures are against giving too much freedom to the opposite sex. At present people have become indifferent to religion, and they do not care for its dictates. Women's proper sphere of action is limited to the house. They are assigned the duties of managing the house, bringing up children and helping men in so many other small domestic affairs. So far as the house is concerned, women are enjoying equal rights with men, and they are in no way treated as inferior to them. But if, on the other hand, women begin to lay claims to all sorts of activities whether in the house or in public, they cannot be tolerated and no one can admit the soundness of their claims. Such a claim on the part of women is against nature. Women cannot enter upon the performance of duties which can only be discharged by men. Physically they are not strong, and they cannot undertake to go to war and defend the country. My honourable friend Chaudhri Abdul Rahman Khan has sufficiently discussed this subject, and I need not add to it. I can only say this much that we are quite prepared to give all sorts of freedom, equality and other such rights to women only so far as the household affairs are concerned. It is impossible to give them so much freedom as to allow them to take part in political and public activities of all kinds. There is a *shlok* which means that in her childhood a girl is under the protection of the father, after marriage the husband becomes responsible for her protection and maintenance and in her old age the sons are responsible for her maintenance, etc. In our scriptures nowhere is it stated that women should be granted freedom and treated as equal to men. In *Manusmriti* also there is a *shlok* which means that women cannot be granted freedom whether in childhood, youth or old age. If we give freedom to women many harmful results will ensue. Here opposite sexes cannot mix together in society. Women are not allowed to sit in the society of men. There are many *shloks* which can be quoted against the claim of women to freedom and equality with men. It is on account of the difficulties which free mixing of men and women present that in railway trains compartments for women are separated from

those for men. But it is deplorable that at present there are tendencies on the part of both men and women to become equal. Women have started getting their hair cut and men have started growing long hair on their heads and shaving off their beards and moustaches. The people have also begun favouring co-education in colleges. Soon we will see boys and girls sitting side by side in school and college rooms and learning from a teacher or a professor. But it is also certain that many deplorable results will follow from this freedom. I do not mean that men are in any way superior to women intellectually but, I only mean that they are made such that some functions can only be discharged by them and not by women. Women are wise and intelligent but they are physically unfit to do certain things. In Hindu scriptures woman is highly praised, and in Hindu society she is very much respected. Bhagwan Krishan is regarded by the Hindus to be an incarnation of God, but his name is always preceded by his wife's name Radha. Similarly whenever a Hindu names Rama, he always first puts the name of his wife, Sita and says Sita Ram. Sir, in this House although this resolution is not according to the wishes of the honourable members, still they prefer to remain silent about it for they do not want to oppose a lady. I also stood up reluctantly. It is, however, my belief that that House in which women are given freedom soon becomes subjected to many troubles. For this reason I oppose this resolution.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (Urdu): Sir, much has already been said on this resolution. I need not add anything more to it. There have been only few occasions when I have spoken in this House. I will only draw the attention of the honourable members to one practical difficulty. In this chamber, there are visitors' galleries and the children of a lady member can sit in them and be consoled by seeing their mother present and near to them. In the local bodies there is no such arrangement. No one other than the members can enter the meeting rooms of these bodies. Lady members will be faced with the difficulty of keeping the children away from them when they are inside the meeting rooms and attending the meeting. Here in this House there are galleries, and the children of the honourable the lady member are sitting up there. They can see their mother from there.

Mr. President: The honourable member should not be personal.

Chaudhri Ram Sarup: Sir, I did not mean any disrespect to the honourable lady member. I only wanted to show to the House that a mother cannot keep her children away from her. Sir, I have been given a chance to speak towards the close of today's sitting and I am being interrupted.

Mr. President: The honourable member is occupying a seat on one of the back benches. The occupants of the front benches are called first.

Chaudhri Ram Sarup: This is due to no fault of mine.

Mr. President: The honourable member may arrange with his party leader for a front seat.

Chaudhri Ram Sarup: Sir, I was saying that by becoming members of local bodies women will subject themselves to lot of trouble, and in view of the experience which the honourable mover has had during this session.

[Ch. R. m Sarup.]

of the Council with regard to the inconvenience to which her children are put, I advise her to withdraw this resolution. If she intends to press it to a division I fear some honourable members will have to record their votes in her favour against their will.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu): Sir, I was sorry to hear the speech of my honourable friend from Jullundur. He quoted many *shloks*, but those *shloks* were against his own contention. He also wrongly interpreted them. The last *shlok* which he quoted is also written on Sir Ganga Ram's Ashram, and it means that "Gods do not live in places where women are not respected." I do not know any scripture which is against the representation of women in local bodies. I am not one of those who change their views very soon and agree to every new change that is suggested. But I do want consistency. I do not advocate contradictions in our actions. Women can vote for the central legislature, they can seek election to the provincial legislature, and they can also be nominated to the Lahore municipality. But, exception is taken to their becoming members of local bodies. Those honourable Hindu members who are opposing this resolution and are against all such reforms which concern women are acting against the *shlok* which the honourable member representing Jullundur quoted. With these words I lend my hearty support to the resolution now under consideration.

Rao Bahadur Captain Rao Balbir Singh (Gurgaon, non-Muham-madan, Rural) (Urdu): Sir, it is a matter of delight that this resolution has come up for discussion before the House. Some of the honourable members said that women are not able, and that they cannot be expected to do any good work in local bodies. I say that all the members of the Council who can speak so well and are also well read are all born of woman. When the children of women can become so able and learned, how can the honourable members say that women cannot become able themselves? The honourable members will agree with me when I say that since the time the honourable lady member has come here she has given a new life to this House. She has convinced the House of her ability. I may also refer to a *shlok* which means, that if the mothers are able the children are also sure to become able. Many women have impressed the whole world with their ability. For example, there was Queen Victoria. She was a very able woman, and she earned the respect of the whole world for her ability and sound intellect. Her picture is hanging before me on the wall high over your throne. Women if they are allowed to seek election to the local bodies are sure to prove their worth. Our lady members have done good work in this Council. They are better so far as speaking is concerned than many members of this House. With these few words I support the resolution moved by the honourable lady member.

Kanwar Marnraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan Rural) (Urdu): Sir, I rise to oppose this resolution. In opposing this resolution I feel myself in an awkward position. I gave notice of a resolution to the same effect in November 1932. That resolution could not come in the ballot. At that time I was convinced of the justice of women's claim to membership of local bodies. But later on, under the light of fresh experience, I have found that extending such rights as asked for by this

resolution is dangerous not only for women themselves, but also for the society as a whole. First of all, I would like to say that the age qualification that is fixed for male voters should not be also fixed for women. The minimum age should be raised. The minimum age for women should be different from that fixed for men. Next, the scope of this resolution is very extensive. It includes district boards, municipal committees, small towns and panchayats. The Honourable Minister said that the Government would make enquiries from the district bodies whether they want women members, and if they also found that able women who can work well are forthcoming the Government would themselves be willing to make them members of local bodies. What more does the honourable mover want? I shall read a few extracts from a newspaper of Lahore in this connection. This article and a poem appeared in the newspaper on the same day. They appeared in the daily *Milap* of the 20th March. Honourable members who want to read it can refer to this paper. They are not worthy of being read in this House. Now I proceed to read from a newspaper.

The Honourable Dr. Gokul Chand Narang: I would request the honourable member not to read that paper, because, if I am not mistaken he is probably referring to something which appears in the non-serious columns of the paper.

Kanwar Mamraj Singh Chohan: I know my responsibility as well my own respect. In the issue of the 22nd March the daily *Milap* describes the condition of local bodies when women become their members. With these words I strongly oppose this resolution in its present form.

The Honourable Dr. Gokul Chand Narang: Will you please allow me to put a question to the honourable mover of the resolution? (Urdu) Sir, If Government were to give an assurance to the effect that in case well-qualified and suitable ladies are available they will be nominated to the various local bodies, would the honourable member withdraw her resolution?

Sardar Mohindar Singh (Ludhiana Sikh, Rural) (Urdu): Sir, I have stood up to support this resolution. I was not inclined to make any speech on this resolution, but as some of the honourable members from the Sikh benches have opposed this resolution I felt the necessity of showing to the House that all Sikh members are not against it. It is always harmful to go against the current. We cannot do a thing which is not in accordance with the general opinion prevailing at the time. At the present time it is admitted on all hands that women are equal to men, and that they should be given all rights that are enjoyed by men. When women can become members of this Council, why cannot they become members of district boards which are comparatively such small bodies? With these words, support the resolution which is now before the House.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban): Sir, I would like to begin my remarks with a few Punjabi verses.—

اد برہم انت برہم من میں دویت کون دھرتے
ایک ہندو نے مسلمان سکھ نام بھی دھرتے
کال بلی کے چوہ سارے سن متھائی لڑتے

I quite associate myself with all that Raja Sahib has said. If you deny to

[Ch. Bansi Lal.]

women the right of becoming members of district boards and municipal committees then what is the necessity of giving them education? Why are all the schools for girls not closed down? You are not educating women for doing your household work. You do not give them college education so that they may afterwards prepare loaves in the houses. The women are educated so that they may also become a useful part of society and serve in various capacities like men. I need not say anything more than this. With these brief remarks I support the resolution.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadian, Urban) (*Urdu*): Sir, I moved this resolution in this House more than three weeks ago. This means that this resolution has been before the public for the past three weeks or so. This is a sufficient period of time for ascertaining public opinion on the subject. The honourable members know that various newspapers have written articles about this resolution, and have also expressed their opinions regarding it. The honourable members can see for themselves these opinions. A majority of the newspapers has supported this resolution. The oldest, the most popular and the most influential of all national papers of Lahore, the *Tribune*, has accorded its whole-hearted support to my resolution, and has devoted full one article and a leaderette in championing my cause. The *Tribune*, as everybody knows, is not led away by communal and such like nefarious considerations. Even in matters of supporting particular candidates at the time of elections it treats Arya Smajists and others alike, and is never influenced by any religion which a particular candidate professes. It stands for national cause and supports only those views which are sure to promote the cause of the nation as a whole. You can very well infer, therefore, from the support accorded to my resolution by this paper as to how the public spirited people have received my proposal. Even the *Hindu* which reflects generally the views of the people of Bhai Parma Nand's school of thought, who are not in favour of women's enfranchisement, has supported my resolution. The most prominent English papers of Delhi, the *National Call* and the *Hindustan Times* have likewise supported my proposal. The Urdu papers of Lahore like the *Bande Matram*, the *Pariap* and the *Vir Bharat* have all unequivocally supported me. Only two papers from the Punjab, namely, Urdu and Hindi *Milap* and the *Arya Gazette* have written against my resolution and as both of them are not popular papers, I may consign their comments to the contemptible place they deserve. They are, as all of you know, communal papers of the worst type, and as such their views do not count at all in my eyes. As far as the Muslim press is concerned I cannot definitely say anything about its attitude. But since the two prominent Muslim papers, namely, the *Asat* and the *Tiryaq* have enthusiastically supported this resolution I can safely conclude that the enlightened Muslim opinion of the Punjab is also on my side. My resolution was unanimously supported in the All-India Women's Conference held recently at Lahore, and a copy of the resolution passed by the conference was forwarded to the Minister for Local Self-Government. Ladies of such eminence as Lady Abdul Qadir and Khadija Begum have lent their whole-hearted support to my motion, and in fact all enlightened womanhood of the province are at my back when I stand here to demand franchise for my sex.

Of the five honourable members who have opposed my resolution on the floor of this House, namely, Chaudhri Chhotu Ram, Chaudhri Muhammad Abdul Rahman, Maulvi Mazhar Ali, Shaikh Muhammad Sadiq and Sardar Arjan Singh, two can be counted as neutrals. Speeches of Shaikh Muhammad Sadiq and Sardar Arjan Singh were in fact neither in favour of my motion nor against it. I can take, however, that the greatest part of the speeches of these gentlemen was in my favour. Chaudhri Chhotu Ram has of course condemned my proposal with all his might and main. But the arguments which he adduced in support of his view were anything but convincing. His first and foremost argument, for instance, is that man is man and woman is woman. I need not say anything with regard to this argument. Its absurdity is too manifest on the face of it. His second argument is that elections are so many demonstrations of hooliganism and that he would not like to see women mixing with men at the polling booths. I shall presently answer this argument but let me first examine another equally unfair objection of his. He said in his speech that ninety per cent. of the population of his district was against enfranchising women. I cannot do better than quote here the opinion of the influential paper of his own district, namely, the *Haryana Tilak*, Rohtak. After hearing what this paper has written the honourable members will be in a position to judge for themselves whether the learned Chaudhri Sahib was voicing the feelings of the people of his own district or not, when he opposed women's franchise here. I shall not read those words which the paper has written especially about Chaudhri Sahib himself. I shall only quote the relevant portion of one of its articles. Says the paper:—

ہمارے سمجھے میں نہیں آتا کہ چودھری چھوٹو رام کے پاس وہ کونسا
آلہ ہے کہ جس کے ذریعہ انہیں اس معاملہ میں ضلع روہتک کی رائے کا
صحیح اندازہ لگایا۔

Then again:—

یہ نرے فیصدی کا حکم عورتوں کے حقوق کے لئے کہاں سے آگیا اور اپنی
ممبری اور وزارت کے لئے یہی حکم چھوٹو پڑاؤں کو رکھ دیا جاتا ہے۔ دراصل
اندھیرے میں بڑے ہرگز عوام تو تعالیم یافتہ زفدہ اور روشن خیال طبقہ کے
پیچھے ہوتے ہیں اور ضلع روہتک کی بیلک زندگی کا یہ طبقہ 90 فیصدی
عورتوں کو برابری کے حقوق دئے جانے کے حق میں ہے۔ اگر آج کل آرڈیننس
راج نہ ہوتا تو میں دکھلا دیتا کہ راؤ بہادر کی اس بے تکی نمائندگی کی
تردید گاؤں گاؤں میں بیلک جلسوں کے ذریعے کی جاتی ہے۔ اب جبریہ خاموشی
میں کوئی کچھ ہی بڑھانگ سکتا ہے۔

Now, Sir, should we take Chaudhri Sahib's opinion as the mirror of the opinion of 90 per cent. of the population of the Rohtak district or should we give credence to the view expressed in the pages of this popular paper?

As to this view of the honourable Chaudhri Sahib that elections are scenes of rowdyism and the business of hooligans, the afore-mentioned paper

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makes this comment upon it. I shall again leave out all those words which pertain particularly to the person of Chaudhri Sahib. It says :—

در اصل بات یہ ہے کہ جب انسان راج نیتی میں کوئی ہونے لگے اور خود غرضانہ روش اختیار کر لیتا ہے تو ہر طرح کے سدھار میں اُسکی طبیعت دنیا نویسی بن جاتی ہے۔ یہی حال چودھدری چھوٹو رام کا ہو چکا ہے۔ انتخابات کے غنڈہ پن کی بات ہے۔ یہی پہلی اول تو یہ قصور مردوں کا ہے اور سزا عورتیں بہمکتیں۔ دوسرے یہ غنڈہ پن میلوں ٹھیلوں سے تو زیادہ نہیں۔ بلکہ جلسوں کانفرنسوں اور جلسوں میں بھی تو عورتیں شامل ہوتی ہیں تب کونسا غضب آ جاتا ہے۔ عورتوں کو سیاسی حقوق سے محروم کرنے کے لئے یہ بالکل بچہ دلیل ہے۔

(Here, hear).

Further Chaudhri Sahib said that he would at least not allow the zamindar women to participate in politics and stand for election. But if he persists in this resolve the time will soon come when he will have to be sorry for what he is proposing today. When non-agriculturist women will have attained all rights and privileges due to them, and will have sufficiently advanced to participate in politics, he will feel that his own zamindar sisters are sadly backward and utterly unable to hold their own in the battle of life. At that time he will make it a matter of complaint that equal rights are not given to the women of his community. (*Khan Bahadur Sardar Habib Ullah* : Quite right). Everybody knows that zamindars did not give sufficient education to their boys in the past while non-zamindars gave higher education for their boys. The result is that non-agriculturists have obtained a majority in Government services and zamindars have lagged behind. Now there is a great hue and cry that zamindars are not given their due share of official leaves and fishes. Will not history repeat itself, I ask if zamindar women are not franchised and non-agriculturist women get, their legitimate right of vote and are returned in great numbers to the popular institutions of the country?

It is, with great regret that I recall the fact that Chaudhri Chhotu Ram opposed my resolution. He is a Jat and it is with regard to women of his community that the Punjabi proverb says :—

رن جٹی۔ ہور رن چٹی

It means that all other women are something in the nature of a fine, but it is the Jat woman who is a valuable asset for her husband.

Rao Bahadur Chaudhri Chhotu Ram : She is undoubtedly an asset now but will become a liability if she is returned to the local bodies.

Shrimati Lekhwati Jain : Does the honourable member want to see that the women of his community should remain confined within the four walls of their houses with long veils? It is generally complained that Rajput women do not help their husbands in the least. They remain confined in

their houses while their husbands toil all the day long in the fields, and do not go out even to hand over their meals to them. But Jat women go out to work in the fields with their husbands and take their meals to them in time. They even go to work with their husbands in woods.

Chaudhri Ram Sarup : But they will cease to do so if they get the right of voting for local bodies.

Shrimati Lekhwati Jain : The honourable Chaudhri Sahib should think for a while, and consider if the women of his community are prepared to help men in the woods, why they will not be of any help in the field of politics (*hear, hear*). I want to make it clear to the men here that it is not with a view to serving any selfish ends that women want the right of entering the field of politics. Nothing is farther from their designs. It is purely with a view to serve you that we want access to the local bodies. Women stand for service, and they will always be serving you. (*Cheers*).

An honourable member just said, that the participation of women in politics is against religion. He has quoted *shloks* in support of his contention. I am surprised to see that men would go on quoting *shloks* even if they are against their own beliefs. He perhaps did not know that the *shloks* which he quoted were in reality in support of my proposal. Similarly Chaudhri Chhotu Ram has said that my resolution is against the spirit of *Shastras*.

Rao Bahadur Chaudhri Chhotu Ram : I am not learned in the *Shastras*.

Shrimati Lekhwati Jain : I want to ask one question from those honourable members who oppose my resolution on this ground that it is against the spirit of *Shastras*. Can you show me any *Shashtra* which has laid down that men have a right to participate in politics? *Shastras* do clearly tell that men may open shops and do other sundry businesses, but they are absolutely silent on the point whether they have a right to seek elections or not. When men themselves have gone against the word of *Shastras*, what right have they to preach to women that they should not do the same? All sacred and old books of the Hindus like Ramayana and Mahabharata clearly show that women have always accompanied men to their greatest scenes of toils. I am a woman, and I feel diffident to speak more plainly on this point. But I should like to ask from these gentlemen, who are so averse to seeing women mix with men, why do they not pray to God that henceforth their children should come down from Heavens? All this world owes its existence to the love of mothers. All these gentlemen who are thinking out all sorts of funny excuses to deprive women of their legitimate rights are children of women. But, alas, they have forgotten the kindness done to them by women. Their versatile and wise heads would not have been here if women had not given birth to them. I am really at a loss to understand how they advocate the entire seclusion of men from women. How do they suppose, I fail to understand, that the very touch of women will contaminate men? Do not they know that sisters tie the *rakhri* thread on the wrists of their brothers on the day of the *rakhri* festival. Does that touch pollute them? Then a sister imprints the *tika* on the forehead of a rother when he is to be married. Do you think that the touch of a sister's and contaminates a brother? Then the sister puts the *mala* round the neck

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of the brothers when he is dressed as a bridegroom. All these things are done daily, and yet nobody complains that the hand of the woman has contaminated the being of the man. Bring a change in your minds, I request you, and nothing untoward will ever happen. (*Hear, hear*). Banish all ideas of impurity from your minds and you will remain free from all sorts of impurities.

Then, two Muslim members have opposed my proposition. Their objections were approximately identical with those of the Chaudhri Sahib. They have said that going to local bodies is incompatible with purdah, discarding of which is against Islam. I will only refer them to the example of two illustrious ladies of their own community. Mrs. Shah Nawaz has done most useful work for the sake of Indian womanhood in Europe. Is she not a good Muslim? Lady Abdul Qadir presided over the All-India Women's Conference which was held at Lahore, and now she is sitting over there. She does not observe purdah. Is she not a good Muslim? Has she not done credit to her sex and community by her most valuable work for the uplift of women of our country? I am sure she is a staunch Muhammadan and her community may be justly proud of her. I want to make it clear in this House that it is only a false notion that one who does not observe purdah is not a Muslim. I warn Mussalmans that if they persist in observing purdah they will reduce their percentage from 56 to only 6 in the end. In the same manner it is useless to emphasise the necessity of keeping beards. The world has outgrown such necessities if they were ever so. The world is rapidly discarding all such unnecessary things. It is high time that you should also cease to pin your faith to them. Hear what the world says. Try to keep pace with the times. Bear in mind the sound principle that the country will not be able to progress if women lag behind. I have no words to express the deep sense of sorrow which I feel when I find that my resolution is being opposed by those people who profess to be the well-wishers of the country and its people. These Gentlemen who are occupying the government benches belong to a community which is famous for the respect which they show to their women folk. They must be laughing in their sleeves to find us ranged against our womanhood. Here is an assembly that is constituted of the leaders of the province. I should like to see what they decide for their women—an honourable place or ignorance and neglect!

When women have a right to stand for election to the Council and Assembly I fail to understand how anybody can reasonably oppose the suggestion of their being elected members for district boards and municipal committees. As the learned Raja Sahib has explained the district boards and municipal committees are mere primary schools as compared with the Council and the Assembly. Why should you, therefore, deny women access to local bodies when they can enter Council and Assembly Chambers? I beg to point out that local bodies are the training grounds for the Council and the Assembly; so, do not shut the doors of local bodies against women when you have opened the doors of the Council to them.

I would assure the Muslim members of this House that women can be true to their religion even without purdah. If you allow your women to participate in politics they will be in a better position to serve and defend

their religion. Look at the other Islamic countries. Women of Persia, Turkey and Egypt do not observe purdah and freely participate in politics. They are the better servants of their religion and God than the ignorant and neglected purdah women of our country. (*Hear, hear*)

As I have already said two members who opposed my resolution, in fact partially supported it too. One of them is Shaikh Muhammad Sadiq and the other Sardar Arjan Singh. Shaikh Muhammad Sadiq has expressed, however, the fear that many bogus votes will be conveniently cast if women go to polling booths. I would refer him to the incidents in Delhi where so many voters were arrested for attempting to cast bogus votes, and there was not a single woman out of them. (*Hear, hear*).

Rao Bahadur Chaudhri Chhotu Ram : Perhaps they may have cast bogus votes in the garb of men.

Shrimati Lekhwati Jain : You do not seem to be in the habit of reading papers ; otherwise you would have known that not a single woman came to cast a bogus vote in Delhi elections. May I tell you why a women would never cast a bogus vote ? It is because she would never say that she is the wife of a man whose wife she is not. She would, therefore, never impersonate as the wife of another person. (*Hear, hear*). Then he said that it would be difficult for women to stand the hustle and bustle of the great crowds at the polling booths. Is it not a fact, that women attend so many crowded fairs and all public gatherings. They will certainly stand the difficulty of a great rush once during a term of three years. It was also pointed out that the plight of small children would be unimaginable if their mothers went to make speeches in the district board and municipal halls. But, do not small children go to schools and even to other cities and towns to get education ? If they are so inseparable from their mothers why should anybody send them to school ? In short, all these difficulties are so-called difficulties. If you do not want to do a thing you may think out a thousand excuses.

Sir, I have taken much of the time of this House. and there is practically nothing left for me to say. I would only point out that the whole of India is awaiting the verdict of this House on this most vital issue. In fact the eyes of the whole world are fixed on this Parliament of the Punjab and everybody is anxious to know what treatment is meted out by this House to the modest and legitimate demand of the Punjabi womanhood. Delhi, Calcutta and United Provinces have given women the right of representation in local bodies. Delhi and Calcutta corporations have accepted this right of women. Only Punjab has yet to do her duty. Panjabis are in the habit of saying that their women are more cultured than the women of other provinces of the country. A Punjabi youth would consider a United Province girl a mere fool. To-day what respect the Panjabis have for the educated women of their country will come to light. The Honourable Minister has said that Government have done so much for the uplift of women and have already given them some share in the administration of the local bodies. I would request him that if Government have done so much on their initiative, they should do still more when a demand has been made by women, through the Press and the platform.

One thing more and I have done. When the Government have accepted the suggestion of nominating women to the membership of local bodies they

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should as a matter of fact have no objection to allowing women to send to these bodies representatives of their own choice. I would again remind this House of their duty. Ladies are sitting in the gallery to see how men treat their legitimate and modest request. The whole female population of the province is now anxious to see how the Government is going to treat this resolution. As a matter of fact the Government cannot say that women are incapable of discharging the duties of a municipal commissioner or of a member of a district board. There are already two lady members working at present in the Lahore Municipality and their work is as satisfactory as that of the other members of the committee. I hope the Government will not object to the resolution and the House will readily accept it.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (Urdu): Sir, I have not risen with a view to make a

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long speech or to reply to the forcible arguments advanced by the honourable mover in support of her resolution. As a matter of fact it is impossible for me to reply to those arguments. I do appreciate her feelings and recognise the soundness of her arguments. I also admit that the arguments advanced by her are far more weighty than those of the honourable members who opposed the resolution. To say that Hindu *dharma* does not approve of women taking part in politics is absolutely wrong. (*An honourable member*: You are not a Pandit). For this purpose I am a Pandit also. You cannot oppose this principle on religious grounds. However, I may tell you that the time is fast approaching when this current will be too strong for you to check. But at the same time I have no hesitation in saying that though, personally, speaking, I am quite at one with the honourable mover with respect to the spirit of her resolution, the resolution as it stands is not acceptable to Government. For, if they once accept it they will be morally bound to give effect to it which they are unable to do under the present circumstances. The Government could have readily accepted the resolution if it had not been so wide in its scope. At present the Government cannot see their way to grant franchise to women so far as the district board elections are concerned. Perhaps the honourable mover does not fully realise the serious political situation in the country when the different communities are clamouring for their rights and the Government is face to face with serious difficulties on account of communal problem. It would have been better if the honourable mover had restricted the scope of her resolution to municipalities for the present. No doubt her speech was very impressive. But if she would deliver such speeches in town halls I am sure the members of municipalities would be greatly impressed. I hope Shrimati Ji would deliver such speeches there and gain her end. But so far as the district board elections are concerned the matter is rather difficult for there the principle of joint electorate is in vogue and the Muslim ladies may not be inclined to vote in the manner in which the male voters record their votes. There are communities who object to this principle on religious as well as on social grounds. However, the Government do realise that there is a section of the female population in the country which is very keen about the matter. Previously in the Lahore Municipality there was only one lady member, but now there are three such members. In Amritsar also a lady member has been recently nominated. There is yet another

municipality where a lady member may be nominated. I assure the honourable mover that whenever and wherever it is feasible the Government would gladly nominate lady members. I hope this will satisfy the honourable mover. But in case she is not satisfied with this assurance and is anxious to press her resolution to division I would say with great regret that the Government would be compelled to vote against the resolution.

Mr. President: The question is—

This Council recommends to the Government that the sex disqualification for registration on the electoral roll of the municipalities and district boards should be removed in respect of women generally, and they should be allowed to stand as candidates for the membership of the same.

The Council divided : Ayes 25 : Noes 49.

AYES :

Afzal Haq, Chaudhri.	Lekhwati Jain, Shrimati.
Balbir Singh, Rao Bahadur Captain Rao.	Manohar Lal, Mr.
Bishan Singh, Sardar.	Mayadas, Mr. E.
Buta Singh, Sardar Bahadur Sardar.	Mohan Singh, Sardar Bahadur Sardar.
Chetan Anand, Lala.	Muhammad Fusoof, Khwaja.
Ghani, Mr. M. A.	Mukand Lal Puri, Mr.
Gopal Das, Lala.	Mukerji, Rai Bahadur Mr. P.
Habib Ullah, Khan Bahadur Sardar.	Narendra Nath, Diwan Bahadur Raja.
Jaswant Singh, Guru.	Nihal Chand Aggarwal, Lala.
Jawahar Singh Dhillon, Sardar.	Nurullah, Mian.
Labh Chand Mehra, Lala.	Sewak Ram, Rai Bahadur, Lala.
Labh Singh, Mr.	Shave, Dr. (Mrs.) M. C.
	Ujjal Singh, Sardar Sahib Sardar.

NOES :

Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Gurbachan Singh, Sardar.
Allah Dad Khan, Chaudhri.	Haibat Khan Daha, Khan.
Arjan Singh, Sardar.	Hearn, Mr. J. W.
Bahadur Khan, Sardar.	Janmeja Singh, Captain Sardar Bahadur Sardar.
Bhagat Ram, Lala.	Jogendra Singh, The Honourable Sardar Sir.
Boyd, Mr. D. J.	Kesar Singh, Rai Sahib Chaudhri.
Bokhari, Mr. A. S.	Latifi, Mr. A.
Chhotu Ram, Rao Bahadur, Chaudhri.	Mamraj Singh Chohan, Kanwar.
Craik, The Honourable Sir Henry.	Marsden, Mr. P.
Din Muhammad, Khan Bahadur Shaikh.	Miles Irving, The Honourable Mr.
Faqir Husain Khan, Chaudhri.	Mubarak Ali Shah, Sayad.
Fazl Ilahi, Khan Sahib Shaikh.	Muhammad Abdul Rahman Khan, Chaudhri.
Firoz Khan Noon, The Honourable Malik, Sir.	Muhammad Amin Khan, Khan Bahadur Malik.
Garbett, Mr. C. C.	Muhammad Hayat Qureshi, Khan Bahadur Mian.
Gokul Chand Narang, The Honourable Dr.	Muhammad Husain, Chaudhri.

NOES—concl'd.

Muhammad Raza Shah, Gilani,	Nur Khan, Khan Sahib, Risaldar Bahadur.
Makhdumzada Sayad.	Ogilvie, Mr. C. M. G.
Muhammad Sarfaraz Ali Khan,	Pancham Chand, Thakur.
Raja.	Rahim Bakhsh, Maulvi, Sir.
Murphy, Mr. A.	Ramji Das, Lala.
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Ram Sarup, Chaudhri.
Muzaffar Khan, Khan Bahadur, Captain Malik.	Ram Singh, 2nd-Lieutenant Sardar.
Nathwa Singh, Chaudhri.	Riasat Ali, Chaudhri.
Nazir Husain, Chaudhri.	Sanderson, Mr. R.
Noor Ahmad Khan, Khan Sahib Mian.	Sheo Narain Singh, Sardar Bahadur Sardar.
	Zafrulla Khan, Chaudhri.

PUBLICATIONS OF TEXT BOOK COMMITTEE ON CONTRACT BASIS.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan Landholders): Sir, with your permission I beg to move the resolution that stands in my name with a slight modification, and after that my resolution will run:

This Council recommends to the Government that the present system of placing on contract the printing of the publications of the Punjab Text Book Committee be discontinued by the end of the next financial year.

Maulvi Mazhar Ali Azhar: Sir, the present resolution goes beyond the scope of the original resolution.

Mr. President: No, it does not.

Chaudhri Zafrulla Khan: Would it be open to an honourable member to move afterwards that the original wording may be restored.

Mr. President: Certainly.

Khan Bahadur Mian Ahmad Yar Khan Daulatana: This Council appointed a committee some time ago called the Punjab Sources of Revenue Committee. In paragraph 24, page 48, the committee recommended:

We have consulted the Director of Public Instruction on the question whether the present text-book system is capable of improvement. We are of opinion, by a majority, that the copyright of certain books which now vests in the Text-Book Committee should be re-transferred to Government as this will bring additional revenue to the Government. Authors, official or non-official, of approved text-books should be rewarded by the grant of a suitable honorarium and the copyright in respect of those books should vest in Government. A minority is not in favour of the proposed change particularly in view of the fact that any profits which may accrue to Government from this charge will be made at the expense of the student class who are forced to purchase the prescribed books.

That was the recommendation of the committee which was appointed as a result of a resolution moved by me and passed by this Council. I was a member of the committee. I wanted to bring in a resolution in 1932,

covering the recommendation of the committee as regards this particular subject. I was doubtful whether the proposed change would place this province in a better position financially or otherwise, because my impression is, and that is the feeling of several members of this House, that Governments invariably lose on concerns where private individuals make tons of money. Personally, I do not want to bring any monetary considerations in the way of education, because I believe that public instruction is the first object of a Government. As far as monetary value of this recommendation was concerned I decided not to bring in a resolution to that effect. Besides this I consulted the present contractor who is a great friend of mine, and from the figures that he gave me I was convinced that the change may not be a very profitable one from the point of view of finance if Government undertook this enterprise on account of their terrible salary bills in every department, and even in those departments which are called commercial departments. There was another aspect of this question which was brought to the notice of this House by the Honourable Minister for Education. As my friends know my ambition is to see the undesirable text books that are taught in our schools replaced as soon as possible, and I have been trying, though in vain, for the last twelve years to bring about that desired change. The reason why I am moving this resolution apart from its financial aspect or the administrative consideration is with the object of trying to improve our text-books in general and the text-books in history in particular.

That is my aim, and I am very glad to say that the Honourable Minister for Education suggested to me a way by which this was possible. I fear it will not be relevant if I discuss in detail the importance of proper text books that should be taught in our schools. It is said, and it has always been said, and I entirely agree with it, that the communal child in this unfortunate province has been given birth to by the text-books that are taught in schools. (*Hear, hear*). Communal educational institutions are the nurseries where the communal child is brought up on the foods of the irresponsible writings in our irresponsible press and the outbursts of our irresponsible and selfish leaders. (*Hear, hear*). I was reading a book the other day and I came across a quotation. I forget whether it was by Emerson or Dr. Johnson. He says, "Education imparted through the books of indifferent quality too often covers the fingers with rings and at the same time cuts the sinews at the wrist." Personally my own view about education in a country which is not well advanced is that education is more or less like gardening. The duty of a gardener consists more in uprooting thorny weeds rather than planting the seed. We have no character-building education. I believe that these text-books are like the seed which gives us intellectual, social and moral crop on which the civilisation and the society of our country is evolved. However indifferent a gardener may be, however lazy he may be, I am sure that he will never neglect the duty of selecting the best seeds for his plant. My complaint has always been that our Education Department in particular and the public in general have been guilty of gross negligence in this particular matter.

It was on Friday, the 25th of November 1932, that I moved a resolution in this House about books on Indian History, and the Honourable Minister in replying to the resolution on behalf of Government made the following remarks which are primarily responsible for my bringing this resolution here

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today. I hope the House will listen to me if I read out the relevant portion of his speech. He said :—

On the other hand, it was my intention that we ought to import some fresh blood into the Text-Book Committee which originally consisted entirely of educational experts. With a view to bring this House in closer touch with the working of the Text-Book Committee, I departed from the past practice and nominated two honourable members of this House—Malak Muhammad Din and Lala Gopal Das—as members of the Text-Book Committee. I can assure the House of our desire to make that Text-Book Committee as useful as possible. But I personally think that the real remedy is a different one to what we are driving at.

Then the Honourable Minister goes on —

These are certain difficulties which will not be easy to surmount. I personally think that the only remedy of a case like this seems to be that as far as text-books are concerned, they should be the property of the Education Department and not the property of various firms. If we want a history book, say, for the eighth class we could announce that the Education Department wants that book written. Several authors will naturally compete. We will then appoint a committee to examine the books and choose the best. We will not let that man make tons of money, but we will offer him, say, Rs. 5,000 for writing that book as a reward for his labours. We will publish that book as a Government text-book, and that book will be the property of the Education Department. The main advantage of that will be that from the profits made out of that book, the Education Department will be able to spend more on education, which is rather difficult under the present financial stringency. The additional advantage of this system will be that you will be selling books to students at a much cheaper rate than is the case at present. What happens under the present system is that we are losing money while other Governments are making money under similar circumstances in other countries. The Director of Public Instruction informed me the other day that this is the system which is in vogue in Japan—the text-books are published by Government and they are the property of Government, and whatever money Government makes out of the sale of those books is spent on education. The sooner the House adopts that system, the better will it be from the point of view of everybody. There are difficulties in the way. There are the vested interests of the publishers. You must realise that the publishers who have a large number of text-books on the market and who make thousands every year, are not going to let the Education Department bring about the change easily. Before the Education Department can take any such step, I would suggest to the honourable member to arrange in such a way that a resolution to this effect is brought before this House and discussed, and if the House passes a resolution that in future the text-books in our schools should be the property of the Education Department, that they should be written by us and published by us, that will give me sufficient authority to make the change, with the result that we will produce more desirable kind of books for our children, will be able to supply books at a much cheaper rate, and we will be able to spend all the profits from these books on the education of the province. I hope the honourable member will bring forward a resolution of this kind.

Here is the suggestion of the Honourable Minister for Education, and it is as a result of this suggestion that I have brought forward this resolution.

Reverting to the text-book committee's contract I submit that I do not care about the politics of the Text-Book Committee, nor I do care about the financial aspect. What I want is that this House should adopt this resolution if it wants the Honourable Minister to get rid of undesirable text-books. My object in bringing forward this resolution is to put an end to these undesirable text-books. I have very strong feelings on the subject, as I myself have been the victim of these text-books when I was a student. It is only after a very extensive study of history that one can realise the mischief that these text-books do. A man who has not time to read the original history

will, I am sure, have prejudiced notions throughout his life, and the stronger the prejudice the weaker is the judgment. I feel that these books are like glasses through which we see the world. If you use cheap glasses they are bound to spoil your eyesight: and if you have coloured glasses, you will see the whole world in that colour and then if you remove the glasses you will not be able to see things in their reality for some time.

I think the Government will have no difficulty in accepting this resolution. Already we have had a full dress debate on the resolution concerning the Text-Book Committee during March 1929, and at that time the Honourable Minister for Education, my able friend the worthy representative of the intellect of the province, I mean Mr. Manohar Lal, who represents our University in this House, was able to defend the fierce attack of our party. But today I see that the Education Department is reinforced by the members of the Text-Book Committee. I wonder what the attitude of the Government is. As a matter of fact, in view of the clear assurance given by the Honourable Minister already, I must have simply moved the resolution and resumed my seat. The time allotted for non-official business is unreasonably inadequate, and therefore every minute of the time allotted for non-official business is very precious, and it is our sacred duty to utilize it to the best of our advantage.

But I cannot allow this opportunity to pass without saying a word about the Text-Book Committee itself. I understand that the present system of contract has courted an acute and sometimes even undignified controversy in the province and in this House. The system of placing on contract the sale of Punjab Text-Book Committee's own publications does not exist in any other province, the last of the province to give up this system being the United Provinces. There is no reason why this antiquated system, which has been found to be unacceptable in all other parts of the country, should be permitted to continue here. It cannot be said that the abolition of the contract will in any manner affect prejudicially the propagation of knowledge or production of sound literature because the committee's own publications cover a very narrow range of subjects, while even in the subjects covered by its books there are alternative books approved by the Committee and published by other publishers.

Under the present system, the Punjab Text-Book Committee is discharging a dual function. It has got a number of books on certain subjects whose copyright belongs to it, and for the sale of which it invites tenders every five years and entrusts the sale to the contractor for this period.

At the same time the Committee is receiving books published by other firms and recommending them for approval as text-books to the Director of Public Instruction. This system has been in force during the last forty years or so, and has resulted in the approval of a large number of books on different subjects published by different publishers all of which are alternative text-books. It entirely depends on the discretion of the headmaster of a school which book out of these several he wishes to introduce in his school. This system has led to a number of evils; chief of which is the prevalence of alleged corruption and jobbery in the Education Department. This corruption is alleged to be so universal and deep-rooted that all measures adopted so far by the authorities have failed to remove it. The headmasters

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of schools and members of the subordinate inspecting staff, who virtually guide the opinions of teachers in rural schools, select books without the slightest regard to the merits of a book or the real interests of education. All sorts of books are being taught in schools inspite of the presence of really first rate books simply because the publishers of these third rate books are able to secure by various means, which I do not consider it proper to mention here, the good-will of the headmaster and inspecting officers. The best interests of children's education, which we all profess to cherish so much, are being thus sacrificed at the altar of petty selfish gains and pecuniary benefits of those entrusted with the selection of books. Canvassing activities of the various rival publishing houses are so wide-spread that the poor teacher finds it impossible to withstand the various temptations that are placed in his way. It is, therefore, a matter for no surprise that he falls a victim to these overtures and prescribes books for the school in utter disregard of whether a book is really suitable for the boys or not. Moreover, he is tempted to change the courses every year because by doing so he can please a number of publishers and get the maximum benefit for himself. It is not the least bit important to the headmaster whether this change entails a heavy financial burden of a recurring nature on the pockets of guardians of children, inasmuch as the children are obliged to purchase new books every year and cannot make use of second hand books.

Further, under the present system, due to a large number of alternative text-books on different subjects, it will be impossible to come across any two schools situated even in the same town, what to say of schools in different towns or different districts, which are using the same set of books on the same subject. The result is that if a Government servant is transferred from one place to another he has to spend nearly twenty rupees on books alone for each of his school-going children. This frequent change of books in schools is already within the knowledge of the Education Department, but the only step which has been taken so far to put a stop to it is the issue of circulars asking the headmasters not to make frequent changes.

My proposal in brief is that the present system of placing on contract Punjab Text-Book Committee publications be abolished. Further, all alternative books approved so far be considered to be scored out, and the Text-Book Committee be dissolved and in its place a board of reviewers be appointed whose honesty must be above suspicion and whose ability must be admitted, and they should have nothing to do with the text-books directly or even indirectly. The board should notify to all the publishers and authors that they should submit text-books on different subjects for the approval of the board by a certain date. After all the books have been submitted the board should review them and get the approval of the Government. After these books are sanctioned by the Government, of course with the help of the Education Department, they should be prescribed as sole text-books for all the schools in the province for a specified period, say, two years. The books selected for each subject should be the best on merits. This system, I am sure, will achieve all the objects for which the resolution was tabled. As regards the expenses of the board I do not think it requires more than fifteen to twenty thousand rupees a year to carry on its normal activities.

Before I sit down let me make it clear that by the mention of corruption I do not mean to say that corruption in the Text-Book Committee is in any way on the increase. The corruption during the Montford Reforms has been successfully checked. Public morality is superior to-day to what it was ten years ago. It is a mischievous misrepresentation of facts to say that corruption is on the increase. It is much less than it was before the reforms. The people now consider it a vice, and we have got effective ways of publicity now which was not the case before the reforms.

I wish to say one thing more. Personally I do not want to choke private enterprise. I have got my friends who are publishers, and I always try to help my friends if by doing so I do harm to no one else. It is intellectual dishonesty to go out of one's way to harm a friend to make oneself popular. It is the worst kind of dishonesty. But if these books are inflicted on us by the publishers and the tone of our text-books is not going to be improved, then I think no sacrifice, however great it may be, should be minded because from the very beginning I have very strong feelings, and I think the solution of all our difficulties is in the improvement of our text-books.

The Honourable Minister definitely told us that it was not possible for him to bring about the desired change unless it was made possible for him, and consequently I have brought forward this resolution.

Mr. President : Resolution moved—

This Council recommends to the Government that the present system of placing on contract the printing of the publications of the Punjab Text-Book Committee be discontinued by the end of the next financial year.

Mr. A. S. Bokhari (Professor, Government College) (*Urdu*): Sir, I shall not attempt to make a lengthy or learned speech on the subject which is now before the House. I have been asked by the Honourable Minister for Education to place before you just those facts which relate to the contract that has been brought under discussion by this resolution. The honourable mover of this resolution himself confessed that he was not conversant with all the details of the problem. This, no doubt, was modesty on his part. Some of the honourable members are surely acquainted with all the details and all the honourable members with some of the details. But since I am anxious that every one should be acquainted with the full facts, I will ask the House to forgive me if a repetition of what is already known proves boring.

Briefly, the contract under discussion is a contract given for the printing, publication and sale of certain prescribed text-books, the copyright of which is the property of the Punjab Text-Book Committee. May I briefly explain what exactly is meant by a prescribed text-book? Every student in the Punjab who reads in a recognised school, that means to say, in a school which has chosen to impose upon itself certain regulations of the Education Department, every such student reads two kinds of books through the agency of his school. There are the books that are lying on the shelves of the library in his school which he may or may not occasionally take down to read. There is a second class of books which he is actually taught in the class room and on which he is examined. Both these books, if the school is a recognised school, have previously been approved by the Director of Public Instruction and are known as "approved" books. The first class of books

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is known as library books and the second class as "prescribed text-books." What I wish to make clear is that for the purposes of this discussion, we may ignore the library books altogether for this contract relates to certain prescribed text-books. In passing, however, I may remark that since one school buys, generally speaking, not more than one copy of a library book, the sale of such a book is rather small as compared with that of a prescribed text-book, a copy of which has to be possessed by every single student.

How are these books approved? The procedure briefly is this. All the year round authors and publishers keep sending their books to the Director of Public Instruction for his approval. The Director of Public Instruction decides with regard to each book whether it is suitable or not, and if suitable, whether it is suitable as a library book or as a prescribed text-book, and if as a prescribed text-book, in what subject and for what class. It so happens that this work of scrutiny has been assigned by the Director of Public Instruction to the Punjab Text-Book Committee. The Text-Book Committee, however, does not finally approve of these books, but merely recommends them to the Director of Public Instruction who issues the final orders, indicating at the same time whether the book has been approved as a library book or for use in the class room.

Chaudhri Allah Dad Khan : The honourable member has simply to deal with the Text-Book Committee's publications.

Mr. Mukand Lal Puri : No, no. He is giving very useful information; let him continue.

Mr. A. S. Bokhari : Sir, the Punjab Text-Book Committee has been now in existence for over 50 years and was originally constituted in order to scrutinise books and recommend suitable ones to the Director of Public Instruction. This function, as a recommendatory and advisory body to the Director of Public Instruction, it is still performing. During these 50 years and more of its existence, its constitution has undergone some changes; but its function as an advisory body has remained the same. It still receives books, considers them and forwards its recommendations to the Director of Public Instruction.

Chaudhri Zafrulla Khan : I hope the honourable member will finish these details before 6 o'clock.

Mr. Mukand Lal Puri : We are so absorbed; we would like the speech to continue.

Mr. A. S. Bokhari : The members of the Punjab Text-Book Committee are all nominated by the Ministry of Education. I need not take the time of the House to explain the exact procedure adopted by the Punjab Text-Book Committee for carrying out its work of scrutiny and recommendation. A copy of the rules has been laid on the table of the House, and honourable members can refer to it if they care to do so. To sum up then, the main function of the Punjab Text-Book Committee is to recommend publications to the Director of Public Instruction either for the purpose of allowing their use in school libraries or for prescribing them as text-books. Once more may I make it clear that the final approval is in the hands of the Director

of Public Instruction who is not bound by the recommendations of the Text-Book Committee.

Now with regard to this contract. How is it that the Text-Book Committee has come to possess the copyright of certain books for which it has to give a contract? The genesis of these books is somewhat as follows, and what I am about to relate will also, I hope, help the House to understand exactly what position the publications of the committee occupy amongst publications in general including those of private firms. Sometime at the end of the last century when private enterprise, both with regard to authorship and with regard to publishing, was lacking, the Education Department felt the necessity of getting some books written on different subjects, primarily those on which no books were available in the market. The department sought the help of some of the scholars of the time and got some books compiled. These scholars were commissioned by the department and the copyright of these books were taken over by the department. The well known Urdu-Ki-Pahli-Kitab, written as we all know by the late Shamas-ul-Ulama Maulvi Muhammad Husain Azad, was one of these books. These books since they were the best at the time were prescribed as the sole text-books for use in schools. Later their copyright was handed over by the department to the Punjab Text-Book Committee. The Committee having no arrangements of its own for publishing these books gave a contract for their printing, publishing and sale for a period of 5 years at a time. The copyright of these books at present vests in the Punjab Text-Book Committee.

May I now proceed to inform the House how the number of prescribed text-books has increased to its present extent. In the beginning at least in certain subjects, the only books prescribed were the books that were owned by the department. From time to time, however, various authors submitted their books to the department. Let us take a subject like Urdu. At one time the department had approved only one book in the subject and that their own. Later a good book was submitted by a private firm. The department said, here is another good book, and there is no reason why the students should use our book only. So they notified that every school had a right to choose whichever of these two books it might use. The second book came to be known as an alternative text-book. A little later a third book and then a fourth and then a fifth was sent up. The department finding them suitable, approved them also, and the approved alternatives increased. (*An honourable member*: How does it all relate to the motion under consideration?) Sir, I am trying to acquaint the House with the exact position occupied by the Punjab Text-Book Committee publications, the publications, that is to say, to which this contract relates. As I was saying, gradually two kinds of books came into existence, those owned by the department and those written by private persons or published by private firms and approved by the department. All these were alternatives, and the final choice from amongst these was left to the head-masters. At present the number of books owned by the Punjab Text-Book Committee is 119 as against 1848 owned by private publishers. All these books are equally approved and not even for the headmasters of Government schools is it compulsory to use the Text-Book Committee publications in preference to others. Nor do the Text-Book Committee publications

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comprise all subjects. The department prepares books on those subjects only on which other people do not find it profitable to engage themselves or on which suitable books do not exist. For example, on subjects like English and Mathematics no books were required to be written, and the prescribed text-books in English belong solely to private publishers and number 588. In Mathematics the number of books is 250, and none of them belongs to the Committee. In Urdu the Text-Book Committee has 58 publications as against 226 published by private firms; in Hindi 25 as against 217. In subjects like Kindergarten, Drawing, History, Geography, Mathematics, the Committee has no books of its own.

From these figures, you will find that the number of books which belong to the Text-Book Committee is very small compared to the total number of prescribed books. The copyright of these books was transferred by the Government to the Punjab Text Book Committee in 1889. The Committee gave a contract for the publication and sale of these books after inviting tenders from various firms. This system is still being followed. The money paid by the contractor forms the main source of income, and during the 5 years expiring on the 31st March 1935 this income amounted to Rs. 54,000 per annum. There are other minor sources of income, but they are not worth mentioning.

The next question is, how does the Punjab Text-Book Committee spend this money? The first thing I wish to make clear is that this money hardly ever gets the chance of getting accumulated. The annual expenditure is over one lakh.

Chaudhri Zafrulla Khan : That being so, surely the other income must be nearly Rs. 50,000 to make up the sum of over a lakh.

Mr. A. S. Bokhari : The expenditure of the Text-Book Committee has increased during recent years to such an extent that not only the whole income from various sources is spent, but also a considerable amount from the reserve fund. Now I will proceed to explain how this sum of about one lakh is spent and on what. (*Interruption*). The answer to the question of the honourable Chaudhri Sahib is, that the reserve fund is the result of the economy which was observed in times when the income of the Punjab Text-Book Committee was considerable, but its activities were limited. Coming back to what I was trying to explain, the Punjab Text-Book Committee maintains a library of its own and spends Rs. 4,000 a year on purchasing new books for it. This library is serving a very useful purpose. Only once, and that recently in a newspaper, was any doubt expressed as to the usefulness of this library. It may be that this library is not very well known to the general public, and that they do not make much use of it; but it has been of immense help to those who are

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connected with the Education Department or who are studying in the Central Training College, Lahore or in the Junior Anglo-Vernacular classes attached to the Arts Colleges. One of the biggest items of expenditure which the Text-Book Committee incurs relates to the free distribution to different middle schools, of translations in the vernacular of certain books that have been found useful for school boys and the general public in England and other western

countries. These transactions are undertaken by the Committee at considerable cost and three or four thousand copies of each translation are supplied free to middle and other schools in the province. Forty-nine such translations have already been published and distributed, 17 are in the press and 22 are with the translators, making a total of 88. The total expenditure incurred so far on this item amounts to more than Rs. 77,000. Fifty-nine thousand copies of Urdu translations, 8,000 copies of Hindi translations and 18,000 copies of Panjabi translations have already been sent to schools.

Chaudhri Nazir Husain : What was the last year's expenditure ?

Mr. A. S. Bokhari : Usually a sum of between Rs. 10,000 and Rs. 17,000 a year is earmarked for this purpose and as the accounts for this year have not been closed. I cannot give more exact figures.

Another important activity of the Punjab Text Book Committee is the free exhibition of educational films. Films have come to be recognised in western countries as a very potent factor in education. The Text Book Committee has a library of 180 films and has in its employ an expert who is fully trained in educational methods and is also conversant with the technical side of film exhibition. Wherever electricity is available, these films are shown to students and villagers free of cost and for that purpose the cinema demonstrator of the Committee keeps touring round the province throughout the year.

Chaudhri Zafrulla Khan : The resolution is that the present system of placing on contract the printing of the publications of the Punjab Text Book Committee should be changed. It does not say that the Text Book Committee should not derive its income or spend it on certain activities. Are you defending the present system or are you not ? The speech leads nowhere.

Mr. A. S. Bokhari : Sir, I am at present speaking neither for the motion nor against it. In fact I am not expressing any views on the subject at all. What I am, however, doing is that I am trying to lay before the House certain essential facts regarding the functions of the Punjab Text Book Committee to help the House to understand the exact position of the contract and all its implications, so that honourable members who wish to speak after me may be in a position to support or oppose the resolution in the light of the facts that I might bring to their notice. If you allow me to proceed I would like to submit only a few more points for your consideration.

Sir, I have informed the House, that a sum of about Rs. 77,000 has been spent on the supply of translations of certain books to the Punjab schools free of cost. I have also explained that a good deal of money is spent on educational films. I have further referred to the expenditure that is incurred every year on account of the library. (*Interruption.*) In answer to that I may say that these copies of translations are not sent to different schools without considering the requirements of such schools.

Having explained to what kind of books the contract relates and how the income derived from this contract is spent, may I say one or two things about the contract itself ? As I have mentioned before, this contract is

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given for a term of 5 years after the expiry of which fresh tenders are invited. This contract is naturally given subject to certain conditions, the main amongst them being that a certain standard of printing and get-up with regard to these books must be maintained and that each book should be sold at a certain fixed rate, fixed I mean to say, by the department. The royalty is paid annually. These are the most important terms of the contract. I do not think the House would like me to read the whole of the agreement of which there are 25 clauses.

Chaudhri Nazir Husain : This resolution is not against the Punjab Text Book Committee as such but only relates to the system of its contracts.

Chaudhri Zafrulla Khan : Nobody is criticising the activities of the Text Book Committee. We agree that it is a valuable body. If the honourable member, Mr. Bokhari, must prove his binomial theorem, he may continue to talk besides the point.

Will the honourable member before he resumes his seat finally tell us something about the present position as regards the contract? He has spoken on all sorts of activities of the Text Book Committee but has refrained from saying a word with regard to the resolution itself.

Mr. Mukand Lal Puri : I think information is necessary as to who are the contracting parties. Is the contract given by the Text Book Committee, by the Director of Public Instruction or by the Minister for Education? Will he also kindly state as to who are the members of the Punjab Text Book Committee and how they are appointed?

The Honourable Malik Sir Firoz Khan Noon : A copy of the annual report of the Committee has already been laid on the table.

Mr. Mukand Lal Puri : Who are these contractors—I mean, what are their names?

Mr. A. S. Bokhari : The last contract was between Lala Sohan Lal on behalf of himself and his three minor brothers, members of a joint Hindu family and so on and the Punjab Text Book Committee. (*An honourable member :* What is the amount of money that the Committee gets from this contract?) Rs. 54,000 per annum.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I rise to point out that this is not a debating society. The honourable member, Mr. Bokhari, has made his excellent speech and has sat down. It will be well if members who wish to have information may speak in their turn allowing Government to reply at the end.

Mr. Manohar Lal : May I ask a question? The honourable member has told us that a certain number of books are translated at the instance of the Text Book Committee and duly published. Has the committee itself produced any book, that is, has it any editors or any regular organisation for the production of books which in course of time may be added to the list of prescribed books?

Mr. A. S. Bokhari : As a matter of fact the committee does not seek to add to its number of books. It only gets books written in those subjects

in which the sale of books is so small that it is almost impossible to expect any private publisher to undertake to publish them on a commercial basis. Books for training institutions are a case in point. Their sale is very small and in such cases the Committee arranges, if possible, to have certain books written and published. (*Mr. Manohar Lal*: Written by whom?) By experts.

Chaudhri Nazir Husain (Gujrat West, Muhammadan, Rural): The honourable member, Mr. Bokhari, is a great dramatist, but he has not played fair with this House to-day. He has given us the play of Hamlet with the part of Hamlet left out. The question before the House was about the system of contracts of the Text Book Committee. He has given us a variety of information about the activities of the Committee and told us that that body is a body of gentlemen for whom we should have the greatest respect, that its activities are various and beneficial, that it translates certain very highly necessary primers from various languages and sends them round to schools and so on. All that is very good. And we are highly obliged to the Text Book Committee for taking that interest in the education of the province. But really all his long speech was beside the point. The point here is a simple one, that is, whether it is possible for the Text Book Committee or for the Government to make other arrangements for the publication of its books. I think there can be no two answers to this. It should be possible for any owner of a book to have that book published. The second question arises whether, if it makes private arrangements, it is likely to lose over the affair. That was the real point on which we wanted the opinion of the honourable member who here represents the Punjab Text Book Committee. Because, obviously if the books of the Punjab Government, ownership of which is at present vested in the Text Book Committee, bring in a lot of money to the publishers through whom they are published, there is no reason why if the publication of those books were kept in the hands of Government, all that money should not come to the coffers of the State. As the Text Book Committee is bringing a sum of Rs. 54,000 to the revenues of the province, a greater sum, a much greater sum might be realised by direct sale of books. I really fail to see why it should be necessary that the contract of the Text Book Committee books should be given to any particular firm. It is true that the practice has been there for a large number of years. But that was probably because the Government or the Text Book Committee did not think it worth while to make any alternative arrangements. Here it is that we wanted to know the honourable member's opinion whether it is possible to make any alternative arrangement and what is likely to be the gain to the Punjab Government by any such alternative arrangement. This is the point which I wish the other gentleman who has been particularly nominated to this Council for the purpose of to-day's debate should take in his speech. Because, there is no other matter before the House at the present time, nothing about the personnel or the activities of the Text Book Committee. The only matter before the House is whether the present system of giving contracts should be abolished and Government or the Text Book Committee as the case may be should take this matter in hand themselves and sell the books as their own and realise all the profits that are now made by the publishers. In view of the fact that no material has been supplied to us by the honourable gentleman it is not possible

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for me to say anything more on the question until that aspect of the matter is touched upon by the other gentleman who has been nominated to the Council to explain the point of view of the Text Book Committee.

Chaudhri Zafrulla Khan : I wanted some information on the present position. Could the Government kindly explain what the present situation is, whether at all there is a five yearly contract, whether it is going to end on the 31st March 1934 and whether any arrangements are in contemplation beyond the 31st March 1934? Because, if the answers to those points are satisfactory one need not say anything at all about this resolution. If they are not, one would have to argue in support of it or otherwise.

The Honourable Malik Sir Firoz Khan Noon : May I now answer that question without losing my right to speak on the subject later on? The present situation is this, the present period of five years for which the contract was given expires at the end of March next. The Text Book Committee have considered the question of renewing the contract in one of their meetings. Although the Committee is a registered body, the Director of Public Instruction is its president and the vast majority of its members are officials. Therefore, I am not revealing the secrets of any private institution when I tell the House what happened at the last meeting. At the last meeting the Text Book Committee decided that the contract should be renewed for another year and that it should be given to the old contractor and he should be asked what he is prepared to pay for it.

Chaudhri Zafrulla Khan : Has he told the Committee what he is prepared to pay?

The Honourable Malik Sir Firoz Khan Noon : The Director of Public Instruction informs me that his answer is indeterminate.

Chaudhri Zafrulla Khan : Have other people been asked whether they are willing to take up the contract for one year?

The Honourable Malik Sir Firoz Khan Noon : No. Because the Director of Public Instruction was not asked to approach other people.

Mr. Mukand Lal Puri : What is the answer of the present contractor?

The Honourable Malik Sir Firoz Khan Noon : As I said his answer is indeterminate.

Chaudhri Zafrulla Khan : What exactly is his answer? Perhaps we might be able to determine something out of it.

Mr. R. Sanderson : He has practically left it to the Director of Public Instruction to fix the terms of the whole contract.

Chaudhri Zafrulla Khan : Does the Director of Public Instruction propose to do anything in the matter?

Mr. R. Sanderson : Nothing whatsoever. I should be charged with corruption if I were to do anything. *(Laughter.)*

Chaudhri Zafrulla Khan : Then what is the present situation?

The Honourable Malik Sir Firoz Khan Noon : The present situation is this that the Committee have declined to call for tenders and they want to renew the contract in favour of the existing contractor for one year more and they want to get the best terms possible from him.

Sayad Mubarak Ali Shah (Jhang, Muhammadaan, Rural) (Urdu) : Sir, before I say anything regarding the main contents of the resolution, I feel in duty bound to thank my honourable friend Mian Ahmad Yar Khan Daulatana, the mover of the resolution, for enabling this Honourable House, to once more discuss this matter which has been agitating the minds of the public for a considerable time. So far as I can recollect there have been references regarding the subject matter of this motion, of and on in this Honourable House, but no proposition was put in concrete form such as at present. This resolution as indicated by the honourable mover, took its origin from a promise made by my friend the Honourable Minister for Education some time back on the floor of this House, and I should have thanked the Honourable Malik Sir Firoz Khan Noon also, (A voice : No, why thank him ?) but he has disappointed me by once more giving away the same contract to the same monopolist firm despite this resolution being on the agenda of the current session of this House. I take it as an insult to this House.

Khan Bahadur Sardar Habib Ullah : No, there has been no insult to this House.

Sayad Mubarak Ali Shah : It is in a way, Sir. When the Honourable Minister for Education knew that this resolution had been tabled and was to be discussed by this House, he should not have made so much haste in deciding this matter before it was discussed by us in this House, and ought to have kept in view the trend of speeches on this subject in this House when deciding this matter. So he does not deserve my thanks on this point by his subsequent behaviour in this matter. My honourable friend Khan Bahadur Mian Ahmad Yar Khan, Daulatana, seems to have got off the track. I cannot say, whether he has done this intentionally or otherwise. The Persian saying :—

“ من چہ می سرائم و خبر رفته من چہ می سزاید ” can very well be applied to his motion and the introductory speech thereon in this House. The resolution definitely recommends to the Government to discontinue the present system of placing on contract the printing of the publications of the “ Punjab Text Book Committee ” on the termination of the present period of contract ; but my honourable friend the mover, has discussed the subject matter of the publications in general and the school courses in particular, prescribed by the “ Punjab Text Book Committee ” ; and its very injurious effect and impression left upon the minds of the young generation of this unfortunate province. He throughout his well prepared speech on this particular subject has tried to suggest remedies to this effect, but did not touch the main point. I do not know why.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Let us see what you have to say on this matter.

Sayad Mubarak Ali Shah : I am coming to it presently. Mr. Bokhari, has tried to explain to us in his speech, the constitution and the working of the Punjab Text Book Committee, along with its achievements in getting some useful books translated into vernacular. He has provided us with very useful facts and figures, regarding the number of publications, income and daily increasing expenditure of the Punjab Text Book Committee but unfortunately even he has not touched the main point under discussion,

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i.e., the present system of placing contract of the printing of the publications of the Punjab Text Book Committee and the abolition thereof. Perhaps he was whipped by his department not to go beyond giving facts and figures which he has done so well. However, being a Bokhari Sayad myself I am proud of my Bokhari brother and congratulate him on his well worded, moderate maiden speech in this House. I call his speech moderate, as it was neither in support nor in favour of the motion; but I believe he could not help it as I have said before, perhaps because he was instructed to confine himself to a prescribed sphere. Coming to the main point, I may say, that every concern, big or small, is looked by its promptors from a business point of view. This has been the case and will be the same for all times, be it a Government or a private business. But the system of placing on contract the printing of the publications of the Punjab Text Book Committee has been quite contrary to the general rule. The public, the Press and this House (as representatives of the general public of this province) have been raising their voices in protest against the attitude of the Punjab Text Book Committee and the other agencies connected with this affair, but all this was cry in the wilderness so far as the former Ministry of Education was concerned. I cannot say much about the present Ministry of Education as the contract had been given for five years by the last Ministry of Education binding the hands of the present Ministry in this respect. However, as I have said before, the present Ministry is also to be blamed to some extent, as it has again given the contract to the same monopolist firm, though for one year only, but this time their tender was the highest. This was not the case when the same contract was given to the present holder last time for five years. It was said at that time that another firm of quite a long standing gave in its tender for Rs. 65,000, a year, while the contract was given to Messrs. Gulab Singh and Sons, represented by Rai Sahib Lala Sohan Lal and Brothers, who offered Rs. 54,000 only, i.e., Rs. 11,000 less than the highest bidder, the result was that there was a big scandal in the Press and in the public, of which every member of this Honourable House would have heard and so I need not repeat here.

So far as I know this contract has for the most time, if not always, been given to the firm of Messrs. Gulab Singh and Sons; and people think that this contract has become a *jagir* of the said firm and its progeny.

Khan Bahadur Sardar Habib Ullah: This is not a *jagir*. Tenders have been called for every time.

Sayad Mubarak Ali Shah: It is more than a *jagir*. Tenders were merely in name. I have already told that when this firm offered less money for the contract, even then the contract was given to them. Does not this mean a *jagir*? I inquire from my friend Sardar Habib Ullah, whether he keeps in view the same rule when he gives the contracts of the Lahore District Board (he being vice-chairman of that body) or his own private work connected with his estate or with the several companies of which he is a director?

Sir, I was saying that the contract under discussion is believed to be the hereditary *jagir* of the firm of Messrs. Gulab Singh and Sons, now represented by his grandsons Rai Sahib Sohan Lal and Brothers, and the public is right

in having formed this opinion regarding the contract. I believe most of the members of the House know that there are different kinds of *jagirs* of which the chief are the hereditary and personal. There are certain conditions attached to them ; and fixed rules are to be observed by the *jagirdar* as well as by the Government. These *jagirs* are given in recognition of the services rendered to the Government by the person who is awarded the *jagir* and he and his successors to that *jagir must* show steadfast loyalty to His Majesty the King Emperor, His heirs and successors. In the case of a hereditary *jagir* it goes down to the senior successor of the *jagir* earner and the amount remains the same, but in the case of other classes of *jagir* it only goes down to the grandsons and is curtailed by half at each pedigree down to grandson. Now I ask the Government about the particular service of this firm either to His Majesty the King-Emperor or to His Government for which this *jagir* is always renewed to the heir and successors of Rai Sahib Gulab Singh and Sons even if the money offered in their tenders is much less than that of the other firms, and whether it is a hereditary or personal *jagir*. Sir, I may have discussed at length the firm of Messrs. Gulab Singh and Sons ۱۰۰ گ روپے, but I had to, because the period for and the manner in which they have been getting this contract and the agitation in the Press and in the public connected with it demanded a thorough discussion.

Reverting to the chief object of this motion I should suggest that to calm down the public, the Government should revise its decision to again give the contract to the same firm though even for a year. Fresh tenders should be invited and the contract should be given to the firm which offers the highest amount of money, with the condition that it should maintain the efficiency of material and print and sell the publication at as low a price as possible, compared with the present prices, and this contract should not exceed one year. In the meantime a committee should be appointed to go into the matter and make suggestions by which the Government can do, this work under their own supervision, there being already a Government Printing Press. By this the Government will save whatever the contractors have been earning on this contract, which should be quite a large sum out of which a firm offered Rs. 65,000 as royalty to the Punjab Text Book Committee. This will add to the income of our province, and will also help in meeting the ever-increasing expenditure of the Punjab Text Book Committee, as Mr. Bokhari has told a short while ago. By increased income the Punjab Text Book Committee will be able to perform its function more easily and successfully. With these words I strongly support the resolution.

Chaudhri Zafrulla Khan (Sialkot, Muhammadan, Rural) : Sir, I wish to say a very few but very plain, words. The Punjab Text Book Committee is a committee for the doings of which Government in the Ministry of Education must be held fully responsible, inasmuch as the Text Book Committee owes its life and the continuance of that life to the Government in that Ministry. I hope in saying that I am not raising any question of constitutional importance. That being so I think we must address ourselves only to that aspect of the question. I have not the slightest doubt that in past years the Punjab Text Book Committee has done very useful service to the cause of education, particularly elementary education in this province. I have equally no doubt that in future it will continue to do so, but that is not the aspect of its activities that is under discussion under this resolution.

[Ch. Zafrulla Khan.]

The whole question, as I conceive it, is this. This contract to which reference is made in the resolution has been given by the Punjab Text Book Committee to one particular firm of publishers now for over 45 or 50 years. In the abstract I have no objection. There is no reason why it should not be given repeatedly to one particular firm if that particular firm is the most suitable for the job and offers the best terms to the Committee. But the House is aware that that certainly has not always been so. It was not on the last occasion. On the last occasion the subject came under discussion in this House on an adjournment motion and it was then discovered that when this contract was renewed in 1929, the Committee did some extremely extraordinary things. In the first place it admitted into its consideration an offer by the firm which holds the contract after the sealed tenders had been opened. That certainly was an irregularity. Then it proceeded to do something still more extraordinary. It considered the terms of the different tenders, found that out of the valid tenders which had been submitted the highest tender was of a firm which was not the firm which held the contract. It refused to place the contract with this firm and it decided to place it with the old firm, not on the higher figure offered by one of the valid firms, but on the lower figure offered by the old firm.

Mr. Mukand Lal Puri : What was the amount ?

Chaudhri Zafrulla Khan : If the honourable member will refer to the proceedings of the 27th of March 1929, he will find all this information given in detail. The lower figure was somewhere in the neighbourhood of Rs. 54,000 and this particular firm had offered Rs. 65,000 per annum, so that they accepted in the end the sum of Rs. 11,000 less for each year of the contract. This old firm had offered after the tenders had been opened Rs. 65,000 per annum. They were forced to accept the contract—a very agreeable surprise for them at the figure of Rs. 54,000 per annum, although they had themselves offered Rs. 65,000. A debate was held in this House and the circumstances which were then disclosed were not at all creditable either to the Punjab Text Book Committee or to anybody else who was connected in the offering or placing of this contract. The awkward position is this, as I have stated, that the Punjab Government are responsible for the doings of this Committee and on the other hand keeping in view the explanations then given and some of the explanations given to-day, it appears that neither the Director of Public Instruction, who is Chairman of the Text Book Committee, nor the Minister for Education has much to do in the matter of the placing of the contract. If Government think that what the Committee has done before and what it proposes to do now will not redound to the credit of Government, it behoves the Government to take such steps as may be necessary, even extreme steps, to direct the situation in such a way that their own name will not be tarnished. That is the plain duty of the Government. What is proposed to be done with regard to the period after the 31st of March 1934 ? Surely the Punjab Text Book Committee was aware that a good deal of trouble was raised over the renewing of the contract on the last occasion, but they seem to have slept over the matter till the extreme end of this period of five years and now right towards the end they say that other arrangements might be possible but we must have time to bring about those arrangements to negotiate with people in regard to this arrangement, therefore, we want

another year. What do they want to do? They want to extend this contract for one year more on terms practically to be dictated by the old contractor. We are told that the Director of Public Instruction is trying to find out what terms are acceptable to the old contractor and we are told the reply of the contractor is indeterminate.

Mr. President : It was made clear that he had left it to the Director to fix the amount. Is this indeterminate?

Chaudhri Zafrulla Khan : I have merely repeated the expression.

Mr. President : I have informed the honourable member. I thought he did not catch the words.

Chaudhri Zafrulla Khan : I am willing to accept this interpretation of the Director of Public Instruction when he described the reply of the contractor as indeterminate. But whether he was right or whether he was wrong in giving that description to the reply of the contractor, the position is this that the Punjab Text Book Committee even with regard to next year is not prepared to call for tenders. Some honourable member pointed out a short time ago that the Punjab Text Book Committee did not treat the matter as a monopoly inasmuch as they did call for tender even though it may be that sometimes they gave the contract to the highest bidder or even forced the lowest bidder to accept a higher bid. My submission is plainly this. As I said even on the last occasion when I was speaking on a similar resolution, all this confirms one's suspicion that there is something wrong about the matter. I appeal to the Government that whatever steps they may be forced to take they must take in order to clear themselves of this suspicion that they are in some way open to the charge of irregular procedure for the benefit of the publishers. (*Cheers.*)

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*) : Sir, the object of the resolution as it appears to me is to ask Government to discontinue the present system of placing on contract the printing of the publications of the Punjab Text Book Committee. It is a recommendation which even if it is accepted would not finally solve the question now before the House. The real question for us to consider is what change should be effected in the present system of printing text books? Of course the resolution as it stands creates a limitation by seeking to do away with the present system but leaves the hands of the Government free to do whatever they like in the matter after the present system is done away with. Since it is a very important matter we should give to it our careful and serious consideration. Before the present system is to be ended, we should see what other system ought to be substituted for it. To leave the matter to Government alone is undesirable. I would, therefore, suggest that a committee should be appointed to advise the Government as to how useful and suitable books can be provided for schools in the Punjab. This will put a check on the unfettered discretion of Government and they will be able after proper deliberations, to take suitable action in the matter. Since the time at my disposal is very short I would remain content with moving the following amendment—

Mr. President : The honourable member's amendment does not appear to be in order.

Maulvi Mazhar Ali Azhar : If you will allow me I shall explain that the amendment is in order and that it does not go beyond the scope of the resolution.

Mr. President : The honourable member may, if he likes, read his amendment to the house.

Maulvi Mazhar Ali Azhar : My amendment reads—

That the following be substituted for the original resolution—

That this Council recommends to the Government that the present system of placing on contract the printing of the publications of the Punjab Text Book Committee be discontinued.

I would here add the words added by the honourable mover namely—

By the end of the next financial year.

And after that I propose to add the following words—

And that a suitable committee be appointed to propose a new system of providing up-to-date and well-printed text books to the schools in the Punjab.

Mr. President : If to a resolution to demolish a building, an amendment is moved to erect a new building in its place, will not the amendment go beyond the scope of the original resolution?

Maulvi Mazhar Ali Azhar : My amendment is on quite a different basis from the illustration you cite.

Mr. President : Does the honourable member's amendment relate only to text books published by the Text Book Committee or to all text-books prescribed by the Education Department?

Maulvi Mazhar Ali Azhar : My amendment suggests the appointment of a suitable committee to propose a new system of providing up-to-date and well-printed text books to our schools.

Mr. President : Text-books for schools is one thing and text books printed by contractors under a contract given by the Text Book Committee is another thing. I think the honourable member's amendment goes beyond the scope of the original resolution.

Maulvi Mazhar Ali Azhar : But the question is to find a new system to replace the present one.

Mr. President : It is clear that the honourable member's amendment goes beyond the scope of the original resolution and is, therefore, out of order.

Maulvi Mazhar Ali Azhar : Very well, Sir. Without moving my amendment regularly I would suggest that a committee should be appointed to enquire into the matter and to propose a new system of providing up-to-date and well-printed text books for schools in the Punjab. In the meantime the contract should be given to such a firm as may be prepared to submit the highest tender. The present system is no doubt very defective. With these words I resume my seat.

Mr. R. Sanderson (Director of Public Instruction) : Sir, I am very grateful to the honourable mover of the resolution for giving me an opportunity of clearing the situation. It is for this very reason that honourable members have been abusing the contract system of the Text Book Committee for the last seven years that I asked the Honourable Minister to bring in my friend Mr. S. Bokhari here so that he may make a statement

in the vernacular of the activities of the Text Book Committee and its functions and of its duties so that once for all we may have laid before this House plain facts in a form in which members can understand them. The honourable gentleman opposite complained that Mr. Bokhari was speaking outside the motion before us. I think this slight irregularity was fully justified by what I saw here to-day. In every part of the house members showed a keen interest in what he had to tell them.

There are a number of points at issue. When I came here to-day I was distinctly nervous; constantly in the privacy of my own office. I have had the charge of corruption laid against my officers by the three main publishers of this province. Thus *A* says that *B* and *C* bribe the district inspectors of schools; *B* says that *A* and *C* bribe the district inspectors of schools and *C* says that *A* and *B* bribe the district inspectors of schools and so on. When I have asked them to bring proof of their accusation they have never brought it. To the best of my knowledge proof has been brought against only one of our officers and he is no longer in the Education Department; he is elsewhere.

Now, I do not wish to recall one of the more trying experiences of my life, the budget debate in this House five years ago. But let me correct one remark of the honourable member for Sialkot in connection with a certain tender to which he referred. When that extra tender came and was laid before me I was sitting with the sub-committee. The letter was marked urgent; I opened it and I said 'I cannot deal with this in this sub-committee, but I shall lay it before the full committee.' I accordingly did so and it was the full committee that rejected the tender. That, Sir, is the true statement of the case. (*Interruption.*)

The total impression that I have received from this debate is that the procedure of the Text Book Committee in awarding contracts is not always clear. At any rate that is what I understood the honourable member opposite to say. There is also a feeling that a monopoly has been created. I hope that Mr. Bokhari and I have now made the facts clear. Coming to the question of award of contracts, it is not strictly true to say that the Ministry of Education has delayed to the last minute the decision of the question. (*An Honourable Member*: Who said that?) Some one said that (*An honourable member*: I referred to the Text Book Committee and not the Ministry of Education). Then I beg your pardon. Quite recently in mid January I went before the committee and said 'Gentlemen, I wish to devise in this committee a scheme which will be fool-proof and knave-proof.' There are people here in this Council who will bear me out that these were the exact words. I also referred to the unpleasant time that I had in this House five years ago and said that I was not prepared to have such an experience again. I therefore suggested, and the committee accepted, the arrangement whereby the contract should go to the highest bidder out of a group of selected firms. We appointed a sub-committee to lay down the principles on which firms should be approved as possible tenderers for these contracts. We then advertised that we were prepared to receive names to be placed on the approved list. We got three names. Nobody else could hope to face the heavy burden of this very great contract.

[Mr. R. Sanderson.]

Then the minute that the decision was known there was an outcry and there were a score of resolutions to be brought before this House. You may have noticed "Text

6 P. M.

book committee contract, Text book committee contract, Text book committee contract all the way through the agenda for the first day of this Council. I determined that we should not have this sort of thing and that it was important to try to put a stop to it. (*An honourable member*: To what, to the resolutions?) No; to the interference with the free right of contract given to myself sitting as President of the Text Book Committee. So with the permission of the Honourable Minister I went to the Text Book Committee and said that I was determined to at once have a committee of experts to examine the whole question not only of the Text Book Committee contract but the whole question of the contract and the text-book arrangements for this province so that I might make certain that my own men may not have these damnable charges of corruption brought against them, charges which I cannot disprove and which I cannot prove. I wished that every one concerned could find some means whereby I could give this province, with all our limitations, the best possible book at a fair price to the parent and keep my officers free from these charges of corruption and yet find something of an income whereby I can carry on the beneficent activities now carried on throughout the province. I am anxious to do this, regardless of whomsoever I may break. I am anxious to see it through in my own official lifetime which is now very short. I went to the Text Book Committee and said "Let us give this contract just for such a time as will allow me to work out a new system in consultation with my expert committee and also make the subsequent arrangements. I wish to see the system launched before I go." (*An honourable member*: You can do it within a year.) That is a difficult question. That is a matter of considerable secrecy which I do not wish to discuss. I told the Text Book Committee that these were my plans and therefore I could not agree now if I could persuade them to side with me, to a contract of 5 years. I said "Let us give the contract for a short period while I examine the question of reorganization of the whole system and let us give it, as we have agreed in the case of a five year contract, to the highest bidder." Unfortunately the committee did not accept this proposal.

I think that I have represented quite correctly my own personal position, the Minister's position and the position of the Punjab Government (Ministry of Education); and I assure the House that we are giving our most earnest attention to this matter though we are constantly handicapped by interference. If the honourable mover approves of these proposals I shall be glad to see the resolution withdrawn on my assurance that we are moving in the matter of reorganization.

Khan Bahadur Mian Ahmad Yar Khan Daulatana: I think I have made quite clear in my first speech the main object why I moved the resolution. I do not know why the whole Ministry of Education is nervous. There may be corruption or there may not be corruption. It was the honourable members who spoke after me who have brought in several other points quite unnecessarily. As I have already explained there was a definite suggestion by the Honourable Minister last time and it is mainly

in pursuance of that suggestion that I have brought forward this resolution. I think the Ministry will bring about the promised change. The Honourable Minister wanted sufficient authority to make the change, the change that I suggested in my resolution I moved on Friday, the 25th November 1932. The Honourable Minister then said :

You must realise that the publishers who have a large number of text-books on the market and who make thousands every year, are not going to let the Education Department bring about the change easily.

Is it the fear of the publishers that is making the Government deviate from the right issue? Neither the Director of Public Instruction nor the honourable representative of the Text Book Committee has said a word in reply to what I have said or what the Honourable Minister said on the 25th November 1932. It reminds me—

من چه می سرانم و تپو (د من چه می - راند)

(The song does not correspond with the tune of the music.)

I had told the Honourable Minister two weeks ago that as suggested by him the resolution was coming up. But he has made his two subordinates stand up and make observations and statements which, in my humble opinion are absolutely irrelevant.

Mr. Mukand Lal Puri : The resolution which has been moved by my honourable friend relates to the question of abolishing the contract of the Text Book Committee or continuing it only for a short time. It has absolutely no relation as to the prescribing of suitable text books or otherwise. The text books will continue to be prescribed or approved by the Text Book Committee. Therefore the sole question is whether it is in the interests of the tax-payer or the Education Department to continue this contract. The further question which the honourable member thinks is properly before the House is not before the House at all.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The honourable member was not here when I moved the resolution.

Mr. Mukand Lal Puri (On rising from his seat there were cries of order, order). I was talking with your permission, Sir.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Sir, I think there must be some arrangement by which when our lawyer friends come here at 4 o'clock there must be some one outside to explain to them as to what happened here between 2 and 4.

Mr. Mukand Lal Puri : I have been here throughout the proceedings while my friend himself has been away.

(Cries of "order, order").

Mr. President : The honourable member will please resume his seat.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The Honourable Minister when he replied to my resolution last time stated—if some honourable members did not or could not hear my voice I must repeat again :

These are certain difficulties which will not be easy to surmount. I personally think that the only remedy of a case like this seems to be that as far as text-books are concerned, they should be the property of the Education Department and not the property of various firms.

Mr. Mukand Lal Puri : But that is not your resolution.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The Honourable Minister then said :—

If we want a history book, say for the eighth class, we could announce that the Education Department wants that book written. . . . The Director of Public Instruction informed me the other day that this is the system which is in vogue in Japan—the text-books are published by Government and they are the property of Government, and whatever money Government makes out of the sale of those books is spent on education.

My resolution means that the text-books instead of being the property of the Text Book Committee should be retransferred to the Government as was the case some years before.

Before the Honourable Minister makes a reply, I would request him to inform me whether by accepting this resolution he will be able to fulfil the promise that he made in his speech last time. That is the main object with which I have moved this resolution. There may be other causes and the present system of placing on contract the printing of the publications of the Punjab Text Book Committee may be undesirable for certain other reasons. But I am not concerned with them particularly. The object which I have in view is far greater than the loss of Rs. 50,000 or a gain of Rs. 50,000 to this province. If we can improve our text-books that good will be much more than a saving or a loss of a few thousand rupees. You will have no communal riots. As regards the amendment of my honourable friend which was ruled out of order—which I should not anticipate because I am not well versed in our Business Manual—I thought that would facilitate the matter and that the Honourable Minister would be able to appoint a committee. But now I suggest it to him that in order to bring about the change he should appoint a committee, representing all parties of this House of course with some experts of the Education Department who are not concerned with text-books or the Text Book Committee but with a majority of non-officials. Personally I prefer that the representatives of the various parties should be appointed in consultation with the leaders of the parties concerned; I always find that the nominees of the various parties are selected.

Mr. President : Is that matter now before the House ?

Khan Bahadur Mian Ahmad Yar Khan Daulatana : That is only a suggestion.

Mr. President : That is not relevant.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I would very much like the Honourable Minister to fulfil the object with which I moved the resolution. As the wording of the resolutions are not very clear, I would have made it clear had I known that the amendment was out of order. The Text Book Committee shall have to renew the contract for one year.

Mr. Labh Singh : I want to say a word, Sir, as to why we refrained from making any speech on the resolution before us. We have taken the resolution in its terms and we have nothing to say either for or against it in its limited sense. I hope you will make it clear in view of what I have said that this House has nothing to do with any understanding that might have passed between the honourable member who moved the resolution and the Honourable Minister for Education; nor with any ulterior or

clandestine objective to which the honourable mover has made reference. The scope and intent of the resolution is strictly limited by its terms.

Mr. President : That is perfectly clear.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : Sir, I am very grateful to the honourable member for having brought this resolution before this House because I did want to have an opportunity of finding out what the real wishes of the representatives of the public are. As far as I am concerned, let me assure the honourable members in the House that there is nobody more keen in this House than myself in wishing to carry out the wishes of this Honourable House (*hear, hear*). It was with a view to ascertain the wishes of this House on the subject of this contract that I called a meeting of the Standing Committee on Education of this Honourable House in Simla last summer and a suggestion was placed before that committee at Simla that the present system of contract be abolished. That committee advised me against the abolition of the contract and I accepted their advice. Now, if this House wishes to abolish the present system of contract there will be nobody more pleased than myself to carry out the wishes of the House.

Chaudhri Zafrulla Khan : But will you be able to do so ?

The Honourable Malik Sir Firoz Khan Noon : Yes. I want to know the wishes of the House and then I will see that these wishes are carried out, no matter what happens. There are two outstanding points as to what is to happen in the future. I realize from the speeches made by all sections of the House that there is need for reform in the system of contract and in the system of securing good text books for our children in schools. I see no other way of doing this except to appoint a committee of this House—representatives of all sections of this House—in order to advise me on the subject. If I were to appoint a committee of educational experts then the publishers will get hold of some sort of arguments against the advice given by experts and carry on propaganda in the Press. I want to avoid that. I think I have the confidence of this House that if a committee is appointed of the leading members of this House whatever advice they give me I hope they will have the courage of standing by it and will be able to defend it in this House. As far as this suggestion of the honourable member is concerned I accept it wholeheartedly. Then the only ticklish question is as to what is to happen in this interim. I feel that it will take us at least several months before we can come to a conclusion on the subject. It is, therefore, necessary that the present contract should be extended at least by one year up to the end of April 1935.

Chaudhri Zafrulla Khan : Do you mean the system or the contract ?

The Honourable Malik Sir Firoz Khan Noon : Only the contract. The position is that at present the contract is with a certain firm. If you do not sell the books by tender it will be very difficult to prevent the present contractor from selling them. Why should we ask the Text Book Committee to lose any revenue? Therefore, I think, it is essential that for the interim period the contract should be extended by one year. The Text Book Committee have not accepted our advice. I am not going to allow the Ministry to be attacked for showing favouritism to anybody. The

[The Hon. Malik Sir Firoz Khan Noon.]
contract must be thrown open to the whole of India. Anybody who wishes to come forward and bid for it should be allowed to do so. Whether anybody comes forward or not does not matter, but I should be able to defend myself before the House that everybody has had a chance to bid for it. But if they do not bid it is not our fault. I take it that it is the wish of the House that the contract should be extended for another year. Then I can give to this House an assurance that I shall do my best to see that the contract is given to the highest bidder even though it involves the breaking up of the existing Text Book Committee (*cheers*).

Mr. President : Question is—

That this Council recommends to the Government that the present system of placing on contract the printing of the publications of the Panjab Text Book Committee be discontinued by the end of the next financial year.

The motion was carried.

RE EXPEDITING OF REFORMS.

Chaudhri Zafulla Khan (Sialkot, Muhammadan, Rural) : Sir, I beg to move—

This Council recommends to the Government to convey to His Majesty's Government the strong feelings of this House that the passage of the new Government of India Act should be expedited so as to enable elections under the new constitution to be held not later than the end of 1935.

Sir, I do not propose to make any speech in support of this resolution. I shall be glad to know the wishes of the House in the matter.

Mr. President : Question is—

That this Council recommends to the Government to convey to His Majesty's Government the strong feelings of this House that the passage of the new Government of India Act should be expedited so as to enable elections under the new constitution to be held not later than the end of 1935.

The motion was carried.

The Council then adjourned till 2-30 P.M. on Friday, the 29th of March 1934.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 23rd March 1934.

The Council met at the Council Chamber at 2-30 p. m. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following members were sworn in :—

Khan Bahadur Nawab Muzaffar Khan (Reforms Commissioner and Joint Secretary to Government, Punjab).

Khan Bahadur Dr. K. A. Rahman (Director of Public Health).

Mr. D. Macfarlane (Chief Engineer, Public Works Department, Buildings and Roads).

STARRED QUESTIONS AND ANSWERS.

CASE UNDER SECTION 147 I. P. C., SIRI GOBINDPUR.

***3230. Lala Bhagat Ram :** Will the Honourable Member for Finance be pleased to state :—

(a) whether it is a fact that a case under section 147, Indian Penal Code, was registered at the police station, Siri Gobindpur, in district Gurdaspur, on 31st December 1933 ;

(b) if so, what has the police done in the matter up to the present day ;

(c) whether it is a fact that the complainant of this case made an application to the Superintendent of Police on 23rd February 1934 ;

(d) if so, what reply has been given to the complainant up to the present day ?

The Honourable Sir Henry Craik : (a) Yes.

(b) A case against nine accused has been sent up for trial and is still *sub-judice*.

(c) No such application is traceable.

(d) Does not arise.

LAND REVENUE IN HISSAR DISTRICT.

***3231. Khwaja Muhammad Euseof :** Will the Honourable Member for Revenue kindly state :—

(a) whether it is a fact that land revenue of 8 or more crops of more than 100 *barani* villages in the Hissar district is outstanding on account of suspensions granted by the Government ;

[Kh. Muhammad Eusoof.]

(b) whether it is a fact that the zamindars of the *barani* villages in the Hissar district have been hard hit on account of constant famines and their paying capacity has much decreased ;

(c) whether it is also a fact that no special rules for the remission of suspended land revenue of the *barani* villages of the Hissar district have so far been framed by the Government ;

(d) if the answers to (a), (b) and (c) be in the affirmative whether the Government, taking into consideration the dire poverty of the famine stricken zamindars of the Hissar district, is prepared to take necessary action with regard to—

(i) the suspended land revenue of such villages where more than one year's land revenue is outstanding ;

(ii) automatic remission of land revenue in case of suspension of land revenue of two harvests of a *barani* village ?

The Honourable Mr. Miles Irving : (a) Excluding the villages in which suspended land revenue is proposed to be remitted with the instalment for *kharif* 1933, the number of *barani* villages in which the suspended land revenue is outstanding for three or more crops is six only.

(b) Yes.

(c) It is correct that no special rules for *barani* villages as distinguished from other villages have been framed ; but there are special rules for remissions for the district as a whole.

(d) Government consider that the ordinary rules will adequately meet the case of the few *barani* villages in which suspended land revenue is outstanding for three or more crops.

DAMAGE TO OILSEEDS, GRAM AND OTHER CROPS, HISSAR DISTRICT.

*3232. **Khwaja Muhammad Eusoof :** Will the Honourable Member for Revenue kindly state :—

(a) whether it is a fact that great damage has been done by the severe cold to the standing oilseeds and gram crops specially and barley and wheat crops generally in the Hissar district ;

(b) whether it is a fact that more than two-third crop of oilseeds has been destroyed by severe cold and *telia* insect in that district ;

(c) if the answer to (a) and (b) be in the affirmative, what measures of relief Government proposes to adopt ?

The Honourable Mr. Miles Irving : (a) Yes, *barani* surson (oil-seeds) and gram were adversely affected by the severe cold. Similar was the case with *barani* barley sown early in the season.

(b) It is not possible at present to give a final estimate of the extent of the damage.

(c) The question of relief, if necessary, will be considered in the ordinary course at the conclusion of the *girdawari* when the figures for the *kharaba* and matured areas are available.

TAQARI IN HISSAR DISTRICT.

***3233. Khwaja Muhammad Euseof :** Will the Honourable Member for Revenue kindly state :—

- (a) whether it is a fact that large amounts of *taqari* for seed, fodder, etc., have been advanced to the agriculturists of the *barani* villages in the Hissar district during the last 7 or 8 years ;
- (b) whether it is a fact that most of the amount of *taqari* thus advanced could not be recovered on account of failure of crops and is being suspended from time to time ;
- (c) whether it is a fact that the Government had to forego a sum of Rs. 11,42,205 advanced to the people of the Gurgaon district as *taqari* during the last 7 or 8 years ;
- (d) whether it is a fact that on account of failure of crops the Government has remitted suspended land revenue up to *rabi* or *kharif* 1931 in the Hissar district ;
- (e) if the answers to (a), (b), (c) and (d) be in the affirmative whether Government proposes to take any steps for the remission of over-due instalments of *taqari* of seed and fodder, etc., advanced to zamindars of the Hissar district ?

The Honourable Mr. Miles Irving : (a), (b), (c) and (e) The attention of the honourable member is invited to the answer given to Council question No. 3210 ¹(starred).

(d) Land revenue instalments under suspension prior to *rabi* 1930 have been remitted and the question of remitting land revenue suspended in *kharif* 1930, *rabi* 1931 and *kharif* 1931 is under consideration.

ROADS MAINTAINED BY BUDHLADA SMALL TOWN COMMITTEE.

***3234. Khwaja Muhammad Euseof :** Will the Honourable Minister for Local Self-Government kindly state :—

- (a) whether it is a fact that the Deputy Commissioner, Hissar, visited Budhlada in May 1929, and found that the Small Town Committee of Budhlada has neglected to maintain roads, etc., within its area and has reduced its office into a very undesirable state of inefficiency ;
- (b) whether it is a fact that in virtue of the powers vested in him by section 48 of the Small Towns Act, 1921, he appointed Khan Mihr Muhammad Khan, President, Small Town Committee, Tohana, to bring the office into complete order and he also appointed B. Salig Ram, overseer, District Board, Hissar, to draw up estimates of various roads and after getting these estimates passed by the Committee, have them metalled ;
- (c) whether it is a fact that the said overseer prepared an estimate of metalling a road leading from the Cotton Ginning and Pressing Factories to the New Mandi, Budhlada, and this estimate was duly sanctioned by the Committee during the time of his deputation ;

[Kb. Muhammad Euseof.]

- (d) whether it is a fact that the President and the Secretary of Budh-lada Small Town Committee have taken no action to metal the above mentioned road and have put the sanctioned estimate into limbo of oblivion;
- (e) whether it is also a fact that the road in question in its present condition is a source of great inconvenience and trouble to the public and oxen of carts;
- (f) if the answer to (a), (b), (c), (d), and (e) be in the affirmative, whether he will take necessary action in the matter?

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

(c) An estimate for metalling half the portion of the road in question was prepared by the overseer and sanctioned by the Committee.

(d) The road in question has not been metalled for want of funds.

(e) The road causes inconvenience to traffic and to the public during the rainy season only.

(f) The Deputy Commissioner is requesting the Committee to metal the road as soon as funds permit.

SHORT NOTICE QUESTION AND ANSWER.

LUDHIANA DISTRICT JAIL.

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

- (a) whether it is a fact that some serious situation has arisen in Ludhiana District Jail;
- (b) whether one responsible officer is suspended;
- (c) whether it is a fact that charges and counter-charges are made against the Superintendent and Deputy Superintendent of Jail, Ludhiana;
- (d) whether it is a fact that there is a charge of theft against the Deputy Superintendent and counter-charge of misappropriation against the Superintendent;
- (e) whether it is a fact that the Inspector-General of Prisons went to Ludhiana to make enquiry;
- (f) whether the Government has decided to suspend both the officers and start an independent enquiry?

The Honourable Sir Henry Craik : (a) No.

(b) Yes.

(c) Charges have been made against the Deputy Superintendent only.

(d) A large number of charges have been investigated by the Inspector-General of Prisons. Government have not yet received his report and I am, therefore, unable to state the exact offences with which the Deputy Superintendent has been charged.

(e) Yes.

(f) The Deputy Superintendent has been suspended and an independent enquiry, namely, by the Inspector-General, has been made.

Chaudhri Afzal Haq : I wanted to know if an independent inquiry has been held.

The Honourable Sir Henry Craik : The Inspector-General inquired into the matter.

Chaudhri Afzal Haq : That I know. Was any other independent inquiry held?

The Honourable Sir Henry Craik : No other inquiry has been held except by the Inspector-General of Prisons nor is any other enquiry contemplated. I have not yet seen the Inspector-General's Report.

UNSTARRED QUESTIONS AND ANSWERS.

CIRCLE REGISTRAR, CO-OPERATIVE SOCIETIES, JULLUNDUR.

831. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that Mian Mahan Singh has been Circle Registrar of Co-operative Societies at Jullundur for about the last 5 years ;
- (b) whether it is a fact that orders for his transfer from Jullundur have been issued from time to time only to be subsequently revoked ;
- (c) if so, the reasons for his retention at Jullundur for such a long time ;
- (d) whether it is a fact that two new posts, viz., (i) of an Urban Inspector and (ii) of an Additional Inspector, were created during the tenure of his office and both of these have gone to non-Muslims ;
- (e) whether the Government will lay on the table a comparative statement showing—
 - (i) the Muslim and non-Muslim employees in the Jullundur Circle before Mian Mahan Singh took charge of his office ; and
 - (ii) the number of clerks recruited by him during his régime at Jullundur and how many of them are Muslims ?

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

(b) No.

(c) It is usual to retain assistant registrars in the same circle for fairly long periods in order that they may acquire a thorough knowledge of their circles.

(d) One post of an Urban Inspector only has been created during his tenure. A non-Muslim was appointed to this post as he was best fitted for it.

[Hon. Sardar Sir Jogendra Singh.]

(e) (i) The required comparative statement is given below :—

	BEFORE THE PRESENT CIRCLE REGISTRAR TOOK OVER.			Now.		
	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.	Hindus.
1. Clerks—						
Permanent ..	3	3	1	3	5	3
Temporary ..	1	..	..	..	..	..
2. Inspectors—						
Permanent ..	4	..	1	2	3	2
Temporary ..	1	..	..	..	..	..
3. Sub-Inspectors. Consolidation—						
Temporary ..	15	4	1	12	2	2
4. Peons ..	5	1	2	3	2	4

(ii) The Circle Registrar himself does no recruitment of clerks.

CO-OPERATIVE SOCIETIES, JULLUNDUR.

832. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state how many new co-operative societies were brought into existence and got registered during the tenure of office of the present Urban Inspector, Jullundur and how many of them are Muslim societies ?

The Honourable Sardar Sir Jogendra Singh : Two co-operative societies have been registered during the tenure of office of the present Urban Inspector, Jullundur district. Co-operative societies are not classified by communities, and the information is therefore not available with regard to the second part of the question.

INSPECTORS OF CO-OPERATIVE SOCIETIES, JULLUNDUR.

833. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that Inspectors of Co-operative Societies, Jullundur Circle, have never been transferred ;

(b) if so, whether the Government intends to take any action in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

CENTRAL CO-OPERATIVE BANK.

834. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Central Co-operative Bank, Jullundur, possesses funds far above the needs of the district co-operative societies ;
- (b) the number of co-operative societies which were enlisted as members of the Central Bank, Jullundur, when they were not to have any dealings with the Bank ;
- (c) the object of making them members of the Bank ;
- (d) the number of individual shares and those of the co-operative societies and the number of individual directors and society directors of the Central Bank, Jullundur ?

The Honourable Sardar Sir Jogendra Singh : The answer to this question has already been given in the answers to question Nos. 3070¹, 3071¹ and 3072¹.

CENTRAL BANK NAWANSHAHR.

835. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that there are two co-operative unions in the Nawanshahr tahsil ; if so, of what standing ;
- (b) the reasons for the establishment of a new central bank at Nawanshahr ?

The Honourable Sardar Sir Jogendra Singh : The answer to this question has already been given in the answer to starred question No. 3070¹.

CENTRAL CO-OPERATIVE BANK, JULLUNDUR.

836. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state—

- (a) the number of individual and society directors of the Central Co-operative Bank, Jullundur, before the present Circle Registrar of Co-operative Societies took charge of his office ;
- (b) the corresponding numbers now ?

The Honourable Sardar Sir Jogendra Singh : The attention of the honourable member is invited to the reply given to starred Council question No. 3072¹ asked by Chaudhri Afzal Haq.

MUSLIM CO-OPERATIVE SOCIETIES, JULLUNDUR.

837. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture please state whether it is a fact that the

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maximum credit limit of Muslim co-operative societies in Jullundur circle has been reduced after the appointment of the present Circle Registrar, Jullundur Circle?

The Honourable Sardar Sir Jogendra Singh: The attention of the honourable member is invited to the reply given to starred Council question No. 8073.¹

CO-OPERATIVE SOCIETIES, JULLUNDUR.

838. Khan Bahadur Malik Muhammad Amin Khan: Will the Honourable Minister for Agriculture please state the number of Muslim and non-Muslim co-operative societies in Jullundur circle that have gone into liquidation during the tenure of office of the present Circle Registrar, Jullundur?

The Honourable Sardar Sir Jogendra Singh: Co-operative societies are not communally classified.

HYDRO-ELECTRIC CURRENT.

839. Mr. E. Mayadas: Will the Honourable Minister for Local Self-Government kindly state—

- (a) the names of sub-stations of the Hydro-Electric Department from which lines could be taken direct to consumers;
- (b) the number and names of villages by districts that have been served with Hydro-Electric current;
- (c) whether the Hydro-Electric Department is intending to supply energy for lifting water from wells;
- (d) if so, whether Government has drawn any scale of charges;
- (e) if so, whether Government will lay on the table a statement showing this scale?

The Honourable Dr. Gokul Chand Narang: (a) and (b) There are sub-stations from which lines can be taken direct to consumers in all the towns in which supply is now being given. At Ferozepore, e.g., there are several sub-stations in a ring around the town from which supply can be given both to the town and the rural area around it. In giving supply due regard has of course to be had to the probable return on the capital outlay involved. No sub-station for a purely rural area has yet been built, but a number of schemes for rural electrification have been listed as deserving careful scrutiny by the Projects Engineer who was appointed last September. Estimates are ready for the electrification of Phillaur and the adjacent villages of Goraya and Boparai and a detailed survey has been sanctioned for other villages in that area where it appears possible that supply can be given consistently with a reasonable return to Government on its capital outlay.

(c) Yes.

(d) Yes.

(e) A copy² of the sanctioned tariffs is laid on the table.

¹Page 794 ante.

²Placed in the Library.

DISTRICT BOARD HIGH SCHOOL, NAKODAR.

840. Mr. E. Mayadas : Will the Honourable Minister for Education kindly state—

- (a) the number and names of high schools maintained by the District Board of Jullundur ;
- (b) the income and expenditure of the District Board High School, Nakodar, during the year 1932-33 ;
- (c) whether it is a fact that when Mr. Manohar Lal was Minister for Education he inspected the high school at Nakodar and a representation was made to him praying that the school may be provincialised ;
- (d) whether the question of provincialisation of Nakodar high school is under consideration ?

The Honourable Malik Sir Firoz Khan Noon : (a) Four :—

- (1) District Board High School, Banga.
- (2) District Board High School, Nakodar.
- (3) District Board High School, Kartarpur.
- (4) District Board High School, Nurmahal.

(b) Information is being collected and will be supplied to the honourable member when ready.

(c) Yes, but there is no record of any representation having been made to him.

(d) No. The honourable member is referred to my answer to part (b) of the Council question No. 742.¹

**THE PUNJAB MUNICIPAL EXECUTIVE OFFICER
(AMENDMENT) BILL.**

Mr. President : The Council will now resume discussion on the motion of Mr. Muhammad Din Malak that the Punjab Municipal Executive Officer (Amendment) Bill be referred to a select committee consisting of—

Maulvi Mazhar Ali Azhar,
Mr. Owen Roberts,
Sardar Sahib Sardar Ujjal Singh,
Thakur Pancham Chand,
Mr. M. A. Ghani,
Kanwar Momraj Singh Chohan,
Chaudhri Allah Dad Khan,
Chaudhri Afzal Haq,

(Nominee of the Honourable President ; and the Mover).

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan Jandlolders) : Sir, I stand up to support the Bill that has been brought forward by my honourable friend Mr. Muhammad Din Malak, the representative of Lahore city. The honourable mover of this Bill, in my opinion,

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deserves the gratitude and thanks of the whole of this province for his labour and courage in making an attempt to construct a sort of embankment to protect the incomplete and unfinished castle of Local Self-Government in this province from the angry flood of despotism and irresponsibility let loose by the ministry of Local Self-Government. If we accept this Bill, I hope it will balm to some extent, the deep injuries inflicted upon our responsible local bodies by the fierce attack of the Government. The Honourable Minister for Local Self-Government told us some time ago that the Bill to which this amending Bill relates was inherited by him as a legacy from his predecessors. I do not know about the details, but, as far as I know, I was also a member of this Council when his predecessor was asked to bring in a similar Bill, and I think that if we accept this Bill that is now before the House, the Punjab Municipal (Executive Officers) Act as modified by this amending Bill would be in some respects similar to the Bill that the Honourable Minister inherited from his predecessors who for some reasons did not plunge themselves into the pool of irresponsibility. Sir, I will just take some minutes to explain the reasons why his predecessors did not move the Bill according to my knowledge. Some years ago it was his distinguished predecessor, the Honourable Mian Sir Fazl-i-Husain, who intended to bring forward an Executive Officer Bill. He consulted his party and the opposition. The party that was in the opposition then definitely decided to oppose it and some members of his own party were also very reluctant to support it. He at once realised his responsibility as a Minister and gave up that idea. Then, Sir, the immediate predecessor of the Honourable Minister, I mean the present Minister for Education, also wanted to bring forward such a Bill and he for the reasons that prevailed upon his predecessor gave up the idea of bringing forward the Bill as it was of a very controversial and irresponsible nature. I do not know why this Bill was brought forward in this House by our present Minister. Perhaps the Honourable Minister considered himself a very strong minister. I heard him speaking at a dinner party the other day. He said "Sometimes I am also weak."

The Honourable Dr. Gokul Chand Narang : No.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : My recollection may not be accurate. Perhaps the Honourable Minister justified his choice or he wanted to gratify his vanity by telling the officialdom that what Sir Fazl-i-Husain could not do he had done.

Mr. President : The honourable member is requested not to be personal.

The Honourable Dr. Gokul Chand Narang : He has nothing else to say.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : It was stated in this House that this Bill was left as a legacy from his predecessors who represented my party. It was therefore necessary to explain our point of view and the position of the party and our ministers.

I think the reason why this Bill was made acceptable to my friends on that side after their strong protest was that the Honourable Minister, I think very wrongly, provided a bait of five-eighths majority in it and attracted

them. Otherwise there was no reason for those honourable members to be so inconsistent. This was the bait that entrapped the party and committed them to the passage of the Bill. I feel my Hindu brethren made a serious mistake as far as their own interests were concerned. I am not here to discuss the question whether the Executive Officer Act is necessary or not. But what I say is this, that the Act as passed needs most badly some immediate amendments to release its wolfish grip on the poor lamb of our local bodies before they are killed. We have got in this Act a principle which to me seems very pernicious. The Honourable Minister has introduced the question of the selection of the executive officers by five-eighths majority and has thus whittled down the well established principle of decisions by majority. I congratulate this House for having kept themselves aloof from party strife as far as the present session is concerned except for the few nasty questions put by some members on this or that side and this is largely due to the noble lead given to us by the respected Raja Sahib and my able friend the worthy representative of the University in the beginning of the session and consequently we have scrupulously kept out of all communal bickerings during this session. But unfortunately, I, who hate nothing more than communalism, find here that I must discuss the question of five-eighths majority quite bluntly and in a more or less naked form. One should not mince matters, one must speak out his mind so that his friends may fully and clearly understand the point of view presented to them. It really amazes me that a majority community in this country which happens to be in a forceful minority in this province should be a party to a legislation which strikes at the very root of the well-established principle of decisions by majority. I am sure honourable members on the other side, if they oppose this Bill, must realise that the obvious conclusion to which every one must come to would be that they were against the decisions by majority and that they wanted for some administrative and selfish reasons, however strong they may be, that in certain cases the question of decisions by majority should be whittled down and that they were prepared to accept it and place limitations to this principle. It is my feeling (and is shared by many members of our community) that if I get a proper place in this country I am an Indian first and anything else afterwards. As long as the present conditions are unfortunately eked out and prolonged we must unfortunately remain divided into various communities and classes. I happen to belong to a community which is in the minority in this country though it happens to be in a precarious majority in this province. I will not be so selfish and would be prepared to make that sacrifice, if my friends who belong to the majority community in this country are prepared on their part to give the impression to the world that they are prepared to whittle down the well-established principle of decisions by majority, I personally would be prepared to make that sacrifice and accept it. What is sauce for the goose is sauce for the gander. Surely, if the members of a particular community should happen to be in the minority—

Mr. President : What has that to do with the motion now before the House?

Khan Bahadur Mian Ahmad Yar Khan Daulatana : We have got the question of five-eighths majority which has been adopted in the Act and in this Bill we are trying to remove it. I am addressing my Hindu

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brethren, through you, to realise the seriousness of opposing the proposal contained in the Bill. I was saying that if the acceptance of this principle is going to be established all over the country, if this principle is going to be of help in the same way to my community in other provinces and at the centre, I would certainly not be selfish or communal to insist on this particular aspect of the Bill. I do not in the least want to be communal, but I am driven to it by this section of the House who, I feel certain, would never have accepted the principle of the Executive Officers Act had this five-eighths majority not been given. My honourable friend the Pandit Sahib from Hoshiarpur told me with horror the other day that the Hindus were not in the majority in the central legislature under the White Paper scheme. I have not studied this aspect of the question relating to the White Paper, what the representation of the various communities is going to be in future in the centre. But if it is so, I think my honourable friends have no reason to grudge and should thank themselves.

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(All this is the natural outcome of our own misdeeds.)

(Mr. Nana's Chand Pandit: Please put it in a language which I know.) I do not know what languages the honourable member knows possibly he knows Sanskrit. I was wondering why the Government helped my friends to get the Executive Officers Act passed. Such a clever bird was caught in a cage which outwardly looked magnificent, but had honey coated poison in it. Personally I do not want that any community should sacrifice its share that is due to it as minority from the majority. But if there is a community which, in order to help itself in a particular province, is prepared to accept the principle which is likely to be detrimental to the interests of that community as a whole in this country I think it is for it to judge and if it now votes against this Bill and keeps the five-eighths majority as it is in the Act, we will be driven to no other conclusion than this that the Hindu community in order to have an immediate and in my opinion a very meagre gain is prepared to place that community at the mercy of Government. The Muslims in other provinces and in this country will be justified to take this attitude and the Government will have to help them. This would be disastrous and will widen the gulf still further. Personally, had I been in their place I would never have done it. After all what is the majority in this province against such a powerful and a most important minority? Things are not going to be materially different if the majority principle is restored. What we on this side of the House want to do is to fight on principle. We urge that there should be no deviation from this principle. If I was in a majority in the centre and in other provinces except in three, I assure you I would have accepted the majority of others at once in the three provinces. I had with me copies of the two Bills prepared by Mian Sir Fazl-i-Husain and my honourable friend the present Minister for Education. Here we do not find this principle introduced at all.

I cannot help saying one or two words more. I again appeal to my honourable friends on that side that they must very kindly give their best and very careful consideration before they decide to oppose the principle of the present Bill. Sometimes I feel that politics are like fire. If you keep

at some distance from it you will derive advantage but if you rush into it to burn others you will burn yourself first, and find that your opponent is still as safe as before. Though consistency is not a virtue in politics everywhere in general and in our unhappy country in particular, yet it does not lie in the mouth of the opponents of the communal award to have supported the Executive Officers Act and oppose this Bill and place unlimited and highly undesirable powers in the hands of the future Government which obviously will be the product of the award. The consideration of getting undue advantage over others has misled many nations and many persons who had to repent afterwards when it was too late. I was reading Shakespear's King John the other day in which I came across a few lines which I find are, with one slight change, very appropriate to the discussion before us. Drawing his metaphor from the game of bowls the master of human nature says—

That smooth-faced gentleman, tickling Commodity,
Commodity, the bias of the world,
The world, who of itself is poised well,
Made to run even upon even ground,
Till this advantage, this vile-drawing bias,
This sway of motion, this Commodity,
Makes it take head from all indifferency,
From all direction, purpose, course, intent,
And this same bias, and this Commodity,
This bawd, this broker, this all-changing word,
Clapped on the outward eye of fickle minister,
Hath drawn him from his own determined aim,
From a resolved and honourable war,
To a most base and vile-concluded peace.—*King John, Act II,*
Sc. I, lines 578 to 586.

The first attempt that the honourable mover of this Bill made was to restore the question of the principle of majority. I was surprised to read section 9, schedule 11 which runs—

On the occurrence of any sudden accident or unforeseen event involving or likely to involve extensive damage to any property of the Committee or damage to human life, the President or the Executive Officer—

In the same office you have given a parallel power to two gentlemen, the president and the executive officer. A case comes to their notice and they both pass different orders. The question before us is whether there has been any improvement since the appointment of the executive officers. I have got some experience of the efficiency of the executive officers, as a member of this House. I gave notice of a few questions, only three questions,—you know I ask only very few questions—and I was treated most shabbily. I refer to question No. 2054. I received a letter from the Secretary, Punjab Legislative Council, No. 434-Q., dated 12th August 1933, which runs as follows :—

I am directed to enclose herewith a copy of the answer received from Government to starred question No. 2054 put by you at the meeting of the Punjab Legislative Council held on the 24th November 1932.

I put the question on the 24th November 1932, and I got its reply on the 12th of August 1933. The question must be a very complicated one in

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order to justify this delay. As far as I can understand the question seems to have no complications and it could have been answered in three days. The question runs as follows :—

Will the Honourable Minister for Local Self Government kindly state whether it is a fact that the Executive Officer, Lahore Municipal Committee, appointed one Harbans Lal as a building inspector in the grade of Rs. 60-3-75 in preference to another person who was senior to him and who had been recommended by the officers below ?

The Honourable Dr. Gokul Chand Narang : Has that anything to do with the Bill ?

Mr. President : I have already asked the honourable member to speak to the motion. Perhaps he wishes to show that even the executive officers have not improved matters.

The Honourable Dr. Gokul Chand Narang : But what relevancy has it got to the motion before the House ?

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The Honourable Minister has told us that municipal work cannot be carried on efficiently unless we gave the executive officers autocratic powers. And this instance shows you the efficiency of the executive officers.

The Honourable Dr. Gokul Chand Narang : Even then it is irrelevant to say that the Executive Officers Act has not fully achieved the object. It is no argument in favour of the motion that this Bill be referred to a select committee. The honourable member started by saying that he was not going to attack the Act but he was going to point out how the Act could be improved by referring this Bill to the select committee. That is the motion before the House.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Sir, when this House passed the Executive Officers Act the opposition was told that there was absolutely chaos in the municipalities and that if executive officers were not appointed straightaway the whole thing would collapse. We have seen that conditions in municipalities are still the same if not worse and therefore it was not necessary to make the executive officers so autocratic. They have not been able to achieve anything and so we must restore some of the powers which the executive officers have usurped from the representatives of the public.

This question was asked on the 24th of November 1932 and I got a reply to it on the 12th of August 1933 and there is nothing complicated in the question. The reply too is a very interesting one. It is as follows :—

The employee in question was appointed by the Executive Officer as officiating building inspector in place of a permanent employee under suspension and the Committee subsequently approved the Executive Officer's action. No senior employee was passed over. Another employee was recommended for the post by the Secretary, but before the appointment under consideration was made that employee had already been appointed to another post on higher salary.

Mr. President : How does this answer show that the executive officer acted inefficiently ?

Khan Bahadur Mian Ahmad Yar Khan Daulatana : It took him nine months to send a reply to this question.

Mr. President : It may be that he sent the reply at once but that the Minister was too busy to send it on to the honourable member.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I do not get any inspiration. I feel that it is on account of the negligence of the executive officer.

Mr. President : It might be that the Minister's office could not attend to it earlier.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : That is still worse. The Ministry want to reform other people. How can they reform others when they need to be reformed themselves ?

The Honourable Dr. Gokul Chand Nerang : They are trying to reform themselves also.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I was quite surprised and a friend of mine who was sitting with me exclaimed ; " By God ; What an efficiency ! " Had a municipal committee been guilty of such delay it would have been suspended or at least another Dobson Committee would have been inflicted on it, straightaway. But this is not the only question. There was another question that I asked. That was also asked on the 24th of November 1932 and I got the reply after three months.

Mr. P. Marsden : You ought to have a Secretariat Executive Officers Act. (Laughter).

Khan Bahadur Mian Ahmad Yar Khan Daulatana : If the Secretary, Transferred Departments, wants to place an executive officer over the head of the Punjab Secretariat it is for Government to decide. This delay smells of something worse than mere negligence, it is how these pets of Local Self-Government and the pets of the Ministry are working efficiently and you want to make them autocratic Czars.

I will quote one other instance about the inner working of the committee, and it is about the municipality of our provincial headquarters, Lahore. I have in my hand the copy of an order by the president on the request of two members of the Lahore Municipal Committee, Mian Amin-ud-din and Lala Sita Ram—

Mr. President : The honourable member will please not bring in any names unless it be absolutely necessary to do so.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Two municipal commissioners wrote to the president of the Municipal Committee thus—

The M. C. C. is playing a match against the N. I. C. A. on the 4th, 5th and 6th November. 5th is Sunday and it will be in the fitness of things that 4th November should be observed as a holiday in the Municipal Office, so that the office may have an opportunity to see the game.

The president says : " Office can be closed at 2 P.M. on Saturday." That is the order of the president. The case goes to one of the pets of the Ministry. He writes :

There is no point in closing the office at 2 P.M. It will be more in the fitness of things if it is closed at 1 P.M. so that people can go and see the commencement of the match after lunch. Office will be closed at 1 P.M.

That is nothing but disgraceful. The president of the Lahore Municipal Committee must be a man with extraordinary patience. Otherwise such

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treatment can tire the patience of a man however cool-headed and thick-skinned he may be. Personally, Sir, I take off my hat to Sardar Ganda Singh of Sialkot who preferred to lose his seat and presidential chair to subjecting himself to these indignities. It was better for Aman Ullah to leave the *gadi* than to have served under Bacha Saqqa.

The reason why we usurped the power from municipal committees was that there was no efficiency. It means that there was some efficiency before non-official chairmen replaced the official chairmen. The other day in the general discussion of the budget the Honourable Minister who represents my party in the Cabinet was not very wise to make a statement. He said that Government gave 9 lakhs to the Lahore Municipal Committee and they took the interest and spent it and returned the money. That was a very serious charge and as I am taking interest in the question of local self-government, I at once interested myself in the matter to find out if that was the case and I would never have supported the Bill, had I found that statement correct. The fact of the matter is that it was in 1913 that Government sanctioned 9 lakhs to the Lahore Municipal Committee and that money was kept in a bank till 1922 when the Committee was under an official chairman, and no interest was charged. It was given by the Government of India and not by the Punjab Government. The 9 lakhs was kept idle in a bank without being invested for ten years. This speaks of the efficiency of local bodies when there were official chairmen. It was a non-official chairman and a non-official chairman of the Finance Committee who detected this and placed that money in a bank, and the result was that for certain reasons when the Committee had returned that 9 lakhs they returned 12 lakhs instead of 9 lakhs, 9 lakhs principal and 3 lakhs interest on that money during the time the Committee was under the control of a non-official chairman. Had a non-official been responsible he would have gone to the gallows. But even the Honourable Minister is helpless as power magnifies virtues and minimises vices.

The Honourable Dr. Gokul Chand Narang : What became of that interest.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : The amount of 8 lakhs was paid to Government along with 9 lakhs and this was the interest during the time the Committee was under a non-official chairman. I have said on several occasions that the departments under officials are more corrupt than those under non-officials. It is their fear that keeps everybody quiet. Corruption is like a tree and the dew that falls from it always stains the chair of responsibility but often glorifies the throne of authority with the mixed polish of patronage and fear. I have already said that when the Honourable Minister for Education who represents my party in the Government made that attack I decided to oppose this Bill if what he said was true. I made enquiries and I found that the Honourable Minister was not quite correct when he made that statement. I will say one word as to why the Committee did not want to get the scheme carried out by the Government Department. The Government Department wanted to have between 20 and 25 per cent. for working expenses, that is to say, as supervision charges. If the scheme cost one lakh of rupees the Public Works Department wanted to pocket Rs. 35,000. The Municipal Committee naturally did not want

to entrust the scheme to the Public Works Department on those terms ; and if they had entrusted the scheme to the Government it might have had the same result as the Sutlej Valley Project or the Hydro-Electric Scheme. The Public Works Department wanted to raise the estimate from 15 lakhs to 24 lakhs. They wanted to inflict a white elephant on the Committee which they refused. (*Interruption*).

As far as efficiency of local bodies is concerned things are just as good as, if not better than, they exist in any department of Government. I have one grievance against the municipalities. They are reluctant to impose taxes on the towns. I do not want them to tax the beneficent activities of God and subject themselves to the satire of a modern poet.

Whereas tears can be used instead of water for the purpose of irrigating the corn fields of one's heart, it is therefore proposed that a universal water tax be levied on all tear-shedding eyes.

گشت دل کو نفع پہونچے اشک ایسی چہ ہے
دیدہ گویان پہ واٹر ٹکس کی تجدد ہے

I am sure that the members of the committees lack the sense of responsibility in this sense and deserve strong censure. The Lahore municipality rejected the proposal to levy house tax. If the Government make a move in this matter and bring in a Bill imposing new tax (like house tax) on the urban areas which are very lightly taxed I shall welcome it and will be delighted to support it.

I again appeal to my honourable friend, the Minister for Local Self-Government, for whom I have really very great (*An honourable member* : Love) respect—I am sorry that the Honourable Minister just to get notoriety does things which he ought not to do. In this connection I am reminded of the famous verse :

فیضی احسانت بریں حزم کہ دوران امور وز
گرم دارند ز تو هنگام رسوائی را

You deserve great approbation O! Faize, for it is due to your unflinching adherence to impenitence that the modern age is zealously canonizing the fetish of ignominy.

In the end I will only appeal to the Honourable Minister in the following verses. I am not a poet myself, still I have composed them myself and I will read them here :—

یہ ماٹلا ہون کہ اصلاح کوش تو ہے مگر
تیرا طریق عمل ہے خلاف راہ صواب
شکست ساز پہ بانڈھی ہے کیوں کمز تو نے
کہ اس کے ساز ہیں محتاج جنبش مضراب
تو کہ گفت بگیری برائے قصد مریض
بجائے نشتر جراح دستہ قصاب

"I agree that you are out for reforming the existing order of things. But let me tell you, your method is absolutely antithetic to the dictates of

[K. B. Mian Ahmad Yar Khan Daultana.]

sound judgment. Why are you bent on breaking the harp, when for the production of sweet melodies, the strings of the instrument only require the soft touch of the plectrum. Who advised you to use the butcher's knife instead of a surgeon's lancet for bleeding a plethoric patient ? "

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : Sir since 1931, this subject has been discussed so often and has occupied so much time of this House that had it not been for the fact that the question is an important one and that it is of vital importance and is closely connected with our daily life it certainly would have become monotonous and perhaps jarring. When this legislation was undertaken by Government in 1931 my friends on this side put up a valiant fight, I should say, in support of democracy and in the name of local self-government. They fought tooth and nail every inch of it and still that Bill was passed by the Council. Even then they made out a very good case and pointed out that if the self-governing institutions are to serve the purpose for which they have been created, that is, if they are to supply the training ground for self-government, then, they must be left alone, they must be left to themselves. They even went to the extent of pointing out that if the non-official agency makes blunders and commits mistakes even then there should be as little interference from the official side as possible. They believed in mistakes, because after all pitfalls there must be and if these institutions are to prove successful then they must pass through initial mistakes. That is the point of view that has been put forward since then. But I may be allowed to show the other side of the picture. I have found it suggested in some quarters that as a matter of fact the Government as soon as these municipalities were allowed to elect non-official presidents became very indifferent, that they did not take sufficient interest, did not pay sufficient attention until the state of affairs came to such a pass that it was found that the committees were going to collapse and that if the Government had come a little earlier this state of affairs would not have occurred. It must be admitted that the committees were not working satisfactorily. A true description of the working of these committees has been given many a time on the floor of this House. It has been pointed out that these committees became hotbeds of party faction and communalism and corruption, nepotism, jobbery and what not. When this stage was reached Government thought it their duty to come forward and devise some means or some scheme by which they could interfere and save the self-governing institutions. Any Government alive to its duties, if it had remained indifferent would have been charged with criminal negligence. It was in these circumstances that this legislation was undertaken. Aegean stables had to be cleansed.

Now, I may be allowed to say a few words regarding the state of affairs so far as official interference is concerned and so far as our own municipal councillors elected by the tax payers are doing their duty. In this respect I am speaking from personal experience. I happen to be the president of a municipal committee for the last five or six months and I have found invariably that the local officers, such as the deputy commissioners and commissioners as also the Minister for Local Self-Government interfere very little in municipal affairs. I remember that there was a slight stir in my own municipality. It was over a communal question. Khan Bahadur Sayad

Bunyad Hussain happens to be the deputy commissioner. Some people approached him and he gave them advice and said he would have absolutely nothing to do with their party factions. He also advised the minority and majority party to act in co-operation with each other. Similarly I am receiving nothing but sincere guidance and unstinted support from Mr. Ferguson, the Commissioner, Jullundur division.

Looking to the other side of the picture, I have come across cases where whenever I asked the employee of the municipal committee—because in the absence of the executive officer I as president am the executive officer of the municipal committee—as to what happened to such and such a resolution, whether it had been given effect to or not, he used to reply, “such and such a member is interested in such and such an affair and I will be personally put to difficulty if I give effect to that resolution. Otherwise I should have no hesitation in carrying out that resolution.” Nor is it an unusual practice for a municipal committee to pass a resolution one day and have that altered the next day because some member of the municipal committee is interested in it. Such is the state of affairs that has been going on, and it is with a view to check the deterioration that was already going on in the committees that this law was passed. But I must confess that I do not find any sanctity about this well-calculated majority. So far as I am concerned it is immaterial whether it is five-eighths majority or bare majority. If a majority has to be obtained a bare majority is as good as five-eighths majority; and it is against this majority that my friends on this side are fighting. You will excuse me, Sir, if I make bold to say that whenever the question has been tackled either by the Government or this side of the House the affairs of the local committee—Lahore Committee—have largely influenced their judgment. With these words I would request my friends who have been fighting over this question not to press the matter at this stage. After all the Honourable Minister is only making an experiment. He must be given some more time to see the result of the experiment. We have been assured by the Minister himself that he would be prepared to help the House in getting this pernicious measure repealed as soon as he finds that things have improved. If things are not improved and if we find that on the other hand there is the curtailment of popular rights, then I may assure my friends that we all should after a reasonable time make out a common cause and then—

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Assure on whose behalf; on behalf of Government?

Sardar Arjan Singh: On my own behalf. My friend alone is in the fortunate position of giving assurance on this side or on that side. I would, therefore, request my friends, though I have much sympathy with their object, to give it a fair trial before we can definitely decide whether it is a failure or success. Until and unless the Ministry have had sufficient time to work it, they may come down and say, “you were responsible for not giving us a fair trial.”

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu) : Sir, Hindus and Muslims are bandying words about this Bill without considering for a moment what they are doing and why they

[Ch. Afzal Haq.]

are doing it. It is my belief that both parties are condemning each other for nothing. None of them is at fault. It is the will of the Government that this should be done and it is being done. Let all the honourable members, be they Hindus or Muslims, listen to me attentively. In 1922 the Government decided to give non-official presidents to the municipal committees but immediately after making this decision they deplored it and from that very year began to take steps to undo what they had done. In 1923 a select committee consisting of the members of this House was formed in order to enquire into the administration of the committees, for it was alleged that under the non-official presidents the administration of the committees had suffered. From the very year in which the committees were given non-official presidents, Government started taking steps to remove them. It is not the fault of any minister. It is not the fault of any party. It is the will of the all powerful Government. Then, in 1922 the Minister was a very far-sighted gentleman. He did not wish to co-operate with the Government officers to recant. He appointed committees one after another and in every way that was open to him procrastinated and delayed the passage of such a Bill by which the negation of the element of local self-government was desired. In the report of the select committee which had sat in 1925-26 it was submitted that the work of the municipalities was quite all right. After 1926 that Minister handed over the charge of his portfolio to his successor. That is, the Honourable Mian Sir Fazl-i-Hussain became the Revenue Member and Honourable Malik Sir Firoz Khan Noon succeeded him as Minister for Local Self-Government. The officers of the Government approached him and brought it to his notice that such and such a Bill was lying in his desk, and that he should take some action with regard to it. The Honourable Minister brought it before the House when too much pressure was brought to bear upon him by the back benchers. But the Bill could not become an Act. I was a member of this House at that time and I opposed it. I moved that the Bill be circulated for eliciting public opinion thereon. The Honourable Minister found that the Bill was resisted by the Muslim members of the Council; he withdrew his motion. After this I resigned my seat here in the Council. But in 1933 the conditions again changed and a new Minister came into office and the Government officers approached him with the same prayers on their lips. A committee was appointed to enquire into the affairs of the committees. And the report submitted by it contained a very strong condemnation of the administration of the committees. In the Report of Municipalities of the Punjab Mr. Darling says :—

I cannot doubt that a great mistake was made in handing over so many committees to non-official 'presidents.

This was the real pinch. Everything is due to this that the Government^t found that the municipal bodies by obtaining this little independence from them had gone out of their control. The committees showed sympathy towards the political movements in the country. On many occasions they presented addresses to various leaders of the public. For example, an address was given to Moti Lal Nehru by a committee of the Punjab. The Government feared that the committees had become independent of them and began to take steps to regain their lost influence over the committees.

It is also a fact that the influence of the Government over the committees has never become less. A committee has got about 25 members in all. Out of these about ten are nominated by the Government. Further, in a majority of municipalities the presidents are appointed by the commissioners and deputy commissioners. The influence of the officers has never dwindled over the municipal committees. Out of nearly 25 members 10 are nominated and it is not very difficult to join four or five members in order to have a majority in the committee. Here in the Council I do not think it is easy for us all to get any resolution passed for the Government benches can easily get the support of a few members to reduce us into a minority. The same is the case with the municipalities. The Government have nominated members in the committees; they have generally presidents who are men under the influence of the commissioners or the deputy commissioners and now they have also got executive officers. The Government have got full control over the committees. The Government in reality want to take away all powers from the committees. Wherever there is an independent non-official president of a committee the officers of the Government do not co-operate with him but always try to slight him and harm his reputation as a president. Before you, Sir, Raizada Hans Raj related his own sad experience. He stated how the deputy commissioner told him that he would not see him if he came to him dressed in khadar. He also told you, Sir, that the deputy commissioner kept the budget of the committee with him for four months in order that difficulties may arise in the working of the committee. Whenever the deputy commissioner finds that the president does not agree to become his tool he begins harassing him by such means as I have stated. In the report of 1931-32 four pages are devoted to the adverse criticism of the working of the municipalities. This is done because the officers have no hand in the committees. Had the officers had any hand in the management of the committees the report would never have even mentioned any defect of administration. Sir, the same defects which are found in the administration of the committees are also found in the administration of the district boards, but as the presidents of district boards are Government officers no one can dare to refer to them.

I assure the honourable members that if this state of affairs continues you will find, it will become intolerable. When some Muslim Minister will take charge of the local bodies he will do double harm. This is another point and I will refer to it on some other occasion. I pity the plight of the Honourable Minister for Local Self-Government. He is only there to receive the blames. He is not free in his affairs. He has said in a way that he is not free. I remember a tale. Once there was a zamindar. He had two domestic animals. One was very cunning and the other was a fool. Once the zamindar prepared some *kari*. He went out for some time to do some work. In his absence the cunning animal ate away all the *kari*. The other animal did not eat it. The cunning animal after eating it thought that the master will on return surely beat him. In order to escape this himself smirched some *kari* on the mouth of the other animal. This other animal was a young buffalo (*kata*). When the zamindar returned home, he found that the pot containing *kari* was empty. He looked about and found that the mouth of the young buffalo was smeared with *kari*. He was enraged and thrashed the poor beast very much. The poor buffalo could only utter wails, like

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*(Here the honourable member mimicked the young buffalo wails).
(Laughter).*

The Honourable Dr. Gokul Chand Narang : Sir, how will this be reported ; this onomatopoeic expression ?

Chaudhri Afzal Haq : Sir, everyone is saying that it is the Honourable Minister who is ruining the cause of local self-government, but I say it is not he but it is the Government. The Honourable Minister is helpless. He cannot go against the will of the Government.

This law as it stands at present will cripple local self-government in this country. It is my reading of the future. I think if it remained as it is, it will surely harm the element of local self-government in this province. I am not prophesying. I am only saying it as my conviction.

Then, it was said that such measures were necessary in order to remove corruption from the municipal committees. I say corruption is as rife in the departments of the Government as it is alleged to be in the municipal committees. Here is, in my hand, a report of the Government about corruption. In it, it is stated that since the last twenty years corruption is rampant here in this country but now it has all the more increased. Why do the Government not appoint executive officers for their own departments ? Here are in this report ten pages devoted to the subject of corruption in this country. Our present Governor when he was on these benches suggested that the Government may appoint a board consisting of its own officers to put a stop to corruption. But the Government did not accept this suggestion. This suggestion was made because His Excellency at that time thought that Government would not agree to the formation of a board including non-official members also on the plea of interference. That is why he suggested that the board may be formed purely of the officers of the Government. If it was thought that by including non-official element in the board there would be interference in the working of the board, why is it not considered at present that by the presence of an executive officer in a committee the work of the committee will be interfered with ?

The Honourable Mr. Miles Irving : The honourable member on an entirely foreign subject is attacking the whole administration of Government.

Chaudhri Afzal Haq : I am only quoting an example and it is in the report. Sir, in the end I will only say that from this Act no good will accrue either to the community to which the Honourable Minister belongs or to mine ; why then should the Honourable Minister insist on keeping it on the statute book ? I request him to take an early opportunity to get this Act repealed.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, in the discussions that have taken place over this Bill I have been more than once tempted to take part. There can be no question that most of the honourable members of this House and the general public are deeply interested in the development of local self-government on right lines, as a prelude to the development of self-government. Therefore it cannot be but a matter of deep concern for all public men to watch the course of local self-government in the Punjab.

Thinking over this matter seriously it seems to me that there is a confusion of thought and that confusion of thought is due to an endeavour to reconcile theory with practice. There is the theory of pure democracy in which every one, male and female, gets the right to vote. There is, again, the practical demand of democracy to place the best men in power. The question before all thinking men is whether our country, in local bodies, in the provincial and central legislatures, is in a position to apply the pure theory of democracy, based on adult franchise, male and female. I need hardly point out that the best example of a successful constitutional government is that provided by England. But, we who are in a great hurry to reach, where England stands to-day, must not forget that it took nearly a century for Britain to reach its present adult franchise. Here we all are eager to have adult franchise immediately for local bodies, provincial and central legislatures. If you cannot wait for the gradual growth of self-governing institutions on right lines, you have to apply such measures as the appointment of executive officers, so that administration of local bodies may not suffer. You must remember that you have not laid the foundations properly as they ought to have been laid in forming your electorates.

Take our local bodies and take the problems they have to face. They are called upon to provide services for which the residents pay. Taxation collected by local bodies is in the nature of contribution for essential services. It goes without saying that those who contribute to local funds are entitled to have an effective voice in their spending, and if they were able to exercise their vote with discrimination, can you imagine that any one in this House would ever have proposed any legislation?

The honourable member who regales us not only with poetry but hospitality, with him I share the great desire that we in this province should be free from communalism, from all tribal and territorial divisions. He and I have worked together for joint electorates and we will continue to work. He admitted in his speech that this matter of improving the administration of local bodies had engaged the attention of no less a nationalist than Sir Fazl-i-Husain. Sir Fazl-i-Husain himself ten years ago discovered that there was something wrong in our local bodies and that they needed improvement.

Chaudhri Afzal Haq : That may be an official secret. Is the honourable member revealing an official secret?

The Honourable Sardar Sir Jogendra Singh : If the honourable member will listen to me, he will find I am not revealing any official secret. I am merely repeating what I heard a few minutes ago from the honourable member who spoke on the Bill. If ten years ago it was discovered by no less a champion of self-government than Sir Fazl-i-Husain himself that there was some kind of assistance required by local bodies you cannot then accuse the present Minister that as soon as he assumed office he took this matter up of his own accord, introduced and carried through this Act.

Chaudhri Nazir Husain : Can the Honourable Minister quote any recorded opinion of Sir Fazl-i-Husain?

The Honourable Sardar Sir Jogendra Singh : I am sure it can be found but if the honourable members want me to quote some direct evidence on the working of local bodies then there is the Dobson Committee Report. If honourable members think that the proposals which Sir Fazl-i-Husain considered are not relevant to the discussion I shall not refer to them.

Chaudhri Afzal Haq : No. It has been ruled by you, Sir, that if any honourable member is to quote, he should bring the original source of such quotation in proof of his statement. The Honourable Minister has no such source with him and it has not been proved that Mian Sir Fazl-i-Husain at any time had a Bill drafted. We do not know of any such Bill nor is the Honourable Minister aware of any.

The Honourable Sardar Sir Jogendra Singh : I accepted the statement of the honourable member from Multan who had all the papers with him and who was quoting from them. I am now told by the Secretary, Transferred Departments, that the statement of my honourable friend from Multan regarding Sir Fazl-i-Husain preparing a Bill is correct. But if honourable members would like any further confirmation as to the working of municipal government in the Punjab we have recently published a report of the Dobson Committee and if that is not a public and authoritative document I cannot think of any. In the coming years when responsibility not only in improving the administration of our towns and cities but in carrying out the administration of our province is transferred to this council many occasions are likely to arise requiring definite action such as transfer of authority in a single hand. We need not fight shy of it now because we are learning the meaning and the use of responsibility. Good administration is the outcome of great many experiments. My reason in taking part in this discussion is that honourable members who are so zealous that the constitution of local bodies should be so improved that the voice of the representatives of the people should be effective may examine some methods of bringing the best available men to local bodies. There are examples of other countries of gradual development of self-governing institution, endeavours to reconcile democratic policies with stable and efficient administration. There can be no country more democratic than France and possibly it may interest honourable members to know that in France itself departmental control is effective. My honourable friend is shaking his head. If I may take the liberty to point out, even he—and no one can be more democratic than he—has sometimes bowed his head to dictators. If my memory does not fail me, he himself has been a dictator. When you can reconcile a dictator with democracy you can reconcile an executive officer with a local self-governing committee. An executive officer after all is a servant of the municipality if the municipality only knows how to exercise its power and unite in imposing its will on the executive officer. (*Interruption*). My honourable friend, Chaudhri Afzal Haq, says, No. I think he seems to think that I am in favour of interfering with the powers of local bodies. He is entirely wrong if he thinks that I am against any democratic principle. What I am trying to impress on him and the House is that we who are interested in making our towns what they should be, should also examine ways and means to improve their administration. It is our duty in this House to see that large sums of money that we contribute

for services to local bodies are properly utilised and that services which the towns need are provided for. It cannot be wrong for us to examine whether it is not possible to improve the very foundations of local self-government. When I talk of the foundations of local self-government I mean the electorate itself. In all the eastern countries they have started a sifting process by forming groups of primary electors who elect secondary electors, who in their turn elect members. Is it not possible that our municipalities too should improve their electorate? Let every adult male and female have a vote, but let each household elect one representative to exercise the vote on its behalf, let these primary voters form groups of five or more primary voters and in their turn elect secondary voters and these forming an electorate would return the member. This sifting process would secure members of right stamp who would be in a position to exercise their powers properly. What the country needs is unselfish men, who know the meaning of responsibility. What we need is that our electorate should be so devised that we can bring best men to the helm of affairs. Till this can be achieved, is it not proper for us to employ men who can guarantee good administration?

We who are used to a system of dyarchy, and dyarchy has not failed (*Chaudhri Afzal Haq*: It has failed utterly) have found it possible to act together, officials and non-officials, for one purpose only, the good government of our province. I do not accept the honourable member's denial nor the assertion that Ministers are puppets in the hands of their secretaries. Ministers and permanent officials work together in perfect harmony because they have a common aim, the good government of the province. There is the responsibility of the Minister to this House for the running of his own department and this responsibility is shared with him by the Governor, and it is so arranged that it is very difficult to define or divide this responsibility. All the Members of Government and the Secretariat act in unison for one common purpose and that is the good administration of the province. Why cannot the same spirit animate the chairman and the executive officers, to so adjust their relations that they both work for the common good of the towns that they administer. I have nothing more to say but to appeal to this House not to be in a hurry to condemn but to give the Act a trial. In the meantime why not examine the suggestion that I have made for the improvement of the electorate with the main object of bringing men of responsibility and experience to the helm of affairs in the municipalities and local bodies? We will then have no complaint and we can rely that the Government will never force any measure on local bodies as long as they are able to carry out their duties as they ought to do to the satisfaction of the citizens in whose interests they work.

Mr. Owen Roberts (Nominated non-official): This debate has apparently reached the stage where it is the correct thing to refer to the thoroughness with which the subject has been discussed. But to me it has brought other reactions. The first is the very poor figure put by the advocates of this legislation forced as they are to offer excuses in place of arguments as justification for it. Another reaction has been the difficulty that persons like myself who lack the acumen and legal training of the Honourable Minister find in bringing ourselves back to the real question before the House which after all is whether this Bill shall go to select committee or whether it shall not. I intend to try and confine myself as closely

[Mr. Owen Roberts.]

as possible to this one point. In doing so I wish to say a few words on why we want an alteration of the present law and also to ask myself in what respect this Bill is one which Government should object to send to a select committee. On the first point I do not want to go into a long list of grievances which have been poured out against the Executive Officers Act. I prefer to take the situation as we have found it during this debate and to find my reasons in the mouths of those who are responsible for it. We had an admission yesterday from the Honourable Minister for Local Self-Government that the Executive Officer's Act was not intended to promote democracy. It was a special measure introduced to deal with special conditions and that when those special conditions passed, the Act might be removed from the statute book. That is the Minister's declaration. On the first day of the debate the Secretary for Local Self-Government sought to tell us that any change at present would be premature ; we have not allowed the Bill to operate sufficiently long to express an opinion of any real value on its merits. Now, Sir, if I put these statements together they amount to this. We are witnesses to the flagellation of our committees and we are to continue witnessing this punishment, with the assurance that at some future time benefit will emerge from it and when benefit has emerged from it then the legislation will be removed. This, is a very extraordinary argument to place before a House of this character.

I will now state the case from the point of view of the opposition. This Bill nowhere asks for the removal of executive officers. The effect of this legislation without doubt has been to strip our public men of their robes of honour and to expose them in the stocks to the gibe of every passer-by, and it is a mitigation of this sentence that we now seek. I will not go into details but if the Honourable Minister would like me to prove how indignity has been put upon municipal commissioners, I shall be pleased to make out a case to the House, but the debate has already been long and I need not go into details and will proceed to examine the Bill itself from the point of view of discovering what there is in it objectionable from Government's standpoint to place it before a select committee.

Clauses 1 and 2 are formal. Clause 3 shows more clearly than any other clause that this Bill is really a plea for the mitigation of punishment. We ask in this clause that the municipal committees shall be given the opportunity if they so desire of asking for an executive officer. The position really amounts to this that a man misbehaves himself and the misbehaviour is such that you do not wish to dismiss him, you give him the opportunity of putting in his resignation. The concession claimed is exactly analogous to that described by me and is a recognised convention in public service and for that matter in other services and this is the sole concession that is sought for in this clause. In clause 4 we ask that we be given an effective voice in the selecting of the rod by which we are to be beaten ; we ask for removal of five-eighths majority and a simple majority substituted. This is a very human request. Clause 5 seeks to extend protection to the public purse—to fix a lower scale of remuneration for these officers than is laid down in the original Act. Clauses 6, 7, 8 and 9 are consequential. Clause 10 may perhaps appear to go a bit too far, because here we ask that some pretence of

control shall be handed back to the elected officers of the committee. It may appear childish that we should seek to save the face of our public men, but again it is very human. In clause 12 again we attempt to restore some semblance of dignity to those posts which have been associated for all time with municipal administration such as that of the secretary. We seek to exclude him from the control of this newly appointed officer. In clause 13 all that we seek for is that the president and the vice-president shall have access to the records of the committee without having to go through the formality of seeking the permission of the executive officer.

Is there anything so very serious in this Bill? Can anybody honestly say that the Bill before us is anything more than a request for the mitigation of punishment? You allow a plea for mercy even from convicted and condemned criminals and will Government actually accept the responsibility of refusing to allow this Bill to be considered by a select committee? I think, Sir, that in view of the considerable public opinion on this matter Government would be very ill-advised indeed to throw out that challenge.

I must, before I resume my seat, say a few words on the subject generally. It is not only this Bill, it is the whole history of municipal administration associated with the present Ministry that I wish to speak about. The Honourable Minister, if you permit me to say so, has overlooked the wisdom in the Latin tag "*nemo repente venit turpissimus*." Had he remembered this he would have realised, when he took over office, that the municipal commissioners were not likely to be any the worse in the first years of his office than they were in the last years of his predecessor's office. He would have held his hand. In other words he should have taken time to reflect and he would then have followed in the footsteps of his predecessors and have adopted the recognised methods of diagnosis and treatment. Instead of that what has he done? He has had resort to the patent medicine counter from which he has selected a gaudily labelled bottle marked "Executive Officers Act" and with this remedy in his hand he proceeded to treat his victims. Here in Lahore, for example, I gather from something that the Secretary, Transferred Departments, has said that they expect to solve the problem associated with the muddle that has arisen in connection with the water works and drainage schemes. I speak from some personal experience of the subject. I know that these matters have been dealt with closely by at least two Secretaries who were both members of the Indian Civil Service and I have seen them dealt with by other public spirited men who today have risen to some of the highest posts in the public service and have no hesitation in saying that these gentlemen with all their experience of Government and with all the patience and care that they devoted to the matter were unable to solve this tangle and all I can say is that if the sample of the patent medicine, which has been supplied to Lahore can achieve this result with a wave of the hand then it will be because of some special dispensations of the Ministry and not through the ordinary administrative channels of Government.

There is one point which the Honourable Minister has overlooked in applying this medicine and that is the powerful irritant properties that it has. I would ask him to approach the subject if possible from a fresh point of view. Let him in solving his problem cease to confine himself to approaching it

[Mr. Owen Roberts.]

through the restricted avenue of the provincial service and let him instead seek to enlist the co-operation of public spirited men who will be quite prepared to assist him in his task provided they get suitable conditions. On this point, with your permission, I will read an extract from a book written by a man who is probably as well qualified to express an opinion on the matter as anybody in this House. The book is called "Life in the Indian Civil Service" and was written by Sir Evan Machonochie, son-in-law of Sir Denzil Ibbetson, under whom he served as Under-Secretary in the Revenue and Agricultural Department, Government of India. Writing of his experience as Collector of Dharwar in 1911-14, he says :—

In most of the towns there were loyal and public spirited men to take a lead in local and municipal affairs, the meetings of the local bodies were orderly and business like, and after a district local board meetings there would always be a friendly gathering round my wife's tea table.

I would tell the Honourable Minister that it is with this outlook and in this spirit that he will bring about the desired change in local self-government. It is only along these lines that he or anyone of us will solve the problems of local self-government and still the larger problems that we have to face in the future. I would suggest to him that uplift and not punishment should be the guiding note of his administrative methods, and I can assure him that agreement to send this Bill to a select committee will be accepted as an appreciable step in the right direction.

Lala Labh Chand Mehra (Nominated non-official) (*Urdu*). Sir, I have heard with great interest all the speeches that have been delivered so far both in favour of the Bill under discussion and against it. As far as the speech of the honourable mover is concerned I must say that theoretically he has put forward a very good case but in practice the matter is quite the reverse. This Bill, Sir, is meant to introduce a drastic change or rather it seeks to nullify the Executive Officers Act. It is, therefore, necessary for us to examine first of all, why the Executive Officers Act was enacted. What was its necessity then? Have the circumstances so changed since it was passed into law that there is need of amendment? Many of the honourable members who have spoken on this subject have narrated the history of this Act and I do not wish to take the time of the house by reiterating all that they have said but I must contradict the queerest suggestions made by my honourable friend, the member for Hoshiarpur-cum-Jullundur Muslim constituency. He said that since the Government was never in favour of non-official presidents being elected to local bodies, it had been trying to discredit them. The Executive Officers Act was introduced with the only motive to take away those powers that were vested in non-official presidents. In this connection he has questioned the *bond-fides* of the Government and has added that the Government moved and passed the Executive Officers Bill with some ulterior motives.

Mr. President : He did not criticise the policy of the Government.

Lala Labh Chand Mehra : He wanted to convey the impression that the Government had been, from the outset, against the spirit of the Bill under discussion. I am very sorry to observe that it is his wont to go on criticising the Government in season and out of season. But I am sure that the majority of the honourable members of this House do not agree with him. The

aim of the Government in placing the Executive Officers Act on the statute book was to remove the maladministration of local bodies. It has been said that this Act is against the spirit of democracy. But the question is whether democracy really exists anywhere. Personally I think that it is nowhere to be found. Our system of elections itself is contrary to the principle of democracy. Mussalmans are to elect Mussalmans and the Hindus are to vote exclusively for the Hindus. In this way the outlook of the members returned necessarily becomes communal and they cannot think of serving the citizens they represent. At the most they are anxious to secure employment for certain co-religionists and ensure security of service for others. When their attention is so diverted from the duty they are expected to perform, the maladministration is sure to be rife in the local bodies.

The Dobson Committee Report provides ample proof of the maladministration in our municipalities. The Executive Officers Act was made to remove the evils of mismanagement in such bodies. An opportunity was given of which the municipalities perhaps did not avail. I am really sorry to remark that the people who ought to have given the Act a fair trial have tried to thwart its operation. I am sure that if they would try to work it out honestly it would prove a blessing. I would appeal to the honourable members of this House that they should not fight for the rights of the presidents and members of municipalities but they ought to fight for the rights of the rate-payers. I would like to make a few observations with regard to the Bill now before the House. It provides that executive officers should be appointed in those municipalities only which themselves ask for them. But that is impossible, because the municipalities responsible for mismanaging their own affairs will never ask for the appointment of executive officers. If that had been the case there would have been absolutely no need for this Act. It has also been said that the five-eighths majority provided for in the Act contravenes the spirit of local self-government and therefore it should be done away with. But, as a matter of fact this provision is most indispensable inasmuch as it works as an antidote against the venom of communalism. If the Bill now before the House were accepted it will nullify the Act and for this reason it merits unequivocal condemnation of the whole House. In this connection I am reminded of a story which with your permission I would like to narrate to the House. There used to live a family of gins in the neighbourhood of a certain village. They used to plunder and loot people who happened to pass that side. One day the munshi of a zamindar of the village passed that side. They caught hold of him and wanted to eat him up because they were very hungry and had not been able to get any food for the last few days. The munshi asked them to let him live, for, he would prove more useful to them when alive. They asked him to explain how he would be useful to them. He replied that they would themselves realise it if he were to be permitted to live with them for a few days. Consequently they agreed to it. They began to plunder and loot people as usual and the booty thus obtained was being deposited with the munshi, who carefully kept all that and managed their affairs properly. The result was that in a few days large wealth was accumulated. The chief of the gins who had gone abroad returned and was greatly surprised to see the wealth so accumulated. Thereupon, he asked his colleagues the reasons for the extraordinary change he was witnessing in the state of affairs. The reply was that it was due to

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the presence of the munshi they had since employed. The chief then remarked that they had disgraced themselves for they should not have accumulated so much wealth but rather should have wasted it, as this prosperity was hardly in keeping with their name and traditions. Exactly similar is the case here. The executive officers are earnest in improving the municipal administration but they are not being permitted to do so. For God's sake if you cannot do anything else, do not try to cause a setback to the improvement noticeable in the municipal administration with the presence of the executive officers. With these words I strongly oppose the Bill under consideration.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): Sir, I do not want to take much of the time of the Council in discussing the merits of this Bill. But I cannot help observing that this Act the amendment of which is now under consideration is not the outcome of the Honourable Minister himself, but that it was pushed forward by the executive part of the Government. The Honourable Minister for Agriculture said that he and his colleagues were not mere puppets. Evidently they think that they are the rulers, but in fact they are ruled by the bureaucracy. My friend the Minister for Local Self-Government was not long in the Ministry before he brought forward this Bill. I am sure if he had waited for some time longer he would not have brought forward that type of Bill at all. The present Bill raises a very important point, namely, who is to appoint the executive officer of a municipality? According to the Act the executive officer has to be elected by a five-eighths majority of the municipal committee. Now, I ask the Honourable Minister who always claims that he is for democracy, whether he has seen anywhere in the world except perhaps Madras and Bombay which are no more democratic than the Punjab (where these Acts were passed in pre-reform days) any law by which the officers of a municipal committee have to be employed by a five-eighths majority of the members of the committee? It is clear that the five-eighths majority that is prescribed in the Act is intended to oust the authority of the body which is to appoint the person. Like a *bania* who calculates interest and compound interest and arrives at a certain figure our friend the Minister has worked some figures and has arrived at the five-eighths majority with the knowledge that no municipality will be able to select an executive officer. I do not know how he arrived at this figure, but this fact remains that no municipal committee has been able to appoint its executive officer by conforming to this provision of the Act. He may continue in his office under the present constitution till this Council is dissolved, but in the new Council probably he will be ousted from his place, and he will always be accused of having deprived the local bodies of their power of making appointments (*The Honourable Dr. Gokul Chand Narang*: I do not want to come in). I know you do not want to come in, because there are people who will not allow you to come in. The Honourable Minister has secured a very great patronage to dispense. Has he considered as to what the effect of this will be on the next ministry? There is no certainty that the future minister will always stick to the principle of the present Minister and always appoint people from the Provincial Civil Service, although this type of job was never understood to be reserved for Provincial Civil Service. It is just possible that he may choose a politician of his own creed for these offices. It is possible he will choose persons, who

will be at his behests. When such a state of affairs comes into existence, the municipal administration will in no way be better than it is at present. One honourable member said that it was still open to municipal committees to employ or dismiss these executive officers themselves. I submit that this power is impracticable to be exercised, because on account of communal wrangles. The Honourable Minister might have passed a law that they should be appointed by Government and that they cannot be removed from office at all, and in that case the responsibility would have shifted on the shoulders of Government. By this provision of five-eighths majority a great havoc has been perpetrated in municipal administration. And what is the sense of responsibility that the executive officer has to feel. Whenever Government asks why a certain thing has not been done he will say the municipal committee has not allowed him to do it and if the municipal committee asks him why he has not done such and such a thing he will say the Government does not allow him to do so. This is really not anomaly but *doumaly*. So I would say that either an executive officer should be appointed by an ordinary majority, or the power be taken away altogether from the municipalities.

It has been said that the municipal administration had grown so bad that this Act was required to bring about reforms in that administration. I ask, what about the administration of the Government itself? When the Honourable Minister for Local Self-Government was sitting on these benches as an ordinary member he used to grumble and roar in those days accusing Government of dishonesty, inefficiency and corruption. He used to talk of police *zulum* and all those things. Evidently he has forgotten all those things, but my memory is not so weak and I remember them all. The fact is that it is not always easy to check dishonesty in any department, chiefly in this country of ours, where any cry against *zulum*, dishonesty, or corruption is treated as an anti-Government act.

Now let us examine what improvement has been effected by these executive officers. How many men have been dismissed by these executive officers for their dishonesty? Have they during these two years dismissed any corrupt officials? Have they been able to improve the system of administration? Under the present law the executive officers have two masters to serve which is not good administratively. Any amount of law like the present one cannot improve matters. Personally I am in favour of having executive officers. If a municipality requires cleaning up the Government might as well appoint a dictator for a few years and I have no objection to that. He may remain in office for three years. Then let us see whether he is able to effect any improvement. But unfortunately the Executive Officer Act has introduced a very vicious system of appointing officers by five-eighths majority which means that the executive officer will be neither under the control of the municipal committee nor of the Government. The executive officer also is in a very unhappy position.

This provision of five-eighths majority is a very unhappy one. If I remember aright, the Honourable Minister said that if any grievance was brought to his notice he would consider it sympathetically. We are on the eve of reforms. When the new reforms come, the power will pass from official hands to the people themselves. At that time it will be impossible to say "Let some executive authority come and function" because at that

[Sh, Muhammad Sadiq.]

time the executive authority will be that of people themselves. For, after all, members of local bodies and of this Council come from the same section of the people. If they are no good as members of district boards, they are equally not good as members of municipal committees or of this Council. (*An honourable member*: Legislators have no administrative powers.) I am speaking of the powers under the new reforms. The powers of the members of the future Legislative Council will be greater than is possessed by the municipal committees. Probably my friend would like to ask Mr. Winston Churchill that he should insist on this five-eighths majority for the removal of the Minister. Probably it is a good cue for the Ministers in England when they are fighting in Parliament to refer to this five-eighths majority in the Punjab Council. They should say that no Minister should be dismissed unless the motion is passed by a five-eighths majority. An honourable friend in his lecture has told us that if the affairs are bad, somebody should be put on to check. Suppose I see my honourable friends business is bad and I put in somebody to look after it: will he agree? Nobody wants another person to come and interfere in his business unless the thing has gone so bad and requires to be corrected immediately. Take the case of Lahore. They gave the president a Khan Bahadur and said that he was doing excellent work. Now what happens to these excellent people to whom you have given grants, jagirs and titles for their work in municipal committees? As soon as they leave their office, they are condemned. I am not speaking in any partisan manner. I know there is necessity for some officer to control the staff and also to carry out many of the multifarious duties which municipal committees cannot conveniently perform and as democrats are afraid to perform. Give even greater powers to the executive officer in certain respects, as regards sanitation, buildings, etc., because I think the municipal committee has no time to go into mere details. But I appeal to him to at least cancel this principle of the section and restore the ordinary majority. if you send this Bill to the select committee they will decide what is right.

Chaudhri Nazir Husain (Gujrat West, Muhammadan, Rural): As my friend, Mr. Owen Roberts pointed out, the opposition to this Bill has been carried on on the assumption that it somehow seeks to nullify the Executive Officers Act. Really speaking it does nothing of the kind. If it attempted to do so, I should have understood the anxiety of the Honourable Minister for Local Self-Government for his pet off-spring. There are only two important provisions in this Bill. The first is that the executive officer should not be thrust on an unwilling municipality, unless the conditions in the municipality are such that Government, after an enquiry, is satisfied that the appointment is called for. If the Bill had been so worded that it did not insist on an enquiry but left it to the Government to appoint an executive officer to a municipality whenever it considered that the conditions did call for such an appointment, probably nobody in this House, not even the official benches including the Honourable Minister for Local Self-Government, would have had any objection. Probably the objection merely is to that part in the clause which says that the appointment should be made after an enquiry. But that is a very necessary provision from this point of view, that our local bodies are apt to be maligned by people without sufficient

reasons. The advance of civic consciousness has been too rapid. A wrong comparison is made between our municipalities and the municipalities in the western countries. Now we all know that the conditions in the municipalities of the west are different from ours. They are bound to be different for two reasons. One is that the municipalities there have got more finances than are possessed by our municipalities. There the incidence of taxation is so high and they are able to provide better amenities for the civic life of the people than can be done by our municipalities. The second point is that the people in the west are more trained in the art of self-government than the people in India, for the very obvious reason that the introduction of self-government in India has been of a recent date. But that is no reason why further retardation should be made in the growth of our local institutions. The insistence on enquiry is merely from the point of view that the municipalities should also have a say in the matter before a verdict is passed on them and it should be a public enquiry and if it is found on such an enquiry that the municipality is unfit to manage its affairs, an executive officer should be appointed. Most of the honourable members who opposed this Bill have laid stress on the fact that there is communal bitterness, nepotism, corruption and so on in the municipalities and the Honourable Minister for Agriculture went to the length of saying that the principle of democracy is one thing, its practice another, and that though he is very much in favour of democracy, he would not, until the conditions in the Punjab changed, have the application of democracy in practice to the extent that he wished. Evidently what he meant was that until man has evolved into an angel, within a few million years, it will not be possible to give people complete local self-government. But I might remind him--and those of his way of thinking--that self-government comes only by practice. Unless you are given opportunities for exercising self-government you are never likely to learn it from some book.

The only other provision of any importance in the Bill is as regards the taking away of the five-eighths majority. It is impossible to see on what particular principle the five-eighths majority has been fixed. Why not a three-fourths majority or a seven-eighths majority? But probably if we have a glance at the result that this five-eighths majority has achieved, we might know the reason why this majority was considered necessary. The Executive Officers Act was applied to 11 municipalities. Of them only one has been able to elect its own executive officer. Now the position is this: either this five-eighths majority was intended to mean that the election, although made by the municipality, should result in a suitable appointment, or it was merely a device to take away the power of election of the executive officer from a municipality. If it was the first, it has miserably failed, because there is no question of suitable appointments being made by the municipal committees as they have not been able to get the requisite majority. If it was the second, then the Honourable Minister has succeeded in depriving the municipal committees of this right of electing an executive officer and I think that the sooner a check is put to this kind of thing and this five-eighths majority taken off, the better it will be for the smooth working of our municipalities. Now, what will be the result of a municipality not being able to elect its own executive officer and an executive officer being thrust upon it by the Honourable Minister? Naturally there is bound to be friction

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between the executive officer and the members of the committee, because he is considered to be an alien and it is against the interests of efficient municipal administration that there should be such a friction between the committee and its executive officer. If an executive officer is appointed by the committee itself, then at least they will not have that inferiority complex which they would have if the officer is thrust upon them by the Minister for Local Self-Government. Therefore not only the self-respect of the municipal committee will be maintained but there is another point and this is a point which I wish especially to bring to the notice of the Honourable Minister for Local Self-Government and I hope he will pay attention to it. By forcing the municipalities to submit to an alien executive officer you are limiting very much the field for the right kind of people entering the municipalities ; because I consider that no self-respecting man would then come in. The chief reason why the Minister wanted this Act, as he explained, was that the people who came to municipalities as members were not of a high order and the executive officers' appointment was necessary. But he will now get less and less the right kind of people, because, no self-respecting man would come in to the municipal committee where he has to feel that he is inferior to a servant of the municipality who is paid out of the funds of the municipality. Really speaking no argument has been made against the submission of this Bill to a select committee. After all if any provision in this Bill is not as good as it should be, it can be changed in the select committee. But merely saying "no" to a Bill that seeks to make the Executive Officer Act less stringent, less offensive, is no reason why it should not be sent to a select committee.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*) : Sir, the main ground on which opposition to this Bill, which is now before the House and which is intended to improve the Executive Officers Act, has been based is that the Act has not been given sufficient trial. It has been said that because the members of various local bodies were not performing their duties properly and because corruption was rampant in them and because so many other defects had crept in, it was considered necessary to appoint executive officers and that it is yet to be seen whether the experiment will prove successful and whether or not the administration of local bodies will improve by the appointment of these officers. Much has been made of this fact that it was intended by the appointment of these officers to save local self-government which was tottering down under non-official presidents of these bodies. But let me say, that in the Punjab and, for the matter of that in the country, local self-government in its true sense has neither existed at any time in the past nor does it exist at present. From the beginning up to the present time the official influence has been there and it is there even now. The local bodies have never been allowed a free hand in the management of their affairs. The official interference and its effects can be palpably seen even now and they are working. You can name no local body where the nominated element has ever been absent. The Government from the very start has been nominating its members to every one of these local bodies and, therefore, it will not be wrong to say that these bodies have never been truly representative ones. It is also true that this nominated element has never permitted

these local bodies to do their best for the good of the people for whose benefit, at least in theory, these bodies came into existence. I shall give a concrete example to make myself more clear. Supposing some well-wishers of the people of a town find that the municipal committee of that place with 12 elected members is not working to the satisfaction of the people concerned and therefore to decide replace them by better men at the time of next elections. When the time comes, they make every effort to achieve their object and in so doing they succeed in capturing 7 seats out of the 12. Now this is a clear majority and if there is no outside interference, the 7 members so elected can proceed to work to the best of their ability in order to justify the trust reposed in them by the public. But when they come to fact facts they find that the Government has nominated 4 members of its own choice who go to join the ranks of their opponents and thus succeed in turning their majority into a minority. The president and even the vice-president are elected from amongst their opponents or from the nominated members and thus the tables are turned on the 7 elected members who had tried their best to be able to improve matters and who had wished to have an opportunity to do so much. They are disappointed and dejected and find that it is no use attempting to reform the local bodies. The powers once again go to the opposite party for another three years. It will thus be seen that the official influence and the interference by the Government have never allowed the local self-government to grow and what little powers were given to the local bodies, have in fact been exercised by the Government itself. Under the circumstances it does not lie in the mouth of the Government and its members to say that the members of these local bodies have not been performing their duties properly or that the public has not been sending capable men to them. There is no justification whatever to hold the representatives of the public responsible for the mismanagement that is seen in the local bodies and which has been made a ground for appointing executive officers. Of course if the local bodies had been permitted to have their way and if the representatives of the public had been allowed to work independently for ten, twenty or thirty years and if then they had proved incapable of running these bodies efficiently, the Government would have been justified in saying all that they have said to justify the appointment of executive officers. But, as I have made it clear, unfettered discretion has never been allowed to the representatives of the public and the result has been that many a public-spirited man has not been taking any interest in this matter. While on this point I may as well say that it is on account of this fact that not very desirable persons have been coming to these bodies and they in combination with the nominated element have been employing in most cases very incapable servants to run the administration of these bodies. This is why there is mismanagement and this is why corruption is so much rampant in these bodies and I may be excused if I say that the Government and the Government alone is to blame for bringing about this state of affairs.

The remedy that has been provided by the enactment of the Executive Officers Act is worse than the disease itself. The provision of five-eighths majority for the election of executive officers again points out to the same thing and that is that the Government wants to retain all powers of the local bodies in its own hands as before. From the statement of objects and

[Maulvi Mazhar Ali Azhar.]

reasons appended to the Executive Officers Bill it appeared, it was subsequently also made clear, that the executive officers were to be appointed because the presidents and the vice-presidents had no time to give proper amount of attention to the work of the municipal committees and the members too were busy-bodies and they could also not devote much time and attention to this work. But the vast powers that have been given to executive officers prove the same thing again that the Government wants to exercise all the powers of the local bodies. The executive officers have not been appointed to help the presidents or vice-presidents or the municipal committees, but to lord over them. I should say that the Government knew that it would not be possible for the municipal committees in general to elect their own executive officers in the presence of the provision of five-eighths majority as the results have proved and that it would nominate its own men as executive officers and thus it will continue to rule the local bodies as before. The Government cannot convince us that it was not its intention. If it really wanted to bring about reforms in the local bodies, it should have so arranged as to allow all such local bodies to elect their own executive officers who would have been under the presidents and under the municipal committees and who would not have dared to act contrary to the wishes of the representatives of the public. In that case the president and the members of the majority party together with the executive officer would have been responsible to the electorate; and if they did not act properly the people could throw them all overboard at the next election and choose another set of members to take charge of their affairs. But now under the existing circumstances the executive officers can go so far as to defy the presidents with impunity. The Secretary, Transferred Departments, has been pleased to say that he is not a pessimist and his optimism tells him that time will come when even in the face of this provision of five-eighths majority the municipal committees will be able to elect their own executive officers. I wonder if out of ten committees to which the Executive Officers Act was applied only one succeeded in electing its own executive officer or out of twelve committees only two succeeded, how we can hope that at some future date things will altogether change and all or almost all municipal committees will be able to elect their own executive officers. At least I am not prepared to share the optimism of the honourable Secretary. And I see no reason to be so optimistic under the present conditions when the committees are so constituted. I take the case of the Lahore Municipality as an example. If I am not mistaken it consists of 32 elected and 13 nominated members. Under the provision of five-eighths majority it is necessary that 28½ which means 29, because it is not possible to divide a member into parts, must concur in the matter of the election of an executive officer. Now out of the 13 nominated members you cannot expect any one of them to vote independently of the Government in this matter or in any other matter and if only four elected members join them, which is so very easy a thing to accomplish, the Lahore Municipal Committee cannot hope to elect its own officer now or ever. Similar is the case with other municipal committees. Therefore I say that there is no room to be so optimistic as the honourable Secretary appears to be. Possession they say is nine-tenths of law, and the fact that at the time that the present Bill was first drafted only one out of ten municipalities could elect an executive officer

and the remaining were appointed by Government goes to show that the Executive Officers Act is nine-tenths of Government control. The fact that out of another two municipalities one has been able to choose an executive officer of its own does not prove much in favour of the Act. In the face of the experience that we have gained during the time the Executive Officers Act has been in force, we cannot with any show of reason agree to give this Act any further trial. I can never imagine that as things are this Act will ever help to remove tension between the different communities as we are asked to believe that it will. I am rather of opinion and this is the opinion of many others that the differences will grow if an early opportunity is not taken to amend this Act as proposed.

Let me say one thing to the Honourable Minister and to the party which he represents in the Cabinet. It is no use, nor is it politic, to insist upon following a path which is not recommended by sound judgment or by any principle. The Ministry will change as it has been changing before and most likely the local bodies will not be under the same Minister who rules their destiny at present. Therefore it is time that they should see the wisdom of the proposal now before the House so that they may not have to rue the time when it is gone. Let them be guided by some sound principle and let them not try to give powers to the Government which it should not possess. Let them not try to do things which cannot be supported by reason and which in their turn they may have sometime later to condemn and complain of.

Sir, what is required, is this that the members of the committees should be made responsible for the good administration and management. This can only be done by doing away with the nominated element in the committees. If you receive complaints about the working of a committee you can suspend it and declare the seats of the members vacant and hold new elections to fill them up with better and more responsible persons. In the future constitution of the province this is going to be done. A party which will have a majority of members in the House will form the cabinet and will be responsible for the administration of the province. If this majority party failed in the administration of the province, people would oppose it in the next elections and send members who would have the support of the majority of the people of the province, and who will form the new cabinet, to run the administration of the province more efficiently and ably. If you deny this right of criticising the actions of the representatives to the people, you deny the very principle of representative Government. You say the executive officers will be removed from the municipal committees as soon as it is found that the administration has improved. But how would you be satisfied that the administration has improved? It can be possible that the Government may after they have been satisfied that the administration of a committee has improved and also corruption has been eradicated from it remove the executive officer from it. But afterwards again the officers may start a propaganda against the committee and say that corruption has again appeared and the administration has also become defective. If such a thing happens, would not the Government appoint an executive officer again? This would become a continuous process to the disadvantage of the members as well as the Government. No good person will try to seek election to such a committee regarding which there is always a

[Maulvi Mazhar Ali Azhar.]

complaint that the members are corrupt and that they are not doing their duty properly. Who would stand this continuous vilification? To become a member would be regarded something amounting to subjecting oneself to all sorts of accusations. This will greatly discourage local self-government.

Then, the powers of the executive officers are very extensive. With these powers an executive officer can defy the whole committee and thus create lot of trouble for the members and the Government also. There is before you the case of the Ludhiana Municipal Committee. The president wanted to see some papers but the executive officer refused to show them to him. The executive officer is given powers to show to the president only those papers which he considers proper to be shown to him. By this rule the executive officers will become autocrats. Now, Sir, supposing a president of a committee wants to see some papers and the executive officer refuses to show them to him, how will the president be able to see those papers? Will he be required to go to the Deputy Commissioner or to the Commissioner? Will he be required to request some member of the Council to ask some questions in connection with this matter in the Council? Supposing he does all these things in order to see those papers. Do you not think that this would involve a lot of trouble to him and also a good deal of botheration to some other people as well? Can you not realise that in order that the Ministry for Local Self-Government may issue orders to the executive officer that he should show the papers to the president, the poor president will have to undergo a lot of trouble? Under these circumstances you cannot expect the president or the members to co-operate with the executive officer, and no self-respecting man will be able to work with him.

Then, Sir, I refer to what is being done here in Lahore. I will not go into the details of the matter I will only mention it. Here in Lahore much has been said about the executive officer having improved the roads. But for the repairs of a road departmentally only Rs. 1,000 were sanctioned by the committee but the executive officer spent Rs. 16,000. Again, for another road Rs. 8,000 were sanctioned for repairing departmentally, but Rs. 11,000 have been spent. Not only this, the contracts were also not given away by first inviting tenders. They have been given by the executive officer to persons whom he wanted to favour in exercise of his own discretion although his action was contrary to the provisions of the Municipal Account Code. The orders for the sanction of this expenditure will be issued by the Government and the committee will have to make provision for it in the budget of next year. I am not attacking any person but if you will give absolute powers to any executive officer, he will do whatever he would like to do and thus his relations with the members will be strained and then troubles will begin to appear one after another. He will rely on the support of Government and act irresponsibly and the Government will also have an interest in supporting him as he is their own man.

Sir, I do not want to take much time of the House. I will only say in the end that this majority of five-eighths which you have fixed is impracticable of being worked, no one can hope to succeed in improving municipal

administration. This is all against the principle of democracy. It is said that executive officers will be removed after mismanagement in municipal affairs ceases to exist. But if executive officers alone can bring about this miracle, who will dispense with their services after they have achieved success and how will you be sure that after their removal matters will not again become worse. After their removal, if ever the contingency occurs, complaints will again be made of inefficiency of municipal administration and the old story will again be repeated. I appeal to the Honourable Minister for Local Self-Government, therefore, to agree to send this Bill to the select committee at least, so that the whole matter may be fully considered.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

Chaudhri Muhammad Abdul Rahman Khan (Hoshiarpur, Muhammadan, Rural) (*Urdu*): Sir, I did not want to make a speech with regard to this Bill but as there are some really harmful defects in it I am constrained to say a few things. I have been a member of the Council for the last so many years. I remember it was first brought in by Malik Sahib and at that time heated discussion took place on it. Speeches in its favour as well as against it were made by the members. At that time it was strongly opposed by the members who are to-day staunch supporters of it. This is an irony of fate that that very community which is so very desirous of getting Swaraj is trying to lay an axe at the root of the principle of local self-government. These very gentlemen who claim to be the true sons of the soil and who say that it is their birth right to be free are blindly supporting a Bill which is nothing less than the negation of self-rule. Local bodies are institutions in which the public is given training for administering their own affairs. But the honourable members opposite do not want that people should learn how to govern themselves. In 1926 when this Bill was brought forward by Malik Sahib the Government, if they so wished it, could have got it passed, but at that time it did not and for this there is also a reason. Now there is an ulterior motive behind this Bill and it is this. This province is predominantly populated by Muslims and in local bodies the majority of members are Muslims. The presidents of the committees are also Muslims. The sister communities want to debar the Muslims from the enjoyment of their right, therefore, they have sided with the Government to see this Bill through.

The Honourable Mr. Miles Irving: Is the honourable member in order in imputing motives?

Chaudhri Muhammad Abdul Rahman Khan: Sir, I am saying that the Hindu community in co-operation with the Government benches is trying to deprive the Muslims of their right. The Honourable Minister when he used to sit on these benches was a great supporter of self-rule and opposed the underlying idea of this Bill. But now that he is sitting on the Government benches he has changed his views.

Mr. Deputy President: Will the honourable member try to speak to the motion? He should not be personal.

Chaudhri Muhammad Abdul Rahman Khan: The Honourable Minister if he had been sincere in what he used to say with regard to self-rule would never have agreed to bring in such a Bill. His income as a lawyer

[Ch. Muhammad Abdul Rahman Khan.]

was quite sufficient. He could have offered to resign rather than to give his consent to be a party to the very idea of bringing in this Bill. If he had offered to resign rather than be a party to that nefarious Act, I think he would have suffered little loss. There is only a little difference between his income as a lawyer and as a Minister.

Mr. Deputy President : The honourable member will please try to speak to the motion and try to prove that this Bill should be sent to the select committee.

Chaudhri Muhammad Abdul Rahman Khan : Sir, I am trying to show that the Honourable Minister has by his conduct shown that he is not a believer in the principle of self-rule. As he had said in an indirect way he is out for helping his community. He in a way also said that if the Muslim Ministers are not doing anything for their community it is their weakness.

Then, Sir, it is said that the committees are not properly managing their affairs, that their administration is defective and that they are also corrupt. But does this all mean that they should be deprived of their powers? Does it mean that an executive officer should be placed at the head of each of them in order to make them carry out his will? If you really want that the people should learn the art of ruling you should remove the executive officers. And if you do not want to remove them, then abolish all committees. What is the use of keeping these bogus bodies which have no powers. They are just like gelded bulls.

Then, it has been said by the Government benches that in western countries executive officers are also kept in the local bodies. It might be true but you should not compare the conditions prevailing there with conditions that are obtainable here in India. Those countries are free, they are masters of their own actions and none is there to dominate over them. But here, in India the circumstances are quite different. We are under a foreign rule. We are not free in thought and action. In western countries when it is required, an executive officer is employed and whenever it is found that his services are no longer needed he is asked to go. Here the Government servants never think themselves public servants. They regard themselves the rulers of the people. Here we have got so many bosses over us and all regard themselves our masters.

Then, Sir, the honourable member from Amritsar (Lala Labh Chand, Mehra) said—and it was an attack—that Chaudhri Afzal Haq always opposed the Government. Let him consider his own position and see if he has ever spoken in favour of the public. I am sure the honourable gentleman from Amritsar has never uttered a word in favour of the people.

(At this stage Mr. President resumed the chair).

I would request Dr. Narang, to refrain from taking the responsibility of this pernicious Act on his shoulders. If it is a fact that it was not he who originally drafted the Executive Officers Bill he should take steps now to repeal the Act. If he does not take such a step, then we will be constrained to conclude that his mentality has absolutely changed after going over to the treasury benches. When he was on these benches he used to support the people's cause but just as everything that goes into a salt mine becomes

saltish he has become an out and out bureaucrat after becoming a Minister. I may point out to him that if he does not make any effort to get this retrograde Act repealed he will forfeit all claims to the title of "A true son of Mother India." With these words, Sir, I would once again request the Honourable Minister not to oppose the Executive Officer (Amendment) Bill.

Mr. Mukand Lal Puri : The question may now be put.

Mr. President : The question is—

That the question be now put.

(After the Honourable President expressed the opinion : " I think the ' Ayes ' have it," a voice of " No " challenged his opinion. Upon this he tried to ring the division bell, but he was unable to do so owing to the failure of electric current).

Mr. Mukand Lal Puri : Sir, where is the question of taking a division ? You have already announced your decision and nobody challenged it excepting that a voice of " No " was heard.

Mr. President : I had not announced my decision. When after collecting the " Ayes " and the " Noes," the Chair expresses the opinion : " I think the ' Ayes ' (or the ' Noes ') have it," and that opinion is challenged by the cries of " No " or " Aye," as the case may be , the House is taken to demand a division. The expression of the opinion " I think the ' Ayes ' (or the ' Noes ') have it," is not the same thing as announcement of the decision, " the ' Ayes ', or the ' Noes ' have it."

Mr. Mukand Lal Puri : Do we understand that in future when anybody utters the word " No " when you are taking the sense of the House, division will be called ?

Mr. President : Will the honourable member please read the rules on the point ?

The Honourable Sir Henry Craik : In view of the unfortunate mechanical breakdown I would respectfully suggest that the Council be adjourned.

Mr. President : Is that the unanimous wish of the House ? *(Voices : Yes).*

Mr. Nanak Chand Pandit : Up to what date will it be adjourned ?

Mr. President : *Sine die.*

Khan Bahadur Mian Ahmad Yar Khan Daulatana : ? What will happen to the motion before the House ?

Mr. President : It will be taken up when the Council meets again.

The Council then adjourned sine die.

PRINTED BY
SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
14 PLC-540-4-5-34-SGPP Lahore,

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Final answers to questions for which *ad interim* replies are printed in Volume XXIV of Council Debates.

ANSWERS TO STARRED QUESTIONS.

WHEAT AND TORIA IN LYALLPUR.

(Answer to question No. 2748, page 151 ante.)

The Honourable Mr. Miles Irving : A statement giving the requisite information so far as it is available is laid on the table. It is regretted that figures from the yield of toria prior to 1930 as also of the quantity of wheat and toria brought to all the markets in the Lyallpur district are not available.

Statement showing the cultivated area and yield per acre of wheat and toria crops for the years 1912, 1917, 1922, 1927 to 1933 in the Lyallpur district.

Year.	CULTIVATED AREA IN ACRES UNDER		YIELD PER ACRE IN MAUNDS OF	
	Wheat.	Toria.	Wheat.	Toria.
1912	688,095	137,221	13½	—
1917	675,527	143,803	11½	—
1922	644,916	119,798	16	—
1927	632,932	121,470	14	—
1928	550,640	106,395	8	—
1929	627,093	124,049	16	—
1930	664,544	99,671	15½	10
1931	596,361	106,892	14½	8
1932	542,440	143,042	13½	6
1933	465,757	99,320	13½	7

MUHAMMADANS AND CHRISTIANS AS DEPRESSED CLASSES.

(Answer to question No. 2765, page 219 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Depressed classes are determined according to the castes mentioned at the foot of page 1 of the Proceedings of the Punjab Government (Ministry of Education), in the Education Department, No. 20181-G., dated the 19th November, 1929, and not according to religion.

- (b) A statement giving the required information is attached.
 (c) A statement giving the required information is attached.
 (d) and (e) This does not concern the Ministry of Education.

Statement showing the names of the districts as well as the castes and sub-castes constituting the depressed classes amongst Muhammadans and Christians.

District.	Names of the castes and sub-castes constituting the depressed classes amongst Muhammadans.	Names of the castes and sub-castes constituting the depressed classes amongst Christians.
Hissar ..	Dhobi, Ghosi, Mochi and Weavers.	Nil.
Rohtak ..	Doom, Dhobi, Megh, Ghosi and Ods.	Nil.
Karnal ..	Chamars, Weavers, Barhis, Lohars, Saqqas, Kumars, Chubras, Dhobis, Nais, Mirasis, Bagrias and Ods.	Nil.
Multan ..	Dhobis and Weavers ..	Nil.
Jhang ..	Ditto ..	Nil.
Montgomery ..	Ditto ..	Nil.
Dera Ghazi Khan ..	Ditto ..	Nil.
Muzaffargarh ..	Ditto ..	Nil.
Lyallpur ..	Ditto ..	Christians are treated as depressed classes in very rare cases.
Lahore ..	Musallis ..	Sweepers.
Gujranwala ..	Ditto ..	Ditto
Sialkot ..	Ditto ..	Ditto
Gujrat ..	Weavers ..	Nil.
Shahpur ..	Chamar or Mochi, Paoli (Weavers), Sweeper or Musallis, Doom or Mirasi, Dhobi, Bahishti, Aud, Kohli, Sansi.	Sweeper or Musalli, Dhobi.
Jullundur ..	Kahars, Jhiwars, Weavers and Dhobis.	Nil.
Kangra ..	Kahars, Jhiwars, Weavers and Dhobis.	Nil.
Hoshiarpur ..	Kahars, Jhiwars, Weavers and Dhobis.	Sweepers.
Ludhiana ..	Kahars, Jhiwars, Weavers, Dhobis and Ods.	Nil.

Number of Muhammadan, Christian, Hindu and Sikh depressed class children getting fee concessions in middle classes of Government schools on 31st March 1933.

	Muham- danas.	Christians.	Hindus.	Sikhs.
Ambala division	6		32	
Multan division	5		9	4
Lahore division	4	4	11	2
Rawalpindi division	38		1	
Jullundar division	31		54	10
Total	84	4	107	16

FEE CONCESSIONS TO DEPRESSED CLASSES.
(Answer to question No. 2766, page 219 ante.)

The Honourable Malik Sir Firoz Khan Noon: (a) A list of the castes recognised as depressed classes under the Punjab Government (Ministry of Education) Proceedings No. 20181-G., dated 19th November, 1929, is enclosed.

(b) The apathy of these classes is not only due to the fact that they are too poor to avail themselves of half rate studentships awarded to their children in middle classes, but also to the fact that the parents consider it more profitable to employ them in their ancestral occupation than to send them to school for higher education.

(c) Yes.

(d) Does not arise, as there is no limit fixed for the grant of half fee concessions to the depressed class students.

List of castes recognised as depressed classes.

1. Chamar .. 39	8. Dhobi .. 5
2. Weaver .. 40	9. Sansi .. 5
3. Sweeper .. 28	10. Bagria .. 2
4. Ramdasi .. 12	11. Od .. 3
5. Dumna .. 1	12. Mahatam .. 5
6. Kohli .. 3	13. Kahar .. 26
7. Sarera .. 2	

PUNJAB PRIMARY EDUCATION ACT, 1919.
(Answer to question No. 2812, page 254 ante.)

The Honourable Malik Sir Firoz Khan Noon: (a) Ninety-one with a population of 108,121.

(b) Two thousand nine hundred and seventy-two with a population of 4,565,500.

CONCESSION IN TUITION FEES.

(Answer to question No. 2826, page 286 ante.)

The Honourable Malik Sir Firoz Khan Noon: (a) After inviting applications for the purpose the concessions in tuition fees are awarded in accordance with articles 120 and 126 of the Punjab Education Code, 11th Edition (1932).

(b) Generally the concessions are awarded on the 31st May or 1st June. In exceptional cases, however, in some schools these are awarded even before the 31st May, but in all such cases the limit laid down in article 120 of the code is not exceeded.

(c) In some schools these are advertised in April and in others in May.

(d) The unclaimed concessions, if any, are awarded to other eligible and deserving students when available, within a period of two months as laid down in article 126 of the Punjab Education Code.

(e) Seven. The concessions were not awarded to the other communities for want of deserving candidates.

(f) No action is considered necessary, as the rules do not permit fee concessions on account of poverty to undeserving students.

RECOGNITION OF SCHOOLS.

(Answer to question No. 2970, page 548 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) A statement giving the requisite information is laid on the table.

(b) No, as is evident from the statement referred to in (a) above.

(c) Action is already being taken. It may, however, be added for the honourable member's information that in most of these cases information is still incomplete and the authorities concerned have been addressed in the matter.

Statement showing the number of schools belonging to the various communities in the Punjab whose applications for recognition have been awaiting departmental orders for more than six months.

	Hindus.	Muslims.	Sikhs.	Christians.
LAHORE DIVISION.				
High	1	..	..	..
Middle	4	3	1	1
Primary .. .. .	..	..	..	1
RAWALPINDI DIVISION.				
High .. .. .	..	1	..	..
Middle .. .. .	..	..	2	..
Primary .. .. .	..	..	..	..
JULLUNDUR DIVISION.				
High	3	..	..	..
Middle	6	1	5	..
Primary .. .. .	..	..	..	..

MUZZAFAR AND AMBALA DIVISIONS.

Nil.

GIRLS SCHOOLS.

Nil.

MUNICIPAL DISPENSARIES.

(Answer to question No. 2971, page 544 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) There are three municipal committees having dispensaries on *Ayurvedic* or *Unani* systems as against sixty-four municipal committees having allopathic dispensaries.

(b) The average attendance of patients for the last three years at each of the two classes of dispensaries is as under :—

<i>Ayurvedic</i> or <i>Unani</i>	..	..	..	99-85
Allopathic	..	..	..	159-16

(c) The average annual cost of running a dispensary of each of the two kinds of dispensaries is as under :—

				Rs.
<i>Ayurvedic</i> or <i>Unani</i>	..	..	..	1,742
Allopathic	..	..	..	6,968

DRAIN NEAR ASODAH AND BAHADURGARH VILLAGES.

(Answer to question No. 3005, page 646 ante.)

The Honourable Captain Sirdar Sir Sikander Hyat-Khan : (a) 32·8 miles.

(b) The designed width varies from 4 to 17 feet.

(c) Bed width	..	..	..	17-0'
F. S. Depth	..	..	..	5-0'

(d) Seven.

(e) Asodah Sewan	1,163	} 3,812
Asodah Todran	2,149	

(f) Asodah Sewan	1,010 acres	} 3,362 acres.
Asodah Todran	2,352 acres	

(g) No.

(h) Yes. It was forwarded to the Irrigation Department.

(i) Yes.

(j) Irrigation Department is responsible for the maintenance and upkeep of the drain and the existing bridges on the drain.

(k) (l) and (m) Crossings were provided at reasonable intervals apart when the drain was originally constructed. A bridge could be provided for Asodah and Bahadurgarh villages at the cost either of villagers themselves or of the District Board.

CANTONMENT MIDDLE SCHOOL, MULTAN.

(Answer to question No. 3020, page 660 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) No. The building belongs to the School Committee.

(b) He is a member of the managing committee and the correspondent of the school.

(c) No. The school has a reserve fund and the deficit, if any, is met from this fund, but the management has always kept within its income which is derived from school fees, Government grants and a fixed contribution by the Cantonment Board.

(d) No. They are audited by the auditor of the Education Department.

(e) Yes—in the new rules regarding recognition of schools.

(f) Yes.

(g) Yes.

(h) The managing body is approved by the Education Department, but it is not registered. Registration has hitherto not been insisted on in the case of old schools.

(i) and (j) The managing body came into existence as far back as 1877. It consists of four members—one official and three non-officials. Vacancies whenever they occur are filled by nomination by the remaining members with due regard to the interest of the school and of the communities served by the school. The answer regarding approval and registration is covered by my answer to part (h).

(k) Yes, under the constitution of the managing committee of the school.

EMPLOYEES IN EDUCATION DEPARTMENT RECEIVING EMOLUMENTS FROM OTHER UNIVERSITIES.

(Answer to question No. 3048, page 736 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Four hundred and fifty-two.

(b) Twenty-three.

(c) No. But where the remuneration exceeds Rs. 500 the sanction of the local Government is to be obtained.

LYALLPUR MUNICIPALITY.

(Answer to question No. 3063, page 792 ante.)

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

(b) Yes.

(c) Correspondence between Government and its officers is confidential.

(d) Government propose to adhere to the policy which has been followed ever since the introduction of the present constitutional reforms.

BEGARIS.

(Answer to question No. 3097, page 853 ante.)

The Honourable Mr. Miles Irving : (a) Allotments of half a square or more are commonly made for village *kamins* in colony estates.

(b) *Begaris* or *chuhars* are sometimes included in these *kamins*; but they are not so included in the new estates on the Lower Chenab Canal extensions.

(c) Allotment is made by the Colony Officer or Deputy Commissioner concerned. Distribution among the *kamins* is usually made by the *tahsildar* or *naib-tahsildar* of the *ilaga* in consultation with *lambardars*. These *kamins* may include, apart from *chuhars* or *begaris*, the *lohar*, *tarkhan*, *hajam*, *mochi*, *kumhar*, *machhi*, *dhobi*, *imam masjid* and *chaukidar*.

- (d) The tahsildar or naib-tahsildar in consultation with lambardars.
 (e) *Begaris* are employed as village sweepers and for the carriage of official dāk to and from the village.
 (f) See (d) above.
 (g) See (d) above. *Begaris* are not meant for any particular department of Government.
 (h) No.

BOARDING HOUSES,

(Answer to question No. 8148, page 972 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) One hundred and forty-five.

(b) Thirty-two.

(c) Sixty-five as detailed below :—

<i>Hindus.</i>	<i>Muhammadans.</i>	<i>Sikhs.</i>	<i>Christians.</i>
29	24	9	3

INTERMEDIATE EXAMINATIONS.

(Answer to question No. 3150, page 972 ante.)

The Honourable Malik Sir Firoz Khan Noon :

1931.			1932.		
<i>Urdu.</i>	<i>Hindi.</i>	<i>Punjabi.</i>	<i>Urdu.</i>	<i>Hindi.</i>	<i>Punjabi.</i>
(a) 2,588	1,406	422	2,719	1,431	430
(b) 2,062	1,243	388	2,279	1,303	402
(c) 9	6	3	3	23	1

MOTOR ACCIDENTS IN KANGRA DISTRICT.

(Answer to question No. 3175, page 1033 ante.)

The Honourable Mr. Miles Irving : A statement is laid on the table:

Statement.

Year.	Number of motor vehicles registered and plying for hire in the Kangra district.	NUMBER OF MOTOR ACCIDENTS RESULTING IN		Amount of fines imposed on drivers and owners of motor vehicles.
		Deaths.	Injuries.	
1931	100	4	4	Rs. 1,486
1932	109	1	21	3,524
1933	(Information not required).			2,429

ROZNAKHA ESTIMATES.

(Answer to question No. 8198, page 1115 ante.)

The Honourable Mr. Miles Irving : A statement is laid on the table.

Statement.

Name of Tahsil.	Serial number.	Name of village.	(a). The proportion of yield (so many annas in the rupee) as first estimate and noted in the Roznakh of the patawar.	(b). Whether any alteration was made in the estimate of the yield originally made; if so, by whose order and to what extent.	(c). The number of houses fallen or damaged as reported by patawar.	(d). The proportion of remission, if any, granted to land revenue.	Collection.	Suspension.	REMARKS.
Rohtak	1	Sampla	..	..	340	1/2	1/2	..	..
	2	Gadhi Sampla	..	..	100	1/2	1/2	..	..
	3	Kheri Sampla	..	..	200	1/2	1/2	..	..
	4	Nayabas	..	..	140	..	Whole	..	..
	5	Bidhlan	..	..	250	Whole	..	..	..
	6	Asan	..	..	150	1/2	1/2	..	..
	7	Bhagwatipur	111	1/2	1/2
	8	Banyani	150	1/2
	9	Kalnaur	350	Whole

Sonapat	10	Nigana	700	
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GOVERNMENT SITES IN MANDI BAHAUDDIN.

(Answer to question No. 8218, page 1127 ante.)

The Honourable Mr. Miles Irving : (a) (i) Nil.

(ii) Two *marlas* since the establishment of the *mandi*.

(iii) 24.57 *marlas* sold to the Arya Samaj for Rs. 614-14-0 and 18.22 *marlas* to Sanatan Dharm Sabha for Rs. 325.

(b) (i) Nil.

(ii) Nil.

(iii) A Sikh *gurdwara* built long ago stands on site No. 8 measuring 18½ *marlas* reserved for the *gurdwara*, but there is no record available to show what was paid by the Sikhs for this site.

(c) (i) Nil.

(ii) Two residential sites and 9 shop sites measuring 37.02 *marlas* were reserved for a mosque, but no registered body of Muhammadans has so far applied to purchase.

WATER SUPPLY IN AMBALA CITY.

(Answer to question No. 8229, page 1182 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Not all, but most of the private water connections are without brass-cocks.

(b) Yes.

(c) The Committee had passed a resolution before the appointment of the Executive Officer, that all public and private hydrants should be provided with brass-cocks and that hydrants without brass-cocks should be disconnected. The Executive Officer on finding that the Committee's resolution had not been enforced, took steps to give effect to these orders. People complained that the size of the brass-cocks to be fixed to private hydrants, viz., ½" was too small to meet ordinary household requirements, and hence the Committee revised its schedule of water rates and submitted it to Government for approval. The question of providing private hydrants with brass-cocks was consequently held in abeyance pending the sanctioning of the revised schedule by Government, which has not as yet been done.

(d) No. The question of metering the private connections is under the consideration of the Municipal Committee of Ambala, and the Executive Officer has no power to issue orders for metering.

(e) The Committee once provided all public hydrants with brass-cocks at its own expense. These brass-cocks were removed by the residents of the localities concerned. This led to great wastage of water. As far back as 1922, the Committee had decided that all public hydrants should be provided with brass-cocks by the people concerned, and that if they failed to do so, the hydrants should be disconnected. The Committee made this decision several times, but for several years the Committee failed to carry it out; and the Executive Officer, as was his duty, carried it out. In most cases, the brass-cocks that were put up were those that the Committee had originally provided, and which people had themselves removed to get an unimpeded supply of water.

(f) Yes, hydrants without brass-cocks had to be closed and were re-opened as soon as brass-cocks were supplied by the residents, which in a few cases was done very tardily by them.

(g) Yes, but the Government did not find the Executive Officer to be at fault.

ANSWERS TO UNSTARRED QUESTIONS.

WORKING DAYS IN GOVERNMENT COLLEGES.

(Answer to question No. 697, page 90 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Two hundred and one on an average.

(b) Five hundred and twenty-two.

GOVERNMENT AIDED SCHOOLS.

(Answer to question No. 698, page 91 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Allegations that such under-payments are made to teachers are sometimes made, but it has never been possible to prove them, as the teachers concerned will not give evidence against their employers.

(b) No.

(c) Does not arise. If the honourable member will help the Department to catch a guilty authority the ministry will be very grateful.

GRADES OF PAY OF PROVINCIAL SERVICES.

(Answer to question No. 704, page 95 ante.)

The Honourable Mr. D. J. Boyd : (a) and (b) The required information is given in the accompanying statement.

(c) and (d) The dates are given in the statement. If the honourable member will specify what is meant by "conditions and circumstances" it may be possible to give a reply.

(e) Except in the Punjab Civil Service the pay of all new recruits is reduced by 15 per cent. in addition to the 5 per cent. cut. The pay of the P. C. S. was reduced in 1931.

(f) Does not arise.

Statement.
GRADES OF PAY OF VARIOUS PROVINCIAL SERVICES

Names of Services.	(a) Present grades of pay.	(b) Grades of pay before 1914.	(c) The dates from which these grades were enhanced and the conditions and circumstances under which these were enhanced.
1. Punjab Civil Service— (a) Executive Branch— (i) For members selected as candidates before 1st April 1921. (ii) For members selected as candidates on or after 1st April 1921 and appointed to service on or before 31st December 1930. (iii) For members appointed on and after 1st January 1931.	Rs. 300—40—820/30—850 300—30—600/40—800/50—850 250—30—550/40—750/50—800	(a) Executive Branch— Rs. 1st grade—800 2nd grade—700 3rd grade—600 4th grade—500	The dates from which these grades were enhanced and the conditions and circumstances under which these were enhanced.
(b) Judicial Branch— (i) For members selected as candidates before 1st April 1921. (ii) For members selected as candidates on or after 1st April 1921 and appointed before 31st December 1930. (iii) For members appointed to service on and after 1st January 1931.	Rs. 300—40—820/30—850 300—30—600/40—800/50—850	(b) Judicial Branch— 1st grade—800. 2nd grade—700. 3rd grade—600. 4th grade—500. (c) General— Extra Assistant Commissioners— 5th grade—400. 6th grade—300. 7th grade—250	These grades were enhanced in 1920-21 on account of general increase in the cost of living.

2. Provincial Police Service	200-25-700, Selection Grade-750	Deputy Superintendents— Rs. 1st grade-300. 2nd grade-400. 3rd grade-300. 4th grade-250.	These grades were revised from 30th October 1919. The grades were revised in consonance with general principles of adopting incremental scales of pay.
3. Punjab Educational Service—	(i) One post on 2,250-100-2,750 (ii) Time Scale-360-40-720/760-40-800/50-1,000 (iii) Junior Selection Grade -1,150-50-1,400. (iv) Senior Selection Grade -1,450-75-1,800.	(a & b). Does not arise in the case of P. E. S. (Class I) as this service was constituted from 1st January 1931.	
(a) P. E. S. (Class I), Men's Branch.	400-25-625/640-25-840	(c) Higher Section— One post on Rs. 700 per mensem. One post on Rs. 600 per mensem. Three posts on Rs. 500 per mensem each. Three posts on Rs. 400 per mensem each.	The grades of pay of P. E. S. (Class II), Men's Branch, were revised from 1st April 1921. The revision was due to the general dissatisfaction in service owing to want of time-scale and the comparatively low pay of educational service.
(c) P. E. S. (Class II), Men's Branch.	(i) Time Scale-250-25-500/25-600 (ii) Selection Grade-350-30-800.	Lower Section— Two posts on Rs. 350 per mensem each. Four posts on Rs. 300 per mensem each. Six posts on Rs. 250 per mensem each. Fourteen posts on Rs. 200 per mensem each.	
(d) P. E. S. (Class II), Women's Branch.	200-20-400/25-600	(d) This service was constituted on 1st April 1921.	

GRADES OF PAY OF VARIOUS PROVINCIAL SERVICES—CONTINUED.

Names of Services.	(a) Present grades of pay.	(b) Grades of pay before 1914.	(c) The dates from which these grades were enhanced and the conditions and circumstances under which these were enhanced.
4. Punjab Civil Medical Service ..	<p style="text-align: center;">Rs.</p> (i) Civil Surgeons—600—40—800/50—900; Selection Grade—Rs. 1,000 per mensem. (ii) Assistant Surgeons—225—15—450. Those entering service after 31st December 1931, get 15 per cent. less.	<p style="text-align: center;">Rs.</p> (i) 400—20—500 .. (ii) Senior Assistant Surgeons—300— First grade Assistant Surgeon—200. Second grade Assistant Surgeon—150. Third grade Assistant Surgeon—100. (iii) Additional Deputy Sanitary Commissioner—500—1,000. (iv) Superintendent, Punjab Vaccine Institute—(Military rank pay) Assistant Surgeon.	<p>These grades were enhanced from 1st April 1921, as part of the general scheme for the revision of pay of Government servants on account of increased cost of living.</p>
5. Punjab Public Health Service ..	(i) Assistant Director of Public Health—600—40—1,200. (ii) District Medical Officers of Health—400—20—800/25—750. (iii) Chemist, Public Health Department—225—15—450. (iv) Principal, Punjab Health School—300—20—500. (v) Superintendent, Punjab Health School—225—15—400. (vi) Superintendent, Punjab Vaccine Institute—(Military rank pay) Assistant Surgeon.		<p>These grades were fixed in 1923 when the Public Health Department was reorganised.</p>

6. Public Works Department, Buildings and Roads Branch.

(i) Punjab Service of Engineers (old Assistant Engineers)—250—20—550/20—750.

Does not arise.

Does not arise, the service being constituted from 1st February 1920.

(ii) Punjab Service of Engineers (Buildings and Roads Branch)—the rates of pay under consideration.

Does not arise. This service has been constituted from 1st July 1930.

7. Punjab Service of Engineers (Electricity Branch).

Grade	Name of appointment	Scale of pay.
*1	Chief Engineer ..	Rs. *2,300—100—2,500*
1	Deputy Chief Engineer.	1,250—50—1,500.
4	Executive Engineer.	520—40—1,000.
1	Commercial Officer.	520—40—1,000.
†1	Resident Engineer	†520—40—1,200.†
1	Senior Sub-Station Engineer.	300—25—750
1	Assistant Resident Engineer.	300—25—750.
3	Shift Engineers ..	200—20—600.
1	Headworks Engineer.	200—20—600.
1	Test Engineer ..	200—20—600.
12	Local Managers, Grade I.	200—20—600.
13	Local Managers, Grade II.	130—15/2—225.

Does not arise.

Does not arise, as the Electricity Branch was constituted in 1925.

*This grade is personal to the present incumbent. The pay of the post will be Rs. 1,600—100—2,000 plus £30 when the present incumbent vacates this post.

†This scale is personal to the present incumbent. The pay of the post will be Rs. 500—40—1,000 when he vacates the post.

GRADES OF PAY OF VARIOUS PROVINCIAL SERVICES.—CONCLUDED.

Names of Services.	(a) Present grades of pay.	(b) Grades of pay before 1914.	(c) The dates from which these grades were enhanced and the conditions and circumstances under which these were enhanced.
8. Public Works Irrigation Branch.	Rs. (i) Punjab Service of Engineers—250—20—750. (ii) Punjab Service of Deputy Collectors—225—25—450, Selection Grade—500.	(i) The service was constituted from 1920. (ii) Third grade Collectors—200. Second grade Collectors—300. First grade Collectors—400.	Does not arise in the case of Punjab Service of Engineers. The grades of pay of Deputy Collectors were revised from 1st October 1920, on account of increased cost of living.
9. Department of Agriculture	(i) Punjab Agriculture Service (Class I)—380—40—720/780—40—800/50—1,000/50—1,150 with Junior Selection Grade up to Rs. 1,400 by annual increments of Rs. 50, and a Senior Selection Grade starting from Rs. 1,450—75—1,600. (ii) Punjab Agriculture Service (Class II)—200—25—750.	(i) Does not arise, as the service was constituted from September, 1930. (ii) (a) Assistant Professors—150—12½—400.	(i) Does not arise. (ii) These grades were revised from 1st April 1920, with a view to bring them more closely to the level of those sanctioned for other

10. Veterinary Department	<p>(i) Punjab Veterinary Service (Class I)— 360—40—720/760—40—800/50—1,000/60—1,160. Junior Selection Grade—1,400—50—1,450. Senior Selection Grade—1,450—75—1,600.</p> <p>(ii) Punjab Veterinary Service (Class II)—200— —25—750.</p>	<p>(b) Extra Assistant Director of Agriculture—150—10—400.</p> <p>(i) Does not arise as this service was constituted from September 1930.</p> <p>(ii) Senior Gazetted Professors—200— 20—400.</p>	<p>similar services, and also because in the opinion of the Royal Commission, the emoluments then paid in the provincially recruited services, combined with the absence of assured prospects of better paid posts, were inadequate to attract a good class of recruits.</p> <p>Does not arise.</p>
11. Provincial Forest Service	250—25—550/570—25—750	250—20—550	<p>The grades of pay of Punjab Veterinary Service (Class II) were enhanced with effect from the 1st December 1919, with a view to bring them more closely to the level of those sanctioned for other similar services and also because in the opinion of the Royal Commission on the Public Services in India, the emoluments then paid in the provincially recruited services, combined with the absence of assured prospects of better paid posts, were inadequate to attract a good class of recruits.</p> <p>The grades of pay of Provincial Forest Service were enhanced in 1919 in order to maintain the required standard of recruitment.</p> <p>Does not arise in this case.</p>
12. Provincial Co-operative Service	300—30—510/540—600—40/720—760/40—900/50—850 for members of the service recruited before 1st April 1924; 250—25—550—25—750 for members of service recruited after 1st April 1924.	Does not arise as the Provincial Co-operative Service was constituted on 1st April 1924.	

CO-OPERATIVE MOVEMENT AMONGST THE DEPRESSED CLASSES.

(Answer to question No. 718, page 178 ante.)

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.

Statement showing the progress of Co-operative movement amongst the depressed classes in rural and urban areas during the last 3 years, respectively.

Serial No.	Kind of society.	Number of societies.	Number of members.	Owned capital in lakhs of rupees.
1	Credit { 1931 .. 1932 .. 1933 ..	523 520 524	13,095 12,745 12,660	6.83 6.93 7.36
2	Thrift { 1931 .. 1932 .. 1933 ..	8 8 8	201 203 221	.09 .1 .13
3	Supply { 1931 .. 1932 .. 1933 ..	13 13 13	925 906 1,036	.42 .43 .47
4	Better farming .. { 1931 .. 1932 .. 1933 ..	7 7 7	529 507 445	......
5	Better living .. { 1931 .. 1932 .. 1933 ..	5 5 7	224 216 233	......
6	Compulsory education { 1931 .. 1932 .. 1933 ..	6 6 6	143 143 146	......
7	Adult schools .. { 1931 .. 1932 .. 1933 ..	3 3 3	60 64 55	......

NUMBER OF SCHOOL-GOING CHILDREN.

(Answer to question No. 717, page 259 ante.)

The Honourable Malik Sir Firoz Khan Noon: Twenty-one district boards and forty-six municipalities.

HEAT TAX ON VEGETABLES IMPOSED BY MUNICIPAL COMMITTEE,
SIALKOT.

(Answer to question No. 727, page 264 ante.)

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

(b) No.

(c) Does not arise. There were, however, certain criticisms made of the arrangements in this municipality for the licensing of premises for the sale of vegetables and fruit. The Commissioner of Lahore, after consultation with the Ministry, has lately issued instructions to the municipal committee for the rectification of grievances in that connection.

DAMAGE BY THE SUTLEJ.

(Answer to question No. 740, page 307 ante.)

The Honourable Mr. Miles Irving: (a) Representations were received by the Deputy Commissioners; five from the inhabitants of Jullundur and Ludhiana districts in general; two from the inhabitants of the Nawanshahr tahsil.

(b) In the case of Jullundur district, the land revenue of all the villages in the *Bait* affected by river floods was immediately suspended by the Deputy Commissioner with a view to adjust it after the alluvion and dilluvion files had been completed. Besides, a sum of Rs. 1,000 secured from the Provincial Red Cross Society was utilised in distributing grain, *chadars*, *kurtas*, *dutehis* and *razais* to the deserving sufferers. As regards the Ludhiana district the matter is under the consideration of the Deputy Commissioner.

SUGAR-CANE INDUSTRY.

(Answer to question No. 753, page 362 ante.)

The Honourable Dr. Gokul Chand Narang: (a) Twelve sugar mills were working during the season 1933-34.

(b) Rs. 40,71,000.

(c) The Punjab Government has purchased 1,500 shares of the value of Rs. 1,50,000 in the Punjab Sugar Corporation, Limited, Sonapat.

(d) Loans under the Punjab Industrial Loans Act to the extent of Rs. 29,500 were granted during the last two years for the manufacture of sugar by the open pan system:—

	Rs.
Financial year 1932-33	21,500 to six persons.
Financial year 1933-34	8,000 to two persons.

Technical advice and other general assistance was also given by the Punjab Industries Department. The Department of Agriculture recently obtained the services of a Sugar Supervisor to advise owners of open pan sugar mills as to the types of furnace best suited to their particular needs and to demonstrate on the spot the methods of sugar manufacture.

BUDGETS OF LOCAL BODIES.

(Answer to question No. 807, page 1182 ante.)

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

(b) and (c) Statement containing the requisite information are laid on the table.

Names of local bodies that failed to submit their budgets for the year 1933-34 by due dates.

District Boards.	Municipal Committees.	Town Committees.	Notified Area Committees.
Gujrat. Ambala. Gurdaspur. Amritsar. Dera Ghazi Khan. Jullundur. Kangra. Rawalpindi. Multan. Lyallpur. Karnal. Gujranwala. Lahore. Muzaffargarh. Hoshiarpur. Sargodha. Simla. Mianwali.	Gujrat. Jalalpur Jattan. Dinga. Ambala City. Sadhaura. Buria. Kalka. Nankana Sahib. Campbellpur. Hazro. Pindigheb. Batala. Pathankot. Dera Baba Nanak. Dina Nagar. Montgomery. Pakpattan. Hissar. Hansi. Bhiwani. Sirsa. Amritsar. Jandiala. Dera Ghazi Khan. Dajal. Rajanpur. Jullundur. Kartarpur. Nakodar. Phillaur. Nurmahal. Banga. Rahon. Rawalpindi. Murree. Multan. Shajabad. Khanewal. Mian Channan. Lyallpur. Gojra. Kamalia.	Shadiwal. Lalamusa. Kharian. Phalia. Malakwal. Sangla. Chuharkana. Shahdara. Attock. Hasanabad. Fatehjang. Makbad. Tallagang. Qadian. Dhariwal. Sirigobindpur. Fatehgarh. Tobana. Budhlada. Dabwali. Jakhai. Kalanwali. Tarn Taran. Ramdas. Sultanwind. Majitha. Taunsa. Vohra. Alawalpur. Nawashahr. Kangra. Nurpur. Gujar Khan. Kahror. Mailai. Dunyapur. Kabirwala. Tulamba. Tandlianwala. Chak Jhumra. Toba Tek Singh. Jaranwala.	Mandi Bahaud Din. Okara. Chichawatni. Renala Khurd. Fatehabad. Jehaniana. Bhuchio. Phullarwan.

Names of local bodies that failed to submit their budgets for the year 1933-34 by due dates—concluded.

District Boards.	Municipal Committees.	Town Committees.	Notified Area Committees.
	Samundri. Rohtak. Gohana. Bahadurgarh. Shahabad. Eminabad. Wazirabad. Lahore. Kasur. Khem Karan. Patti. Chunian. Baghbanpura-cum-Bhogiwal. Muzaffargarh. Alipur. Khangarh. Leish. Karor. Urmur Tanda. Sargodha. Bhora. Misal. Khushab. Sahiwal. Simla. Mianwali. Bhakkar. Isakhel. Kalabagh. Ludhiana.	Mehm. Pundri. Radaur. Akalgarh. Ramnagar. Qilla Didar Shah. Pindi Bhattian. Dharmkot. Guruharsabai. Gidderbaha. Sur Singh. Pattoki. Padhana. Ichhra. Khudian. Kot Rai Buta Mal-cum-Azamabad. Jatol. Khairpur Sadat. Daira Din Panah. Khanpur. Miani. Garhsanker. Mukerian. Shamchaursai. Dasuya. Sillanwali. Bhalwal. Nurpur. Shahpur Civil Station. Shahpur City. Kalurkot.	

Names of local bodies that entirely failed to prepare proper budgets for 1933-34.

District Boards.	Municipal Committees.	Town Committees.	Notified Area Committees.
	Multan.	Hariana.	Nuh Hakin.

TEMPERANCE PROPAGANDA.
(Answer to Question No. 816, page 1186 ante.)

The Honourable Dr. Gokul Chand Narang : The following local bodies spent the sum noted against each on temperance propaganda during 1932-33 :—

	Rs.	A.	P.
(1) The Municipal Committee of Lahore ..	246	0	0
(2) The Municipal Committee of Amritsar ..	75	0	0
(3) The District Board of Montgomery ..	37	8	0

EMBANKMENT NEAR FEROZEPUR-JULLUNDUR RAILWAY LINE.

(Answer to question No. 818, page 1187 ante.)

The Honourable Mr. Miles Irving : (a) In the year 1924-25.

(b) Ten years.

(c) To protect some villages of the Zira tahsil from flooding.

(d) Yes. There were two breaches, the first was 200 feet, while the second was about 3,000 feet in length. The former occurred on the 30th of July 1932, while the latter on the 23rd of August, 1932.

(e) Yes.

(f) Government will enquire into the question of responsibility for the bund.

(g) The repair work was started by the Railway authorities late in the month of April 1933, but it could not be completed on account of the early floods.

(h) Yes.

(i) Area flooded	37,374 acres.
Villages affected	58
Mud-houses affected	1,372
Area of <i>kharif</i> crop failed	5,765 acres
Area rendered unfit for cultivation	Negligible.

The above damage was partly caused by excessive rains and partly by the floods. It is difficult to estimate the damage done by floods alone.

(j) Rupees 482 were distributed as charitable relief to the poor; Rs. 6,800 advanced as *tagavi*; Rs. 275 were suspended and Rs. 3,914 are proposed to be remitted on account of land revenue.

(k) Not so far. See answer to (f).

MEDICAL OFFICERS OF RURAL DISPENSARIES.

(Answer to question No. 820, page 1188 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) The medical officers in charge of district board dispensaries are whole-time employees. They are, however, permitted to engage in private practice outside dispensary hours, in the same way as are the medical officers in charge of other hospitals and dispensaries.

(b) Yes.

(c) No orders on this subject have been issued.

(d) In certain districts (for example, in Gurgaon, Ambala, Gujranwala and Shahpur) the help of the rural dispensary doctors has been enlisted in the medical examination and treatment of school children. The question whether this system can and should be extended is under consideration.

ADMISSION TO SENIOR VERNACULAR CLASS OF JULLUNDUR NORMAL SCHOOL.

(Answer to question No. 825, page 1141 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, of the seven candidates selected from Amritsar district two were Muslims, but they failed to join the Senior Vernacular class, as one of them was pronounced medically unfit and the other did not wish to undergo training as his family circumstances did not permit of it.

(b) Yes, but candidates getting very high marks in the Junior Vernacular certificate examination are given preference.

(c) Yes, as he obtained high marks in the Junior Vernacular certificate examination.

(d) Yes.

It will perhaps interest the honourable member to know that out of the 49 candidates selected from Lahore division for training in the Senior Vernacular class 23 were Muslims.

DISTRICT BOARD HIGH SCHOOL, NAKODAR.

(Answer to question No. 840 (b), page 1191 ante.)

The Honourable Malik Sir Firoz Khan Noon : (b) This has been reported to be as follows :—

					Rs.
Income	20,832
Expenditure	22,218

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