

THE
Punjab Legislative Council
Debates.

From 20th October to 10th November, 1936.

Vol. XXIX.

OFFICIAL REPORT.



Lahore :

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1937.

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

President.

The Hon'ble Rao Bahadur Chaudhri Chhotu Ram, B.A., LL.B.

Deputy President.

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

Secretary.

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

Assistant Secretary.

Khan Sahib Hakeem Ahmed Shujaa, B.A.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

I.—EXECUTIVE COUNCILLORS AND MINISTERS.

The Hon'ble Sir Donald Boyd, K.C.I.E., I.C.S., Finance Member.

The Hon'ble Captain Sardar Sir Sikander Hyat-Khan, K.B.E., Revenue Member.

The Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture (Sikh Landholders).

The Hon'ble Dr. Sir Gokul Chand Narang, M.A., Ph.D., Kt., Minister for Local Self-Government (North-West Towns, Non-Muhammadan, Urban).

The Hon'ble Chaudhri Sir Shahab-ud-Din, Kt., K.B., Minister for Education (Kangra-cum-Gurdaspur, Muhammadan, Rural).

II.—OFFICIAL MEMBERS.

Anderson, Mr. J. D., I.C.S., Secretary to Government, Legislative Department.

Askwith, Mr. A. V., I.C.S., Home Secretary to Government.

Bedford, Mr. J. D. H., Secretary to Government (Public Works Department), Irrigation Branch.

Bourne, Mr. F. C., I.C.S., Secretary to Government, Electricity, Industries and Labour Departments.

Bradford, Mr. W. G., I.C.S., Secretary to Government, Transferred Departments.

Darling, Mr. M. L., C.I.E., I.C.S., Financial Commissioner, Development.

Dobson, Mr. B. H., C.B.E., I.C.S., Financial Commissioner, Revenue, Punjab.

Fazl Ilahi, Khan Sahib Shaikh, Director, Information Bureau.

Parkinson, Mr. J. E., M.A., I.E.S., Director of Public Instruction.

Puckle, Mr. F. H., C.I.E., I.C.S., Chief Secretary to Government.

Ram Chandra, Mr., C.I.E., M.B.E., I.C.S., Secretary to Government, Finance Department.

Reinhold, Colonel C. H., M.C., I.M.S., Inspector-General of Civil Hospitals.

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.)

Akbar Ali, Pir, B.A., LL.B., (Ferozepore, Muhammadan, Rural.)

III.—NON-OFFICIAL MEMBERS—CONTINUED.

- Aslah Dad Khan, Chaudhri, B.A., (Ambala division, North-East, Muhammadan, Rural.)
- Arjan Singh, Sardar, B.A., LL.B., (Hoshiarpur and Kangra, Sikh, Rural.)
- Asadullah Khan, Chaudhri, B.A., LL.B., (Sialkot, Muhammadan, 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.)
- 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.)
- Ghulam Muhammad Shah, Pir, (Shahpur East, Muhammadan, Rural.)
- Gopal Das, Rai Sahib Lala, (Lahore and Ferozepore-cum-Sheikhupura, Non-Muhammadan, Rural.)
- Gurbachan Singh, Sardar Sahib Sardar, (Jullundur, Sikh, Rural.)
- Habib Ullah, Khan Bahadur Sardar, (Lahore, Muhammadan, Rural.)
- Haibat Khan, Daba, 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.)
- Labh Chand Mehra, Rai Sahib 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, Khan Bahadur Mr. Muhammad Din, (Lahore city, Muhammadan, Urban.)
- Mamraj Singh Chohan, Kanwar, B.A., LL.B., (Ambala-cum-Simla, Non-Muhammadan, Rural.)

III.—NON-OFFICIAL MEMBERS—CONTINUED.

- Mangal Singh, Man, Sardar, (Rawalpindi division and Gujranwala, Sikh, Rural.)
- Manohar Lal, Mr., M.A., (Punjab University.)
- Mayadas, Mr. E., B.A., (Representative of Indian Christians, Nominated.)
- Mazhar Ali Azhar, Maulvi, B.A., LL.B., (East and West Central Towns, Muhammadan, Urban.)
- Mohindar Singh, Sardar, (Ludhiana, Sikh, Rural.)
- Mubarak Ali Shah, Sayad, (Jhang, Muhammadan, Rural.)
- Munammad Abdul Rahman Khan, Chaudhri, (Jullundur, Muhammadan, Rural.)
- Muhammad Amin Khan, Khan Bahadur Malik, O.B.E., (Attock, Muhammadan, Rural.)
- Muhammad Fusoof, Khwaja, (South-East Towns, Muhammadan, Urban.)
- Muhammad Hayat Qureshi, Khan Bahadur Nawab, C.I.E., (Shahpur West, Muhammadan, Rural.)
- Muhammad Hasan, Khan Sahib Makhdum Shaikh, (Muzaffargarh, Muhammadan, Rural.)
- Muhammad Jamal Khan Leghari, Khan Bahadur Nawab, Sir, (Baluch Tumandars, Landholders.)
- Muhammad Raza Shah Gilani, Makhdumzada Sayad, (Multan West, Muhammadan, Rural.)
- Muhammad Sadiq, Shaikh, (Amritsar city, Muhammadan, Urban.)
- Muhammad Sarfaraz Ali Khan, Raja, (Jhelum, Muhammadan, Rural.)
- Muhammad Yasin Khan, Chaudhri, B.A., LL.B., (Gurgaon-cum-Hissar, Muhammadan, Rural.)
- Mukand Lal Puri, Rai Bahadur 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.)
- Nihal Chand, Aggarwal, Lala, (East and West Central Towns, Non-Muhammadan, Urban.)
- Noor Ahmad Khan, Khan Sahib Mian, (Montgomery, Muhammadan, Rural.)
- Nur Khan, Khan Sahib Risaldar Bahadur, (Rawalpindi, Muhammadan, Rural.)
- Nurullah, Mian, B. Com. (London), F.R. E.S., (Lyallpur South, Muhammadan, Rural.)

III.—NON-OFFICIAL MEMBERS—CONCLUDED.

- Pancham Chand, Thakur, (Kangra, Non-Muhammadan, Rural.)
 Pandit, Mr. Nanak Chand, M.A., (Hoshiarpur, Non-Muhammadan, Rural.)
 Ragbir Singh, Honorary Captain Sardar, O.B.E., (Amritsar, Sikh, Rural.)
 Ramji Das, Lala, (Amritsar city, Non-Muhammadan, Urban.)
 Ram Sarup, Chaudhri, (North-West Rohtak, Non-Muhammadan, Rural.)
 Ram Singh, 2nd-Lieut. Sardar Sahib Sardar, (Ambala division, Sikh, Rural.)
 Riasat Ali, Khan Sahib Chaudhri, B.A., LL.B., (Gujranwala, Muhammadan, Rural.)
 Ripudaman Singh, Thakur, (Amritsar-cum-Gurdaspur, Non-Muhammadan, Rural.)
 Roberts, Professor W., C.I.E., (Representative of the European and Anglo-Indian communities, Nominated.)
 Sampuran Singh, Sardar, (Lyallpur, Sikh, Rural.)
 Sewak Ram, Rai Bahadur Lala, (Multan division, Non-Muhammadan, Rural.)
 Shah Nawaz Khan, Nawab Khan, (Representative of General Interests, Nominated.)
 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.)
 Umar Hayat, Chaudhri, (Gujrat West, Muhammadan, Rural.)
 Zaman Mehdi Khan, Khan Bahadur Malik, (Sheikhupura, Muhammadan, Rural.)

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 20th October, 1936.

The Council met at the Council Chamber at 2 P. M. of the clock.

APPOINTMENT OF CHAIRMAN.

The Secretary of the Council read the following order of His Excellency the Governor. All members standing.

The Deputy President of the Punjab Legislative Council has informed the Secretary of the Council that he will not be present at the meeting of the Council during the election of a President thereof. Under rule 8 of the Punjab Legislative Council Rules, I appoint Mr. J. D. Anderson, Legal Remembrancer to Government, Punjab, to preside as Chairman in the absence of the Deputy President until a President has been duly elected and my approval to the election has been announced to the Council.

LAHORE :

20th October 1936.

H. W. EMERSON,

Governor of the Punjab.

Mr. J. D. Anderson then occupied the Chair.

OATH OF OFFICE.

The following members were sworn in :—

Mr. M. L. Darling (Financial Commissioner, Development).

Mr. B. H. Dobson (Financial Commissioner, Revenue).

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

Mr. F. C. Bourne (Secretary, Electricity, Industries and Labour).

Mr. J. D. H. Bedford (Chief Engineer, Irrigation).

Col. C. H. Reinhold (Inspector-General of Civil Hospitals).

Thakur Ripudaman Singh (Amritsar-cum-Gurdaspur, non-Muhammadian, Rural).

Pir Ghulam Muhammad Shah (Shahpur East, Muhammadian, Rural).

ELECTION OF PRESIDENT.

Mr. Chairman : Two members have been duly nominated for election to the office of President. These members are Sardar Bahadur Sardar

[Mr. Chairman.]

Buta Singh and Rao Bahadur Chaudhri Chhotu Ram. The proposers and seconders are as follows :—

1. *Sardar Bahadur Sardar Buta Singh.*

- (1) Proposed by Diwan Bahadur Raja Narendra Nath and seconded by Sardar Sampuran Singh.
- (2) Proposed by Hony. Capt. Sardar Raghubir Singh and seconded by Sardar Sahib Sardar Ujjal Singh.
- (3) Proposed by Rai Bahadur Mr. Mukand Lal Puri and seconded by Sardar Jawahar Singh Dhillon.
- (4) Proposed by Sardar Bishan Singh and seconded by Rai Bahadur Lala Sewak Ram.
- (5) Proposed by Lala Nihal Chand Aggarwal and seconded by Rai Sahib Lala Labh Chand Mehra.
- (6) Proposed by Ch. Nathwa Singh and seconded by Rai Sahib Lala Gopal Das.

2. *Rao Bahadur Chaudhri Chhotu Ram.*

- (1) Proposed by Khan Bahadur Mian Ahmad Yar Khan Daulatana and seconded by Khan Bahadur Mian Mushtaq Ahmad Gurmami.
- (2) Proposed by Nawab Khan Shah Nawaz Khan and seconded by Sayad Mubarak Ali Shah.
- (3) Proposed by Khan Sahib Chaudhri Riasat Ali and seconded by Mian Nurullah.
- (4) Proposed by Chaudhri Ram Sarup and seconded by Professor W. Roberts.
- (5) Proposed by Chaudhri Faqir Husain Khan and seconded by Chaudhri Muhammad Yasin Khan.
- (6) Proposed by Khan Bahadur Nawab Muhammad Hayat Qureshi and seconded by Khan Bahadur Nawab Chaudhri Fazl Ali.
- (7) Proposed by Khan Bahadur Malik Muhammad Amin Khan and seconded by Pir Ghulam Muhammad Shah.
- (8) Proposed by Khan Sahib Mian Noor Ahmad Khan and seconded by Raja Muhammad Sarfraz Ali Khan.
- (9) Proposed by Khan Bahadur Captain Malik Muzaffar Khan and seconded by Khan Haibat Khan Dahi.
- (10) Proposed by Khan Bahadur Nawab Sir Muhammad Jamal Khan Leghari and seconded by Pir Akbar Ali.

The Council shall now elect a President by ballot.

Diwan Bahadur Raja Narendra Nath : I wish to raise a point of order. The Deputy President, Sardar Bahadur Sardar Buta Singh, having stood up as a candidate for being appointed President, there ought

to be no election. Rao Bahadur Chaudhri Chhotu Ram is a highly esteemable gentleman. I appreciate many of his qualities of head and heart, but he is a violent partisan—

Mr. Chairman : Will the honourable member please inform what the point of order may be. I cannot allow a speech.

Diwan Bahadur Raja Narendra Nath : I shall support my point of order by some arguments.

Mr. Chairman : So far the honourable member has raised no point of order.

Diwan Bahadur Raja Narendra Nath : I have to support my point of order by quoting instances and precedents. The point of order is that as the Deputy President has come forward for presidentship there ought to be no election, especially when the rival candidate is a strong partisan of a certain section.

Mr. Chairman : The honourable member is not to discuss personalities.

Mr. Nanak Chand Pandit : I rise to a point of order. Before voting we are entitled under the rules and practice which prevail in the House of Commons to discuss the merits and demerits of the candidates. I will refer you to May's Parliamentary Practice, page 155. There you will find :—

" If another member be proposed, a similar motion is made and seconded in regard to him and both the candidates address themselves to the House. A debate ensues in relation to the claims of each candidate, in which the Clerk continues to act the part of the speaker, standing up and pointing to the members as they rise to speak, and then sitting down. When this debate is closed, the Clerk puts the question that the member first proposed "do take the chair of this House as Speaker", and if the House divide, he directs one party to go into the right lobby, and the other into the left lobby, and appoints two tellers for each. If the majority be in favour of the member first proposed, he is at once conducted to the chair : but if otherwise, a similar question is put in relation to the other, which being resolved in the affirmative, that member is conducted to the chair by his proposer and seconder. According to usage, the two members who are proposed for the chair take part in the division, each member giving his vote in favour of his rival ".

Now that is the authority we have always followed in this House and before we give votes with regard either to Rao Bahadur Chaudhri Chhotu Ram or Sardar Bahadur Sardar Buta Singh we are entitled, under the rules and practice that prevail in the House of Commons, to discuss the constitutional importance and otherwise of merits and demerits of the candidates.

Mr. Chairman : The honourable member has drawn attention of the House to May's Parliamentary Practice. But we are not governed in this House by the specialised procedure of the House of Commons. We have our own procedure here which is laid down in the Manual of Business and Procedure. Rule 5-A of the Rules of this House determines the procedure as follows at the election of a President. The relevant portions are :—

" At any time before noon on the day preceding the day fixed any member may nominate another member for election"

[Mr. Chairman.]

That has been duly done.

"On the date fixed for election the Chairman shall read out to the Council the names of the members who have been duly nominated together with those of their proposers and seconders....."

That has also been done.

"If more than one member has been so nominated the Council shall proceed to elect a president by ballot."

Then follow the instructions as to the manner in which the ballot has to be taken. There is no provision made for speeches and I think I am right, though I speak in the presence of members with far wider experience than myself, that there has been no election in this House when speeches have been made.

Rai Bahadur Mr. Mukand Lal Puri : May I submit for your consideration that our procedure does not exclude giving effect to the procedure contained in May's Parliamentary Practice. Members are certainly entitled to know the relevant merits and demerits of the candidates before they can be asked to vote. That is not prohibited by our rules and where our rules are silent it has been the practice of this House to follow May's Parliamentary Practice. It is only in the fitness of things that you should allow not a lengthy debate, but a few speeches relating to the merits and demerits of the candidates.

Mr. Chairman : I must follow the practice of this House and ask honourable members to proceed at once to the ballot without further speeches.

Diwan Bahadur Raja Narendra Nath : I want to raise another point of order, and I want to direct the attention of the House to that point. If the point I have raised is overruled, I would appeal to the Leader of the House that he should ask the official members not to vote. There is a precedent of this very House at the time of the election of Sir Abdul Qadir and Sir Gokul Chand Narang, when official members did not vote. I appeal to the Leader of the House that that practice ought to be followed now. Otherwise let me point out respectfully that there would be widespread discontent and that feeling of discontent may be shown in a conspicuous manner by those whose point has been overruled.

Mr. Chairman : It is no point of order. It is unnecessary for me to give a ruling. I call on the House to record their votes.

Rai Bahadur Mr. Mukand Lal Puri : May I ask through you whether the Government is going to vote?

Mr. Chairman : Why is that necessary? Why do you seek to know that information?

Rai Bahadur Mr. Mukand Lal Puri : According to parliamentary practice which has just been quoted, the leader of a party never seeks election to a position like that of the Speaker? Why is that wholesome convention not being observed by our House?

Mr. Chairman : I have already directed the attention of the honourable members to the relevant rules on the subject. In those rules there is nothing said about leaders of parties. It is unnecessary to give a ruling. The Council will now proceed to the ballot.

Sardar Jawahar Singh Dhillon : Government should not vote because the Government should be above party politics.

(Honourable members then proceeded to record their votes.)

Mr. Chairman : The result of the voting is as follows :—

For Rao Bahadur Chaudhri Chhotu Ram 56

For Sardar Bahadur Sardar Buta Singh 28

(Applause).

I declare Rao Bahadur Chaudhri Chhotu Ram duly elected. Under section 72 (e) of the Government of India Act the name of the President elect will be submitted to His Excellency the Governor for his approval. I request the Honourable Leader of the House to inform His Excellency the Governor of the result of the election.

(The Leader of the House left the House, and on his return reported.)

Mr. Chairman : I have to announce to the Council that His Excellency the Governor has approved of Rao Bahadur Chaudhri Chhotu Ram as the President of the Council. I request Rao Bahadur Chaudhri Chhotu Ram to take his seat as President. *(Loud applause).*

(The Honourable Rao Bahadur Chaudhri Chhotu Ram, the President-elect, occupied the chair.)

The Honourable Sir Donald Boyd (Finance Member) : Sir, on behalf of the Legislative Council I offer you our congratulations on your election to the office of President. It is mainly on the President that the dignity and smooth working of the Council depend. It is the President who is responsible for the preservation of its privileges and it is to the President that each member looks for fair treatment in debate.

We have known you for many years now and have complete confidence in your ability and will to discharge adequately the responsibilities of your high office. Your predecessors and especially, if I may be permitted to say so, your immediate predecessor, have set a high standard, the maintenance of which will be no light task. We can assure you, that you will have the full support of the House in the discharge of your difficult duties and we wish you all success in the conduct of the business of this House.

Mr. President : Gentlemen, I am extremely grateful to the House for the confidence which it has reposed in me. I have had the reputation of being a strong partisan. The reputation is true. But I can assure the House that Chhotu Ram and Chhotu Ram's will are much stronger than Chhotu Ram's partisanship. I may not be able to assure the House of anything else but I can certainly hold out the assurance that I will sternly suppress the partisanship in me and I have no doubt that my will will enable me to keep down any spirit of partisanship that existed in me before. So long as I occupy the chair I do not belong to any party. No trace of a spirit of partisanship will be allowed to tinge and influence my conduct, and so long as I hold the office of President, I further assure the House that I will observe to the full all the conventions that may exist on the subject so far as my participation in party-politics is concerned.

Gentlemen, I again thank you for the confidence which you have decided to repose in me and assure you that I will do my level best to maintain the dignity of the chair and the traditions of this House.

REFERENCE TO THE LATE MIAN SIR FAZL-I-HUSAIN.

The Honourable Sir Donald Boyd (Finance Member): I move that this House do record its sense of the great loss sustained by the Council and by the province in the death of Sir Fazl-i-Husain and do offer its sincere sympathy to his family. Since Sir Fazl-i-Husain's death on the 9th July, 1936, there have been several meetings in the Punjab and elsewhere to give expression to the sense of sorrow that has prevailed, I think I may say with confidence, throughout India. Perhaps the most notable of these occasions was the memorial meeting in Simla held on the 14th of July at which His Excellency the Governor paid an eloquent tribute to the memory of the late statesman. While these meetings and the generous notices that have appeared in the Press show that the regret that is felt for the death of Sir Fazl-i-Husain and the appreciation of his great qualities is widespread, I think it is fitting that this Council do add its tribute to the memory of one who was a member of the Punjab Legislative Council from the day of its embodiment under the present constitution until he became a member of the Council of the Governor-General of India and one who was at the time of his death a Minister of the Crown in the Punjab. I believe I had the honour to join the Punjab Legislative Council at its first session under the present constitution on the same date as the late Sir Fazl-i-Husain but our acquaintance had begun some 14 years earlier when he was defending a sensational case with, I need hardly say, conspicuous ability, great courtesy and a sense of humour which went far to remove all bitterness from the proceedings. Since then, when he was a Minister in the Punjab and later a member of Council I had many opportunities of gaining an insight into his great capacity for affairs, his skill in debate and in the handling of men, his tireless industry and above all his whole-hearted devotion to his country (hear, hear). With this devotion he had one other very marked characteristic and that was an active sympathy with the more backward classes of the population and I think it is fair to say that to an impartial observer it was this sympathy for the less favoured classes of the people which inspired his efforts for the uplift of his community. He found his co-religionists backward in education, he set himself to improve their opportunities. He found the zamindars of the province subject to a land revenue law which set no limit to the assessment that could be placed upon their lands and although in practice that assessment, I believe, was invariably a reasonable one, he succeeded in getting fixed, in the Punjab Land Revenue Amendment Act of 1928, a limit which was half the previous nominal limit. This Act was, I think, the most conspicuous of his achievements in the Legislative Council. Another of his conspicuous achievements was the Panchayat Act which sought to give to village administration the form which we all believe to be the ideal one. Another instance of his achievement in the uplift of his own countrymen was the proposal to start model villages with educated young men with the object of raising the standard of life in the villages generally. This proposal crystallized in what are known as the "educated chaks" in the extensions of the Lower Chenab Canal Colony and I believe it was only last week that a further development of this policy occurred when a start was made with the selection of 60 graduates with the object of putting them upon the land. I think we should remember that it was originally to Sir Fazl-i-Husain that we owe the idea of these educated

chaks or of putting graduates upon the land with the object of raising the village life of the province generally. However, there is no time to dilate upon the details of his achievements. As was said in the Press at the time of his death, his was a dynamic personality which dominated the Punjab for 15 years, and while he was a Minister and later a member of the Government, none of the acts, practically none of the acts of legislature or of Government, failed to bear traces of his strong personality. Before concluding I must refer to the great courage which enabled him to work longer hours and with greater vigour than most other men in spite of the severe handicap of a delicate constitution and practically constant ill-health. It was this lion-hearted courage coupled with his strong sense of public duty that led him to accept the Governor's invitation to take up the portfolio of education shortly before his death, when his health must have been failing and when his spirit must have been longing for rest. As His Excellency said it was a tragedy that he should not have been spared to help India along the next stage of constitutional Government. Sir Fazl-i-Husain has left us at a time when his great capacity for managing men, his clear insight into the essentials of a problem, his great influence over the people of the province are most needed. We regret his death not only because we have lost a friend whom we shall never see again but also because, of the recognition of the fact that a statesman has departed whose presence I believe, would have greatly facilitated the working of the new constitution (*hear, hear*).

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): I rise to associate myself with the resolution moved by the Leader of the House. Mian Sir Fazl-i-Husain's death at this critical juncture in the history of the province is indeed a great calamity. Those of us who have had the privilege of being associated with him in this House or outside will, I am sure, unanimously endorse the view that in him we have lost a great parliamentarian, a far-sighted administrator and a forceful leader. The spontaneous and universal tribute paid on his untimely death by the leaders of all communities and of all political schools of thought is a clear indication of the great esteem in which Mian Sir Fazl-i-Husain was held by his countrymen. Throughout ages geniuses who have set themselves to do constructive work for their country or their ideals have met with opposition and they have had to face differences of opinion and Sir Fazl-i-Husain was no exception to that. But his selfless devotion to duty, his undaunted courage and his capacity for work in spite of physical limitation earned for him not only the respect of his followers but also the esteem of those who were opposed to him in political thought. As leader of this House and as a Minister and a member of the Punjab Government he has left permanent land marks of progress and policy and so long as Punjab continues to honour its great men and patriots, I am sure, Sir Fazl-i-Husain's name will live for ever in the Punjab and his country. In the wider sphere of Government of India also he tried to give of his very best and to justify the Punjab to India and India to the world outside. As ambassador of India in the wider councils of the Empire, you are all aware of what our friends from South Africa said the other day about him. To me personally, Sir Fazl-i-Husain was not only a leader but a philosopher, friend and a guide. His honesty of purpose, his integrity, his character inspired my respect.

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

admiration and affection. I had the privilege of seeing him about a week or ten days before his death at Dalhousie and, as you must have seen in my interview to the Press, I asked him not to over-exert himself, as we were expecting great things from him under the new constitution, but like a great man and a great soldier he was, he said "Sikander, it is too late to cry halt now, there can be nothing better for me than to die in harness for my province and my country." It was this indomitable spirit of his which carried him through difficulties and which always made him achieve the objective which he had in view. I am sure, that this House and the province will always cherish the memory of that great statesman whom we all revere and honour.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I wish to associate myself with all that the Leader of the House and the Honourable Revenue Member have said. Sir Fazl-i-Husain was a singularly gifted son of the Punjab. He was great in his faith in the future of his community and of his country. He was great in the application of his faith in the service to his community and his motherland. Sir Fazl-i-Husain believed in democracy and the principle will now be put to the test. It is to be hoped that in the new councils there will be unity of purpose and spirit of co-operation to make provincial autonomy a reality.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I whole-heartedly associate myself with the expression of regret at the loss of a great Punjabee like Sir

3 P.M.
Fazl-i-Husain. He was my personal friend and our friendship lasted for over twenty years. In spite of our later differences in political views he was so kind to me that there was no *takalluf* or ceremony between us. In fact we always addressed each other *perdu* and never stood on the ceremony of calling each other as "*ap*" or "*tusi*" or anything of that kind. He was "*tu*" for me and I was "*tu*" for him in spite of the difference in our positions. I always appreciated that expression of affection and regard on his part. One thing that above all impressed me in Sir Fazl-i-Husain's life was his sense of the practical. In 1920 when the first councils were constituted, the Hindus were non-co-operating with the Government and the Sikhs were fighting for their gurdwaras, so that when the Punjab Council was constituted, there was no one among the Hindus or among the Sikhs on whom full reliance for co-operation could be placed. This was a great opportunity for Sir Fazl-i-Husain and every one knows that he utilised it to the fullest possible extent. Added to his extraordinary ability, courage and dynamic personality, to which reference has been made, this opportunity gave the fullest scope to his wish and desire and his endeavour to serve in his own way the province to which he belonged and I have not the slightest doubt that the province will never forget his great achievements because he has left a mark, never to be effaced, on the history of this province, and so far as his own community is concerned, I have not the slightest doubt that they will find it extremely difficult to find any one to replace him.

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education): I associate myself with all that has been said about Sir Fazl-i-Husain—the strong man of the Punjab and a great man of India. I cannot find words to describe or praise the qualities of his head and heart. I

had known him for more than thirty years and throughout this long period we were the closest friends. In him I have lost one of my greatest and sincerest friends, the province has lost one of the ablest administrators, parliamentarians, politicians and statesmen. The hand of death is too strong to be resisted by any creature. We deeply deplore his loss and I support the motion that our condolence and sympathy be communicated to the bereaved family of the deceased.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official) (*Urdu*): I have risen to support the resolution now before the House. The late Mian Sir Fazl-i-Husain was the most successful politician of the post-war years. After the conclusion of the Great War a tremendous change came in the ideas and ideals of the people of the world. In every country attempts were made to enlarge the gulf between the rich and the poor, the landlord and the tenant, the labourer and the capitalist, the creditor and the debtor. India was also affected by these changes which were going on in the rest of the world. Here also was an attempt made to create similar differences and to an extent such differences did arise between the various interests in the country. Sir Fazl-i-Husain was the first politician who entered the Council in the capacity of zamindars' representative and made a successful effort to bridge the gulf that was created between the opposing interests. He on the one hand tried to reconcile these differences and on the other did all that was possible to ameliorate the condition of the masses by the spread of education and passage of beneficent measures. He realised that the remedy of all ills from which the backward people suffered lay in giving them education. Consequently he pressed upon the Government the necessity of opening primary schools and locating them in such a way so that there may be a school at a distance of not exceeding two miles from each other. He further persuaded the Government to open a middle school in every tahsil and a high school in every district. By the spread of education an awakening came over the zamindars and they also began taking interest in the politics of their country.

It was a gift with him to discover capable men and to bring them into the political field. It was due to this gift of his that he has left behind capable men to accomplish the task which he had begun. It was he who instilled a sense of national self-respect in the minds of the Indians. His sad demise at this most critical juncture is not only an irreparable loss to his province but to the whole of the country.

He brought his province into prominence in the politics of his country. Had he been allowed to live a little longer his ripe experience, sagacity and acute intellect would have been of great service to the Punjab as well as to the rest of India. With these words I whole-heartedly support the resolution now before the House.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I rise to associate myself with every word of the resolution moved by the Honourable the Leader of the House and supported by other honourable members, officials as well as non-officials. There is no denying the fact that Sir Fazl-i-Husain was the ablest son of this province who had lived on this land of Five Rivers during living memory. The brightest star on the political horizon has set never to rise again. This is an irreparable loss not

[K. S. Chaudhri Riasat Ali.]

only to his family, not only to his community, but to the province as a whole. He has been separated from us, he has been snatched away from us by the all-powerful hands of death at a time when his services were most needed by his motherland and at a most critical juncture as has been said by the Honourable the Revenue Member. Sir, he was a personality who made his presence felt wherever he was, who always shone like a meteor whatever society he adorned and whose presence was felt more by his adversaries than by his friends. He made his mark as a lawyer, he made his mark as a nationalist and, above all, he made his unique mark as a successful administrator. I have not had the privilege of hearing him speak in this House, but we have been knowing much about him in papers as well as in talks.

This is the way in which I have appreciated his abilities. As compared with this, how great will be the appreciation of those who have had the privilege of working with him and seeing him working in his capacity as a Revenue Member, as an Education Minister and as a member of His Excellency the Viceroy's Executive Council! He was the great political leader who laid the foundation stone of the Local Self-Government under the reformed constitution. He was a political leader who laid conventions which are worthy of being recorded in letters of gold and which any of his successors will be proud to follow. He was an embodiment of perseverance and self-determination. This is clear from the fact that he had been practically at war with his health for the last fifteen years in the honest discharge of his duties and by the sympathy which he felt for the poor people whom he thought to be his kith and kin. His qualities of head and heart were such that whatever walk of life he traversed, success followed him in the wake. He was the founder of the Unionist Party and even in this respect all of us lament this loss very greatly. I would request the members of my party to have always before their eyes the unique example of perseverance of this great leader and to work in harmony—always remembering his spirit and keeping it before their eyes.

Mr. E. Mayadas (Nominated, non-official): I associate myself with the resolution moved by the Honourable Leader of the House and the speeches that have been delivered by the official and non-official members. We mourn the loss of one of the greatest sons of the Punjab of recent times. His loss is felt all the more at present when we require a leader of his attainments, prudence, wide sympathies and far-sightedness which would have helped us immensely when we are now about to enter the sphere of provincial autonomy. With these words, I support the resolution moved by the Honourable Leader of the House.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural): I whole-heartedly associate myself with the resolution that has been moved by the Honourable Leader of the House. However much may have been said, however much may in the future be said about the qualities of the late Mian Sir Fazl-i-Husain, every attempt to give him his due would prove futile. His qualities are far above the reach of a language which can be employed to translate them into words. He has set up a very high standard not only of honesty of purpose—not only of solidity of thought, but even of true statesmanship. His affection for his province can best be understood from all that he has done for us. Although I have not the honour of having been associated

with this honourable House when it was being adorned by the presence of Mian Sir Fazl-i-Husain, yet I, as an outsider then, would be voicing the opinion of millions of people who always have been the true judges of those who have taken part in the deliberations of this House when I say that Mian Sir Fazl-i-Husain has set up a standard which those who follow in his footsteps would find it absolutely impossible to achieve. Those high qualities which were possessed by him may be possessed by others, but I am absolutely sincere when I say that no one man can possess to the same degree those qualities possessed by Mian Sir Fazl-i-Husain. With these words I support the motion.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I also whole-heartedly associate myself with the resolution moved by the Honourable Leader of the House. Being a very old and intimate friend of Mian Sir Fazl-i-Husain, I regard it my duty to pay a tribute to his memory. My friendship with him began in 1902 and I think that, with the exception of his school or college fellows, I am his oldest friend living in the Punjab. Moreover, I lived with him for two years in the same house which is occupied now by the Reforms Office, which used to be called Victoria House then—I do not know what it is called now. Therefore I had every opportunity of coming into very intimate and direct contact with him. I used to see him working as a barrister then, and I can say without any fear of contradiction that he was a most conscientious man even at that time in his work. Whenever he found that a case was weak and there was no hope of success for the litigant he used to tell him plainly: "My friend, you better go and do not waste your money on me or on anyone else." That was his character. He was one of the ablest Indians and a very great politician and statesman. I doubt very much whether in this province another man will arise for a long time to come to replace him. He was a nationalist in the truest sense of the word. One trait of his character was that in his work he was practically unapproachable. No man had the courage to approach him for any favour. He always used to favour merit and ability, and had a great regard for the poorest backward classes of all nationalities. It has sometimes been said in some quarters that he was a communalist. I think he was the greatest nationalist that India has produced during the last twenty or twenty-five years. I do not think it necessary to repeat what has been already said by the other honourable members. I therefore conclude with requesting the House to convey the purport of this resolution to the members of his bereaved family.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhupura Sikh, Rural): I too associate myself with each and every word which has fallen from the lips of the previous speakers. This much is quite certain that one of the greatest personalities which not only the Punjab but even the whole of India has ever produced has passed away from amongst us. I want to refer to only one or two unique qualities which I found in him. One was that he had complete control over himself. He never lost his temper. Although some time occasion was given on the floor of this House, he very dispassionately and calmly replied to his critics and thus he was able to disarm even his worst critics. Again, he had the fine quality of inspiring confidence both in those who agreed with him and those who did not agree with him. With these few words I associate myself with the resolution.

Professor W. Roberts (Nominated, non-official) : On behalf of the non-official Europeans I have great pleasure in paying a tribute also to the memory of this great leader. I always thought that Sir Fazl-i-Husain derived his strength from the tremendous heights and the far-reaching edifice of his ideals. He looked far above and beyond the ideals of the ordinary man. This quality enabled him to do away with any petty jealousies and even people who approached him always had the feeling that this man at any rate was not working for any petty, personal ends. That is a very great quality in a leader and one that inspires respect in this country as in all other countries of the world. He was a man with a very penetrating and deep mind. His grasp of the political problems of India commanded the highest respect even among his greatest enemies. The biggest men in India to-day are ready to pay tribute to the far-reaching ideals which he had and the singleness of purpose with which he approached them. I can only hope that the work which he has done in the Punjab and the ideals which he has put before the Unionist Party will persist as a living memorial to him in future, and that we shall always feel more capable and better able to help in the development of this great province as a tribute to his memory..

Mr. M. A. Ghani (Nominated, non-official) : I rise to associate myself whole-heartedly with what has been said about the late lamented Mian Sir Fazl-i-Husain. He was certainly a great statesman, a great administrator and a great politician in this land of Five Rivers. I fully endorse the remarks of the Honourable Leader when he said that Sir Fazl-i-Husain had always endeavoured for the uplift of the backward classes. It was certainly due to his efforts that the labouring classes got special representation in this House for the first time in 1928. The experience of this House taught him that without a special representation for labour, that class would not be properly represented, and therefore he wrote to the Secretary of State that a special representative of labour ought to be nominated to this House. I therefore pay a tribute to his memory for his being a true and sincere friend of the poorer classes of this province. It was due to this spirit of his that he endeared himself to those half-clad, half-fed and down-trodden masses of this province. I would never forget his speech which he made at the opening ceremony of the headquarters of the Unionist Party when he stressed this point before the Party, that the Party must do everything for the amelioration of the condition of the labouring classes. Therefore I would request you to convey to his bereaved family the feelings of this House and the resolution which has been moved by the Honourable Leader of this House.

Dr. (Mrs.) M. C. Shave (Nominated, non-official) : I wish to associate myself with other honourable members who have preceded me in paying a tribute to the late Sir Fazl-i-Husain. Those who had personal acquaintance with him could not but admire the sense of justice and impartiality which, in the case of my community resulted in a fair treatment being meted out to its members.

Mr. President : Honourable members of the House, it will now be my privilege to put this resolution to the House and after it has been passed it will be both my duty and privilege to convey this message to the family

of the late lamented Mian Sir Fazl-i-Husain. I will not say anything myself. My feelings of regard, respect and affection for the late lamented Sir Fazl-i-Husain are literally too deep to be expressed in ordinary human language. I will simply content myself with saying that viewed as a politician, as an administrator and as a statesman together, the late Mian Sir Fazl-i-Husain stood head and shoulders above the rest of his contemporaries not only in the Punjab but throughout India.

When I put the motion to the House I will request the honourable members of the House to stand. The motion is as follows :—

"That this House do record its sense of the great loss sustained by the Council and by the Province in the death of Sir Fazl-i-Husain and do offer its sincere sympathy to his family."

The motion was carried sub-silentio.

The Council then adjourned till 2 P. M. on Monday, 26th October, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 26th October, 1936.

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 :—

Diwan Ram Lal (Legal Remembrancer).

Mr. A. D. Grindal (Deputy Secretary, Finance).

STARRED QUESTIONS AND ANSWERS.

FRESH SOURCES OF REVENUE.

***4980. Khan Bahadur Mian Mushtaq Ahmad Gurmiani :** Will the Honourable Finance Member kindly state the action taken by the Punjab Government on the report of the committee appointed to suggest fresh sources of revenue in the Punjab ?

The Honourable Sir Donald Boyd : The honourable member is referred to the Punjab Government, Finance Department, Resolution No. 2699-B-36/28554, dated the 24th September, 1936, which was published in the *Punjab Gazette* of the 9th October, 1936.

ADMISSION TO THE PATWARIS' SCHOOL AT JULLUNDUR.

***5139. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state with regard to the Patwaris' School at Jullundur—

- (a) whether it is a fact that in accordance with the proportion fixed for Jullundur district 22 students should have been admitted to the said school ;
- (b) whether it is a fact that 465 students were actually admitted to the said school ;
- (c) if so, the reasons for this excessive admission of students to the said institution ?

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

(c) Orders regarding the admission of candidates to the patwar school are contained in the first and second sentences of clause (iii) (a) of paragraph 3-10.

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

of Punjab Land Records Manual. It is much regretted that these instructions were lost sight of on this particular occasion. The Financial Commissioner, Revenue, has, however, taken steps to prevent the recurrence of such irregularities.

GRANT TO ELEMENTARY SCHOOLS, AMBALA DIVISION.

***5282. Lala Jyoti Prasad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that grant to the elementary schools in Ambala division has not been given in the year 1935 on the basis of elementary schools and only 75 per cent. of the grant due on that basis has been given ;
- (b) whether it is a fact that from the year 1936, the grants to the elementary schools of Ambala division are proposed to be given on the basis of primary schools as a result of letter No. 4491-A, dated 28th February, 1935, from the Director of Public Instruction to the Inspector of Schools, Ambala division ;
- (c) whether the above circular applies to the rural area of all the divisions in the Punjab or Ambala division only ;
- (d) if the answer is that it applies to all the divisions, the effect and the amount of the reduced grant in those divisions ;
- (e) if the reply is that it applies only to Ambala division, the reasons for this discrimination ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes. The schools which hit hard were allowed 75 per cent. of the grant due on elementary basis as a special case to avoid hardship.

(b) All elementary schools in the Ambala division have been treated as primary schools since the year 1931 on the basis of the policy of the department regarding elementary schools.

(c) and (d) Do not arise.

(e) No discrimination is intended. The Government is considering the question of the abolition of all the elementary schools in the province.

ELEMENTARY EDUCATION, HISSAR DISTRICT.

***5283. Lala Jyoti Prasad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the Hissar district in Ambala division is one of the most backward districts in regard to education in the province ;
- (b) whether it is a fact that the majority of the elementary schools which were getting grant in aid on the basis of elementary schools before 1935 were Hindi schools ;

- (c) whether it is a fact that education through the elementary schools of Hissar district rural area is bound to be and has been vitally hit by the letter No. 4491-A, dated 28th February, 1935, from the Director of Public Instruction, Punjab, to the Inspector of Schools, Ambala division ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) Yes.

(c) The elementary schools in the Ambala division have been treated as primary schools since the year 1931 on the basis of the policy of the department regarding elementary schools.

***5303. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

* * * * *

(b) the amount of revenue realisable by the Government in each of the above tahsils under the existing settlement for the year 1935-36 (*kharif* 1935, *rabi* 1936) and under the new system if enforced from *kharif* 1935 ;

(c) the percentage and amount of remission according to the new system of assessment if the same were enforced in each of the above tahsils from *kharif* 1935 from the actual revenue demand under the existing settlement and from the estimated demand under the new assessment ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (b) and (c) Statements are laid on the table—

STATEMENT A.

Statement showing the result of Sliding Scale System of assessment in 1935-36 in Jaranwala Tahsil.

Harvest.	Assessable land revenue demand of current settlement.	Remitted.	Net demand imposed after deducting remission granted.	Demand of New Settlement according to Settlement Officer's proposals.	Remissions under the Sliding Scale System.	Net demand recoverable.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
<i>Kharif</i> 1935 ..	7,12,591	..	7,12,591	8,97,097	0-7-0 in the rupee. 3,02,480	3,04,617
<i>Rabi</i> 1936 ..	9,61,859	1,94,008	7,67,851	11,64,939	0-7-0 in the rupee. 5,09,661	6,55,278

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

STATEMENT B.

Statement showing the result of Sliding Scale System of assessment in
1935-36 in Lyallpur Tahsil.

Harvest.	Assessable land revenue demand of current settlement.	Remitted.	Net demand imposed after deducting remission granted.	Demand of New Settlement according to Settlement Officer's proposals.	Remissions under the Sliding Scale System.	Net demand recoverable.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Kharif 1935 ..	7,72,374	..	7,72,374	10,14,108	0-7-0 in the rupee. 4,43,672	5,70,436
Rabi 1936 ..	10,51,046	1,92,321	8,58,725	13,82,874	0-7-0 in the rupee. 6,05,007	7,77,867

GOVERNMENT DUES ON GHAIKMUMKIN AREAS.

*5307. Mian Nurullah : Will the Honourable Revenue Member be pleased to state—

- whether it is a fact that in some districts of the Punjab, the area under zamindari khals (water channels) constructed by zamindars for irrigating their fields was shown in revenue papers as *ghair mumkin* and no land revenue and water rates were levied on such area ;
- the districts in which the above practice was in vogue ;
- the Government dues realizable on such area had it been not so shown ;
- whether the practice has now been ordered to be discontinued ;
- the reasons for discontinuing the practice ;
- whether there is any area still in the Punjab where instructions were issued at settlement or afterwards for showing such area as *ghair mumkin* ;
- the reasons for issuing such instructions ;
- whether enquiries have been made in any district where area under water channels is shown as *ghair mumkin* to ascertain how many times the same watercourse was changed from one place to another ;
- if the answer to part (h) is in the affirmative, the result of the enquiry ;

- (j) if the answer to part (h) above is in the negative whether he intends to hold an enquiry ?

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

- (b) The practice referred to was in vogue in the following districts :—

Hissar, Ambala, Rohtak, Ludhiana, Lahore, Gurdaspur, Sheikhpura, Attock, Muzaffargarh and Dera Ghazi Khan.

(c) The labour involved in collecting the information asked for will not be commensurate with the advantage to be gained.

(d), (e) and (g) Yes. A copy of circular letter No. 555-R., dated the 16th February, 1935, which sets out reasons for the discontinuance of the practice in question, is laid on the table.

(f) None.

(h) No.

(i) Does not arise.

(j) No.

Circular letter No. 555-R., dated the 16th February, 1935, from the Junior Secretary to the Financial Commissioners, Punjab, to all Deputy Commissioners in the Punjab.

An enquiry recently instituted by the Director of Land Records in regard to (a) the assessment to land revenue on land under *zamindari khals* constructed by *zamindars* for the irrigation of their fields, and (b) the column of the *Milan Ragha* statement in which such land should be entered, has revealed the fact that practice is not uniform. In some districts such land is being shown as *ghair-mumkin* under column 4 of the *Milan Ragha* statement and is not assessed to land revenue, whereas in others it is being treated as part of the field through which water-courses pass and is assessed to land revenue. In order to secure uniformity the Financial Commissioners are pleased to issue the following instructions for the guidance of revenue officers.

As the construction of these *zamindari khals* is at the discretion of the cultivator and as their number and position are liable to alteration to suit the needs of the cultivator, it is impracticable to classify these small parcels of land separately or to exempt them from the payment of land revenue. It has therefore been decided that unless there are already any instructions to the contrary on the subject, which might have been approved at settlement or subsequently for any area, the land under all *zamindari* watercourses should invariably be assessed to land revenue and shown in column 8 of the *Milan Ragha* statement.

PROCEDURE IN SESSIONS COURTS.

*5484. **Chaudhri Muhammad Abul Rahman Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether in the matter of the defence, at the expense of the Crown, of prisoners charged with offences punishable with death, the practice of the courts of the Sessions Judge and the Additional Sessions Judge, Lahore, is that while copies of the depositions and statements before the committing magistrate are granted free of charge to counsel engaged at Crown expense, copies of the statements of the prosecution witnesses before the police under section 162, Criminal Procedure Code, are not granted free of charge ;

- (b) whether the same practice obtains in other sessions courts in the province relating to the supply of copies of statements of prosecution witnesses before the police under section 162, Criminal Procedure Code ;

[Ch. Muhammad Abdul Rahman Khan.]

- (c) the number of cases in Lahore district in 1936, in which prisoners charged with offences punishable with death were defended at Crown expense ;
- (d) the number of cases in (c) in which the counsel appointed to defend the prisoners at Crown expense were supplied free of cost with copies of the statements of the prosecution witnesses before the police under section 162, Criminal Procedure Code, free of cost ;
- (e) what steps Government propose to take to ensure that the orders of the High Court in Rules and Orders, Volume III, Chapter 24-C, page 21, rule 2 (2) are more faithfully observed in the future ?

The Honourable Sir Donald Boyd : (a) and (e) If the honourable member will study rule 2 in Chapter 24-C of the High Court Rules and Orders (Volume III), to which he has himself made a reference in the last part of his question, he will see that copies of statements recorded by the police are not included among the papers to be supplied free of cost to counsel engaged for the defence at Crown expense. Copies of such statements are not to be supplied at all to defence counsel, whether engaged at Crown expense or at the cost of the accused, except in the circumstances described in the first proviso to section 162 (1) of the Code of Criminal Procedure. The instructions governing the supply of these copies, when the court has made a special direction in the terms of the proviso for their supply to an accused person will be found in Chapter 17-E of the High Court Rules and Orders (Volume IV). The copies are to be given free if the court considers the accused too poor to pay for them ; otherwise at the accused's expense. Government understand that the practice in the courts of the Sessions Judge and the Additional Sessions Judge of Lahore is in strict conformity with these rules.

(b) Government have no reason to think that there is any general disregard of the rules in the other districts of the province.

(c) Seventeen.

(d) None.

TEACHERS APPEARING FOR EXAMINATIONS.

***5561. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of male and female teachers who applied to appear for University or departmental qualifying examinations during the last 3 years ;
- (b) the number of those who were not given permission to appear for their examinations ;
- (c) whether Government proposes to allow the teachers in the province to appear for their examinations without any restrictions ;
- (d) if the reply to (c) is in the negative, the reasons ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) and (b) Presuming that by "University or Departmental qualifying examinations" the honourable member means the B. T. degree and the J. V., J. A.-V., S. V. and S. A.-V. certificate examinations, the available information is as follows :—

Year.	Name of examination.	Number of male teachers permitted to appear in the examination.	Number of male teachers not permitted to appear in the examination.	Number of female teachers permitted to appear in the examination.	Number of female teachers not permitted to appear in the examination.
1933 ..	B.T.	63	5	..	..
	S.A.-V.	57	..	..	..
	J. A.-V.	28	..	10	..
	S. V.	77	..	20	..
	J. V.	209	..	99	..
1934 ..	B. T.	67	4	2	..
	S. A.-V.	52	..	..	..
	J. A.-V.	18	..	17	..
	S. V.	102	..	29	..
	J. V.	132	..	66	..
1935 ..	B.T.	78	5	..	..
	S. A.-V.	40	..	..	..
	J. A.-V.	1	..	12	..
	S. V.	22	..	67	..
	J. V.	67	..	13	..

No record is kept of applications for permission to appear in a departmental examination when such applications are rejected under the rules, as the original applications are endorsed and returned to the teachers concerned.

(c) No.

(d) Efficiency of teaching will be adversely affected.

WATER RATE UNDER SHAHPUR INUNDATION CANALS.

***5610. Khan Bahadur Nawab Muhammad Hayat Qureshi :** Will the Honourable Revenue Member be pleased to state—

- whether it is a fact that previous to 1922, water-rate was charged at $\frac{1}{4}$ of full rates in case of lands watered from Shahpur Inundation Canals in summer and water being dried up thereafter and subsequently cultivated from well irrigation ;
- whether it is a fact that full rates are levied in case of such lands at present ;
- whether it is a fact that this is causing great hardship to owners of lands in the *qlaqa* ;
- if so, whether Government proposes to consider the restoration of rule in force previous to 1922 ; if not, why not ?

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

(b) Yes.

(c) Government is not aware of any great hardships.

(d) The matter of *Raum* rates is under consideration.

STUDENTS IN NORMAL SCHOOLS.

*5680. **Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- the number of students admitted to the J. V. and S. V. classes of different normal schools in the province communitywise ;
- the number of such students who are agriculturists and non-agriculturists in each community ;
- the number of such students recruited from the urban and rural areas ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a)—

	Muslims.	Sikhs.	Hindus.	Christians.	Others.
J. V.	137.	7	49	3	..
S. V.	62	6	19	1	..

(b)—

	MUSLIMS.		SIKHS.		HINDUS.		CHRISTIANS.		OTHERS.	
	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.
J. V.	124	13	4	3	24	25	3	..	..	..
S. V.	59	3	4	2	10	9	..	1	..	..

(c) Recruited from—

	Urban area.	Rural area.
J. V.	29	167
S. V.	3	85

DISTRICT BOARD ENGINEER, JULLUNDUR.

***5779. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether the Government is aware of the fact that the agenda of a meeting of the Jullundur district board to be held on 31st January, 1935, contained a note from the Deputy Commissioner to the effect that the district board Engineer is not a qualified man ;
- (b) whether this agenda was placed before a meeting of the district board ;
- (c) whether it is a fact that no action has so far been taken on this note, if so, why ;
- (d) whether the district board is unable to get a qualified Engineer on the salary paid to the present Engineer ; if not, why the present Engineer's services have not been dispensed with ?

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

(b) Yes.

(c) The district board decided to keep the case pending till the 23rd September, 1936, when the case is expected to be settled finally.

(d) In the circumstances, this question does not arise.

NAIB TAHSILDARS FROM *EX*-MILITARY MEN, LAHORE DIVISION.

***5790. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member kindly state :—

- (a) the number of *ex*-military men accepted as naib-tahsildars from each district of Lahore division in accordance with the instructions conveyed in Punjab Government circular No. 17840 (H.—Mily.), dated the 27th June, 1927 ;
- (b) whether it is a fact that no *ex*-military man has been accepted from Lahore, Amritsar and Sheikhupura districts ;
- (c) whether Government is aware of the fact that the martial classes of Lahore, Amritsar and Sheikhupura districts are much agitated on account of non-selection of any person from these districts ;
- (d) whether Government is aware that the Lahore, Amritsar and Sheikhupura districts are foremost in providing men and subscribing to war loan during the war ;
- (e) whether Government is aware of the grievances of *ex*-military men in the matter of non-fulfilment of the promises made to them during the war by the officers of Government ;
- (f) whether Government orders connected with the preferential treatment to be awarded to *ex*-military men have now been cancelled ;
- (g) the number of vacancies of naib-tahsildar candidates to be filled by the Commissioner, Lahore division, now ;
- (h) how Government intends to treat the candidates for these posts from the *ex*-military men of Lahore, Amritsar and Sheikhupura districts and whether Government proposes to invite the attention of the deputy commissioners concerned to the circular referred to in part (a) above ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Since the issue of the Punjab Government letter No. 17940 (H.—Mily.), dated the 27th June, 1927, eighteen persons have been selected as candidates for the post of naib-tahsildar. Four of these were selected for their own military services, and eight for the military services of their families. The number of candidates selected for military services from each district is as below :—

Lahore	..	..	..	..	4
Amritsar	..	..	..	..	N \bar{u} .
Gurdaspur	..	..	..	..	2
Sialkot	..	..	..	..	1
Gujranwala	..	..	..	..	3
Sheikhupura	..	..	..	..	2

(b) No.

(c) No.

(d) No; but Government recognises the valuable services rendered by these districts during the war.

(e) The honourable member appears to imply that Government has not fulfilled its promise. It is clear from answer to part (a) that such implication is unwarranted.

(f) No.

(g) N \bar{u} .

(h) Government do not propose to take any action in the matter as the existing orders are sufficiently clear.

***5791—5793. Cancelled.**

TRANSFERS OF ASSISTANT DISTRICT INSPECTORS IN RAWALPINDI DIVISION.

***5794. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state :—

- whether it is a fact that the present Inspector of Schools, Jullundur division, effected the transfers of some of the assistant district inspectors in Rawalpindi division when he was Inspector of that division without the sanction of the proper authority ;
- whether it is a fact that he reduced the number of Muslim assistant district inspectors by one by means of these transfers ;
- whether it is a fact that these transfers were later on cancelled ; if so, who is responsible for the travelling allowance of the assistant district inspectors who had to undertake the transfer journeys due to the said Inspector's unauthorised orders of transfer ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No.

(b) and (c) Does not arise.

LIQUIDATORS.

***5795. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) the total number of companies registered under the Indian Companies Act which have been sent into compulsory liquidation in this province from 1st January 1926 up to date ;
- (b) the total number of persons appointed as Official Liquidators, Joint Official Liquidators or Assistant Official Liquidators, respectively, of the Companies mentioned in (a) and the total number of Muslims under each head ?
- (c) the total number of Companies among (a) the liquidation of which is continuing still ;
- (d) the total number of persons who are Official Liquidators, Joint Official Liquidators or Assistant Official Liquidators, respectively, of the Companies mentioned in (c) and the number of Muslims under each head ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I regret that the answer to this question is not ready.

ENCROACHMENT BY ARYA HIGH SCHOOL, NAKODAR.

***5796. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that Arya High School, Nakodar, had encroached upon 56 marlas of land belonging to the Jullundur district board ;
- (b) whether it is a fact that the Public Works Department reported to the district board suggesting that the said land may be taken possession of ;
- (c) if so, whether the Chairman of the district board gratuitously made over this land to the school in spite of the fact that the manager of the school had asked for its temporary alienation to the school ;
- (d) whether the district board has suffered any loss owing to this alienation of the land ; if so, what action the Government proposes to take in the matter ?

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

(b) No.

(c) The land has not been permanently alienated. It has been only leased and the lease is being reduced to writing in the form of an agreement to be executed between the Board and the school authorities.

(d) No rent is going to be charged for the land encroached upon, but as the platform is to be used by the general public, the Board and the local officers are of opinion that the question of financial loss to the Board does not arise.

GRANT OF LAND TO LALA HANS RAJ BY JULLUNDUR DISTRICT BOARD.

***5797. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the supplementary agenda of a meeting of the Jullundur District Board to be held on 31st January, 1936, contained a proposal to the effect that after the construction of the gateway of Nawanshahr Mandi, the land on either side of it should be sold ;
- (b) whether it is a fact that one Hans Raj, son of Malawa Mal, of Nawanshahr had requested the predecessor of the present chairman that the land in question may be sold to him ;
- (c) if so, what action was taken upon this request ;
- (d) whether it is fact that the present chairman has granted this land *gratis* to Lala Hans Raj ; if so, why ;
- (e) whether the district board has suffered a monetary loss due to this action of the chairman, if so, the amount of this loss and whether the chairman would be held responsible for this loss ; if not, why not ?

The Honourable Dr. Sir Gokal Chand Narang : (a) No.

(b) Yes.

(c) The request was rejected.

(d) No.

(e) Does not arise.

***5798—*5808. Cancelled.**

VISIT OF DIVISIONAL INSPECTOR TO NANGAL AMBIA ISLAMIA
HIGH SCHOOL.

***5809. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the present Divisional Inspector of Schools, Jullundur, paid a surprise visit to Nangal Ambia Islamia High School on the 14th February, 1936 ;
- (b) whether it is a fact that the school was closed on that day on account of Friday, which is observed as a holiday by that school ;
- (c) whether it is a fact that the said inspector broke open the doors and unlocked the almirahs in the absence of the head master and removed the school registers ;
- (d) whether it is also a fact that the said inspector jumped over the compound walls of the Shahkot school in Jullundur district on the same date ; and entered the school when it was closed ;
- (e) the justification for this conduct and what action, if any, the department has taken in the matter ?

The Honourable Chaudhri Sir Shabab-ud-Din : (a) Yes.

(b) Yes.

(c) (i) No ; it was already open and a teacher was sitting in the room.

(ii) No ; they were opened with keys supplied by the chaprasi present.

(iii) Yes (removed the registers).

(d) No.

(e) Does not arise.

ALLOTMENT OF LAND BY COLONIZATION OFFICER, KAMALIA.

***5810. Chaudhri Asadullah Khan :** Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that the officiating Colonization Officer, Kamalia, sanctioned allotment of 50 squares of uncommanded area about 1½ years ago ;

(b) whether it is a fact that the said squares of land have not so far been allotted by the said Colonization Officers ;

(c) whether it is a fact that 1½ squares of land have been allotted to Allah Ditta and Kalu, barbers, residents of Kamalia ;

(d) whether it is a fact that 1½ squares of land have been allotted to Hakim Rai, shopkeeper, of Jhakkar by the Colonization Department and that half a square was also allotted to him as lambardar ;

(e) whether it is a fact that in the course of the recent allotment of land one square of land has been allotted to the father of Hakim Rai and 1½ squares of land to his brother shopkeepers as *tirmi guzars*, etc. ;

(f) if the answers to the above be in the affirmative, what steps Government proposes to take in redressing the wrongs of the zamindars of Kamalia ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Yes.

(b) Yes.

(c) Yes, but Allah Ditta and Kalu are not barbers, but Jat Saprass (statutory agriculturists).

(d) Yes, 1½ square was granted to Hakim Rai for services in *killabandi* operations and he holds ½ square as a lambardar like other lambardars in the colony. He is a zamindar and not a shopkeeper.

(e) Yes, but they are not shopkeepers ; they were granted land as *tirmiguzars* and small landowners.

(f) Does not arise.

OFFICIATING MANAGER, GOVERNMENT BOOK DEPOT.

***5811. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state with reference to the Punjab Printing Sub-ordinate Services Rules published with Punjab Government Notification No. 5169, dated the 22nd February, 1933, which lay down the qualifications for the holders of each post in the Punjab Government Press—

- (a) the academical qualifications of the present officiating Manager, Government Book Depot ;
- (b) his clerical experience during his service ;
- (c) his accounts experience ;
- (d) his experience of press casting system ;
- (e) his age when he joined the Punjab Government Press ;
- (f) the capacity in which he joined and the salary he was offered ;
- (g) his present age ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Has passed the Faculty of Arts Examination of the Punjab University.

- (b) Over six years.
- (c) and (d) Over eleven years.
- (e) Just over 33 years.
- (f) Assistant to Head Accountant, Secretariat Press in Rs. 75—5—12½ grade.
- (g) Forty-four years.

SARDAR HARI SINGH, KAPURTHALA PRISONER IN LUNATIC
ASYLUM, LAHORE.

***5812. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Sardar Hari Singh, B.A., B.T., Headmaster (on leave) and President of Zamindara League of Kapurthala State, who had been undergoing a sentence under section 144-A in Kapurthala Jail, has been admitted into the Lunatic Asylum, Lahore, in the first week of March, 1936 ;
- (b) if answer to (a) be in the affirmative, whether he will lay on the table the report prepared by the medical authority after examining the said Hari Singh before his transfer to the Lunatic Asylum ;
- (c) whether the medical authority in charge of the Lunatic Asylum examined the above named Hari Singh ; if so, the result of the examination ;
- (d) whether it is a fact that the relatives and friends of the said Hari Singh were not informed of this, and are not allowed to see him even now ; if not, why not ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes, he was admitted on the 5th March, 1936, and discharged on the 30th March, 1936.

(b) The report is laid on the table.

(c) Yes, but no symptoms of insanity were observed during the period that he remained in the Punjab Mental Hospital, Lahore. This opinion does not preclude the possibility of such symptoms being present prior to his admission.

(d) No information is available with the Punjab Government for the period prior to his reception in the Punjab Mental Hospital. In the hospital, however, the following friends and relatives of the patient visited him on dates specified :—

15th March, 1936	..	Kabul Singh, Railway Road, Jullundur City.
24th March, 1936	..	Kabul Singh, son of Rala Singh of Gobindpur, Jullundur district.
26th March, 1936	..	Ditto ditto.
29th March, 1936	..	Santokh Singh, son of Sher Singh, Jat of Dhut, Post Office Bhanga, Hoshiarpur district.

Report of Captain Abbas Ali, M.B., B.S., Chief Medical Officer, Kapurthala State.

In the matter of Hari Singh of village Dhoot (a) in the town of ———— (or the sub-division of Bhunga in the District of Kapurthala State) an alleged lunatic.

I, the undersigned S. Abbas Ali, do hereby certify as follows :—

- (1) I am a gazetted medical officer and I am in the actual practice of the medical profession.
- (2) On the 27th day of January, 1936, at (c) Kapurthala Jail in the town of Kapurthala (or the sub-division of ———— in the district of Kapurthala) (separately from any other practitioner) (d), I personally examined the said Hari Singh and came to the conclusion that the said Hari Singh is a lunatic and a proper person to be taken charge of and detained under care and treatment.
- (3) I formed this conclusion on the following grounds, viz. :—

- (1) Facts indicating insanity observed by myself, viz. :—

Highly nervous and excitable temperament, purposeless twitching movements with the fingers, unwillingness to be drawn into conversation. Not open to reason and argument.

- (2) Other facts (if any) indicating insanity communicated to me by others, viz., (e) :—

Insomnia at times.

Constant seediness of temper.

Easily provokable and highly strung, going on hunger strikes on very flimsy grounds.

*5813.

*5814.

} Cancelled.

MUSLIMS IN VETERINARY DEPARTMENT.

*5815. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable Minister for Agriculture be pleased to state:—

- (i) the total number of posts and the number of Muslims among —
 - (a) the divisional superintendents of the Civil Veterinary Department, Punjab;
 - (b) the head clerks of the divisional superintendents;
 - (c) the camp veterinary assistants of the divisional superintendents;

[Ch. Muhammad Abdul Rahman Khan.]

(i) the total number of clerks and head clerks, respectively recruited during each of the last three years in the Veterinary Department and the number of Muslims among them;

(ii) the reasons for the paucity of Muslims in the abovementioned posts and what the Government propose to do in the matter?

The Honourable Sardar Sir Jogendra Singh : (i) (a) Divisional Superintendents are members of Class I Veterinary Service, and on this service there are at present—

Muslims ..	..	..	..	..	..	7
Hindus ..	..	..	..	..	..	4
Sikhs ..	..	..	..	..	..	2
Europeans ..	..	..	..	..	..	2
Total ..						15

On Class II Veterinary Service there are—

Muslims ..	..	..	..	..	..	9
Hindus ..	..	..	..	..	..	4
Sikhs ..	..	..	..	..	..	2
Total ..						15

(b) and (c) Head clerks and veterinary assistants form part of the clerical and subordinate establishments on which there are—

Muslims ..	..	..	..	..	..	215
Hindus and others ..	..	..	..	..	..	168
Sikhs ..	..	..	..	..	..	106
Europeans ..	..	..	..	..	..	1
Total ..						488

(ii) No head clerks are recruited direct; they are promoted from among clerks. During these three years no head clerk was appointed.

The following clerks were recruited :—

1933-34 ..	..	None.
1934-35 ..	..	One who was a non-Muslim.
1935-36 ..	..	Two who were Muslims.

(iii) It will be seen from above that there is no paucity of Muslims in the Veterinary Department. In Classes I and II, excluding Europeans, Muslims hold more than 50 per cent. of the posts.

STAFF OF PUNJAB PUBLIC LIBRARY.

***5816. Chaudhri Asadullah Khan :** Will the Honourable Minister for Education kindly state :—

(a) whether it is a fact that ever since its inception in 1854 the librarian, assistant librarian, accountants, steno-typists and clerks employed in the Punjab Public Library have all been and are non-Muslims;

- (b) whether it is a fact that except for one peon, all the inferior servants of the Library as well, including the bookbinder, chap-rasis, malis, bhishtis, sweepers and chowkidars are non-Muslims ;
- (c) whether it is a fact that the posts of an assistant librarian and a typist have recently fallen vacant in the Library ;
- (d) whether it is a fact that long before advertising these posts in the Press, non-Muslim candidates have been put to work against them ;
- (e) whether it is a fact that even when the posts were advertised the advertisement was not sent to any Muslim newspaper ;
- (f) whether it is a fact that in those advertisements no date up to which applications were to be entertained was specified ;
- (g) whether it is a fact that the post of the Assistant Librarian advertised for is for the Oriental Section of the Library ;
- (h) whether it is a fact that qualified Muslims have applied for these posts ;
- (i) if the answers to the above are in the affirmative, what steps Government is prepared to take in order to remedy the above grievances of the Muslims ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No. Since its inception in 1894 (and not in 1854 as given in the Council question) the strength of the staff of the Library has been until recently only one Librarian and three assistants. One of these assistants is a Muslim. There have been no accountants, steno-typists and clerks.

- (b) No.
- (c) Yes.
- (d) Yes. But irrespective of communal considerations.
- (e) Yes. The post was advertised in the two most well-known dailies, viz., the *Civil and Military Gazette* and the *Tribune*—irrespective of communal considerations.
- (f) Yes. It was not considered necessary.
- (g) Yes.
- (h) Yes, and a qualified Muslim has been selected and appointed.
- (i) Does not arise.

SELECTION OF BOOKS, PUNJAB PUBLIC LIBRARY.

***5817. Chaudhri Asadullah Khan :** Will the Honourable Minister for Education kindly state :—

- (a) whether it is a fact that the Government grant to the Punjab Public Library for the purchase of books is devoted to a very great extent to the English and Hindi Sections and least to the Urdu, Persian and Arabic Sections, so much so that standard works of even such well known authors as Maulana Abul Kalam Azad and Sir Muhammad Iqbal are not available in the Library ;
- (b) if the answer to the above is in the affirmative, what steps Government proposes to take in this matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No. The honourable member is referred to the annual report of the Library for the year 1935-36 which gives the number of books added to the various sections of the Library during the year. The standard works of all well-known Authors including those of Sir Muhammad Iqbal and Maulana Abul Kalam Azad are available in the Library:

(b) Does not arise.

MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.

***5818. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the Punjab Government is spending about three lakhs annually on the training of engineers and mechanics in the MacLagan Engineering College, Moghalpura ;
- (b) the names of Government departments by which the diploma holders of the said institution are recognised as qualified for appointment ;
- (c) how many students have been turned out as diploma holders in Electrical Engineering from this institution and how many in Mechanical Engineering ;
- (d) how many of them have received appointments in the various departments of the Punjab Government ;
- (e) considering the large number of unemployed engineers who have qualified from this institution and the large sums Government has spent on their training in the college, what steps Government proposes to take to absorb them in its services ?

The Honourable Sardar Sir Jogendra Singh : (a) The answer is in the affirmative.

(b) (i) So far as the Punjab is concerned diploma holders are recognised as qualified for posts of Electrical and Mechanical Engineers under the Chief Engineer, Buildings and Roads Branch, and the Chief Engineer, Electricity. They are also qualified for entry into the following services :—

(ii) Indian Railway Service of Engineers.

(iii) Transportation (Traffic) and Commercial Departments of the Superior Revenue Establishment of State Railways.

(iv) Superior Telegraph Engineering and Wireless Branches of the Posts and Telegraph Department.

(v) Mercantile Marine Engineering Service.

(c) Electrical Engineering	..	--	..	61
Mechanical Engineering	..	--	--	40

(d) Sixteen.

(e) Government does not propose to create new appointments to absorb the unemployed. The Punjab Government after a great deal of effort has prevailed upon the Institution of Engineers, India to recognise the examinations of this College as equivalent to their own. As the result the diploma holders are now eligible for appointment to posts mentioned at (b) (ii) to (b) (v).

MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.

***5819. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture be pleased to state:—

- (a) whether Government proposes to open all such Government departments for the appointment of the diploma holders of the MacLagan Engineering College for which they are qualified; if not, why not: if so, when;
- (b) how many men have been appointed in the Engineering services of the various departments of the Punjab Government as Electrical and Mechanical Engineers during the past eight years;
- (c) (i) their qualifications and the institutions from which they qualified;
- (ii) how many of them were Punjabis;
- (iii) whether any preference was given to the MacLagan Engineering College students in the matter of selection of candidates; if not, why not;
- (d) whether Government proposes to give any special preference to Punjabi students trained in the said institution; if so, how far; if not, why not?

The Honourable Sardar Sir Jogendra Singh : (a) All departments are already open to diploma holders of the MacLagan Engineering College for which they are qualified.

(b) So far as other departments are concerned the information is not available. In the Buildings and Roads Branch six posts have been filled in the past eight years.

(c) (i) The information is given—

(a) Diploma of the Northampton Polytechnic Institute.

(b) M. Sc. (Engineering) California.

(c) Since dead.

(d) A. C. G. I., B.Sc. (Hons.), London.

(e) A. M. Amer. I. E. E.

(f) M. E. College Diploma, Lahore.

(ii) Four of the above are Punjabis.

(iii) Men with experience were required and best men were selected in the interests of the public service.

(d) Punjabis are given preference and the claims of MacLagan Engineering College will receive consideration but the best men will continue to be selected in the interests of the public service.

*5820 }
*5821 } Cancelled.

SUB-ASSISTANT SURGEON, KHARAR DISPENSARY.

***5822. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state :—

- (a) whether an article entitled " a meeting of the Muslims of Kharar " (in the Ambala district) published in the " Muslim Rajput ", dated the 26th March 1936, on page 6, alleging that the Sub-Assistant Surgeon, Kharar dispensary, did not promptly attended to the wounded in a riot case, has come to the notice of Government ;
- (b) the reasons for the negligence shown to the wounded by the doctor ;
- (c) whether Government intends to make an independent inquiry into the incidents mentioned in (a) ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No, but an article published in the *Inqilab*, Lahore, of the 20th March, 1936, came to the notice of Government. Enquiries have been made and Government is satisfied, that all the injured were promptly attended to by the sub-assistant surgeon in charge, Kharar dispensary.

(b) and (c) Do not arise.

Chaudhri Allah Dad Khan : For (a) the answer is no. Does it mean that the article has not come to the notice of the Government ?

The Honourable Chaudhri Sir Shahab-ud-Din : Well, it means, what it means.

Chaudhri Allah Dad Khan : Is the Honourable Minister aware that a cutting of the paper was sent along with the question ?

The Honourable Chaudhri Sir Shahab-ud-Din : It might have come to the notice of the Government with the question.

MRS. DANIEL, SECOND MISTRESS, GIRLS HIGH SCHOOL, LYALL-
PUR.

***5823. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) whether he is aware that Mrs. Daniel, second mistress, Girls School, Lyallpur, has been at Lyallpur for 15 years ;
- (b) whether the Education Department, Punjab, has received complaints made against her by parents of the girls studying in the School, from time to time, about her ill-treatment of the girls ;
- (c) what action Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes. Mrs. Daniel has been in Lyallpur for twelve, not fifteen years.

(b) No. Only one complaint has been received this year and on investigation it was found to be anonymous.

(c) Does not arise.

Chaudhri Allah Dad Khan : The rule generally observed is that Government servants are transferred after three years. Why was not that rule observed in the present case ?

The Honourable Chaudhri Sir Shahab-ud-Din : I require notice.

*5824—*5828.—*Cancelled.*

SMALL TOWN COMMITTEE, KHARAR.

*5829. **Chaudhri Allah Dad Khan :** With reference to my starred question No. 5211¹ answered on 25th February 1936, will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the next elections of the Small Town Committee, Kharar, are being held in July 1936 ;
- (b) if so, whether as promised in part (g) of the above answer, the attention of the Commissioner has been drawn to the matter ;
- (c) if so, whether he will place a copy of his letter to the Commissioner on the table ?

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

(c) A copy of Punjab Government memorandum No. 1665-L. S.-G.-86
18508, dated the 6th June 1936 is laid on the table.

*Punjab Government Memorandum, No. 1665-L. S.-G. 36
18508, to the Organising and Pub-*

licity Secretary, Anjuman-i-Islamia, Rupar, Ambala district, dated 6th June 1936.

With reference to his letter No. 814, dated the 14th May, 1936, the undersigned is directed to inform the Organising and Publicity Secretary, Anjuman-i-Islamia, Rupar, Ambala district, that adequate action will be taken by the Commissioner in the matter when the term of the existing committee expires in August, 1936.

(Sd.) N. L. NOLDA,

ASSISTANT SECRETARY,

for Secretary to Government, Punjab,
Transferred Departments.

ACQUISITION OF LAND IN SADABARAT AND RUPAR VILLAGES.

*5830. **Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state :—

- (a) how much land was acquired by Government from the zamindars of Sadabarath and Rupar villages in the Rupar tahsil (i) for the Sirhind Canal, (ii) for the Rupar-Nalagarh Railway under Notification No. 02530-C, dated the 6th August, 1923 and (iii) for the district board ;
- (b) for how much land of Rupar in (ii) in (a) above compensation was paid by Government, and how much land was taken without paying any compensation ;

[Ch. Allah Dad Khan.]

- (c) whether he is aware that the acquisitions left the village Sadabarat with too small an area to live upon ;
- (d) whether he is aware that the Land Acquisition Officer in his award, dated the 1st February 1926, admitted the facts mentioned in (c) and recommended that the zamindars of the villages mentioned in (a) should be given lands in a colony in compensation for the land taken from them from time to time ;
- (e) whether the recommendation in (d) was accepted ; if not, why not ;
- (f) whether he is aware that the condition of the villages mentioned in (a) has become poor financially, on account of successive acquisitions ;
- (g) if the answer to (f) is in the affirmative, what action the Government intends to take in the matter and also in relation to Rupar villages ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

CANDIDATES FOR JUNIOR VERNAICULAR TRAINING, AMBALA
DIVISION.

***5831. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state :—

- (a) whether he is aware that recently the Inspector of Schools, Ambala division, has sent up a number of men for receiving Junior Vernacular training ;
- (b) how many have been sent up ;
- (c) how many out of those were non-agriculturists and how many agriculturists ;
- (d) if the number of agriculturists is almost negligible, the reasons therefor ;
- (e) what action the Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) 43.

(c) Agriculturists 35.

Non-agriculturists 8 (includes) 3 candidates of the depressed classes).

(d) and (e) Do not arise.

NAIB-TAHSILDAR, CHUNIAN.

***5832. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether an article entitled " Does the Naib-Tahsildar of Chunian take part in local factions, etc." published in the Patwar Gazette on page 2, column 1, of 25th May, 1936, has come under the notice of the Government ;

- (b) whether it is a fact that the Naib-Tahsildar attached the produce of four joint land-owners for arrears of land revenue due from only two of the said owners for *kharif* 1935, in spite of the fact that the other two of them had paid their land revenue due for the harvest in time ;
- (c) whether it is a fact that he kept the attached produce still attached even after one of the four land-owners who had already paid his land revenue, had paid the land revenue of the defaulting land-owner ;
- (d) whether it is a fact that the Sub-Divisional Officer, Kasur, took exception to the Naib-Tahsildar's action and directed him to release the attached produce ;
- (e) whether it is a fact that the Naib-Tahsildar did not release the produce even after he had received the order of the Sub-Divisional Officer and that he demanded security for the payment of the land revenue of the next harvest which had not become due yet and got it before releasing the produce ;
- (f) whether the other facts stated in the said article are correct ;
- (g) whether he is aware that the action of the Naib-Tahsildar detailed above has produced intense dissatisfaction in the tahsil ;
- (h) if the answer to (g) is in the affirmative, what action the Government intends to take in the matter ?

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

(b) Only the share of defaulters was attached and not of other co-sharers.

(c) The attached produce was not released till the entire amount was paid on the 11th May, 1936.

(d) No. The Sub-Divisional Officer ordered that the attached property should be released if the total demand had been paid.

(e) , (f) and (g) No.

(h) Does not arise.

PROCESSION ON THE ANNIVERSARY OF SHAH WILAYAT AT SADHAURA.

***5833. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state after making enquiry if necessary :—

(a) whether he is aware that a sub-judge at Ambala, issued an injunction ordering Abdul Karim and others to take a procession on the anniversary of Shah Wilayat at Sadhaura on or about 18th May, 1936, subject to the conditions for safeguard to be imposed by the Collector of Ambala ;

(b) whether it is a fact that the Collector of Ambala authorised the Superintendent of Police, Ambala, to issue the necessary licence for the procession ;

[Ch. Allah Dad Khan.]

- (c) whether it is a fact that the Superintendent of Police issued a licence fixing the number of men in the procession to be 20, with no display of music or band or *gatta* and directing the procession to be taken out silently, within half an hour, through one street only;
- (d) whether for any procession such conditions were ever before imposed anywhere;
- (e) whether he is aware that the Muslims of Sadhaura resented these conditions being imposed and took out no procession as a protest against the conditions in the licence;
- (f) the reasons for the imposition of the drastic conditions?

The Honourable Sir Donald Boyd : (a) Yes, except that the injunction restrained the Secretary of State from prohibiting the procession.

(b) Yes.

(c) Yes.

(d) Government have no information.

(e) It is understood that no procession took place.

(f) Similar conditions with the exception of that limiting the number of persons in the procession were imposed in past years and it is the policy of Government to adhere to past practice so far as possible in prescribing conditions upon which processions are allowed to take place. In the present instance the local authorities had special reasons to apprehend a breach of the peace if the numbers were not restricted.

Chaudhri Allah Dad Khan : With reference to the answer to part (f), what were the circumstances necessitating such drastic conditions being imposed?

The Honourable Sir Donald Boyd : They are given in the answer to the question.

SUIT AGAINST MUTAWALI OF TALWARI MOSQUE, RUPAR.

***5834. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) whether certain Muslims had applied for permission of the Local Government for filing a suit against the *Mutawali* of the mosque known as Talwari Mosque at Rupar;
- (b) whether the Deputy Commissioner had refused sanction therefor;
- (c) whether a resolution was passed by the Anjuman-i-Islamia, Rupar, requesting the Local Government to call for the file and give necessary sanction for filing a civil suit or ask the Deputy Commissioner to reconsider his decision.
- (d) the reasons for the Deputy Commissioner withholding the sanction;
- (e) whether Government intends to take any, and, if so, what, action on the resolution referred to in (c) above?

The Honourable Sir Donald Boyd : (a), (b), (c) Yes.

(d) The information received by the Deputy Commissioner was in favour of the Mutawali.

(e) The matter is under consideration.

EROSION OF LAND IN AMBALA DISTRICT.

***5835. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

(a) how much land of the villages of Ambala district given below has been washed away by the rivers and streams flowing past them, since the settlement of 1887 up to date: Kot, Bilah, Jawantgarh, Khangesrah, Tokah, Khatauli (in the Naraingarh tahsil), Mubarakpur, Bhaukarpur, Naggal and Sundhran (Kharar tahsil);

(b) the average holding of agricultural land per zamindar in the villages mentioned in (a);

(c) the population of the villages mentioned in (a) in 1890 and 1930;

(d) what action Government intends to take to prevent further erosion;

(e) whether Government intends to make peasant grants to the residents of these villages?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) (i) and (c) A statement is laid on the table. Information with regard to part (a) of the question for the period prior to 1917-18 is not available.

(d) (i) Mr. A. P. F. Hamilton, an officer of the Indian Forest Service has been working since the 19th March, 1934, as Assistant to the Deputy Commissioners, Hoshiarpur, and Ambala districts to experiment in reafforestation and in methods of training the course of *chos* in those districts. His period of appointment has been extended up to the 19th March, 1937.

(ii) Rupees 2,500 have been spent since the 19th March, 1934, on schemes for the reclamation of land under *chos* and *naddis* in the Ambala district. Efforts are being made to obtain more funds during the next financial year.

(iii) A conference was held at Simla on the 2nd July, 1936, to consider how erosion and denudation in certain districts could be prevented. As a result another officer of the Indian Forest Service has been appointed to take charge of *anti*-erosion work in the Ambala and Gurgaon districts. He will submit a report for each district within a year of his appointment on the various aspects of the problem.

(e) No.

Chaudhri Allah Dad Khan : With reference to the answer to part (e) will the Honourable Member please say why no compensation is proposed to be granted for the lands that have been washed away?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Surely Government cannot be reasonably asked to give them compensation also when they are going to benefit from these present proposals.

Statement.

Name of tahsil.	Name of village.	Area of land washed away by the rivers and streams passing through since 1917-18 up-to-date.	Average holding of agricultural land per zamindar.	POPULATION OF THE VILLAGE.	
				In 1900.	In 1930.
		Acres.	Acres.		
Naraingarh	Kot	13	4	1,081	1,076
	Bilah	6	5	1,408	1,208
	Jaswant Garh	..	4	90	231
	Khangesraha	1	5	443	432
	Tokah	1	4	224	135
	Khatauli	..	10	1,295	935
Kharar	Mubarikpur	60	6	1,874	1,018
	Bhankarpur	156	2	1,270	1,087
	Naggal	10	5	466	395
	Sundhran	39	7	874	795

EROSION OF LAND IN AMBALA DISTRICT.

***5836. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- the average holding of agricultural land per zamindar in the following villages of Naraingarh tahsil of Ambala district ; Haveli, Bakala, Ferozepur, Rasulpur and Kanwargarh ;
- whether it is a fact that a large area in the villages has become sandy due to over-flowing of the rivers and streams flowing past them since 1900 and, if so, how much in respect of each village ;
- what action the Government intends to take in the matter ;
- whether Government intends to make peasant grants of land to the residents of these villages ?

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

Information with regard to part (b) of the question is not available for the period prior to 1917-18.

(c) (i) Mr. A. P. F. Hamilton, an officer of the Indian Forest Service, has been working since the 19th March, 1934, as Assistant to the Deputy Commissioners, Hoshiarpur and Ambala districts, to experiment in re-afforestation and in methods of training the course of *chos* in those districts. His period of appointment has been extended up to the 19th March, 1937.

(ii) Rupees 2,500 have been spent since the 19th March, 1934, on schemes for the reclamation of land under *chos* and *naddis* in the Ambala district. Efforts are being made to obtain more funds during the next financial year.

(iii) A conference was held at Simla on the 2nd July 1936 to consider how erosion and denudation in certain districts could be prevented. As a result another officer of the Indian Forest Service has been appointed to take charge of *anti-erosion* work in the Ambala and Gurgaon districts. He will submit a report for each district within a year of his appointment on the various aspects of the problem.

(d) No.

Statement.

Name of tahsil.	Name of village.	Average holding of agricultural land per zamindar.	Area which has become sandy owing to the over flow of streams, etc., since 1917-18.
		Acres.	Acres.
Naraingarh ..	Haveli	3	..
	Bakala	3	30
	Ferozepore	5	..
	Rasulpur	4	..
	Kanwar Garh.. ..	54	25

MUSLIM RAJPUTS IN AGRICULTURAL AND CO-OPERATIVE SOCIETIES DEPARTMENTS.

*5837. Chaudhri Allah Dad Khan : Will the Honourable Minister for Agriculture please state—

(a) the number of Muslim Rajputs in the service of Government in the Agricultural and Co-operative Societies Departments ;

(b) if the number is very small, what action he intends to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a)—

Department.	Number of Muslim Rajputs.
Agricultural ..	56
Co-operative ..	94

(b) Does not arise.

MUSLIM RAJPUTS IN JUDICIAL DEPARTMENT.

***5838. Chaudhri Allah Dad Khan :** Will the Honourable Finance-Member please state—

- (a) the number of Muslim Rajputs in the Judicial Department ;
- (b) if the number is very small, what action the Government intends to take in the matter ?

The Honourable Sir Donald Boyd : (a)—

*Non-gazetted appointments in the
Judicial Department
held by Muslim
Rajputs.*

High Court	16
Courts subordinate to the High Court.	170

As regards gazetted appointments the honourable member is invited to refer to the History of Services of Gazetted Officers (Judicial Department).

- (b) Does not arise.

MUSLIM RAJPUTS IN REVENUE, CANALS AND FOREST DEPART-
MENTS.

***5839. Chaudhri Allah Dad Khan :** Will the Honourable Revenue-Member please state—

- (a) the population of the Muslim Rajputs in the Ambala, Karnal, Rohtak, Gurgaon and Hissar districts in 1930 ;
- (b) the number of Muslim Rajputs in the service of Government in the following departments :—
Revenue, Canals and Forest ;
- (c) if the number of Muslim Rajputs is very small in the departments mentioned in (b), what action the Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a)
The information is given in columns 266 and 267 of Table XVII, page 297 of the Census Report of 1931, Volume XVII, Part II, containing tables.

(b) The information is not available and its collection will involve labour, time and expense out of all proportion to its value.

- (c) Does not arise.

MUSLIM RAJPUTS IN EDUCATION DEPARTMENT.

***5840. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) the population of Muslim Rajputs in the following districts in 1930 :—

Ambala, Karnal, Rohtak, Hissar and Gurgaon;

- (b) the number of Muslim Rajputs in the Education Department from those districts ;
- (c) if their number is very small, what action the Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The honourable member is referred to the Census Report of 1931. Figures for 1930 are not available.

(b) The honourable member is referred to the History of Gazetted Officers and departmental lists, copies of which are in the Council Library.

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

TACCARI LOAN TO CH. ABDUL RAHMAN KHAN OF RAHON.

***5841. Chaudhri Asadullah Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that Chaudhri Abdul Rahman Khan of Rahon, district Jullundur, took Rs. 40,000 from the Punjab Government in 1926 as *taccari* loan and has again this year applied for a loan of Rs. 30,000 ;
- (b) the objects for which this loan of Rs. 40,000 was advanced ;
- (c) whether the objects for which this loan of Rs. 40,000 was advanced have been fulfilled ;
- (d) whether it is a fact that the whole of the estate of the said Chaudhri Abdul Rahman Khan of Rahon is in security with the Punjab Government for the payment of the loan of Rs. 40,000 advanced in 1926 ;
- (e) the objects for which the loan of Rs. 30,000 being asked for this year is required ;
- (f) the security which is being tendered in order to secure the loan of Rs. 30,000 being asked for this year ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Chaudhri Abdul Rahman was granted *taccari* Loan as follows :—

Rs. 10,000 0 0 on 1st November, 1926.

Rs. 10,731 4 0 on 17th October, 1929.

Rs. 10,000 0 0 on 7th May, 1930.

Rs. 10,000 0 0 on 1st August, 1930.

Total .. 40,731 4 0

No application for a further loan has been received from him.

(b) For purchasing an engine and for the construction of a pacca water channel.

(c) The engine was purchased. Out of a proposed 4 miles pacca channel, 1½ miles only was constructed.

(d) Yes.

(e) } Do not arise.
(f) }

RIOT AT SAIDPUR.

***5842. Chaudhri Allad Dad Khan :** Will the Honourable Finance Member please state—

(a) whether he is aware that a serious riot occurred at the Saidpur village in the Ambala district on the occasion of the last Bakr-Id festival, between the Muslims of the village and the Hindus of the surrounding villages ;

(b) how many Hindus and Muslims were wounded in the above-mentioned riot ;

(c) whether the riot was the result of a pre-arranged conspiracy ;

(d) if the answer to (c) is in the affirmative, what villages were concerned in the conspiracy ;

(e) if the answer to (c) is in the affirmative, why the local officials did not take precautionary measures ;

(f) what action Government intends to take to prevent recurrence of such incidents in that village ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Seven Muslims injured.

(c) No.

(d) and (e). Do not arise.

(f) The local leaders of the communities have now effected a compromise, and no further trouble is anticipated.

RIOT AT SAIDPUR.

***5843. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

(a) whether the news that Hindus had collected near Saidpur village in the Ambala district on the day of the last Bakr-Id festival, was conveyed to the police station at Kharar a few hours before the riot took place there ;

(b) if the answer to (a) is in the affirmative, what action was taken by the police officials at Kharar ?

The Honourable Sir Donald Boyd : (a) No.

(b) Does not arise.

NEKOKARAS OF JHELM DISTRICT.

*5844. **Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member be pleased to state—

(a) whether the attention of Government has been drawn to the fact that the judgment referred to in part (b) of starred question No. 5480 and the answer thereto, has been treated to be of no force in many subsequent judgments and particularly in civil suit No. 69 of 1936, Jhelum district, decided by Mian Wahid Ali, Sub-Judge, 1st Class, on 4th May, 1936, and which has been upheld in appeal by D. Falshaw, Esq., District Judge, on 18th August, 1936 ;

(b) whether Government is aware that the *Nekokaras* of Jhelum district have been held by civil courts in the following cases, besides others not to be a sub-caste of Qureshis and declared as non-agriculturists ;

Case No.	Date of decision.	Authority deciding.	Names of parties.
250 of 1919 ..	5th February, 1920	Mr. C. L. Dundas, District Judge, Jhelum.	Ali Shah <i>versus</i> Ladha Ram, &c.
Reference No. 5 of 1921.	10th June, 1921..	Honourable Mr. Justice Martineau, Judge, High Court.	Ladha Ram <i>versus</i> Ali Shah.
Reference No. 21 of 1921.	9th November, 1921.	Honourable Mr. Justice Chevis, Judge, High Court.	Jiwan Shah <i>versus</i> Thakar Das, &c.
59/35 of 1931 ..	4th July, 1931 ..	Mr. E. C. Marten, District Judge, Jhelum.	Jamal Shah Kamal Shah <i>versus</i> Barkat Ram, &c.
No. 3 of 1931 ..	21st April, 1931..	F. S. Saad-ud-Din, Senior Sub-Judge, Jhelum.	Sawan Shah <i>versus</i> Firm Lakhmi Dass Gurditta Mal.
Appeal No. 536 of 1931.	17th October, 1931	Honourable Mr. Justice Agha Haider, Judge, High Court.	Sawan Shah <i>versus</i> Firm Lakhmi Dass Gurditta Mal.
106 of 1932 ..	20th February, 1933.	Sardar Sahib Sardar Hukam Singh, District Judge, Jhelum.	Nader Shah, Sawan Shah <i>versus</i> Thakar Dass.
12 of 1932 ..	19th May, 1932 ..	Lala Shankar Das, Senior Sub-Judge, Jhelum.	Firm Lakhmi Dass, Gurditta Mal <i>versus</i> Ahmad Shah Umar Shah.
..	5th June, 1934 ..	S. Gurcharan Singh, Sub-Judge, Pind Dadan Khan.	Lakhmi Dass, &c., <i>versus</i> Jiwan Shah.
Civil Appeal No. 153 of 1935.	17th December, 1935.	Mr. D. Falshaw, District Judge, Jhelum.	Ali Shah <i>versus</i> Lakhmi Dass, &c.
Civil Case No. 69 of 1936.	4th May, 1936 ..	Mian Wahid Ali, Sub-Judge, 1st Class, Jhelum.	Haider Shah, &c. <i>versus</i> Secretary of State.
Civil Appeal ..	18th August, 1936	Mr. D. Falshaw, District Judge, Jhelum.	Haider Shah, &c. <i>versus</i> Secretary of State.

- (c) whether Government still proposes to confer upon the Nekokaras of the Jhelum district the status of statutory agriculturists ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

- (a) Yes.
(b) Yes.
(c) Not as at present advised.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Is it a fact that the Nekokaras are notified as an agriculturist tribe in many other districts of the Punjab, and that they mainly depend on agriculture ? If so, why have they not been notified as agriculturists in the Jhelum district ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I require notice of the question.

LAND OWNED BY *PIR NEKOKARAS* IN JHELUM DISTRICT.

***5845. Rai Bahadur Mr. Mukand Lal Puri :** Will the Hon'ble Revenue Member please state—

- (a) the total population of *Pir Nekokaras* in Jhelum district and the number of persons from amongst them who own land ;
(b) whether it is a fact that these *Pir Nekokaras* form a very insignificant portion of the population of the villages in which they live, except in one very small village ;
(c) how many of them cultivate their lands with their own hands and what is its area ;
(d) whether it is a fact that their main occupation is *Piri Muridi* ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

- (a) Total population 379
Number of *Pir Nekokaras* who own land .. 105

- (b) They form 11·4 per cent of the population in the particular villages in which they live.
(c) 105. The area is 326 acres.
(d) No.

BENAMI MUTATIONS IN ROHTAK DISTRICT.

***5846. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether an article entitled " Worthy of the attention of the Deputy Commissioner and other Revenue officials " published in the *Rajput* newspaper of Rohtak, of the 15th July, 1936, page 9, column 2, stating that a large number of *benami* mutations of sale and mortgage of land has been sanctioned in the Kahnai village of the Rohtak district, has come to the notice of the Government ;
(b) how much land has passed into the hands of the non-agriculturists in *benami* mutations in the village in (a) ;

- (c) whether he is aware that there are a large number of *benami* transactions of sale and mortgage of land in all the districts of the Punjab;
- (d) if the answer to (b) shows a very large amount of land, what action Government intends to take in the matter;
- (e) if the answer to (c) be in the affirmative, what action Government intends to take in the matter?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Yes, through the question under reply.

(b) Enquiries are being made and the result will be communicated to the honourable member in due course.

(c) *Benami* transactions have occurred in several districts of the province but they are not widespread.

(d) Does not arise.

(e) Whenever a *benami* transaction comes to notice it is dealt with in accordance with the rules. No further action seems necessary at present.

Chaudhri Allah Dad Khan : Will the Honourable Member kindly give us an idea of what those rules are?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I am afraid I cannot give them off hand. If the honourable member will give notice of the question, I will let him know.

Khan Bahadur Malik Zaman Mehdi Khan : When the Honourable Member has referred to the rules, he ought to know what those rules are?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Does the honourable member expect me to keep all the rules in my head?

Khan Bahadur Malik Zaman Mehdi Khan : You ought to have at least brought them with you.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Why?

Mr. President : There should be no argument.

BENAMI TRANSACTIONS IN AMBALA DISTRICT.

***5847. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) how many *benami* transactions were reported to the Deputy Commissioner, Ambala, during the year from 1st June, 1935, to 31st May, 1936, by the tahsildars and naib-tahsildars of Ambala district, for taking action;
- (b) in how many reports in (a) the Deputy Commissioner took action and with what result;
- (c) if the answer to (b) shows the number to be almost negligible, what are the reasons therefor?

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

(b) None.

(c) Want of adequate proof.

CHARGES AGAINST SHAIKH RAHMAT ELAHI, MEMBER, MUNICIPAL COMMITTEE, RUPAR.

***5848. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government please—

- (a) lay on the table an English copy of the special resolution passed by the Municipal Committee, Rupar, on 5th January, 1930, in connection with certain vouchers and accounts (1st January, 1919 to 31st December, 1928) passed by Shaikh Rahmat Elahi, with a copy of the report of Sardar Kartar Singh, special auditor, and the nature of the action taken by the Government in this matter;
- (b) lay on the table a copy of resolutions Nos. 4, 5 and 6, dated 28th June, 1932, passed by the Municipal Committee, Rupar, in connection with certain charges against Shaikh Rahmat Elahi, Member, Municipal Committee, Rupar;
- (c) (i) state whether orders of the Deputy Commissioner and the Commissioner, Ambala, in the above resolutions have come to his notice; if so, whether any action was taken against Shaikh Rahmat Elahi under section 168, Indian Penal Code; if not, why not;
- (ii) state whether it is a fact that he was given chance to resign from membership of the municipal committee;
- (iii) state whether it is also a fact that he resigned the membership and that in his place his real brother Shaikh Ihsan Elahi was elected;
- (iv) state the date of resignation and the date of acceptance of resignation of Shaikh Rahmat Elahi by the Government;
- (v) state the order of the Government regarding his resignation;
- (vi) state the date of the re-election of Shaikh Rahmat Elahi to the Municipal Committee after the acceptance of his resignation?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) Copies of required documents are laid on the table¹. On the report of the special auditor Government took up the question of Shaikh Rahmat Elahi's removal from membership of the Committee.

(c) (i) The honourable member, when using the word 'orders' is perhaps referring to the reports of the Deputy Commissioner and Commissioner, Ambala. If so, the answer is in the affirmative. Shaikh Rahmat Elahi was not prosecuted under section 168, Indian Penal Code, as Government were advised that the prosecution could not be successful.

(ii) Yes.

(iii) Yes.

(iv) The resignation, dated the 29th May, 1933, was accepted by the Commissioner on the 9th June 1933.

(v) The orders on the resignation were passed by the Commissioner and not by Government.

¹Kept in the Council Library.

(vi) 19th April 1934.

Chaudhri Allah Dad Khan : With reference to answer to (c) (i) and (iv) what are the reasons why Government were advised that the prosecution could not be successful and the resignation was accepted?

The Honourable Dr. Sir Gokul Chand Narang : The case was not considered fit for a more serious punishment.

SHAIKH RAHMAT ELAHI, SENIOR VICE-PRESIDENT, OF THE MUNICIPAL COMMITTEE, RUPAR.

***5849. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government, please state—

- (a) the dates on which Shaikh Rahmat Elahi was elected Senior Vice-President of the Municipal Committee, Rupar, since 1919 up to the date of his resignation and the dates of such election after his resignation in 1933-34 up to the 31st March, 1936;
- (b) the reasons why Shaikh Rahmat Elahi was asked to submit his resignation; and whether he was again elected as a member;
- (c) what action was taken or is intended to be taken against him?

The Honourable Dr. Sir Gokul Chand Narang : (a) Dates of election of Shaikh Rahmat Elahi as Senior Vice-President of the Rupar Municipal Committee—

Since 1919 to 29th May, 1933. From 30th May 1933 to 31st March 1936.

14th April 1919.

29th May 1934.

3rd May 1920.

1st June 1935.

26th May 1921.

6th May 1922.

26th April 1923.

22nd April 1924.

11th April 1925.

25th March 1927.

(b) The charges were old and hence Government considered it advisable to give the member the option of resigning. He was again elected as a member.

(c) It is not intended to take any further action against him.

PANCHAYATS IN RUPAR AND KHARAR TAHSILS, DISTRICT AMBALA.

***5850. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government please lay on the table a statement showing the names, places, villages and jurisdiction of the panchayats as it stood on the 31st March 1916, 1919, 1923 and the 31st, March, 1935 in Rupar and Kharar tahsils, district Ambala?

The Honourable Dr. Sir Gokul Chand Narang : There were no panchayats in the Kharar and Bupar tahsils in the years 1916, 1919 and 1928. A statement giving the required information in respect of panchayats existing on the 31st March, 1935, is laid on the table.

Statements showing the names, places, villages and jurisdiction of the Panchayats in the Kharar and Bupar tahsils of the Ambala District, as it stood on 31st March, 1935.

Serial No.	Name of Panchayat.	Name of place.	Name of village.	Jurisdiction.
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BUPAR TAHSIL.

1	Charrian ..	Charrian ..	Charrian ..	Revenue estate of village Charrian.
2	Chamkaur ..	Chamkaur ..	Chamkaur ..	Revenue estate of village Chamkaur.
3	Chaklan ..	Chaklan ..	Chaklan ..	Revenue estate of village Chaklan.
4	Kainaur ..	Kainaur ..	Kainaur ..	Revenue estate of village Kainaur.
5	Bela ..	Bela ..	Bela ..	Revenue estate of village Bela.
6	Purkhali ..	Purkhali ..	Purkhali ..	Revenue estate of village Purkhali.
7	Mianpur ..	Mianpur ..	Mianpur ..	Revenue estate of village Mianpur.
8	Mundian ..	Mundian ..	Mundian ..	Revenue estate of village Mundian.
9	Rasulpur ..	Rasulpur ..	Rasulpur ..	Revenue estate of village Rasulpur.
10	Lutheri ..	Lutheri ..	Lutheri ..	Revenue estate of village Lutheri.
11	Zindanpur ..	Zindanpur ..	Daudpur Khurd, Zindanpur and Malawal.	Revenue estate of villages Daudpur Khurd, Zindanpur and Malawal.
12	Bhoje Majra ..	Bhoje Majra ..	Bhoje Majra ..	Revenue estate of village Bhoje Majra.

KHARAR TAHSIL.

1	Mullanpur Garib-Dass.	Mullanpur Garib-Dass.	Mullanpur Garib-Dass.	Revenue estate of village Mullanpur Garib-Dass.
2	Sohana ..	Sohana ..	Sohana ..	Revenue estate of village Sohana.

Serial No.	Name of Panchayat.	Name of place.	Name of village.	Jurisdiction.
KHARAR TAHSIL—continued.				
3	Mubarikpur ..	Mubarikpur ..	Mubarikpur ..	Revenue estate of village Mubarikpur.
4	Landran ..	Landran ..	Landran ..	Revenue estate of village Landran.
5	Ohhapper Ghiri ..	Ohhapper Ghiri ..	Ohhapper Ghiri ..	Revenue estate of village Ohhapper Ghiri.
6	Sowara ..	Sowara ..	Sowara ..	Revenue estate of village Sowara.
7	Saidpur ..	Saidpur ..	Saidpur ..	Revenue estate of village Saidpur.
8	Dhanas ..	Dhanas ..	Dhanas ..	Revenue estate of village Dhanas.
9	Rudiala ..	Rudiala ..	Rudiala ..	Revenue estate of village Rudiala.
10	Singhpura ..	Singhpura ..	Singhpura ..	Revenue estate of village Singhpura.
11	Rurkee (Parao) ..	Rurkee (Parao) ..	Rurkee (Parao) ..	Revenue estate of village Rurkee (Parao).
12	Dusarna ..	Dusarna ..	Dusarna ..	Revenue estate of village Dusarna.
13	Khuni Majra ..	Khuni Majra ..	Khuni Majra ..	Revenue estate of village Khuni Majra.
14	Bhankerpur ..	Bhankerpur ..	Bhankerpur ..	Revenue estate of village Bhankerpur.

**CO-OPERATIVE SOCIETIES IN RUPAR AND KHARAR TAHSILS,
DISTRICT AMBALA.**

***5351. Chandhri Allah Dad Khan :** Will the Honourable Minister for Agriculture please lay on the table a statement of societies registered under the Co-operative Societies Act from time to time with full names, kinds, dates of their registration and localities where they are situated, as it stood on the 31st March, 1916, 1919, 1923 and the 31st March, 1935, in Rupar and Kharar tahsils, district Ambala?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.¹

PROFESSOR OF HISTORY, GOVERNMENT COLLEGE, LAHORE.

***5852. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please state—

- (a) whether his attention has been drawn to the advertisement issued by the Public Service Commission (India), published in the *Civil and Military Gazette*, dated the 2nd August, 1936, for filling up the vacancy of Professor of History in the Government College, Lahore, and the comments thereon by the *Tribune*, in its issue of the 25th August, 1936 ;
- (b) whether Government was consulted about the draft advertisement before it was issued ;
- (c) whether necessary qualifications of candidates to fill up the vacancy were laid down with his approval and consent ;
- (d) whether any mention of possession of high Indian qualifications was made in the advertisement ;
- (e) the reasons why commissioned service in the Territorial Force is prescribed in the advertisement ;
- (f) whether Indians with high British academic qualifications in History, holding Commissions in Territorial Force are available in the country ;
- (g) whether it is the intention that Indians may be excluded from consideration for the post advertised ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) Yes.

(c) Yes.

(d) No.

(e) The Government College has a Company in the University Training Corps.

(f) Government has no knowledge whether or not this is so.

(g) No.

The honourable member may be interested to know that the post has been readvertised with an advertisement omitting all reference to athletic qualifications and Commissioned service and that the Public Service Commission will recruit in accordance with the terms of the revised advertisement.

UNIVERSITY LAW COLLEGE, LAHORE.

***5853. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state in respect of the University Law College, Lahore—

- (a) the total number community-wise of full-time readers and part-time readers and part-time lecturers respectively, specifying for each community the total number of those who belong to notified agriculturist tribes ;
- (b) similar figures for all the administrative appointments in the said Law College ?

The Honourable Chaudhri Sir Shahab-ud-Din : A statement showing the requisite information is laid on the table.

*Statement regarding present staff of the University Law
College, Lahore.*

TEACHING STAFF.

	Hindus.	Muslims.	Sikhs.	Christians.	Parsis.
Whole-time Readers	2	2	..	..	..
Part-time Readers	2	2	..	..	1
Part-time Lecturers	10	7	2	1	..

Out of 29 Lecturers, the number of Hindu agriculturists is one and of Muhammadans is seven.

ADMINISTRATIVE STAFF.

Principal Hindu Non-Agriculturist.

LICENCES FOR ARMS.

***5854. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- whether it is a fact that the Deputy Commissioner, Karnal, issued a letter in 1985 to the effect that unless a licence for *shikar* is obtained, when applying for renewal of a licence for arms, it will be carefully considered if it should be renewed or not ;
- whether it is a fact that a number of licences for arms, not accompanied by an application for a *shikar* licence, were refused for 1986 by the said Deputy Commissioner ;
- the reasons assigned in each case for the refusal of the renewal of licences for arms referred to in (b) ;
- the period for which the respective licences referred to in (b) had been in possession of the licencees ;
- whether the Deputy Commissioner issued the letter referred to in (a) under instructions from the Government ;
- if the answer to (e) be in the negative, what action the Government intends to take in the matter ?

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

(b) and (c) The renewal of seven licences was refused on the ground that the holders had not taken out shooting licences.

Hon. Sir Sikander Hyat-Khan.]

(d) One of the licencees had held his licence from a date prior to 1920, the others for periods ranging from five to fifteen years.

(e) No.

(f) None. It is understood that the Deputy Commissioner has now made it clear that his instructions do not relate to arms held for purposes other than sport.

STAFF IN THE EDUCATION DEPARTMENT, AMBALA DIVISION.

***5855. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state—

(a) whether an article entitled "the Staff in the Education Department in the Ambala Division," published at page 7 of the *Inqilab* newspaper, dated the 12th August, 1936, has come to the notice of the Government (Ministry of Education);

(b) why the officer referred to therein has been allowed a free hand in the appointments referred to in the article?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) The permanent appointments of officials are made by the Director of Public Instruction and not by divisional inspectors.

POSTS FOR PROVINCIAL EDUCATIONAL SERVICE, CLASS I.

***5856. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

(a) whether it is a fact—

(i) that the Government has provided 27 posts for the Provincial Educational Service, Class I;

(ii) that for all these posts the distribution is as follows :—

(i) Principal and professors of the Government College, Lahore 11

(ii) Director of Public Instruction and his office 5

(iii) Principal and professors of the Central Training College, Lahore 8

(iv) Inspectors and Deputy Inspectors of Schools 6

(v) Principals of mufassil colleges 2

(c) that the number of posts meant for the principals of mufassil colleges is comparatively less than that for the other cadres;

(d) if so, what he proposes to do in the matter of bringing the cadre of principals to the level of other cadres?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) (i) Yes.

(ii) Yes.

(iii) Yes.

(iv) Yes.

(v) Yes.

(c) (i) & (ii). The post of Deputy Inspector of Schools, Lahore division, in P. E. S. (Class I) has been converted into the post of Principal, Government Intermediate College, Dharmasala, in P. E. S. (Class I). Early next year the posts of Principals, Emerson College, Multan, and deMontmorency College, Shahpur, will be included in the P. E. S. (Class I).

COMMUNAL REPRESENTATION IN THE STAFF OF MUFASSIL COLLEGES.

***5857. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education please state—

- (a) the number of teachers, lecturers and professors in the mufassil colleges communitywise ;
- (b) whether the proportion of Muslim principals and the staff is according to their prescribed proportion in all the colleges ;
- (c) if the answer to (b) be in the negative, the reasons why no steps have been taken so far to give to the Muslim community what is due to them ;
- (d) what action Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The honourable member is referred to Punjab Half-Yearly Civil List corrected up to 1st July, 1936, and the Subordinate Educational Service gradation list (Part A) corrected up to 1st April, 1936, copies of which are in the Council Library.

(b) No prescribed proportion is maintained as many factors have to be taken into consideration when filling the post of principal of a college.

(c) and (d) Do not arise.

COMMUNAL REPRESENTATION IN GAZETTED OFFICERS IN VARIOUS DEPARTMENTS OF GOVERNMENT.

***5858. Khwaja Muhammad Euseof :** Will the Honourable Minister for Local Self-Government please state—

- (a) the number of gazetted officers in various departments under him communitywise ;
- (b) whether the proportion of Muslim representation in these departments is properly safeguarded or not ;
- (c) if not, what special measures he proposes to increase the Muslim representation in these departments ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The honourable member is referred to the consolidated statements published at the end of each year.

(b) & (c). The attention of the honourable member is invited to the policy of Government stated by the Honourable Finance Member in a debate in the Punjab Legislative Council on the 19th July, 1927.

INSPECTOR OF SCHOOLS, JULLUNDUR DIVISION.

***5859. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that Mr. Barnes, Inspector of Schools, Jullundur division, is transferred as Principal, Government College, Dharamsala ;
- (b) whether it is a fact that a Sikh or a Hindu inspector is being posted in the Jullundur division ;
- (c) whether it is a fact that for the last 20 years the charge of the education of this division has, with the exception of a few months, been held by non-Muslims ;
- (d) what he proposes to do in the matter of filling the post of the Inspector of Schools, Jullundur division ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) No.

(c) No.

(d) Such posts are filled in accordance with the interests of the public service.

COMMUNAL REPRESENTATION IN PROVINCIAL EDUCATIONAL
SERVICE, CLASS I.

***5860. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that during the year 1936 a few posts in the Provincial Educational Service, Class I, have fallen vacant ;
- (b) whether it is a fact that two of these posts have been given to the Hindus ;
- (c) whether it is a fact that no post has been given to any senior Muslim of Provincial Educational Service, Class II ;
- (d) whether it is a fact that there are many efficient and capable Muslim candidates available at present to hold charge of such posts ;
- (e) whether it is a fact that the proportion of the Muslim community in the Provincial Educational Service, Class I, has considerably gone down ;
- (f) if so, what he intends to do in the matter of safeguarding the proportion of the Muslim community in the cadre of Class I, Provincial Educational Service ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) Yes.

(c) No. Two posts have been given to Muslims.

(d) Does not arise.

(e) No.

(f) Does not arise.

STRIKE OF MOTOR DRIVERS ON KALKA-SIMLA ROAD.

***5861. Khwaja Muhammad Eusoof :** Will the Honourable Revenue Member kindly state—

- (a) whether there has been a strike of motor drivers on Kalka-Simla road recently and the causes of the strike ;
- (b) whether an independent enquiry was instituted to investigate into the matter ;
- (c) if so, whether he will lay on the table the findings of the committee formed in connection therewith ;
- (d) what steps have been taken by the Government to remove the grievances of the motor drivers in question ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) The motor car owners and drivers at Kalka were on strike from the 26th to the 29th August last in connection with certain alleged grievances relating to the parking of vehicles outside the railway station.

(b) and (c) No inquiry committee was formed. The matter was investigated by the Assistant Inspector-General of the Government Railway Police and the Deputy Commissioner, Ambala.

(d) The officers mentioned were able to settle the matter, and it was not necessary for Government to issue any orders.

RECRUITMENT IN THE EDUCATION DEPARTMENT, AMBALA DIVISION.

***5862. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the names of many qualified Muslim candidates are registered for appointment in the Education Department in the Ambala division ;
- (b) how many of them are (i) M.A. B.Ts., (ii) M.Sc., B.Ts and (iii) B.A., B.Ts ;
- (c) how many of them have applied for clerical jobs in the Education Department ;
- (d) the number of various Muslim candidates with their qualifications, date of registration of their names, the period of their candidature and the temporary chances offered to them ;
- (e) whether it is also a fact that many of them have worked in various officiating capacities more than once but were ignored when permanent posts were filled ;
- (f) the qualifications of the non-Muslim candidates, with dates of registration of their names and the period of their officiating tenure ;
- (g) how many Muslims are superior in qualifications and senior by order of merit to those non-Muslims who have been appointed ;
- (h) the reasons of giving preference to the non-Muslims, while making permanent appointments, when qualified and capable Muslim candidates were available ;

Khwaja Muhammad Eusoof.]

- (g) the proportion of various communities that the Government has fixed for recruitment in the Education Department ;
- (j) whether this proportion is kept in view ; if not, the special reasons for ignoring the strict Government instructions on this point ;
- (k) the reasons why the Divisional Inspector, Ambala, has not observed the Government instructions laid down for the purpose of recruitment ;
- (l) what disciplinary measures does he propose to take against the officer concerned ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) to (l) Government do not consider that it is in the public interest to collect information of the kind required by the honourable member, in view of the time and expense it would involve.

HEAD CLERKS OF CIVIL SURGEONS' OFFICES.

***5863. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Medical Department framed its policy that no head clerk of a civil surgeon's office should remain attached to the district of his residence and in any case all such head clerks be moved from one district to another after a period of five years or so ;
- (b) whether it is a fact that a number of head clerks have been stationed at their respective stations for more than five years ;
- (c) if the answers to (a) and (b) be in the affirmative, the circumstances of each of such cases be stated, and a list giving the names of all head clerks who have been in charge of one and the same station respectively for more than five years contrary to Government orders and showing the place of their residence with dates of holding charge of the present stations be laid on the table ;
- (d) the reasons for granting extensions to the head clerks in the Medical Department ? How many of them are enjoying extensions at the present time and whether Government intends to grant them further extensions ;
- (e) the circumstances which led the Government to grant extensions and the amount of loss to the Government owing to these extensions ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No.

(b) Some 11 head clerks have remained in charge of districts other than their home districts for more than 5 years ;

(c) Does not arise ;

(d) and (e). Ministerial Government servants are ordinarily retained in service if they continue to be efficient up to the age of sixty. Five head

clerks are at present on extension. Government intends to let this practice continue in future. In view of the provisions of article 427, Civil Service Regulations, the question of loss caused to Government does not arise.

HEAD CLERKS OF CIVIL SURGEONS' OFFICES.

***5864. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Medical Department framed its policy that no head clerk of a civil surgeon's office should remain attached to the district of his residence and in any case all such head clerks be moved from one district to another after a period of five years or so ;
- (b) if so, whether a list of all the head clerks in charge of one and the same station for more than five years contrary to Government orders will be laid on the table showing—
 - (i) the districts to which they are attached ;
 - (ii) the dates since when they are attached to those districts ;
 - (iii) the circumstances under which they are stationed contrary to Government orders ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No.

(b) Does not arise.

HEAD CLERKS OF THE MEDICAL DEPARTMENT.

***5865. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Government restricted the extension to be given in the case of the head clerks of the Medical Department in service after the age of 55 years on the basis of economy and unemployment ;
- (b) whether it is a fact that in spite of these orders extensions are being given ;
- (c) if the answers to (a) and (b) be in the affirmative, the reasons for giving such extensions ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No.

(b) & (c). Do not arise.

TAORO-REWARI ROAD.

***5866. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture kindly state as to how much time the Taoro-Rewari road will still take to be completed ?

The Honourable Sardar Sir Jogendra Singh : The completion of the Taoro-Rewari road will take approximately another six months.

APPROACH ROAD BETWEEN THE TERMINUS OF THE TAORO-REWARI
ROAD AND THE RAILWAY STATION.

***5867. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) what arrangements are being made for the improvement of the approach road between the terminus of the Taoro-Rewari road and the railway station or the Government rest-house ;
- (b) whether it is a fact that the Municipal Committee, Rewari, has no funds to undertake the construction of this approach road ;
- (c) if so, whether Government proposes to take charge of the same in the interest of public convenience ?

The Honourable Sardar Sir Jogendra Singh : (a) The approach road referred to by the honourable member is in charge of the Municipal Committee, Rewari, and Government is not therefore directly concerned.

(b) The President of the Municipal Committee has stated that the present state of the municipal funds does not permit of the work being undertaken by the Municipal Committee.

(c) No application has yet been made to Government by the Committee requesting the transfer. If one is received, it will be considered on its merits.

ROADS UNDER THE MUNICIPAL COMMITTEE, REWARI.

***5868. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state as to how much money the Municipal Committee, Rewari, has spent upon roads for the last twenty years and the total area under roads.

The Honourable Dr. Sir Gokul Chand Narang : The Municipal Committee of Rewari has spent a sum of Rs. 80,000 upon roads during the last 20 years and the total length under roads is 6 miles metalled and 8 miles unmetalled.

DRAINAGE SCHEME IN REWARI.

***5869. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state at what stage the drainage scheme in Rewari is at present ?

The Honourable Chaudhri Sir Shahab-ud-Din : Rewari Drainage (Gokal Bazar area) Scheme was considered by the Sanitary Board in 1928 but the allocation of funds was deferred till the Committee should submit satisfactory proposals regarding the manner in which they should meet their share of the cost.

The proposals were submitted by the Municipal Committee in January 1935, but they were returned to the Committee as no funds were then available.

The scheme was again received in the Office of the Sanitary Board, with a request for grant-in-aid, on 26th August, 1936, and will be considered at the next meeting of the Board.

GRANT-IN-AID FOR THE GOKAL BAZAR AREA, REWARI.

***5870. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that a grant-in-aid worth about a sum of Rs. 89,984 sanctioned by the Sanitary Board for the Gokal Bazar area has not been availed of by the Municipal Committee, Rewari ;
- (b) if so, why ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No such grant-in-aid was made by the Sanitary Board to the Municipal Committee, Rewari.

- (b) Does not arise.

SANITATION OF REWARI.

***5871. Lala Jyoti Prasad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the number of cases of season fevers has very greatly increased in Rewari, after the completion of the pipe-water supply ; if so, in what percentage ;
- (b) whether it is a fact that no surface drains have been provided for the disposal of waste water and that it flows into the streets rendering the surroundings insanitary ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) There is no reliable evidence available of increase in seasonal fevers in Rewari after the completion of the piped water supply.

(b) Over 250 cess-pools and about 600 absorption pits are provided for the collection and disposal of waste water. In some places drains exist but they are of an unsatisfactory type.

REWARI WATER-WORKS.

***5872. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) the result of the rectification of the defects in the wells undertaken some six months ago by the Municipal Committee, Rewari, and its cost ;
- (b) if the result is satisfactory, whether the Government still insists upon shifting the water-works from its present site ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No defects in wells were rectified but certain of the foot valves on the suction mains were not working properly and were rectified early in 1936 at a very small cost under advice of the Superintending Engineer, Public Health Circle, Punjab.

(b) As a result of rectification of foot valves, the discharge pumped has improved considerably. The water is somewhat brackish and the supply deficient.

The question of shifting the Water-works will be considered when a suitable site for new Water-works is found : experimental boring done with the object of finding a site has so far been unsuccessful.

UNSTARRED QUESTIONS AND ANSWERS.

1385. *Cancelled.*

SHAMSHAD HUSSAIN, GOVERNMENT PRESS.

1386. **Chaudhri Allah Dad Khan** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that one Shamsbad Husain, son of the General Foreman of the Punjab Government Press, was dismissed on account of misconduct by the present Superintendent, Government Printing, Punjab, in 1928 ;
- (b) whether it is a fact that he has been re-employed in the Government Press ;
- (c) if the answers to parts (a) and (b) are in the affirmative, the special reasons for the re-appointment of this person ?

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

(b) Yes.

(c) In view of his father's faithful and long services Shamsbad Hussain was re-employed by the Superintendent, Government Printing, Punjab, on the temporary establishment as his dismissal from a temporary post for a youthful indiscretion did not debar him from being re-employed in Government service.

1387—91. *Cancelled.*

SUB-REGISTRARS, RUPAR.

1392. **Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government please lay on the table a statement showing the names of the Sub-Registrars, Rupar, who held charge of this post from 1910 to 1936, showing—

- (i) the period of service of each of them ; and
- (ii) the community to which each of them belonged ?

The Honourable Dr. Sir Gokul Chand Narang : A statement is laid on the table.

Statement showing the names of the Sub-Registrars, Rupar, who held charge of this post from 1910 to 1936.

No.	Names.	Period of service.	Community to which he belonged.	REMARKS.
1	Sardar Bahadur Sardar Partab Singh. Tahsildar (Joint Sub-Registrar).	1st September, 1910, to 16th August, 1913. 17th August, 1913, to 23rd April, 1914.	Sikh ..	Honorary Sub-Registrar. <i>Vacant.</i>
2	Khan Sahib S. Bashir Hussain. Tahsildar (Joint Sub-Registrar).	24th April, 1914, to 18th December, 1914. 19th December, 1914, to 2nd January, 1915.	Muslim Syed ..	Honorary Sub-Registrar. <i>Vacant.</i>
3	Chaudhri Ganga Bishan	3rd January, 1915, to date.	Hindu, Jat..	Departmental Sub-Registrar.

SUB-REGISTRARS, RUPAR.

1393. Chaudhri Allah Dad Khan : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that not a single Muslim has been appointed to the post of Sub-Registrar, Rupar, during the period 1910—1936 ;
- (b) whether the Government is aware that the Anjuman-i-Islamia, Rupar sub-division—
 - (i) brought this fact to the notice of the authorities,—vide its Resolution No. 64, dated 18th September, 1934, and Resolution No. 85, dated 22nd August, 1935 ;
 - (ii) requested the authorities to appoint a Muslim to this post when the occasion arose for a new appointment ;
 - (iii) gave a list of six Muslim candidates suitable for this purpose ;
- (c) what considerations generally weigh with the Government in making such appointments ;
- (d) whether the respective claims of various communities are duly taken into consideration in making such appointments ?

The Honourable Dr. Sir Gokul Chand Narang : (a) No. Khan Sahib Sardar Bashir Husain held the post of Sub-Registrar, Rupar, from the 24th April to 18th December, 1914.

(b) (i) Yes.

(ii) Yes.

(iii) Yes.

(c) The attention of the honourable member is invited to the instructions laid down in paragraph 7 (1) of the Punjab Registration Manual.

(d) Yes.

SUB-REGISTRAR, RUPAR.

1394. Chaudhri Allah Dad Khan : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Sub-Registrar, Rupar, was about to retire in April, 1936 ;
- (b) whether any extension has been granted to the present incumbent ;
- (c) the period of extension so granted ;
- (d) if the answer to (b) above is in the affirmative what were the reasons which led the Government to grant this extension ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes! Chaudhri Ganga Bishan, Sub-Registrar of Rupar was to retire in March, 1936.

(b) Yes.

(c) One year.

(d) Under paragraph 25 of the Punjab Registration Manual a Sub-Registrar can be retained in service upto the age of 60 years provided he continues to be efficient. As Chandhri Ganga Bishan fulfilled the requisite conditions an extension was granted.

PUNJAB RELIEF OF INDEBTEDNESS ACT.

1395. Pir Akbar Ali : Will the Honourable Finance Member kindly state in how many districts the local Government has been pleased to extend part II (Insolvency procedure) of the Punjab Relief of Indebtedness Act, 1934, with the dates of introduction in each such district ?

The Honourable Sir Donald Boyd : The provisions of Part II of the Act have not yet been extended to any area in the province.

DAMAGE TO KHARIF CROPS AND PROPERTY IN FEROZEPUR DISTRICT.

1396. Pir Akbar Ali : Will the Honourable Revenue Member kindly state—

- (a) whether there is a *bund* running along the river in the Ferozepur district from Head Ferozepur to Sulemanke Head ;
- (b) if the answer to (a) be in the affirmative, whether recently there occurred breaches in the said *bund* in the areas of villages Hazara Ram Singh and Shahbazke ;
- (c) whether it is a fact that owing to the abovementioned breaches extensive damage was done to the standing *kharij* crops like cotton, paddy, *chari*, etc., in the villages of Hazara, Fattuwalla, Chak Ghariba, Sandal, Lobhan Khurd, Gholia, Tahlwala, Bhamba Watti Hittar, Jalla, Lakheke Hittar, Lakheke, Jamal, Ladhuke, etc. ;
- (d) whether it is a fact that by water action some wells and buildings erected on wells have also been rendered useless ;
- (e) whether it is a fact that the *patwaris* are preparing papers to levy penal rates on the areas which have been subject to water action owing to the abovementioned breaches ;
- (f) what steps Government has taken to give adequate relief to the people whose *kharij* crops have been damaged and who have suffered losses otherwise ?

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

(b) During the last flood season the *bund* breached at certain points, but these breaches are suspected to have been made by the zamindars themselves for the irrigation of their land. The matter is under enquiry by the Police department.

(c) The area in which the property was damaged was about 115 acres in the canal-irrigated area and 29 acres in non-canal-irrigated area. About 1,363 acres *barani* area was benefitted by the flood water.

(d) Two katcha wells and one katcha house are reported to have been damaged.

(e) No penal rates are proposed to be levied.

(f) Government is not responsible for this damage as the cuts are believed to have been made by the villagers themselves; moreover, the damage would have occurred in any case and to a much larger extent if there had been no bund as the area was subject to floods before the protective bund was constructed.

CO-OPERATIVE CREDIT SOCIETY, MONTGOMERY CITY.

1397. Maulvi Mazhar Ali Azhar : Will the Honourable Minister for Agriculture kindly state —

(a) whether it is a fact that the Inspector of Co-operative Societies, Montgomery, inspected the Co-operative Credit Society, Montgomery City, on the 25th July, 1936;

(b) whether it is a fact that members of the said society according to their resolutions complained against him on the 26th July, 1936, and further made a report against him to the higher authorities;

(c) whether he will place on the table the resolution of the society, dated the 26th July, 1936;

(d) whether any enquiry was held into the matter and, if so, by whom and with what results?

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

(b) Yes.

(c) A copy of the resolution is laid on the table.

(d) Yes by the Assistant Registrar Co-operative Societies, Multan. The allegations made against the Inspector were found to be baseless.

Copy of a resolution, dated 26th July, 1936, of the General meeting of the Pakpattan Bazar Co-operative Credit Society, Montgomery.

A general meeting was held under the Presidentship of Munshi Ghulam Muhammad and the following resolutions were passed :—

- (1) After considering the inspection of the Inspector it was resolved that a strong representation be made to the Assistant Registrar, Multan, and Registrar, Co-operative Societies, Punjab, against the unjust attitude of the Inspector that he adopted in effecting extraordinary reduction in the maximum credit limit of the society. It may be mentioned that the Inspector in spite of the fact that he had seen the inspection note of the Assistant Registrar, dated 10th April, 1935, and audit notes, dated 29th September, 1935, and 19th February, 1936, made a wrong supposition that the maximum credit limit of the society was Rs. 4,200 instead of Rs. 5,000 and this he wrote in his inspection note, dated 25th July 1936. After further reducing the maximum credit limit of the society he fixed it at Rs. 3,350 which is very small for an urban society. The transactions of the society with the Central Bank are quite good. The Inspector has made up his mind to bring about the failure of the society merely for the reason that he has some baseless misgivings against the office-holders of the society. The society, therefore, prays that the maximum credit limit of the society may be restored to the original figure and proper action be taken against the said officer for his endeavours to destroy the prestige of the society.

- (2) That merely to ruin business of the society the Inspector returns arbitration references against defaulters with frivolous objections, after detaining the papers unnecessarily for a long time. The Inspector has started non-co-operation with the Montgomery society in place of co-operation.
- (3) The society has at present deposits of about Rs. 700 from non-members and a central bank loan amounting to Rs. 2,810-11-3. The maximum credit limit has been reduced to Rs. 3,350 which means that if a depositor wishes to withdraw his deposit the society will be unable to return it. The Inspector has thus made an unpious effort to injure the credit of the society. It is prayed that after giving a favourable consideration the maximum credit limit of the society be restored to Rs. 5,000 as it was before.
- (4) Some time back some articles appeared in the Press against the excesses committed by the Inspector, as a result of which the said officer has made the Montgomery society the target of his arrow, merely under the misapprehension that those articles were written by the office-holders of the society or that they have been instrumental in the publication of them. The Inspector has, therefore, put all the blame upon the society and has since tried to injure its name and reputation.
- (5) Resolved that a complaint be made to higher authorities against the false remarks made by the Inspector in his inspection notes against facts and this be brought to light through the press so that the public may also know the excesses committed by the said officer. A copy of such articles may be sent to Assistant Registrar, Multan, the Registrar, Co-operative Societies, Punjab and the Honourable Minister for Agriculture under registered cover.
- (6) This meeting strongly requests the higher authorities to direct the inspecting staff that they should not go to societies for inspection in a state of intoxication. The copy of the inspection note may also be sent along with the copy of the resolutions so that the officers may judge that the Inspector was intoxicated.

This meeting demands that some responsible officer may be appointed to hold an enquiry into the matter and to redress our grievances.

HAKIM BASHIR AHMAD, CO-OPERATIVE CREDIT SOCIETY, CHAK
No. 70-4-R (MONTGOMERY DISTRICT).

1398. Maulvi Mazhar Ali Azhar : Will the Honourable Minister for Agriculture kindly state—

- (a) whether Hakim Bashir Ahmad was a member of the Co-operative Credit Society, Chak No. 70/4-R (Montgomery district) ;
- (b) if so, whether his name was struck off from membership on the 21st July, 1932, and was duly noted in his pass-book by the Secretary of the Society and the Sub-Inspector, Co-operative Societies ;
- (c) whether it is a fact that after two years from the date of striking off of his name, the liquidator of the society decreed a sum of Rs. 105 against Hakim Bashir Ahmad as an unlimited liability ;
- (d) if so, why ;
- (e) whether it is a fact that no notice was served on Hakim Bashir Ahmad before decreeing the sum ; if so, why ;
- (f) whether any appeal was filed against the order of the liquidator by Hakim Bashir Ahmad ;
- (g) if so, what were the grounds of appeal and what was its result ?

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

(b) Membership can only be terminated by a resolution of the Society ; no such resolution was recorded. Moreover, Hakim Bashir Ahmad took part in proceedings of the Society after the date named.

(c) He was assessed to pay Rs. 105 by the liquidator of the society, while still a member.

(d) This assessment corresponded to his liability.

(e) Notice was sent under postal receipt but no reply was received.

(f) Yes.

(g) The grounds were substantially those outlined in this question—No appeal lies in such cases, but the matter was investigated. He has now admitted his liability.

HORSES AND MARES IN HISSAR DISTRICT.

1399. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture be pleased to state the number of horses and mares separately or collectively in the Hissar district for 1920, 1923, 1930 and 1935?

The Honourable Sardar Sir Jogendra Singh : A statement giving the required information according to the cattle censuses taken in the years 1920, 1923, 1930 and 1935 is laid on the table.

Statement showing the number of horses and mares in the Hissar district.

1920.		1923.		1930.		1935.	
Horses.	Mares.	Horses.	Mares.	Horses.	Mares.	Horses.	Mares.
2,670	5,813	1,684	4,220	1,724	4,010	1,452	3,254

IRRIGATION IN HISSAR DISTRICT.

1400. Lala Jyoti Prasad : Will the Honourable Revenue Member be pleased to give in the form of a statement for *kharif* and *rabi*, separately, for the years 1910, 1915, 1920, 1923, 1930 and 1935 for Hissar city, Hissar Government Cattle Farm, Satiad Khurd, Satiad Khas, Dahra, Kharar, Mirka, Mangali, and Kamari :—

(i) the number of cusecs of water supplied :

(ii) the number of acres irrigated ;

(iii) the amount of water-rate charged ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I regret the answer to this question is not yet complete. It will be communicated to the honourable member when ready.

STATEMENTS LAID ON THE TABLE.

Secretary : The following statements are laid on the table :—

1. Statement showing additions and reductions sanctioned by the Finance Department in the non-voted grants for the year ending 31st March, 1936.¹
2. Copy of a resolution passed by the Joint Development Board, Punjab, at its meeting held on the 20th July, 1936.
3. Statement showing action taken by Government on resolutions passed by the Punjab Legislative Council since October, 1935.
4. Statement showing the action taken by Government on out made by the Legislative Council in original and supplementary demands presented to the Council since November, 1935.

Copy of a resolution passed by the Joint Development Board, Punjab, at its meeting held on the 20th July, 1936.

The Honourable Rai Bahadur Lala Ram Saran Das moved, and Sheikh Sadig Hasan supported the motion, that thanks be conveyed to the Punjab Government, particularly to the Honourable Minister for Local Self-Government, and to the Punjab Legislative Council for passing the State Aid to Industries Act. The Board passed the motion unanimously.

Statement showing action taken by Government on resolutions passed by the Punjab Legislative Council since October, 1935.

Serial No.	Terms of resolutions passed.	Volume No. and page of Legislative Council Debates.	Action taken.
1	<p>This Council recommends to the Government to appoint a committee composed of officials and non-officials to—</p> <p>(a) fix the meaning of "net assets";</p> <p>(b) investigate the extent to which costs of production have fallen or risen with the prices of agricultural produce;</p> <p>(c) determine whether a lower rate of assessment based on the variation of actual prices from scheduled prices (other factors remaining constant) would represent the same proportion of "net assets" as assessment according to standard rates based on scheduled prices;</p>	<p>Volume XXVIII, No. 3, dated 27th February, 1936; pages 101—124.</p>	<p>Government consider that it will serve no useful purpose to appoint a committee at the end of the term of the present Council. The work will not be finished during the term of the present Council and the new Legislature might prefer different terms of reference. It has, therefore, been decided to leave things as they are.</p>

Serial No.	Terms of resolutions passed.	Volume No. and page of Legislative Council Debates.	Action taken.
	<p>(d) investigate and suggest a formula which would give the Government its share of 25 per cent. of the net assets as prices rise or fall ;</p> <p>(e) determine what percentage of the net assets Government has actually been realising in the Lyallpur district during the last few (five) years.</p>		
-2	<p>This Council recommends to the Government to forthwith prepare the Sind-Sagar Doab Irrigation Scheme, commonly known as the Lesser Thal Project, and submit the same to the Government of India and the Secretary of State in good time for sanction with a view to begin its construction along with the Haveli Project or as soon as the Haveli Project is well nigh completion.</p>	<p>Volume XXVIII, No. 3, dated the 27th February 1936; pages 125—136.</p>	<p>Preparation of the scheme has been taken in hand in charge of an Executive Engineer placed on special duty for this purpose.</p>
-3	<p>This Council recommends to the Government to convey to the Government of India the considered and emphatic opinion of this House that in view of its prevailing low prices the import duty on wheat should be raised to Rs. 2 per hundred weight.</p>	<p>Volume XXVIII, No. 17, dated 26th March 1936; pages 928—934.</p>	<p>The resolution was communicated to the Government of India, Department of Commerce, Act No. X of 1936—Indian Tariff (Amendment) Act, 1936 was passed by the Indian Legislature continuing the protective duty on wheat and wheat flour at Rs. 1 per cwt. for a further period of one year ending the 31st March 1937.</p>
-4	<p>This Council recommends to the Government that active steps should be taken to found a Provincial Land Mortgage Bank in the Punjab on the lines of the recently established Bombay Bank.</p>	<p>Volume XXVIII, No. 19, dated 31st March 1936; pages 1143—1153.</p>	<p>It has been decided that the matter should be left for the consideration of Government after part III of the Government of India Act, 1935, comes into force.</p>

Statement showing the action taken by Government on cuts made by the Legislative Council in original and supplementary demands presented to the Council since November, 1935.

Serial No.	(i) Major head. (ii) Minor head. (iii) Sub-head.	Reasons for reduction.	Amount of reduction.	Volume No. and page of the Punjab Legislative Council Debates.	Action taken by Government.
1	5—Land Revenue, D—Land Records Superintendence.	To urge reduction of fees to one-half for inspection and for copies of patwaris' records.	Rs. 1	Volume XXVIII, pages 335—343.	The matter is under consideration.
2	XIII—Irrigation, Navigation, Embankment and Drainage Works (excluding establishment charges)—Working Expenses.	To impress upon the Government the fact that the Bhakra Dam Scheme be expedited soon.	Rs. 100	Volume XXVIII, pages 692—701.	Correspondence with Bhakra State Darbar is yet in progress on the subject of the compensation to be given in return for the reservoir site.
3	5—Land Revenue	To raise discussion on the method of fixing yields in settlement operations.	Rs. 100	Volume XXVII, pages 832—862.	The existing rules regarding the framing of yields are satisfactory and Government does not consider it desirable to amend them.

PANEL OF CHAIRMEN.

Mr. President : Under rule 8 of the Punjab Legislative Council Rules: I nominate the following members to form the Panel of Chairmen. :—

Mr. Manohar Lal.

Khan Bahadur Sardar Habib Ullah,

Shaikh Abdul Ghani, and

Sardar Sampuran Singh.

THE PUNJAB CONSOLIDATION OF HOLDINGS BILL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : I beg to introduce the Punjab Consolidation of Holdings Bill.

I also move—

That the Punjab Consolidation of Holdings Bill be taken into consideration at once.

The Bill is non-controversial and is brought forward with a view to improving, to some extent, the economic conditions of the peasants in this province. As honourable members are aware, good work has been done by the Co-operative Department in this direction ; and I am glad to say, they have made considerable progress in some parts of the province in consolidating small holdings. The progress has not, however, been sufficiently rapid or widespread to have any appreciable effect in the province as a whole. If we wish to benefit the province as a whole, and in particular those districts, where fragmentation is at its worst, immediate steps are necessary to save the already small holdings from being reduced to uneconomic patches. This measure will, at least, retard that process. Unfortunately it is not possible to stop altogether that process on account of the present laws of inheritance in the province. It is not practicable at present to tinker with or amend those laws. I hope that this measure will afford some relief if the House agrees to pass it.

You will have noticed that the statement of objects and reasons gives fullest possible details in regard to the machinery, and the method by which it is proposed to achieve the object we have in view. The average cost hitherto under the present system is Rs. 2-1-6 per acre. But I believe that it should be possible to reduce the cost considerably under this measure. The Bill if passed will provide facilities to smaller zamindars in the congested areas who may be anxious to save their holdings from becoming uneconomic, to get them consolidated. They are helpless at present because of the recalcitrancy of a few short sighted persons. The big and small zamindars will equally benefit. As you are aware partition proceedings are sometimes resorted to achieve this object, but that is, at best, an expensive and devious method. I commend the Bill to the House and trust it will receive sympathetic and expeditious consideration.

Pir Akbar Ali : May I know whether the acreage rate will be in addition to this expenditure ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The acreage rate has nothing to do with this Bill.

Mr. President : The motion is :—

That the Punjab Consolidation of Holdings Bill be taken into consideration at once.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : I welcome the attempt of the Government in bringing forward this piece of legislation which was needed badly. My only complaint is that it was not brought before this House earlier. Anyhow better late than never. I may say that the Bill does not go very far in improving the conditions of the small holdings that exist at the present moment in the province. As the Member in charge has explained, the condition in the villages, particularly, in the colony areas, is really very bad. The fragmentation has gone so far that one square of land has been divided into 10 different holdings. The present attempt of the Government, I am sure, will be of some help. I assure the Honourable Member in charge that the Bill will have the fullest support of this part of the House and I hope that every section of the House will also support it.

Rai Bahadur Mr. Mukand Lal Puri : (Punjab Industries) I join in the welcome which has been given to the Bill by Khan Bahadur Sardar Habib Ullah and others. This is a much needed reform which has in fact been delayed. This is not the proper stage to go into the details of the various provisions of the Bill. But one thing that occurs to me is that nothing has been done to take into consideration the interests of mortgagees or of lessees. I have come across cases where an attempt has been made to effect an exchange or consolidate a holding to the detriment of mortgagee or lessee. Very often it happens that the interest of the mortgagee far exceeds the market value of the holding itself and in some cases lands are leased for 15 or 20 years. Collusive proceedings have come up before courts where under the cloak of consolidation of holdings, the interests of the mortgagee or lessee are intended to be jeopardised. It is not my intention to make any provisions in the Bill whereby a mortgagee or lessee should be able to hold up the consolidation proceedings. But it is absolutely necessary that he should have an opportunity of putting his case before the consolidation officer, so that the consolidation officer may be in a position to understand his point of view and to ensure that consolidation proceedings are not being merely taken with a view to get advantage of the mortgagee or lessee. I shall move for the addition of the words "of a mortgagee or lessee or" in sub-clause (3) of section 6. When an opportunity for objection is given to occupancy tenants, I fail to see why it should not be given to mortgagees and lessees. This is a matter which requires the consideration of the House. The measure on the whole is calculated to confer real benefit on landholders whose lands are divided up in small bits.

Another matter which requires consideration of the House is the prevention of the use of these proceedings to interfere with the legitimate powers of transfer and partition of land. The provisions with respect to these matters are contained in sections 19 and 20 which hold up these proceedings on the filing of an application for consolidation. The consolidation proceedings may take years, first before the consolidation officer and then in an appeal before the Collector and then

again in an appeal before the Commissioner or the Financial Commissioners and the Council should certainly see that these proceedings are not allowed to interfere with the rights of partition which the land owners possess. With these few words I welcome this as a measure calculated to do real good to the landowners of this province.

Mr. President : The question is—

That the Punjab Consolidation of Holdings Bill be taken into consideration at once.

The motion was carried.

Clause 1 (2).

Mr. President : The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural): I beg to move :—

That in sub-clause (1) of clause 3, line 1, for the word "two," the word "ten" be substituted.

Consolidation of holdings is, of course, a good thing, but it is not an unmixed blessing. I have seen a number of zamindars crying that their good land has been taken away by others and poor and inferior land has been given to them, that their consent has been forcibly obtained and that the whole thing has been pre-arranged by other men. In such a case it is quite appropriate that one should be satisfied that a large number of villagers are inclined to have these consolidations proceedings. Perhaps the Honourable Revenue Member may reply that it is laid down in the next sub-clause that two-thirds of the landowners are required to agree before such proceedings can be taken. But once the application is made, every officer knows that the revenue officers or consolidation officers who will work for the revenue officers can get consent of the people concerned some how or other, and that is of course not as voluntary as it would be if the application were to be made by the people themselves. Everybody knows that for the officers of the Government, obtaining of the consent of the people is very easy. During the War consent of a man was obtained to send his only son to the war. Everybody knows what consent means in these cases. I, therefore, think that this is a very salutary provision and we will be on the safe side to have this. The other consideration is that incidentally the Act provides a good deal of employment in these days of unemployment. I see that a small number of men have been trained to do this consolidation of holdings work. Their services are required only as long as the work of the consolidation continues. It would, therefore, be in their interest to increase the work as much as possible. For this reason perhaps attempts may be made to get consolidations in villages where perhaps people themselves do not like them. There are peculiar circumstances in each village which

[Ch. Allah Dad Khan.]

only the villagers know and in which consolidation of holdings is not a good thing. I should say that this remark does not apply to all the villages, but we have to be very cautious that as large a number of consenting people should be obtained as is compatible with the good that will come out of the consolidation. For these reasons, ten is a salutary provision and I put it for the consideration of the Honourable Revenue Member and I hope that he will agree to it.

Mr. President : Clause under consideration, amendment moved—

That in sub-clause (1) of clause 3, line 1, for the word "two," the word "ten" be substituted.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): I have risen to support this amendment. As the time at my disposal is very short, I do not propose to repeat the arguments advanced by my honourable friend in a different form. It often happens that when big landholders like to annex the lands of some other small landholders they bring in consolidation as an excuse. At present there are no large holdings. There are small holdings and it is for the benefit of these that this law is being enacted. As there are not many big holdings it is not very difficult to bring together a few small holders to put in an application for the consolidation of their holdings. For this reason it is proposed to insert ten in place of two. I heartily support the amendment.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): There are several kinds of villages in the Punjab. There are villages in which two or three landowners hold the whole of the land and in their case there is absolutely no necessity for consolidation of holdings. This Bill is being enacted for the sake of *bhaichara* villages in which there are numerous landowners and in which holdings are very small and day by day they are becoming smaller still. It is for their sake that this Bill is being brought forward by the Government. In such villages the number of land owners whom you may call peasant proprietors will be very large. But it will be found that in such villages there are one or two influential men, and every one who has got a little acquaintance with the working of the land Revenue Department knows—I do not impute any motives—that there are people who with the help of subordinates can get the best lands under the guise of consolidation of holdings. In order to safeguard the interest of the small peasant proprietors, it is absolutely necessary that the number of landowners who apply for consolidation should be increased to ten especially in *bhaichara* villages.

Sardar Sahib Sardar Ujjal Singh (Sikh Urban): I quite sympathise with the mover of the amendment, but I fail to understand, if in some cases only two or three landowners are interested in the exchange of their areas or there are less than ten landowners in an estate what is going to be their position. Are they going to wait for ten people to apply or should they go without any consolidation? That is a difficulty which is bound to arise if the amendment is carried.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): I have risen to submit that it has been repeated time out of number in this House that the big landholders swallow the small

holders of this province. When the Land Alienation Act was before the House the same cry was raised against it, but experience has shown that no such thing has happened. On the other hand by this Act the small holders have benefited a great deal. Similarly at the present time the same cry is being raised and it is as baseless as it was when it was raised against the Land Alienation Act. The big landlords' holdings are already consolidated and they do not stand in need of further consolidation. It is the small holders who will be benefited by consolidation. Once I happened to pass by a village. I saw a few *kikar* trees planted in an area not exceeding two or three marlas. I enquired from the villagers why those trees were grown in the middle of the fields. I was told that the only land which fell to the share of a certain small holder was that much and he planted those trees in it as he could not utilize it in a more beneficial manner. These trees adversely affected at least two or three kanals of land around them.

The second point I want to submit is that the essential thing required is that an application must be made. It is immaterial whether it is made by two or by three or by ten people. I would say that, even if it is made by a single man it should be accepted. The real point is that two-thirds of the small holders in the village should be willing to get their lands consolidated. The more the number the more the botheration. So many men cannot be brought together for this purpose. People some time have differences and on account of those differences they never come together. For making an application this condition is not necessary and it is advisable to do away with it. Otherwise it will involve only a waste of time and money. It should not be made compulsory that two or five or ten people should make such an application. For these reasons I strongly oppose this amendment.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh Rural): I rise to oppose the amendment. Reasons have been given in detail. In fact what is intended is that somebody should come forward with a view to move the machinery before consolidation can be brought into effect. Of course the rest of the clause provides safeguards which are that there should be a two-third majority of proprietors owning no less than three-fourths of the land in the village. Sometimes people are very reluctant, sometimes the village is situated at a distance of 40 miles from the Sadar and it is almost impossible to bring forward ten people to make that application. But as soon as the officers are seized of the question they would try to ascertain the views and wishes of the people. The mover of the motion of course brought in another question. He said it is not an unmixed blessing. There are very many honest doubts in the minds of the people whether this compulsion would be entirely for the good of the people, I have some experience of the consolidation of holdings that has already been done under the voluntary system and I think it has worked exceedingly well because we have

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found that there is an interest on the part of the officials as well as on that of the committee that is appointed to humour sometimes the obstinate people. Sometimes when there are some objections on the part of an individual and they want to bring him round, ten or twelve people of the committee can arrange to do so very well.

[S Arjan Singh.]

but once you invest the committee and the officers with very extensive powers under compulsion, one certainly feels very much doubtful, but just as I have submitted, the remedy suggested is not the right one. It is no argument that because ten people are not coming forward, therefore, some pressure might be brought upon by the Government. I, therefore, oppose the amendment.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I do not think there is much left for me to speak so far as this amendment is concerned. Nobody denies that the object underlying the Bill is something to the best interest of the landholders of the Punjab. The average holding of a peasant proprietor in the Punjab is something like six acres per head. So, unless we take steps to stop further divisions and subdivisions of the land it is extremely difficult for the zamindars to be able to make both ends meet. It is as the result of great consideration and deliberation that this piece of legislation has been introduced in this Council. So far as this amendment is concerned, as has already been said, the mere fact that a man makes an application does not mean that that application is decided one way or the other. As Sardar Arjan Singh has observed, it is merely setting the machinery of law in motion. Unless the requisite number of land owners and the requisite area required for consolidation is secured, no consolidation will be effected. The requisite number of land owners is two-thirds, the requisite area is three-fourths of the land of the whole village. Therefore, the mere fact that an application is given, it does not *ipso facto* follow that the consolidation will be effected. We should not place any difficulties in the way of people who come forward to get their holdings consolidated. We should make it as easy as possible. The aim is to move the machinery of the law only. With these words I oppose the amendment.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): It is hardly necessary for me to say anything in reply to the arguments put forward by the mover of the amendment or his supporters because they have been amply met by honourable members from those very benches. But there is one important aspect of the proposal which I should like to point out to the mover of the amendment. If he will look at the definitions, he will find that the definition of the words "sub-division" is specified therein. Supposing in a sub-division there are only nine owners, does he wish to deprive them of the benefit of this measure merely because there happen to be only nine owners in that sub-division and not ten? I hope he will realise now, the reason which actuated Government to fix the minimum number at two and not press his amendment.

Chaudhri Allah Dad Khan (Urdu): I am afraid that honourable members who have opposed my amendment, have not fully appreciated my object. For instance, Sardar Sahib Sardar Ujjal Singh has pointed out that once an application is made it is not very difficult to persuade two-thirds of the land holders of an estate or a division to agree to the consolidation of their holdings. But I want to emphasise that it should be left to the discretion of land holders to make an application and at least ten

persons should come forward with a request to consolidate their holdings, before the authorities proceed with their work.

Then, Nawab Chaudhri Fazl Ali has altogether misunderstood me. I never mentioned big landholders. His objection has reminded me of the Persian proverb **میرا چہ سہی سرائم و طہورہ من چہ سی سرائد** I hope the House will not be led away by what he said. My objections to this clause are not the objections of a mere lay man. I am speaking from my personal experience. Many times when I used to go to attest mutations the zamindars would complain against the practice of consolidation. If we do not remedy the defects of this Bill at this stage, our officers will find it very difficult to work the Act. It is necessary, therefore, to introduce adequate safeguards in the Bill in order to ensure its smooth working in future. The Honourable Revenue Member has said that it will not be possible to find ten men in some divisions. I am not aware of any such divisions where there may not be even ten landholders and then ten is the maximum number. The principle underlying my amendment is most salutary and I appeal to the House to view this problem in its correct perspective. It is an undeniable fact that at many places where consolidation has been effected, many complaints have been made that agreement to it was obtained by coercion. I do not want that the officers of the Government should expose themselves to such blames in future. What is understood to be happening at present is this. The villagers are told that consolidation of holdings has been decided upon and it is left for them only to affix their thumb impressions to some applications.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Villagers are very careful now ; they are not prepared to affix their thumb impressions so readily.

Chaudhri Allah Dad Khan : Even the Honourable Revenue Member was agreeable in the beginning to such an amendment being made. But he seems to have been led away by what others have said. He ought not to have changed his opinion so soon. But if my amendment is not acceptable to him I would not press it. I would only point out that if it is agreed to, it will have a very salutary effect.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Urdu) : Need I emphasise again that this Bill is intended primarily to help the small zamindar? We wish to provide every reasonable facility to enable them to improve their lot and this is also, I believe the wish of the House. But if we increase the number from two to ten it would amount to putting unnecessary obstacles in their way and as I said at an earlier stage, might even result in depriving a large number of them of the benefits of this beneficent measure. This I am sure, is not the desire of the House. I can assure the honourable mover that the difficulties envisaged by him are imaginary and will not arise in actual practice. He would be well advised to withdraw this amendment as also the others which stand in his name, as they are not likely to improve the Bill but will unnecessarily prolong our deliberations. I am sure the honourable member will be glad to finish the work as soon as possible to get back to his

[The Hon. Capt. Sardar Sri Sikander Hyat Khan.]
constituency, and so far as I am concerned I will appreciate his action as it will save me unnecessary repetition of arguments and allow us to get on to other important work before us.

Chaudhri Allah Dad Khan : I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Mr. President : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Clause 4.

Mr. President : The question is—

That clause 4 stand part of the Bill.

The motion was carried.

Clause 5.

Mr. President : The question is—

That clause 5 stand part of the Bill.

The motion was carried.

Clause 6.

Rai Bahadur Mr. Mukand Lal Puri : (Punjab Industries) : I beg to move—

That in Clause 6, sub-clause (3), line 5, after the words "if any," the words "of a mortgagee or lessee or" be added.

This amendment has been put in with a view to remedy a grievance as well as to remove an anomaly. The scheme of the Act is that any person interested in consolidation may move the consolidation officer to put up a scheme for consolidation or the consolidation officer may himself put up a scheme.

Mr. M. A. Ghani : A point of order, Sir. There is no such amendment in the list of business.

Mr. President : This amendment has not been circulated.

(At this stage the Secretary pointed out that the notice was received only at 2-15 p.m. that day and there was not enough time for him to get copies thereof printed for the use of members).

Rai Bahadur Mr. Mukand Lal Puri : If the members would take up the Bill—

Sardar Bahadur Sardar Buta Singh : I object to the amendment. It was not moved in time.

Rai Bahadur Mr. Mukand Lal Puri : I have moved the amendment in the course of the debate (interruption).

Shaikh Muhammad Sadiq : It was a pleasant surprise to have an amendment from Rai Bahadur Mr. Mukand Lal Puri. I did not know that there was any such amendment.

Mr. President : Has the Honourable Member in charge of the Bill any objection to this amendment being moved without any previous notice having been given ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I would prefer to leave it to the House. Personally I have no objection, but I would leave it to the House to decide.

Mr. President : The previous practice in this House has been to allow such amendments even at such short notice if the House has no objection to it. I shall therefore take the sense of the House in the matter.

(The sense of the House was gathered and it was found to be against the amendment being allowed to be moved.)

Mr. President : The question is—

That clause 6 stand part of the Bill.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries) : Sir, I had intended according to my humble lights to improve this Bill without defeating its object, and although I must thank the Hon'ble Member in charge of the Bill for not raising any objection to my amendment, I had to bow to the decision of the House in not permitting my amendment to be moved at this stage. I pointed out at the time when the motion for taking the Bill into consideration was before the House that a mortgagee or a lessee may have as much interest in a holding as the owner of the land himself. In some cases a mortgagee may be the real owner as the amount of mortgage money on the land may be much more than the market value of the land itself. Therefore it is necessary that the mortgagee, and a lessee who may be holding the land under a long lease, should be given an opportunity of putting his point of view before the consolidation officer before the scheme is drawn up. Those members of the House who have read this Bill would find from section 9 I particularly draw the attention of the Hon'ble Revenue Member to this matter—that "any person aggrieved" is given a right of appeal against the consolidation of a holding. "Any person aggrieved" includes any person, not necessarily a party to litigation but any person who may have been harmed by this consolidation. Therefore a mortgagee or lessee has according to section 9 a right of appeal to the collector against the decision of the consolidation officer. If you give him that right of appeal, it is but fair that he should have a right of putting his objection before the consolidation officer who again should have an opportunity of considering that objection. Otherwise, how is the appellate court going to dispose of an objection which has not been raised before the consolidation officer and the material about which has not been put on record ? That is not a matter which would affect the policy of the Bill, nor is it calculated to harm anyone. While reading the Bill it occurred to me that this was a case of omission. I particularly invite the attention of the Hon'ble Revenue Member to this matter. Although he may not insist upon the consent of a mortgagee or a lessee when a scheme for consolidation is approved, the right to present an objection should not be taken away from him and more especially when the right of appeal is conceded to him. The right to object should be given to a mortgagee or lessee, on the same footing as to an occupancy tenant, before the scheme is prepared. A right to object, after the

[R. B. Mr. Mukand Lal Puri.]

scheme is prepared, may be too late and in most cases, the objection would be brushed aside. I cannot understand why my friend Mr. Muhammad Sadiq raised an objection to my amendment being taken up. I submit that unless this clause is amended in such a fashion as to give a right to a mortgagee or lessee to raise an objection to consolidation before a scheme for consolidation is actually prepared, this clause should not be passed and I oppose it.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : My sympathy is with the honourable mover whose amendment has been ruled out because it was not submitted in time. Personally I see no serious objection to the proposal as it would not have made much difference. But as the honourable member has himself pointed out, the Collector can always remand the case on appeal and instruct the Consolidation Officer to consider any objection which the mortgagee or lessee may care to raise. In the circumstances, it would be unreasonable on his part to try to obstruct the passage of the Bill by insisting on the omission of this clause.

Mr. President : The question is—

That clause 6 stand part of the Bill.

The motion was carried.

CLAUSES 7 AND 8.

Mr. President : The question is—

That clauses 7 and 8 stand part of the Bill.

The motion was carried.

CLAUSE 9.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : I beg to move—

That in sub-clause (1) of clause 9, line 4, for the word "thirty," the word "sixty" be substituted.

My object in moving this amendment is to save the zamindars from any loss in connection with the consolidation of holdings. The poor agriculturist is very simple and credulous. He can neither read nor write. He would not make haste in preferring an appeal to the collector. The period fixed for this purpose is only 30 days which is very short. There is every likelihood of the appeal becoming time-barred. There is a fear of zamindar forfeiting his rights. By substituting 60 days for 30 days the Government would lose nothing, while the poor zamindar has every chance of gaining by it. I hope the Government would oblige the destitute zamindars by accepting this amendment. It would indeed serve a good purpose and prove a useful measure for benefiting this backward class.

Mr. President : Clause under consideration, amendment moved—

That in sub-clause (1) of clause 9, line 4, for the word "thirty," the word "sixty" be substituted.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*) : I do not object to the proposed amendment. Our object in proposing thirty days' limitation for an appeal to the Collector was to expedite the process of consolidation. If, however, the honourable

members desire that this period should be extended to sixty days, I will not object. (*Honourable members* : Yes, yes.) In that case I am prepared to accept the amendment.

Mr. President : The question is—

That in sub-clause (1) of clause 9, line 4, for the word "thirty," the word "sixty" be substituted.

The motion was carried.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : I beg to move—

That at the end of sub-clause (1) of clause 9, the following be added :—

"and if the person so appealing requests that the appeal be decided after an inspection of the site, the Collector shall inspect the site before giving his decision."

My object in moving this amendment is this that at the time of final decision the authorities should not simply rely upon what is mentioned in the files. It is common knowledge that cases are decided on the facts stated in the files, and no efforts are made to verify them. But if the Collector gives his final decision after inspecting the site, there will be no room for complaint. Since the work of consolidation of holdings has already been completed in our village, I know on the strength of personal experience the craftiness of these crooked patwaris. The subordinate staff for their personal benefit are ruining the agricultural class in the Punjab. For instance, they make them suffer in this way. There are three kinds of agricultural lands. Somehow or other the patwari would combine the worst type of land with the good one, and the result would be utterly disastrous for the poor agriculturist. How strange it is that in the files we find quite a different story from the actual state of affairs! The greatest trouble about the government's administration is that no inquiry is held and no steps are taken by the officers to arrive at the truth. From the small cause court up to the High Court the whole official procedure depends solely on files. Under these circumstances, justice can hardly be done to the aggrieved persons. As I have already said, the zamindar is simple and credulous, and besides he is ignorant and illiterate. The files generally contain such facts as have no foundation at all and are usually against the actual state of affairs. If a person has some complaint and the Collector gives his decision without inspecting the spot, there is every possibility of injustice being done to him. If, however, my amendment is accepted the subordinate staff will not venture to take bribe. They will be prevented from making false entries, inasmuch as they will always be afraid that if a complaint is made that the entry is different from the actual facts, they will come to grief. I can quote many instances from my memory to support my argument. Quite recently in Jullundur tahsil certain accused persons were sentenced to rigorous imprisonment for several years as a result of a criminal case, although most of them were innocent. It is a fact that the quarrel took place somewhere else but in order to make the case serious quite another spot was shown in the files. But nobody took the trouble of seeing the site. Had the officers taken the trouble of inspecting the spot, the case would have been dismissed. There are many prominent lawyers sitting in this House. They know how the

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facts in the files are distorted. I have many times approached the Deputy Registrar in connexion with the grievances of certain aggrieved persons. But the trouble is that whatever is submitted by the subordinates is taken for gospel truth and the cases are decided accordingly. Different types of land have different prices. A piece of land which is situated close to the village is more valuable than others which are situated at a distance. A piece of land that is situated near the village may be sold for Rs. 400 or 500 a marla. Therefore, it is clear that if a decision is given without inspecting the spot there will be every likelihood of injustice being done to the zamindar. Sometimes these patwaris while consolidating the holdings combine a good piece of land with a barren one and thus ruin the zamindar. This amendment would surely save him from this catastrophe. Besides, the subordinate staff will in no way be able to get bribes. Thus, the proverbial despotism of the patwari will come to an end and they will not be able to have their way as they will be aware that they will be severely taken to task for any misconduct. With these remarks, I humbly request the Hon'ble Revenue Member to accept this amendment.

Mr. President : Clause under consideration. Amendment moved—

That at the end of sub-clause (1) of clause 9, the following be added :—

"and if the person so appealing requests that the appeal be decided after an inspection of the site, the Collector shall inspect the site before giving his decision."

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : I should like to submit to my honourable friend who has just resumed his seat that in the course of his speech he has simply given expression to false fears and doubts. The views that he has expressed are not at all supported by actual facts. He appears to be obsessed by the idea that unless the Commissioner or the Deputy Commissioner inspects a particular spot, justice will not be done to the zamindars. I would submit to him that in this Bill there is nothing that will prevent the Commissioner or the Deputy Commissioner from visiting a particular place if he so desires. I expect my honourable friend has carefully gone through this Bill. He must have found that before final orders of confirmation are passed in regard to a particular scheme of consolidation, it will have passed through many important stages. Thus, there is very little chance of any wrong being done to any zamindar. It cannot, therefore, be said with any justification that the interests of the aggrieved persons will not be safeguarded unless the Commissioner or the Deputy Commissioner inspects a particular site before giving his final decision. If the court enjoys the right of inspecting a particular spot, the Commissioner and the Deputy Commissioner also can do so. Nothing will stand in their way, and nobody will prevent them from doing so. In my opinion, it will not be proper to make this amendment an indispensable part of the Bill. In this way whenever any person prefers an appeal, he will insist that the Commissioner or the Deputy Commissioner should go to his village and see the situation. He will never realize that if his request is complied with it will cost a great deal of labour, inconvenience, and expense to Government, and also to the zamindars and the result of this botheration at best will be nothing. I feel assured that my honourable friend has simply given expression to his false fears and

misgivings. I would, therefore, very respectfully submit to him that he should not press his amendment, and he should withdraw it.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I stand to oppose this amendment and my opposition is based on my own experience. If you turn over the pages of criminal, civil or revenue law books you will not find a single section in any of these Acts in which it is laid down that it is obligatory or compulsory for any officer to inspect the spot in connection with a revenue, civil or criminal case. It always rests with the discretion of the officers before whom the appeal or case lies whether to inspect or not to inspect the spot. If this amendment is accepted, it will lead to a waste of very high and senior officers' time; and the inconvenience and trouble which will be caused to the people will be out of all proportion to the benefits which the applicants or appellants may derive from it. Therefore, this amendment seems to me to be absolutely superfluous and useless. I, therefore, on these grounds, oppose it.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): The amendment moved by my honourable friend from Jullundur is defectively worded and I cannot, therefore, accept it. If only the appellant were to be given the right intended to be conferred by this amendment, it would be unfair to withhold it from respondents. But if this were done there would be no end to such objections and proceedings may be prolonged inordinately. It would seriously affect the efficacy of the measure if contumacious persons are allowed to hamper the proceedings by asking for inspection of the site even where the question of quality of soil is not involved. The right which it is sought to give by this amendment might in practice prolong consolidation proceedings indefinitely. When an appeal is lodged on the ground that the quality of the land allotted to the appellant in exchange is inferior to his original holding and especially when the quality of the land cannot be ascertained from records, the person appealing under section 9 of the Bill would be justified in requesting the Collector that the appeal should be decided after inspection of the site, and the Collector will undoubtedly accede to such request. But if the honourable mover has still any apprehension regarding this matter, I would suggest that the object he has in view can be attained more conveniently by instructions to the officers concerned that where a plea is raised regarding the quality of the land the Collector should normally inspect the site before confirming a scheme of consolidation. I hope the honourable member is now satisfied and will withdraw his amendment.

Chaudhri Muhammad Abdul Rahman Khan (*Urdu*): It is regrettable to observe that the big landholders are absolutely ignorant of the miserable plight of the small holders and they do not realise the difficulties with which the latter are confronted. The Honourable Revenue Member has remarked that if the Government accept this amendment it will be obligatory on the Government officials to inspect the site before giving their final decision and in this way they will be put to great inconvenience. May I ask the purpose for which they are appointed? I submit that we pay them high salaries, so that they should redress the grievances of the public at large and make endeavours for their betterment and welfare. I know certain cases of consolidation of holdings where the small holders have been

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ruined because under that scheme of consolidation they were given lands of inferior quality in lieu of their original lands. If the honourable members care to accompany me I can take them to places where such things have happened. Again the Honourable Revenue Member has stated that only that person will prefer an appeal to whom injustice has been done. I wholly endorse this statement. It is the person appealing who will request that the appeal be decided after the inspection of the site. As a matter of fact the officers do nothing but take action on the reports of their subordinates, and dispose of the appeals accordingly. The result is that the poor appellants waste their time and money for nothing. I fail to understand why Government is afraid of administering justice and in fact as afraid of administering justice as a rat is afraid of a cat. I make an earnest appeal to the Government that they should try to do justice to the zamindars. I withdraw my amendment so far as it relates to the Commissioner but press for its acceptance so far as it relates to the Collector. I may also add that if the amendment relating to the Collector is accepted, it will act as a sort of check on the subordinates who for fear of being detected will refrain from committing irregularities. I assure the Government that the small holders will not unnecessarily undergo the hardships of journey and incur expenses merely to prefer an appeal. In fact they cannot afford to do so. With these words I commend my amendment for the acceptance of the House.

Mr. President : The question is—

That at the end of sub-clause (1) of clause 9, the following be added :

“and if the person so appealing requests that the appeal be decided after an inspection of the site, the Collector shall inspect the site before giving his decision.”

The motion was lost.

Mr. President : The question is—

That clause 9 as amended stand part of the Bill.

The motion was carried.

CLAUSES 10 TO 14.

Mr. President : The question is—

That clauses 10, 11, 12, 13 and 14 stand part of the Bill.

The motion was carried.

CLAUSE 15.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): I beg to move—

That for clause 15 the following be substituted :—

“15. The costs of consolidation proceedings shall be borne entirely by the Local Government and no part of the costs shall be recoverable from the zamindars.”

There is no doubt that zamindars derive much advantage from the consolidation of their holdings, because with the facilities thus provided to them they render their lands more fertile by putting more labour upon them and sometimes they convert their consolidated lands into chahi lands by sinking

wells in them. This automatically results in an increase in the land revenue, and hence the Government are also benefited by consolidation of holdings. The honourable members know in what deplorable plight the zamindars are at present. They are also aware of the fact that the zamindars are already groaning under the heavy burden of taxation. If they are also made to pay the costs of consolidation proceedings, I am afraid it will prove the last straw that breaks the camel's back. I, therefore, submit that keeping in view the present economic depression and the welfare of the zamindars he should be exempted from the payment of costs of consolidation proceedings. I may also add that Government should realise the well-known fact that all the business of this world ultimately depends upon the exertions of the zamindar. I, therefore, request that you should take pity on his miserable plight. In the end I hope the honourable members of the House will support my amendment and the Government will see their way to accept it.

Mr. President : Clause under consideration, amendment moved—

That for clause 15 the following be substituted :—

" 15. The costs of consolidation proceedings shall be borne entirely by the Local Government and no part of the costs shall be recoverable from the zamindars."

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : In supporting this amendment I have no doubt in saying that the demand made therein is very reasonable besides being just. We have been told by the Government that the Bill under consideration is intended to benefit the zamindars and particularly the small holders in the province. If it is so, and I have no doubt that it is so, the Government should not grudge incurring the cost involved in the scheme of consolidation of holdings. As has been stated in the statement of objects and reasons, the average cost of consolidation works out at Rs. 2-1-0 per acre. It is true, but it should be remembered that this apparently small cost is due to the fact that the work of consolidation was being done by and under the supervision of the Co-operative Department, the department which is known for its thrift and careful spending. But it may cost more under the new system. The zamindars who are to benefit by this legislation are not in a position to pay anything, even a small share of the cost that may have to be incurred in such a scheme. If they are required to pay the full cost to the Government, I am afraid, this Bill and its provisions will not be availed of. I shall be excused if I go a step further and say that this Bill instead of gaining popularity for the Government, will make it unpopular. It is, therefore, in the fitness of things to amend the clause as proposed.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : I rise to support the amendment now before the House. The last remark which my honourable friend the member for Lahore, has made while supporting this amendment, has struck me as somewhat amazing. He says that if the zamindars are required to bear the cost of the consolidation of holdings, this Bill will make the Government unpopular as if the Government ever cared whether any action on its part made it popular or unpopular. The honourable member who used that argument, should have known by this time that the Government has gone past all those stages when it could have such a

[Pir Akbar Ali.]

feeling of gaining or not gaining any popularity with the people. It does not now care whether a large majority of the people in the province suffers or does not suffer any inconvenience or hardships by whatever it may do. I am inclined to think that it does not even care to see whether its officers are doing their duty properly or not, and these officers, I have no hesitation in saying, are prone to handle many good schemes in a way so as to make them appear very harmful. For instance, the doctors who have been appointed to look after the health of the people are carrying germs of diseases in their pockets. Again, the Alienation of Land Act, which was passed in the teeth of opposition and with the avowed object of protecting the peasantry of the province, has been allowed to be worked not to the best advantage of the people concerned. It will be admitted that many a departure has been allowed from its provisions. It will, therefore, be not wrong to say that, this Bill in its present form, might operate to the disadvantage of the zamindars for whom it is being passed into law.

It has been said that the cost of consolidation per acre will approximately come to Rs. 2-1-11. Quite so, but I wonder why no limit has been fixed for this cost. Why has it not been provided that the cost of consolidation of holdings shall not exceed a certain amount of money? Who knows that those, who are entrusted with the work of consolidation of holdings, will not make it impossible for the zamindars to avail themselves of the provisions of this Bill? I know, or at any rate I fear, that as usual the officers who will be appointed to work out this Bill, will be men who have little or no sympathy with the zamindars having little in common with them. And having little in common with them, they will not be able to appreciate the difficulties that the zamindars are generally faced with. In the circumstances I fear very much that the estimate of costs arrived at by the Government will go up to a very high figure. While on this point, it may also be submitted that this type of officers are, on account of their lack of knowledge concerning matters relating to lands, likely to make mistakes in a scheme of consolidation of holdings and I need hardly say that if any of them happens to make even a little mistake in such a scheme, the persons concerned and their sons and grandsons will have sufficient cause to curse this legislation. But this is by the way. What I want to impress on the Government is that this cost of consolidation of holdings, which I have said, will be much more than what the Government has estimated, will be very hard for the poor zamindars to bear. It may be that the big zamindars who own 200 or more bighas of land may be able to meet this demand by selling a portion of their lands, but for the poor zamindars whose holdings do not exceed ten or twenty bighas in area, it will be almost impossible to pay even Rs. 20 which, according to Government, is the estimated cost of consolidation of holdings. To meet even this expenditure many of the zamindars will have to sell their cattle, their ornaments, if any left with them, and in many cases mortgage their lands in order to benefit by this scheme. Let me also point out that in these hard times the zamindars have few sources to look to for loans. They are afraid of taking loans from the Co-operative Department (which is so very dear to the Government) for fear of losing their lands; and the sahuikars, as we know, are not now prepared to accommodate them as they used to do in the past. Therefore, it will not be difficult to realise

that if the Government insists on this clause remaining as it is and asking the zamindars to bear the expenses involved in a scheme of consolidation of holdings, that this Bill, even if it is passed into law, will become a dead letter and if it is worked out with the aid of the influential zamindars, it will certainly become a source of many a hardship for the zamindars. I quite see that by working out this Bill, the Government will be able to employ a few men from the cities and by giving them big salaries will also be able to remove unemployment to a certain extent, but it should be remembered that by doing so, the Government will make the poor poorer. This is not, to say the least, desirable. The Government will be well advised to accept the amendment that has been moved and if it does not do so, I fear that the zamindars will be constrained to leave their ancestral profession of tilling the lands. Before I close I would appeal to the zamindar members of the Council to see that this amendment is passed and that section 15 of the Bill is deleted, because otherwise it will be no good to have this Bill placed on the statute book.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): I have not risen to offer any criticism to the Government, nor do I consider it necessary to offer any criticism. I rather take this opportunity to express my gratitude to the Government for sponsoring such a useful measure. I may also say that at this stage when so much has been said already, I do not want to waste the time of the House by saying that the zamindars are very poor and that they have fallen on bad days and further that the abnormal fall in the prices of the agricultural produce combined with the financial stringency has very much affected their prosperity and, therefore, they are not in a position to bear any extra burden even though it may be for the consolidation of their holdings. What I want to say is that if the zamindars are made to bear the cost, whatever that may be, of consolidation of holdings, it will be very difficult, rather impossible, to persuade them to submit to any scheme of consolidation. I know from my personal experience that the zamindars are very reluctant to agree to such a scheme if they are told that the expenditure involved therein will have to be borne by them. It will interest the House if I tell them that the Co-operative Department has already done much in this direction in some districts. In my district the Deputy Commissioner, revenue assistant and tahsildars are doing so well as the Deputy Commissioner is interested in the welfare of the zamindars. I am sure that the interests of the zamindars are quite safe in the hands of these officials. There in that district a scheme of consolidation was afoot and to push on that scheme I toured some of the villages to tell the zamindars concerned the benefits of that scheme. The result was that the zamindars in those villages agreed to submit to that scheme and when I came back and told the officers concerned that the zamindars of those villages were prepared to have their holdings consolidated, the tahsildar went there to have the needful done. We were, however, surprised to know that later on the zamindars were not willing to have their holdings consolidated. I had, therefore, to go again to persuade those zamindars. What I experienced in this connection was that the zamindars were not willing to submit to such a beneficial scheme simply because they were not able to pay anything towards the cost of the consolidation of holdings.

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

This is why I say that if you insist on making the zamindars pay the cost of consolidation of holdings, this Bill will not meet with much success particularly when it is provided therein that at least two-thirds of the zamindars of an estate or a sub-division of an estate must agree before a scheme of consolidation is taken into consideration or entertained. In the circumstances the best course will be to amend clause 15 as proposed.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : I think if this clause is allowed to remain in the Bill, the Bill will defeat its own object. As every official who has some experience of the administration knows, the condition of the zamindar now-a-days is very poor ; any additional burden is bound to break his back. Even now zamindars find themselves very hard to pay land revenue. Cases have come to the notice of the officers as well as of the people that for payment of land revenue zamindars have been compelled not only to sell their ornaments and cattle, but in some cases their daughters. I am not exaggerating this. This is a true fact. If the land revenue in a certain tahsil or a district has been paid in full, that is no criterion of the prosperity of the people. Then I know also that in cases of partition, no doubt, to a certain extent, the cost is recovered from persons applying for partition, but in no case is that cost assessed according to the acreage, which will be a very considerable amount indeed. I do not understand why this departure has been made in the case of consolidation of holding. I think in the case of some districts, such as Amritsar, Jullundur, Rohtak and Hissar where holdings are small but the villages are big, the area involved will be between 3 to 4 thousand acres. Thus the recovery of cost will be a real hardship. It will amount to 6 or 8 thousand rupees for the consolidation of holdings. So, instead of encouraging people to have consolidation of their holdings you are frightening them. The Bill, as is said, will defeat its own purpose. The whole cost should, therefore, be borne by the Government. People are not in a position to bear it ; otherwise there will be no use in passing this Bill.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : We have been told that the prosperity of the country depends upon the fact that the holdings should be consolidated. Yet my friend, instead of giving protection, is trying to wreck the scheme. Though Government will have enough money to pay the cost of consolidation, still where does that money come from ? It will not come from Germany or France. It is to come from the people of the Punjab. If the people want to get their holdings consolidated, they must pay for it. It is true that the zamindars are very poor. Therefore the Government should fix a small amount as the cost of consolidation. Let them fix a maximum sum of Rs. 1-4-0 per acre instead of Rs. 2-2-0. The amount fixed at present is too much for the people. If the Government really wants to help them, it can fix a maximum limit of Rs. 1-4-0 or even of Rs. 1. I agree that 4 or 6 thousand villages are ready for this purpose, but still I ask the Government that they should not recover the charge from the poor peasants in one instalment. They can recover the charge by instalments, say in 5 instalments. After all they are poor men. If you want to help them do not put extra burden on

them. Assess a fee of Re. 1 per acre. Give them some facilities. Government will not lose anything thereby. Government may say that they have appointed very high salaried persons. But the Government must work the scheme for the minimum cost. If the rate is fixed as at present, it is possible that the object of the Bill will be killed. I, therefore, ask the Government to fix a maximum rate which should also be as low as possible. It will be fair, just and useful both for the Government and the people.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I cannot understand the mentality that whenever even a little is to be done for the zamindar, he should be asked to pay for it. Does he not sufficiently pay? Is he not already over-burdened? The zamindar pays nearly 9 crores of rupees in the shape of land revenue and *abiana* out of the total provincial revenue of 11 crores. We cannot have such like bargains now. We cannot buy things. Government should feel that the money which comes to their treasury can be spent for the improvement of the condition of the people of this province. I cannot understand why it cannot. Government has already been getting nearly 95 per cent. of the revenue from the zamindar. Why should it grudge spending any amount of money for him when the zamindar pays so much of the land revenue? I may say that this matter was also discussed at the informal conference about co-operation work, which was presided over by His Excellency the Governor himself. I cannot disclose the proceedings. They may be confidential, but I will just say this that it is highly objectionable that Government, which has been doing so much to ameliorate the condition of the zamindars in the past, should now grudge spending the last pie on them. Zamindars cannot bear even to the least extent any additional burden. It will break the camel's back. This Bill is meant to ameliorate the financial position of the zamindars. This Bill has been brought forward to remove, I say, the economic depression which is already prevailing in this province. This Bill is meant to make the zamindar able to make his both ends meet. But if we have to pay for whatever we want to get in the shape of consolidation, it is impossible for us to make such a bargain. We cannot pay a single pie. I say this on behalf of the zamindars.

Next, I would allude to another point and that is that once when the money, whether it comes from land revenue or whether it comes from water-rates, goes to the Government treasury, it becomes a common fund. It should be equally spent on all sections of the population. Rural money is spent on the education of urban people, on the betterment of roads in cities and in the shape of grants-in-aid to local bodies and so on and so forth. Nobody takes any objection to these things and by saying this I am not creating a sort of gulf between the rural and urban interests, but I would request that once when the money gets into the shape of common money in the treasury of the Government some part of it should be spent on the bigger population and not on the population which forms only five per cent. of the total population. The Government should not ignore the interests of 95 per cent. of the population. Then another thing is that any amount which is to be recovered under this Act is to be recovered as arrears of land revenue. Now if the zamindar is to pay for the consolidation of holdings, it is very bad indeed for him that he should pay it as arrears of land revenue.

[K. S. Ch. Riasat Ali.]

The honourable member for Amritsar has said that Government cannot spend the whole amount of money on the working of this Act and that we should share the total expenditure half and half or two-thirds or one-third or any fraction upon which we might agree while discussing this clause in this House. To that I would only reply that the Government has been spending so much on the working of so many Acts of legislation; there is nothing extraordinary that it should try to spend some money on the working of this Act also when it claims that it is ameliorating the condition of the zamindars and bettering their position. With these words I support the amendment.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): I think that the stress laid by the honourable members on the deletion of this clause is unjustified and unwarranted. Even if consolidation work were to be confined to a few districts of the Punjab, it would be futile to expect the Government to find money for it. The Government cannot possibly undertake the work of consolidation on a large scale without the help and co-operation of the people themselves. If the honourable members read the proviso carefully they will find that Government will have the fullest possible discretion and latitude to forego, in part or even the whole cost of consolidation. Government will be at liberty to waive the villagers' share of the cost where it considers that the people are too poor to contribute even a portion of the expenditure. On the other hand it would be unfair to the province to force the Government to refrain from levying a legitimate charge in the case of well-to-do persons. There are, undoubtedly, some parts of the province in which it would mean a real hardship if the whole cost of consolidation is realised from the villagers. There may be cases in which it may not be possible or equitable to recover even a fraction of the expenditure; but there will also be several cases where big landholders or well-to-do zamindars, who pay thousands of rupees in land revenue, may apply for consolidation to further improve their property. Surely you cannot call it a hardship if such people are asked to contribute towards the cost of consolidation or even to defray the whole expenditure. It would be unfair to the tax-payer to waive the charge in such cases. My point is that Government will have the fullest discretion to assess costs according to the circumstances of a particular area or village. The honourable member from Amritsar rightly remarked that it is unreasonable to suggest that those who will benefit should not be asked to pay and the expenditure should come out of the pockets of those who are not even concerned.

The Co-operative Department has been carrying on the work of consolidation of holdings for the past 15 years. The average cost per acre during this period has been a little over 2 rupees—(*Khan Bahadur Malik Zaman Mehdi Khan*: How has this average charge of Rs. 2 per acre been arrived at?) I will come to it later. Honourable members will have seen that under section 26 the Government will have the power to frame rules to give effect to the provisions of this Bill. Under this section rules for the assessment of costs of consolidation will be framed and they will provide for variations according to the needs and circumstances of particular areas. Perhaps honourable members are not aware that out of the average cost of

Rs. 2 per acre the people concerned have never been asked to contribute more than 8 annas per acre, the remaining Re. 1-8-0 is borne by the Government. The apprehension that Rs. 2 per acre will be levied from the zamindars concerned is, therefore, unfounded. It can be safely asserted that the cost per acre will be considerably reduced as a result of co-operation by the people through their representatives on the panchayats which will be set up to facilitate the work of consolidation. It must be remembered that applications for consolidation will come only from those villages which expect to benefit from the process. For instance, if in a particular village the owners find that the value of their property can be enhanced, by say a lakh of rupees, by contributing only ten thousand rupees, in such an area they will not hesitate to pay this amount. On the other hand, if the expenditure is not commensurate with the benefits likely to be derived from consolidation they will refrain from putting in an application. I am afraid the honourable members have not appreciated the significance of this clause or else they would not have opposed it. Some of the speeches savour of an attempt to get cheap publicity. One or two members—perhaps in their anxiety to pose as champions of the peasant—have said that big zamindars do not care for the interests of the small zamindars. The honourable member from whom these remarks originated conveniently forgot that he is himself a big landlord. He has sunk tube-wells in his lands and has laid an expensive tramway through them, and yet he had the audacity to ask for total remission of costs under the pretext of championing the cause of the small holder. Is it just that well-to-do owners like him should be exempted from paying the cost of consolidation equally with the poor peasant, whose holding does not exceed even two acres? Under the new reforms the Government will be a popular Government and the representatives of the people will be responsible for looking after the expenditure. You will run the Government and you will have to watch that every single pice is discreetly and judiciously spent. You will be in a position to levy a charge where necessary and remit it where you consider it unjust. (*Interruption*). I have already stated that the costs of consolidation which the co-operative societies incur do not come out of the pockets of the zamindars in full. The zamindars at the most contribute 8 annas out of an average cost of Rs. 2 per acre. The present Bill has been framed on the lines of the Central Provinces Act. There the Act has been in force for some years and is working satisfactorily. So far as I am aware no difficulty has arisen. I, therefore, repeat that the objections raised by the honourable mover are unwarranted and untenable. The deletion of this clause will not benefit anybody; on the contrary it will hamper progress. In view of the clear wording of the clause and the wide discretion for variation of charges vested in the Government by the proviso it would be unreasonable to press for its omission or alteration.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, Rural): The arguments of the Honourable Revenue Member are not convincing. In the first place the Honourable Member for Revenue says that some other villages should pay for the expenses of the small village. I say that the money which comes into the treasury of the Government is of all the villages. Out of the ten crores of the revenues of the Punjab Government more than 9 crores are contributed by the zamindars. Where is any money which we get from the people of the towns? If you

[Ch. Allah Dad Khan.]

do not make the expenses payable by the Government the scheme will not work and the Act will remain a dead letter like the Juvenile Smoking Act. No zamindar can afford to pay anything more at this time. You know how the land revenue is paid by the zamindars. Land revenue of a number of years is outstanding against the zamindars and you also know that even in spite of the pressure of the officers the zamindars are not in a position to pay. How do you think the zamindars can afford to pay this extra burden? The Government of India is generously promoting a scheme of rural uplift and is contributing large amount for the uplift of villages, why not pay the cost of consolidation out of that? What is rural uplift, if it is not including the scheme of consolidation? Consolidation is the best part of the scheme of rural uplift. Instead of digging pits for the manure you will do well to consolidate the scattered holdings of the villagers. The zamindars will not die if holes are not dug. But if you give them help in the consolidation of their holdings, they will really prosper. If you really want to get any real benefit out of the Act you should not put any burden of cost on the agriculturists. The zamindars cannot afford to pay at this time.

The Honourable Captain Sardar Sir Sikander Hyat Khan: They are paying.

Chaudhri Allah Dad Khan: Only well-off villages. The scheme involved in this Act is more costly than the other one. I remember the Honourable Revenue Member told us that the cost of consolidation will be much less than Rs. 2-1-0 per acre in future. But I find that it will be much more. There is at present no consolidation officer, but under this Act there will be a large number of these officers in so many villages. At present the work is being done by the patwaris who get a little allowance, but now you will have to employ wholtime paid men mostly matriculates who will be well paid and this will add to the cost of the scheme. How can the zamindars pay Rs. 2 per acre? Do not take away from the zamindar with one hand what you are going to give him with the other. I assure the Honourable Revenue Member that this scheme will work if the zamindars are not burdened with the extra cost and I wonder why the Honourable Revenue Member who should have a soft corner in his heart for the zamindars is dead against them in this matter. When the Government can afford to employ a rural uplift Commissioner and his staff, can it not bear a little more expense to run this scheme? This is the main plank in the scheme of rural uplift. When the Honourable Revenue Member grudges this, will he not grudge giving any single pie to the zamindars later on when the Act is passed? The discretion left to the Government, therefore, has no meaning at all. The Honourable Revenue Member tells us that the villagers are paying for consolidation. I wonder whether he knows that they are doing so under compulsion, otherwise the work of consolidation would have gone on by leaps and bounds. For these reasons I think he will accept the amendment which has been moved. With these words I support the amendment.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural): A lot of stress has been laid by the Government on the fact that there is a provision which says that the Local Government may by notification remit

costs of consolidation in certain areas or certain villages. This is a mere discretion. Our past experience of our benign Government is that where there has been a discretion with the Government — wherein the Government could do anything for the zamindars — we have had rather sad experiences.

The Honourable Sir Donald Boyd : Anything but sad.

Chaudhri Asadullah Khan : I have had personal experience of the fact that where discretion has been left in the Government, the discretion has always remained in the Government and has never come out in the shape of a practical display. We do not want discretion. We never have had any benefit out of Government.

The Honourable Sir Donald Boyd : What about 8½ crores of remissions ?

Chaudhri Asadullah Khan : We have given Government discretions before, but they have never come out of the embryo. We want an obligation on the Government and this time I insist that no kind of discretion will satisfy the zamindars. The zamindars want their rights and those rights cannot be satisfied by saying, "We have a discretion and we will exercise it if we so feel". The Government has never before felt like exercising such like discretions. Will the zamindars be satisfied with this promise of a discretion or will they say that they want a definite promise and obligation on the Government to say that the Government shall pay the costs of these proceedings? Discretions have never satisfied the rural people so far and they will never satisfy them in future. Even when there has been an obligation upon the Government, they have half-heartedly tried to fulfil that obligation. Then, in the case of the present discretion, can we confidently say that this Government will exercise this discretion in favour of the subject? My experience and my opinion is that it will not. Therefore I insist and I would request the other honourable members who represent the interests of the zamindars to insist that this promise shall not only be in the shape of a discretion which is not going to be used, but it should be in the shape of an obligation. I would, therefore, support this amendment.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I rise to support the amendment. (*Hear, hear*). In fact the Government themselves have made it quite clear that they are very anxious to ameliorate the conditions of the zamindars and that they have taken no less than three or four years to consider this question from different aspects. Now, let not the Government try to take away with one hand what they intend to give with the other. In fact, if this cost is realised from the zamindars, I think this will be a clog in the scheme that is being brought forward for the benefit of the zamindars, because this will be a prohibitive cost. Just as the Honourable Revenue Member has pointed out, I have got some experience and I think in the beginning 4 annas per acre was the sum that was charged from the zamindars and ultimately I think 8 annas has been the charge that has fallen upon the shoulders of the zamindars. In fact, if the Government had made it clear in one way or the other that the zamindars would

[S. Arjan Singh.]

not be made to pay 8 annas or say 10 annas or 12 annas, there would have been some sort of security to the zamindars—otherwise it would be very difficult to expect any sort of scheme becoming successful. Another reason for my supporting it is that if the Government have to bear the whole cost or proportionate cost or the fixed rate of the cost, then I think the running of the scheme will be more economic, because the Government will be in a position to gauge whether the expenses are altogether superfluous or exaggerated. If the Government themselves act that way, they will perhaps have more careful eye on the working of the scheme and they will also scrutinise more carefully the costs that are being borne by the zamindar. If the whole burden is to fall upon the zamindar, I think self-interested people of the department will try to accumulate the costs as much as possible which perhaps might escape the notice of the Government. This is the additional reason why the Government should bear the whole expenses. If that is not feasible they should bear the expenses to the extent of three-fourths or two-thirds. With these words I support the amendment.

Chaudhri Muhammad Abdul Rahman Khan (Urdu): In my part of the district about 2,500 acres of land have come under the scheme of consolidation but the zamindars have not been able to spend a single pie out of their own pocket. But the danger which we feel, now staring us in the face is that, in the past consolidation was effected on the application of zamindars. In that case only those zamindars would come forward to have their holdings consolidated who could afford to bear the necessary charges but now when the proposed Bill becomes law it will be possible for the Government to order for consolidation of holdings anywhere they like. The zamindars will be simply asked to pay a certain amount and they will have to pay; and the dues will be recovered exactly in the manner in which land revenue is recovered. The Honourable Revenue Member has said that I sank a tube well. In a way he has suggested that I could spend a lot. He is perhaps unaware of the fact that I borrowed full forty thousand rupees from the Government and up till now I have not been able to pay the instalments of the debt in time. And then, even the work of tube well has not been completed. Unfortunately the Deputy Commissioner bore towards me a personal grudge. Orders were issued that a hundred acres of my land should be mortgaged but the Deputy Commissioner gave orders for the mortgage of the whole of my landed property. Hence my monetary troubles.

The present attitude of the Government means nothing more than a desire to butter their bread on both sides. Even in the matter of consolidation of holdings, they are desirous of getting something out of the pocket of the zamindars. This is not fair. The zamindar is already groaning under a heavy burden of taxation. For instance, the major portion of all the duties imposed on medicines, etc., is to be borne, in the long run by the zamindars because they constitute 80 per cent. of the total population of the province. Then, it is we who provide the bulk of the Government's army. Furthermore, it is we, who have to bear the brunt of all the duties which are levied in connection with the sale of various commodities like salt, oil, petroleum, etc. You, Mr. President, have been an ardent advocate of our cause and you recently addressed yourself to some of our greatest

difficulties. But the Government has been clever enough to remove you from the scene of your activities by elevating you to the presidential chair. Now, you find yourself totally helpless even if you may desire to help us. (Laughter.)

The law about indebtedness which was passed in the last session of the Council has not been of much help to the zamindars. The Government, in my opinion, has sought, by passing such a law, to drive a wedge between zamindars and sahukars which has divided them permanently.

The sum of Rs. 2-11-0 the average cost of the consolidation proceedings as mentioned by the Honourable Revenue Member, is perhaps twenty times bigger than the land revenue paid on a particular crop. If a man is unable to pay land revenue, how can he manage to defray the consolidation charges without incurring unnecessary debts? It means that the Government itself is bent upon forcing the zamindar to borrow money. The foreign governments take great pains to help their agriculturists, so much so that certain governments spend one-third of their revenue entirely for the welfare of this poor and backward class. Here I should like to read to the House a passage from a pamphlet published by Professor Brij Narain of the Sanatan Dharam College, Lahore, to show how far other governments are striving to help the poor zamindars and to improve their lot:—

کیا لطف ہے زمینداروں کو مقررہ خود حکومت بنائے مگر قرضے کی ادائیگی کے متعلق ذرا سی ذمہ داری نہ لے۔ قرضہ چکانے کی خاطر حکومت ایک پائی خرچ کرنے کے لئے تیار نہیں۔ سنہ ۱۹۰۹ اور ملکوں میں کیا ہو رہا ہے۔ آسٹریلیا اور ڈنمارک میں خود حکومت نے کسانوں کو روپیہ قرض دیا ہے۔ ان لینڈ اور جو مینی میں حکومت نے بانڈ یا تمسک جاری کئے جو قرضخواہوں کو انکی زمینوں کے عوض دئے گئے۔ تمسکوں پر سود حکومت دیتی ہے۔ سنہ ۱۹۲۹ء میں ممالک متحدہ شمالی امریکہ کے کسانوں کے قرضے کی رقم ۳۴۰۰ کروڑ روپیہ تھی جو تمام ہندوستان کے کسانوں کے سنہ ۱۹۲۹ء کے قرضوں کی رقم سے تقریباً چوگنی ہے۔ امریکہ کے کسانوں کو سالانہ ۱۶۵ کروڑ روپیہ سود دینا ہوتا تھا۔ امریکہ میں قرضے منسوخ نہیں ہوئے نہ کہتے ہیں قرضخواہ بنکوں کو حکومت کی طرف سے تمسک یا بانڈ دئے گئے جن پر حکومت نے ۴ فیصدی سود دینا منظور کیا۔ اس کے علاوہ براہ راست حکومت نے کسانوں کو کروڑ ہا روپیہ قرض دیا۔ آسٹریلیا میں کسانوں کو روپیہ قرض دینے کے علاوہ حکومت نے گندم بیچنے پر سارے چار پفس فی بشل کے حساب سے امداد دی۔ یہ ہوتی غریب قراری۔ اجناس کی فراغت پر مالی امداد کو جانے دیو۔ ہندوستانی بنکوں کی کمیٹی نے سفارش کی تھی کہ قرضخواہ کو قرضے کی تصفیہ شدہ رقم زمیندار بنکوں کے ذریعہ ملے اور اگر زمیندار بنکوں کو

[Ch. Muhammad Abdul Rahman Khan.]

خسارہ ہو تو حکومت خسارہ پورا کرے۔ ان قوطوں پر غالباً مہاجن روپے میں چار
اے لینے کو تیار ہو جاتے۔ ایس میں اتنی شکو رنجی نہ ہوتی اور زمینداروں
کو مہاجلوں سے روپیہ ملنا رہتا۔ مگر حکومت نے یہ سفارش بھی منظور نہ
کی۔ اگر زمینداروں اور مہاجلوں میں جوت پوزار ہو تو حکومت کی بلا سے
ان کاموں کے لئے حکومت کے پاس روپیہ نہیں پہلے حکومت کے اندرون کا
بیت بھولا ضروری ہے۔

جنوبی افریقہ

یونین جنوبی افریقہ سلطنت برطانیہ میں شامل ہے۔ اسکی آبادی کل
۸۵ لاکھ ہے۔ اس میں سے ایک لاکھ کسان ہیں۔ ایک لاکھ کسانوں میں سے
ستہ ہزار مالک ہیں اور باقی ۳۰ ہزار زراعتی مزدور جو اجرت پر کھیتی کا
کا کرتے ہیں۔

Mr. President : Will the honourable member please confine himself to reply to the debate ?

Mr. M. A. Gani : May I know from what book the honourable member is quoting and whether he is in order in reading the paper ?

Mr. President : The honourable member will please not go too far from the point.

Chaudhri Muhammad Abdul Rahman Khan (Urdu) :

ان ایک لاکھ کسانوں کی خاطر حکومت جنوبی افریقہ نے سنہ ۱۹۳۱-۳۲ء تک تین کروڑ تیس لاکھ پاؤنڈ یا تقریباً ۴۴ کروڑ روپیہ خرچ کیا۔ گورنر (کمی) ہوئی زمینوں کو چھڑانے کے لئے کھارہ کروڑ روپیہ دیا۔ اجلاس کی درآمد کے سلسلہ میں کسانوں کو دس کروڑ روپیہ ملے۔ قوضوں کی ادائیگی کے لئے حکومت نے ساڑھے پانچ کروڑ روپے دیئے۔ کسانوں نے ۹۶ لاکھ روپیہ زمینداروں بلکوں کا دینا تھا وہ قطعاً اڑا دیا۔

(دیکھو ڈاکٹر رابنسن کا مضمون ولٹ اورٹ شانت لٹنڈر آرکیو کپل میں
نمبر نومبر سنہ ۱۹۳۵ء صفحات ۴۰۴-۴۰۶)۔

۱۹۳۱ء یورپ اور افریقہ کی باتیں جانے دو۔ ہاؤنڈر بمبئی کی ایک
چھوٹی سی ریاست ہے۔ رقبہ ۲۸۶۰ مربع میل ہے۔ آبادی سا چار لاکھ۔
اس چھوٹی سی ریاست کی آمدنی بھی قلیل ہوگی۔ شاہد ہمارے

بڑے رئیسوں کی آمدنی سے بھی کم۔ بہاؤنگو کے کسان بھی مقروض تھے۔ مہاجنوں کا رویہ دینا تھا۔ راجہ نے اول مصالحتی بورڈ مقرر کر کے قرضوں کا بوجھ ہلکا کیا۔ قرضہ لینے اور دینے والوں میں قرضہ کے بارے میں جب سمجھوتا ہو گیا تو تصفیہ شدہ رقموں کی ادائیگی کے لئے راجہ نے ۴ فیصدی سود پر کسانوں کو رویہ دیا تاکہ مہاجنوں کے تمام قرضے بیباق کر دیں۔ مہاجنوں کو شکایت کی جگہ نہ رہی۔ کسان حکومت کے قرضدار رہے۔ اہستہ اہستہ حکومت کے قرضے اُتار دینگے۔ شرح سود بھی نہایت مناسب ہے۔ حکومت پنجاب کو چاہئے کہ اس چھوٹی سی ریاست سے سبق سیکھے۔ حکومت پنجاب کو شرم آئی چاہئے۔ دو سال بچت کے مرقع ہو حکومت اپنی نفاذی اور دریا دلی کے گت گاتی ہے مگر حکومت خود بتائے کہ قرضوں کا بوجھ ہلکا کرنے کے لئے حکومت نے کیا خرچ کیا ہے؟ معاملہ زمین کی معافیاں البتہ ملی ہیں۔ مگر نہ ملنے کے برابر۔ نام کی کاغذی معافیاں۔ اگر حکومت معافیاں نہ دے اور ایسناداری سے خالص مفافع لائی چوتھائی لے تو شائد آدھ سے زیادہ معاملہ زمین اُڑ جائے۔ قرضے ہلکے کرنے کا بوجھ حکومت کو اُٹھانا لازمی ہے۔ اور ملکوں میں قرضوں کا بوجھ حکومت نے خود اُٹھایا ہے۔ اس طرح قرضہ لینے اور دینے والوں کی امداد کی ہے۔ پنجاب کے قوانین قرضہ کا اطلاق زمیندارہ بنکوں پر نہیں ہے۔ جنرلی افریقہ میں زمیندارہ بنکوں کے قرضے تمام و کمال معاف ہو گئے ہیں۔ لیکن پنجاب میں ایک کوڑی معاف نہیں ہوئی۔ حکومت کی کوشش ہے کہ یہ قرضے ہلکے کرنے کا بوجھ تمام کا تمام مہاجنوں پر ڈال دیا جائے۔

(Urdu) But our Government does not spend even one per cent. of its revenue for the good of the poor agriculturists. And if anything is done at all, it is only done in files. No actual steps are taken in this direction. The Government likes to see these poor agriculturists begging the co-operative banks and money lenders for loans. The Government declares that the scheme of co-operative banks has been started merely for the benefit of the agriculturists. But, in reality, the underlying object of the Government is that the agriculturists by borrowing money from such banks will very easily pay the land revenue. And in fact the work of consolidation of holdings also is being done with the same object, that is, if a certain piece of land becomes "Chahi" the agriculturist will pay the revenue without the least possible difficulty. The poor fellow in reality, is already groaning under various kinds of expenses. Now, he cannot bear the burden of further expenditure. Is it just to impose any extra tax upon the agriculturists

[Ch. Muhammad Abdul Rahman Khan.]

who cannot manage even to pay the land revenue? How strange it is that the agriculturist is advised to set up co-operative banks and to start rural reconstruction committees! But such schemes require a lot of money and he is penniless. Now only a "langoti" is left with him and if the Government wishes to deprive him even of that it may gladly impose another tax upon him. Previously, the Government did not charge any fee for the consolidation work. Why does it intend to levy any charge now? With these remarks, I should like to request the Government that the poor agriculturists should not be burdened with the costs of consolidation proceedings.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I was surprised to hear the honourable member from Sialkot say that Government had never used their discretion sympathetically in the interests of the zamindar. I am sure that every one of the members sitting on those benches will support me when I say that Government have not only treated the zamindars sympathetically but have invariably used their discretion in favour of and in the interests of zamindars, and especially during the past six or seven years of depression. I may remind the honourable members of this House that during the very first season of depression Government gave a remission of over a crore of rupees. Who can then in the face of this undeniable fact reasonably accuse Government of being unsympathetic. Throughout this period of depression Government have been at pains to ameliorate the condition of zamindars by giving generous concessions in the shape of remissions in land revenue or reduction of water rate as also in other forms in the colony areas to the extent of several crores. Is it then fair to accuse Government of not using its discretion sympathetically? (*Interruption*). You would be your own masters within a few months and will have full control of the purse strings, and if my honourable friend is then in a position to make a present of two more crores, I would be glad to share it with my zamindar brethren. May be that the honourable member will be one of those who will have control of the purse strings. What I want to ask the honourable member is this. Would it be fair to the zamindar, to the province, or to the new Government that we should fetter their discretion by our actions now? The clause as it now stands gives the Government the fullest possible discretion to remit the whole cost where necessary. Since it is going to be your government within a few months, why seek to fetter their discretion? If in a particular case you consider it just and equitable to remit the whole amount you will be in a position to bring pressure on the Government and get your point of view accepted. How can we in fairness now saddle them with an obligation which they may not be able to fulfil? This amendment if passed would practically kill the Bill. There are many who are anxious to see this Bill passed and who would be prepared to pay a reasonable share of the cost.

Pir Akbar Ali : May I know if the Honourable Member has read clause 15 (2) of the Bill? Is there any discretion left to the Government under that clause? It says —

The costs of consolidation proceedings shall be recovered from the persons whose holdings are affected by the scheme of consolidation.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is a busy lawyer and possibly has not had time to study the Bill. If he will read the clause further he will find that the discretion is full and complete. The proviso is quite clear. It says —

Provided that the Local Government may in its discretion by notification remit the costs of a single scheme of consolidation or of all schemes of consolidations in a particular area either in whole or in part or for a term of years.

I was saying that if this amendment is passed it would be tantamount to killing the Bill. I cannot possibly be a party to fettering the discretion of the future Government and therefore I would request the honourable members opposite to consider their position. During my previous speech I pointed out that it was almost certain that the cost would be reduced to a considerable extent as has happened in the Central Provinces. I can give figures for that province. Before the Act was passed the average expenditure then was Rs. 1-7-0 per acre. After the Act came into force the average expenditure per acre has been reduced to Re. 0-8-7 only. Again as I have already said the method of assessment will be laid down in the rules. These rules will be placed before you. (*An honourable member :* Rules never come before us). If you will read the last clause of the Bill you will find that they will come before you. They will be published and will be laid on the table of this House. My experience during the past years has been that there is not a single Act without a similar provision. (*Shaikh Muhammad Sadiq :* Let the Government give an undertaking that the cost will not be more than say six annas). It is again a question of principle. It would be unfair for us to fetter the discretion of the future Government. It will be your money, and if you then come to the conclusion that the whole cost should be remitted, you will be in a position to do so. As a matter of principle I would press you to leave the clause as it is. There is the proviso which gives the fullest discretion to Government. I appeal to honourable members not to press this amendment because it will be tantamount to killing this beneficent measure. (*Applause*).

Mr. President : The question is —

That for clause 15 the following be substituted :—

“ 15. The costs of consolidation proceedings shall be borne entirely by the Local Government and no part of the costs shall be recoverable from the zamindars.”

The Council divided : Ayes 25, Noes 29.

AYES.

Afzal Haq, Chaudhri.	Fazl Ali, Khan Bahadur Nawab Chaudhri.
Ahmad Yar Khan, Daulatana, Khan Bahadur Mian.	Ghulam Muhammad, Pir.
Akbar Ali, Pir.	Gurbachan Singh, Sardar Sahib Sardar.
Allah Dad Khan, Chaudhri.	Habib Ullah, Khan Bahadur Sardar.
Arjan Singh, Sardar.	Mamraj Singh Chohan, Kanwar.
Asadullah Khan, Chaudhri.	Mangal Singh Man, Sardar.
Buta Singh, Sardar Bahadur Sardar.	Mazhar Ali Azhar, Maulvi.
Faqir Husain Khan, Chaudhri.	

Mubarak Ali Shah, Sayad.
 Muhammad Abdul Rahman Khan,
 Chaudhri.
 Muhammad Amin Khan, Khan
 Bahadur Malik.
 Nathwa Singh, Chaudhri.
 Noor Ahmad Khan, Khan Sahib
 Mian.

Raghubir Singh, Honorary Captain
 Sardar.
 Ram Sarup, Chaudhri.
 Riasat Ali, Khan Sahib Chau-
 duri.
 Umar Hayat, Chaudhri.
 Zaman Mehdi Khan, Khan Baha-
 dur Malik.

NOES.

Askwith, Mr. A. V.
 Bhagat Ram, Lala.
 Boyd, The Honourable Sir Do-
 nald.
 Bradford, Mr. W. G.
 Chetan Anand, Lala.
 Darling, Mr. M. L.
 Dobson, Mr. B. H.
 Fazl Iahi, Khan Sahib Shaikh.
 Ghani, Mr. M. A.
 Grindal, Mr. A. D.
 Janmeja Singh, Captain, Sardar
 Bahadur Sardar.
 Jogendra Singh, The Honourable
 Sardar Sir.
 Labh Chand, Mehra, Rai Sahib
 Lala.
 Mayadas, Mr. Earnest.

Mukand Lal, Puri, Rai Bahadur,
 Mr.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Nihal Chand, Aggarwal, Lala.
 Parkinson, Mr. J. E.
 Ram Chandra, Mr.
 Ram Lal, Diwan.
 Ramji Das, Lala.
 Reinhold, Col. C. H.
 Ripudaman Singh, Thakur.
 Sewak Ram, Rai Bahadur, Lala.
 Shahab-ud-din, The Honourable
 Chaudhri Sir.
 Shah Nawaz Khan, Nawab Khan.
 Shave, Dr. (Mrs.) M. C.
 Sikander Hyat Khan, The Honour-
 able Captain Sardar Sir.

Wace, Mr. F. B.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muham-
 madan Rural), (Urdu): Sir, I beg to move—

That in sub-clause (2) of clause 15, line 2, after the words "shall be recovered," the
 following words be added:—

"in ten equal half-yearly instalments."

My previous amendment which required that the zamindars should
 be exempted from the payment of the costs of consolidation proceedings,
 has been rejected, and consequently I feel it essential that the amendment
 now moved by me should be accepted by the Government. They are aware
 of the fact that at present the financial condition of the zamindar is
 most unsatisfactory. If he is compelled to pay the cost of consolida-
 tion proceedings in a lump sum he will have to borrow and his financial
 condition will go from bad to worse. I, therefore,
 submit that the cost of the consolidation proceedings
 should be realised from the zamindar in ten equal instalments. I hope
 the Government keeping in view the welfare and convenience of the zamin-
 dars, would accept my amendment. With these words I commend my
 amendment for the acceptance of the House.

5 P.M.

Mr. President : Clause under consideration, amendment moved—

That in sub-clause (2) of clause 15, line 2, after the words "shall be recovered," the following words be added :—

"in ten equal half-yearly instalments."

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural), (*Urdu*) : The amendment moved by my honourable friend from Jullundur is a very reasonable one. The previous amendment that has been rejected could be opposed on certain grounds but nothing can be said against the amendment now under consideration. I think it would be a good gesture from the Government if they should accept this amendment.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*) : I would not have objected to this amendment if it had been clearly worded. As it stands it is impracticable. It would be difficult and unnecessary to recover by instalments small sums, which may amount to two or three annas only. I do not understand why efforts should be made to fetter your own discretion. Under the new constitution there will be no reserved side of the Government and you will have a free hand in the matter. I would therefore ask you to leave the clause as it is. We can provide for recovery by instalments in the rules which will be made under this Act.

Khan Bahadur Nawab Chaudhri Fazl Ali : There may be persons who would like to pay the amount in full and not by instalments. In their case this provision would be meaningless. I therefore request that words "if necessary" be inserted in the amendment under consideration.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Very well, insert words "not exceeding ten instalments if necessary" in the amendment. (*An honourable member* : That would be meaningless). I find that there is some difficulty in drafting a suitable amendment which would dovetail into the existing clause. I therefore suggest that we should provide for it in the rules which will be framed under the Act, and I am prepared to give an undertaking to the honourable mover that in framing the rules we will make a provision to the effect that the consolidation officer will have the discretion to levy these charges if necessary in instalments not exceeding ten.

The amendment was by leave withdrawn.

Mr. President : The question is—

That clause 15 stand part of the Bill.

The motion was carried.

Clauses 16 and 17.

Mr. President : The question is—

That clauses 16 and 17 stand part of the Bill.

The motion was carried.

Clause 18.

Diwan Ram Lal (Legal Remembrancer) : I beg to move :—

That for the existing clause 18, the following be substituted :—

"18. Notwithstanding anything contained in section 3 of the Punjab Alienation of Land Act, 1900, no exchange of land by a member of an agricultural tribe in pursuance of a scheme of consolidation of holdings shall require the sanction of the Deputy Commissioner under that Act, unless the land exchanged differs *substantially in value* from that taken in exchange."

The motion was carried.

Clauses 19 and 20.

Mr. President : The question is—

That clauses 19 and 20 stand part of the Bill.

The motion was carried.

Clauses 21—26.

Mr. President : The amendment¹ of which notice has been given by Chaudhri Muhammad Abdul Rahman Khan, I hold out of order as it is beside the scope of the Bill. The question is—

That clauses 21 to 26 stand part of the Bill.

The motion was carried.

Preamble.

Mr. President : The question is—

That this be the preamble of the Bill.

The motion was carried.

Clause 1 (i).

Mr. President : The question is—

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

The motion was carried.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am grateful to the House for dealing with this Bill expeditiously, and for the valuable suggestions made by honourable members and which have been incorporated in the Bill. I trust that they will show the same regard for time in their speeches, in dealing with the remaining business so that we may be able to get through it equally expeditiously.

I beg to move—

That the Punjab Consolidation of Holdings Bill as amended be passed.

The motion was carried.

THE PUNJAB MOTOR VEHICLES TAXATION (AMENDMENT AND CO-ORDINATION) BILL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : I beg to introduce the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill.

¹ By Chaudhri Muhammad Abdul Rahman Khan : At the end of chapter II, the following be added as clause 21 and the following clauses be re-numbered :—

"21. The Local Government shall, after the consolidation of holdings, grant a loan without interest to the person or persons concerned for the installation of Persian wheels and for digging wells, recoverable in ten half-yearly instalments."

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

That the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill be taken into consideration at once.

Mr. President : The motion is—

That the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill be taken into consideration at once.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) :
I was expecting the Honourable Member who has moved this Bill to make an opening speech so that the house could be in a better position to understand the grounds stated in the statement of objects and reasons that necessitated the Government, at the present moment, to introduce such a retrograde measure. I am afraid most of the members on this side of the House will find it very difficult to support this Bill as it is presented in the Council to-day.

As far as the first part is concerned, I find myself one with it and can easily give my support to the Government. No doubt all the different items of taxation on motor vehicles if consolidated into one and concentrated in one central authority it will be a move in the right direction. As at present most of the municipalities have imposed wheel-tax and certain other local bodies have also imposed different taxes on motor vehicles and this is really very hard on the people who ply such vehicles through different jurisdictions. But the second part, in which the Government proposes to enhance and increase the taxation, is very difficult for us to support. You will find, that in the comparison given by the Government at the present moment, only Rs. 50 are being paid by buss-owners and also the same or even less by taxi-owners. What Government proposes now is to enhance that tax to 100 per cent. or even more. It is now proposed to levy, instead of Rs. 50, Rs. 150 or even perhaps more according to the capacity of the vehicle. I have certain objections to this form of taxation. At the present moment the depression throughout the country is such that it is hardly justified to increase any taxation. The Government has admitted on page 2 in paragraph 8 of the Statement of Objects and Reasons that in 1925, conditions were such that they were forced to decrease the amount of taxation and how far Government is justified at the present moment to increase the rate and how far the conditions now differ from what they were in 1925. As a matter of fact the year 1925 was a much better year and since then, also 1925, 1926 and 1927, as far as agricultural conditions and the general development of the province is concerned, those years were better than the year we are now in. I do not see any justification on the part of the Government to bring forward such taxation which will hit hard the poor classes. I should again press it on Government that it is not going to hit big buss-owners. Eventually the result of it would be that the burden of increased taxation will fall on the passengers and those passengers mainly belong to the rural areas. I am also surprised that Government is not giving any consideration whatsoever towards the general development of the province and particularly to the rural development, in the way of introduction of these machines. In the rural areas, at the present moment, on account of better communications most of the zamindars and most of the villagers

[K. B. Sardar Habib Ullah.]

try to send their goods by motor busses to the *mandis* and also to the urban areas. I know many commodities like fruits, milk, and green vegetables come from villages to the *mandis* and also to places like Lahore and Amritsar. If you are going to increase taxation so heavily on these commercial vehicles, I am afraid, it is going to kill the development that is so very important for the province.

Then again, although the Government has not stated so anywhere in the statement of objects and reasons, many people guess that this measure is being adopted for the good of the railways, because there is a competition, a keen competition, between the lorries and the railways. Therefore, the Government wants to help the railways and by introducing this sort of measure, it proposes to raise about 3 lakhs of rupees by this Bill, out of which they propose to give back 1½ lakh to local bodies as a matter of compensation for the taxes that they already imposed on these vehicles. That leaves only 1½ lakhs for the Government treasury. At the present moment, I am not aware, how much Government is raising by the present rate that they are levying, but I understand it must be about one lakh or so. So eventually, the increase in Government revenue is going to be about 50 thousand or so. That is not very great. I will advise the Government that it will not be proper for them to impose such taxation which is going to hit the poor classes, directly. This measure is not going to give you a good name nor will you get much income from such a measure. I will, therefore, request that before taking such reactionary action Government should consider it thoroughly and should not put us all into a false position by asking us to give our support to it.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): I beg to move—

That the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill be circulated for the purpose of eliciting opinion thereon by the 1st January, 1937.

The reasons for this motion are obvious. Within a few years there has been a tremendous increase in motor lorries in this province. Ten years back there was hardly any lorry. Now we find thousands and thousands of lorries in the Punjab. Eight years back the railways increased their rates, not by 50 per cent. but by more than 100 per cent. The result was that poor people of the Punjab could not move at all on account of heavy expenses. Second class fare was increased by 2 pies or even by 4 pies per mile or higher. The rate was also increased on small luggage carried between Lahore and Amritsar. They used to charge a tremendous rate between Lahore and Amritsar. The movements of the people of this province were restricted. They went on increasing the rates, not only on luggage, but even on the necessities of life like wheat and so on. Then lorries began to come into existence. The result was that the railways cheapened the rates on passengers and produce and we find that within 5 or 6 years thousands and thousands of people have invested their money in this line. And who are these people? They are not big capitalists, not like big people in England, like the General Automobile Company which holds practically a monopoly for the whole of the country. They are wretched motor drivers who have raised money somehow or other, by borrowing at

high rates. Some of them have sold or mortgaged their houses or lands and have purchased motor cars and I know that these people are eking out a very precarious living. In a country like India you can travel from Amritsar to Lahore for four annas and from Lahore to Gujranwala for five annas. The cheapest travel in the world is donkey, but you cannot travel by a donkey even for five annas from here to Gujranwala. You will consume more than five annas for sustenance. Motor lorries are poor man's conveyance. He is helped immensely by these. What does this act of the Government mean? I do not blame the Government who have invested millions and millions of rupees in railways. Naturally Government have to protect their railways, but protection should be such as to lead to co-operation between the various units and not distraction. But on the contrary what does the Government do? It has increased the tax on petrol. In England where the income of an individual is ten or twenty times the income of an individual in India, you can get petrol for 8 pence a gallon, in America you can get it for 4 pence a gallon, but in this country we have it only for Rs. 1-10-0 per gallon. And it comes not more than twenty miles from the home of our Revenue Member. Fancy petrol going from Burma to England or Persia and England selling at 5 pence per gallon and we who get it from Rawalpindi, getting it here in Lahore or Amritsar and even in Rawalpindi at Rs. 1-10-0 per gallon. This is a very heavy tax not only on the people of this province but also on the lorry owners who are invariably poor men. I concede some of these lorry-wallas are very reckless. I concede some of them drive at a very breakneck speed, but I know that all of them are running lorries at very cut-throat rates. Now let us see what is the object of this legislation. My honourable friend wants money. I know that no Government can be run without money, but money should not be tainted money. Let it come in a proper way from proper quarters. We must see how the money is coming. To tax individuals like those who are being sought to be taxed and to jump in your taxation from Rs. 50 to Rs. 100 is not fair. I am sure Government benches who are getting such high salaries, even would not like their taxes being doubled in a day. Nobody would like to be asked to pay Rs. 200 instead of Rs. 100. But this is exactly what your Bill seeks to do with the poor lorry owners. Now what is their fault? Is it because they charge very heavy rates? No, you will find that they charge instead very cheap rates, the cheapest in the world. Half a pice for one mile. It is the cheapest bargain you can make for a mile's ride. Why should you then come forward with this Bill? If you want this money, what facilities are you going to give to motor drivers, what facilities are you going to give to passengers? I come from Amritsar and no doubt that is a stretch of road of which one can be justly proud. Do you find any shed provided for the passengers? Do you find any *adda* provided for the lorry-wallas? Are there any facilities provided for them or for the public at large? Only if the Government had said "we want this money because we want to provide more facilities for the passengers or the lorrywallas," we could have thought that the money is well spent. But they want this money for general revenue purposes. They want to increase their revenue by 50 per cent by giving trouble to 3,000 people. Revenue of this kind really pinches. Lorry driver is a hard-working man. Generally he does not get his turn even on the next day of his return and he

[Shaikh Muhammad Sadiq.]

hardly saves more than a rupee or two per day. The Government should sit in conference and think whether it is really a thing to be taxed or not. If the Government had said that in future a lorry will carry only 21 passengers and thus had provided more comfort and seating accommodation to the passengers, one would think that the Government is considering the interests of the public. People could have thought that the Government is looking after the health of the people. But what is the Government doing? It is going to increase the rate of tax which will pinch more than 8,000 people in the Punjab. A considerable amount of trade depends on these lorries. Trade will also be affected. You have allowed thousands of lorries to be purchased, lakhs of rupees have been allowed to go out of the country in the shape of the price of these lorries and now you are forcing these lorries to stand still and go out of work. Do you think this is fair? I request the Government to elicit public opinion. Public might tell them some other method of increasing their revenue in consonance with the increase of their facilities. They might suggest something which will lead to the health of the people or to their convenience and safety. You are risking the safety of the public, the health of the public, the convenience of the public for a paltry sum of Rs. 50,000. No doubt this House has the right to do anything under the Government of India Act, but is it fair that they should pass an Act without even consulting the municipalities in whose case also the Government with one stroke of pen is taking away thousands of rupees and Rs. 50,000 in the case of Amritsar municipality. If the Government of India were to tell Sir Donald Boyd that 20 lakhs will be taken out of the provincial revenues, I am sure he will scream at once.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We are not taking away anything from the municipalities.

Shaikh Muhammad Sadiq: You are, though you have permitted them the income for the first four years. This is only throwing a bait to them to keep quiet. Seventy five per cent. of the population of Amritsar consists of zamindars, jats, qureshis, sayyads, pathans, etc. Sometimes Government, and even you, Sir, while sitting on these benches used to say that the city people are different from villagers. But you forget that these city people are nothing more than the jats, sayyads, qureshis, the pathans, etc., of the village who have come to live in the cities. There are a handful of aroras or khattris and the rest are all village people migrated to towns. A large portion of the city population is no other than the village people. But that is a different thing altogether if you think that by taking Rs. 50,000 you are doing anything for the zamindars. My honourable friend the Minister for Local Self-Government is here. I remember the fuss he used to make when he used to sit on these benches. In his own Local Self-Government Department so much money is being wasted and he has no voice to ask the Government to stop this wastage. You make municipalities pay Rs. 1,000 to the Executive Officer, you then pay equally large sum to Inspectors. I am sorry to run down a Minister individually but is it not a pity that when you consult for a little matter concerning the administration of jails, the small Jails Superintendent or the Naib-Tahsildar or other petty officials, that you should not consult the municipalities when you are taking away so much of their revenues. You do not even

ask the municipalities what their opinion is with regard to this matter. When roads in municipalities are being used by these lorry wallas and others, is it fair that you should take away this source of revenue from them? You could have said, "all right we will share this with you". I happen to travel very often from Amritsar to Lahore by road, although there happen to be so many trains. Sometimes it is convenient to travel by road. But hardly have I travelled by road when some constable in the thana by which you pass has not put in an extra passenger free of any charge. If you want to tax them, is it not fair that you should make sensible rules? The constable has simply to make a statement that such and such a lorry walla was travelling with seven extra passengers, for the fate of the poor lorrywalla to be sealed. I know that Government officers and magistrates are very busy people, they have no time to go into small details, they have other important work to do, but they should ask for the co-operation of the public and should at least try to know the facts of the case before punishing the poor loorywalla. I know that there are some rascal lorrywallas, but all of them are not rascals. Last year I came in a lorry I had chartered fully because I had a medical case. A policeman in the way stopped the lorry and asked the driver to take his son to school. This son of his used to go to school every day and he was taken free. But if he is caught by the traffic inspector he will be challaned for carrying extra passengers at the rate of Rs. 25 per extra passenger; but if he does not obey the police constable, well, then, his fate is sealed. I do not say that strong measures should not be taken against people who infringe the law of the land. But you must give him a chance to defend himself. You must make sensible rules. I do not want to say any word against any officer, but there are illegal rules which are not justified. I do not know who made them. Under the Motor Vehicles Taxation Act, if a man does not pay tax for a motor vehicle, he has to pay double the tax and under the Police Rules which are illegal and which have been held to be illegal, he can be challaned and punished by a police magistrate. I, therefore, say that if the Government wants money from these people let them give protection to these poor lorry-wallas against such arbitrary rules. I do not say that you should not levy tax but let us sit together and think over these matters. Let not one Inspector make one set of rules and another a different set of rules.

At this stage the Council adjourned till 2 p. m. on Tuesday, 27th October, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 27th October, 1936.

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

STARRED QUESTIONS AND ANSWERS.

BHATIA RAJPUTS IN THE SHAHPUR DISTRICT.

***5873. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

- (a) whether Government is aware that Devidatta Shah, etc., filed a civil suit No. 49 of 1935 on 23rd April, 1935, against the Secretary of State for India in Council in the Court of the Senior Sub-Judge, Sargodha, for declaration to the effect that the plaintiff Bhatias are in reality Rajputs and therefore members of the agricultural tribe in the Shahpur district ;
- (b) whether Government is aware that the suit abovementioned has been decreed and the Bhatias have been held to be Rajputs ;
- (c) whether it is a fact that notification No. 675-R., dated the 29th February, 1936, excludes Bhatia-Rajputs from the list of the agricultural tribes in the Shahpur district ;
- (d) whether Government intends to amend the above-mentioned notification in view of the civil court decree and to include them amongst the agricultural tribes ;
- (e) if not, the reasons why a distinction has been made between Hindu and Muslim Rajputs of Shahpur district in this respect ?

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

(b) All that the court decreed was that the plaintiffs in that case were Rajputs.

(c) The notification in question declares that the term "Rajput" therein shall not include Bhatia.

(d) No.

(e) When Government originally notified "Rajputs" they did not mean to include in that term the body of persons known as Bhatias. As a doubt subsequently arose in regard to this, Government made their intention clear by the notification in question.

SHOP SITES IN COLONY CHAKS OF THE SHAHPUR AND JHANG DISTRICTS.

***5874. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the shop sites in colony chaks of the Shahpur and Jhang districts after the death of the shopkeepers used to be automatically mutated in the names of their sons or their legal heirs ;

[R. B. Mr. Mukand Lal Puri.]

- (b) if so, since when this system has been abolished ;
- (c) whether the shop sites are now resumed by the Government and application called for a fresh grant ;
- (d) whether the shopkeepers of the colony lodged any memorials against the change of this system ;
- (e) if so, whether Government will place a copy of these memorials on the table and state on what basis the system has been changed or on what grounds the memorials were rejected ?

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

(b) The system has not been abolished in the Jhang district but was abolished in the Shahpur district in November, 1927.

(c) Not in the Jhang district ; but this is the practice in the Shahpur district.

(d) Yes, the shopkeepers in the Shahpur district did so in 1928.

(e) A copy is placed on the table. The memorials were addressed to the Deputy Commissioner. He did not reject them but kept them, pending the receipt of orders from Government on the disposal of village sites in colony chaks. The conditions, on which these shop sites are now held, are given in Punjab Government notification No. 337-C, dated 1st March, 1933. According to these conditions the tenancy is a scheduled tenancy under section 4 of the Colonization of Government Lands (Punjab) Act, 1912, and the rules of succession given in the Act do not apply to these tenancies.

Humble Memorial of the Shop-keepers of the Lower Jhelum Canal Colony, to the Deputy Commissioner, Shahpur district, Sargodha, through the Colony Assistant, Sargodha..

Your humble memorialists pray as follows :—

(1) That your humble memorialists after bidding farewell to their ancestral abodes and forsaking their homes in different towns and villages of the various districts in the Province, and after in many cases selling and disposing of their property of various kinds came to settle as shop-keepers in this Colony under your benign patronage, with a view to bettering their prospects and conditions of life as well as providing for their children.

(2) That your humble memorialists having been fully given to understand that their shop-sites will *ipso facto* and as a matter of course be mutated after their deaths in the names of their sons and heirs, settled in the Colony, built in many cases pucca buildings of shops and houses and invested all their capital and earnings amounting to lacs of rupees in advancing loans to zamindars and abadkars, and in other business.

(3) In fact the practice of effecting mutations in this manner prevailed here for a number of years, and it actually led to the prosperity of your humble memorialists and created an atmosphere of well-being and homogeneous village social life.

(4) Unfortunately, for about 4 or 5 months, new circular orders have been issued directing the Revenue Officials to resume the grants of the shop sites on the death of the shop-keepers, and then to call in fresh applications, and ascertain the wishes of the abadkars of the Chak before a fresh grant is made.

(5) Your humble memorialists believe that this is not quite in keeping with the spirit of the Rule laid down in paragraph 421 of the Colony Manual, which your humble memorialists consider deals only with the original grants and not with the question of succession of a grant of a shop site.

(6) This practice, your humble memorialists apprehend, will destroy the very basis of a homogeneous village life, will create an atmosphere of class strife, and will give rise to foolish hopes of putting an end to the legitimate debts incurred by the abadkars and zamindars, who will, in such cases, naturally like to welcome new comers, for in that way they can easily avoid the payments of their just debts to the sons and heirs of your humble memorialists. Your humble

memorialists also apprehend that this will lead to altogether undesirable consequences for all concerned, and that your humble memorialists, sons and heirs will be reduced to the position of hangers on, their valuable house and shop properties will become valueless, their loans to the tune of lacs of rupees will be jeopardised, and resort to unnecessary and ruinous litigation will be forced both upon the lenders and the borrowers. Collections of debts which can now be done most amicably by merely allowing the sons and heirs to carry on the shops after the death of your humble memorialists will, in that case, be possible only through courts. Applications for arrest and insolvency petitions will become the order of the day.

(7) The new circular orders offer to your humble memorialists quite a dismal and gloomy prospect of the minors, orphans and widows of your humble memorialists being stranded in the world in a helpless, hopeless and miserable plight with nothing left to fall back upon.

(8) In most of the cases your humble memorialists grantees are carrying on their shop business in partnership with certain other people, simply with the idea that in cases of death of either partner, the minors and widow of the deceased partner may have at least one man in the world who might work for them. How hard and painful would it be if the shop sites were not mutated in case of death of one partner, in the name of the other partner or in the name of the sons and heirs of the deceased partner, and if the minors and widow of the deceased partner were ordered to quit the village and find their resort elsewhere, the other partner would go out of work and the minors and the widow whose debts are all scattered shall have nothing to live upon.

(9) The shop-keepers, in view of the uncertainty of the tenure of their stay, will naturally take much less interest in their work, and will shirk and hesitate in advancing loans, which will, no doubt, lead to the estrangement of feelings and mutual strife, vitiating thereby the social and moral atmosphere of the place thus affected, and disturbing that homogeneity of social life, which has so far been a characteristic trait of the country-folk.

(10) Your humble memorialists also apprehend that the facilities afforded for the ready payment of the Government dues will greatly diminish, and there is fear of Government dues remaining unpaid in many cases.

(11) In order to remove this precarious, insecure and uncertain status at present prevailing, which stands in the way of all sorts of improvements of their properties and relations with the abadkars, your humble memorialists pray, that the newly issued circular orders with regard to resumption of grants of the shop-sites on the death of the original grantees be cancelled and the previous practice of entering mutations automatically in the names of the sons and heirs of the deceased shop-keepers be continued.

HAI SIYAT TAX IN THE SHAHPUR DISTRICT.

***5875. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government please state—

- (a) in how many cases appeals, revisions and objections have been lodged against the imposition of haisiyat tax during the past five years in the Shahpur district ;
- (b) in how many cases such appeals, revisions or objections have been accepted ;
- (c) how many objection petitions were received by the District Board, Shahpur, against the levy of this tax in that district ;
- (d) on what basis and for what reasons each of the objections given in the petitions was rejected ;
- (e) whether Government is prepared to take any action in the matter ; if not, why not ?

The Honourable Dr. Sir Gokul Chand Narang : (a) 9 appeals and 1,331 objections. No revision lies in such cases.

(b) No appeal was accepted, but 475 objections were accepted.

(c) 5,928. They were copies of one and the same objection.

(d) The reasons for rejecting the objection are given in the Board's resolution No. 7, dated the 11th December, 1928, a copy of which is laid on the table. Government agreed with the view of the Board.

[The Hon. Dr. Sir Gokul Chand Narang.]

(e) No, as objections against the levy of haisiyat tax have already been thoroughly considered and rules for the assessment of this tax have recently been revised.

Extract from the proceedings of a meeting of the Shahpur District Board held at Sargodha on the 11th December, 1928.

Finance Resolution No. 7.

Read Secretary, District Board's report that the proposal of the District Board to the imposition of haisiyat tax in this district, sanctioned in resolution No. 10-Finance, dated the 29th September, 1928, was published in the district for inviting objections. 5,928 objections have been received which are put up for orders of the District Board. All these objections are copies of one another.

Nature of objections.

Petitioner prayeth as follows :—

(1) That the proposed tax is in reality another income-tax which the District Board is not authorised under law and equity to impose. It is only the Legislative Assembly which can make amendment or set aside the income-tax law and unless there is affected an amendment in the present Income-Tax Act, the Government of India and the Government of Punjab are not empowered to give their assent to an imposition of such a tax.

(2) The Government of India already levies tax on income over Rs. 2,000 per annum, and it will be both against law and equity if the same income were taxed once more by the District Board.

(3) The Indian Legislature after taking into consideration the income and expenditure of commercial people, has purposely exempted from tax below Rs. 2,000 per annum, taxing such income now, would clearly be acting against a well considered view of a superior legislature and would certainly be illegal and unjust.

(4) The financial condition of the commercial community in this District has since the last few years gone considerably poorer and a large number of people belonging to this community after suffering losses year after year have now totally abandoned this occupation of theirs, some of them having reached the state of insolvency. Certain people who are at this time pursuing this occupation are also financially failing very badly and it would really be knocking them down if they are subjected to a further burden of taxation.

(5) The proposed tax is meant to be imposed only on the income of class of non-agricultural persons who have absolutely no representation in the District Board and who further cannot at all have any representation as long as the present method of election continues. Law and equity, therefore, require that the District Board should not levy this taxation from a class of such persons on the principle of "No taxation without representation."

(6) The previous experience of assessing this taxation and the hearing of objections and the appeals against the assessment is very bitter. The reimposition of this tax will make the rural shopkeepers altogether dependent upon lambardars and zaildars, most of whom are illiterate and indebted.

(7) The rate proposed is extremely high. For 4 or 5 years continuously the maximum limit of taxation in this district has been Rs. 20 and to enhance it 25 times as much, i.e., up to a limit of Rs. 500 would be absolutely unjust.

(8) The petitioner, therefore, prays that the proposed tax be not imposed, and if by any law and for any ground not known to the petitioner it be absolutely indispensable to impose it, the petitioner prays that the schedule be revised, and further that such rules with regard to assessment and hearing of objections and appeals be prescribed which may not lead to dissatisfaction of the public.

Sub-Committee has carefully considered all objections. They are printed objections exactly of the same nature. Sub-Committee recommends their rejection for the following reasons :—

(1) and (2) It appears from letter No. 25292 (L. S.-G.—B), dated the 1st September, 1928, from the Secretary to Government, Punjab, Transferred Departments, to all Deputy Commissioners in the Punjab that the tax will be imposed with the sanction of the Government of India. With this sanction there can be no objection to the imposition of the tax. Further no doubt can arise with regard to the imposition of the tax on income less than Rs. 2,000 because such income is exempted from income-tax. If there is any doubt it can be with regard to taxing income of Rs. 2,000 or more. The Sub-Committee, therefore, recommends that these two objections should be rejected because the tax will be imposed with the sanction of the Government of India, but the Local Government should be requested to obtain

legal opinion on the question whether it will be legal for the District Board to impose halsiyat tax on income that is already assessed to income-tax, i.e., income of Rs. 2,000 or more per annum. In other words, can the same income be assessed to taxation twice?

(3) This has been disposed of under 1 and 2 above. The notification for taxing income exempt from income-tax is that the persons proposed to be assessed to halsiyat tax derive full benefits from the institutions financed by the District Board, but do not contribute anything towards its funds. Sub-Committee is unable to see any reason why their income should not be taxed by the District Board.

(4) The tax is to be assessed on income. If there is no income there will be no tax. The prosperity or otherwise of the commercial classes is, therefore, not affected by this tax.

(5) All those assessed to halsiyat tax are entitled to vote at District Board elections. It cannot, therefore, be said that there is a bar to their representation.

(6) The Deputy Commissioner informs the Sub-Committee that the question of procedure of assessment is under the consideration of the Government. The objections will be considered when the question of procedure is laid before the Board for consideration.

(7) According to the letter referred to in 1 and 2 above the Government of India is prepared to sanction the imposition of the tax at the rates published. The District Board is not, therefore, authorised to make any change in the rates.

Moreover in the schedule previously sanctioned income exceeding Rs. 200 but not exceeding Rs. 400 was assessed. The present schedule has excluded this income.

In the previous schedule income exceeding Rs. 2,000 was assessed to Rs. 20. In the present schedule different grades have been fixed for income exceeding Rs. 2,000. The previous schedule was, therefore, defective and present schedule is an improvement on it.

(8) For reasons given above Sub-Committee recommends rejection of this objection.

Resolved that the recommendations of the Sub-Committee be approved.

SHOP SITES IN COLONY CHAKS IN SARGODHA AND BHAIWAL TAHSILS.

***5876. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

- (a) how many objection petitions were lodged by the shopkeepers of colony chaks in Sargodha and Bhaiwal tahsils against the heavy prices fixed by the Government for proprietary rights in shop sites ;
- (b) whether the objectors have been heard or given any opportunity of substantiating their objections ;
- (c) whether those objections have been decided and, if so, whether any intimation has been given of this decision to the objectors ;
- (d) if the objections have not so far been decided, whether Government proposes to hear the objections and give the objectors an opportunity of substantiating the various points taken up by them ;
- (e) the price at which the proprietary rights in the *ahatas* have been given to the zamindar *abadkars* in Sargodha colony and at what price the proprietary rights have been granted to the shopkeepers ;
- (f) whether it is a fact that when a shopkeeper applies for paying the price for the proprietary rights, an enquiry is instituted and a notice is sent to the *chak* and the police ;
- (g) the reasons for instituting such an enquiry specially when the Government is already retaining those shopkeepers in those *chaks* ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) 486 in 1934.

(b) No, but the representations of the shopkeepers received the careful consideration of Government.

(c) The objections have been decided ; but as no change in the rules was introduced, no intimation of the decisions was sent.

(d) Does not arise.

(e) According to the conditions of their grants the *abadkars* purchase proprietary right in their residential *ihatas* at the price which they pay for their agricultural land. In the Lower Jhelum Canal Colony it is generally Rs. 40 per acre. The rates for shopkeepers are—

Rs. 25 per marla for shops situated in the central chawk of the village.

Rs. 15 per marla for other sites.

(f) A notice is sent to the chak and enquiries are sometimes made from the police.

(g) In order that the Collector may satisfy himself that the conditions of allotment have been complied with. The question of continuing this procedure in future will be considered.

ABADKARS OF SARGODHA AND BHALWAL TAHSILS IN SHAHPUR DISTRICT.

***5877. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

(a) how many decrees are outstanding against the *abadkars* (Government tenants) of Sargodha and Bhalwal tahsils in the Shahpur district ;

(b) how many out of them are outstanding for the last six years or more, and how many between three and six years ;

(c) the proportion of such decrees realised during the past five years ;

(d) whether the land of any such *abadkar* (Government tenant) either in the Sargodha tahsil or Bhalwal tahsil has been allowed by the Deputy Commissioner or Commissioner to be temporarily let out in execution of any decree during the past five years ; if so, in how many cases ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I regret the reply to this question is not yet ready.

LOSS BY THE FLOODS IN BHIMBAR NULLAH AND OTHER FLOODS.

***5878. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

(a) the extent of loss to property, human life and cattle in Gujrat district by the floods in Bhimbar Nullah and other floods ;

(b) the number of villages or parts of villages that have been destroyed or damaged ;

(c) the measures taken by the Government to prevent this loss ;

(d) the steps, if any, taken to give relief to the inhabitants of the affected areas ;

(e) the steps, if any, Government proposes to take to prevent the recurrence of such loss in the future ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) An unusually high flood occurred in the Bhimber nullah on the 22nd August, 1936, and the total loss of houses, grain and fodder is estimated at about Rs. 14,000. There was no loss of human life. Only 8 she-buffaloes died in one village.

(b) In all 20 villages were inundated by the flood, but parts of 8 villages only were damaged.

(c) As this was the first unusually high flood in the Bhimber nullah in the last 40 or 50 years, no measures were taken to prevent this loss.

(d) Prompt measures were adopted to afford relief to the stricken inhabitants of the flooded area. Three days' free provisions were distributed at once. Hand pumps were installed, wherever possible, as most of the wells used for drinking water were flooded. These wells were also all disinfected. Rupees 1,000 have been allotted by the District Board, Gujrat, and Rs. 500 by the Provincial Red Cross Society. Relief in cash has been distributed to the people of the damaged area and Government has also allotted a sum of Rs. 2,000 from the Famine Relief Fund for this purpose.

(e) Two measures have been suggested by the local officers by way of precaution against a repetition of this calamity :—

(i) training the nullah, and

(ii) providing a large number of escapes across the railway lines between Gujrat and Lalamusa.

The first of these is already under the consideration of the Superintending Engineer, Drainage Circle, and as regards the second the Railway Department has been addressed on the subject by the local officers.

TAXES IMPOSED BY SMALL TOWN COMMITTEE, SHAHPUR CITY.

***5879. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government kindly state the yearly income from (i) house tax, (ii) *tharra* tax, (iii) other sources, derived by the Small Town Committee, Shahpur city (Shahpur district), from the Muslims and non-Muslims, respectively?

The Honourable Dr. Sir Gokul Chand Narang : A statement giving the required information is placed on the table.

Statement.

Income of the Town Committee, Shahpur City for 1935-36 from—

	Muslims.			Non-Muslims.		
	Rs.	A.	P.	Rs.	A.	P.
(1) House-tax	1,298	12	0	2,323	10	0
(2) <i>Tharra</i> -tax	12	0	0	129	15	0
(3) Other sources	133	0	6	66	18	0

COMMUNAL REPRESENTATION IN SMALL TOWN COMMITTEE, SHAHPUR CITY.

***5880. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government kindly state—

(a) the number of elected and nominated members of the Small Town Committee, Shahpur city (district Shahpur), at the present time, communitywise;

[B. B. Mr. Mukand Lal Puri.]

- (b) the population and voting strength communitywise of Shahpur city;
- (c) the number of seats to which non-Muslims (Hindus and Sikhs) are entitled on the basis of population and voting strength;
- (d) whether the present proportion of the non-Muslims (Hindus and Sikhs) is below the proportion to which they are entitled on the basis of their population and voting strength;
- (e) if the answer to (c) be in the affirmative, what steps Government proposes to remove this disproportion?

The Honourable Dr. Sir Cokul Chand Narang: (a)-(c) A statement is laid on the table.

(d) No.

(e) Does not arise.

Statement showing proportion of elected and nominated members of Town Committee, Shahpur City.

ELECTED MEMBERS.			Total.	Total number of members.	
Muslims.	Non-Muslims.				
4	2		6	8	
NOMINATED MEMBERS.					
1	1		2		
POPULATION OF THE TOWN.			VOTING STRENGTH.		
Muslims.	Non-Muslims.	Total.	Muslims.	Non-Muslims.	Total.
8,167	2,173	5,280	877	483	1,340

Number of elected seats to which each community is entitled:—

ON THE BASIS OF POPULATION.

Muslims.	Non-Muslims.	AVERAGE.	
3.53	2.47	Muslims.	Non-Muslims.
ON THE BASIS OF VOTING STRENGTH.		3.72 = 4	2.27 = 2
Muslims.	Non-Muslims.		
3.92	2.07		

Number of total seats to which each community is entitled:—

ON THE BASIS OF POPULATION.

Muslims.	Non-Muslims.	AVERAGE.	
4.70	3.4	Muslims.	Non-Muslims.
ON THE BASIS OF VOTING STRENGTH.		4.62 = 5	2.8 = 3
Muslims.	Non-Muslims.		
4.55	2.40		

ARYA KANYA PATHSHALA, SHAHPUR CITY.

***5881. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Education kindly state—

- (a) when the Arya Kanya Pathshala, Shahpur City (Shahpur district) was raised to the middle standard ;
- (b) when it was recognized by Government and the cause of delay, if any, in its recognition ;
- (c) whether there is any girls' middle school (Government, district board or private) in the Khushab tahsil of Shahpur district ;
- (d) the number of girls' middle schools (Government, district board or private) in the Shahpur tahsil of the same district ; and when they were opened ;
- (e) the area of population of the above-mentioned two tahsils ;
- (f) whether the Honourable Minister is prepared to take any steps to bring the Arya Kanya Pathshala, Shahpur city, on the grant-in-aid list ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

RURAL SANITATION IN THE SIX DISTRICTS OF THE RAWALPINDI DIVISION.

***5882. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the total revenue derived from (i) local rates, (ii) haisiyat and professional tax, in each of the six districts of the Rawalpindi division, in the years 1984 and 1985 ;
- (b) the total amount spent districtwise by each of these district boards on the following objects, in connection with improvement of village sanitation :—
 - (i) providing pucca drainage,
 - (ii) paving of streets in the village *abadis*,
 - (iii) providing of dumps for storage of village refuse and sweepings at a distance from village *abadis* ;
 - (iv) filling up of pits round the villages to prevent accumulation of rain or flood water close to the village *abadi* ;
- (c) the total amount spent by these district boards (districtwise) on the maintenance of sweepers or other staff to clean the streets and the drains in the villages ?

The Honourable Dr. Sir Gokul Chand Narang : A statement giving the required information is laid on the table.

Statement.

	GUJRAN.		SHAHPUR.		JHELM.	
	1934.	1935.	1934.	1935.	1934.	1935.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(a) (i)	1,04,999	1,84,329	3,20,080	3,14,156	93,014	93,249
(ii)	492	31,203	31,773	19,418	14,989
(b) (i)
(ii)
(iii)
(iv)
(c)

	RAWALPINDI.		ATTOK.		MIANWALL.	
	1934.	1935.	1934.	1935.	1934.	1935.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(a) (i)	83,717	83,307	90,187	91,685	72,377	65,897
(ii)	11,589	18,159	15,479	7,761
(b) (i)
(ii)
(iii)
(iv)
(c)

MURDERS OF MONEYLENDERS IN THE SHAHPUR DISTRICT.

***5883. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Finance Member please state—

- (a) the number of cases arising from Shahpur district in which money-lenders have been murdered or molested by the debtors while demanding their debts ;

- (b) the number of cases in which *bahis* of the money lenders in this district have been snatched away ;
- (c) the number of cases in which reports of resistance to warrants, attachments and arrests were made in this district ;
- (d) the number of cases in which police assistance was made available for execution of decrees ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

PUNITIVE POLICE POST IN THE VILLAGES ASAL RATTO-KI AND CHEEMA KHURD.

***5884. Sardar Jawahar Singh Dhillon :** Will the Honourable Finance Member be pleased to state—

- (a) whether any punitive police post was quartered in the villages Asal Ratto-ki and Cheema Khurd, tahsil Kasur, district Lahore, in 1928 ;
- (b) if the answer to (a) be in the affirmative, the names of the police constables, head constables and the sub-inspector of police who were employed in the police posts mentioned in (a) ; and the period for which each of them served in the said police post ;
- (c) the monthly pay which each of them received ;
- (d) the hutting charges of the said police post borne by the Government per month ;
- (e) whether any punitive police tax was levied on the inhabitants of the aforesaid villages in 1928, if so, the amount so assessed ;
- (f) the total amount actually realised from the inhabitants of these villages ;
- (g) the names of the inhabitants of these villages from whom the punitive police tax was not realised and the property each of them possessed at the time of this assessment ;
- (h) whether any steps were taken to realise the amount due from the persons mentioned in (g) above ; if so, what were these steps and what was the result ;
- (i) whether any petition has been received by the Government from the inhabitants of these villages in which they complained that the Government had realised more punitive police costs than was actually borne by it ;
- (j) if the answer to question (i) be in the affirmative, what action has been taken by the Government in this connection ?

The Honourable Sir Donald Boyd : (a) Yes. For two years from the 1st April, 1928.

(b) It is not the practice to give names. The strength of the post was one sub-inspector, 3 head constables and 20 foot constables.

(c) Sub-Inspector ranging from Rs. 80 to Rs. 85, head constables ranging from Rs. 30 to Rs. 31, foot constables at Rs. 17.

[The Hon. Sir Donald Boyd.]

(d) Rs. 25 per mensem.

(e) Yes. Two lists were prepared by the District Magistrate apportioning the cost of the additional police, the first in January, 1929, and the second in September, 1933, the total assessment amounting to Rs. 18,606-6-0. The amount assessed in 1933 was Rs. 6,672-1-0.

(f) Rs. 17,804-14-0 in all were realised, Rs. 6,240-1-0 of this being from the 1933 assessment.

(g) It is not the practice to give names, and in any case Government have no detailed information regarding the property of the persons from whom a share of the cost of the additional police has not been realised.

(h) The steps taken were that warrants of attachment and sale were issued in several cases. In other cases nothing could be realised, as the assessee had no property or had migrated.

(i) Yes.

(j) The unrecovered part of the demand has now been written off.

PUNITIVE POLICE POST AT VILLAGE SUR SINGH.

***5885. Sardar Jawahar Singh Dhillon :** Will the Honourable Finance Member be pleased to state—

(a) whether any punitive police post was quartered at village Sur Singh, tahsil Kasur, district Lahore, in 1929 ;

(b) if the answer to (a) be in the affirmative, the names of the police constables, head constables and the police sub-inspector who were employed in the said police post ;

(c) what was the monthly pay of each of them ;

(d) the period for which each of them served in the said police post ;

(e) the total amount of pay which each of these police employees received during the course of his service in the said police post ;

(f) the actual costs borne by the Government as house rent for the said police post per month ;

(g) whether any punitive police tax was levied on the villagers of Sur Singh, if so, what was the total amount ;

(h) if the answer to (g) be in the affirmative, the total amount actually realised from the inhabitants ;

(i) whether any application was received by the Deputy Commissioner, Lahore, from the residents of village Sur Singh in which they requested that the remaining punitive police tax be remitted as the district officers had promised to do so in 1930 during the civil disobedience movement ;

(j) if the answer to (i) be in the affirmative, what action has been taken by the Government in this behalf ?

The Honourable Sir Donald Boyd : Much of the information for which the honourable member asks was given in reply to question *5571¹, put by Chaudhri Afzal Haq in the last spring session. The answer is :—

- (a) Yes.
- (b) The strength of the post was given in reply to the earlier question. It is not the practice of Government to give names in such cases.
- (c), (d) and (e) Sub-inspector ranging from Rs. 85 to Rs. 95. Head constables ranging from Rs. 80 to Rs. 82. Foot constables at Rs. 17 and Rs. 18.
- (f) Rs. 420.
- (g) and (h) The honourable member is asked to see the reply to parts (c), (d) and (e) of the earlier question.
- (i) Yes.
- (j) Government have no knowledge of any such promise.

DRAINAGE CANALS IN GUJRAT DISTRICT.

***5886. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) the water level in the village Gar, district Gujrat ;
- (b) whether there is any scheme pending in the Canal department for the drainage of this area ;
- (c) if so, why the Canal department is delaying to make the drainage canals in this area ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) R. L. 660·27 (approximate), i.e., four feet approximately below the natural surface.

- (b) Yes. The Faqirian-Bhalwal Drain.
- (c) The scheme, with others, awaits the provision of funds. Government hopes to be able to finance this scheme during the years 1937—39.

SHAIKH ABDUR RASHID, SUB-JUDGE, HISSAR.

***5887. Shrimati Lekhwati Jain :** (a) Will the Hon'ble Member for Finance be pleased to state—

- (a) whether it is a fact that the Secretary, Bar Association, Hissar, submitted two letters, dated 29th May, 1936, and 8th June, 1936, to the District Judge, Hissar, complaining against the attitude of Shaikh Abdur Rashid, Sub-Judge, 3rd class, Hissar, in ordering the members of the Bar Association to leave his court room during the hearing of some cases, and also against the insulting treatment meted out by him to some members of the said Bar Association ;

Shrimati Lekhwati Jain.]

(b) whether any enquiry has been made by the District Judge, Hissar, into the allegations made in the above mentioned letters and what has been the result of the enquiry ;

(c) if the allegations referred to in (a) have been found to be true, what action, if any, has been taken by the District Judge against the Sub-Judge concerned, if not, why not ?

(ii) Will the Hon'ble Member be pleased to lay upon the table copies of the two letters referred to in (i) (a) above ?

The Honourable Sir Donald Boyd : (i) (a) Yes.

(b) and (c) An enquiry by the District Judge is in progress.

(ii) Government think it better not to do so, as the publication of the letters while the matter is still under investigation might prejudice the enquiry.

COMPLAINT AGAINST SUB-JUDGE, HISSAR.

***5888. Shrimati Lekhwati Jain :** Will the Hon'ble Member for Finance kindly state—

(a) whether a news under the heading "Alleged abusive language," "Complaint against Hissar Sub-Judge," in the *Hindustan Times*, Delhi, dated 9th August, 1986, wherein it is stated that a complaint has been sent to the High Court by one Thakur Sispal Singh of Bhiwani against a sub-judge of Hissar, has come to the notice of the Government ;

(b) if so, what action has been taken by the High Court on the complaint referred to in (a) and whether any enquiry has been made ;

(c) whether it is a fact that the incident as regards the abusive language referred to in (a) has occurred during the hearing of a civil case pending in the court of Shaikh Abdur Rashid, against Thakur Sispal Singh of Bhiwani, represented by Babu Piyare Lal, Pleader, Secretary, Bar Association, Hissar ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) No complaint was received by the High Court and no enquiry has been made.

(c) Government have no information, but I may point out that if the report in the *Hindustan Times* is correct the matter would appear to be *sub-judice*.

POLICE CONSTABLES ON CROSS ROADS.

***5889. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

(a) whether police constables stationed at cross roads in the towns of the province have instructions to give assistance to strangers in finding the addresses of prominent officials and non-officials ;

(b) if there are no such instructions for those police constables, whether the Government proposes to take any steps in this direction ?

The Honourable Sir Donald Boyd : (a) Constables on traffic duty are required to be acquainted with the names and situations of the various roads, public offices and residences of important officials.

(b) Does not arise.

ENGLISH TEACHERS AND PERIODS OF THEIR WORK.

***5890. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that senior English teachers employed in teaching high classes of Government high schools, in addition to their clerical and registration work, are being required to teach on an average a greater number of periods per week than those employed for doing the same work in Government intermediate colleges ;

(b) if so, whether the Government proposes to take any action in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No.

(b) Does not arise.

COTTAGE INDUSTRIES IN VILLAGES.

***5891. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

(a) the names of districts in the province where any survey of villages for the purpose of the introduction of suitable subsidiary or cottage industries has been made so far ;

(b) whether such a survey has been made for the Ambala district ;

(c) if so, which cottage industries have been considered suitable for different parts of this district ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Surveys are ordinarily made industry-wise or district-wise. The undermentioned surveys have been carried out in recent years :—

- | | | |
|-----------------------------|----|--|
| (i) Muzaaffargarh district. | .. | Survey of urban and rural industries. |
| (ii) Kangra district | .. | Survey of Nurpur and Kangra tahsils and parts of Kulu sub-division. |
| (iii) Gurdaspur district | .. | Survey of Fatehgarh Churian. |
| (iv) Hissar district | .. | Survey of urban and rural areas. |
| (v) Rohtak district | .. | General survey of rural industries. |
| (vi) Textile and | .. | A survey of the whole province has been carried out and a monograph has been published on the subject. |
| (vii) Cutlery industry | .. | |
| (viii) Wool industry | .. | Survey of the important centres for the industry. |
| (ix) Sports industry. | .. | Survey of the province. |

(b) No.

[The Hon. Dr. Sir Gokul Chand Narang.]

(c) A statement showing the industries which are considered suitable for the Ambala district is laid on the table.

List of industries considered suitable for rural areas in Ambala district.

1. Handloom weaving and hand spinning.
2. Durrie weaving.
3. Newar weaving.
4. Dyeing and calico printing.
5. Tanning and leather work.
6. Collection of khar bark as tanning material.
7. Gut making.
8. Lac.
9. Sericulture.
10. Oil refining and soap making.
11. Cart making.
12. Bamboo furniture.
13. Basketry.
14. Inlaid wood work.
15. Manufacture of agricultural implements.
16. Utensil making.
17. Small iron ware.
18. Brass ware and decorative articles of brass.
19. Silver-smithy and engraving.
20. Pottery.
21. Toys (glazed clay).
22. Indian musical instruments.
23. Saltpetre extraction.
24. Borax manufacture.
25. Starch manufacture.

PERCENTAGE OF STUDENTS OF THE FOURTH PRIMARY CLASS.

*5892. **Shrimati Lekhwati Jain:** Will the Honourable Minister for Education be pleased to state the pass percentage of students of the fourth primary class throughout the province during the present year?

The Honourable Chaudhri Sir Shahab-ud-Din: I regret that the answer to this question is not ready.

PANCHAYATS AND VILLAGE KAMINS.

***5893. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether village *panchayats* decide petty cases of village *kamins* versus statutory agriculturists ;
- (b) if so, the number of village *kamins* appointed as members of village *panchayats* in different parts of the province on 31st March, 1936 ;
- (c) if the representation of village *kamins* in village *panchayats* is inadequate in proportion to their population, whether the Government proposes to take any action in the matter ?

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

(b) Panches are not appointed but elected. Only one village *kamin* was elected to a *panchayat* in the Amritsar district up to the 31st March, 1936. Information regarding *panchayats* in the Wazirabad tahsil has not yet been supplied by the local officers.

(c) Panches are elected by the general body of voters in a village, not by wards or communities. Government does not therefore consider it necessary to take any action in the matter.

VILLAGE KAMINS.

***5894. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) the respective numbers of village *kamins* and statutory agriculturists functioning as elected and nominated members of various district boards of the Punjab on 31st March, 1936 ;
- (b) the population figures of village *kamins* and statutory agriculturists residing respectively within the jurisdiction of various district board areas of the Punjab according to the last census ;
- (c) if the representation of village *kamins* is inadequate in proportion to their population both by election and nomination as members of the district boards, whether the Government proposes to take any action in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) A statement giving the required information in respect of statutory agriculturists is laid on the table. No *kamin* is a member of any district board in the Punjab.

(b) The information asked for is not available.

(c) The matter is under consideration.

[Hon. Dr. Sir Gokul Chand Narang.]

STATEMENT.

Serial No.	Name of District Board.	STATUTORY AGRICULTURISTS.	
		Elected.	Nominated.
1	Hissar	82	5
2	Rohtak	39	
3	Gurgaon	36	6
4	Karnal	39	
5	Ambala	34	
6	Kangra	30	5
7	Heoharpur	38	5
8	Jullundur	37	
9	Ludhiana	30	2
10	Ferozapore	38	4
11	Lahore	39	
12	Amritsar	32	
13	Gurdaspur	31	4
14	Sialkot	27	3
15	Gujranwala	34	
16	Sheikhpura	27	
17	Gujrat	34	
18	Shahpur	34	
19	Jhelum	30	
20	Rawalpindi	28	
21	Attock	33	
22	Mianwali	25	
23	Montgomery	27	5
24	Lyalpur	34	2
25	Jhang	29	
26	Multan	34	3
27	Muzaffargarh	25	
28	Dera Ghazi Khan	11	15

STUDENTS IN THE FOURTH PRIMARY CLASS OF RECOGNISED SCHOOLS.

***5895. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state —

- (a) the total number of students in the fourth primary class of various recognized schools on the 1st April, 1935, throughout the province;
- (b) the number of students who were sent up for the promotion examination of the fourth primary class during the last academic year;
- (c) the reasons for the disparity in the figures in (a) and (b) above?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

ENCROACHMENTS OF LAND IN MUNICIPALITIES OF AMBALA DISTRICT.

***5896. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state the names of municipalities of the Ambala district in which:—

- (a) public land is alleged to have been appropriated during the last decade without requisite permission, for—
 - (i) mosques,
 - (ii) enclosures of saints' shrines,
 - (iii) congregational prayer platforms;
- (b) regular law suits were instituted in the matter of such encroachments;
- (c) favourable decision was secured by municipalities;
- (d) any action was taken by authorities for the demolition of unauthorised structures and if so, the nature of action taken in each case?

The Honourable Dr. Sir Gokul Chand Narang :

- | | | |
|-------------------------|----|------------------------------------|
| (a) (i) (1) Ambala city | .. | (2) Ambala cantonment Sadar bazar. |
| (ii) (1) Jagadhri | .. | (2) Ambala city. |
| (iii) (1) Kalka | .. | (2) Jagadhri. |

(b) In one case only.

(c) The case is still pending in the court. It concerns Ambala City.

(d) (i) The Municipal Committee of Sadar Bazar issued orders for the demolition of encroachment; but the land in question was ultimately leased by Government to the encroacher.

(ii) The Municipal Committee of Jagadhri has in one case been directed by the Deputy Commissioner to institute a civil suit. The matter is pending with the Committee. In another case steps are being taken to settle the matter amicably on the advice of the Deputy Commissioner.

(iii) The Municipal Committee of Kalka reported the matter to the Deputy Commissioner, who got the encroachment removed by a personal inspection.

**DISCIPLINARY ACTION AGAINST SUB-INSPECTORS AND CONSTABLES
OF POLICE.**

***5897. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state communitywise (Hindus, Muslims, Sikhs and others) the number of police constables and sub-inspectors against whom disciplinary action was taken by District Superintendents of Police during the last financial year for having shown partisan or communal spirit in the discharge of their official duties ?

The Honourable Sir Donald Boyd :

Constables	..	Four (All Muslims).
Sub-Inspectors	..	None.

**COMMUNAL REPRESENTATION AMONGST THE ASSISTANT INSPECTORS OF
POLICE AND THE HEAD CONSTABLES.**

***5898. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the present proportion of Muslims and non-Muslims amongst the assistant inspectors of police and the head constables ;
- (b) if the representation of the Punjab minorities is still inadequate in these two cadres of the police, whether the Government proposes to take any action in the matter ?

The Honourable Sir Donald Boyd : (a) The honourable member will find the figures in the consolidated statement supplied to all the members of this Council.

(b) The honourable member is invited to refer to the answer given in the last session of the Council to question *5228.¹

GRANT-IN-AID TO THE PUNJAB PRISONERS' AID SOCIETY.

***5899. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the amount of grant-in-aid given to the Punjab Prisoners' Aid Society during the last financial year out of the provincial funds ;
- (b) the addresses of ex-convicts helped by the society during the last financial year in the shape of cash and clothes on their release, together with the respective amount of money spent in each case ;
- (c) the number of released prisoners' homes working at present ;
- (d) the amount of money spent on the maintenance of these homes during the last financial year ;
- (e) the number of ex-convicts who were admitted to the homes mentioned in (c) during the last financial year ;
- (f) whether the number of habitual offenders has been increasing during the last seven years ;

¹Volume XXVIII, pages 91-2.

- (g) if so, what steps the Government proposes to take in this direction apart from establishing prisoners' homes?

The Honourable Sir Donald Boyd : (a) Rs. 1,200.

(b), (c), (d) and (e). The Society will doubtless be ready to give the honourable member this information, if she will address the Secretary. The Society is not a department of Government.

(f) No.

(g) Does not arise.

GIRL CANDIDATES APPEARING AT THE MIDDLE STANDARD EXAMINATION.

***5900. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Hindu, Sikh and Muslim girl candidates appearing at the middle standard examination for Indian girls in 1936 ;
- (b) whether the passage for translation into English in English paper (b) was printed only in Urdu and the Hindu and Sikh girl candidates were dictated this passage in Hindi and Gurmukhi in the examination halls ;
- (c) whether Hindi and Gurmukhi-knowing girl candidates were much handicapped by several Urdu words unfamiliar to them ;
- (d) if so, whether Government proposes to take any action in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din :

(a) Hindu	.. 2,374
Sikh	.. 690
Muslim	.. 1,274

Of these the following number took up English :—

Hindu	.. 917
Sikh	.. 381
Muslim	.. 613

(b) Yes.

(c) No. The Urdu passage was very easy and the pass percentage in English was 68.7 in 1936 as against 68.1 in 1935.

(d) Does not arise.

The piece for translation is printed in Persian, Devnagri and Gurmukhi scripts. The Hindi and Punjabi versions were omitted in 1936 through an oversight, which is regretted. No departure from the established practice was ever intended.

COMPULSORY PRIMARY EDUCATION AREAS.

***5901. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the respective numbers of compulsory primary education areas where the percentage of boys attending recognized schools was above 90, 80 and 70 in the Punjab according to the children's census held last times by the Education Department ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

COMPULSORY PRIMARY EDUCATION AREAS.

***5902. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of boys of school-going age in the compulsory primary education areas of the Punjab in 1980, 1983 and 1986, respectively ;
- (b) whether any attempt is being made by the district inspecting staff of schools to have these annual figures checked in order to have correct statistics as far as possible ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

EXAMINATION BY COMPARTMENT FOR VERNAICULAR FINAL CANDIDATES.

***5903. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that no arrangements for examination by compartment exist for vernacular final candidates appearing from vernacular middle schools just as in the case of most of the examinations of the Punjab University ;
- (b) if so, whether the Government proposes to take any steps in this matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) No.

DEPRESSED CLASSES.

***5904. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state—

- (a) whether in the Punjab there are districts in any rural areas of which depressed classes are being debarred, as a matter of right, from—
 - (i) owning or acquiring land for house sites ;
 - (ii) grazing their own cattle on *shamilat* land (village commons) ;
- (b) if so, whether the Government proposes to take any action in each case ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) No, so far as Government is aware.

(b) Does not arise.

VACANCIES AMONG POLICE CONSTABLES.

*5905. **Shrimati Lekhwati Jain:** Will the Honourable Member for Finance be pleased to state—

- (a) how vacancies among police constables in the various districts of the province are notified to the public;
- (b) the respective numbers of candidates (Muslims and non-Muslims) who offered themselves to the various recruiting officers during the last financial year for the post of police constables and the respective numbers of persons recruited?

The Honourable Sir Donald Boyd: (a) The honourable member is invited to refer to Rules 12-12 to 12-20 of the Punjab Police Rules: in particular to Rules 12-19 and 12-20. Enlistments are ordinarily made in the first week of each quarter, at the headquarters of the district, the dates being notified through station house officers.

(b) A statement is laid on the table giving the desired information, so far as it is available.

Statement.

District.	NUMBER OF PERSONS OFFERING THEMSELVES FOR ENLISTMENT.		NUMBER OF RECRUITS ENLISTED.	
	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.
Hissar	Not known		9	18
Rohtak	About 120	About 200	11	19
Gurgaon	265	603	5	40
Karnal	Not known		17	18
Ambala	Ditto		15	19
Simla	30	56	9	16
Hoshiarpur	Not known		5	9
Jullundur	300	200	10	5
Ludhiana	Not known		5	17
Kangra	100	500	2	13
Ferozepore	800	200	22	8
Lahore	Not known		104	25
Amritsar	Ditto		20	22
Gurdaspur	1,000	700	29	19

[The Hon. Sir Donald Boyd.]

District.	NUMBER OF PERSONS OFFERING THEMSELVES FOR ENLISTMENT.		NUMBER OF RECRUITS ENLISTED.	
	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.
Sheikot	300	300	12	17
Gujranwala .. .	450	250	13	7
Sheikhupura .. .	Not known		10	23
Montgomery .. .	Ditto		4	26
Lyallpur .. .	1,600	400	20	11
Jhang .. .	Not known		1	1
Multan .. .	Ditto		12	14
Muzaffargarh .. .	Ditto		33	15
Dera Ghazi Khan .. .	350	33	38	8
Gujrat .. .	..	..	..	..
Shahpur .. .	600	200	12	5
Jhelum .. .	Not known		18	7
Bawalpindi .. .	300	80	15	10
Attock .. .	Not known		15	5
Mianwali .. .	Ditto		15	5
Government Railway Police .. .	Ditto		97	95
Total .. .	..	..	597	517

VACANCY OF A CONSTABLE UNDER THE SUPERINTENDENT OF POLICE
SHEIKHUPURA.

*5906. **Shrimati Lekhwati Jain:** Will the Honourable Member for Finance be pleased to state—

- whether it is a fact that there were over one hundred applicants for the vacancy of a constable under the Superintendent of Police, Sheikhupura in June or July last,—(vide the *Tribune*, dated 7th July 1936);
- if so, how many of these applicants were matriculates, undergraduates and graduates, communitywise (Hindus, Muslims, Christians and Sikhs)?

The Honourable Sir Donald Boyd: (a) There were about a hundred candidates for two vacancies.

(b) This information is not available, as no written applications were received.

CLASS FOR TRAINING IN PHARMACEUTICS.

***5907. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is any class for training in Pharmaceutics on up-to-date and modern lines in the King Edward Medical College, Lahore, or in any other Government institution ;
- (b) if not, whether the Government proposes to take any steps in this direction ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Students in the King Edward Medical College, Lahore, are taught Pharmacy up to the standard laid down by the University ; and at the Medical Schools in Amritsar and Ludhiana according to the curriculum of the Punjab State Medical Faculty. Dispensers are trained in a two years' course at the Medical School, Amritsar, according to a syllabus approved by Government.

- (b) Does not arise.

CIVIL SUITS IN THE COURTS OF SUB-JUDGES AT GURGAON.

***5908. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the number of civil suits filed in the courts of various sub-judges of 4th class at Gurgaon in each of the last five years ;
- (b) the number of such suits which belong to Palwal tahsil ;
- (c) whether the Government has received any representations from the residents of Palwal tahsil requesting the Government to locate a sub-judge's court at Palwal ;
- (d) what Government intends to do in the matter ?

The Honourable Sir Donald Boyd : (a) and (b). A statement is laid on the table.

(c) No. One representation was received by the Honourable Judges in 1931.

(d) The Honourable Judges have more than once considered the question of posting a Subordinate Judge at Palwal but have come to the conclusion that there is no real need for the appointment.

	Statement.				(a).	(b).
1931	5,043	1,144
1932	5,528	1,365
1933	4,880	1,055
1934	4,621	915
1935	3,250	890

OFFICIAL RECEIVERS.

***5909. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the total annual remuneration received by the various official receivers in each of the districts of the Punjab during each of the last five years ;

[Shrimati Lekhwati Jain.]

(b) whether official receivers are usually transferred from one district to another;

(c) whether it is a fact that there is a great disparity in the remunerations received and earned by the various official receivers of the province?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

SUPERINTENDENT, FINANCIAL COMMISSIONERS' OFFICE.

***5910. Khan Bahadur Mr. Muhammad Din Malik :** Will the Honourable Revenue Member be pleased to state—

(i) whether it is a fact—

(a) that appointment to the post of superintendent, deputy commissioners' offices (Grade Rs. 250—20—350) are made by the Commissioners of divisions;

(b) that appointments to the post of superintendent, commissioners' offices (Grade Rs. 350—550) are made by the Financial Commissioner with the previous approval of the Local Government;

(c) that appointments to the post of superintendents in the office of the Financial Commissioners (Grade Rs. 350—20—450—80—600) are made by the Senior Secretary, without the approval of the Local Government or even that of the Financial Commissioners;

(d) that the post of Senior Secretary is generally filled by an officer who is usually an officer of the same status as a Deputy Commissioner;

(ii) if the answers to parts (b), (c) and (d) be in the affirmative, will the Honourable Member consider the desirability of amending the Classification Rules of the Financial Commissioners' office so that appointments to the post of superintendents may be made with the approval of the Local Government or of the Financial Commissioners?

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

(a) Yes. The appointments are made by Commissioners from a divisional list maintained by them.

(b) No. The appointments are made by the Financial Commissioners from a provincial list maintained by them, without reference to the local Government.

(c) Yes.

(d) Yes.

(ii) It is not proposed to amend the Classification Rules of the Financial Commissioners' office in the manner suggested. Such control as is necessary is exercised by the Financial Commissioners.

MULTANIS IN THE FINANCIAL COMMISSIONERS' OFFICE.

***5911. Khan Bahadur Mr. Muhammad Din Malak :** Will the Honourable Revenue Member be pleased to state—

- (a) (i) the total strength of the Financial Commissioners' office (both permanent and temporary);
- (ii) the proportion of Multanis and non-Multanis;
- (iii) the community to which the Multanis belong and whether they are related to one another and, if so, in what respects (after recording their written statements);
- (b) if the number of Multanis is high as compared with that of the residents of other districts, what action Government proposes to take to check the undue preponderance of Multanis in a single office?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) (i) 103.

(ii) 7 : 96 if "Multani" means resident of Multan proper and 9 : 94 if "Multani" means resident of the Multan district.

(iii) All the 9 Multanis are Hindus but there is no relationship among them, except that :—

- (i) The Superintendent, Excise Branch and the Head Assistant Stamps are second cousins once removed, that is, the late grandmother of the latter was the daughter of the former's father's maternal uncle, and
 - (ii) An apprentice is the son of the maternal uncle of the Superintendent, Excise Branch.
- (b) Does not arise.

WATERING FOR RABI CROPS.

***5912. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Minister for Agriculture be pleased to state the number of waterings required for maturing the *Rabi* crops?

The Honourable Sardar Sir Jogendra Singh : The number of waterings depends upon various factors. In the case of wheat four waterings including *rauni* may be taken as normal.

PUNJAB CIVIL SERVICE EXAMINATION AND GOVERNMENT SERVANTS.

***5913. Rai Bahadur Mr. Mukand Lal Puri :** Will the Chief Secretary please state—

- (a) whether it is a fact that the Punjab Government in August, 1935, issued a notification that in future the persons serving in the Punjab Government Secretariat or the offices subordinate to it will be allowed to appear in the Punjab Civil Service (Judicial and Executive) examinations, up to the age of 35 years, provided they fulfil other conditions for the examination;
- (b) whether the privilege is intended to benefit the otherwise qualified Punjabis serving in the offices of the Government of India;
- (c) if not, what action Government propose to take in the matter?

Mr. A. V. Askwith (for Chief Secretary) : (a) Yes.

(b) No.

(c) None.

PERSONS INTERNED BY THE PUNJAB GOVERNMENT.

***5914. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state —

(a) the number of persons who have been interned by the Punjab Government and since how long each one of them has been in internment;

(b) whether the Government proposes to start cases against them or release them if there is no case against them?

The Honourable Sir Donald Boyd : (a) A statement showing numbers —

(i) under arrest under section 2 of the Punjab Criminal Law (Amendment) Act, 1935;

(ii) restricted to a particular locality under section 3 of that Act; and

(iii) detained under Regulation III of 1818,

with the dates of the original orders in each case is laid on the table.

(b) Government does not propose to start cases against them or to release them.

Statement.

	Number.	Date of orders.
(i) Under arrest under section 2 of the Punjab Criminal Law (Amendment) Act, 1935.	4	(1) 8th September 1936. (2) 11th September 1936. (3) 14th October 1936. (4) 14th October 1936. (5) 22nd October 1936.
(ii) Restricted to a particular locality under section 3 of the Punjab Criminal Law (Amendment) Act, 1935.	12	(1) 29th October 1935. (2) 15th November 1935. (3) 10th July 1936. (4) 16th March 1936. (5) 11th July 1936. (6) 11th July 1936. (7) 11th July 1936. (8) 11th July 1936. (9) 17th July 1936. (10) 18th July 1936. (11) 24th July 1936. (12) 28th July 1936.
(iii) Detained under Regulation III of 1818	7	(1) 10th February 1931. (2) 22nd May 1931. (3) 7th April 1933. (4) 18th July 1933. (5) 6th August 1933. (6) 14th December 1933. (7) 20th March 1936.

PUNITIVE POLICE IN VILLAGE KALUWAL KOTLA.

***5915. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state —

- (a) whether it is a fact that punitive police has been stationed in village Kaluwal Kotla in Dasuya tahsil, district Hoshiarpur;
- (b) whether it is a fact that punitive police tax is levied on the Muslim population only;
- (c) whether it is a fact that the general Muslim public did not take part in the unlawful activities;
- (d) if so, the reasons for levying punitive police tax on the entire Muslim population of village Kaluwal Kotla?

The Honourable Sir Donald Boyd : (a) Yes. A force of additional police was quartered on the village from the 3rd March last to the 7th March.

- (b) Yes.
- (c) No. The individuals who performed the overt acts of misconduct undoubtedly had the sympathy and indirect assistance of the Muslim residents of the village generally.
- (d) Does not arise.

PUNITIVE POLICE TAX IN VILLAGE KALUWAL KOTLA.

***5916. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state —

- (a) whether it is a fact that the whole of the Muslim population of village Kaluwal Kotla, district Hoshiarpur, is made to pay punitive police tax for an act of cow-sacrifice on the part of one or two persons only;
- (b) whether the Government is aware that the Muslim public of *ilaga* Dasuya, district Hoshiarpur, deeply resents the levy of punitive police tax on the whole of the Muslim public of Kaluwal Kotla;
- (c) if so, the steps Government proposes to take to redress the grievance of the Muslim public of the *ilaga* in question?

The Honourable Sir Donald Boyd : (a) Attention is invited to the reply given to the preceding question.

- (b) Government have no information.
- (c) So far as the future is concerned the villagers have the remedy in their own hands.

STAFF OF THE TANDA HIGH SCHOOL, HOSHIARPUR DISTRICT.

***5917. Chaudhri Afzal Haq :** Will the Honourable Minister for Education, please state —

- (a) the number of junior and senior staff, communitywise, in the Tanda High School, Hoshiarpur district;

[Ch. Afzal Haq.]

(b) whether the attention of the Government has been drawn to the complaints that appeared in the "Daily Ihsan", Lahore, dated the 6th September, 1936, concerning the Tanda High School;

(c) what action, if any, the Government has taken on the complaints?

The Honourable Chaudhri Sir Shahab-ud-Din :

	Hindus.	Muslims.	Sikhs.	Total.
(a) A. V. Section ..	8	2	3	13
Ver. Section ..	5	3	9	17

(b) Yes.

(c) No immediate action.

HAKIMS AND VAIDS EMPLOYED BY THE MUNICIPAL COMMITTEES.

*5918. **Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

(a) the names of the municipal committees and district boards that have employed *hakims* and *vaids* to treat the people;

(b) whether the Government received complaints to the effect that the *hakims* and *vaids* so employed are not satisfied with their present salaries;

(c) what steps the Government proposes to take to so revise the salaries of *hakims* and *vaids* as to attract highly qualified and experienced men?

The Honourable Dr. Sir Gopal Chand Narang : (a) A list of the district boards and municipal committees that have employed whole-time *hakims* and *vaids* is laid on the table.

(b) No.

(c) Does not arise.

Statement.

NAMES OF DISTRICT BOARDS.

Karnal.
Gujranwala.
Sialkot.
Hissar.
Lyallpur.
Jhang.
Kangra.
Multan.
Rohtak.
Amritsar.

NAMES OF MUNICIPAL COMMITTEES.

Wazirabad.
Rawalpindi.
Ambala City.
Simla.
Amritsar.

In addition the Municipal Committee of Dharmsala has employed one part-time *vaid* and the Municipal Committee of Rohtak is paying allowances to certain local *vaids* and *hakims*.

CASES AGAINST LALA HARKISHEN LAL AND OTHERS.

***5919. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether before starting cases against Lala Harkishan Lal and others, the Punjab High Court consulted the Government;
- (b) if so, whether he will lay the correspondence on the table?

The Honourable Sir Donald Boyd : (a) No.

(b) Does not arise.

AMRITSAR DISTILLERY.

***5920. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether Government is aware that the building of the Amritsar distillery is situated within the municipal limits;
- (b) when it is proposed to remove the distillery to a suitable place away from the habitation area of the Amritsar Town?

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

(b) A notice has been served on the Amritsar Distillery Company, Limited, that their existing distillery licence will expire on the 29th November, 1946.

RECEIVERS AND LOCAL COMMISSIONERS.

***5921. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the number of receivers and local commissioners in the province, communitywise;
- (b) whether any officer is responsible to see if the commissions are given fairly and no favour is shown to any local commissioner?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

MR. KHALID LATIF GAUBA, M. L. A.

***5922. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Mr. Khalid Latif Gauba, M.L.A., was brought to Lahore from Cawnpore under police custody;

[Chaudhri Afzal Haq,]

- (b) whether it is a fact that he was made to travel in third class ; if so, why ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The arrangements were made by the authorities of the United Provinces. It is understood that these were in accordance with the United Provinces Jail Manual. The prisoner was informed that he could travel with his escort in a higher class if he paid the additional cost but he refused to do so.

HEALTH OFFICERS AND SANITARY INSPECTORS.

***5923. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) the number of health officers and sanitary inspectors in the province communitywise ;

(b) whether the Government is taking any steps to make up the deficiency of the various communities in these services ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The number of District Medical Officers of Health and Sanitary Inspectors, communitywise, in Government employ is :—

	<i>District Medical Officers of Health.</i>	<i>Sanitary Inspectors.</i>
Muslims	11	16
Hindus	15	24
Sikhs	9	8
Others .. .. .	..	..
Temporary vacancies not yet filled.	2	..
Total	37¹	49

(b) Yes, with due regard to efficiency.

SANITARY INSPECTORS.

***5924. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) the average number of students that pass the sanitary inspector's class each year ;

(b) whether all the sanitary inspectors that pass the examination are guaranteed service ;

(c) the approximate number of sanitary inspectors who are still unemployed ?

¹One post is kept in abeyance.

The Honourable Chaudhri Sir Shahab-ud-Din : (a) 35.

(b) No.

(c) No reliable information on the subject is available.

APPLICATION OF REGULATION 56 TO DERA GHAZI KHAN.

***5925. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether the Government received complaints from Dera Ghazi Khan protesting against the application of Regulation 56 ;

(b) whether these complaints are receiving the attention of the Government ?

The Honourable Sir Donald Boyd : (a) It is presumed that the honourable member refers to section 56 of the Frontier Crimes Regulation. The answer is in the negative.

(b) Does not arise.

COMMUNAL REPRESENTATION AMONG POLICE CONSTABLES IN THE RAWALPINDI DIVISION.

***5926. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Finance Member be pleased to state :—

(a) the total number of police constables and head constables serving in each district of Rawalpindi division on 1st January, 1936, communitywise ;

(b) the number of police constables recruited in each of the districts of Rawalpindi division in 1933, 1934 and 1935, communitywise ;

(c) what steps, if any, the Government has taken to encourage the recruitment of Hindus in the police force from this division ;

(d) whether the Government is aware that Brahmans and especially the Mohyal Brahmans of this division are agriculturists and are enlisted in the army and are also available for enlistment in the police in large numbers ;

(e) what steps, if any, the Government has taken to encourage the recruitment to police force from amongst the Mohyal Brahmans of the Rawalpindi division ?

The Honourable Sir Donald Boyd : (a) and (b) A statement is laid on the table.

(c) No special instructions have been issued in regard to the Rawalpindi division, but the recruitment of Hindus of the right type is encouraged everywhere.

(d) Yes.

(e) Government are not prepared to issue instructions in favour of any particular tribe or caste, or to fetter the discretion of Superintendents of Police in selecting the most suitable candidates available.

[Hon. Sir Donald Boyd.]

Statement.

(a).

	HEAD CONSTABLES.					FOOT CONSTABLES.				
	Muslims.	Hindus.	Sikhs.	Others.	Total.	Muslims.	Hindus.	Sikhs.	Others.	Total.
Gujrat ..	84	11	3	..	98	533	27	18	1	579
Shahpur ..	68	15	3	..	86	426	50	12	1	489
Jhelum ..	55	14	2	..	71	363	27	6	..	396
Rawalpindi ..	91	24	13	..	128	686	99	30	..	814
Attock ..	50	22	3	..	75	391	29	3	..	423
Mianwali ..	47	19	2	..	68	360	24	7	..	401
Total ..	365	105	26	..	496	2,558	266	76	2	2,902

(b).

	1933					1934					1935				
	Muslims.	Hindus.	Sikhs.	Others.	Total.	Muslims.	Hindus.	Sikhs.	Others.	Total.	Muslims.	Hindus.	Sikhs.	Others.	Total.
Gujrat ..	11	..	2	..	13	11	1	4	..	16	8	1	2	..	11
Shahpur ..	23	6	3	..	32	17	7	4	..	28	8	3	..	..	11
Jhelum ..	13	2	..	..	15	36	5	1	..	42	17	1	1	..	19
Rawalpindi ..	27	7	1	..	35	18	6	2	..	26	19	6	8	..	32
Attock ..	18	2	..	..	20	27	5	1	..	33	20	2	..	..	22
Mianwali ..	26	2	4	..	32	23	4	2	..	29	18	3	2	..	23
Total ..	117	19	12	..	148	137	23	14	..	174	85	15	13	..	113

DEBT CONCILIATION BOARD, JHANG.

*5927. Rai Bahadur Mr. Mukand Lal Puri: Will the Honourable Finance Member be pleased to state whether in almost all the cases pending before the Debt Conciliation Board, Jhang, and in those so far decided by it,

the Hindu creditors have invariably objected to the insertion of fictitious claims of the friends and relations of the debtor petitioners; and whether the members of the Board held any enquiry into the nature of the debts; if so, with what results?

The Honourable Sir Donald Boyd : Objections of this kind have been made in a number of cases. Government understand that when made they are always investigated by the Board. In some cases at any rate it has been found that fictitious debts have been inserted.

JHANG DEBT CONCILIATION BOARD.

***5928. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Finance Member be pleased to state with reference to the petitions put in so far before the Jhang Debt Conciliation Board—

- (a) the total amount of debt claimed by Hindu and Muslim creditors, respectively;
- (b) whether in the case of Muslim creditors collusion was affirmed; if so, the reasons for not making any enquiry into the matter?

The Honourable Sir Donald Boyd : (a) The total value of the debts covered by the applications instituted before the Board up to the 30th June last was just between 105 and 106 lakhs of rupees. Separate figures according to the religion of the creditors are not available.

(b) It is understood that in the case of some Muslim creditors collusion has been alleged and that the Board have made enquiries into such allegations.

JHANG DEBT CONCILIATION BOARD.

***5929. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Finance Member be pleased to state whether the members of the Jhang Debt Conciliation Board have allowed any cash payment to the Hindu creditors; if so, in how many cases and what proportion does it bear in each case to the total debt claimed by the creditor?

The Honourable Sir Donald Boyd : Cash payments were allowed by the members of the Debt Conciliation Board, Jhang, to Hindu creditors in four cases. The Board awarded 100 per cent. of the debt in three cases and 48 per cent. in the fourth case.

JHANG DEBT CONCILIATION BOARD.

***5930. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Finance please state—

- (a) the number of applications instituted by the debtors and the Hindu creditors so far before the Jhang Debt Conciliation Board;
- (b) the number of applications disposed of by the Board so far;
- (c) how many of them were disposed of on the merits of the case and how many otherwise, stating also the average number of hearings in each case;

[B. B. Mr. Mukand Lal Puri.]

- (d) how much debt in total, whether entered in the petitions in the first instance or disclosed subsequently, of the Hindu and Muslim creditors, respectively, appears to exist from the petitions instituted by the debtors so far?

The Honourable Sir Donald Boyd : (a) Under the instructions of Government the statistics relating to the work of Conciliation Boards are maintained on a half-yearly basis. Up to 30th June, 1936, the number of applications filed before the Jhang Board was as follows :—

Applications by debtors	..	..	2,351
Applications by creditors	..	..	492

Information is not available as to the religion of the applicants.

- (b) and (c) Disposals up to the 30th June, 1936, were as follows :—

(i) Dismissed under the proviso to section 12(1) or under section 18.	924
(ii) Settlements authenticated by the Board under section 19.	210
(iii) Authentication refused	25
(iv) Cases ending with the issue of certificates under section 20.	6
(v) Cases finally filed on account of the failure of the parties to come to terms.	27

Total	..	592
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It would not be possible to collect information as to the number of hearings in each case without an expenditure of time and labour that would be disproportionate to the results to be secured.

- (d) The information is not readily available.

NOMINATIONS TO THE SMALL TOWN COMMITTEE, SHAHDARA.

*5931. **Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local-Self Government please state—

- the number and names of applicants for nomination to the Small Town Committee, Shahdara, district Sheikhpura;
- whether he will lay on the table the applications of various applicants submitted to the Deputy Commissioner, Sheikhpura, for such nominations;
- the number of seats available for nomination to Small Town Committee, Shahdara, and out of these how many are reserved or generally given to the Hindus and the name of the Hindu gentleman nominated in 1936;
- whether memorials have been submitted by the residents of the said area to the Deputy Commissioner, Sheikhpura and the Commissioner, Lahore division, in this connection; if so,

whether he will lay copies of them on the table and state what action has been taken on these memorials by these two officials ;

- (e) if no action has been taken, the reasons therefor ;
- (f) whether any deputation of the Anjuman-i-Islamia, Shabdara, waited on the Commissioner, Lahore division, at Sheikhupura when he was on tour there, representing that the gentleman who has been nominated to the Small Town Committee should not have been nominated as his father was already an elected member of the committee ;
- (g) what action has been taken by the Honourable Minister so far in this matter ;
- (h) if the answer to part (g) above be in the negative, the reasons for not taking any action and whether he is prepared to take any action now ?

The Honourable Dr. Sir Gokul Chand Narang : The answer to this question is not yet ready.

CANDIDATES IN THE DEPUTY COMMISSIONER'S OFFICE, LUDHIANA.

***5932. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please lay on the table—

- (a) a list of candidates in the Deputy Commissioner's office, Ludhiana, accepted from 1926 up to date ;
- (b) a list of such candidates out of the above who have been offered permanent or temporary posts from 1926 up to date ;
- (c) a list of persons communitywise other than the above who have been offered direct appointment from 1926 up to date ;
- (d) letter No. 450, dated the 20th of April, 1933, from the Deputy Commissioner, Ludhiana, to the Commissioner, Jullundur division ; and
- (e) in view of the reply to (b) and (c) what the Government intends to do to redress the grievances of the candidates accepted from 1926 ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) (b) and (c). Lists¹ marked A, B and C giving the requisite information are placed on the table.

(d) I regret copy of the Deputy Commissioner's letter cannot be furnished.

(e) Deputy Commissioners have the power to make the appointments and they do so by selection from lists of candidates. Government sees no reason for taking any action.

¹ Kept in the Council Library.

UNSTARRED QUESTIONS AND ANSWERS.

SUPPLY OF CANAL WATER TO GOVERNMENT CATTLE FARM, HISSAR.

1401. Lala Jyoti Prasad : Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the supply of canal water in 1933, 1934 and 1935 to the Government Cattle Farm, Hissar, was much in excess of what could have been supplied to the zamindars for an area corresponding to the area of the said farm ;

(b) if the answer to (a) be in the affirmative, the amount of water-rate realized from the Government Cattle Farm, Hissar, in the years mentioned in (a) and the amount of water-rate according to the ordinary terms of supplying water by Crown-owned canals ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Yes. For special reasons Government has sanctioned an enhanced supply of water for the Hissar Cattle Farm.

(b) (i) Water-rate realized from the Cattle Farm is as below :—

					Rs.
1933-34	..	..	..	..	14,195
1934-35	..	..	..	..	15,575
1935-36	..	..	..	..	16,198

(ii) Average water-rate in the period in question based on the average of the Western Jumna Canal equals Rs. 31,814.

1402-03—Cancelled.

HEAD MASTER, GOVERNMENT HIGH SCHOOL, RUPAR.

1404. Chaudhri Allah Dad Khan : Will the Honourable Minister for Education please lay on the table a statement showing the names of the head-masters of Government High School, Rupar, who held charge of this school from 1910 to 1936, showing (i) the period of service of each of them, and (ii) the community to which each of them belonged ; and state—

(a) whether it is a fact that the post of Headmaster, Government High School, Rupar, has all along since 1910, excepting a few months, been held by non-Muslim incumbents ;

(ii) whether he is aware that the Anjuman-i-Islamia, Rupar sub-division—

(a) brought this fact to the notice of the authorities,

(b) requested the authorities to appoint a Muslim to this post whenever an occasion arose ;

(iii) whether the Director of Public Instruction, Punjab, has received resolutions from Anjuman Himayat-i-Islamia, Lahore, and the Punjab Muslim Educational Conference, Lahore, in support of the claims of the Muslims of Rupar sub-division, as put forward by the Anjuman-i-Islamia, Rupar ;

(iv) whether it is a fact that the present Headmaster, Government High School, Rupar, is about to retire by October, 1936 ;

(v) whether the question of granting him further extension is under the consideration of the Government ;

(vi) if the answer to (v) above be in the negative, how the Ministry of Education contemplates to fill this vacancy when it occurs ?

The Honourable Chaudhri Sir Shahab-ud-Din : (i) The honourable member is referred to the Civil Lists.

(ii) Yes.

(iii) Yes.

(iv) Yes.

(v) No.

(vi) A Muslim head master has already been transferred to the Government High School, Rupar.

PURAN SINGH, SECOND MASTER, GOVERNMENT HIGH SCHOOL, KAITHAL.

1405. Chaudhri Allah Dad Khan : Will the Honourable Minister for Education please state—

(i) whether it is a fact that Puran Singh, at present secondmaster; Government High School, Kaithal, was degraded in 1927, if so, the reasons why he was degraded ;

(ii) whether the Inspector of Schools, Ambala, has now recommended that he be promoted to headmastership and posted to Government High School, Rupar ;

(iii) whether the Department has considered the claims of Muslim candidates for the post of Headmaster, Government High School, Rupar ?

The Honourable Chaudhri Sir Shahab-ud-Din : (i) Yes. He was degraded in 1929 for neglect of duty.

(ii) No.

(iii) Yes. A Muslim head master has already been posted to Rupar.

WATER RATE CHARGES ON FLOODED AREAS.

1406. Pir Akbar Ali : Will the Honourable Revenue Member kindly state—

(a) whether an area irrigated by flood water is liable to water rate charges ;

(b) if not, whether it is a fact that the patwaris are preparing papers to levy water rates on the areas which have been subject to water action owing to breaches in the Protection Bund in the Fazilka and Muktsar tahsils of the Ferozepore district ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) and (b) Area irrigated by flood water is not usually charged water rates. But in this connection attention is drawn to Rule 28 of the Northern India Canal and Drainage Act.

UNDER SECRETARY TO THE LOCAL SELF-GOVERNMENT.

1407. Pir Akbar Ali: Will the Chief Secretary kindly state—

- (a) whether it is a fact that the post of the Under-Secretary to the Local Self-Government is to fall vacant shortly ;
- (b) whether it is also a fact that since its inception all the incumbents have been Hindus ;
- (c) if answers to (a) and (b) above be in the affirmative, whether the Government will consider the claims of the Muslim members of the Provincial Civil Service (Executive Branch) while filling this post when it falls vacant ?

Mr. A. V. Askwith (For Chief Secretary): (a) Yes ; in April, 1937.

(b) No.

(c) Does not arise, but I take this opportunity of making it clear that communal considerations will not influence the choice of an officer to fill this post. Further the post is one to which except with the permission of the Secretary of State, an officer of the Indian Civil Service must be appointed.

APPOINTMENTS IN TEACHING AND INSPECTION LINES OF THE
EDUCATION DEPARTMENT AND SIKHS.

1408. Honorary Captain Sardar Raghbir Singh: Will the Honourable Minister for Education please state—

- (a) how many appointments have been made by the Education Department, both in the teaching and the inspection lines in each division since 1935 (January) in the grades of Rs. 55 to Rs. 70, Rs. 80 to Rs. 100, Rs. 110 to Rs. 135, Rs. 140 to Rs. 190 and Rs. 200 to Rs. 250, respectively, in the subordinate services ;
- (b) how many of such appointments have gone to the Keshadhari Sikhs ;
- (c) whether he will take necessary measures to make up the deficiency, if any, of Sikhs in this department ?

The Honourable Chaudhri Sir Shahab-ud-Din: (a) and (b) The honourable member is referred to the Subordinate Educational Service graduation lists, copies of which are placed in the Council Library.

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

REPRESENTATION OF SIKHS IN THE P. E. S.

1409. Honorary Captain Sardar Raghbir Singh: Will the Honourable Minister for Education please state—

- (a) How many appointments in the Provincial Educational Service have been made by the authorities since 1935 (April) ;

(b) how many of these appointments have gone to the Keshadhari Sikhs ;

(c) if the representation of Sikhs in this line is inadequate, what steps the Honourable Minister for Education propose to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Seven appointments were made in the Punjab Educational Service (Class I) (Men's and Women's Branches) and nineteen in the Punjab Educational Service (Class II) (Men's and Women's Branches).

(b) Out of these appointments three have gone to Keshadhari Sikhs.

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

EXEMPTION FROM PERSONAL APPEARANCE IN COURTS.

1410. Honorary Captain Sardar Raghbir Singh : Will the Honourable Finance Member please state—

(a) how many persons have been exempted from personal appearance in courts since 1907 in the Punjab Province by the Local Government,—vide section 133, Civil Procedure Code ;

(b) their names and ranks ;

(c) to what places they belong ?

The Honourable Sir Donald Boyd : I regret that the reply to this question is not yet ready.

27th October 1928.

THE PUNJAB MOTOR VEHICLES TAXATION (AMENDMENT AND CO-ORDINATION) BILL.

Mr. President : The Council will now resume discussion of the motion of the Honourable Revenue Member that the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill be taken into consideration at once.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : This Act was passed a couple of years ago and now the time has come when after seeing the working of this Act and other Municipal Motor Acts the Government should have come forward and brought amending Bills so that the whole system of motor management may be put in proper order. As a lawyer I find that some of the rules are very crudely made. Some of them are absolutely out of date. The fact is that the Secretaries in the Secretariat are very busy. They have no time to go into the details of things. I remember going to Mr. Marsden's room and I always found between 100 to 120 files there and he told me that he had to go through them. No wonder then that the gentlemen who have to make the rules have no time to go into the little details and to remove the small pinpricks that would change the complexion of the law. The Secretaries and the Ministers

[Sh. Muhammad Sadiq.]

have no time to look into these details when they have to go through hundreds of files. You will remember that the question of the Text Book Committee was brought up by my friend Mian Ahmad Yar Khan Daulatana. The rules of that Committee had to be framed and you will remember that the Director told us that he had been worried about the matter. Then a committee was set up which after six or seven sittings framed rules which were accepted by Government. Similarly, why cannot Government take the members of the Council or experts into confidence to make the rules in this case also? When this Act was passed the maximum punishment for a man who did not carry his coupon with him was that he was sent to a police officer who asked him to pay double the fees as a penalty. Government has made rules not under this Act but under the Motor Vehicles Act which is absolutely illegal. Such flaws are not excusable. I think you are making the offence punishable under an Act which is not applicable at all. Yet under the rules you have made it punishable as an offence. That is absolutely illegal. If the Government had taken the House into its confidence I am sure, such a mischief would not have occurred. The thing is that Government has not time to frame rules and yet it makes rules. I do not know how it makes them. (*Interruption*). That is the worst of it. Government does make rules and the magistrate without enquiring whether the rules are legal or not punishes a person because he has offended the rules. If a man has to go to a sessions court or to High Court in appeal he has to spend ten rupees for a copy of the judgment, another forty rupees as fee for a pleader and some more on other items of expenditure and thus he has to spend about a hundred rupees if he wants to get himself acquitted. That is the system which is prevailing in this province. The way in which certain magistrates administer these rules is also rather curious. I know of a magistrate who when the cases come before him looks at the clock and if the time is 2-30, he say Rs. 30 fine and if the time happens to be 3-40 P.M. "he says, it is 3-40 P.M. all right Rs. 40 fine." I am not exaggerating but stating only facts. This system of administering rules must come to an end. I am standing now to protest against the way in which the rules are framed and administered. Now-a-days if a respectable gentleman is challaned under the Motor Vehicles Act and he brings respectable witnesses to prove that he is innocent they are not believed. The word of a foot-constable is accepted by the magistrate and not that of the respectable gentleman or his witnesses. We do not find such a system in any other part of the world. I may in this connection cite an experience of my own at Amritsar. I was going to station and a police constable came up, spoke to my driver something. I asked the driver as to why traffic constable had followed us. He replied that the constable was saying "give me five rupees which you promised the other day or I will challan you." It had only two alternatives, either to pay him the sum he demanded or bring witnesses whose words would fall on deaf ears. The whole point is that the system of administration is very lax.

I am not only fighting in the interests of lorry-walas, but I want that more facilities be provided to the public. If you increase the tax you cannot give the same facilities to the public as you are giving them with the present rates. The Government must see that the people have got more

space to sit in the lorries. No doubt, the lorries are very cheap now-a-days, but the seating accommodation is very inadequate. Much better seating accommodation should be provided and better ventilation and lighting.

Again if the Government wants to raise more revenue, there are other ways of doing so. For instance, they can increase the output of spirit in this province, and use it in mixing with petrol. But where it is a case of bettering the condition of industries, the Punjab Government is helpless, because the Government of India would not allow them to improve the industries. I do not see why if petrol cannot be had in sufficiently large quantities from this province or from other provinces of India, we should not use spirit for motors. Why should we be compelled to import it from Russia, Caucasasia, Texas or from other countries? I am sure if Government shows real sympathy and not mere lip sympathy we can produce hundreds and thousands of tons of spirit. But we are sitting with hands tied down only making fuss by oral speeches and doing nothing practicable.

There is one thing more which I cannot understand. Yesterday, while I was speaking about the municipal committees the Honourable Minister for Local Self-Government was, I think, not in the House, but luckily to-day he is in his seat. Why does he not protest against this Bill which takes away so much money from the local bodies and hands it over to the Government? He knows it only too well that the municipal committees are hard pressed for money. On account of motor traffic better roads are demanded, better sanitation is demanded and he will not find gold mines in the municipalities to meet all these charges. The money must come from the public in the shape of taxes. If this measure is enacted my municipality alone will lose Rs. 40,000 in revenue per year.

My object is that Government must come forward with a small committee which should go through the motor laws very carefully and frame such rules that will afford relief to the poor motor-walas and give facilities to the public. It is very unfortunate that honourable members on the Government benches are neither prepared to do something for the good of the people themselves because they are so busy, nor do they take our help because that will mean interference in their administration. I assure them that not only the members of the Council but people outside also will be willing to co-operate with them in bringing forth some plan which will be beneficial both to the motor owners and the public. I strongly request this House to support my motion for circulation because it is not only in the interest of motor-walas but in the interest of general public that this Bill be circulated and opinions received. Knowing the difficulties of the motor owners, the grievances of the public and whether or not the municipal committees will be able to shoulder the burden if so much money is taken away from them, we will be able to frame such rules as are acceptable to all. With these words, I again request the House to give their whole-hearted support to my motion.

Mr. President : Motion moved—

That the Punjab Motor Vehicles Taxation (Amendment and Co-ordination) Bill be circulated for the purpose of eliciting opinion thereon by the 1st January, 1937.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): This Bill for the co-ordination of rules and laws relating to Motor Vehicles Act is a very important one as it involves many thousands of people who earn their livelihood by honest means. It is unnecessary at this stage to describe the difficulties under which these poor people are working. First of all there is the district staff and the police staff. Secondly there is the inspectorial staff who go on motor lorries. Then there is the staff which issues licenses to them and the poor motor people have to please all of them. There are also underlings whom they have to please. It is unnecessary for me to go into the details of all this as it has been fully described by my friend, Mr. Sadiq. I will only quote my own experiences. After the Council session was over I was going to my place. Unfortunately, I had a little difference with the Superintendent of Police while I was Deputy Commissioner, Gujranwala. When I passed Nizamabad there was a police constable who raised his hand and I stopped my car at once. He saw me and he probably knew me. After seeing me he asked me to go. I asked why he stopped me. He said he wanted to check my car or coupon. A few hundred yards ahead my chauffeur saw the Superintendent of Police who recognised the colour of my car and he did not say anything to him. But after a month or so the chauffeur was challaned. For what offence? For the offence that he did not have the driving licence with him, and that the coupon was not displayed. Not only that, but I got a letter from the Deputy Commissioner, Gujranwala, that "steps are under consideration to take some suitable action against you because you did not stop your car at all." In reply I told him "you are at liberty to challan my chauffeur and to take any action against me. As regards my chauffeur his name is so and so. I am prepared to come to your court and say that the charges are all false. I am coming from Lahore where the rules are strict enough and where the supervision of cars is also stricter." I was going there after the Council session was over. I had my coupon all right shown on the wind screen. The driver had his driving licence. (*The Honourable Captain Sardar Sir Sikander Hyat-Khan*: When did this happen?) I think it was on the 1st or 2nd December 1934. (*An honourable member*: Did you go to the court?) No. They had not the courage to take any action against me. The chauffeur had to go there. Once the case was adjourned and next time he went. Probably because they had a very weak case or a false case, the constable who at the instance of the Superintendent of Police challaned my chauffeur, stated that this was not the chauffeur. I can swear that I have got no other chauffeur. So the man was let off having been called to that place twice or thrice. If such a thing can happen in my case, what about the poor devils, the drivers of motor lorries who are at the mercy of the police constables? So, it is absolutely necessary that a Bill of so far reaching character should be circulated among the public so that Government may be in a position to know what opinions they hold. It is a well known fact that even an accused person has got a right to be heard in defence, but Government do not give them a chance to say what they have to say but merely by an order Government want to enhance their taxation. This is a sort of Czar's order as somebody said. The lorry driver is charged for any offence under rule 16 or something like that. That is the usual charge made against him. That covers every blessed thing. For the first offence he is fined Rs. 30 or Rs. 40, for the second, Rs. 60 and if the man makes a protest, the fine is doubled

This is the way in which the lorry-walas are treated. Yesterday I saw somebody on the Treasury Benches shaking his head when Mr. Sadiq or Sardar Habib Ullah said that this Bill was intended to reduce the lorry competition with the railways. The Honourable Revenue Member may shake his head. But I will give reasons for such apprehensions. Two or three years ago there was a rumour that the Government wanted to issue orders to the local authorities to establish motor stands at places about a mile or two from railway stations. If that is so what was the object of such an order, if it is not to diminish the competition against the railways. Again there was a conference at Simla this summer or last year. It was to devise means of better railway and road transport. What does it mean? The railways have now got reduced income. Then again a third instance is this. The railway fare from Gujranwala to Lahore for a 3rd class passenger used to be 13 annas. But in order to compete with motor lorries the Railways have reduced it to 7 annas and the lorrywalas have reduced their fare to 6 annas. The same is probably the case from Lahore to Amritsar. How then can any man honestly say that this is not to diminish the competition? Any sensible man can understand it. I am sorry to say that some of the honourable members are ignorant of English and these Bills are circulated in English and even if they know English they do not take sufficient interest to read and understand what is contained in the Bills. That is the difficulty. They represent about 85 millions of people here, and their destinies are in their hands and they discharge their responsibilities in a very haphazard way. They ought to realise their responsibilities and come to the assistance of these people. If this Bill is passed and the taxation is imposed on the lorry drivers, you will practically be throwing out of employment thousands of people who belong to the ordinary classes. You may call them *goondas* or ruffians. But they will be thrown out of work and they will take to thieving and other minor offences. It is therefore absolutely necessary that this Bill should be circulated and the opinion of lorrywalas taken. The gentleman sitting opposite to me (The Honourable Minister for Local Self-Government) ought not to have allowed local bodies to be interfered with. How are the municipalities going to develop if you take away one means of income from them? How are they to give lighting, sanitation, metalled roads and other amenities of life? He ought to have stood up for the rights of local bodies. It is in his time that most of the powers which were possessed by the municipalities have been taken away from them.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): It is surprising to note that a reactionary and contentious measure like the present one has been introduced in the Council and the Council is asked to take this Bill into consideration at once. Even if we go carefully through the statement of objects and reasons we find it stated that the Government stayed their hands off so far because the industry was in its initial stages and therefore they did not like to pass any law and enhance any taxation lest the industry should be killed in its infancy. They have also pointed out in that very statement that the economic depression did not allow the Government to come with a proposal for enhanced taxation. I ask the Government whether they can show now that there is any improvement in

[S. Arjan Singh.]

the economic position of the country or of the general tax payer including the motor drivers and the motor car owners. Of course the Government have been at pains to point out in this House when there was a 10 per cent. cut in the salaries of the officials, that there was a ray of hope in the budgetary position of the province. Even at that time we struck a note of diffidence and we pointed out to the Government that we could not see eye to eye with the Government and there was absolutely no improvement in the position of the province. That economic depression which commenced about seven or eight years back is still there and Government is not in the least justified in asking the Council to impose any additional taxation upon any class of people in the province. It has been pointed out by the previous speakers that it is not only the motor driver or the motor owner who would be taxed but it will be the general tax payer. Of course it will be the general public who will have to ultimately bear the burden of this taxation. That question apart, even if it were a question of imposing additional taxation upon motor drivers and motor owners alone, I would oppose this Bill at this stage. In fact we have been making proposals from time to time in this House for retrenchment in the expenditure of the Government and we have been asking them that they should try to cut down the expenditure of administration and we have not even hesitated to impose additional taxation wherever necessary in the interests of the administration. But I remember during the last five or six years that I have been in this House there has not been the least suggestion that this class of people should be subject to enhanced taxation. Of course my friend from Gujranwala put a pertinent question, how is it that the Revenue Member one fine morning considers how to find additional revenue for the province? Therefore my submission is that as a matter of fact it is surprising that the Government have taken it into its head to impose this additional taxation all at once without consulting the public, without consulting those people who are going to be adversely affected by this taxation. Most of the grievances of these motor lorry drivers and motor owners have been detailed by my friends who have preceded me and I am not going to repeat them. Of course their grievances are so numerous and are of various kinds. In fact each day from early morning the anxiety of the motor drivers and the motor owners is to keep in good humour the police official, the foot constable or the traffic constable on duty. He has to carry the police constable and his friends free. If a constable has a grouse against a particular motor driver, he challans him. It must have come to the notice of honourable members that the driver has to give a tip here and a tip there, though I am not going to justify his conduct in giving bribes. I can very well understand his mentality and his position can very well be explained. When he goes to the court he does not get proper treatment nor the justice that is due to him.

Now, Sir, several motor drivers have suggested that, instead of this procedure that is provided for the disposal of the offences under the Motor Vehicles Act, they should have a regular trial. Of course, I think they will have to undergo so many difficulties, if there is a regular trial. But, they feel that they are not getting proper justice because there is no appeal. If a man has been fined Rs. 50 or Rs. 100

3 P.M.

for a minor offence, of course, there is no appeal and then we know what the revisional powers are and how they can be exercised. There are so many difficulties before those revisionary powers can be exercised. My submission is this that the grievances of those people should be heard, and the Government should come forward to give some relief to them. But instead of this the Government is proposing additional taxation.

I have also to point out another reason why this Bill should not be considered at once. In fact it is the Government's point of view that motors have done a lot in developing the resources of the country, in developing agriculture and industry of the country. Therefore they should have better treatment at the hands of the Government. Every encouragement should have been given to the industry to prosper. Why then does the Government come down upon this industry?

Again, we have to consider another aspect of this question. There are people who have invested their last pie in the purchase of these motors. Who are those people? I know a large number of young zamindar boys who have sold all their property and disposed of all their ancestral holdings and invested all this money in purchasing motors. When they have invested lakhs of rupees in this industry, Government comes down and wants to put an extra burden of this additional taxation on them. It means that those people should leave this industry just as it is.

Next, there is the question which have been briefly touched by the previous speaker. It is the question of unemployment. Unemployment in this province has been very keen, just as it has been everywhere else. Government have been warned from time to time that it is the duty of the Government to solve this question of unemployment. It must be said to the credit of the enterprising young men, that they have themselves tried to solve this question, by investing all their energies and all their capital in this industry. Government should contribute something to them and provide facilities for them. Instead of helping them, instead of giving them encouragement, Government stands in their way. If those people are thrown out of employment, of course,—my honourable friend was wrong when he said that they will take to little thieving and other offences—there will be a political danger. Some of those young people are *ex-service* men and *ex-military* men, who have seen all the countries and have been taking active part in political activities. I think you are trying by this legislation to revive a *Babbar* and you want terrorists. After all what would be the feeling of those young people who have done so much? If they think that the Government is out to afford facilities to them they are sure to follow some political activities.

Now, it is clear that this Bill is brought forward with a view to help the railways and to put a stop to the road development. By bringing this motion for consideration of the Bill at once, you are strengthening that apprehension of the public and also the apprehension that you are not looking to the interests of the rural public. In fact you are out to see that something is done with a view to help the railway administration. I think Government should have made out a strong case before they should ask this Council to lend its helping hand to the Government.

[S. Arjan Singh.]

In fact it is stated in the statement of objects and reasons that the Government expect that there would be an income of about 3 lakhs of rupees and they also admit that upto this time Government have been realising one lakh and 50 thousand to be paid to local bodies as compensation. What is left is nearly one lakh and for this one lakh you are trying to rush through this legislation. Therefore, I appeal to the Government, in the name of fair play and justice, and in the name of good Government, that they should withdraw this reactionary measure; otherwise it is the duty of the non-official members to oppose this measure tooth and nail. With these words I support the motion for circulation.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official): There seems to be some misunderstanding regarding this measure. The honourable members are probably mixing this Bill with the measure proposed in the Central legislature amending the Indian Motor Vehicles Act, which has caused a great resentment and discontent amongst the lorry-owners. It is alleged that the Bill moved in the central legislature aims at supporting the railways, at the cost of motor transport services. But as far as the Bill under discussion is concerned, my impression is that it has been welcomed by the lorry owners. I read an article in the *Civil and Military Gazette* the other day by the Secretary, Lorry Owners' Union, Gujranwala, which was in support of this measure. The views expressed in that article are quite different from those expressed by my honourable friends who have preceded me. For the information of the honourable members I would read that article. This article was published in the *Civil and Military Gazette* of the 22nd October 1936 under the heading "Punjab Motor Vehicles Taxation (Amendment) Bill,—Lorry Owners Support": It reads as follows:—

The Lorry Owners' Union would like to support this Bill to amend and co-ordinate the law relating to motor taxation in the Punjab. The imposition of wheel tax by the local bodies shall cease from the date of commencement of this Act. The rate of tax in the new schedule may perhaps seem high when compared with the present schedule in view of the small income of the lorry-owners, but it must be remembered that they will be free from all the expense and difficulties of taxation by local bodies, and it must also be remembered that the proposed scale of taxation is very moderate as compared with other provinces. In some districts, wheel tax does not yet exist but in other districts local bodies levy exorbitant but spend little on the improvement of the roads.

Some local bodies have already passed resolutions for the increase of these taxes, and, if allowed, such taxation will become more and more and will be greater than the amount to be paid to the Government under the provisions of the new Bill.

Moreover, the Punjab Government is prepared to set aside a part of the provincial tax for the payment of compensation to those local bodies which have hitherto derived profits from wheel tax on motor vehicles with a condition that the local bodies should spend this exclusively on roads, with the result that the condition of the municipal roads would improve. We, therefore, lend our support to this Bill which seems to us to be in the interests of lorry-owners.

I am at a loss to understand whether the view expressed in the above article is more representative of the thoughts of lorry-owners or the one, expressed by the honourable members sitting opposite. I cannot, however, help saying that the Government has taken a very unwise step in bringing forward this piece of legislation at a very inopportune time. It seems very unfair on the part of the Government to validate the transport of voters in lorries by the candidates at elections and then to expect the honourable

members who may be seeking re-election to pass this legislation on the eve of general elections. Keeping in view the strong organisation of lorry-owners and lorry-drivers, one cannot ignore the fact that their displeasure at this time may have serious repercussions at the coming elections and they may refuse to carry the supporters and voters of the present members of the Council who may be seeking re-election. The vigorous and spirited speeches made by some of my honourable friends who have championed the cause of lorry-drivers, at least give me the impression that they do not wish to take any risks by supporting this Bill. My honourable friend who preceded me has appealed to the Government in the name of justice and fair-play, but I will make an appeal to the Honourable Revenue Member in the name of the coming general elections to find some way out of the difficulty and not to put members to such a severe trial by asking them to support the Bill at the risk of incurring the displeasure of the lorry-owners at the present critical juncture. I am sure, if this Bill is brought before the next Council, it will get a warm reception from that section of the House which has always been pressing the Government to explore new avenues of provincial revenues. The Government should appreciate their difficulty and helplessness in supporting this measure at the present moment.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (*Urdu*): The lorry owners have taken great pains to make the traffic in the province efficient. They have spent crores and have even sold their lands in order to import these vehicles from abroad. Then again they have benefited the Government by the purchase of foreign goods and petrol and the payment of import duties on them and in view of these facts the Government ought to help them instead of suppressing them. The apprehensions in the minds of the railway authorities has caused the people to suspect that the Government desire to benefit the railways at the cost of the public and the lorry-drivers. It is well-known to you that if a lorry-driver fails to give a lift to a policeman he is badly treated by him and is at once challaned. This maltreatment of lorry-drivers is common. Now local bodies have also begun to levy taxes on them. *Rahdari* is charged by Municipalities through whose areas the *gernali sarak* passes, for instance, Phillaur, Jandiala, Amritsar and other such committees charge this tax. Also the States through whose areas this road passes charge the tax. This should be stopped. In spite of all these hardships the lorry-owners have been carrying on lorry traffic by which people have profited a good deal. The railway fare from Jullundur to Lahore is Rs. 1-4-0 and the lorry drivers charge only fourteen annas. Previously the public had to undergo a lot of trouble to get their luggage booked and often the railway employees had to be tipped. But now on account of the lorry traffic this trouble has vanished. This has caused loss to the railways. In view of the convenience which the lorries provide to the public at large, it is necessary that something should have been done to help their owners and to remove the hardships under which they groan. But here the case is quite the reverse. At Hoshiarpur a lorry driver had two baskets which did not weigh more than two maunds. The policeman without ascertaining the weight of the baskets straightaway challaned the driver. He did not even consider that a load of 10 seers per passenger was allowed. The Government instead of helping them is trying

[L. Bhagat Ram.]

to suppress them by levying taxes and imposing fines. A section of this Bill shows that a decrease is also being made in the number of passengers that a lorry can carry at a time.

In the end I appeal to the good sense of the House that they should not be a party to the imposition of new taxes on the lorry drivers and thereby ruin a class of people who are so useful to the public in affording facilities as regards traffic.

Mr. M. A. Ghani (Nominated, non-official): I rise to support the motion for circulation of this Bill moved by the honourable member representing Muslim constituency of Amritsar city. It is I think the first principle of democracy that whenever any taxation is imposed or additional taxation is proposed the people who are going to be affected thereby should be given an opportunity of examining the question and representing their views on the merits or demerits of the proposed taxation to the Government. I have been a member of this Council since 1928 and since then so many Bills have been moved imposing taxation but never has a Bill been rushed through as this Bill is proposed to be rushed through by the Government in this House. I think it is only fair that these motor owners and these motor drivers should be given an opportunity of representing their grievances and of either opposing or supporting this measure. Much has been said about the grievances of these people. I know from my personal experience that these people are simply robbed first by the police and then by the magistracy.

Rai Bahadur Mr. Mukand Lal Puri: Magistracy also? That is wrong.

Mr. M. A. Ghani: I am president of the Punjab Motor Drivers Union and I am president of the Lahore Tonga Drivers Union and I know it from personal experience that these motor drivers and even tonga drivers are simply robbed by the traffic police.

The Honourable Captain Sardar Sir Sikander Hyat Khan: The honourable member is not in order in making such a sweeping and general assertion.

Mr. President: The honourable member will please confine himself to the specific instances. His remarks are too sweeping.

Mr. M. A. Ghani: This is my personal experience. I have appeared in hundreds of cases.

The Honourable Captain Sardar Sir Sikander Hyat Khan: Did the honourable member bring these cases to notice of anybody in authority?

Mr. M. A. Ghani: I brought these cases to the notice of the Deputy Commissioner of Lahore and I led a big deputation about two years ago against the summary proceedings and the manner in which these people are tried summarily by the courts. What do we see on the road? A motor driver is driving perfectly within his rights and there is a hungry constable standing. The constable gives the hand to the driver but as soon as the lorry driver comes within two or three yards of the constable, he at once drops his hand. The poor driver is in trouble and the prosecution of the

driver starts. There are no summons, no warrants, but he is handed a chit on which he writes that the motor driver or the tonga driver is to appear in the given court. This policeman is the magistrate, he is the prosecutor and everything. On the due date the man appears before the magistrate. The magistrate begins his work at about 2 o'clock, though the man has to be there from ten in the morning and within one minute of his name being called the case is decided.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Very quick work.

Mr. M. A. Ghani : As soon as the man is in the dock, he is asked whether he admits the facts, but if he denies the constable is called and he says that the driver was in the wrong and the man is fined from 10 to 20 rupees. If the man protests, the fine is doubled and if he still protests, the fine is triplicated and if the man still says that he is innocent the fine is fifty rupees.

Mr. Nanak Chand Pandit : Where does this end ?

Mr. M. A. Ghani : In jail.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I ask whether this is relevant ? To which portion of the Bill is the honourable member referring ? He is evidently talking of the provisions of law which we do not propose to amend.

Mr. President : I think the honourable member is right. He is trying to bring out the evils which result from the operation of the existing law and he thinks that this legislation will add to these.

Mr. M. A. Ghani : I submit, that 90 per cent. of the traffic police are corrupt.

The Honourable Captain Sardar Sir Sikander Hyat Khan : That again is a very general and sweeping remark.

Mr. M. A. Ghani : I can prove if you only give me an opportunity to show that every policeman, almost every policeman who stands on the road to control the traffic is corrupt.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Question.

The Honourable Sir Donald Boyd : I strongly protest against this statement.

Mr. M. A. Ghani : You may protest, but this is a fact. It is therefore that I was prosecuted by the police.

Mr. President : If an allegation of such a sweeping character has to be made it should be made on a substantive motion.

Mr. M. A. Ghani : If I am lucky to be elected to the next Assembly, I will certainly bring a substantive motion, but this is a fact. I have written articles on this subject.

Mr. President : The honourable member will please not repeat his remarks.

Mr. M. A. Ghani : Then I humbly submit that if this taxation is doubled, it will eventually affect the poor motor drivers and the owners will certainly reduce their salaries. The owner will certainly say, "look here I have to pay so much to the Government and the municipality on account of this heavy taxation, how can I pay you this large salary." Secondly, the passengers will also suffer a good deal. The motor owners would like to make their profits. Nobody can say that they should not make profits and eventually they would raise the passenger fares and, as these lorries are used by the poor people of this country, those people who cannot afford to go by rail or their own motor cars like members of this House, will suffer. As representing the labouring classes, I am in duty bound to oppose this measure and I would most humbly and respectfully appeal to the Government to at least give the public an opportunity to give their opinion on this measure. With these few words I support the motion moved by the honourable member from Amritsar for the circulation of this Bill (*hear, hear*).

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I am surprised that when the Council is on its last legs, the Government should have brought in a measure of this kind. Certain persons are under a misapprehension that the present tax does not increase the burden of the lorry drivers, but one simple sentence on page 2 of the Statement of Objects and Reasons will dispel the doubts of the honourable members if there be any on this point.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : There are none. Nobody has said anything.

Mr. Nanak Chand Pandit : "The present rates of these vehicles are extraordinarily light in comparison with those in force in other provinces and with the Punjab rates for private vehicles." It therefore means very clearly that by means of this Bill the Government wishes to increase the taxation on lorries and motor vehicles which generally ply for hire. Now it is a well known fact and as a matter of fact it has been admitted even by the British Parliament that in India there are very bad arrangements for transport, and that facilities for transport do not exist as they should exist in every civilized country. Therefore it is a very remarkable fact that under the new system of Government which is coming into force motor lorries are permitted to be used during election times. Ordinarily it is a corrupt practice, it was hitherto a corrupt practice here and it is a corrupt practice in England and in other countries of the world, but it has been recognized that because there are no proper facilities for transport of people from one place to another, therefore, all these hindrances and limitations which were placed at the time of election should be removed. The Government here should also recognize this very fact. This morning I received a deputation of the Motor Drivers and Motor Lorry Owners' Union who represented the matter like this. They said "Take for example your own home district of Hoshiarpur where there are no railways all over the district and it is very difficult to have railways or other facilities of a similar nature. It is due to these lorries that the remotest parts of the district are now opened up and people can go from one place to another. What are you going to do by imposing a taxation of this kind? You are going to stop those facilities for the poor people. At one time a man had to spend Rs. 3 or Rs. 4

for coming from Una to Hoshiarpur, now he pays Rs. 1-8-0 or Rs. 1-2-0 for going from Hoshiarpur to Una and saves a large amount of time." It is a very great benefit which the people derive on account of these arrangements of transport provided by the lorries. In a similar way there are many other districts of the Punjab which would not be properly served if facilities were not provided for lorries and if taxation were high. I say that even as it is the taxation is very high. India is a very poor country and poor people cannot afford to pay high taxes. It is therefore that we ask that the Government should realize its duty in this direction and not put obstacles in the way of transport. One honourable gentleman remarked that it is meant to benefit railways. I do not know whether that is the object of the framers of the law. Undoubtedly you would find that these motors are running side by side with the railways and that people can go from one place to another by paying much less fare than even the third class fare in the railways. It is a boon to the people that this motor lorry traffic is in existence in various parts of the country. Similar conditions exist in England where the lorry drivers or the bus drivers are competing with the railways and the railways there are not paying the same dividends which they paid some years back. Why then should Government come forward and levy a taxation of this nature and kill a means of livelihood for thousands of people who are resorting to these methods of winning their daily bread in these days? Surely the Government is not going to gain much, but it would hit hard a large number of people who have nowhere to go to. I have known graduates taking up the profession of lorry drivers just to make their two ends meet. Why should Government, instead of helping these people to earn their livelihood in this manner, come forward with a Bill of this nature at this time. If the Government were really on a firm ground, they would have waited for the new Assembly to come into existence and then brought a measure of this kind before the House, but the Government knows that it is on weak ground and the argument by which they support the Bill cannot be sustained. The Government wants to impose taxation on the poor people of this province with the help of 22 members—both officials and nominated. I, therefore, with all the emphasis that I can command, support the motion for circulation of the Bill.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): Now so many speakers have expressed their sympathy with lorry drivers, although one is at a loss to understand as to what is at the bottom of this sympathy, it requires a good deal of moral courage to strike a different note. It is not necessary that when practically all members of the House are united on a particular question, an individual member should suppress his conscience to follow in their foot steps. One should have the moral courage to speak his mind even in the face of strong opposition.

Mr. Nanak Chand Pandit: Everybody does not suppress his conscience; there are some who do so.

Khan Bahadur Nawab Chaudhri Fazl Ali: An honest person should weigh the *pros and cons* of every problem. But there are some who do not do so. Some honourable members have complained that now when every Tom, Dick and Harry has taken to lorry driving such a measure

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as the present one will cripple their trade. But we have to consider another aspect of the question too. Is it not a fact that hundreds of lorry accidents resulting in so many casualties are reported every week from all over the province? Is it not the duty of the Government to check the growth in the number of inefficient drivers? After all human life is more precious than most things in this world. We should not be negligent in our duty to hundreds of thousands of human beings in a moment of sentimental regard for the so-called interests of a handful of lorry drivers. (*Interruption*) The honourable member will please let me proceed without interruption. He has had his say. Now let me have mine. I want to ensure efficient lorry driving. I am glad to hear that some graduates have also taken to this profession. But the bulk of lorry drivers constitutes a most undesirable type. My remarks will be appreciated only by those who have had to deal with them personally. I wish that this trade were purged of undesirable persons. Unfortunately, every Tom, Dick and Harry has taken to lorry driving as the poet has said :

ہر بولہوس نے حسن پوستی شعار کی

Some honourable members have said that there are some lorry drivers who have purchased their lorries by disposing of the small ancestral land. That may be true. But these people evidently have been attracted by the money which this trade is expected to bring.

Sardar Bahadur Sardar Buta Singh : Our complaint is that even after disposing of their land and investing the money on lorries these poor people are not able to earn their livelihood in a decent manner.

Khan Bahadur Nawab Chaudhri Fazl Ali : It is the duty of the Government to remove all illusions that may be in the minds of the lorry drivers as to the lucrativeness of the profession. Either the lorry drivers have contracted from somewhere the habit of going on purchasing new lorries or this is an evil which has its root somewhere else. It is, however, the duty of the leading men and Government to check it.

Then, it has been argued that the lorry drivers are poor people and they will not be able to pay the proposed tax. But I think the brunt of the new tax will fall on the passengers rather than on the lorry owners. But if the tax is to be paid by the owners they will increase the hire and this will be an indirect tax on the people. So, my friends, the custodians of the interests of the lorry drivers, need have no fears on that score.

Our ancestors did not travel by lorries. These lorries are not of much use to the villagers. When there were no lorries and poor zamindars had to go somewhere or attend the court they went early in the morning from their houses and after finishing their business returned in the evening. But nowadays when they have to go anywhere, even if the distance be very short, they wait for lorries. Sometimes they wait for the lorry till 10 A. M. or after, and if by chance it fails on the way they are neither able to attend the court nor do any other business. The zamindars frequently used to go to other places on business after ploughing their fields. They returned at night and began their work in the morning. Now they have to wait for the lorry for travelling and have to spend a great deal of time into the bargain. Travelling by lorries is merely a luxury and is a sign of affluence.

Now when the camel-driver wants to bring empty sacks he waits for hours for the lorry whereas in the past he used camels for this purpose and always went in time and returned in time. Again it has been argued that many people have begun to earn their livelihood by means of these lorries and that they are a great help to those who are idle and unemployed. In my opinion this is not correct. Ordinarily a lorry driver carries thirty or thirty-five passengers, but even if he carries 19 passengers, he deprives four or five tonga drivers of their living. If ten lorries are a means of giving livelihood to ten men, they are depriving fifty men of their living in their turn. Lorry drivers besides using the metalled roads made by government use unmetalled roads of district boards. If during the rainy season a lorry passes along any road once or twice it is spoiled, but when there are no rains and a lorry passes along any road for one week pits are formed in the road and it becomes quite useless for traffic, and also becomes harmful for the public. The result is that roads which are used for lorry traffic cannot remain in good condition, although that money is spent on them which should be spent on other roads. Thus, even other roads cannot be kept in a good condition. Therefore, I submit that these lorries cannot be of any use or help to the villagers either from pecuniary or any other point of view. Tongas are available everywhere and people can make use of them whenever they like. Travelling by tongas does not interfere with our business. On the contrary, one has to wait for hours at a stretch for lorries, and it is not in one's power to go anywhere. To leave trains and regard lorries as a boon is a great folly. For the villagers it is merely a luxury; it may be a necessity for the city people. In the cities there are other means of conveyance also, such as buses, etc. The lorry may be a blessing for people living in the cities, but it is not a blessing for people living in the countryside. Now there is one point about trains. It is no concern of ours to help the railway department but if it derives some profit legitimately, by serving the people, we should not grudge it. The train always leaves at a fixed time. The lorry always runs after the departure of the train and it carries those passengers who are unable to catch the train. It is said that since the introduction of the lorries the income of the railway department has decreased but it does not follow that the lorries can meet the needs of the public. One reason why the public do not prefer the trains is that they have to keep waiting for a long time to change their trains at various junctions which they do not like. Thus of necessity they travel by lorries. For instance, the evening train which comes from Malakwal reaches Lala Musa at 10 p.m. Those people who want to go to Gujrat have to wait at that station for three hours to catch the next train. Consequently, those people prefer to travel by lorries. In connexion with this Bill, some of my friends have attacked the Police Department and the magistracy. I am at a loss to understand what the police and the magistrates have to do with the increase of this tax. In every department there are honest and dishonest officers. But I should be allowed to say that if a police officer takes Rs. 2 from a lorry driver, the latter kills a human being. Now you can compare the value of two rupees with that of the life of a human being and decide for yourself which is more valuable. But if you want to put an end to this sort of corruption, you cannot do so without increasing this tax. Again, it has been said that people sell their lands and buy lorries. This shows

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two things, one is that lorry driving is very profitable, the other is that it is an evil which is growing steadily. People are selling their ancestral property and are spending it on lorries. Therefore, in my opinion, the imposition of increased tax will be useful in either case. I do not want to dwell on this subject any more. Every matter has two sides, the dark side and the bright side. A poet has said—

ہر شے کے دو عیش ہیں نیز ہر

Those who support the lorry drivers and are praising them should also relate their defects. Lorries have some good points, but I would not admit that the prosperity of a country depends entirely on lorries. I do not want to say anything with regard to transport. In cities lorries are used for purposes of transport but not in villages. In villages people use animals for the transport of their goods. I should like to submit that if the tax is increased, it will not be harmful to anybody. In point of fact, if it is increased, people will become more careful and sensible and they will not buy lorries recklessly. In that case only those people will start lorries who will think that even after paying the tax they will be able to make some profit. Now everybody has taken to lorry driving. ہر دیوالہوس نے حس پرستی شعار کی۔ At present the fact is that accidents take place every day, men are killed, arms and hands and legs are broken.

One point more. It has been suggested that the Bill be circulated for eliciting public opinion on it. I do not think any useful purpose will be served by circulating this Bill. There are no complicated matters on which we want public opinion. I would, therefore, submit that it would be useful to consider this measure forthwith.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*): Before I go into the details of this question I should like to make an important submission. Whenever a measure of this kind is brought before this House, the Government only considers two points, namely, when the tax in question was low and when it was increased, and if its rates are further enhanced what would be its effect on the provincial revenue. The Government does not take the trouble of explaining how far the group of people directly taxed will be affected by the increased taxation and how far the public at large will be affected thereby. The Government should know that we expect it to show clearly to the public the effect of the increased taxation not only on its own revenue but also on the public as well. Now, in connection with the present measure the question arises, if the rates of the motor vehicles tax are increased, how will they affect the motor owners and motor drivers and what effect they will produce on the country? So far as these two questions are concerned Government has said nothing about them in the statement of objects and reasons. It has not been stated how the increased tax will affect the lorry drivers and the public in general. The country does not know what will be the result of this measure. Under these circumstances, I think, it is not at all fair to make any increase in the tax. One thing, however, has been made clear and that is that the municipalities and the local bodies will be deprived in future of that power which enabled them to impose taxes on motor vehicles.

The measure under consideration proposes to abolish the local taxes altogether, the right to tax motor vehicles being reserved in future to the central government and provincial government. One good result of this measure perhaps will be that in future the lorry drivers will not have to hanker after various authorities for the payment of taxes. The Government, however, has not clarified the position as to whether the lorry drivers and their employers who are under the influence and control of local bodies will be delivered from their clutches or not. Besides, this too has not been pointed out as to what the nature of those facilities will be which the Government would provide to lorry drivers when they pass through municipal limits. Recently, I was informed that in Montgomery the municipality rented from the District Board a piece of land for Rs. 25 per month only and later on the same piece of land was leased by the municipality for Rs. 5,500 and this amount and much more is to come from the pockets of lorry drivers. In Sargodha a similar contract about a piece of land was made for Rs. 14,000 and again the poor lorry drivers were made to pay that amount and much more for the use of the stand and along with them the public also had to contribute its own share. If this is the present state of affairs, who knows what will happen in future? The lorry drivers are labouring under serious handicaps. They are clamouring that their grievances should be redressed but, unfortunately, no notice is taken of their requests. If there is anything that we have been hearing for some time past, it is this that the rates of taxation will be increased. It is a great pity that nothing is being done to remove the grievances of the lorry drivers. Every day there is a new calamity in store for the poor lorry driver. A few days ago a circular was issued by the authorities that licence will not be granted in future to lorry drivers for carrying more than twenty-five passengers. Till lately there was no information on this point. The Government did not notify its intention with regard to this matter. The result was that people made lorries with accommodation for thirty and thirty-two passengers but when they went to officers for obtaining a licence they were told that Government by means of a circular has prohibited the issuing of any such licence. The result is that owners of lorries have incurred a great loss by making spacious lorries. If the Government had notified their intention earlier, those lorry owners would not have taken this step and wasted their money unnecessarily.

Khan Bahadur Nawab Chaudhri Fazl Ali : But the lorry drivers do carry thirty and forty passengers.

Maulvi Mazhar Ali Azhar : Yes, that may be so. But I would point out to my honourable friend that those lorries belong to Government officials, honorary magistrates, and other influential men and their lorry drivers alone can dare carry more than the proper number of passengers. A poor lorry driver cannot venture to violate the traffic rules, but when a police official wants to send his friend or relation somewhere free of charge he compels the lorry driver to carry extra passengers. Rich and influential men seldom travel by lorries. They think it beneath their dignity. They have no idea of the comforts of people travelling by lorries. Therefore, they have no right to enter into any controversy on that point. I do not want to go into the details of the matter which are as clear as daylight.

[Maulvi Mazhar Ali Azhar.]

Had my honourable friend ever travelled by a lorry, he would have realized what useful purpose these lorries are serving.

The poor litigants who have to attend the courts at headquarters risk their lives by travelling in motor buses because they are afraid lest their failure to appear before the courts in time should result in the dismissal of their civil suits with costs, or the forfeiture of their securities or that decrees should be passed against them *ex parte*. We do not mix with the poor people and consequently we do not realise their difficulties or the circumstances under which they are compelled to resort to travelling by motor lorries. There is no gainsaying the fact that travelling by rail is comparatively more convenient and comfortable but even this is not immune from danger to life. If we only turn to the year 1925 when motor lorry traffic was not very common, we can realize what difficulties or hardships the third class travelling public had to face in buying railway tickets. I can quote from my personal experience that people in large numbers used to assemble before the windows of the booking offices at stations like Batala and Gurdaspur and it was after a long struggle that one could make his way to the window. You can well imagine how third class passengers used to fare at stations like Amritsar and Lahore. And I am constrained to point out that even now the same difficulties are to some extent being experienced by the public. It has been contended with vehemence that travelling by motor lorries is full of danger and the travellers frequently meet with fatal accidents, but the honourable members should not lose sight of the fact that before the advent of the motor lorry traffic in this province there used to be a great rush of railway passengers who, on finding accommodation to be inadequate in railway compartments, used to stand near windows and foot-boards where they very often met with accidents. Honourable members must have read in the newspapers that even in these days in countries like America and England where the railway administrations have reached the point of perfection, railway accidents do happen. I may also add that if at present the number of railway accidents is very small, it is because the people have resorted to travelling by motor lorries.

There is no denying the fact that motor lorry accidents are frequent but this does not show that motor lorry driving is objectionable or there is any defect in the construction of lorries. Most of these accidents are due to rash and negligent driving under the influence of liquor. If the use of liquor is prohibited, I am sure, the number of motor lorry accidents would considerably decrease. Whenever in this House we ask the Government to introduce the policy of total prohibition in the province, we are met with strong opposition on the ground that this will on the one hand decrease the excise income and on the other hand increase illicit distillation. I think the proposed tax will neither benefit the public at large nor improve the financial condition of the province. The only possible consequence of the proposed tax will be that the motor lorry traffic will be restricted and the trade and commerce of the province will receive a serious set-back. Again it has been said that motor lorry traffic spoils the *kacha* roads the condition of which is rendered all the more unsatisfactory on account of motor lorry traffic after a rainy day. But I submit that it is cart-driving also that makes them most unsuitable for traffic. Shall we then prohibit

cart driving also? I, therefore, think that there is no justification for placing restrictions on the plying of motor lorries on *kacha* roads.

Various honourable members have stated the grievances of motor lorry drivers before this House and I think I should not waste the time of the House by indulging in repetitions. But I would like to draw the attention of the House to another fact. Under rules in force the motor lorry drivers have to bring their lorries to headquarters for inspection after every three months and every six months, and in doing so they have to undergo a lot of trouble. They have submitted many representations for the redress of their grievances but in vain. The Government instead of giving them facilities, are now trying to saddle them with fresh difficulties by the imposition of additional tax which under the present circumstances is wholly unjustified inasmuch as the income that will accrue from it will not substantially increase the provincial revenues. In 1925 when the Punjab Motor Vehicles Taxation Act was passed, low rates of tax were levied with a view to encourage motor lorry traffic in the province. Now when the motor lorry traffic has fully developed you are retracing your steps back by the imposition of this additional tax, which appears to me quite unreasonable because it will adversely affect the trade and commerce of the province. Honourable members perhaps may not be aware of the fact that district officers have issued certain circulars controlling motor lorry traffic. Previously motor lorries carrying 19 or 20 passengers could also carry some luggage belonging to passengers. But now the police have begun to object to the motor lorries carrying luggage of the passengers, because they think, that there is no provision in the rules under the Punjab Motor Vehicles Taxation Act which permits the carrying of luggage of the passengers as well. Honourable members can well imagine the hardship which lorry-walas have to undergo in this connection. So, under these circumstances I would make an appeal to the Government that they should not increase the motor tax. They would rather be well advised if they withdraw the amending Bill. But if the Government are bent upon levying this additional tax, they should take up the whole question of motor transport and consider along with it the difficulties and hardships now being experienced by the motor drivers and the public at large.

The Honourable Captain Sardar Sir Sikander Hyat-Khan

(Revenue Member): This debate has been dragging on since 5 o'clock yesterday. As a matter of fact,

4 P. M.

I was rather surprised to see that such vehement and substantial support was forthcoming for the motion for circulation from that section of the House. I was also not a little puzzled to notice that almost all the speakers from that part of the House ignored the relevant facts, and carefully avoided discussing the Bill or the amendment on its merits. Rambling speeches—which seemed to me to be addressed to the gallery—were made without giving any cogent reason in support of the circulation motion. This set me thinking and I tried to unravel the mystery that a motion which, on the face of it, was a simple one, instead of being considered on its merits should have evoked such vehement and irrelevant speeches. All that the House need have considered is whether sufficient publicity and time had been given to the measure to enable the parties

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

concerned to study the Bill and furnish their views to Government, or whether sufficient and adequate opportunity had been given to them to make representation to the Government in regard to the points at issue. The only point on which there could be a difference of opinion is the question of the new rates, the rest of the Bill contains formal amendments to the existing enactment. One honourable member went to the extent of asserting that if this Bill was passed we would be encouraging people to become *babbar akalis* and revolutionaries. If an increase of taxation on motor lorries by a few rupees is sufficient to create revolutionaries, the province must be in a bad way and we should be ashamed of it. This is however not true. I refuse to believe, as the honourable member seems to think that the Punjabees have suddenly turned insane, and are incapable of judging things sanely. (*Hear, hear.*) I am afraid the flare of rhetoric, probably coupled with a desire to please the local lorry owners in view of the forthcoming elections, is responsible for this outburst. Judging from their speeches one might suspect that several other members were actuated by a similar desire to placate their local lorry owners and drivers. The honourable mover of the amendment, was undoubtedly, prompted by a desire to ventilate the grievances of lorry owners and to ensure that the view of the persons concerned were ascertained before the Bill was passed into an Act. I appreciate his anxiety to avoid an impression that the Bill was not allowed to be criticised by the Motor Bus Associations. I cannot, however, say the same about other speakers. I heard a rumour this morning that some persons had set afloat a canard that the members who do not support the motion of the honourable member for Amritsar will find it difficult, if not impossible, to secure lorries on hire during the forthcoming elections. I am surprised to find that this deliberately arranged rumour seems to have had the effect desired by its originators. It was said that a prominent member of a particular political party, who was also a candidate for the Assembly organised an association of lorry drivers and owners in a big city in this province and became the president of that association. The honourable mover of the amendment was probably compelled by his supporters to go one better and put forward a motion for circulation in order to counter the move of his rival and to ingratiate himself with the local lorry owners. However I would not dilate on this subject further. My object in making this digression was merely to point out that it is difficult to believe that the honourable members could be so credulous.

Sardar Arjan Singh : Is the Honourable Member justified in imputing motives?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I am not imputing motives.

Chaudhri Afzal Haq : You did impute motives though the Chair did not intervene.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I have not imputed motives. The honourable member seems to be unnecessarily sensitive. Is it because the information which I have put before the House is not palatable to his party? I merely wanted to draw the attention of the

House to the cause which seems to me to be responsible for this sudden outburst of sympathy for motor bus drivers and lorry owners. It is otherwise inexplicable considering that the taxation proposed in the Bill is not much. If the honourable members consider that the increase is not justified, or is heavy, they should have said so, and moved amendments to rectify this particular clause of the Bill. But not a word has been said on the merits of the Bill. Every one of the speakers from the opposite benches has ignored the most salient feature of the Bill which is clearly stated in the Statement of Objects and Reasons. The main object of the Government is to remove anomalies, and to reduce inconvenience to motor owners and lorry drivers in the matter of payment of taxes. At present they have to pay taxes to several authorities. They have to pay local tax; they have to pay tax to the local Government and this involves a certain amount of *diq* and worry, as the honourable member from Sheikhupura has pointed out, even to very highly placed persons. So our effort is to reduce these troubles and worries, and one way of achieving that object is to bring motor taxation under one single control, i. e., the provincial Government. There would be, as has been pointed out in the Statement of Objects and Reasons also a compensating decrease so far as private motor owners are concerned by reduction of wheel tax. I admit that the increase proposed in this Bill on buses and vehicles plying for hire is more than the relief they will get in the shape of immunity from local taxation; but if honourable members had real sympathy for these people, they could put forward the plea that the increase is heavy and it should be reduced. I am willing to consider any such proposal sympathetically.

One of the objections raised by the honourable member opposite was that sufficient opportunity had not been given to these people to represent their case. Judging from the number of speeches made today it seems that the whole of that part of the House consists of representatives of bus owners of the province and not the constituencies they represent.

Shaikh Muhammad Sadiq : Municipalities also.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Very well, municipalities also. But municipalities are not concerned here.

Shaikh Muhammad Sadiq : The revenue is being taken away from them.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : They will get cash compensation in return.

Shaikh Muhammad Sadiq : But that is only for four years.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : This Bill was published in the Gazette and was exhaustively commented on in the papers. Some extracts from the papers were read out by the honourable member from Muzaffargarh. He read the opinion of an important association which contradicts the honourable mover of the amendment. As has already been pointed out there is nothing in this Bill to which exception can be reasonably taken except the enhancement in rates, and I am perfectly willing to consider any reasonable proposal regarding reduction of these rates.

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

A point was made by some members that increase in taxation is likely to kill motor traffic, and, will, therefore, be a retrograde step; that it will affect the movement of commodities and cause inconvenience to the public. As has been stated in the Statement of Objects and Reasons, we are the lightest taxed province. In this respect, we are much better off than other provinces. If they can bear higher taxation without any decrease in the number of motor vehicles, surely the Punjab, where the standard of roads and communications is much higher than any other province in India, can bear a slight increase without any risk of reduction in the number of motor vehicles. We have provided hundreds of miles of tarred roads and even our arterial and link roads are tarred.

Sardar Arjan Singh : I should like to know the rates of taxation in other provinces.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : If the honourable member wants the amount of taxation in Bombay, from where I have come recently, it is Rs. 875 as compared with Rs. 50 which we are levying here.

Shaikh Muhammad Sadiq : I think there is no taxation in Bombay. There is only road tax.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I am afraid the honourable member's information is not correct. I may also mention that roads in the Punjab are much better than in Bombay, with the exception of Bombay city proper. The honourable mover of the motion said that the conditions in 1925 when motor tax was revised were not very much different from the present conditions, then why enhance the tax now.

Shaikh Muhammad Sadiq : I did not say that.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Originally this tax was fixed at a higher pitch, but honourable members will remember that we got a wind-fall in the shape of remissions of contributions from the Government of India. It was then decided that this remission should be utilised to give some relief to the tax payer. Among other things, Government decided at the time to reduce tax on motor vehicles at the request and with the approval of the members of the then Legislative Council. You will remember, Sir, that I proposed at the time that the amount of the contribution remitted by the Government of India should be funded for relief of the zamindars but the House insisted—

Shaikh Muhammad Sadiq : Who insisted ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The House insisted on the reduction of tax on motor vehicles. The Government of the time naturally could not do both, to remit taxation and create a fund for relief of zamindars. My proposals will be found in the proceedings of the second Council.

Again, it has been said by some speakers that this increase will fall on the zamindars, because the lorry owners will increase the fares. I do not think he is right. I am almost certain that the increased facilities in the shape of more and better roads as a result of more money being spent on communications in the districts must inevitably result in an increase in

the number of motor vehicles. In the long run it will provide better, more, comfortable and safer transport for them and consequently the zamindars will benefit instead of being inconvenienced. In any case if the lorry drivers try to enhance fares to an extent as to make them prohibitive, they will themselves lose as the zamindars would give up travelling in lorries and go back to the railways. But this is not the object of this Bill. I may also inform the House that Government can always interfere, if it is found that the fares charged by lorry owners are excessive. So far as the rail-road competition is concerned, let me assure honourable members that this Bill has got nothing to do with it. If the Government of India want to do something in that direction, and I think they have some justification for doing so — they can always do so by central legislation in order to protect the railways from loss. Honourable members are, no doubt, aware that under the new régime contributions to the provinces out of the income-tax will depend largely on the income from railways. Therefore it is in our interest that the railway revenue should increase. But I would certainly not be a party to any scheme which would secure that object unfairly or wholly at the expense of the lorry and bus traffic. We will not allow any unfair competition on the part of the railways against lorry and bus drivers and *vice versa* — Punjab Government has always taken the view that we should not allow the railways any unfair advantage over motor traffic. We have spent large sums of money on roads in our province and are going to spend more on roads which will not run parallel but will feed and bring more traffic to the railway. As I have said this Bill has nothing to do with that problem. The Government of India, if they consider it necessary, can take action themselves without asking the help of Local Governments. They have the whip hand. Petrol and customs are in their hands and they can raise the duty whenever they desire. This Bill has nothing to do with the rail-road competition.

The honourable member from Hoshiarpur said that nobody has ever suggested that legislation on the lines of this Bill should be brought before the House. He is either not aware or has forgotten that this Bill has been drafted in pursuance of the recommendations of a committee which consisted of the following members of this House :—

Honourable Revenue Member.

Honourable Minister for Local Self-Government.

Secretary, Transferred Departments.

Home Secretary.

Sardar Sampuran Singh.

Sardar Bahadur Sardar Buta Singh.

Sardar Sahib Sardar Ujjal Singh.

Khan Bahadur Nawab Muhammad Hayat Qureshi.

Khan Bahadur Mian Ahmad Yar Khan Daulatana.

Khan Sahib Chaudhri Riasat Ali.

Diwan Bahadur Raja Narendra Nath.

Rai Bahadur Mr. Mukand Lal Puri.

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

(*Shaukh Abdul Ghani* : Why all members with titles ?) I cannot say because I did not appoint the committee. Presumably because they took interest in matters relating to communications. As a result of their deliberations this Bill has been drafted. It was considered by Government who decided to bring it before the House in the present session. As I have already said I am still prepared to consider any reasonable amendment of the Schedule containing the scale of tax. If honourable members consider that the proposed increase in rates is too abrupt or excessive, I will be prepared to consider sympathetically any proposal for a reasonable reduction in the rates.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*) : I had no desire to take part in this discussion but for a very unpleasant remark made by a very responsible member of the Government. I am prepared to admit that we are accustomed to hear from him such things as lead to our enlightenment. But in a speech that he made in support of this Bill he has used words which do not behove him and which are certainly not in keeping with the dignity of the honourable members of this House. I am sure that if similar remarks had been made by any one of us, you, Mr. President, would have checked him there and then. But I wonder why the same attitude was not adopted when the Honourable Member for Revenue had the audacity to say that members had supported the motion under consideration for fear of the lorrywalas.

Now I come to the matter under consideration. As regards the Bill, all the members have opposed it. The Sikh representatives, the Hindu benches, the Muslim benches have all strongly opposed it. Even the members belonging to the Revenue Member's own party opposed it certainly not out of fear of the lorry drivers.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I never said that. What I said was that I failed to understand why all this storm has been let loose, and believed that perhaps it was because the members thought that the lorry drivers will abstain from voting for them if they did not oppose this measure.

Chaudhri Afzal Haq : *چر کہتا ہے تیرا زبانا* : Does it behove you to say this ? Is it not below the dignity of your position to make such remarks ? If the honourable members have opposed it on account of the fear of lorry drivers even then it only reflects upon you. You have demoralised the members to such an extent that even in such a trivial matter as the present one they stand in fear of lorry drivers and cannot afford to behave independently in this House. You have been always getting votes of the members by coercing them and now they have become used to it and do not vote freely. This only reflects adversely upon you and shows that you have not been allowing members freedom to vote whichever way they liked. (*Interruption.*) I feel it because I happen to be a member of this House.

Now after deploring the attitude of the Government benches and the degeneration which has overtaken the members of this House on account of

the Government's twisting them to vote I come to the matter under consideration. Government members asserted that they had sufficiently elicited public opinion upon this Bill but in actual practice it has been shown to what an extent they have elicited public opinion. All the sections of the House have opposed this measure. Only one member from the Hindu benches spoke in its favour. Is it proper for the Government not to respect the opinion of the public? I feel it is only a stunt for snubbing the members of the Council. Instead of respecting public opinion they have tried to find fault with the members by saying that they oppose it out of fear of the drivers. At least no driver approached me with a request that I should oppose this measure. Some informer must have given this information and as usual the Government informers always give wrong information to the Government. I say honestly that no driver ever approached me. (*The Honourable Captain Sardar Sir Sikandar Hyat-Khan*: It may be a rumour.) Then it must be the Government which spread it. Now let us see how much the Government has tried to show the necessity for this measure. An honourable member enquired whether the taxes in this province are light. In answer the Government Member only stated that the taxes were light in this province. He ought to have quoted facts and figures regarding taxation in other provinces in support of his contention but this was not done. He did not take the trouble of collecting facts and figures from other provinces to prove his contention. According to him if the taxation is increased a bit it will not matter much. But the poor people are not able even to bear the slightest increase in taxation. You know that in 1927 in the Assembly a Congress member stated that the railway employees were low paid. In reply the Honourable the Finance Member stated that there were many Government servants who get only Rs. 8 per month. The lorry drivers do not earn even that much. Their families subsist on that much earnings of theirs. Then these poor lorry drivers purchase their lorries by selling their lands. To purchase one lorry three acres of land has to be sold. Now if you increase taxes on lorries these people, who have purchased lorries to ply them for hire and thus earn their livelihood, will be deprived of what little they earn. They sold their land because income from land was not sufficient for their subsistence and purchased lorries. Now you want them to leave this profession also. A Sikh friend of mine whose son had purchased a lorry by selling three acres of land said that his son had been a fool to sell off such a large area in order to get a lorry which can be placed under a small roof. You are rich and you cannot understand what two or three hundred rupees mean for a poor man. You think it is not much to pay. But for a poor man it is a great burden which he cannot bear. At the time of the French Revolution people gathered before the palace of the king and cried that they were hungry and that they could not get even a loaf to eat. A princess said that if they could not get loaves then they had better eat cakes. Similarly you cannot understand what hunger and want is. You think a few rupees more will not make any difference but I assure you these few rupees which you want to increase in the taxation will be the last straw to break the camel's back. All members of the Council know that all this is being done for the benefit of the Railway Department. Even if I were not to doubt the *bona fides* of the Government the results of this Act will go to show that there is some foul play so far as

[Ch. Afzal Haq.]

this Act is concerned. If you murder a man and in court state that you did it by mistake, the court will not listen to your plea and will convict you. The result of this measure will be that all the traffic will go into the hands of the Railway Department at the cost of the poor lorry drivers. In order to save a few fat-salaried officers of the Railway Department you want to famish poor lorry drivers. When the Honourable Minister for Agriculture took over charge of his portfolio in 1927, he made profuse promises. He said that the roads would be in a very good condition and that the traffic would be controlled very efficiently. But here is a measure which is against his promises. He wanted to improve the condition of the roads so that bullock carts and other conveyances may easily go from one place to another and that land produce could be taken to the mandis easily. The lorries have been rendering that service to the zamindars but by this measure lorry traffic will be discouraged and the agricultural commodities cannot be taken easily from one place to another. You are taking away a facility which the zamindars have enjoyed up to this time. (*The Honourable Sardar Sir Jogendra Singh* : The promises which were made have been fulfilled in as much as the condition of the roads is better and all sorts of facilities are provided for traffic.) Yes, that is true, but all this has been done under the stress of circumstances. All the rural uplift work and such other things are being done because you have been forced to do it by circumstances, otherwise if it had been left to you, you would not have accomplished anything up to this time. It is only the force of circumstances that made you do it.

After all what is the benefit that will accrue to the country by this measure. You will probably say that a few lakhs of rupees will come into Government treasury. But for the sake of these few lakhs you will be ruining the road traffic and it is quite possible that after some time you may feel that you made a mistake and may think of reviving it, but to revive it you will have to spend crores of rupees. Why kill a profession which is of so great a service to the zamindars. Bad times are fast approaching and you must not do things inconsiderately. For a small benefit do not sacrifice such a useful thing as the lorry traffic. The Honourable Member stated that an organisation took this matter into their hands and made enquiries about it. I say all such things are mere eyewash. The Government want to pass this measure and they are trying to rush it through. As regards the people they do not want it. And it has been amply proved by the attitude of the members of this House. All sections of the House have opposed this measure and all feel the mistake that is being committed by the Government.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support the motion under consideration which the honourable member from Amritsar has moved. The honourable mover of the Bill, instead of replying to the speeches of various honourable members, began to impute motives.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I never imputed any motives.

Chaudhri Allah Dad Khan : Well that has been answered.

You have been quoting the speech of Khan Bahadur Nawab Chaudhri Fazl Ali. Does the Government stand by it?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I did not quote anybody's speech.

Chaudhri Allah Dad Khan : Then it means that you did not approve of the speech which was made by Khan Bahadur Nawab Chaudhri Fazl Ali. I say, perhaps he knows more than anybody else that the motor traffic is very much increased and this has necessitated the increase in the number of motor lorries. In support of his speech he quoted a line of Ghalib :

ہر بوالہوس لے حسن پرستی شعا کی

It is a funny argument to say that the increase of motor traffic has been the cause of a number of accidents. I say there are accidents on the railways almost every month. Railways must be, then, closed. The Government say that this measure is intended for the increase of taxation as well as co-ordination of the anomalies at present existing in the tax on motor lorries. I do not see that it is a good measure. It is clear that Government's intention is to cripple the motor industry. If there was any doubt, it was cleared by Nawab Fazl Ali who said that increase of motor lorries was the cause of accidents, meaning that this increase should be stopped.

Another argument was made that the motor lorries destroy *kachha* roads in villages. I wonder that a man, who represents villages and who has been here on the ticket of villagers, says so. If the *kachha* roads are destroyed by lorries, what are the district boards for? Why should they not think of repairing them? They can get the *kachha* roads repaired. It is not only for big cities but it is also for villages, which realise so much money from zamindars, that they should see to the convenience of zamindars. If the motor traffic is stopped in outlying villages, which have no market for their produce, it will be a great hardship for the poor zamindars. *Gaddas* cannot bring all their produce to towns and markets. Lorries generally reach where railways cannot reach. Railways are not expected to reach every nook and corner of the province.

There is one particular point which has necessitated the introduction of this Bill and that is the keen competition between the railways and the lorries. Government want to help the railways, so they want to cripple the motor industry. Well, there are number of grievances of third class passengers. They have great inconvenience at the counter when they buy tickets, they do not get comfortable seats, they get fully packed railway carriages and there are so many other grievances. Instead of removing all these grievances, Government is trying to cripple this industry completely. Everybody knows how the railways treat the passengers. Remove their grievances. Do not cripple this industry for benefiting the railways.

It is strange that this Bill is brought forward at the fag-end of the Council. I wonder the Honourable Revenue Member and his supporters did not think of bringing it forward earlier. They may contend that if

[Ch. Allah Dad Khan.]

this Bill is circulated, the Council will not meet again and the measure will remain without being passed. Whose fault is this ? This is their fault ; they should have brought it forward earlier.

Then, again, the honourable mover of the Bill said that perhaps motor drivers had approached certain members of this Council with the request that they should support the circulation motion ; otherwise drivers will not help them at the coming elections. Well, this is very unfair on the part of the honourable mover to say so.

There are some other points which have not been touched by the honourable members. I submit that by this measure you will be crippling the motor industry which has become a necessity rather than a luxury. I give an instance of the day on which motor-drivers had struck work. It is perhaps known to most members that the town of Murree was almost on the point of starvation. For one single day all the provisions, the fruits for the town had been stopped and the people would have starved if the motor lorries had remained on strike for another day. The motor-drivers supply the necessities of ordinary life. I do not think you can cripple this industry without hopelessly affecting the ordinary life of the people. What my honourable friend the member for Hoshiarpur said is quite right. If you cripple this industry many people will be thrown out of employment. I can give you facts which nobody can controvert. Many people have sold their lands and have purchased motor lorries in the hope of finding some employment and if you increase the taxation and if you put restrictions on them, the industry will be killed. What will these people do ? They will surely join the revolutionaries and many of them are really undesirable persons (*laughter*) and they might turn terrorists. Just for the sake of a lakh of rupees, the Punjab Government is rushing this Bill through at this end of this Council. If it wants to push this Bill through, let it do so on its own responsibility, why drag the Council in it ? Just for the sake of 3½ lakhs, of which the Government will have to pay to municipalities a good amount, only one lakh or so will be left to the Government, it is making the mistake of introducing this Bill. The Government will have to pay compensation to municipalities. I do not think that you will be able to give to municipalities as much as the municipalities make out of the taxation on motor vehicles and the amount you will be able to give will be only an eye-wash. I wonder why the Honourable Minister for Local Self-Government is not making any protest. A large amount of income is being taken away from the municipalities which are already starving and which cannot make the two ends meet. Another point is that this taxation is being imposed at a time when there is keen financial stringency. The Government members say : " What is this increase ? It is only about 3½ lakhs of rupees. " I do not think that people are in a position even to pay this small increase. Even this small amount of additional taxation is too much for them and they should not be made to bear this burden at this time. Even if this additional burden is to be imposed on them, I submit that it should be imposed on them in a regular manner. The regular procedure is that the Bill should be circulated for eliciting public opinion thereon. But this opportunity is not being given to the people. The Honourable Revenue Member said that the public has had enough time to represent

their views against the increase in taxation. But has anywhere any public body made any representation to the Government? The public always expect that they will get an opportunity to express their opinion when the Bill is circulated for eliciting public opinion. They did not know that the Government will take up the Bill during the short time that remains for the Council and that it will rush the measure through with the speed of lightning. We unofficial members here have to safeguard the interests of people. We must not show ourselves lacking in our sense of duty by the people. Do not think in terms of getting free motor lorries at the time of your elections, but consider this question from the point of your responsibility towards the public. Is it fair that a Bill like this should be rushed through the Council with the speed of lightning? With these words I appeal to the members that they should support this motion for circulation and they should do so without any fear of the official side. With these words I lend my support to the amendment.

Mr. A. V. Askwith (Home Secretary) : I move—

That the question be now put.

The motion was carried.

Mr. President : Question is—

That the Punjab Motor Vehicles Taxation (Amendment) and Co-ordination Bill be circulated for the purpose of eliciting opinion thereon by the 1st of January, 1937.

The Council divided : Ayes 81, Noes 26.

AYES.

Abdul Ghani, Shaikh.
Afzal Haq, Chaudhri.
Akbar Ali, Pir.
Allah Dad Khan, Chaudhri.
Arjan Singh, Sardar.
Bhagat Ram, Lala.
Bishan Singh, Sardar.
Buta Singh, Sardar Bahadur Sardar.
Chetan Anand, Lala.
Faqir Husain Khan, Chaudhri.
Ghani, Mr. M.A.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah, Khan Bahadur Sardar.
Mamraj Singh Chohan, Kapwar.
Manohar Lal, Mr.
Mazhar Ali Azhar, Maulvi.

Mubarak Ali Shah, Sayad.
Muhammad Eusoof, Khwaja.
Muhammad Sadiq, Shaikh.
Mukand Lal Puri, Rai Bahadur Mr.
Nathwa Singh, Chaudhri.
Pancham Chand, Thakur.
Pandit, Mr. Nanak Chand.
Ramji Das, Lala.
Ram Sarup, Chaudhri.
Ripudaman Singh, Thakur.
Roberts, Professor W.
Sampuran Singh, Sardar.
Sewak Ram, Rai Bahadur Lala.
Shah Nawaz Khan, Nawab Khan.
Zaman Mehdi Khan, Khan Bahadur Malik.

NOES.

Ahmad Yar Khan Dauletana, Khan Bahadur Mian.
 Askwith, Mr. A. V.
 Bedford, Mr. J. D. H.
 Boyd, The Honourable Sir Donald.
 Bradford, Mr. W. G.
 Darling, Mr. M. L.
 Dobson, Mr. B. H.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazl Ilahi, Khan Sahib Shaikh.
 Gokul Chand Narang, The Honourable Dr. Sir.
 Grindal, Mr. A. D.
 Janmeja Singh, Captain Sardar Bahadur Sardar.
 Jogendra Singh, The Honourable Sardar Sir.

Labh Chand Mehra, Rai Sahib Lala.
 Muhammad Amin Khan, Khan Bahadur Malik.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Narendra Nath, Diwan Bahadur Raja.
 Parkinson, Mr. J. E.
 Ram Chandra, Mr.
 Ram Lal, Diwan.
 Reinhold, Col. C. H.
 Shahab-ud-Din, The Honourable Chaudhri Sir.
 Shave, Dr. (Mrs.) M. C.
 Sikander Hyat-Khan, The Honourable Captain Sardar Sir.
 Umar Hayat, Chaudhri.
 Wace, Mr. F. B.

THE PUNJAB ENTERTAINMENTS DUTY BILL.

Mr. President : The Punjab Entertainments Duty Bill has been returned by His Excellency the Governor with the following message. Honourable members will please rise in their seats and keep standing while I read it —

I have decided in exercise of the powers conferred upon me by sub-section (1) of section 81-A of the Government of India Act, to return to the Punjab Legislative Council the Punjab Entertainments Duty Bill and do hereby return it for re-consideration of sub-clauses (e) and (f) of clause 2, sub-clause (3) of clause 5, clause 6 and sub-clauses (d) and (i) of clause 8. I enclose a schedule of the amendments which I recommend for adoption.

Gentlemen, the schedule setting forth the amendments to the Bill recommended by His Excellency for adoption by the Council has already been circulated to you. Now I propose the amendments to the House one by one for adoption.

The question is—

- (a) That in sub-clause (e) of clause 2 for the word "prescribed" where it first occurs the word "prescribe" be substituted; for the same word where it occurs for the second time the words "to prescribe" be substituted; and the word "and" at the end of the same sub-clause be deleted, and
- (b) That for the full-stop at the end of sub-clause (f) of the same clause a semi-colon be substituted and the word "and" inserted after it.

The motion was carried.

Mr. President : The question is :—

That in sub-clause (3) of clause 5, for the figure "5" in line 2 the figure "6" be substituted.

The motion was carried.

Mr. President : The question is—

That in line 4 of clause 6 for the figure "4" the figure "5" be substituted.

The motion was carried.

Mr. President : The question is—

(a) That in item (d) of sub-clause (1) of clause 8 for the figure "4" in the penultimate line the figure "5" be substituted, and

(b) That in item (i) of sub-clause (1) of the same clause for the figure "8" the figure "9" be substituted.

The motion was carried.

Mr. President : The 5th recommended amendment is—

That for entries Nos. (22) and (23) of the schedule, the following be substituted, namely —

"(22) The municipal area of Ambala City and notified area of civil station, Ambala.

(23) The cantonment area of Ambala Cantonment and Municipal area of Sadar Bazar, Ambala Cantonment."

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) : I shall move my amendments one by one. I beg to move my first amendment¹.

Mr. President : So far as entries Nos. 25, 26, 27, 28 and 29 are concerned, the amendment proposed in respect of them is out of order. The honourable member can, if he likes, propose the omission of entries Nos. 22 and 23. The honourable member can oppose the motion as a whole.

Kanwar Mamraj Singh Chohan : If I oppose the motion as a whole, i.e., the proposal of His Excellency, this means it becomes ambiguous. The amendment of His Excellency the Governor, I think, on its merits stands very good. The names that are given in this schedule are defective. His Excellency has tried to remove that misunderstanding or rather that ambiguity. The schedule which was originally passed by the Council names "(22) The Municipal and Cantonment areas of Ambala", while the municipal area of Ambala city is a separate thing and cantonment areas is a separate thing. There is no municipal area of Ambala cantonment. I wish to make it clear that if you permit me I would rather like to move my second amendment² first.

Mr. President : That is out of order as your second amendment relates to entries Nos. 25 to 29.

Kanwar Mamraj Singh Chohan : Then I do not propose the amendment.

¹By KANWAR MAMRAJ SINGH CHOHAN : For the existing amendment No. 5, the following be substituted :—

"(5) That entries Nos. 22, 23, 25, 26, 27, 28 and 29 be omitted and entry No. 24 be re-numbered as 22."

²By KANWAR MAMRAJ SINGH CHOHAN : That at the end of amendment No. 5, the following be added :—

"and entries Nos. 25 to 29 be omitted."

Mr. President : The question is—

That for entries Nos. (22) and (23) of the schedule the following be substituted, namely :—

"(22) The municipal area of Ambala City and notified area of civil station Ambala.

(23) The Cantonment area of Ambala Cantonment and municipal area of Sedar Bazar, Ambala Cantonment."

The motion was carried.

THE PUNJAB COPYING FEES BILL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : I beg to introduce the Punjab Copying Fees Bill. I also beg to move—

That the Punjab Copying Fees Bill be taken into consideration at once.

This is a very simple measure and has been brought in deference to the wishes of the honourable members of this House. They have often pressed that the deposit which had to be made in advance under the present law causes a great deal of hardship to people outside the district headquarters, in particular to the villagers. It is in deference to their wishes that we have brought forward this measure with a view to remove this grievance.

Mr. President : The question is—

That the Punjab Copying Fees Bill be taken into consideration at once.

The motion was carried.

Sub-clauses (2) and (3) of clause 1.

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 : The question is—

That clause (2) stand part of the Bill.

The motion was carried.

New clause.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : I beg to move—

That a new clause be added after clause 2 :—

"3. Any person applying for copy of a record may do so through post by an application written on ordinary paper."

Mr. President : I am sorry the honourable member's amendment is out of order because it goes beyond the scope of the Bill. I would, therefore, call upon Shaikh Muhammad Sadiq to move his amendment.

Clause 3.

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

That in clause 3, the following proviso be added at the end :—

“ Provided that a lawyer or *mukhtar* will not be held responsible if the application is signed or thumb-impressed by an applicant.”

You can very well see the difficulty of a litigant and a lawyer. Supposing a decree against some person is passed and that person says, “Here is my thumb-impression and you put your signature and get the copies of the judgment, etc., for me”. He further says, “Here is an advance of Rs. 5 or Rs. 10 and I am going to my village. As it will be difficult for me to come and get the copies, you better get hold of those copies”. Now, if the bill comes to say Rs. 150 or Rs. 200 and the man changes his mind, the result will be that the poor lawyer will suffer and if that goes on, no lawyer will put his signature on any *mukhtarnama*. The result will be that the poor man will not receive his copy in time. That will be a loss to Government and loss to the public. With that point in view I move the addition of the clause. Government has, however, agreed to accept the amendment if it is worded as follows :

“ Provided that a pleader presenting such an application on behalf of a client will not be held personally responsible where the application bears the signature or thumb-impression of such client.”

I therefore with your permission move the amendment and with these few words I request the House to accept the clause.

Mr. President : The question is—

That at the end of clause 3 the following be added :—

“ Provided that a pleader presenting such an application on behalf of a client will not be held personally responsible where the application bears the signature or thumb-impression of such client.”

The motion was carried.

Mr. President : The question is—

That clause 3 as amended stand part of the Bill.

The motion was carried.

Preamble.

Mr. President : The question is—

That this be the preamble to the Bill.

The motion was carried.

Sub-clause (1) of Clause 1.

Mr. President : The question is—

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

The motion was carried.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : I beg to move—

That the Punjab Copying Fees Bill as amended be passed.

The motion was carried.

THE PUNJAB NURSES REGISTRATION (AMENDMENT) BILL.

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education) : I beg to introduce the Punjab Nurses Registration (Amendment) Bill. I also beg to move—

That the Punjab Nurses Registration (Amendment) Bill be taken into consideration at once.

Mr. President : Motion moved is —

That the Punjab Nurses Registration (Amendment) Bill be taken into consideration at once.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : The Bill looks innocent enough, but I wonder whether the honourable members have looked into it carefully. It means this that by this amending Bill we are extending the period of registration by two years. I ask the Honourable Minister whether that is not a fact. If it is, it means that during the next two years we will have thousands and thousands of women who will come forward and register themselves as *dais*. We will then have thousands of untrained *dais* practising as *dais*. Is it fair to the innocent women, and is it fair to the babies to come that they should be brought into the world by these untrained *dais*? By allowing this you will be bringing death to the homes of hundreds and thousands of people. I thought I would be acting criminally if I did not draw the attention of the House to this point. On the one hand Government says that Indians are callous, that they are superstitious and that they go to untrained *hakims* and doctors and that they send for untrained *dais*, on the other hand they bring forward this kind of Bill in the broad day light in the year 1936 and invite untrained *dais* to come forward to have themselves registered. That is a point which I am not able to understand. If it is true that Government does not want untrained doctors to treat the patients, why should they allow untrained *dais* to attend on labour cases?

I fail to understand why the Government should allow, by this measure, the general slaughter of innocent women who are to give birth to children. I say general slaughter because I feel that this Bill is nothing but an order for general slaughter of such poor and innocent women. Such a tyranny, I should say, was not permitted to be perpetrated even by Nadir Shah.

What strikes me as most amazing is the attitude of the Government and some of its members who do not want me to say a word against this Bill. I should think that they have not given even a minute's thought over the serious consequences that will follow by the passage of this Bill. I shall be excused if I say that none of them appear to have used his brain before bringing this measure before the Council.

The Honourable Dr. Sir Gokul Chand Narang : Whom is the honourable member referring to ?

Shaikh Muhammad Sadiq : I am referring to you who are there in the Cabinet as a representative of the House and the people. It is you, more than others, who is responsible for the working of the department to which this subject relates. The Honourable Minister for Education is only technically in charge of this subject and besides, he cannot be expected to know and appreciate the difficulties of women in confinement because he has not had such an experience throughout his life. And then he is now past that stage (*laughter*) and, therefore, need not worry his head about such matters. But I must protest and protest vehemently against the passages of this Bill in the interest of those who are yet to pass through this stage. Of course if I am convinced that my protest is uncalled for and that it is a result of some misunderstanding on my part, I will stand corrected and withdraw my opposition at once. I will even, in that case, quite willingly apologise to the House for wasting so much of its time. But if my contention is true and if it is right that this Bill will permit many more thousands of untrained *dais* to have their names registered as practising *dais*, then I would appeal to the Government to desist from this course. There are already more than two thousand such *dais* practising in Amritsar city alone and similarly in Lahore too. The villages of the Punjab also have not remained unaffected because a large number of untrained *dais* have found their way to these villages as well. I, therefore, say that if by a mistake or an oversight a small period was fixed for registration of these *dais*, let us derive some benefit by that mistake. Let us not add to the difficulties from which our people are already suffering. It is so often said, of course when it is intended to bring discredit on us, that India is an ignorant country and that there is such a large maternal and infant mortality here simply for the reason that the people of India are not prepared to make use of the services of the trained doctors and trained nurses. But it is a pity that when we oppose such measures which may be likened to butchers' knives, we are advised to keep quiet (*An honourable member :* Let the other side have its say). I have already said that if I am convinced that I am in the wrong, I will unhesitatingly withdraw my opposition to this Bill.

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education) : I need only invite the attention of the honourable member to the Statement of Objects and Reasons. Two amendments are proposed in this Bill. The first is intended to extend the period of registration of nurses. Originally the period fixed under section 14 (1) for registration was three years. But the Act came into force rather late and therefore this period was in effect reduced to less than eleven months. The object of the present Bill is to give effect to the intention of the original Act and allow

[The Hon. Chaudhri Sir Shahab-ud-Din.]

the full period of three years. It is proposed that for the word 'three' the word 'five' be substituted so that the Act may remain in operation as originally intended for about three years.

The second amendment is a verbal one. The old Bill was amended, but in so doing certain consequential amendments were not made by oversight. The present Bill only seeks to rectify that mistake. Therefore, I do not see any objection to the Bill being taken into consideration at once.

Mr. President : The question is —

That the Punjab Nurses Registration (Amendment) Bill be taken into consideration at once.

The motion was carried.

Clause 2.

Mr. President : The Council will now proceed to consider the Bill clause by clause. Clause 2.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : If I rise to speak on this clause it is not for the purpose of opposition for opposition sake. My contention is that if by chance, not intentionally, we have reduced the period for registration to eleven months, why should we not take advantage of that. Eleven months is a long enough period for these untrained *dais* to commit mischief. Why should we allow them longer period to continue the mischief? After all these untrained *dais* may be school mistresses or maid servants and so on. They may not know the science of midwifery and yet if they are allowed to practise the profession in their crude way, they will create a lot of mischief for the young women and the future children of the soil. After all, these *dais* may be only 17 or 18 years old and for a long period the young women of this province will have the misfortune of being administered by these quack *dais* in labour cases. It has been the practice for doctors to complain that we are ignorant people, that we are a superstitious people and so on, and they used to talk so much about propaganda. Yet, on the present occasion the Inspector-General of Civil Hospitals has not come forward to explain why it is necessary to allow these untrained *dais* to practise for another three years. Let him explain whether it is desirable to allow these untrained *dais* to practise any longer and I shall withdraw my opposition. Let him say whether it is proper to allow these *dais* to practise their profession and attend on our poor women who are practically dumb, who are not allowed any say in the matter and who have to submit to the will of their mothers-in-law. I appeal to the heart of the Government in the name of these poor women. Let not this enormity be perpetrated in this province.

It may be argued that the Government has given a promise of allowing some time for these untrained *dais* to get themselves registered. But Government has broken its promises hundreds of times. If we only count the number of times our friend over there has broken promises, it will come to legion. So, that consideration need not weigh with the Government. In the present case the Honourable Revenue Member cannot accuse me of

sympathy for lorrywalas. My sympathy is for the poor women who are helpless, who cannot see me and who perhaps may die unknown to me as somebody said. (*Cheers.*)

Col. C. H. Reinhold (Inspector-General of Civil Hospitals) : I think the honourable member opposite does not imagine that we are licensing these women to practise as *dais* when we are extending the privilege of registration for a further period of two years. We are asking the Council to pass this amendment Bill extending the original period of registration from three to five years, because we feel that there are still some *dais* who have been practising as such.

Shaikh Muhammad Sadiq : Trained or untrained ?

Col. C. H. Reinhold : *Dais* practising the profession to whom it will be unfair to impose the restrictions of this Act at the present stage. I agree that these untrained *dais* are extremely dangerous women and are a source of enormous amount of maternal mortality. But I do not think it would be fair that Government should impose the restrictions of the Act now. But I may point out that we have safeguarded ourselves in the Bill by saying that the registrar has to satisfy himself that any person applying for registration under this clause has been practising as such. Therefore there is no likelihood of women of 17 years applying for registration. This clause is meant to include women who have been *dais* for many years. Besides, how are we going to legislate to prevent these women from practising as *dais* ? We have thousands and thousands of them practising in the Punjab and it is impracticable to prevent them from practising. In future when these five years have elapsed, only the women who have been trained in accordance with the rules that we have laid down will be admitted. But to begin with, we must start in some way. We must start with a nucleus and it is not desirable to prevent the women who have been practising hitherto from continuing the practice, from which they earn their living.

Shaikh Muhammad Sadiq : What is the number of *dais* who have been on the register during these few years ?

Col. C. H. Reinhold : We have got figures, but they are not now with me.

Khan Bahadur Malik Zaman Mehdi Khan : Will the Inspector-General of Civil Hospitals please say whether it is safe to register as *dais* such women as are not trained in accordance with the medical profession ? Is the Medical Department satisfied that it is safe to leave our women in the hands of such untrained *dais* ?

Col. C. H. Reinhold : We are opposed to practice by untrained *dais* and we are training them. But the point is that there will be so many women who will be thrown out of employment if this Bill is not passed. If we want to register, these women should be registered to start with ; otherwise we will have none at all for the enormous numbers of cases which occur in the ordinary course of multiplication of the population. (*Shaikh Muhammad Sadiq* : My object is to give power to the Government so that if they find that undesirable people are coming in, they may check them). We would like to give them an opportunity of registering if they are accredited *dais*. The Act of 1932 did not come into force until 1934 and real

[Col. C. H. Reinhold.]

registration took place in the autumn of 1934, so that the Act was already two years old before a single nurse or *dai* was registered and that is why we want to extend the Act by another two years.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, Rural): When we passed the original Act the intention was to make an effort to train as many *daïs* as possible. But nothing has been done in that direction and now when there is a chance to eliminate the illiterate and untrained *daïs*, an effort is made to continue them. The effect will be that these *daïs* will regard registration as a certificate and they would claim higher wages from the public. So, what is the use of extending the period? When trained *daïs* are available these illiterate and untrained *daïs* are not necessary and I think we should not give a certificate to the untrained *daïs*. I therefore oppose this clause in the Bill.

Dr. (Mrs.) M. C. Shave (Nominated non-official): By passing this Bill and registering these *daïs* it will be possible to control them to some extent. They will practise whether we register them or not, but if they are registered we can keep an eye on them and control them to some extent. Another point is that the public is beginning to ask for trained *daïs*. Untrained *daïs* who have been practising for many years are coming for training now. The idea is gaining ground that only trained *daïs* should be employed. Therefore this amendment moved by Shaikh Muhammad Sadiq is not necessary. The Bill proposed is only plain justice, for we must give these *daïs* the time promised.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (Urdu): That country must be very fortunate whose people are themselves responsible for their own welfare and can make laws according to their needs. In the villages as well as in towns untrained *daïs* have been working up till now. Trained *daïs*, if at all are to be found in the cities only. It would be very nice if all the *daïs* could be trained, but we cannot have them all trained at once. Our forefathers had been brought up under the supervision of these untrained *daïs*. They understand their work very well and have been performing it very efficiently. In my opinion it would be better to wait a little longer in order to ascertain the present number of untrained *daïs*, so that we might know the needs of the present generation and gauge thereby the increasing population of the country and the number of *daïs* required for it. If you make it compulsory that only trained *daïs* should be registered then it is quite possible that they may not be forthcoming in numbers sufficient for the requirements of the whole population. Therefore, I say that as long as statistics are not gathered, the untrained *daïs* should not be stopped from carrying on their profession. If the officers in charge of this department and the Government think it worth while to gather these facts and figures, they should do it at once. I do not mean that I disapprove their idea of getting trained *daïs*. But what I mean is that we should not add to the worries of the people as long as the number of *daïs* required is not forthcoming. The department has failed to supply us with full information but while deploring that failure I would appeal to the House to grant additional time to the Government.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I would explain to my friend that this period of two years is merely an illusory period. The real period would be not more than a few months and therefore the apprehensions of my honourable friend are not so well founded as he considers them to be. I shall just explain to him how this period of two years is in reality reduced to six or seven months. (Shaikh Muhammad Sadiq: I agree with you). That means that this clause should not be opposed because in practice it comes to only six or seven months. Perhaps it will be better if it is explained for the benefit of the House. This Act came into force on the 2nd of September, 1932, and in the proviso to sub-section (1) of section 14 it was laid down that an application from a person who claims to be registered under clause (a) shall not be entertained unless it is received within three years from the date on which this Act comes into force. So that no application could legally be entertained if it was received after the 1st September, 1935, and as the rules were framed not till 18th October, 1934, it is correctly stated in the Statement of Objects and Reasons that all the time that was given to them for registration had not exceeded 11 months. Now, it is proposed that in place of "3 years" "5 years" should be substituted. This would mean that the period for registration is extended up to the 1st September, 1937. As under the law there could not be any registration from the 1st September, 1935, up to date, it means that registration legally stopped on the 1st September, 1935. If this Bill is passed into law the date for registration would be extended up to the 1st September, 1937. Now to-day is the 27th of October. The Bill has not yet been passed and if it is passed by this Council to-day, it will have to go to His Excellency the Governor for his assent; then it must go to His Excellency the Governor-General for his assent; then it must be published in the gazette, so that all this will easily take another two or three months. That is the usual time. So that what will be left is six or seven or eight months. Therefore, you would agree that an extension of 7 or 8 months is not excessive and in the interests of the qualified *daïs* who have not got themselves registered, this extension is necessary.

Mr. President: The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

Mr. President: The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Preamble.

Mr. President: The question is—

That this be the preamble to the Bill.

The motion was carried.

Clause 1.

Mr. President : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education): I move—

That the Punjab Nurses Registration (Amendment) Bill be passed.

The motion was carried.

~~The Council then adjourned till 2 P.M. on Thursday, 29th October, 1936.~~ /

PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 29th October, 1936.

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

OATH OF OFFICE.

MR. F. H. PUCKLE (Chief Secretary) was sworn in.

STARRED QUESTIONS AND ANSWERS.

MURDERS OF MONEYLENDERS AND LANDLORDS.

***5933. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) the number of Hindu and Sikh money-lenders and landlords
(i) murdered, (ii) otherwise injured, from 1st January, 1934, up to 31st August, 1936 ;
- (b) whether the statistics show that the number of such murders is increasing every year ;
- (c) if so, what steps the Government proposes to take to check this evil ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table, showing the total number of persons murdered from the 1st January, 1934 to the 30th June, 1936 and the number of moneylenders murdered in the same time. Further details are not available.

(b) The statistics show that the number of moneylenders murdered has declined from 24 in 1932 to 8 in 1935, although the total number of murders increased from 896 in 1932 to 904 in 1935.

(c) The figures show that the belief which is prevalent in some quarters that murders of moneylenders are on the increase is not correct. Government have taken steps to issue special arms licences to carry fire-arms in villages which are specially exposed to dacoity in one or two districts.

Murders.

Year.	Total number of persons murdered.	Number of murdered money-lenders.
1934	929	19
1935	904	8
1936 (up to the 30th June) ..	548	5

HINDU AND SIKH SAHUKARS.

***5934. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) the number of such Hindu and Sikh *sahukars* and land-owners of the province whose houses were looted during the period from 1st January, 1934, till 31st August, 1934 ;
- (b) the number of such cases where the assailants carried fire-arms and used them ;
- (c) whether it is a fact that the victims in all these cases were unprotected and had no licences for arms ;
- (d) what steps Government intends to take to provide for the safety of the *sahukars* and land-owners mentioned in (a) above ?

The Honourable Sir Donald Boyd : (a) 30 Hindu and 8 Sikh money-lenders and 6 Hindu and 6 Sikh landlords.

(b) 24.

(c) In one case a Sikh money-lender possessed an arms license.

(d) Government have taken steps to issue special arms licences to carry firearms in villages which are specially exposed to dacoity in one or two districts.

NOTE.—The figures of Ferozepore, Lahore, Sialkot and Gujranwala districts are awaited and will be communicated to the honourable member later.

EXECUTION OF DECREES.

***5935. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state —

- (a) the number of cases in which the decree-holders were assaulted at the time of attachment or arrest of the judgment-debtor, by him or his confederates during the year 1935 in all the districts of the Punjab ;
- (b) in how many cases the bailiffs of the civil courts were resisted in the execution of the decrees by the judgment-debtors or his friends during the above period and reports to that effect made to the civil authorities ;
- (c) in how many cases proceedings were started by the civil courts against those people who thwarted the authority of law on receiving such reports either on their own initiative or on the complaint made by the decree-holders ;
- (d) in how many cases the guilty persons were challenged in criminal courts and with what result ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

NOMINATION OF FEMALES TO THE MUNICIPALITIES.

***5936. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the municipalities in the province in which the general elections have taken place after 1st April, 1934 ;

(b) the names of the municipalities in which any women have been nominated as members of the municipalities after such general election ;

(c) if the number of females nominated is practically negligible, what steps have been taken by the Government to give a practical shape to the assurance given by the Honourable Minister during the discussion of my resolution re removal of sex disqualifications for local bodies (Punjab Legislative Council Debates, Volume XXIV, page 1157) ?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) Two statements giving the required information are laid on the table.

(c) Considering the social, political and educational conditions of the province the number is not negligible.

List of Municipalities in which elections took place after the 1st April, 1934.

1. Abohar.	45. Kartarpur.
2. Alipur.	46. Khansawal.
3. Ambala City.	47. Khangarh.
4. Ambala Cantonment Sedar Bazar.	48. Khanna.
5. Baghbanpura.	49. Khem Karan.
6. Ballabgarh.	50. Kunjahi.
7. Banga.	51. Lahore.
8. Batala.	52. Leiah.
9. Bhera.	53. Ludhiana.
10. Bhiwani.	54. Mian Channu.
11. Chak Jhumra.	55. Miani.
12. Chakwal.	56. Mianwali.
13. Chiniot.	57. Mithankot.
14. Chumian.	58. Moga.
15. Dejal.	59. Muktsar.
16. Dalhousie.	60. Muzaffargarh.
17. Dera Baba Nanak.	61. Nakodar.
18. Dharamsala.	62. Nur Mahal.
19. Dinanagar.	63. Okara.
20. Dinga.	64. Palwal.
21. Dera Ghazi Khan.	65. Pakpattan.
22. Eminabad.	66. Pasrur.
23. Faridabad.	67. Pathankot.
24. Fazilka.	68. Patti.
25. Ferozepore.	69. Phillaur.
26. Firozpur-Jhirka.	70. Pind Dadan Khan.
27. Gujranwala.	71. Rahon.
28. Gujrat.	72. Rai Kot.
29. Gurdaspur.	73. Rajanpur.
30. Hafizabad.	74. Rawalpindi.
31. Hansi.	75. Rewari.
32. Hazro.	76. Rohtak.
33. Hissar.	77. Ruper.
34. Hodal.	78. Sadhaura.
35. Jagadhri.	79. Sahiwal.
36. Jagraon.	80. Shujabad.
37. Jalalpur Jattan.	81. Sharakpur.
38. Jampur.	82. Sheikhpura.
39. Jandiala.	83. Simla.
40. Jhang-cum-Maghiana.	84. Sonapat.
41. Jhelum.	85. Tarn Taran.
42. Jullundur.	86. Urmar Tanda.
43. Kaithal.	87. Wazirabad.
44. Karnal.	88. Zira.

[Hon. Dr. Sir Gokul Chand Narang.]

List of Municipal Committees in which women have been nominated as members after the 1st April, 1934.

						<i>Number of women nominated.</i>
Lahore ..	..	..	..	..	--	3
Rawalpindi ..	..	..	..	..	--	1
Dalhousie ..	..	..	..	..	..	1
Simla ..	..	..	..	..	--	1
Ludhiana ..	..	..	..	..	--	1

VERNACULAR EXAMINATION.

***5937. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- the number of examinees who appeared in vernacular examinations, that is, proficiency, high proficiency and honours, in Hindi, Urdu and Punjabi, during the last two years ;
- the income and expenditure section-wise during the last two years on the examinations mentioned in (a) ;
- the expenditure of the University on the coaching of the candidates for these examinations during the last two years ;
- whether there is any institution controlled or recognised by the Punjab University for the instruction and education for these examinations ;
- if the answer to (d) be in the negative, whether he is aware of the fact that there is a great demand for such an institution as there is a large number of girls who take these examinations every year ;
- what steps Government proposes to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

DEPRESSED CLASSES DECLARED AS CRIMINAL TRIBES.

***5938. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- the classes or tribes amongst the scheduled (depressed) classes which have been declared to be criminal tribes under the Criminal Tribes Act in the Punjab ;
- the population of each of such tribes or classes in the Punjab and in the Hissar district ;
- the number of convictions of the members of each of such classes for non-bailable offences in the Punjab and in the Hissar district during the last five years ;
- the population of Muslim Rajputs in the Hissar district and the number of their convictions during the last five years for non-bailable offences ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a)	Sansl.	Bauria.	Bangali.	Gandhila.	Barrar.	Nat.
(b) Population in the Punjab	29,522	19,031	815	767	2,324	4,197
Population in the Hissar district.	1,417	4,061	..	..	..	..
(c) Convictions in the Punjab	315	108	22	2	6	18
Convictions in the Hissar district.	25	45	..	..	..	..
(d) Population of Muslim Rajputs in the Hissar district—114,596.						

Number of convictions during the last 5 years for non-bailable offences—699.

POLICE HEAD CONSTABLES.

***5939. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state —

- the total strength of police head constables sanctioned for the districts of Hissar, Rohtak, Gurgaon, and Karnal, respectively ;
- the number of head constables, community-wise, serving at present in each of the districts named in (a) ;
- the number of head constables posted community-wise in various police stations of the districts named above ;

The Honourable Sir Donald Boyd : (a) and (b) This information was given to the honourable member in the last session of the Council in reply to his question *5285.¹

(c) I do not think that any useful purpose would be served by collecting information which would necessarily be out of date a week or two later as a result of the normal process of postings.

RECRUITMENT OF POLICE CONSTABLES.

***5940. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- whether there are any departmental instructions issued by Government that Hindu Jats, Rajputs and Brahmans, of the Hissar district should be preferred in the matter of recruitment of police constables in the Hissar district ;
- the number of recruits community-wise, accepted in the selections held in January, 1936, and July, 1936, in the Hissar district with their places of residence ;
- whether it is fact that sturdy candidates numbering 300 to 400 from amongst Hindu Jats, Bishnois, Rajputs and Brahmans, of the Hissar district presented themselves for recruitment in each of the two selections referred to in (b) ?

The Honourable Sir Donald Boyd : (a) No.

(b) A statement is laid on the table.

(c) No. The total number of candidates who presented themselves was about two hundred on each occasion, including all communities.

Statement.

	Muslims.	Hindus.	Sikhs.
January 1936	4 (Hissar). 1 (Jhelum).	3 (Hissar). 1 (Ludhiana).	1 (Jullundur). 2 (Hissar).
July 1936	1 (United Provinces). 2 (Jullundur). 1 (Hoshiarpur). 1 (Ferozepore). 1 (Gurdaspur). 2 (Rohtak).	3 (Hissar). 1 (Jhelum).	2 (Hissar). 1 (Gujrat).
Total ..	13	8	6

STATION HOUSE OFFICERS IN POLICE STATIONS.

***5941. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state the number of station house officers community-wise in the police stations of various districts of the Eastern Range ?

The Honourable Sir Donald Boyd : A statement is laid on the table.

Statement.

District.	Muslims.	Hindus.	Sikhs.	Christians.
Hissar	14	4	1	..
Rohtak	9	1	9	..
Gurgaon	4	9	2	1
Karnal	12	6	2	1
Ambala	11	1	5	..
Simla	4	..	1	..
Hoshiarpur	9	2	3	..
Jullundur	6	3	1	1
Ludhiana	7	2	3	..
Kangra	2	9	2	..
Ferozepore	15	4	4	..
Total	93	41	27	3

SUB-INSPECTORS AS STATION HOUSE OFFICERS.

***5942. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

(a) the number of police stations in the districts of Hissar, Karnal, Gurgaon and Rohtak, respectively ;

- (b) the number of sub-inspectors of police posted in the various districts in (a) community-wise ;
- (c) the number of sub-inspectors posted as station house officers in these districts, community-wise ;
- (d) the total population, community-wise, of the various districts referred to in (a) ?

The Honourable Sir Donald Boyd :

(a) Hissar	.. .. .	19
Gurgaon	.. .. .	16
Karnal..	.. .. .	21
Rohtak	.. .. .	18

(b) and (d). This information was given to the honourable member in the last session of the Council, in reply to his question *5235.¹

(c) The number of sub-inspectors employed otherwise than as Station House Officers is small, and the figures are substantially the same as those supplied in answer to the earlier question.

HAISIYAT TAX.

***5943. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state the rules under which the residents of certain rural areas who own property in the said areas but carry on business elsewhere outside the jurisdiction of the districts in which the said rural areas are situated are charged *haisiyat* tax by the district boards of their home districts ?

The Honourable Dr. Sir Gokul Chand Narang : The specification of the *haisiyat* tax for each district is contained in the Government notification applying the tax to that district, and the rules for assessment are contained in the directions notified for each district and in Chapter XII of the District Board Account Code.

EXEMPTION OF THE AHERIS FROM THE OPERATION OF THE CRIMINAL TRIBES ACT.

***5944. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Hissar, has reported to the Government for exemption of the Aheris of the district from the operation of the Criminal Tribes Act ;
- (b) if so, what steps, if any, have been taken by the Government on the report of the Deputy Commissioner ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : As was explained to the honourable member in reply to a question in the last session of the Council, Government have had this matter under consideration for some time, and they will do their best to expedite a final decision.

[Hon. Captain Sardar Sir Sikander Hayat Khan.]

The honourable member will doubtless appreciate the fact that a large number of these Aheris have already been removed from the registers, and he will realise that the examination of the individual cases must take considerable time.

Government cannot undertake to disclose the recommendations of particular officers in this or any other case.

PASSES ISSUED TO AHERIS, SANSIS AND BAURIAS OF HISSAR DISTRICT.

*5945. **Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of temporary passes issued separately to the Aheris the Baurias and the Sansis of the Hissar district in May, 1935, on the occasion of the Silver Jubilee celebrations of His Late Most Gracious Majesty King George V ;
- (b) the number of temporary passes held by the Aheris, the Baurias, and the Sansis, respectively, of the Hissar district, before the Jubilee celebrations ;
- (c) the number of such passes held by the members of these tribes respectively at present ;
- (d) whether it is a fact that during the last six months many of these passes have been taken away from the members of these tribes, especially from the Sansis of the Hansi tahsil ;
- (e) if the answer to (d) be in the affirmative, the reasons in case of each individual for taking away his pass ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) The question is not clear, but it is probable that the honourable member is referring to the general revision of the registers of criminal tribes men which was carried out in the early part of last year and which came to be associated in the public mind with the Jubilee celebrations. The figures of the registrations so cancelled in the Hissar district are as follows :—

Aheris	..	..	..	851
Baurias	..	..	..	276
Sansis	..	..	..	280

(b) Previously the number of men holding *sanads* certifying them as re-registered was—

Aheris	..	..	..	1,170
Baurias	..	..	..	996
Sansis	..	..	..	15

(c) The number now holding such *sanads* is—

Aheris	..	..	..	1,512
Baurias	..	..	..	1,264
Sansis	..	..	..	107

(d) and (e) The District Magistrate has since found it necessary to re-register some of the men whose names were removed last year. The men so re-registered include between 150 and 160 Sansis of the Hansi tahsil. This action was taken by the District Magistrate after a personal tour in the tahsil, where he encountered wide-spread complaints that the Sansis whose names had been removed had reverted to crime.

WELLS IN MUNICIPAL OR DISTRICT BOARD SCHOOLS.

***5946. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state as to whether the wells constructed in municipal or district board schools or in municipal or district board veterinary hospitals or civil hospitals are allowed to be used for drawing water by the public at large in general and by the depressed classes in particular whose right of drawing water from private wells is not recognised ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the reply to this question is not ready.

DEMOLITION OF CULVERT LEADING TO THE HOUSE OF LALA MANGAT
RAI, OF TOHANA.

***5947. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether any culvert over which the steps leading to the house of Lala Mangat Rai, a respectable Mahajan, of Tohana, in the Hissar district ran, was demolished on 19th March, 1938, without any resolution of the committee or any notice to the said Lala Mangat Rai, by the order of the President, Small Town Committee, Tohana ;
- (b) whether any representation was submitted by him to the Deputy Commissioner, Hissar, against this unauthorised and illegal action of the President ;
- (c) what action, if any, was taken by the Deputy Commissioner, in the matter ; if not, why not ;

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

(b) Yes.

(c) As Lala Mangat Rai filed a civil suit against the Town Committee it was considered advisable not to take any action and to leave it to the court to decide the dispute between the parties. The court has held that the committee was competent to remove the culvert but that a notice was necessary. The court awarded a decree for Rs. 25 as damages with one fourth costs to Lala Mangat Rai. I would remark that the question was hardly worth asking.

MAL-ADMINISTRATION OF MUNICIPAL COMMITTEE, JHAJJAR.

***5948. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that a representation in writing, dated 28th August, 1936, on behalf of Grain Merchants Association, Jhajjar, district Rohtak, by its General Secretary, Lala Hardev Sahai Gupta, was submitted to the Commissioner, Ambala division, complaining against the maladministration of the Municipal Committee, Jhajjar, and against the highhandedness of its president ;
- (b) if so, whether a copy of that representation will be laid on the table ;
- (c) whether any enquiries were made by the Commissioner into the various allegations made in that representation ;

[Lala Jyoti Prasad.]

(d) if the answer to (e) be in the affirmative, the result of that enquiry;

(e) if the various allegations have proved to be true what action Government has taken or contemplates to take against the President?

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

(b) A copy is laid on the table.

(c) to (e). An enquiry is being made by Deputy Commissioner, Rohtak.

Representation of Grain Merchants' Association, Jhajjar, to the Commissioner, Ambala Division, Ambala, dated 28th August 1936.

Most respectfully I on behalf of the public of Jhajjar (especially the Hindu section) in general and that of the Grain Merchants' Association in particular beg to lay the following for your honour's attention and necessary action :—

- (1) That the Municipal Committee, Jhajjar, constituted as at present is purely under the influence of its Muhammadan members.
 - (2) Qazi Farid-ud-Din, the President is openly showing favour to people of his own community. For instance, of about 27 employees of the Municipality only 7 are Hindus, the rest Muhammadans. His partiality can further be observed from his treatment of the Hindus. On frivolous pretences, he is on the lookout to entangle Hindu citizens in legal suits with a view to extract some money from them. Several cases of bribery have been proved against him and the matter brought to the notice of the Deputy Commissioner, but to no effect. As a matter of fact it is he who is mainly responsible for creating a communal atmosphere in the town.
 - (3) Not only this, the present Municipality cares a fig for public interests. The circular road, the wall round the city and other public lanes in the town are in extremely damaged condition but for their repairs the Municipality has no funds. On the other hand the money is being spent in the purchase of articles which are of personal comfort to the president and members of his party. In short the public money which chiefly comes from the Hindu community is being thoroughly misappropriated. The remarks of the auditors on this point bear a testimony to my above statement.
 - (4) The Muhammadan employees of the Municipality are shown favour by paying them high salaries and the rights of the Hindu employees are being cruelly suppressed although this community is the chief source of income to the Committee.
 - (5) That a deputation on behalf of the Grain Merchants' Association waited on the Deputy Commissioner when he visited the town on 23rd July 1936 and a number of complaints against the Municipality were brought to his notice for necessary action, but he did not pay proper heed to all what was said. On 21st August 1936 a telegram as given on the margin was sent to him and although almost a week has since elapsed but nothing has been done in the matter.
- Telegram sent to Deputy Commissioner, Rohtak—
 "Bribery case investigated against Municipal President, Jhajjar. Action requested."
- (6) In the year 1934 a suit was filed against him for destroying certain places of religious worship and it was held out by the trying Magistrate, i.e., the Deputy Commissioner, Mr. M. R. Sachdev, that in fact the act of Qazi Farid-ud-Din amounted to injure the religious feelings of the Hindus. No action was, however, taken against him, for previous sanction of the Local Self-Government was not received. This fact clearly proves that the Qazi is a thoroughly prejudiced person.
 - (7) In the year 1935 a resolution was passed by the Municipal Committee that the Secretary of the Municipality should be appointed by the Deputy Commissioner instead of by the Committee, but the same has not been put into effect so far. Instead the Octroi Superintendent has been allowed to act as Secretary. There are a number of complaints of bribery against him as well.

Under the circumstances when no notice was taken of the hue and cry of the Hindus, I have been forced to bring the above to your kind notice. It is prayed that after making satisfactory enquiry into the allegations against the Municipality as stated above the committee may kindly be superseded for that is the only remedy for the redress of our wrongs.

PURDAH ARRANGEMENTS FOR LADY VOTERS FOR THE PUNJAB ASSEMBLY.

***5949. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of lady voters for the forthcoming Punjab Assembly elections in each town of the general as well as the Muslim constituencies of the Southern towns (urban) ;
- (b) whether it is a fact that very strict *purdah* is observed by the ladies in the towns mentioned in (a) ;
- (c) if so, whether Government has made plans for making *purdah* arrangements for the recording of their votes and appointing only ladies in charge of the polling stations ;
- (d) if the answer to (c) be in the negative, what action, if any, Government proposes to take in order that ladies may not be deprived of the right of exercising their votes ?

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

A statement giving the required information is placed on the table.

(b) Government have no knowledge.

(c) and (d) The matter of polling arrangements of all kinds is now being taken up. Government will try to make all arrangements for the convenience of women voters that are reasonably possible ; but the honourable member must bear in mind that, because of the custom of observing *purdah*, the number of women throughout the province who will be available to help at polling stations will be extremely small.

Statement showing the number of women voters registered in the Southern Towns General constituency and the Southern Towns Muhammadan Constituency.

<i>General Constituency, Southern Towns (Urban).</i>				<i>Muhammadan Constituency Southern Towns (Urban).</i>			
The Municipalities of—				The Municipalities of—			
Bhiwani .. .. .	..	..	280	Bhiwani .. .. .	..	..	10
Hissar .. .. .	..	..	168	Hissar .. .. .	..	..	38
Sirsa .. .. .	..	..	164	Sirsa .. .. .	..	..	19
Hansi .. .. .	..	..	108	Hansi .. .. .	..	..	18
Rohtak .. .. .	..	..	180	Rohtak .. .. .	..	..	307
Sonepat .. .. .	..	..	38	Sonepat .. .. .	..	..	83
Beri .. .. .	..	..	49	Beri .. .. .	..	..	..
Jhajjar .. .. .	..	..	54	Jhajjar .. .. .	..	..	68
Rewari .. .. .	..	..	66	Rewari .. .. .	..	..	8
Palwal .. .. .	..	..	43	Palwal .. .. .	..	..	11
The small towns of—				Panipat			
Budhlada .. .. .	..	..	16	Karnal .. .. .	..	..	78
Tohana .. .. .	..	..	17	Kaithal .. .. .	..	..	29
Meham .. .. .	..	..	43	Shahabad .. .. .	..	..	187
Hidayatpur Chhaoni (Gurgaon) ..	..	..	61	The notified areas of—			
The Civil Lines of—				Kaithal Mandi and Karnal Civil Stations			
Rohtak .. .. .	..	..	..	The small towns of—			
Total of the constituency .. 1,297				Budhlada .. .. .	..	..	..
				Tohana .. .. .	..	..	9
				Meham .. .. .	..	..	40
				Hidayatpur Chhaoni (Gurgaon) ..	..	..	45
				The Civil Lines of—			
				Rohtak .. .. .	..	..	1
				Total of the constituency .. 1,268			

LEVEL CROSSING NEAR HISSAR RAILWAY STATION.

***5950. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state with reference to his reply to my starred question No. 4854,¹ asked on the 25th February, 1936, what steps, if any, Government proposes to take for the construction of an over bridge ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Local Government is in correspondence with the Agent, B. B. and C. I. Railway Co., and has emphasized the point that the bridge should be constructed at the cost of the railway since it is necessitated mainly by the growth of rail traffic.

RECRUITMENT OF DEPRESSED CLASSES AS POLICE CONSTABLES.

***5951. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether members of the depressed classes are eligible for recruitment as police constables ;
- (b) if the answer to (a) be in the affirmative, the number of those from the above-mentioned class who have been recruited as police constables in the Eastern Range during the years 1930 to 1935 ;
- (c) if the answer to (a) be in the negative, the reasons for the same, and what action, if any, Government proposes to take in the matter ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Seven.

(c) Does not arise.

CONSTRUCTION OF AN OVERBRIDGE ON GHAGGAR.

***5952. Lala Jyoti Prasad :** With reference to my question No. *5286,² asked on the 2nd March, 1936, will the Honourable Minister for Agriculture kindly state as to when he would be able to get funds for the construction of an overbridge on the Ghaggar river ?

The Honourable Sardar Sir Jogendra Singh : The proposed bridge is included in the Road Programme which was recently approved by the Communications Board and will in due course be considered by the Local Government and the Government of India. If the programme is adopted it will be possible to proceed with the bridge construction from the provincial share of the Central Road Fund in the near future.

RETIREMENT OF GOVERNMENT SERVANTS.

***5953. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether there is any proposal before the Government that Government servants in future will retire at the age of 50 instead of 55 ;

¹ Vol. XXVIII, page 30.

² Volume XXVIII, page 162.

- (b) if so, whether a statement will be given as to the class of Government servants whom the proposal will affect and whom it will not affect ;
- (c) whether the proposal affects the officers of the Provincial service of all classes ; if so, what steps, if any, Government intends to take to represent the matter to the Secretary of State that all officers of Imperial service should also come within its scope ?

The Honourable Sir Donald Boyd : (a) There is no such proposal before the Government.

(b) and (c) Do not arise.

VERNAACULAR LANGUAGES EXAMINATIONS.

***5954. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the number of examinees for the vernacular languages examinations (proficiency, high proficiency and honours) is increasing year by year ;
- (b) whether the Government realizes that this increase in the number of examinees shows that the vernacular languages are becoming increasingly popular in the province particularly amongst females ;
- (c) whether there are any recognised, aided or Government institutions in the province to impart vernacular education, and to coach the students for the proficiency, high proficiency and honours examinations ;
- (d) whether Government is aware that a large number of private institutions have cropped up for imparting such education but such institutions though serving a useful purpose are practically starving and are poorly equipped for lack of funds and want of Government recognition ;
- (e) the steps Government proposes to take to provide for the instruction of students and candidates of these classes and examinations ?

The Honourable Chaudhri Sir Sha hab-ud-Din : I regret that the answer to this question is not ready.

MUNICIPAL EMPLOYEES.

***5955. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the municipalities in the province which have in their service persons—
 - (i) whose age is above sixty ;
 - (ii) who were previously dismissed ;
 with their numbers in each case ;
- (b) what steps Government proposes to take in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to this question is not ready.

PILGRIMS TO KATAS RAJ AND CHOA SAIDAN SHAH.

***5956. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the District Board, Jhelum, has imposed any new tax on the pilgrims visiting Katas Raj and Choa Saidan Shah ; if so, what are its rates ;
- (b) whether any tax was ever levied in the past ; if so, when and for what period and by what authority ;
- (c) whether Government has received protests against the imposition of this tax ;
- (d) the annual number of Hindu and Muslim visitors to these places ;
- (e) whether the Government is prepared to take steps to stop the imposition of this tax ?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b). A fee on persons entering the fair areas has been levied at Katas since 1908 and at Choa Saidan Shah since 1912 with the sanction of the Deputy Commissioner, Jhelum. These fees were recently replaced by a toll tax.

- (c) Yes.
- (d)

Visitors to Katas Raj	...	20,000
Visitors to Choa Saidan Shah	..	85,000
- (e) The matter is under consideration.

OCTROI DUTY, SHAHABAD MUNICIPAL COMMITTEE.

***5957. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the municipal committee of Shahabad, district Karnal, is at present suspended and is being administered by the Deputy Commissioner, Karnal ;
- (b) whether it is also a fact that in the absence of the elected representatives of the public during the period of suspension, the Deputy Commissioner, Karnal, has revised the octroi duty schedule and the previous rates have been enhanced ;
- (c) if the answer to (b) be in the affirmative, whether he will place a copy of the previous schedule and the new schedule on the table ;
- (d) whether it is a fact that the public of Shahabad has protested against this enhancement of octroi rates and they have sent their protests to the Deputy Commissioner, Commissioner, and the Minister for Local Self-Government ;
- (e) whether it is a fact that many resolutions have been passed by responsible public societies against this revision of octroi duty and the attention of the Government has also been drawn to this through the press ;
- (f) whether the Government is aware that due to heavy octroi duty proposed to be imposed, many local shopkeepers of Shahabad have removed their shops beyond the limits of the municipal committee ;

- (g) the total imports assessed to octroi duty during each of the last four years, and whether the statistics show that there has been a marked fall in the income due to heavy octroi duty ;
- (h) if the answer to (g) above be in the affirmative, what steps the Government proposes to take in the matter ?

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

(b) The Deputy Commissioner has made certain proposals, but they have not yet reached Government.

(c) The existing octroi schedule was published with Punjab Government notification No. 328, dated the 1st June, 1907, a copy of which is laid on the table. No new schedule has been sanctioned.

(d) Yes.

(e) No.

(f) Does not arise as the existing octroi schedule is still in force and no new schedule has been sanctioned.

(g) For the total imports assessed to octroi duty the honourable member is referred to statement IV appended to the Annual Reports on the working of Municipalities in the Punjab, copies of which are available in the Council Library. The answer to the latter part is in the negative.

(h) Does not arise.

Notification No. 328, dated the 1st June, 1907.

The following schedule of octroi rates proposed to be levied in the Municipality of Shahabad in the Karnal district, having been approved by His Honour the Lieutenant-Governor, is published for general information under section 43 (9) of the Punjab Municipal Act, 20 of 1891.

The proposed tax shall come into force on and from 1st July 1907 :—

SCHEDULE.

Articles.	RATE OF OCTROI.		
	By maundage.	Ad valorem.	By tale.
CLASS I.			
<i>Articles of food and drink.</i>	Rs. A. P.	Rs. A. P.	Rs. A. P.
1. Wheat and wheat flour	0 0 3	.. ..	..
2. Rice	0 1 0	.. ..	..
3. Barley and barley flour	0 0 3	.. ..	..
4. (a) Grain and other food grains	0 0 3	.. ..	..
(b) Suji and other flour	0 0 6	.. ..	..
5. Refined sugar (i.e., white or crystallized sugar), i.e.—			
(a) <i>Khand</i>	0 9 0	.. ..	..
(b) Sugar candy	1 6 6	.. ..	..
(c) Sugar refined by European methods ..	0 12 0	.. ..	..

[Hon. Dr. Sir Gokul Chand Narang.]

Articles.	RATE OF OCTROI.		
	By maundage.	<i>Ad valorem.</i>	By tale.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
CLASS I—concluded.			
<i>Articles of food and drink—concluded.</i>			
6. (a) (i) Unrefined sugar	0 4 6	..	..
(ii) Gur	0 2 3	..	..
(iii) Shakkar	0 3 0	..	..
(b) Shira	0 1 6	..	..
7. Ghee	0 12 6	..	..
8. Other articles of food and drink—			
(a) All fruits	0 1 0	..	..
(b) All vegetables	0 0 6	..	..
(c) Potatoes and edible roots	0 1 0	..	..
Jams and condiments not being spices including assafoetida, betel nut and linseed.			
(d) Oilman's stores .. ..	..	0 0 6	..
(e) Tea and Indian Coffee .. ..	..	..	..
(f) Fish .. ..	..	..	..
(g) Cotton seeds and oil cakes... ..	0 1 3	..	..
(h) Betel leaf .. ..	..	0 0 9	..
CLASS II.			
<i>Animals for slaughter.</i>			
(a) Buffalo .. ..	..	..	0 14 0 (per head).
(b) Cow .. ..	..	..	0 9 0 (per head).
(c) Sheep and goat .. ..	..	..	0 3 0 (per head).
(d) Pig .. ..	..	..	0 10 0 (per head).
CLASS III.			
<i>Articles used for fuel, lighting and washing.</i>			
1. Oilseeds	0 1 3	..	..

Articles.	RATE OF OCTROI.		
	By maundage.	<i>Advalorem.</i>	By tale.
CLASS IV.	Rs. A. P.	Rs. A. P.	Rs. A. P.
<i>Articles used in building.</i>			
1. Timber, logs and planks and articles made there- from.	}	0 0 6	..
2. Bamboos and ballies			
3. (a) Bricks and tiles pacea (large)	0 5 0 (per thousand).
(b) Bricks and tiles pacea (small country bricks, etc.).	0 1 0 (per thousand).
4. Sun dried (kacha) bricks	0 0 6 (per thousand).
5. Building stone, lime and <i>kankar</i>	}	0 0 6	..
6. Paints, colours and turpentine			
7. Thatching grass, cane, <i>munj</i> , hemp, matting and ropes of all kinds.			
CLASS V.			
<i>Drugs, gums, spices and perfumes.</i>			
1. Drugs except <i>charas</i> , <i>bhang</i> and <i>ganja</i>	0 0 9	..
2. Chemicals	0 0 6	..
3. Spices	0 0 9	..
4. Gums	0 0 6	..
CLASS VI (TOBACCO).			
Foreign tobacco including <i>churat</i> , cigars and cigaret- tes and country tobacco.	..	0 0 6	..
CLASS VII.			
<i>Piece goods and textile fabrics.</i>			
1. Cloth and clothes of all kinds, including things made of cotton, wool, <i>pashmina</i> , shawls, curtains, articles of millinery and haber- dashery, fancy and piece goods.	..	0 0 3	..
CLASS VIII.			
<i>Metals.</i>			
Metals and articles made wholly or partly thereof	0 0 4	..

NOTE.—All articles of any class received in marriage dowry are exempted from octroi duty.

LEAVE TO FEMALE GOVERNMENT SERVANTS.

***5958. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that many women are being employed in the Government service in different departments, particularly in the Education and Medical ;
- (b) whether it is also a fact that the service rules for men and women regarding the grant of leave are the same ;
- (c) whether the Government is aware that women have to take more leave during the menses period and at the time of delivery ;
- (d) whether the Government is prepared to give them more facilities in this connection ;
- (e) if not, why not ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) No.

(c) Yes. Provision has been made in the rules to grant maternity leave to women Government servants for periods ranging from six weeks to six months.

(d) and (e) Do not arise.

COMPLAINT AGAINST A NOMINATED MUNICIPAL COMMISSIONER,
LUDHIANA MUNICIPALITY.

***5959. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please (i) lay on the table—

- (a) a copy of letter, dated 6th July, 1936, from the Manager, Bai's Art Electric Press, Ludhiana, to the Commissioner, Jullundur division, complaining against a nominated municipal commissioner of Ludhiana municipality ;
- (b) a copy of letter No. 5857, dated 22nd July, 1936, from the Deputy Commissioner, Ludhiana, to the Executive Officer, Ludhiana municipal committee, as well as the report of the Executive Officer, Ludhiana municipal committee, submitted in reply thereto ; and

(ii) state the action taken by the authorities, if any ?

The Honourable Dr. Sir Gokul Chand Narang :

(i) (a) A copy of the letter is laid on the table.

(b) (i) and (ii). A copy of the Deputy Commissioner, Ludhiana's endorsement No. 5857, dated the 22nd July, 1936, is laid on the table. The matter is still being enquired into by the Committee and the Executive Officer.

Copy of a letter, dated the 6th July 1936, from the Manager, Rai's Electric Art Press, Ludhiana, to the Commissioner, Jullundur division, Jullundur.

We have the honour to lay the following facts for your Lordship's kind information regarding the doings of Mr. Roshan Din, a nominated member of the Ludhiana Municipal Committee.

Reference to D. C., letter No. 2460 of 16th May 1936, from your Lordship addressed to the President, Municipal Committee, Ludhiana, through the Deputy Commissioner regarding printing of lists of Children ordering a report from the Executive Officer, Municipal Committee, as we are concerned in the matter, we respectfully submit:—

(1) *Mr. Roshan Din's close relation with the Popular Press.*—The sister of Mr. Roshan Din is married to the Managing Proprietor of the Popular Press, hence a relation.

(2) The Popular Press has not got the equipment with which the Municipal Committee work is said to be done, as practically the whole of the Urdu work is done by Mr. Roshan Din at his press known as Islah Press. In this way the whole of the money goes to the pockets of Mr. Roshan Din, a nominated member.

(3) From the time of Mr. Abdul Haye when Mr. Roshan Din got his seat in the Municipal Committee all printing contracts were given under the veil of the Popular Press and are being practically printed by Mr. Roshan Din; thus the Municipal Committee fund is freely flowing to his open bags. This fact could be proved from the Committee records and the experts of the Government printings will unhesitatingly be of opinion that the whole printing has been carried out on a Flat bed Lithographic Machine of Islah Press of Mr. Roshan Din as the Mouth marks of the printing cylinder of the machine are quite clear. Up to the time of writing, the Popular Printing Press has not got that machine. Moreover the statement of the Police which it annually prepares says that it has not got Lithographic Machine. We are prepared to prove all the facts from the municipal records and respectfully submit that under the Municipal Act a member would hardly get money from the Municipal Committee.

(4) Why Popular Press having no Lithographic Plant was given preference in our presence possessing the largest and biggest plant in the district although the rates of the Popular Press while tendering for the printing of lists of Children were higher by Re. 0-2-0 per page?—

(a) Mr. Roshan Din in himself got the work under the curtain of Popular Printing Press and he was Member of the Sub-Committee of Committee under whose recommendation the work was given. He knows it perfectly well what he is doing to fill up his pocket from the municipal funds.

(b) The tenders of the Health Department of the Municipal Committee are openly invited from the Islah Press.

We most respectfully submit that since 18 years when our press was established we have done no such work by which the benign Government could be displeased this fact could be ascertained from Police.

Requesting humbly we submit that we came to know that a most enlightened officer like you is protecting our lives and interests we have submitted the above lines and believe what your Lordship would do, do good for our benefits.

Endorsement by the Commissioner, Jullundur Division.

No. 1010-M., dated the 15th July 1936.

Petition, dated the 6th July 1936, from the Manager, Rai's Art Electric Press, Ludhiana, complaining against Mr. Roshan Din, a nominated member of the Municipal Committee of Ludhiana.

FORWARDED in original (return requested) to the Deputy Commissioner, Ludhiana, in continuation of this office memo.-call No. 2460-D.O., dated the 16th May 1936, for favour of report.

(Sd.). ABDUR RAHMAN,

SUPERINTENDENT,
for Commissioner, Jullundur Division.

Endorsement by the Deputy Commissioner, Ludhiana.

No. 5857, dated Ludhiana, the 22nd July 1936.

COPY, with the enclosure in original (return requested) forwarded to the Executive Officer, Municipal Committee, Ludhiana, for an early report. The Memo.-call, referred to in Commissioner's endorsement above has since been disposed of in your letter No. 576, dated the 6th of July 1936.

(Sd.). WILAYAT HUSAIN,
E.A.C.,
for Deputy Commissioner.

MORTGAGES OF LAND.

***5960. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) how many mortgages of agricultural land between agriculturists have been converted by the tahsildars in each of the tahsils of Karnal and Ambala districts during each of the last ten years into mortgages for a number of years ;
- (b) the number of such conversions which took place :—
 - (i) on the application of the mortgagers,
 - (ii) on the application of the mortgagees,
 - (iii) on the initiative of the tahsildars themselves ;
- (c) the number of such converted mortgages which were of (i) more than 25 years standing, (ii) more than 10 years standing, and (iii) more than 5 years standing ;
- (d) whether the Government is aware that in many cases pressure was brought by the tahsildars on the mortgagees to admit such mortgages to the *benami* and really in favour of a money-lender ;
- (e) whether any complaints to this effect were made to the Collector, Commissioner, Financial Commissioner or any other Government officer, and, if so, what action was taken by the Government ;
- (f) the number of appeals which were filed in the court of the Collector from the orders of the tahsildars converting such mortgages and how many such appeals were accepted ;
- (g) whether the Government has issued any instructions to convert mortgages of agricultural land suspected to be *benami* between agriculturists, into mortgages for a number of years only ; if so, what is the gist of such instructions ;
- (h) whether the Government is aware that many dishonest mortgagers are taking advantage of this tendency on the part of the tahsildars to convert mortgages and *bona fide* mortgagees are being unduly harassed and subjected to undue litigation ;
- (i) what steps the Government proposes to take to stop this evil ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) (b), (c), (e) and (f) It is regretted that the information is not readily available and the labour involved in collecting it would not be commensurate with the results obtained.

(d) No.

(g) First part " No " ; the second part does not arise.

(h) No.

(i) Does not arise.

CIVIC ADDRESS OF WELCOME TO PANDIT JAWAHAR LAL NEHRU.

***5961. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the names of the municipalities in the province which passed resolutions to present civic address of welcome to Pandit Jawahar Lal Nehru, President, Indian National Congress, and the names of those in which a resolution of this nature was moved but was rejected by the bodies, and others in which the discussion of the resolution was disallowed by the president ;
- (b) the names of those municipalities where the resolution regarding the presentation of such an address by the municipal committee was suspended by the deputy commissioner ;
- (c) the names of those municipalities which defied the suspension order of the deputy commissioner and presented the address ;
- (d) whether there is any rule or order of the Government against the presentation of an address of welcome to distinguished personages of India ;
- (e) the names of the municipalities which have presented any address of welcome to any distinguished persons during the last two years and, if so, to whom ;
- (f) whether any deputy commissioner ever took objection to the presentation of an address to any person except when it was meant to be given to a distinguished Congressman ;
- (g) whether it is a fact that in some districts the deputy commissioners took exception to the presentation of an address to Pandit Jawahar Lal Nehru and in some cases no objection was taken ?

The Honourable Dr. Sir Gokul Chand Narang : I regret the reply to this question is not ready.

NOTIFIED AGRICULTURISTS IN THE SHAHPUR DISTRICT.

***5962. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) the names of the tribes that have been notified as agriculturists in the Shahpur district ;
- (b) how many notices have been received by the Collector, Shahpur, under section 80 of Civil Procedure Code from persons residing in that district to get themselves declared as agriculturists and in how many cases action has been taken on the receipt of such notices during each of the last four years ;
- (c) whether it is a fact that the following castes and tribes are not notified as agriculturists—
Bharokeh, Jhahane, Kheral, Sheikh, Butt, Tat, Dharkhan, Dewat, Sulhal, Shai, Asar, Dhun, Khevate, Olak, Mumurane, Soha ;
- (d) whether it is a fact that many people belonging to the above tribes and castes have been declared as belonging to the agricultural tribes ;

[Shrimati Lekhwati Jain.]

- (e) what action the Government proposes to prevent this transgression of the provisions of the Punjab Alienation of Land Act?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) The attention of the honourable member is invited to the appendix to the Financial Commissioners' Standing Order No. 1.

(b) 7 in 1982.

20 in 1983.

16 in 1984.

80 in 1985.

Action was taken on all of them.

(c) Yes.

(d) Yes.

(e) None. There has been no transgression of the provisions of the Act. The claim for change of entry of the caste of an individual or individuals as recorded in the revenue records is accepted only if after thorough enquiries it is proved to be just.

TEXT-BOOK ENQUIRY COMMITTEE.

***5963. Khan Bahadur Malik Zaman Mehdi Khan :** In connection with the recommendations made by the Text-Book Enquiry Committee and accepted by the Government, will the Honourable Minister for Education please state—

(i) whether it is only the books already on the approved list that will be automatically passed to the experts for review, while a newly-submitted book may be summarily disposed of or held up by the Advisory Board in the initial stage ;

(ii) whether in case the Advisory Board sets up a committee of judges to help it in the exercise of its option with regard to a newly-submitted book, those judges will be required to possess the same qualifications (competent knowledge of the subject and unimpeachable integrity, &c.) as are deemed essential for the final reviewers to be appointed by the Director of Public Instruction ;

(iii) in case no definite conditions are laid down in this connection what safeguards the Government provides for a fresh book of possibly superior merit against being strangled at birth and not allowed to take its chance with other books (old or new, superior or inferior) which are actually passed to the final reviewers ; whether the decision of the Advisory Board will be subject to appeal, and, if so, to whom ;

(iv) what are the principles and procedure governing the preliminary selection of fresh books that may be submitted to the Department as ordered by the Government in case the number of such books is large and what number will be considered to be large enough for each subject for this purpose ?

The Honourable Chaudhri Sir Shahab-ud-Din : (i) Answer to the first part is in the affirmative and as to part two no books will be summarily disposed of by the Board.

(ii) The Board will not set up any Committee of the kind mentioned in the question for this purpose.

(iii) The possibility involved in this question is very remote in view of the fact that the Board consists of forty members as against twenty-five of the old Text-Book Committee, and all sorts of interests are represented on the Board such as members of the Punjab Legislative Council, nominees of the Honourable Minister for Education, Fellows of the Punjab University, members selected from those actively engaged in teaching in privately managed institutions in the province besides members of the Education Department. With such a Board it is hoped that the possibilities imagined by the honourable member will not arise.

(iv) The procedure for the selection of books will be similar to that which was followed by the Punjab Text-Book Committee for recommending text-books. If the number of books on any subject is about fifty this will be considered large enough to require a preliminary selection. On the other hand if the number of such books is only about ten no preliminary selection need be made.

RULES PERTAINING TO THE PREPARATION OF ELECTORAL ROLL FOR THE PUNJAB UNIVERSITY CONSTITUENCY.

***5964. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Secretary of the Punjab Graduates' Union, Lahore, addressed a registered letter acknowledgment due on the 30th July, 1936, to the Reforms Commissioner, Punjab, regarding the rules pertaining to the preparation of electoral roll for the Punjab University constituency ;
- (b) whether it is a fact that a reminder was sent to the Reforms Commissioner on the 15th August, 1936, requesting for a reply to the letter referred to above ;
- (c) whether it is a fact that the said Reforms Commissioner has not replied to the letter referred to above nor even acknowledged the said letter and the reminder ;
- (d) if the answers to (a), (b) and (c) be in the affirmative, the reasons for not replying or for not acknowledging the letter in spite of the reminder ?

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

(b) Yes.

(c) No.

(d) Does not arise.

REGISTRATION OF GRADUATES.

***5965. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the University of the Punjab or any other authority has ever maintained a register of graduates of seven years' standing as contemplated by the Hammond Committee Report and the Order in Council, dated the 30th April, 1936, relating to the Punjab University constituency for the purposes of returning a member to the proposed Legislative Assembly from that constituency ;
- (b) whether there is any law or enactment which requires the levying of any registration fee for the purposes of registration of graduates as voters for the Punjab University constituency ; if not, whether any steps have ever been taken to prepare a register of graduates of seven years' standing ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Neither the University of the Punjab nor any other authority in the Punjab has ever maintained a register of graduates of seven years' standing. Neither the Hammond Committee Report nor the Order in Council of April 30th, 1936, contemplates the maintaining of such a register. The Hammond Committee's recommendations were made in full knowledge of all the circumstances and of the provisions of the Punjab University Rules concerning the register of graduates.

(b) A payment of a fee is in no case necessary to secure inclusion in any electoral roll. The remainder of this part of the question therefore does not arise.

REGISTRATION OF GRADUATES.

***5966. Lala Jyoti Prasad :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that electoral rolls were prepared on four occasions under the existing constitution (Montford Reforms) containing the names, &c., of graduates of seven years' standing and more, for the purposes of returning a member to the Punjab Legislative Council from the University constituency ;
- (b) if so, the number of electors as contained in the electoral roll prepared on the last occasion, that is, before the election held in the year 1930 ;
- (c) the number of electors of the Punjab University constituency according to the preliminary roll prepared for the coming elections ;
- (d) what steps the Government proposes to take to comply with the provisions of the new Government of India Act, the recommendations of the Hammond Committee Report and the Order in Council, dated 30th April, 1936 ?

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

(b) 3,907.

(c) 770.

(d) The roll has been made up in accordance with the requirements of the Order in Council.

SEWA SAMITI BOY SCOUTS ASSOCIATION.

***5967. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the Government is aware of the fact that Sewa Samiti Boy Scouts Association, Punjab, Lahore, has been in existence since 1918 and has rendered meritorious services, social and otherwise, has co-operated with the Government and that its services have been appreciated both by the public and the Government officials ;
- (b) whether Government is aware of the fact that a resolution was passed by the Executive Council of the Sewa Samiti Boy Scouts Association, Punjab, Lahore, copies of which were sent to the local Government as well as to the Honourable Minister recently, asking for themselves an equal status with the Baden Powell Scouts Association ;
- (c) if so, what action, if any, has been taken by the Government on the resolution referred to above ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) Yes.

(c) The Baden Powell Scouts Association is open to boys of any caste or creed. Government is unable to support a purely communal association which is outside the Baden Powell world-wide scout organisation.

SEWA SAMITI BOY SCOUTS ASSOCIATION.

***5968. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Baden Powell Scouts Association is getting a grant of Rs. 24,000 annually from the Punjab Government ;
- (b) whether the Government is aware of the fact that Boy Scouts Associations other than the above in other provinces are recognised and aided ;
- (c) whether the Punjab Sewa Samiti Boy Scouts Association is given any aid by the Punjab Government ;
- (d) if the answer to (c) be in the negative, the reasons for the same ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The Punjab Government pay an annual grant of Rs. 31,800 to the Baden Powell Association.

(b) The Punjab Government is aware that in the United Provinces, at least, the Sewa Samiti Boy Scouts Association is aided.

(c) No.

(d) Baden Powell Scouts Association is open to boys of any caste or creed. Government is unable to support a purely communal association which is outside the Baden Powell world-wide scout organisation.

PUNJAB SEWA SAMITI BOY SCOUTS ASSOCIATION.

***5969. Lala Jyoti Prasad:** Will the Honourable Minister for Education be pleased to state whether there is any circular issued by the local Government to discourage the Punjab Sewa Samiti Boy Scouts Association in the Punjab?

The Honourable Chaudhri Sir Shahab-ud-Din: No.

ELECTION SYSTEM IN MUNICIPAL COMMITTEES.

***5970. Sardar Sahib Sardar Ujjal Singh:** Will the Honourable Minister for Local Self-Government please state—

(a) the number, names and dates of the constitution of municipal committees and small town committees in the Attock and Mianwali districts;

(b) the names of municipalities and small town committees of the districts mentioned in (a) in which election system has not yet been introduced?

The Honourable Dr. Sir Gokul Chand Narang: (a) A statement is laid on the table.

(b) *Attock District*—

1. Pindigheb Municipal Committee.

Mianwali District—

1. Isakhel Municipal Committee.

2. Kalabagh Municipal Committee.

Statement.

No.	Name of a local body.	Date of the constitution.
ATTOCK DISTRICT.		
<i>Municipalities.</i>		
1	Campbellpore	1st February, 1924.
2	Hazro	10th February, 1896.
3	Pindigheb	4th December, 1874.
<i>Town Committees.</i>		
1	Attock	6th September, 1924.
2	Hassanabdal	20th January, 1924.
3	Fatehjang	29th January, 1924.
4	Makhd	14th November, 1920.
5	Tallgang	29th January, 1924.
MIANWALI DISTRICT.		
<i>Municipalities.</i>		
1	Mianwali	1st December, 1903.
2	Bhakkar	5th September, 1887.
3	Isakhel	23rd September, 1885.
4	Kalabagh	23rd September, 1885.
<i>Town Committees.</i>		
1	Kallar Kot	10th November, 1923.

PINDIGHEB AND KALABAGH MUNICIPALITIES.

***5971. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that Pindigheb and Kalabagh Municipalities were constituted more than 50 years ago ;
- (b) whether these are the only municipalities to which the right of electing members has so far been denied ; if so, the reason for the same ?

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

(b) No. There are two other municipalities where the elective system has not yet been introduced.

ELECTIVE SYSTEM IN PINDIGHEB MUNICIPALITY.

***5972. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that several deputations of the rate-payers of Pindigheb have waited upon the Honourable Minister on various occasions, in connection with the introduction of elective system in Pindigheb Municipality ;
- (b) whether it is a fact that in 1928 the Honourable Minister informed the representatives of the rate payers that elective system had been introduced in Hazro and Campbellpur Municipalities as an experimental measure and that the question of introducing it in Pindigheb would be taken up after studying the working of the system in those municipalities ;
- (c) whether the Government has ever considered the results of the experiment during these 18 years and the question of introducing the elective system in Pindigheb ; if so, with what results ; if not, why not ?

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

(b) Yes. This was in March, 1924 and not in 1928.

(c) Government considered the question in 1932 and decided that the elective system should not be introduced in the Pindigheb Municipality.

NOMINATED MEMBERS OF THE MUNICIPAL COMMITTEE, PINDIGHEB.

***5973. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that two members of the Malik family have invariably been on the Municipal Committee, Pindigheb, as nominated members ever since the committee was constituted by the Government ;
- (b) whether it is a fact that when the number of the non-official members of the municipal committee was raised from 6 to 8, another member of the Malik family was nominated to the committee, thereby raising their number to three ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The records available in the Deputy Commissioner's office show that two members of the Malik family have invariably been the members of Pindigheb Municipal Committee since the year 1912.

(b) Yes.

HONORARY SECRETARY OF THE MUNICIPAL COMMITTEE, PINDIGHEB.

***5974. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

(a) the name of the Honorary Secretary of the Municipal Committee, Pindigheb, and the date from which he is holding this office ;

(b) whether it is a fact that this Honorary Secretary of the Municipal Committee, Pindigheb, is a member of the Malik family of Pindigheb ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Khan Bahadur Nawab Malik Ghulam Muhammad Khan from the 24th October, 1905.

(b) Yes.

ELECTIVE SYSTEM IN PINDIGHEB MUNICIPAL COMMITTEE.

***5975. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that soon after the rate-payers of Pindigheb Municipality represented for the introduction of the elective system, a series of resolutions were passed by the municipal committee, stating that the streets were the exclusive property of the Maliks of Pindigheb ;

(b) whether it is a fact that these resolutions culminated in a duly executed agreement between the Municipal Committee, Pindigheb, including its Secretary and Malik members on the one hand and Malik family including the Secretary and Malik members of the municipal committee on the other hand, stating that the Malik family had certain rights in the streets and that the family was entitled to receive from the municipal committee one-half of the proceeds accruing from the income of the public streets ;

(c) whether it is a fact that the rate-payers of the town filed a civil suit for the cancellation of the said agreement, dated 18th July, 1929 ;

(d) whether the said agreement has been declared as null and void by a division bench of the Lahore High Court ;

(e) whether the honourable Judges of the High Court have remarked in the judgment that—

“this made it an offence for defendant No. 2 who was then the Secretary of the municipality to enter into such a contract without the previous permission in writing of the Commissioner, and it is not disputed that this has not been given.”

(f) whether it is a fact that the same Secretary has been re-appointed as the Secretary of the same committee even after the decision of the High Court ;

(g) what action the Government has taken or proposes to take in the matter ; if not, why not ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Only one resolution, dated the 11th April, 1923, affirming the proprietary rights of the Maliks of Pindigheb was passed after the representation lodged by the rate-payers in November, 1922.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The Secretary was not re-appointed. He has continued in office without a break ever since 24th October, 1905.

(g) Considering the attitude of the Punjab Government (Ministry of Local Self-Government) in 1929 to the execution of the agreement no action seems to be necessary at this stage.

DISTRIBUTION OF SQUARES OF LAND IN JHAKKAR ZAIL.

***5976. Chaudhri Asadullah Khan :** Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that about 300 squares have been distributed in the Zail of Mehr Ghulam Farid, Sarbrah Zaildar, Jhakkar, in the Toba Tek Singh tahsil, district Lyallpur ;

(b) whether it is a fact that only 80 or 40 squares of land have been distributed in the two zails of Kamalia and Muhammad Shah, the zails of Nawab Muhammad Saadat Ali Khan, Kamalia, district Lyallpur ;

(c) whether it is a fact that the latter zails are much larger in size than the zail of Mehr Ghulam Farid and their residents are entitled to a much larger area than that allotted to them ;

(d) if the answers to the above be in the affirmative, what steps the Government proposes to take in redressing the wrongs of the latter zails ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) No. One hundred and twenty-nine squares have been distributed in the Jhakkar zail and not three hundred.

(b) No. One hundred and thirty-six squares have been distributed in the Kamalia and Mohammad Shah zails.

(c) and (d) Do not arise.

HINDU STATUTORY AGRICULTURIST B. TS. AND S. A. Vs.

***5977. Chaudhri Ram Sarup :** Will the Honourable Minister for Education kindly state—

(a) the number of candidates who passed out of the Central Training College, Lahore, with (i) the degree of B.T. and (ii) the diploma of S. A.-V. in 1935 ;

[Chaudhri Ram Sarup.]

- (b) the number of the successful candidates referred to in (a) who were Hindus and how many of these were (i) members of statutory agricultural tribes and (ii) members of scheduled castes ;
- (c) how many Hindus referred to in (b) have obtained appointments in the Education Department and how many of them were members of (i) statutory agricultural tribes and (ii) scheduled castes ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not yet ready.

SILVER JUBILEE SCHOLARSHIPS.

***5978. Chaudhri Ram Sarup :** Will the Honourable Minister for Education kindly state—

- (a) the amount provided in the current year for the Silver Jubilee Scholarships ;
- (b) how many scholarships and of what value have been reserved for members of (i) statutory agricultural tribes and (ii) scheduled castes ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The amount provided in the current year's budget of this Department is Rs. 3,500.

(b) No scholarships have been reserved for members of (i) statutory agricultural tribes, but all are open to them. It will be of interest to the honourable member to learn that the Jubilee Scholarship for study abroad has been awarded to a Muslim lady who is a statutory agriculturist.

Those for (ii) scheduled castes are the following :—

Two high school scholarships of Rs. 8 per mensem on the results of the Vernacular Middle Standard Examination for Girls.

Scholarships for boys reserved for scheduled castes.

Five high school scholarships of Rs. 6 per mensem to be awarded to anglo-vernacular students on the results of the Vernacular Final Examination.

One college scholarship of Rs. 20 per mensem to be awarded on the results of the Matriculation and School Leaving Certificate Examination.

One college scholarship of Rs. 20 to be awarded on the results of the Intermediate examination.

The scholarships are to be awarded to various communities in turn and in the following proportion.

50 per cent. to Muslims,

20 per cent. to Sikhs, and

30 per cent. to others.

ADMISSION TO THE VETERINARY COLLEGE.

***5979. Chaudhri Ram Sarup :** Will the Honourable Minister for Agriculture kindly state—

- (a) the number of candidates who applied for admission to the Veterinary College, Lahore, in 1986 ;
- (b) the number of candidates referred to in (a) hailing from each of the five divisions respectively ;
- (c) the number of Hindus, Muslims and Sikhs selected for admission respectively ;
- (d) the number of students selected for admission who were statutory agriculturists, communitywise ;
- (e) the number of candidates referred to in (d) who were (i) graduates, (ii) under-graduates and (iii) matriculates ;
- (f) whether, among the applicants for admission, there were two Hindu Jats from the Rohtak district, one Arjan Singh and the other Har Sarup ;
- (g) whether it is a fact that Arjan Singh is a graduate and Har Sarup an under-graduate ;
- (h) whether it is a fact that both Arjan Singh and Har Sarup were rejected ;
- (i) if the answer to (h) be in the affirmative, the reasons therefor ?

The Honourable Sardar Sir Jogendra Singh : (a) 139.

(b) Ambala division 3.

Jullundur division 17.

Lahore division 40.

Rawalpindi division 18.

Multan division 17.

Others 44.

(c) Hindus 19.

Muslims 19.

Sikhs 10.

Others 1.

(d) Hindus 2.

Muslims 18.

Sikhs 6.

(e) (i) Graduates 3.

(ii) Under-Graduates 36.

(iii) Matriculates 10.

(f) Yes.

(g) Yes.

(h) Yes.

[Hon. Sardar Sir Jogendra Singh.]

(4) Arjan Singh was not considered suitable for admission to the College because at the interview he appeared unable to understand simple straightforward questions.

Har Sarup admitted at the interview that he was unable to pay the College fees, but that he had applied for a military scholarship. Since there was no guarantee that the fees would be paid, he was not admitted.

ZILLADARS.

***5980. Chaudhri Ram Sarup :** Will the Honourable Revenue Member kindly state whether any steps have been taken to modify the departmental instructions under which Superintending Engineers are required to submit the names of an equal number of Muslims and non-Muslims for the post of zilladar from each circle irrespective of the actual communal composition of its population ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The honourable member is referred to the replies to the Council questions quoted below, to which there is nothing further to add :—

Question No. *1079¹ of 1932.

Question No. *8274² of 1934.

Question No. 1176³ of 1935.

Question No. 1177³ of 1935.

Question No. *4611⁴ of 1935.

Question No. *4890⁵ of 1935.

Superintending Engineers are not required to submit names of an equal number of Muslims and non-Muslims but that final selection is made by Chief Engineer on that basis.

COMMUNAL REPRESENTATION AMONG ZILLADARS, MUNSHIS AND PATWARIS.

***5981. Chaudhri Ram Sarup :** Will the Honourable Revenue Member kindly lay on the table a statement showing for each Superintending Engineer's circle :—

- (a) the number of Hindu zilladars, munshis and patwaris serving therein ;
- (b) the number of statutory agriculturists among the officials specified in (a) ;
- (c) the number of Hindu, Muslim and Sikh patwaris appointed in 1934, 1935 and 1936, respectively and how many under each group are statutory agriculturists ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The information has been placed on the table.

¹Volume XXI, page 34.

²Volume XXV, page 29.

³Volume XXVII, page 113.

⁴Volume XXVII, page 159.

⁵Volume XXVII, page 585.

Statement

(a).			(b).			(c).											
HINDUS.			NUMBER OF STATU- TORY AGRICUL- TURISTS AMONG THE OFFICIALS SPECI- FIED IN (c).			1934.				1935.				1936.			
Zillidars.	Munshis.	Patwaris.	Zillidars.	Munshis.	Patwaris.	Hindus.		Muslims.		Sikhs.		Hindus.		Muslims.		Sikhs.	
						Agriculturist.	Non-agricul- turist.	Agriculturist.	Non-agricul- turist.	Agriculturist.	Non-agricul- turist.	Agriculturist.	Non-agricul- turist.	Agriculturist.	Non-agricul- turist.	Agriculturist.	Non-agricul- turist.
Western Jumna Canal.	12	38	179	6	24	6	3	9	..	2	..	3	1	5	..	2	..
Sirhind Canal ..	9	26	131	6	6	..	..	4	..	2	..	..	..	2	4	..	..
Upper Bari Doab ..	8	25	105	1	1	..	1	2	..	..	..	..	4	3	1	..	..
Lower Bari Doab Canal.	4	22	118	1	4	..	..	..	..	..	..	..	..	4	..	2	..
Derafat ..	3	17	132	1	1	..	..	6	..	2	..	..	1	5	1	..	..
Lower Chenab West	5	25	119	2	1	1	3	2	2	2	2	2	4	1	1	1	2
Lower Chenab East	2	29	130	..	4	..	..	9	..	3	..	..	5	6	..	3	..
Upper Chenab Canal	4	20	109	..	5	..	..	3	..	..	..	..	2	2	..	1	1
Lower Jhelum ..	9	15	85	1	3	1	1	2	..	..	..	2	2	3	3	2	1
Upper Jhelum Canal	2	10	60	1	5	..	..	1	1	1	2	2	1	2	1	..	..
Ferozepore Canals	7	18	92	..	..	..	..	2	..	..	..	..	2	7	..	..	2
Nih Bar ..	4	27	110	2	4	2	..	10	..	1	1	1	1	3	1	1	1

JOURNEY PERFORMED BY DEPUTY COMMISSIONERS ON HORSE BACK.

***5982. Chaudhri Ram Sarup :** Will the Chief Secretary kindly state—

- (a) the number of the deputy commissioners in charge of various districts on the 15th March, 1936, who had horses of their own ;
- (b) whether in the Travelling Allowance Bill Form any entry is made to indicate that any particular journey was performed on horse-back ?

Mr. F. H. Puckle : (a) 26.

(b) Yes.

VISITORS TO DEPUTY COMMISSIONERS.

***5983. Chaudhri Ram Sarup :** Will the Chief Secretary kindly state—

- (a) whether the deputy commissioners in the province have adopted the practice of reserving any of their usual visitors days for interviewing visitors who come from the countryside exclusively ;
- (b) if not, what action Government propose to take in the matter.

Mr. F. H. Puckle : Government have no information whether the Deputy Commissioners in the province make a practice of reserving a special day for interviewing visitors from the countryside. The reservation of days for interviewing visitors is a matter which is left to the discretion of Deputy Commissioners.

(b) There are orders of Government to the effect that Deputy Commissioners should see as much as possible of the people within their charges and allow free access to all classes without reference to immediate business. Government have no reason to believe that these orders are not being complied with.

RECRUITMENT OF POLICE CONSTABLES.

***5984. Chaudhri Ram Sarup :** Will the Honourable Finance Member kindly state—

- (a) the number of constables recruited in the districts of Rohtak, Hissar, Gurgaon, Karnal, Ambala and the province of Delhi in 1934, 1935 and 1936 ;
- (b) the number of those who belong to the Rawalpindi division among them ;
- (c) statistics on the same basis as above regarding other areas in which recruitment took place in 1934, 1935 and 1936 ;
- (d) the reasons for the disparity in the numbers of those who belong to the local areas and those who belong to the Rawalpindi division among the recruits ?

The Honourable Sir Donald Boyd : (a) and (b). A statement is laid on the table.

(c) It is regretted that figures for other areas are not available.

(d) Does not arise.

Statement.

(The upper figures show the total number of recruits; those below, in brackets, the number of recruits from the Rawalpindi Division.)

	1934.	1935.	1936.	Total.
Rohtak	(8)	(1)	(1)	100 (10)
Hissar	31 (1)	32 (..)	44 (2)	107 (3)
Gurgaon	38 (..)	46 (8)	33 (1)	117 (9)
Karnal	24 (21)	28 (8)	25 (1)	87 (30)
Ambala	29 (5)	40 (8)	39 (8)	108 (19)

Lower subordinates of the Delhi Police are not borne on the Punjab cadre, and the Punjab Government have no information in regard to Delhi recruitments.

PROSECUTING INSPECTORS, SUB-INSPECTORS OR ASSISTANT SUB-INSPECTORS RECRUITED FROM AMONG LAW GRADUATES.

*5985. **Chaudhri Ram Sarup** : Will the Honourable Finance Member kindly lay on the table a statement showing—

- the number of prosecuting inspectors, sub-inspectors or assistant sub-inspectors recruited so far from among law graduates ;
- the number among the officials specified in (a) of statutory Hindu, Muslim and Sikh agriculturists respectively ?

The Honourable Sir Donald Boyd : A statement is laid on the table.

Statement.

	Prosecuting Inspectors.	Sub-Inspectors.	Assistant Sub-Inspectors.
(a) Total number of appointments.	(No direct appointments are made in this rank.)	102	2
(b) Number of the above who were statutory agriculturists.	..	Muslims .. 25 Hindus .. 12 Sikhs .. 5 Total .. 42	1 .. 1 2

MUSLIM COOK FOR THE RIPON HOSPITAL, SIMLA.

***5986. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is any Muslim cook to prepare food for the indoor Muslim patients in the Ripon Hospital, Simla ;
- (b) if the answer to (a) be in the negative, what steps he proposes to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

MUSLIM COOK FOR THE CIVIL HOSPITAL, AMBALA.

***5987. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education please state—

- (a) whether indoor patients are admitted in the Civil Hospital, Ambala ;
- (b) whether there is any Muslim cook to prepare food for the Muslim indoor patients in the said hospital ;
- (c) if the answer to (b) be in the negative, what steps he proposes to take in the matter.

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) No. Only one cook is sanctioned for the Civil Hospital, Ambala. He is a Hindu and he cooks food for both the Hindu and Muslim patients admitted in the hospital.

(c) The necessity for a separate Muslim cook has not hitherto been represented but will now be considered.

B. TARA CHAND, COMPOUNDER, CIVIL HOSPITAL, HISSAR.

***5988. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education please state—

(I) whether it is a fact :—

- (a) that B. Tara Chand is a compounder in the Civil Hospital at Hissar ;
- (b) that the said compounder carries on business along with his minor son, Jagdish Rai, at Hissar under the name of Messrs. Tara Chand Jagdish Rai ;
- (c) that the said compounder filed a suit under the above name against Messrs. Raghbar Dass Beni Prasad of Ambala City in the court of Sub-Judge, Hissar, in 1935 ;
- (d) that the Government servants are forbidden to do any sort of private business under the Government Servants Conduct Rules ;
- (e) that Messrs. Krishna Electric Company of Ambala City served a registered notice on the Civil Surgeon, Hissar, on the 21st May, 1935, requesting him to take action against B. Tara Chand ;

(f) that on the very day a copy of the above registered notice was also sent to the Inspector-General of Civil Hospitals, Punjab, Lahore, under a separate registered cover ;

(g) that on the 19th June 1935 reminders to the notices were duly given to both officers under postal certificate from Ambala city ;

(h) that the said compounder was on leave on 5th March, 1935, 17th April, 1935, 18th April, 1935, 27th April, 1935, 10th May, 1935, 17th June, 1935, 10th July, 1935, 18th July, 1935, 23rd July, 1935, 5th November, 1935, 6th November, 1935, 12th December, 1935, 14th January, 1936, 20th February, 1936, 10th March, 1936, 17th April, 1936, 28th May, 1936, 29th May, 1936, 26th June, 1936, 16th July, 1936, 23rd July, 1936, 24th July, 1936 and 31st July, 1936 ;

(i) that the said compounder attended his office as well as the court on the above dates ;

(II) if the answer to the above is in the affirmative :

(a) how B. Tara Chand arranged to mark his presence in his office and

(ii) what action has so far been taken by the authorities concerned on the above notices against B. Tara Chand, Compounder ?

The Honourable Chaudhri Sir Shahab-ud-Din : (I) (a) Yes.

(b) No.

(c) No firm doing business under the name Tara Chand Jadgish Rai has been traced at Hissar.

(d) Dispenser Tara Chand is a Local Fund employee of the Municipal Committee, Hissar, and Government Servants Conduct Rules do not apply to him.

(e) (f) (g) Yes.

(h.) (i.) Dispenser Tara Chand obtained the following leave [during 1935-36 :—

9 days from 7th February, 1935.

2 days from 6th September, 1935.

6 days from 18th November, 1935.

4 days from 2nd September, 1936, and

10 days from 17th September, 1936.

The dispenser attended the court some times with the permission of his officer-in-charge for one or two hours. Some times the court was attended by him in the afternoons after duty hours.

(II) (i) In view of the above reply no further reply seems required.

(ii) No action was taken and the explanation tendered by Tara Chand to the Civil Surgeon was found satisfactory.

PRESERVATION OF SHEEP.

***5889. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture please state—

- (a) whether the attention of the Government has been drawn to the leaderette in the *Civil and Military Gazette*, dated the 19th September, 1936, page 2, under the caption "A cruel trade" referring to the causes of the decrease in the number of sheep from 4,457,786 to 4,424,147 as shown in the latest Punjab Live Stock Census ;
- (b) whether the Government intends to take steps :
 - (i) to provide better grazing facilities ;
 - (ii) to check the spread of epidemic diseases ;
 - (iii) to restrict the departure of migratory flocks ;
- (c) whether the Government proposes to take preventive action to stop the cruel practice of causing forced abortion of pregnant sheep for the purpose of trade in lamb-skin, which is stated to be one of the causes of the decline in the number of sheep in the province ;
- (d) whether the Government proposes to move the Government of India to prohibit or restrict the export of lamb-skins obtained by slaughtering the small lambs or by causing forced abortion of pregnant sheep ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, by this question.

(b) (i) and (ii) Yes.

(iii) No.

(c) This is a difficult question, which has been carefully considered. So far Government have not been convinced that special legislation is necessary. But the matter will be kept in view.

(d) No. Restriction on export must penalise legitimate trade equally with the practices described.

STATUTORY AGRICULTURAL TRIBES UNDER THE LAND ALIENATION ACT.

***5990. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member be pleased to state—

- (a) the names of tribes, if any, which have been included among statutory agricultural tribes, under the Land Alienation Act, during the last ten years ;
- (b) the names of tribes, if any, which have been transferred from " B " group to " A " group, during the last ten years, districtwise ?

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

(b) None.

Statement.

Name of the tribe.	Districts.
A.—UNIONED GROUPS.	
Qureshi	Hissar, Bahawal, Ludhiana, Fazfkeppore, Amritsar, Gurdaspur.
Hazni	Ludhiana.
Dogar	Montgomery.
Malier	Gujrat.
Gujar	Jhang.
Makham	Muzaffargarh.
Awan	Montgomery.
Gakhar	
Moghal	
Saini	
Awan	Lyallpur.
Gakhar	
Moghal	
Pathan	Jhang.
Saini	Multan.
B.—SEPARATE GROUPS.	
Kakkezal	Amritsar, Gurdaspur, Sialkot.
Gaur Brahmins	Amhala.
Mohyal Brahmins	Gurdaspur and Gujrat.

BRAHMANS OF RAWALPINDI DISTRICT AND PUNJAB ALIENATION OF LAND ACT.

*5991. **Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Revenue Member be pleased to state whether the Government has received any representation or petition from Brahmans of Rawalpindi district asking for transfer from "B" group to "A" group under the Punjab Alienation of Land Act; if so, what action the Government has taken on that representation?

The Honourable Captain Sardar Sir Sikander Hyat-Khan: Yes. The request was, after full consideration, rejected.

UNEMPLOYMENT.

***5992. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

- (a) whether the Government is aware that unemployment in the province has taken very serious proportions and as such, is the main cause of growing social and political unrest ;
- (b) whether the attention of the Government has been drawn to the report of the Unemployment Committee of the United Provinces Government presided over by Sir Tej Bahadur Sapru ;
- (c) whether the Government considers the advisability of investigating the unemployment problem in this province and its remedies by the appointment of a similar committee ;
- (d) what steps it has taken or it proposes to take immediately in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Government have no exact information about the extent of unemployment in the province, and it would be impossible in answer to a question to discuss whether unemployment is the main cause of social and political unrest, even assuming that such unrest exists.

(b) Government have seen the report.

(c) The matter is receiving the earliest consideration of Government.

(d) The honourable member is referred to the answer to question No. *4958¹ given on 14th November, 1935.

RESOLUTIONS.

MAGISTERIAL POWERS FOR OFFICERS OF THE IRRIGATION DEPARTMENT.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadaan, Rural) : I beg to move—

This Council recommends to the Government that no magisterial powers should be given to the officers of the Irrigation Department.

The first thing for me to do in this connection is to give briefly the reasons why this resolution has been tabled at all. The matter has a brief history behind it. At the time of the discussion of various demands in the last budget session, a cut was moved by the honourable member from Lyallpur, Mian Nurullah, about *warashikni*. While that cut was being discussed, speakers took part in the debate from all sections of the House—some opposing it of course and a majority supporting it. The members on the side of the Government opposed this cut on the basis that it was impossible for them to suggest any remedy unless the magisterial powers were given to the canal officers and no less a person than Nawab Muzaffar Khan, the then Revenue Member, himself suggested this and I quite remember his main argument which was :—

در بیان قهر دریا نجات بندم کرده باز می گوئی که دامن تو من هوشیار باش

The meaning is : " You have thrown me into the very bosom of the sea and yet you say that I should not dip my skirt ". This cannot be done, he meant, unless and until the council agreed to the proposal that

magisterial powers should be given to the canal officers. Then again, the honourable the Chief Engineer (Mr. Tate) also remarked at that time that the matter was being discussed or was about to be discussed or considered in a meeting by the Government and it was impossible for him to harp on the question any longer when the matter was still under consideration because it might fetter the discretion of the Government one way or the other. According to him, the matter was to have been considered on the 28th of March last. Much water, I should say, has flown down the Ravi since 28th March, 1936. So either the Government might have come to a decision one way or the other or it might be about to take a decision. Therefore, there is a genuine fear that unless this resolution is moved in this House, the magisterial powers might be given to the canal officers to the detriment of the people at large and to the rural people in particular.

After giving this reason, for moving the resolution I propose to go into the merits of the question itself. I want to say something as to whether the giving of the powers is a remedy at all. The first thing in this connection which I would say is this, that even if these powers are given, even then this is no remedy, because the fault lies in another quarter and not in the quarter of having jurisdiction in certain classes of cases or not. The only relevant section which gives power and jurisdiction to magistrates to deal with such cases is section 68 of the Canal and Drainage Act. According to that section, these cases cannot be decided or no jurisdiction can be given to the magistrates unless the *warabandi* (or the turns of water) are fixed by the Government officials themselves. So, there is a very limited scope for them to intervene. Now, let us see if those turns are ever fixed. Are they fixed at all? I say, No. The canal officers sleep for months and months together over the applications for the fixing of turns with the result that a low percentage of these applications is decided one way or the other. What is the result? The result is that in a very few cases an occasion does arise where such a sort of jurisdiction can be exercised by a magistrate—whether he is a stipendiary or an honorary magistrate. The real defect lies in the system. The remedy is not to invest these canal officers with magisterial powers but to order those canal officers to expedite those applications so that the people might get their wrongs redressed. There is another remedy and that is in the shape of *tawan*. If punishment at all is the only way by which certain classes of evils or crimes are to be eradicated or checked, then they have got one weapon in the form of *tawan*. If adequate sums are levied as *tawans*, then I do not think this sort of evil will go on or this offence or crime will be repeated. Then another remedy can be, that at present the maximum punishment in that offence is three months' imprisonment and Rs. 50 fine. If the Government thinks that unless some more deterrent punishment is awarded there can be no remedy, they can amend the law providing for enhanced imprisonment say for nine months or enhanced fine say up to Rs. 500 or they may lay down instructions to the effect that these cases should be rather seriously dealt with. Now, this is so far the remedy which they have already got.

Now I want to give the reasons why no magisterial powers should be given to these officers. One of the arguments—and not a weak argument—

[K. S. Ch. Riasat Ali.]

is that such powers might lead to another form of corruption. This view is not my own view alone, but I would like here to quote the words used by the honourable member Rai Bahadur Lala Sewak Ram when we were discussing the *warashikni* motion. He said—

“He should have known that this matter had been decided finally in one of the meetings of the Standing Committee of the canals about a year ago. It was then definitely decided that no powers were to be given to any officer of the Irrigation Department. The point was then fully thrashed out and it was decided that the giving of such powers to the canal officers would lead to corruption—*Punjab Debates, Vol. XXVIII, page 637.*”

Now, I must say that in our zeal to check corruption, to eradicate corruption, to launch a campaign against corruption we should see that we do not repeat the mistakes ourselves. Why should we place temptation before officers which in some cases might be very difficult for them to resist. This question reminds me of the well known *misra*.

چرا کارے کند عاقل کہ باز آید پشیدانی

“A thing about which we might have to repent later, why should we do it at all?” Another reason is that this will be centralising or focussing too much power in a single officer. These canal officers are already masters of the land they survey. They have powers of giving *kharaba*. They have powers to make recommendations for remissions. They have powers to levy *tawan* and in a way they hold the *roti* or *rizak* of the poor zamindar. In addition to this, if they are given any weapon in the form of magisterial powers, they will become too powerful which is not proper in any way. They would be like feudal lords who will rule over everybody and they will be tempted to interfere too much. As a matter of fact they will interfere as some of the officers of some departments already do in all matters social, political, economic and what not. (*An honourable member: Elections*). Yes. This centralising or focussing of too much power in an individual officer as a matter of policy should not be allowed.

Another point I would like to refer to in this connection is the reason which is often advanced in respect of the granting of these powers to irrigation officers. Some people say that quick justice can be secured because these officers can go to the spot directly as they have more time than the ordinary magistrates to deal with these cases. The first thing that I cannot understand about this is why these officers should go to the spot. The only remedy to eradicate this evil is that ordinary magistrates should go to the spot because, as most of the lawyers here know, they do go to the spot to decide cases of cattle lifting, cases under Section 109 and cases under Section 110. Where is the difficulty for them to go to the spot, if at all necessary, in cases under the Canal Act.

Then, another reason why I propose this resolution and why I am opposed to the granting of these powers is that these people are themselves a party to these proceedings. Is it reasonable that we should allow one party to sit in judgment on a question or in a matter in which its own interests are involved? My answer is in the negative. This is rather unjust and there is a big fear that in their zeal to eradicate this evil to check this offence they might transgress or trespass all reasonable limits. So, this is another way in which I have proved that it is rather dangerous to give powers to a party itself interested to decide its own fate.

Another reason which I would give with due deference to the academic qualifications and the foreign degrees of the officers of the canal department, is that they are totally incapable of dealing with this affair. As a lawyer my experience is that magisterial powers should not be invested in any person unless he is thoroughly educated in the administration of law and justice or he has got a regular training in that respect. I have seen many cases in which these people have been deciding cases and again I repeat that they have been hopeless. The first difficulty is that they are not trained themselves. It might be argued that they pass examinations but this would not help. Their staff is not trained. Much of the work of the ministerial staff which is done in the regular district court and in the court of the district magistrates depends on the people who are experts in their own line. The Deputy Commissioner himself even if he passes the examination cannot cope with the work in all its branches. In the case of a conviction, what will he do when there is no policeman or a naib-court? If he has to punish anybody, he will have to wire to the *thana* nearby, that two constables be sent and supposing for certain reasons they are not able to send two constables, how will it be possible for that officer to send those people to jail? In case a man is sentenced to pay a certain amount of fine and the man cannot pay the fine at once, would he be able to send him to the lock-up without the assistance of constables? Would he escort the prisoner to jail himself? There should be additional staff but that cannot be allowed under the present circumstances of financial stringency. So it is clear that unless they have got a trained staff and they have trained themselves, there will be practical difficulties in this matter.

Again, I ask a question—have we ever invested the excise officer with magisterial powers in order to stop illicit distillation of liquor? No. In order to work the provisions of the Wild Birds and Wild Animals Act, have we invested the Game Warden with powers to sit in judgment on the people themselves? No. Where is the reason that we should make an exception in the case of these canal officers? When magistrates are adequately working the other Acts, why are they unable to work this particular Act?

Now, another thing which I would say in this connection is this. So far as the question of *wara shikni* is concerned it is argued that these powers are dispensable. I would ask, is it at all necessary in the case of *warashikni* to invest these people with magisterial powers? In the majority of cases as I observed during the debate which was taking place in this connection during the budget session, *warashikni* is rather a motive for bigger offences. This is a reason for people to murder, for people to attempt to commit murder or to commit grievous hurt or to commit offences under sections 147, 148, 325 and 307, 302 of the Indian Penal Code. I was saying that these sections cannot be tried by the Canal officers even if powers are given to them. There are very few cases in which *warashikni* itself is a substantive offence. Then, when we have to go to the regular stipendiary magistrate for the trial of those cases which I have mentioned, how is it adequate or possible or reasonable for us and what advantage have we, if these powers are given to canal officers?

Then, it is sometimes said that there is a great danger of a breach of peace. I would repeat what I said before that there is adequate provision

[K. S. Ch. Baisat Ali.]

in the Criminal Procedure Code itself to deal in detail with an apprehension of a breach of peace. There are sections 107 and 145 which can be brought into force. So there does not seem to be any need of giving powers to these people.

I was saying that these officers might be able to solve all sorts of algebraical equations, they may be able to give us fine geometrical formulae, but so far as the question of the administration of law and justice is concerned, they are no good and I do not think they can understand even the A B C of law. I hope I will be pardoned if I relate a little story. The incident happened in the Education Sub-Committee of the Municipal Committee of which I am a member. When the question of buying more books for the library was being discussed, one member suggested, that we should get four *risalas*. *Risalas* meant magazines. But one of the members thought that we were thinking of some cavalry and he said, "It is a very small town, and you are inviting 4 *risalas*, where will you tether all the horses?" I was submitting that these officers will exhibit the same sort of ignorance as that member of the Committee did.

Another reason which I was giving in this connection is that these canal officers are essentially touring officers. So it will be a great inconvenience to the public if these officers are given magisterial powers. The deputy collectors or even sub-divisional officers will have sometimes to try cases in the division under their control. The offences which they have to try are those which come under section 70 of the Canal Act. It will be very difficult for people to go from place to place after a touring officer. It has been the policy of Government that revenue officers or sometimes collectors who are constantly on tours should not hear cases while they are on tour because the public are put to a great trouble. When that is done in the case of officers whose duty it is to administer justice, I think it will be a grave offence when the public are caused the inconvenience of wandering after these officers. Because the cattle in a case of trespass are to appear in a court of justice, as they are a piece of evidence, it will be very difficult for people to drive the cattle from one end of the district to the remotest end of another district.

The third inconvenience will be that the public will be deprived of legal help. It is very difficult for the people in these days of economic depression to pay their lawyers and ask them to appear in their cases in camp.

The fourth reason which is not very significant is that even a small thing like the giving of *talbana* will be very difficult for people when they have to appear in cases in the district sixty miles away from the headquarters. Such a thing cannot be done adequately if these officers are to administer these duties.

I was saying that they have to do so many things. They have to levy *tawans* they have to give decisions about *kharaba* and so many other things. I do not think they have been able to do full justice to their duties already and they will not be able to do full justice to duties which will fall on them if they are given the magisterial powers. In this connection I am reminded of a well known verse :

تو کار زمینی را نکو ساختی۔ کہ ہو آسمان نیز پردازستی

"You have done well your work on earth that you want to fly to the heavens." With these words I move my resolution.

Mr. President : The resolution moved is—

This Council recommends to the Government that no magisterial powers should be given to the officers of the Irrigation Department.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support the motion. The Irrigation Department used to give these powers to the canal officers. These officers enjoyed the powers until about 1920. When the Government found out that they were not competent enough to deal with the cases and that there was a good deal of miscarriage of justice, they took away the powers from the officers of the Canal Department. When these officers had these powers, the people used to suffer very heavily. For, they themselves made the cases, themselves heard them and then themselves pronounced the orders on the people. I am reminded of an Urdu verse which says .

وہی مقبر وہی قاتل وہی منصف تھڑے
اقدبا میرے کریں خون کا دعویٰ کس پر

Government tried the experiment for a number of years, and the representatives of the people cried hoarse and lamented that these powers to the canal officers had ruined the people but the Government kept a deaf ear. And people said :

منصفي دلہا سے ساری اُنہہ کئی — اے بدو ایمانداری اُنہہ کئی

but nothing was of avail. At last, however, Government itself found after experience that these men had been tried and found wanting, and therefore withdrew these powers from them. I do not know if Government is again going to commit the same mistake which had the effect of troubling and ruining many people for a long time. I do not know if Government has grown wiser at the end of the experience gained by them, but if it has not, then I can only say that it should not attempt the impossible. Formerly the canal officers who enjoyed these powers were ill-educated or insufficiently educated men, some of whom were zilladars but in course of time rose to be deputy collectors. That state of things has changed and now the zilladars are expected to be men of good education but the old line of deputy collectors still exists and they will be the first to get these powers and the same trouble will again ensue, unless, of course, it is definitely settled that the powers can only be given to those deputy collectors who are well educated and who can very well administer justice between man and man. The other objection is that these people have very few cases and have had very little experience. With the other magistrates the case is different ; they try all sorts of cases and get a sufficient amount of work out of which they can learn something. Moreover they get the help of lawyers, while the canal officers are inaccessible to lawyers. They try cases only in outlying villages which are far away from the centres of districts and there, of course, very few lawyers can be had. As they have very few cases to try and have to sit in judgment once or twice a month, owing to lack of

[Ch. Allah Dad Khan.]

sufficient experience the canal officers give faulty judgments. For this reason I think it is not only a waste of money and energy, but it is an additional trouble to the people to have to be tried by the canal officers. Besides, the other magistrates are lying idle for some part of the time. Litigation has decreased and many of the magistrates are working one or two hours a day. The scheme of giving the canal officers these powers is economically bad and will result in an increase in expenditure. Besides, people will again be troubled and thus Government will incur unpopularity and disaffection. These are very strong facts which should be taken into consideration. I think, if there is any idea in the

mind of the Government to re-invest the canal officers with these powers again, it will only bring opprobrium against the Government as in the past. An experiment was already made and found unworkable. Besides, if these powers are given to canal officers they will not be able to attend to their other work and that work will suffer. The trial of such cases sometimes happens to be rather complicated and therefore a great deal of time will have to be devoted to those cases with the consequence that the other work will suffer. *Kharaba* cases which are expected to be found out by these officers in time will not be found out and therefore that will be another source of trouble. The deputy collectors will naturally pass on the work of *kharaba* to zilladars. Therefore an experiment which is beset with so many difficulties and disadvantages should not be attempted again by the Government. As the poet says—

من جرب المجرب حلت به الذم

"One who tries a tried thing will only bring disgrace upon himself." With these few words I lend my support to the motion that has been moved by my honourable friend and advise the Government not to make the experiment again.

The Hon'ble Captain Sardar Sir Sikander Hyat-Khan (Revenue Member) (*Urdu*): I have been waiting for the honourable member from Lyallpur to put before the House the other side of the picture, but he has apparently not thought fit to move his amendment, or to participate in the debate. When I saw this resolution in the list I was somewhat surprised as I had thought that the matter must have been long settled or buried. You can imagine my feelings when I found that it was still hanging fire.

However this is only by way of introduction. I think it will interest the House, if I give a history of the case and I propose to relate briefly in chronological order the various stages and phases through which the proposal to reinvest canal officers with limited magisterial powers has passed. Let me first assure the House at the very outset that there is no immediate likelihood of these powers being granted. Honourable members, therefore, need have no anxiety on that score, at any rate for the present. To revert to the history of the case I think it was in 1923 or 1924 that the LeRoisignol Committee was appointed to consider the separation of judicial and executive powers and *inter alia* to examine whether judicial powers then vested in the

canal officers should be retained. The committee, after a careful consideration of the material placed before them recommended, among other proposals, that the canal officers should be divested of magisterial powers. The Government accepted this recommendation of the committee and their magisterial powers were taken away. My Honourable Colleague on my right reminds me that judicial powers were similarly taken away from the officers of the Forest Department also at the same time. But it was not long before complaints began to pour in from zamindars to the effect that they were put to great inconvenience in *warashikni* cases. They had to run after magistrates and tahsildars to lodge complaints at considerable distance from their villages and the inordinate delay in the decision of such cases caused great hardship. It took months to secure a decision and in the meantime their crops suffered for want of water. It was then that the question was reopened with a view to redressing the grievances of the zamindars. The matter was first referred to the Standing Committee for Canals in 1926 and it was suggested that the canal officers might be reinvested with limited magisterial powers to try *warashikni* cases. The Committee did not, however, favour the proposal. It was then decided to issue instructions to the Deputy Commissioners asking them to see that cases of *warashikni* were disposed off expeditiously. This action apparently did not satisfy the zamindars as complaints still continued. I then placed the matter again before the Canal Standing Committee and suggested that canal officers might be given power to try *warashikni* cases only. But some members of the committee felt that this would not be advisable and that the majority of zamindars would object to it. Consequently Government, on the advice of the Canal Committee, again drew the attention of the district officers to the instructions previously issued and added that one tahsildar should be specially deputed to try only canal cases and cases of *wara shikni* in each district. These instructions were given effect to, but even this did not afford the necessary relief since one officer alone could not adequately and expeditiously deal with cases relating to a whole canal division extending over hundreds of miles. In consequence the matter was again raised in the Standing Committee on Canals this time by a non-official member. The committee was divided in its opinion, and hence the question remained undecided. It was then suggested as an alternative that a few selected zilladars should be specially trained to try *warashikni* cases and vested with limited powers for the purpose. But this proposal was dropped for lack of unanimity. After that the matter was referred to the local advisory committees for opinion. Most of the committees were in favour of the proposal to vest canal officers with limited powers, but the matter could not be finally decided. This was during my term of office. Thereafter in 1935 the matter was again placed before the Canal Standing Committee by Nawab Sahib, the then Revenue Member, and from the proceedings of the meeting it appears that there was still a divergence of opinion over the question. The Committee, however, recommended that opinion of zamindars, both big and small, should be ascertained. Nawab Sahib, thereupon, promised to make enquiries personally during his tours. As a result of his talks with the zamindars Nawab Sahib came to the conclusion that the consensus of opinion was in favour of the proposal to grant limited magisterial powers to canal officers, at any rate as an experimental measure. I understand that in a meeting of the Canal

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

Standing Committee, the honourable member from Lyallpur—Sardar Bishan Singh, also promised to consult the zamindars in his own constituency and inform the Committee of the result of his enquiries. That promise still remains unfulfilled. Anyhow the report made by Nawab Sahib is with us (*An honourable member*: We understand that he has recommended that the canal officers should be invested with magisterial powers). No, as I said in the beginning of my speech, the matter is not yet finally decided. It will be placed before the Canal Standing Committee before final orders are passed. The report promised by Sardar Bishan Singh might also help in arriving at a definite conclusion. In view of what I have said I trust that the honourable members will be satisfied and not take up any more of the time of the House in discussing this matter.

Khan Bahadur Malik Zaman Mehdi Khan: Are we to understand that no action will be taken by the Government in the matter without consulting us?

The Hon'ble Captain Sardar Sir Sikander Hyat-Khan: Certainly, the matter will be placed before the Canal Standing Committee before a final decision is taken in the matter. This matter has been pending, as I have explained, for the last ten years, and a few months more will not make much difference. (*An honourable member*: We understand that two sub-divisional officers have already been invested with these powers). Not to my knowledge. I have a note here by the Chief Engineer and I will read out the concluding sentence as it may interest the honourable members—

“It is proposed to place this matter again before the Canal Standing Committee for opinion.”

I think this should remove any doubt which the honourable members may still have regarding this matter. I do not wish to take up any more time of the house, but I have here, some figures relating to *warashikni* cases which are of interest. In 1934-35, 284 such cases were reported but conviction was secured in 24 cases only. It is a matter of common knowledge that the complaints in *warashikni* cases particularly in villages of peasant proprietors are in a large majority of cases genuine and some salutary remedy is necessary to reduce the number of such cases. But I can again assure the House that no action will be taken without consulting the Canal Standing Committee of the Council.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): The question does not seem to be very immediate at present as has been stated by the Honourable Revenue Member. But there are some points which incline me to think that most probably in the long run powers, at least some powers, will be given to the canal officers especially regarding *warashikni*. The only reason which has been given for re-investing canal officers with some of the criminal powers is that in the cases of *warashikni* people are put to great trouble and inconvenience and also that some zamindars approached Nawab Muzaffar Khan, the then Revenue Member and other officers with the request that these powers should be given to the canal officers. To me at least it seems to be an eye-opener that zamindars should approach Government officers for the purpose, as the canal officers generally are not *persona grata* with the zamindars.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Not the canal officers, but the district officers and non-official members of the Council.

Khan Bahadur Malik Zaman Mehdi Khan : I am very much thankful to the Revenue Member for the detailed history of the case from the beginning to the end. I remember that very useful orders were issued by the Government with regard to the breaches of the Canal Act when I happened to be Deputy Commissioner, Gujranwala. One of those orders was that offences relating to the breaches of the Canal Act, and the rules thereunder, should be tried by a first class magistrate with summary powers in company with the Executive Engineer or Sub-Divisional Officer on the spot. In accordance with those orders I took the Executive Engineer on certain days and used to catch those people who had committed breaches of the Canal Act and try those cases summarily. I also used to take my stenographer with me and used to fine those people 5, 6 or 2 rupees. That proved to be very expeditious. The result of those tours was that for some months breaches of the Canal Act became very rare. If this step is taken throughout the province by some of the magistrates who are invested with summary powers, I hope the evil which is now complained of by the zamindars will, if not abolished altogether, be minimised to a great extent.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : That may be true about other canal offences, but with regard to *warashikni* cases the trouble is that we cannot spare more than one magistrate in each division and this is not enough to eradicate the evil which can be stopped only by expeditious disposal of such cases on the spot.

Khan Bahadur Malik Zaman Mehdi Khan : Still he can go round and decide them on the spot instead of assembling the people at the headquarters. It requires only a little more energy and a little zeal on the part of the magistrate. It seems to me to be rather wrong in principle that the canal officers who are practically part and parcel of a commercial concern should be invested with these magisterial powers. Government should kindly make a note of it that this department is run on commercial lines and its officers who are bound to carry out its policy should not be judge and jury themselves. I do not think this practice exists anywhere else in the world that the same people who are party to the cases also decide the cases. *The Honourable Captain Sardar Sir Sikander Hyat-Khan :* They are not a party in *warashikni* cases). My request is that Government should make a note of this fact. The foundations of Government are very firm because the people have great faith in the justice of the administration of the Government and those foundations should not be allowed to be made loose. The Honourable Revenue Member has told us that there is no prospect for some years to come of these powers being given to the canal officers. We need not, therefore, worry about these matters. But I hope we will have some sort of notice given either to us or to the Standing Canal Committee about the investment of these powers and the members who are on the committee will realize their responsibility not only to the Government but also to the zamindars and justice will be done to all the parties concerned.

Chaudhri Faqir Husain Khan (Amritsar, Muhammadan, Rural) (Urdu): I have often noticed that whenever such subjects are brought up before the Council for discussion efforts are made to gag our mouth. This is unfair on the part of the Government. By bringing a matter to the notice of the House its defects become clear and can be removed.

The officers responsible for the assessment of water rates are under the control of the authorities responsible for the supply of water. This system is very defective. Besides this, the officers who assess the water rates resort to various methods for increasing water rates. For example, sometimes outlets are enlarged or reduced in size. Also weekly reports are called for, from patwaris with the same intention of effecting an increase in the water rates. Leaving these things aside it can be safely said about the resolution under consideration that the cases of *warashikni* are becoming very common. And if such disputes continued to be decided by officers of the Canal Department the public at large will remain subjected to a great inconvenience.

The areas under the control of the collectors and the sub-divisional officers used to be very large and they also caused inconvenience to the public. For instance, there was the Jandiala Division. Three districts, namely, Gurdaspur, Lahore and Amritsar were included in it. Often inhabitants of the Gurdaspur district had to go to Kasur in the Lahore district to appear before the canal officers in connection with their *warashikni* disputes. How much inconvenience did this system cause to the people in going from one district to another passing through the whole of a third district while on their way? I leave it to you to decide whether this system did or did not cause unnecessary trouble to the people.

I remember, I do not want to name the gentleman, one Deputy Collector who used to live in the very centre of Amritsar city. On some ground or other he had obtained permission of the higher authorities to hear cases at his own residence in the city. The result was that the people were obliged to pass through the narrow lanes of the city in order to reach his house. Apparently this caused trouble and inconvenience to the people. Now that old system has been changed. This has given the people a great relief inasmuch as they can now take their cases to ordinary courts. Therefore there is no reason to believe that the grant of magisterial powers to the canal authorities will not result in adding to the trouble of the zamindars. When a thing has once been tried for a considerably long time, there is no need for trying it over again. The need for making an experiment only arises when previously no experiment has been made. As my friend Chaudhri Riasat Ali has remarked the Canal Department should not be entrusted with the powers of magistracy. With these words I strongly support the resolution before the House.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban): I remember that during the budget session last time some member of this House brought in a cut with respect to the relevant demand and this matter was then fully thrashed out. The cut was ultimately withdrawn, if I am correct, on the assurance of the Honourable Revenue Member that he would personally see to the question and that he would go round and make necessary enquiries. Perhaps the note that was now read out was written about

that time. Having learnt the history of the whole question through the Honourable Revenue Member who has very kindly taken the House into his confidence and explained to us the relevant facts and having at the same time given expression to our views on the matter that the grant of these powers generally to the canal officers is not looked upon with any great favour by this House and having this assurance by the Honourable Revenue Member, I may submit that we need not take any further time over this matter. The assurance given by the Government should be quite enough and should satisfy the honourable mover of this resolution, the assurance that a representative committee of this House will be heard before any final decision is taken on the matter.

The resolution was by leave withdrawn.

AFFORESTATION OF THE PROVINCE.

Khan Bahadur Malik Muhammad Amin Khan (Attock, Muhammadan, Rural) (Urdu) : I move—

"This Council recommends to the Government that it should take in hand on a vast scale a scheme for the afforestation of the province in general and in particular should take immediate steps for the afforestation of the Pabbi range in the district of Gujrat."

I am moving this resolution in the interests of the Punjab agriculturists. The jungles are decreasing day by day. On these forests the prosperity of the country depends. They influence the climate inasmuch as they attract rains and at the same time prevent erosion of land by floods. It is very easy to plant trees throughout the province. The trees will attract the rain-laden clouds and in this way the rainless areas would also have rains. At certain places where there are no trees and undergrowth when the rain falls heavily the result generally is that much of the fertile soil is washed away. By the plantation of forests these areas will be saved from being converted into barren lands. Then again every year floods take a huge toll of lives as well as property. The mountain torrents cause havoc to many a village situated on their banks. If the forests are planted they would act as checks and would save the poor people from destruction. Then again, the Government spends huge sums of money in giving relief to the flood-stricken areas. This relief is only a temporary measure. It would be much better if this money is spent on the plantation of forests. Wherever there are trees in abundance the land generally becomes fertile. This is due to the fact that the leaves of the trees form a good manure. Forests also supply valuable raw material for several industries. They supply timber and fuel and many other things.

After these general remarks I take the particular case of Gujrat where the trees are decreasing day by day. The Pabbi range is almost devoid of trees and vegetation. On account of the absence of trees on the Pabbi range much harm is being done to the people living there. I humbly request that first of all a scheme of afforestation may be undertaken in the Pabbi range. In committees which were appointed for the consideration of this question the official members have always recommended afforestation and I hope they will even now see their way to support this resolution.

Mr. President : The resolution moved is—

This Council recommends to the Government that it should take in hand on a vast scale a scheme for the afforestation of the province in general and in particular should take immediate steps for the afforestation of the Pabbi range in the district of Gujrat.

Rao Bahadur Captain Rao Balbir Singh (Gurgaon, non-Muhammadan, Urban) (*Urdu*) : My honourable friend, Khan Bahadur Malik Muhammad Amin Khan, has done a great service to the province by moving this resolution in the Council. In my opinion this is a very good scheme and much benefit can be derived by afforestation. In areas where there are no trees rainfall is always little. Where the trees are in abundance there the rainfall is also abundant. The scarcity of rainfall is due to the decrease of forests. Trees have also a very healthy effect on climate (*An honourable member* : And also on breeding mosquitoes). Rains purify the air and make the climate healthy. You cannot imagine the troubles and difficulties of the people of those areas where rainfall is meagre or where there is no rainfall at all. You have canals and whenever the rains fail they supply you with water. On account of the facilities which canals afford, you cannot imagine the difficulties of people living in deserts. The Hindus regard it a religious duty to plant trees. Even religion enjoins upon its followers to plant at least four or five trees (*An honourable member* : Yes they do plant pipal trees). I think that afforestation will have a wholesome effect on the agriculturists and, therefore, I strongly support the present resolution.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I am very thankful to the honourable member who has moved this resolution. This resolution is beneficial to the whole of the province. It has got a special interest for the people of Hoshiarpur district. In 1928, when I first entered this Council, I used to move the motion for afforestation of the hills, times out of number, and I used to point out also the difficulties which stood in the way of the Government for carrying out the object of this resolution. In this Council, which is holding its last session, I once more wish to place before the Government the benefit which the people of Hoshiarpur district would obtain by the afforestation of hills and also at the same time I wish once more to place before the Government the difficulties which they have encountered in enlisting the sympathies of the people in carrying out their very laudable object. So far as the Hoshiarpur district is concerned, this problem is as old as 1879. There are, in the Hoshiarpur district, small hillocks which are called the Shivalik range, which were at one time covered with large forest and which at the present time bear no forest at all. They have been eaten either by goats and sheep or by the camels. A very large number of people, who live on the Shivalik range have, on account of herds of goats and sheep, which they keep for their maintenance, demolished these forests. Now the problem is this, if you take away these lands which belong to these people and plant a forest thereon, what are those people going to do? How are you going to tackle the problem of the livelihood of those people who depend for their maintenance on these sheep and goats? I suggested one or two remedies at that time, one being that those lands which belong to the private people should be taken by the Government and those people should be given compensation and that they should be provided with lands elsewhere. This idea, unfortunately, did not appeal

to the Government at all. We find that Government, instead of doing that, have applied sections of various Acts, in the Hoshiarpur district. The result is that the people are now complaining that they have got no means of livelihood, no means of maintenance and they are put to a very great trouble. This is one part of the problem which the Government has to face.

It is undoubtedly true that what benefits the people in the hills does not benefit them in the plains. On account of the absence of these forests, hill torrents pass in the Hoshiarpur district, destroy the soil and the land is converted into *chos* and *khads* and the Hoshiarpur district is practically rendered almost a barren place on account of these *chos* and *khads*, destroying the land completely. The gravity of this problem was realized by the Financial Commissioner, Mr. King, who was in charge of this matter. He announced on behalf of the Government a concession in land revenue. Unfortunately that concession, which the Government granted to the people, was not beneficial to them. Once more they wanted to plant trees on those lands to make them worth cultivation; once more certain concessions were allowed in the land revenue. But unfortunately the people of that district, and I talk also of the people of other districts, did not know what the concessions were. They should have been made known to the public by the Financial Commissioner. Government has not tried to tackle this problem at all. I would request the Government to make it widely known to the people in the Hoshiarpur district and other places that the Government has really relinquished a part of the land revenue as a reward for those people who once more cultivate those lands which have been destroyed by hill torrents. This is a matter on which efforts of the Government should be directed. In this way they can enlist the sympathy of the zamindars and cultivators and they can have their co-operation in the matter of re-afforestation of the land and bringing the land once more under cultivation.

Now there are some of the difficulties which I wish to place once more before the Government. This is not only a serious problem so far as the Hoshiarpur district is concerned, but on account of these hill torrents—and they are coming with great force—not only the land is destroyed, but I find that on account of abundant use of water for cultivation, well water has gone deeper and deeper and the result will be that at some time the lands will become barren. That is also a forecast made by the Conservator of Forests that the Hoshiarpur and Jullundur districts would be converted into mere deserts. This is a very serious problem which the Government should tackle. With these words I express my views on the subject.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): This is not a subject fit for general discussion; this is more or less an academic question. It is not necessary, therefore, for laymen to speak at length on it. Light can be thrown, however, on this subject from different points of view. If I may be permitted to speak generally, I can make a few observations on this question with particular reference to the Hoshiarpur district. From 1894 onwards, *chos* are playing havoc with the lands of this district. During the last thirty years they have washed away 80 thousand acres of cultivable land. According to the latest estimates, however, a lakh of acres have been washed away by the

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hill torrents. How is this problem to be solved? Does the remedy lie in afforestation? During the last thirty years people have continuously been accused by the Government of not making any attempt themselves to tackle this problem. But now they are willing to co-operate with the Government. They will be obliged if the Government starts any scheme to better their lot.

Hoshiarpur district has always been considered as a garden district of India. I think it has a soil which can make it the garden district of the whole world only if the Government pays sufficient attention to the work. It is a well known fact that nearly half of the district is covered by hillocks and is not fit for human habitation. Then, about a lakh of acres have been washed away by hill torrents. Under these circumstances, if the Government does not stir up and does not come forward with a scheme for improving the lot of the whole district, it only proves that they have no constructive policy. So far, very little has been spent on this district. I do not complain that the Punjab Government has done nothing in this connection. I simply want to urge that sufficient attention has not been paid to this all-important question. We have heard about the Hyderabad State that it has spent a crore of rupees to save the people from a similar danger. Our Government will do well to emulate the example set by the State. The people on their part have never been idle. In many cases they built up bunds in many places. But these bunds were suppressed by the ever-increasing masses of sand which are deposited by these *chos*. Now that the population of the district has increased tremendously, this question has become even more important. The people are becoming more and more dependent on land with the gradual decrease in the other sources of income. It is, therefore, essential that the Government should pay attention to saving the land of the people of the Hoshiarpur district. I take this opportunity of thanking the local officers of the Government who are doing their best to guide the people in the right direction (*Hear, hear.*).

From 1884 onwards many reports have been prepared about this matter and a perusal of these reports shows that from that year up to date a very considerable part of the land in this district has been rendered unfit for cultivation by the *chos*. This problem demands special attention of the Honourable the Revenue Member. He is an Indian and he has first-hand knowledge about the conditions prevailing in our part of the province. I do not want him to hear the speeches of laymen. I want him to appoint a committee of experts who may give him their advice. Hoshiarpur is the greatest sufferer from the calamity of *chos* and it is a well known fact that such districts cannot produce sufficient food for their people. This is why you find so many Hoshiarpuris seeking their livelihood in other parts of the province. The Government is not in need of any data on the subject. Already a number of reports have been prepared by capable men on the problem. Then we must benefit from the latest knowledge of men. Old remedies like afforestation have failed. We will be highly obliged if the Government appoints a committee of experts to tackle this problem. If these people come to a conclusion that our ailment is past all remedy we will be silenced; otherwise not. We all know that special circumstances call for

special remedies. We may have to face the destiny itself but fight we must. We have only two alternatives: either we should fight for our life or perish like yellow autumn leaves. The appointment of a committee of experts is the greatest need of the times. We must wait for the verdict of such a committee.

To crown all, even our wells are drying up and wells worth more than a crore of rupees have been dried up completely. My own tahsil, Garhshankar, is the greatest sufferer in this respect. I have spent full three months in my constituency to make an estimate of the loss my ilaqa has sustained and it is no exaggeration to say that its loss is both perplexing and heart-rending. In the end, I will again demand the appointment of a committee of experts to go into this question.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I am glad that at least once Pandit Nanak Chand and myself are in complete agreement over a subject. I also wish to assure the Honourable Revenue Member that I endorse the two previous speakers who hail from my district without absolutely any intention of vote catching. I may assure the Honourable Revenue Member that I have absolutely nothing to do with the people who live on these hills. I belong to that part of the district which is not hilly. With these preliminary remarks I submit that it is an admitted fact that forests are the national wealth. It is a great provincial asset and this House has from time to time discussed the question of tapping the source of income from the forests for the province. This topic has been uppermost in the mind of the members and suggestions have been given from time to time as to what practical steps should be taken to develop this aspect of the problem. In fact this problem is only a part of the big problem of development of agriculture in the province. We have been suggesting to the Honourable Minister for Agriculture to come forward with a five or seven years' plan for the development of agriculture and of course it is with not a little surprise that we have to note that though the province is in charge of one of the best brains of the Punjab, i.e., Sir Jogendra Singh, we are disappointed that we have absolutely been unable to get from him a scheme that we have been so long and so anxiously expecting. In fact a little taxation here and a little taxation there can never solve the big problem of the income of the province. It is big schemes like the one as suggested in this resolution that can supplement the income of the province. Of course some efforts have been made but I think much more serious attention should be directed to the development of forests in the province. At a time when I am advocating the cause of forests, I would also like to sound a note of warning and that is that something should be done, I do not deny that something has been done, but something more should be done, to compensate those people who are affected by this scheme of afforestation. I remember when the Katar Dhar Act was passed all sorts of nasty rumours were set afloat. Most of them, I consider, were not well-founded. It was said that the Government were out to usurp the proprietary rights of the people in that ilaqa and it took time for these rumours to be set at rest. But they were not altogether without foundation, because the natural wealth of the people inhabiting these tracts lies in cattle. Their income is mostly derived from the herds of sheep and goats and under this scheme of afforestation the Government takes possession of the lands of

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the people. They are thus left without means of pasturing their cattle. Therefore while developing this scheme of afforestation the Government should also keep in mind this aspect of the problem. With these words I support the resolution.

Sardar Sahib Sardar Gurbachan Singh (Jullundur, Sikh, Rural) : I also rise to support this motion which is now before the House. I belong to the adjoining district of Jullundur which no doubt suffers from the evils of the fall of water level very badly. Many times representations have been made to the Government and I fully remember that in the time of Sir Malcolm Hailey when he first visited Jullundur an address was presented to him in which we explained all the difficulties about this fall of water level in the Jullundur district. Officers have been going there ever since and I have also heard that some survey was also made of converting these *chos* into a canal to pass through the Jullundur district so that the water could be supplied to zamindars during kharif and also it would help to raise the water level. There is no doubt that 90 per cent. of the wells in the Jullundur district have become dry and the people have been sinking "Bachhies" (small well inside a well) so as to tap water from lower strata, but the difficulty is that there is no water further down, because a long strata of hard clay follows in which wells are very difficult to sink. The record of boring of my tube-wells shows that this clay strata goes on to about 100 feet. Once the well reaches this clay there is no water in it. The planting of forests in the Hoshiarpur district will no doubt be the first step to remedy this evil as it will increase the percentage of rainfall and thus raise the water level in the district. With these words I support the resolution.

Mr. M. L. Darling (Financial Commissioner, Development) : Till about an hour ago I did not expect to have to address the House this afternoon but I am glad that I have been given an opportunity of doing so, for there is no one in this House—I say this with confidence—who has more sympathy with this motion than I have. I find that 14 members have separately given notice of this resolution and I should like to think that some of them have done so partly as a result of what I said in this House in March last in the two speeches in which I ventured to call the attention of the House to the great danger threatening the province from the denudation of its forests. In one of these speeches I gave an assurance to the House that the matter was receiving the most serious attention of Government not in respect of Kangra only but in respect of other districts also and in respect of the general welfare of the province. I will, therefore, start the remarks that I have to make from that point. It is not necessary to refer to the earlier efforts in this direction made by Government represented by the Holland Report of 1928 and the Report of the Erosion Committee of 1931 which consisted mainly of non-official members of this House. In pursuance of the assurance I gave a conference was convened in July last by His Excellency the Governor to consider the question of erosion and denudation in this province with special reference to the 7 or 8 districts specially affected and that conference was attended by the representatives not only of the Forest Department but also of the Irrigation Department and by the Commissioners of the Jullundur, Rawalpindi and Ambala divisions. The conference spent a whole day in tackling and thrashing out this very important question

and its conclusions were published in the *Civil and Military Gazette*. Some of you may be aware of this, but for the benefit of members who did not see the *communiqué* of Government I will very briefly refer to the conclusions of the conference.

Each of the main districts affected was considered in turn beginning with Gurgaon and Ambala, for which it was decided to appoint a special forest officer to co-ordinate and invigorate the measures being taken in both districts.

Then in regard to Hoshiarpur, which has unexpectedly figured in the debate this afternoon more prominently than the Pabbi Range in the Gujrat district, though the latter is mentioned in the resolution, it was decided that one inspector and 4 sub-inspectors of the Co-operative department should, if possible, be appointed for four years at a total estimated cost of Rs. 28,000 to be financed out of the grant expected from the Government of India for rural reconstruction. The object of that is to try and secure the co-operation of the people in the schemes that are now under consideration and that to some extent are actually being put into force in the district. In 1934 Mr. Hamilton was appointed to advise the deputy commissioners of Hoshiarpur and Ambala districts on forest problems and his work has proved so successful in Hoshiarpur that we are now in a position in that district to go forward with a definite scheme. In this connection I may perhaps refer to one or two speeches that have been made this afternoon. We were asked, I think by the first speaker, my friend Mr. Nanak Chand Pandit, to undertake propaganda in the district. Well, if the co-operative scheme goes through, as I hope it will, the House may rest assured that everything possible will be done to make the intentions of Government and the gravity of the situation known to all concerned. We have high hopes in this connection because already a number of villages have applied for the closure of the grazing grounds (*hear, hear*), the reason being that in the comparatively few villages where experiments are being made, the owners have realised that more profit can now be realised from the grazing grounds than before they were closed, and other villages, seeing the unexpected good fortune of their neighbours, are now asking for the same measures to be adopted in their case. There is this difficulty that it is mainly the landlords who benefit by this increase of grass, and this has to be adjusted with the tenants. We hope that the special staff of the Co-operative department may be of use in this respect. It was further decided in the conference that the special Forest Officer, Mr. Hamilton, should be asked to put up a definite scheme for the reclamation of 500 acres by direct Government aid. That is an experiment in another direction. Well, it would take much of the valuable time of the House if I were to describe all our activities in the district, but I would suggest to the honourable members who represent that district to get into touch with the deputy commissioner and Mr. Hamilton, and I think they will be surprised to find the amount of attention that has been paid to the problem during the last two or three years and what determination there is on the part of the district staff to try now once and for all, to remedy this very great evil, which has certainly not been exaggerated—in fact it would hardly be possible to exaggerate it in regard to these two districts. Mention has been made by Sardar Gurbachan Singh of the fall of the water-table in the

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Hoshiarpur and Jullundur districts. That is a problem which is also engaging the attention of the Government, but it is an even more difficult problem than that of erosion, for it involves subterranean water forces which are incalculable, whereas erosion and its causes are visible to the eye.

In regard to the Gujrat district, which figures in the motion before the House, remedial measures go as far back as 1874. From that year to 1889 an attempt was made to combat the evil in the Pabbi hills, but for various reasons the attempt seems to have met with comparatively little success. In the year 1913, a further attempt was made to tackle the problem because of the supposed menace to the Upper Jhelum canal. That experiment was continued till 1930 when for financial reasons it was abandoned, as so many good schemes were, on account of financial stringency. The conference to which I have referred considered the possibility of further afforestation and it was decided that, on the analogy of Hoshiarpur, a special forest officer should be attached to the Rawalpindi division to advise the commissioner of the division and the deputy commissioners of the districts concerned as to what policy should be followed in regard to Gujrat and other affected areas in the division. That officer has now been appointed and will shortly take up his appointment, and we have hopes that he will be able to give us a working scheme on practical lines, as has been done by Mr. Hamilton, and that the district authorities will be able to arouse the interest of the people concerned in the problem of afforestation.

That is really now the motion before the House. I think, I may say that Government at the moment has done all that can be reasonably expected of it within the limits of its financial resources. The resolution before the House asks that a scheme 'on a vast scale' should be launched. I could have wished that we had heard of more details of such a scheme and that the honourable members who have sponsored this resolution had proposed the ways and means of meeting the expenditure that would obviously be incurred in any scheme on a vast scale. On its side Government is going to do its utmost to implement the recommendations of the conference. But there remains one fundamental difficulty. What is going to be the attitude of the people to the curtailment of grazing facilities which the problem requires? It is clear that Government of itself cannot take in hand all the necessary measures unless the people themselves are as conscious of the gravity of the problem as Government itself is. The fact of the matter is that population, not only of man but also of beast, is increasing so rapidly that the resources of the province are being strained unduly and I would ask this House to co-operate with Government in bringing this home to the people. It seems to me that here is a line of most useful activity for the members who represent the districts mainly affected, which I may say are Gurgaon, Hoshiarpur, Ambala, Kangra, Jhelum, Shahpur and to some extent Rawalpindi. I think it is a grand opportunity for the members of the House who represent these districts to arouse the interest of the people in our measures and secure their co-operation, and if that is the result of this afternoon's debate, the time spent will certainly not have been wasted (*cheers*).

Chaudhri Afzal Haq : May I ask whether any committee of experts ever advised the Government to create a big *bund* or dam?

Mr. M. L. Darling : A big *bund*, where? In which district?

Chaudhri Afzal Haq : In Hoshiarpur district.

Mr. M. L. Darling : I cannot say off hand with regard to Hoshiarpur, as I am sorry to say I have not yet had an opportunity to study the conditions in the Hoshiarpur district, but the report which I have before me in regard to the Pabbi hills, says that the *bundling* of nullahs was one of the measures taken in hand in 1918 to 1930. What is being done in the Hoshiarpur district, I am sorry, I cannot say.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban): The resolution brought forward to-day for discussion before the House ask the Government to take concerted action throughout the province. The honourable the Financial Commissioner referred to this part of the resolution. He rather threw it back by putting certain questions to the House and to the proposer. He said, "Well, you want a scheme, where is that scheme?" In all fairness, I would submit it is not for the House nor is it for the proposer of this resolution to put forward a cut and dry scheme before the Government. Rather it is the duty of the Government who are in a position to draw up a scheme and think out a concerted plan for the whole of the province with facts and figures and all sorts of information in their possession.

Mr. M. L. Darling : That is being done by the forest officer who is specially attached to that district.

Shaikh Abdul Ghani : We want Government to draw up a scheme. As a matter of fact it is your duty to do so.

Mr. M. L. Darling : What I asked and what I should like to know is what sort of proposals the honourable members had in mind.

Shaikh Abdul Ghani : It is not possible for any member—a layman not in possession of facts and figures, not in possession of details that are required—to give a skeleton of any scheme. It is the duty of Government to go thoroughly into the question and that is what the honourable proposer of the resolution had in mind. I would, therefore, request you as head of the department in the Government to think out a scheme if this resolution is ultimately adopted. The next question that was put to us was, "Where are we to get the money from?" Here I do not think the honourable Malik Sahib—the proposer of the resolution—can tell you wherefrom to get the money. It is for the Government to find out ways and means if the Government is serious that improvements should be carried into effect. It is not for the proposer to tell you to take this much from such and such a department and put additional tax to make both ends meet. Here again I would submit that it is the Government's business and not the business of the honourable member who has brought this motion before the House to find out the money.

Mr. M. L. Darling : Government is thinking out schemes. What more do you suggest?

Shaikh Abdul Ghani : Kindly allow me to speak. You put the question and you asked the proposer to explain how Government is to get the money. I do not know. It is Government's business. They have to get the money and the proposer cannot tell you how to get it. My submission

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is that so far as that particular scheme is concerned and the ways and means of putting it into execution, if this resolution is adopted by the House then it is for Government to carry it out.

With respect to the patch work that we are told is being done in various districts of the Punjab, I do not call it very satisfactory. Certain inspectors have been appointed, certain supervisors have been added and certain sub-inspectors have been appointed. They will go round and do certain supervision work but that is hardly what is wanted for a problem of this magnitude which we have been told is doing very serious damage to the lands of the province. I give whole-hearted support to the proposition before the House. My submission is that for a mighty task of this nature a concerted scheme should be thought out, the expense should not stand in the way and it should be put immediately into execution.

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member): The resolution moved by the honourable member from my own district marks a welcome departure from the ordinary rut of resolutions which are either censorious, critical or even destructive. But this is a resolution which does not seek to benefit a particular area or tribe or district but more or less envelopes the whole province as it has for its object the betterment of the Punjab as a whole. I congratulate the honourable member on this public-spirited step in moving this resolution and I welcome the co-operation offered by the various members of the House in the course of the speeches on the resolution.

My friend, the honourable Financial Commissioner, has explained to you in detail what steps Government has taken and is taking with a view to securing the objective the honourable mover of this resolution has in mind. We have put on special duty several officers in various parts of the province who are looking into the particular problems of the districts affected. These problems vary from district to district. The problems in Hoshiarpur are different from those met in the Pabbi range in Gujrat. We have, therefore, split up the various areas and have deputed a special officer for each area. My friend, the honourable member from Sargodha, probably misunderstood the Financial Commissioner, Development. The Financial Commissioner did not ask those questions in any hostile spirit. What he wanted to convey was that Government is prepared to do everything possible in the matter but that Government cannot by itself do much unless the people themselves come forward to support and help the Government. I give one instance of that support and the result derived therefrom. You are aware that the sub-soil water-level in the Hoshiarpur and Jullundur districts is causing anxiety. There during the past few years the local officers and the people have taken keen interest in the problem, and as a result we find that these combined efforts indicate a possibility of some improvement over the previous conditions. The people in these districts whole-heartedly supported the officials in these experiments, which were initiated to find out whether *watbandi* would prove efficacious. We cannot definitely say at this stage whether the experiment will prove a success because in a matter of this kind accurate data over a period of several years is essential before a conclusive opinion can be given. But the figures which I remember having seen two years ago were not unsatisfactory. What I want

to emphasise is that where people are public-spirited enough to help the administration we can make progress more rapidly and to greater advantage than by Government acting alone.

The problem is gigantic and in turn presents several minor problems arising from the main problem; for instance, the question of *bunds*. I am not aware that any committee of experts has considered this aspect of the problem but I know that one or two officials suggested erection of a series of small *bunds* up at the foot of the Siwaliks to prevent the sudden rush of water. It was tried locally by some zamindars in Hoshiarpur. I do not know whether it has done any benefit, but the experiment was tried on a very small scale. But if the honourable members consider that we should look into this suggestion further, we will ask our experts to examine it.

Similarly there are other aspects of the problem which will receive sympathetic consideration from Government, but I would earnestly appeal to the House that they should not only give their own support to the experts but also educate the people in their *ilagas* and persuade them also to co-operate so that we may be able to tackle the problem and pursue it to a successful conclusion, and in as short a period as may be possible.

Khan Bahadur Malik Muhammad Amin Khan (Urdu): I notice a wish on the part of honourable members that I should withdraw the resolution. In obedience to that wish, I ask for leave to withdraw my resolution.

The motion was by leave withdrawn.

RELEASE OF LAHORE CONSPIRACY CASE AND MARTIAL LAW PRISONERS.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadian, Urban) (Urdu): I beg to move—

This Council recommends to the Government that all the prisoners convicted in the Lahore conspiracy cases in 1914-15 and the Martial Law prisoners convicted in 1919 by the Martial Law Tribunals be released forthwith.

I may at once say that the term of imprisonment of the prisoners, whose release is being demanded by this resolution, has long since expired and I am also confident that not only the members of this Council, but the public outside it in the whole of the province and also in the whole of the country must be feeling for these prisoners who ought to have been released long ago. But I wonder why the Government is still keeping them confined in the dark and solitary cells of the prisons. I think that a sentence of life imprisonment means a maximum period of 20 years imprisonment and ordinarily it means 12 to 14 years. But by a sentence of imprisonment for life in this case the Government appears to mean something else. I am afraid that perhaps it means to let these prisoners out of the jails only after they have died. The honourable members will be aware that if a prisoner is sentenced to life imprisonment, he is ordinarily released after 14 years and even earlier because of the remissions that he earns for his good conduct while in jail. But it is a pity that these prisoners who were incarcerated in connection with the conspiracy case of Lahore and also Martial Law prisoners, have not been released so far, although it is now more than 20 years in the case of the former and more than 17 years in the case of the latter since they have been in jails and though they have never been heard to have done anything to incur

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the displeasure of the jail authorities. They are known to have behaved very well all through their stay in these prisons. Why then, I ask, have they not been released so far? I ask in the name of justice and mercy, on which, it is said the whole fabric of the administration is based, as to why these prisoners should continue to remain confined in jails. Will not the Government, by its conduct with regard to these prisoners, show to the world that these high-sounding principles of justice and mercy are only in theory and are not for acting upon? I think there is yet time for the Government to save the situation and demonstrate to the world that these principles are really meant to be acted upon. May I respectfully ask the Government whether amongst the murderers and dacoits, who have been convicted for very serious offences, there is any prisoner who has been kept in jail for more than 22 years? I can say, without fear of contradiction, that the Government will not be able to cite even one such case in which such a prisoner may have remained confined in jails for a longer period than 12 or at the most 14 years. Why then are the prisoners whose release is demanded, being kept even after a term of 17 and 20 years? Justice and mercy demand that they should be released immediately. If you cannot show mercy to these prisoners, for God's sake have mercy upon those ladies, who were once young, but now are mere shadows and crooked shadows of age and also upon children who lost their fathers long long ago and who have not yet been able to find them again during a long period of 20 years and who have even lost the faintest idea of their fathers. These children, I need hardly say, were once happy to have their fathers at home. What a pity it is that these children will perhaps never have a look on those dear faces, if, of course, the Government remained as callous as ever? They are anxiously awaiting their old fathers whose hair is, at present, silvery white. And I wish to draw the attention of the Government to the prisoners and their pitiable wives to whom even a piece of bread is not spared. I am at a loss to understand the Government's policy of not releasing such prisoners, it may be due to a fear that is haunting the Government that such prisoners, if released, would again create an atmosphere like that of the Martial Law days and start riots in the province. But I may submit that if the release of so many others has not endangered peace and order, there is apparently no reason to fear that the release of the few remaining prisoners would have different results. And these men, who have already spent the best period of their lives in jail, can have no fight in them.

The Government is aware of one Parma Nand, who being released, is living at Amritsar in peace and order and he has not so far taken any serious step against the Government. I am not able to understand why some prisoners are still kept in jail while the Government has not so far been able to bring forth any sort of complaint against the released prisoners. I may point out that the prisoners of 1919, even if released, are not in such a condition that they would be able to keep a shop even. They are mere skeletons. Their hair has turned white as silver and eyes have sunken inside. Their teeth have dropped and their hands shiver when they eat their meals and I do not know what the Government is afraid of about them. Does it fear from a skeleton, a lifeless skeleton? I may assure that the Government need not be afraid of such a skeleton.

Secondly, of those imprisoned in connection with the conspiracy of 1914-15 there now remains only one man, while all others have been released, as stated by the Honourable Member for Finance, in his answer to the question by Lala Chetan Anand. I read the question and answer for the information of the House.

***4276. Lala Chetan Anand:** Will the Honourable Finance Member be pleased to state—

(a) the number of conspiracy prisoners of 1914-15 who were in the Punjab jails at the end of the year;

(b) whether Government proposes to release these prisoners as they have undergone a long period of imprisonment?

The Honourable Mr. D. J. Boyd: (a) Two, of whom one has since been released;

(b) Government are not in a position to make any statement.

If I am not wrong, the name of that prisoner who has not yet been released is Parma Nand and at this time when the country is calm and civil disobedience movement is dead, I request the Government to release this man. It does not look proper to let this old wretched man remain in jail, while his companions who were convicted of the same crime, have been released. I hope that the Government would consider this case very soon, and would not give us another chance to complain. Similarly, several of the Martial Law prisoners have been released while one Mahasha Ratan Chand Ji and Chacha Mahamady are still in jail. I do not understand why a discrimination is made against them. There were two companions Ratan Chand and Bugha. The latter has been released and Mahasha Ratan Chand is still in jail. This strange thing amazes me very much that one of them is released and not the other while both committed the same crime. Government may now intend to release the second one after four or five years. It appears that the Government never confers a favour gracefully and never does unmixed good. When Mahasha Ratan Chand was prosecuted, the name of his case was, Government *vs.* Ratan Chand and Bugha and others. Bugha has been released and now he lives in peace in his home. Similarly, I am sure, Ratan Chand will desist from all agitation and political excitement and pass his time in harmony at his own place.

The picture of failing health and energy that I have drawn is of Mahasha Ratan Chand whose hair has turned totally white. Besides, his wife is suffering from phthisis and is bravely fighting against death in the hope of seeing her husband before leaving this world and, on her death-bed is looking to the Government with expectant eyes. A ray of hope, a mere ray of hope twinkles in her eyes.

At the time of arrest Ratan Chand was said to be the leader of the bear-headed mob, and was in front of them all. It was also stated in the evidence against him that he led a procession one and a half mile long. How was it possible for him to set fire to have the National Bank when he was in the front? It must have been done by some people who were at the other end of the procession. At that time he was made the victim of injustice. He was imprisoned only on suspicion. It was also stated that at that time when he was leading the procession he was ordered to get aside and he did obey those orders. But notwithstanding the fact that he obeyed he was convicted and put in prison. The riot took place on the 10th April, 1919.

[Shrimati Lekhwati Jain.]

The Tribunal to hear the case was appointed on the 18th April, 1919, and they were arrested on the 16th April, 1919. The law under which they were tried was made on the 18th, i.e., three days after the riot. Usually the law is applied to cases which occur after its passage and not to cases which occur before its coming into existence. The law was that those people should be arrested who were found doing certain acts described under that law as criminal. In the case of Mahasha Ratan Chand the law was not applied justly. He was arrested for an act which he was alleged to have done three days before. No one had seen him committing any act which was criminal according to that law. But he was arrested and convicted. He has been in jail for the last 17 years and his term of imprisonment has expired, but the Government is still insisting on keeping him in jail. This is a second injustice which is being done to him. I appeal to the good sense of the Government that they should release all such prisoners who were convicted in 1919. The movements in connection with which they were arrested and convicted and awarded imprisonment have died out and at present there is no fear of their reviving those movements or creating some other trouble. As such the Government should not hesitate to set them free. The coronation celebrations and the introduction of new reforms are coming soon. Let the Government release these prisoners on these auspicious occasions.

Now I appeal to the House in the name of their sentiments towards their children and other relatives that they should consider that these prisoners have also children, wives and other relatives, with whom they are bound by ties of sentiments. Their children have got similar feelings and sentiments. They have been awaiting their release for the last so many years. They should not be disappointed. The Punjab Council has so far done nothing of which it can be proud and say it has done such and such a creditable act. I have now afforded it an occasion of doing a good deed. Let it support this resolution and earn the gratitude of the people. The Indians cannot take part in the coronation celebrations joyfully so long as their brethren who are in jails are not released. This is the last session of this Council. Let us do a good deed towards the end of the term of this Council. I hope the House will support this resolution and earn the gratitude of the people.

Mr. President : The resolution moved is :—

This Council recommends to the Government that all the prisoners convicted in the Lahore Conspiracy Cases in 1914-15 and the Martial Law prisoners convicted in 1919 by the Martial Law Tribunals be released forthwith.

Rai Bahadur Mr. Mankand Lal Puri (Punjab Industries) : I rise to support this resolution. All the persons to whom the resolution relates are alleged to have been guilty of criminal offences committed about 20 years ago and it is further admitted on all hands that the movements with which they are alleged to have been associated are not live movements now. Therefore, the Government would not be running any risk if it released those persons, alleged to have been connected with movements which are not movements of to-day. Again the Government has laid down certain rules for interpreting the phrase "transportation for life" in the

case of criminals. Is there any justification why these words should be interpreted in these cases in a way different from what they are ordinarily interpreted in the case of persons convicted of ordinary crimes?

The Honourable Sir Donald Boyd : I must correct that impression at once. The ordinary rules are being observed.

Rai Bahadur Mr. Mukand Lal Puri : I am fully aware of what the rules on the subject are. But what I said was, as the Honourable Finance Member would admit, the rules in the case of these persons have not been interpreted in the way in which they are ordinarily interpreted in the case of other persons.

The Honourable Sir Donald Boyd : That is not accurate.

Rai Bahadur Mr. Mukand Lal Puri : I understand that the Government have a discretion to interpret the phrase "imprisonment for life". The imprisonment for life means imprisonment for life. But in 99 cases out of 100 imprisonment for life is interpreted by the Government itself to mean imprisonment for less than 20 years and in most cases it means imprisonment for 14 years. So there is no justification, unless Government have reasons to the contrary, why the Government should take unnecessary odium of interpreting this rule in the case of political prisoners in a fashion different from what it is interpreted by itself, in the case of other prisoners. Government have the discretion; I am not denying it. The Government is not acting illegally. It is not even acting against the letter of the rules. But it cannot be denied that the interpretation which it ordinarily follows in the case of ordinary crimes has not been followed in these cases. Another cogent reason in support of the resolution is what the honourable mover of the resolution has so pointedly brought to the notice of the House. The number of prisoners who were convicted in the conspiracy cases of 1914-15 and who are in jails now is only one. He has not been so far released.

The Honourable Sir Donald Boyd : There are now two; one has been recaptured.

Rai Bahadur Mr. Mukand Lal Puri : But there is no reason why the same rule should not be applied in the case of Parma Nand as is ordinarily applied in the case of others. I happened to have been one of the counsels in the conspiracy cases of 1914-15 and I know almost every prisoner by appearance and otherwise. I understand this Parma Nand is the gentleman from Jhelum. In any case there is no reason why Parma Nand should not be treated like other ordinary prisoners. The number of Martial Law prisoners in jails is reported to be 8 or 9. The peace of the Punjab would certainly not be disturbed if these prisoners after they have paid the full penalty which the law imposed on them, may be rightly imposed on them, after having lived in the jails for 20 years, are given a chance of reforming themselves in their old age. The name of Mahasha Ratan Chand has been mentioned. During the last two or three years you may take it that even a humble person like myself has received two or three deputations from fairly respectable persons of Amritsar who wanted me to move the Government for their release. Mahasha Ratan Chand was certainly a respectable man of the town of Amritsar before his arrest during Martial Law, and if he was found guilty of crime and convicted for transportation for life, is there any

[R. B. Mr. Mukand Lal Puri.]

reason not to release him after he has served a sentence of about twenty years and if his release is not a danger to the town of Amritsar or to the peace of the province. Is there any reason why he should be kept a minute longer than 20 years in the jail? When the Government is releasing every day prisoners who have committed brutal crimes, such as triple murders, why should not the Government look at these prisoners also from the ordinary citizen's point of view? As the honourable mover has rightly pointed out human beings are fairly equally situated. This prisoner has got a wife, he has got sons and daughters and sons-in-law and so on. They are anxious that this man having served a sentence of 20 years, when he is nearing 70 should be permitted to pass his last days among his kith and kin. Unless Government thinks that his release would be a danger to the town of Amritsar—which there is no reason to apprehend,—he should be released and no more technicalities should stand in the way of Government. It is up to the Government when respectable and law abiding people have been demanding the release of such a man, to release him forthwith. I say the same with respect to the other prisoners. I put it to the Government, is it worth while to incur the odium of detaining these persons after they have served out 20 years? I have every sympathy with this resolution and I think the Government will be well advised in accepting this resolution. If these people abuse their liberty—and I have no reason to think they will do so—Government have ample powers under the Criminal Law Amendment Act which was passed this year, to deal with them. There is therefore absolutely no justification for the Government not to take action in accordance with this resolution.

Again, in this connection may I also bring to the notice of the Government the case of another gentleman who was connected with the Lahore Conspiracy cases and ask the Government to recommend to the Government of India to permit him to return to India, I mean Lala Hardyal, who was treated as an absconder in the conspiracy cases? He was not convicted but he was said to be associated with that movement. During the early days of the War he had no doubt *anti-British* tendencies. But during the later days when he realised the atrocities committed by the Germans, he helped the British, and is now living in England, for the last few years.

Mr. President : That is beyond the scope of the resolution. The honourable member will please confine himself strictly within the terms of the resolution.

Rai Bahadur Mr. Mukand Lal Puri : I merely wish to bring that fact to the notice of the Government. He is permitted to stay in England without let or hindrance.

Mr. President : I request the honourable member not to make any reference to the case of Hardyal.

Rai Bahadur Mr. Mukand Lal Puri : Government should not have the least hesitation in accepting the resolution and I wholeheartedly support it.

Chandhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (Urdu) : There is no doubt that the resolution is worded in a spirit of

sympathy but the honourable mover has not chosen an opportune moment to bring it forward, because if the Government were to say that it has been moved merely as an election stunt we shall not be able to meet their objection adequately. Then, in her resolution she has proposed the release of all the conspiracy case and Martial Law prisoners, but in her speech she has mentioned only two of them. This is not fair. This shows that she is not anxious to see the other prisoners released.

Shrimati Lekhwati Jain : I have mentioned all of them ; you have not heard me fully.

Chaudhri Ram Sarup : She should admit that she has made a mistake because this will help her cause. I have been a non-official visitor of jails for at least six years. I have so often met such prisoners who hold up their cards for the visitors to see and complain, "We have served our terms of imprisonment but we have not been released". On a reference to the superintendent, the visitor learns that the officer cannot do anything as it depends upon the discretion of the Government to release those prisoners. So, discretion in this matter spells a great disaster for the wretched convicts. We all know that when objection is raised about giving unlimited powers of interference to Governors under the new constitution, the Government invariably point out that these powers are only discretionary and meant to be used in cases of emergency. But our experience shows that when a law actually comes into force, it is these discretionary powers which become most troublesome for the poor people. We do not want the Government to do any illegal thing. We merely ask, "What is the reason for not releasing some prisoners when they have served the term of imprisonment which they were awarded by courts of law ?" It is common knowledge that life prisoners are released after 20 years and in some cases where a remission is given, even after 14 years. I understand that after fourteen years the "warrant" is sent back by the jail authorities to the Government so that they may be able to consider the question of releasing a prisoner. If the warrant is returned by the authorities with the note that they do not think it advisable to release him it is sent again after the lapse of one year. This continues to be done until the time of the release of the prisoner.

The Honourable Sir Donald Boyd : May I ask the speaker where that law is laid down ?

Chaudhri Ram Sarup : It is the Government who have framed their rules : they know them best. I can only say this much that every rule is capable of at least two different interpretations. May be, my interpretation differs from that of the Honourable Finance Member. The reason for not consenting to release these prisoners which is put forward by the Government is this. They fear that these prisoners after their release will stir up trouble again and prove themselves a source of great danger to society and the State. But on the other hand the Government is never tired of making us believe that its position in the country is as secure as ever, and that it has completely suppressed subversive movements like those of the Congress. If the position is really secure it should afford ample proof of its stability, power and prestige by releasing all the prisoners the honourable lady member requests them to release. If, however, after

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their release the local authorities report that the ex-prisoners have not totally exhausted the mischief which took them to jail they may be incarcerated again. With these words I strongly support the motion moved by Shrimatiji.

Chaudhri Afzal Haq : May I ask the Honourable the Finance Member to explain his position first, so that we may know what it really is? He interrupts every speaker and says, "it is wrong" and "it is right."

The Honourable Sir Donald Boyd (Finance Member) : The mover of the resolution has proceeded under a total misapprehension of what the law and rules are. Mr. Mukand Lal Puri understood the position. The lawyer, as we would expect, knows a bit more about it and he explained that there is nothing to compel the Government to release life prisoners at any time. A life sentence is a life sentence, but in practice there are certain rules which guide the Government in considering the release of prisoners sentenced to transportation for life. In the case of prisoners in the Andaman islands, prisoners who have been convicted, as the prisoners in question, of waging war against the King and various similar offences, that is to say, sections implying very serious crimes, the period of a life sentence is normally reckoned at 25 years. In the case of prisoners convicted of dacoity, poisoning and various other serious offences the sentences are reckoned at 25 years. In the case of the ordinary murderer, the period is 20 years. In the case of prisoners we are now considering the period laid down by the Government is 25 years. (*Sardar Bahadur Sardar Buta Singh :* With no remission?) Twenty-five with remission. If the sentence is served in the Andamans, one-third of that is remitted ordinarily. But if they are sent back to the Punjab through misconduct because they are incorrigible, then they lose that one-third remission. In the case of prisoners sentenced to transportation for life, who are serving their sentences in transportation jails, jails in which, under the law, you can confine prisoners sentenced to transportation, in the case of those prisoners, there is a rule that their sentence shall be reviewed after 14 years, I am referring to the prisoners committing offences such as now are under consideration, very serious offences, and in less serious offences, the period is 10 years. But the cases of prisoners mentioned in the resolution, if they are serving their sentences of transportation in the Punjab jails, have to be considered after 14 years, while those who are in the Andamans have to complete the period of 25 years with remission, remission being one-third of that sentence, that is to say, you take out 8½ years out of 25. That remission is very generous indeed.

I understand that the charge against the Government in the case of this resolution is that we are treating these particular prisoners differently from other prisoners, because they are so-called political prisoners. This is an absolute misapprehension. To begin with, we have the Lahore Conspiracy Case prisoners. In an answer to a question, which I gave about a year ago, I said that there was only one of them left. At that time it was true. Within the last month or two the absconder prisoner has been re-arrested, so that there are now two of these. (*An honourable member :* What is his name?). Gurmukh Singh. Two of the 1914-15 Conspiracy Case prisoners are still left. One of them is Parma Nand. In 1923 the Punjab Government sent for him from a prison, I think in Bombay or the Central Provinces in order to

see whether he was fit for release. We wanted to see whether the man had changed his views at all and could be safely released. He was carefully examined and we found him obstinately of the same views at the time when he went to jail. He is a revolutionary still.

We have heard a good deal of the quality of mercy and that sort of thing. The quality of mercy ought to be exercised on those people who repent. But mercy is not shown to people who do not repent, and this prisoner definitely did not repent. He is still a revolutionary. He was one of the brains of the 1914-15 Conspiracy, one of the leaders of that conspiracy and he was expert in making bombs. I do not think that the Government can be justly blamed for refusing to release him before 25 years. That disposes of Parma Nand's case.

The next case is that of Gurmukh Singh. He has only served 7 years and a few months of his sentence. He was originally transported to Andamans. He misbehaved there and was returned as incorrigible. He was confined in a jail in Madras—Trichinopoly, I believe—from where he escaped. He was re-arrested 2 or 3 days after his escape and again, when in transit between Bhusawal and Manmad, he escaped a second time and remained free till a month or two ago. During the interval, we know, he occupied himself in full in definitely revolutionary activities. I think the House will unanimously agree that he also should not be released at the present time. That disposes of the 1914-15 Conspiracy Case prisoners.

We now come to the Martial Law prisoners of 1919. We have heard from the honourable mover a great deal of sob stuff about poor old women, widows and orphans—grass-widows whose hearts are broken by the absence of their husbands. But we have heard nothing about the widows who become widows owing to the action of these murderers. They were among the dirtiest and cruelest murders that have occurred in the Punjab. They were committed in Amritsar in 1919, when the Manager of one bank was murdered and the bank was set on fire by means of kerosine oil. The Manager and Assistant Manager of another Bank were murdered, though they had done no harm to the people of Amritsar. Another case is that of a missionary lady who had devoted her whole life to the service of the public. She received brutal injuries and was left to die. But fortunately she survived and was sent away to England. She has had the courage to come back to India and is again devoting her life to the service of this country.

I think one ought to remember the offences of which these prisoners were guilty. In their cases, the Government have applied rules in the ordinary way. Six of these prisoners are serving their sentences in the Punjab; six of them in the Andamans. Others have been released. Walaiti Ram, for instance, was returned from the Andamans because of ill-health. He, therefore, did not forfeit the one-third remission to which he was entitled under the ordinary rules. He completed his period of sentence of 25 years. He had no legal right to be released before his death, but applying the ordinary rules, he was released on the completion of the period of 25 years, allowing for the eight years and four months remission. Thus those who are in the Andamans and have completed their period have been treated exactly as any other prisoner would have been in regard to the question of release. But those who are in the Punjab, there are six of these including Ratan

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Chand, have been returned from the Andamans as incorrigible. Their behaviour was thoroughly bad while in the Andamans—and this applies to Ratan Chand as well as to the others—their behaviour was thoroughly bad and they have been returned for that reason and, therefore, they have forfeited their one-third remission. Now, as regards those who are in the Punjab their case came up for consideration. Now in considering the release of a prisoner, the first thing we look to is the offence which he has committed and we all know what that was in these cases. We then look to his conduct in jail. A man who has been returned from the Andamans as incorrigible cannot be considered to have behaved well. He has been punished on return from the Andamans by the loss of one-third remission. We also look to the question whether he can be safely released or not and if so whether conditions should be imposed for the rest of his period of sentence. These cases have all been very carefully considered and some men have been released. Bugga has been released, mainly on the ground that he had become old and infirm and was incapable of further mischief. It was really a case for mercy and it was exercised. Walaiti Ram was released because he had completed his term. So, all the cases have been carefully considered. They will be all considered again in June, 1937, and it will be for the Government at that time to consider whether to release them immediately or after the expiry of 25 years which will come soon after June, 1937. They may get their release somewhat earlier if they behave well, but I make no promise whatever. It is a matter for the future Government to decide.

Chaudhri Allah Dad Khan (Ambala division, North-East, Mubammadan, Rural): I rise to support the motion under consideration. The Honourable Finance Member has explained everything very clearly, but some things emerge out of it. In the first place the rule is that a prisoner of this type is kept in prison for twenty-five years and taking into account the remissions that these people have earned, they have completely undergone their sentence.

The Honourable Sir Donald Boyd: That is wrong. They did not complete their sentences.

Chaudhri Allah Dad Khan: The 1914-15 prisoners have now undergone a total period of 22 years and giving a remission of one-third of whole sentence, it should have expired in 17 years. Even for such crimes as murder the punishment is only for 20 years and out of this one gets one-third remission, but in the case of political prisoners the Government have made a more stringent rule which they should not have done. This smacks of vindictiveness that when the offence is against an individual the punishment should be lighter but when the offence is against the Government or the King-Emperor the punishment should be heavier. It would have been more generous if they had treated both of these cases in the same way. What is the justification for treating offences against the Government as more heinous than those against individuals? That shows extreme selfishness. It has been contended that these prisoners are dangerous and their release would be a danger to public peace and tranquillity. That argument holds no water. These people have been in jails for 20 years or more. They have lost all manhood in them, they have lost all courage and the spirit of rebellion in them. They are now good for nothing. If they are sent out of prison

after 20 years, I do not think that they will be able to indulge in any activity tending to revolution. That is the experience of everybody who has come out of jail. I have never heard a prisoner who has come out of jail after 20 years having again raised the standard of revolt in the Punjab or in any other province. Life in a jail for 20 years leaves nothing in the man to be able to indulge in any activity. It is a calamity which is not equalled by any other in the world. A man who has served his sentence in jail for 20 years has no life left in him for doing anything. The Government is, therefore, mistaken in thinking that these people will again raise the banner of revolt or indulge in any activity dangerous to the peace and tranquillity of the country. On the other hand their release will only be considered as an act of kindness and mercy and even those people who have any intention of seditious activities will not indulge in them on account of their gratitude to the Government for this leniency which many of them expect. Besides, the Government should be actuated by considerations of humanity. Think of a man who has been separated from his friends and relations for 20 long years. It would have been better to have killed or hanged him than to leave him to linger and pine in exile for long decades. These people after serving such long sentences become despaired of life and perhaps many of them die of despair in jail. After the full sentence is served no prisoner should be kept in jail even for a single day, because if he is kept on, there is no ray of hope of release left in him and many such prisoners commit suicide or indulge in other things which terminate their lives. The Government should think of them in terms of humanity. Moreover, Government should take lesson from Akbar. When he conquered his enemies he let them go saying "Now that you have been conquered, there is nothing left in you to raise the standard of revolt." The Government even after incarcerating them for 20 years is not still satisfied. This is nothing short of revengefulness. It is nothing short of taking revenge on a man for his past acts. Why should there be more stringent rules for a prisoner who has committed a crime against the state than for the man who has offended against individuals? The Government should not have more regard for themselves than for the people at large. On the other hand the safety of the people should be the greatest concern of the Government. The Government is very powerful and the seditious activities of these men have not been able to upset the Government. These ideas should not be allowed to get into the minds of the people that the Government is revengeful and vindictive. These ideas alienate the sympathies of the people from the Government. When this resolution has come before the House the Government should think that every day that these prisoners are passing in jails, the Government is incurring a bad name. Moreover, the release of these men would put an obstacle in the way of those men who are out for revolutionary activities. They would think of the man when he comes out of jail after 20 years and they would think of the wreck he is, diseased and dissipated and unfit for any good thing in life. No one comes out of the jail healthy and strong, even though he may have been in jail for a short period of one year. Release of such men serves as an object lesson to them. On the contrary if you keep these men in jail, the people do not know what is happening to them as long as they are within the four walls of the jail; they only think of the vindictiveness of the Government in keeping these prisoners in jail even after they have

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served out their full sentence. Government should be above ordinary vindictiveness in order to inspire confidence in the minds of the people who have not been to jail and who have not indulged in any disloyal activities. The release of such men would be a much better way of inspiring confidence and loyalty among men than keeping these people in prison for indefinite length of time. Keeping a person indefinitely in jail kills all hope in him. You should not take away hope from anybody. As soon as the period is over you should release him, as hope deferred maketh the heart sick. You will thus earn the gratitude not only of this individual but of his relations and friends and of the whole district to which he belongs and of many others. They will think that although an offence against Government has been committed, still the Government is so generous as to have released this man. The Government in India is very powerful; if it had been a weak Government, there may have been some meaning in not releasing these prisoners, but fortunately it is not weak; why should it think of the past activities of these men to keep them in jail? By keeping these men in jail they are losing the sympathies of the people. This is of course the humanitarian and moral view of the thing. I have already discussed the legal view of the matter. This is a view by which the Government loses nothing. It should take advantage of the resolution that has been moved in this Council and should release them. It will be some consolation to the members of this Council to know that after all the Government has risen to the occasion and released these prisoners. Some of these prisoners were convicted during martial law days. Everyone knows what the type of justice that obtained during these days was.

The Honourable Sir Donald Boyd : I protest very strongly against that remark.

Mr. President : I will not allow any reference to this matter.

Chaudhri Allah Dad Khan : All I will say is that some legal point may have escaped and these people may have been innocent. The condition of the times was such that it was very difficult even for competent men to keep self-possession in view of the disturbing nature of the times.

Mr. President : All the same the honourable member cannot impugn the decisions of a judicial tribunal.

Chaudhri Allah Dad Khan : In any case the moral aspect of the question is sufficiently strong to induce the Government to release the prisoners and to lose no time, for, by releasing them at an early date the Government will earn the gratitude of the people. With these words I support the resolution.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu : I rise to support the resolution now before the House. I want to make it clear that the honourable mover's remark that Government takes action in matters of urgency only when they have grown worse, is quite correct. I saw Pandit Jagat Ram whose health is hopeless. He is suffering from chronic constipation and consequently he has to be given enema very often. His financial condition is so weak that he cannot afford to pay for his medical treatment. He cannot walk even. He told me that he was practically interned within the four walls of his house. He was not

allowed to do any business. He is passing a very miserable life. It is no exaggeration to say that he is like a lifeless log. I, therefore, submit that to release a person from jail when he is totally emaciated and rendered wholly unfit to earn his living outside, appears to me altogether meaningless, unless the Government afford them some sort of relief or help to earn their living. The honourable mover has suggested that these conspiracy or martial law prisoners should be released on the occasion of His Majesty's coronation. But that will be too late because it will probably take place after a year and a half (*Some honourable members*: No, it will take place after five or six months). Any further delay in their release will ruin their already failing health. The honourable members of the Council have supported this resolution only because they feel that the condition of these prisoners is so miserable that they should be released forthwith. I do not support the argument of the honourable mover that the prisoners should be released for the sake of their children and sick wives. The appeal of the honourable mover is rather sentimental. But what we want to impress upon the Government is that humanity demands that we should take mercy upon these unfortunate prisoners who have been rotting in jails for the last so many years. Their condition of health is so pitiable that they deserve to be let off forthwith. I, therefore, make an earnest appeal to Government that they should, in the name of law and fairness, release these prisoners and thereby earn the gratitude of the public at large.

Maulvi Mazhar Ali Azhar (East and West Central Towns, Muhammadan, Urban) (*Urdu*): I would like to make a few observations with regard to the Government's attitude towards the resolution under discussion. I beg to submit that it is really surprising to note that according to the rules in force life sentence in case of offences against the State means transportation for twenty-five years but in the case of the same offences against society or private individuals it means transportation for twenty years. This invidious distinction merits severe condemnation at the hands of all right-thinking persons. There is absolutely no moral justification for Government to act differently in case of an offence against the State from what they usually do in case of a similar offence against society. These rules are also objectionable from another point of view and that is that they savour of Government's revengeful spirit. I maintain that it is not becoming of an all powerful Government to make rules which show its weakness and which may in the long run seriously damage its prestige. The presence of such rules indicates that the Government is terribly afraid of political offenders. But, the thing which surprised me most was that the Honourable Finance Member in reply to the appeal made by the honourable mover on behalf of the children and sick wives of these unfortunate prisoners, remarked that where the mover expressed deep sympathy with the children and wives of the murderers, she did not say a word for the children and wives of the murdered. It appears that the Honourable Finance Member is labouring under a serious misapprehension inasmuch as the actual murderers or the persons who attempted to commit murders were sentenced to capital punishment. These prisoners were sentenced to transportation for life on the mere suspicion that they were directly or indirectly connected with the disturbances. We have every sympathy with the widows and children of the Europeans murdered at Amritsar and other

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places, but I am also sorry to point out that hundreds of people were massacred in the Jallianwala Bagh, but the Honourable Finance Member has had no word of sympathy for their widows and children. This argument is not strictly relevant to the resolution under consideration and I, therefore, leave this point. But I would like to say one thing more. The Honourable Finance Member in his speech remarked that Parma Nand was not released because he was not prepared to apologise or express regret for his offence. I am sorry to remark that political prisoners come out of jail with tottering health. Just as the honourable member who has preceded me has said, they are good for nothing. With their failing health they cannot take part in any political activity. They are mere moving skeletons and I wonder why Government is so afraid of them. When the Government has crushed the flesh and bones of the prisoners in jails and made of them moving skeletons, why should the Government wish to crush their spirit also? May I ask if the incarceration of Parma Nand has produced any good effect? There are now more revolutionaries, bomb makers, bomb throwers, and terrorists in the country than before. The root cause of all subversive movements lies in unemployment. Both the educated and uneducated persons when they do not find work for themselves commit suicide by lying before railway engines, by drowning themselves in rivers or end their lives by committing murder of others. The Government has not so far given proper attention to this very important problem of unemployment. Unless this problem is successfully tackled with, you cannot expect the return of normal peaceful conditions in the country. I support the resolution and close my speech with the remark that unless these invidious rules are done away with, the matters, so far as the political situation in this country is concerned, will not in the least improve.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) I have listened very carefully to the speech of the Honourable Finance Member in defence of the Government's action. I regret to say that the Honourable Member has not been able to convince any member of this House that the case of the Government is just. I had really thought that the resolution brought forward by the honourable the lady member was such that after a few members of this House had spoken, the Government would be prepared very generously to accept this resolution without offering any resistance. But the Honourable Finance Member has not only tried to resist this resolution, but has brought forward certain arguments which cannot stand examination in any way. Now, the resolution covers two specific cases, one the case of 1914-15 (I now learn that instead of one prisoner in jail there are two) and the other which relates to the Martial Law prisoners of the year 1919. If I support the resolution brought forward by the lady member, it is not on the grounds which have so far been urged. There are other very strong grounds too. But I wish really to examine the circumstances under which those prisoners were convicted and awarded life sentences. I know your ruling. I am not going to attack the integrity of the court or the tribunal which sentenced these people to various terms of imprisonment, but I would say this much that in 1914-15 the times were of great excitement. In 1914 the Great War had broken out. The allies were meeting with defeat after defeat. The Government of the Punjab which

had become nervous was presided over by the then Lieutenant Governor, Sir Michael O'Dwyer who at that time and later on earned great unpopularity. What I do not understand is the reason why such a special tribunal was set up in those days. Were there not ordinary law courts open where these prisoners could have been tried? Ordinarily, first of all there is the court of the committing magistrate and there the prisoner knows the evidence that is to be brought against him and he has got an opportunity to meet the charges that are brought in the sessions court if he is committed to the sessions court. In the sessions court he has full liberty to put forward his defence, to cross-examine witnesses at great length and then to receive the sentence if the learned Sessions Judge so thinks that he should receive it. Not only that, there is a further court of appeal—the High Court—where in a detached atmosphere his sentence is reviewed after hearing lengthy arguments of the learned counsels who are engaged on behalf of the prisoners. But all this ordinary procedure, for no reason whatsoever, was done away with because the Government of the day presided over by the one single individual was nervous on account of the defeat of the allies.

The Honourable Sir Donald Boyd : No nervousness in the case of Sir Michael O'Dwyer.

Mr. Nanak Chand Pandit : That was one of the causes, otherwise I challenge the Honourable Finance Member to explain to this House why the ordinary tribunals were not resorted to in the case of these people. Why was it that when these courts were existing all over the provinces, the Government did not dare to bring the prisoners before those courts? There is only one answer and that is that the Government was nervous. It had no moral or legal justification to resort to extraordinary courts where the people were sentenced and where they had no right of appeal. I know as a matter of fact that during the trials the prisoners could not engage any senior lawyer because the trial was held in camera. It was held in a special place. Junior members of the bar were paid by Government and it is thus that these prisoners met their fate.

This is about the 1914-15 prisoners. Have we advanced any further? Some say we have, others say we have not. The question is, are these people not merely on moral grounds but on legal grounds entitled to be released, because they did not have the same facility for trial which ordinarily every subject of His Majesty the King Emperor gets? That is one reason on which I ask the Government to release these prisoners forthwith.

One other ground was urged by the Finance Member. He said, "We examined Mr. Parma Nand and we found that he was a revolutionary at heart and therefore we decided that we should keep him in jail for a few years more." With due respect I say, what an absurd argument has been advanced by the Honourable Finance Member! He has not taken the House into confidence and he has not told us what were the means he employed to ascertain his views before he came to the conclusion that the man was a revolutionary at heart and that therefore he must be detained for the full term of twenty five years. May I ask the Honourable Finance Member whether it is not a fact that in the Punjab there are thousands of people who are revolutionaries at heart but whom he cannot touch? (An honourable

[Mr. Nanak Chand Pandit.]

Member: Are you?) He cannot touch them. His police knows that they are revolutionary at heart. Police knows that there are people living in the Punjab who are Bolshevik at heart. In spite of the fact that there are a large number of people who, according to the police reports and according to the reports which the Finance Member reads very often, are revolutionary at heart, why does he not put them in jail for twenty five years? That is the point. He has not brought forward evidence of any criminal act on the part of Mr. Parma Nand. He is said to be a revolutionary at heart. I want to understand from the Finance Member whether those who have spent so many years in jail still carry on those activities when released in spite of what they might feel in their mind or in their heart, and whether they would again resort to their old practice if released. The argument cannot stand any test of reason. Will the Honourable Finance Member tell me whether after two or three years when Mr. Parma Nand would be released his heart would change and he will be a good man in spite of the fact that at heart he is a revolutionary? What effect will the imprisonment for a year or two more have on him? I submit that the Honourable Finance Member did not consider the question calmly. I know he feels in his heart of hearts that injustice is being done. (*The Honourable Sir Donald Boyd:* I certainly do not.) He has to argue a bad case and he brings forward this argument which cannot stand the test of reason.

Some very good arguments were given by the lady member and other members who have spoken to the effect that you have had an experience of other people whom you have released before their actual term had expired and by their conduct in every way they have shown that they were deserving of the leniency that was shown to them. There is therefore no justification for saying that this man, Parma Nand who, according to the Finance Member, is a revolutionary at heart would behave in any other way than those persons who have been released.

Then there are the prisoners of 1919, I mean the Martial Law prisoners. I understand that they are twelve in number. It is most unfortunate that the defence put forward by the Honourable Finance Member was such that even he must be realising the weakness of his case. He said, "you have talked of the widows and children of those people who are in jail, what about the widows and children of those who were actually murdered, namely the bank manager and the missionary lady who was injured." He, therefore, appealed to the House on the ground of revenge, to reject the resolution. "We must take full revenge on those unfortunate people who were misled and who committed this crime." This is a very weak argument that he has brought forward. (*The Honourable Sir Donald Boyd:* He never brought it forward). He appealed to us. He said that a bank manager was killed and a lady missionary was badly injured and so on. I have got it down in my notes. He asked us what about the widows and children of those who were killed? But did he remember how many Indians were made to crawl in the streets where these things took place? How many of the Indians were shot dead? How many of them were made to stand in the burning sun? What was the punishment meted out to Dyer? The history has given a verdict. The Inquiry Committee has given a verdict. Mr. Montagu, the Secretary of State for India censured the conduct of General

Dyer. Is the conduct of those men Bugga and Rattoo, if murderers they were (which is a very doubtful point), in any way different from the mad acts of Dyer who sent hundreds of people to the other world? In what way can you justify his acts? I cannot possibly understand why the Honourable Finance Member who feels in his heart of hearts that great injustice was done to hundreds and thousands of innocent people—people who underwent all sorts of tortures under the Martial Law regime—should not feel in the same manner for persons who have passed almost the whole of their sentence, even if it be held that their conviction was legally correct, but morally not justifiable at all.

I have absolutely no sympathy with a murderer, whether that murderer is white, black, yellow or brown; but I cannot understand one thing. On the one hand Government do not mete out the punishment which should have been given to Dyer and others who were in sympathy with him and who were doing things which no civilised Government could possibly defend and on the other hand Government are trying to defend the incarceration of these people who were convicted, again I say not in ordinary courts of law but by special courts improvised for the occasion. Take again the men who went through a sort of Martial Law trial. Did they get the same kind of facilities for defending themselves as were given to the ordinary prisoners in ordinary tribunals? We all know that the province was at the time under a grip of terror, whether that terror was due to mob rule which prevailed or whether that terror was due to Martial Law which followed that mob rule. I know as a matter of fact that people came to several senior lawyers but even the senior lawyers would not go to defend them. I was a member of the High Court Bar and if necessary I would name the lawyers who were approached but who refused to take up the cases because they had not the courage to come before those tribunals. (*An honourable member*: Who were they?) Please do not ask their names. You will be ashamed of them. (*An honourable member*: Were you a junior member of the Bar at the time?) It is no use cutting jokes. Facts are facts and they cannot be suppressed. If the honourable member who has interrupted me were to make an official inquiry into the matter he would find that several senior lawyers refused cases merely on the ground that they were terrified.

Then again, people were afraid of coming into the witness box as defence witnesses. Nobody came forward because they did not know or could not know what would happen to them. In several cases people whose names were given as defence witnesses were caught hold of and were challaned as revolutionaries or persons who had taken part in the disturbances. It is a very sad history and the Finance Member should not have uttered a single word in defence of those days. Is it seriously urged that the people should not have got justice in ordinary courts of law which were functioning in those days? What is the Judge going to do when he has no witnesses and no senior lawyers to help him and when terror prevails and people are afraid to appear as witnesses?

In these circumstances is it seriously urged that these people could be kept in prison because they were convicted by the Martial Law tribunal? I know that in European countries also Martial Law is resorted to. But.

[Mr. Nanak Chand Pandit.]

what happens afterwards? The prisoners are generally let off because Governments realise that the prisoners had not had legal justice administered to them in courts of law which are temporarily established for meeting emergencies. You must have read the history of Martial Law in England and in Ireland. There whenever Martial Law is resorted to, greatest possible concession is shown to the people. Is it not a matter for laughter that when Mr. Harkishen Lal who was sentenced to six months' imprisonment for waging war against the King—(An honourable member I think his sentence was transportation for life). That still further strengthens my argument. He was sentenced to transportation for life: he was released after six months because Harkishen Lal was a mighty man who could move the Congress, who could have resolutions passed everywhere, and that very Harkishen Lal was appointed the first Minister to the Punjab Government by the Governor who followed Sir Michael O'Dwyer.

At this stage the Council adjourned till 2-30 P.M., on Friday, 30th October, 1936.

PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 30th October, 1936.

The Council met at the Council Chamber at 2-30 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

MINORITY COMMUNITIES AND DISTRICT BOARD ELECTIONS.

***5993. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the recent elections for the district boards have resulted in the failure of the minority communities securing a fair share of representation ;
- (b) if so, whether the Government is aware that this has led to considerable dissatisfaction and bitterness among minority communities ;
- (c) what steps the Government proposes to take in the matter ?

The Honourable Dr. Sir Gokul Chand Narang: (a) As District Board electorates are joint the minority communities frequently fail to secure due representation by election but this deficiency is as far as possible made up by nomination.

(b) There have been complaints here and there but on the position being explained to the complainants they were satisfied.

(c) To give appropriate representations by nomination.

BOYCOTT MOVEMENT IN VILLAGE JAURE KALAN.

***5994. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Finance Member please state—

- (a) whether the attention of the Government has been drawn to the boycott movement started by the Muslims of village Jaure Kalan, tahsil Khushab, against the Hindus of that village as reported in "Milat," dated the 1st October, 1936, page 19 ;
- (b) whether the boycott movement has been intensified ;
- (c) what steps the district authorities have taken to end this state of affairs ?

The Honourable Sir Donald Boyd: (a) and (b) The statement that the Hindus at Jaure Kalan, Khushab tahsil, in the Shahpur district, have been boycotted by Muhammadans is reported by the local authorities to be incorrect.

(c) No action by the district authorities is necessary.

TOLL LEVIED ON THE PILGRIMS TO KATAS RAJ FAIR.

***5995. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the attention of the Government has been drawn to the large number of meetings held all over the province by the Hindus to protest against the revised and increased rates of toll levied on the pilgrims, males and females, attending the famous Katas Raj fair ;
- (b) whether any representations have been made to the Government or the local authorities about this toll ;
- (c) what action, if any, has the Government taken or proposes to take on these resolutions ?

The Honourable Dr. Sir Gokal Chand Narang : (a) and (b) Yes. It has however been overlooked by the objectors that the tax on pedestrians has been reduced to 1/4th of the previous amount.

(c) A copy of the press *communiqué* which has been issued by Government is laid on the table.

Press Communiqué.

There has recently been some agitation against the imposition of toll tax on pilgrims attending the Baisakhi fair at Katas Raj and Government considers it proper to explain the position. A fee of one anna per head was first imposed in 1908. This was increased to two annas per head in 1914 and has ever since been paid. The fee has now been replaced by a tax and while the rate on pilgrims entering the fair area by motor vehicles, tongas and tumtums has been increased to four annas per head, that on pedestrians has been reduced to half an anna per head. Children not more than 3 years of age, sadhus, faqirs, 50 members of each association coming for missionary work and shopkeepers who pay fees at the fair have now been exempted from the payment of the tax while children under 12, but over 3 years of age, pay half rates. A similar tax is being levied on persons attending the fairs at Choa Saidan Shah, Kurukshetra, Nankana Sahib and Pakpattan. The purpose of the tax is to defray the expenses of the fair which is managed by the District Board. The Government is considering whether the question be taken up with the District Board.

TOLL FROM PILGRIMS TO KATAS RAJ FAIR.

***5996. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government, on the recommendation of the district authorities by a notification, dated 14th August, 1936, has decided to levy a toll of Re. 0-4-0 per head, male, female or child, from pilgrims attending the Katas Raj *Baisakhi* fair ;
- (b) the former rate of this toll ;
- (c) whether the Government invited public opinion or objections before sanctioning the imposition of the toll referred to in (a) ;
- (d) whether the Government is aware that this is a Hindu fair of province-wide reputation, attended by the Hindus, males and females, from all parts of the province to take a bath in the sacred tank on the *Baisakhi* day ;
- (e) whether the Government is also aware that a large number of females including poor and indigent widows attend the fair ;
- (f) whether Government intends to revise the rates so as to continue the exemption in favour of females as heretofore ?

The Honourable Dr. Sir Gokul Chand Narang : (a) No. The honourable member should see the notification which is being laid on the table.

(b) One anna from 1908 and 2 annas from 1914.

(c) The proposal was published by the District Board for inviting objections.

(d) and (e) Yes.

(f) Females as such were never exempt from the toll.

LOCAL SELF-GOVERNMENT DEPARTMENT.

BOARDS.

The 11th August, 1936.

No. 2172-L.S.-G—36/24528.—In pursuance of the provisions of sub-section (7) of section 31 of the Punjab District Boards Act, 1883, it is notified that the District Board of Jhelum has, with the previous sanction of the Punjab Government (Ministry of Local Self-Government) imposed a tax, of the nature of a toll, at the rates mentioned in column 3 of schedule I appended below, on persons, animals and vehicles, mentioned in column 2 of the schedule, entering the annual fairs at Choa Saidan Shah and Kates Raj at the barriers mentioned in column 4 of schedule II, appended below. The tax shall come into force on the 23rd November, 1936, and shall be levied during such periods only in each year as shall be determined annually by the Deputy Commissioner, Jhelum :—

Provided that—

(1) the following shall be exempt from the payment of the tax :—

- (a) Children of or under three years of age, sadhus, faqirs and associations which come for missionary work. The maximum limit of persons to be exempted in the case of such associations shall be 50 in the case of each association.
 - (b) Officials attending the fair on duty and their vehicles and animals.
 - (c) Persons entering the fair on official business or in obedience to the summons of an official.
 - (d) Persons who permanently reside within the area of the fairs.
 - (e) Persons who have paid any fees which may be leviable from shopkeepers at the fair under the provisions of section 33 of the Punjab District Boards Act, 1883.
- (2) Children over three years of age but not over 12 years of age shall be charged at half rates.
- (3) Animals drawing a vehicle are not to be taxed if a separate tax is charged on the vehicles.
- (4) The tax on vehicles shall be charged once only during one day beginning from mid-night.

SCHEDULE I.

Serial No.	Description.	Rates.	REMARKS.
1	2	3	4
		Rs. A. P.	
1	Pedestrians.. ..	0 0 6	Per person.
2	Motor vehicles	0 4 0	Per passenger excluding the driver and cleaner.
3	Bicycles and tricycles not specified elsewhere in the schedule.	0 2 0	Per person.
4	Tongas and tumtums	0 4 0	Per passenger excluding the driver.

[Hon. Dr. Sir Gopal Chand Narang.]

Serial No.	Description.	Rates.	Remarks.
1	2	3	4
5	Carts drawn by two bullocks—		
	(a) laden	0 6 0	Per cart.
	(b) unladen	0 3 0	
6	Camels—		
	(a) laden	0 2 0	Per camel.
	(b) unladen	0 1 0	
7	Buffaloes and bullocks—		
	(a) laden	0 1 0	Per buffalo or bullock.
	(b) unladen	0 0 0	
8	Horses, ponies and mules—		
	(a) laden or ridden	0 1 0	Per horse, pony and mule.
	(b) unladen or led	0 0 0	
9	Donkeys—		
	(a) laden or ridden	0 0 0	Per donkey.
	(b) unladen or led	0 0 0	

SCHEDULE II

Serial No.	Name of fair.	Name of roads.	Locality of the tax barriers.
1	2	3	4
1	Choa Saidan Shah ..	Khewra-Choa road ..	Near the Police Station Choa Saidan Shah.
2	Ditto ..	Chakwal-Choa road ..	Near the school and graveyard.
3	Ditto ..	Dalwal-Choa road ..	Near the civil rest house, Choa Saidan Shah.
4	Ditto ..	Bakh Gandala-Choa road ..	To the south of Dagher.
5	Ditto ..	Wahall-Choa road ..	Near the abadi of village Chhapas.
6	Katas Raj ..	.. .. .	Junction of Choa-Katas and Dalwal-Katas roads.
7	Ditto ..	0 2 0 ..	Junction of Dalwal-Katas and Satgarah-Katas roads.
8	Ditto ..	Khajuria-Katas road ..	Near the hut of the Chaudhidi of Katas Water Works.
9	Ditto ..	Wahall-Katas road ..	Near Satgarah.

TOLL AT KATAS RAJ AND CHOHA SAIDAN SHAH FAIRS.

***5937. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that a few days before the Katas Raj Baisakhi fair, a fair is held at Choha Saidan Shah about a mile from Katas ;
- (b) whether the fair at Choha Saidan Shah is a local fair attended by the Muslim public of Jhelum or neighbouring tahsils of Gujrat district ;
- (c) the amount of toll levied per head on this fair and since when this rate has been in force and what was the rate of toll before the present rate ;
- (d) the reasons for the difference in rates of toll at Katas Raj and Choha Saidan Shah fairs ?

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

(b) The fair at Choha Saidan Shah is attended by people of all communities, mainly Muslims, from different districts of the Punjab, but mainly from the districts of Jhelum, Gujrat, Shahpur, Attock and Rawalpindi.

(c) The rates of toll vary from 6 pies to 4 annas per head. These rates will be enforced from the 23rd November, 1936. The old rate is 1 anna per head.

(d) The rates for both the fairs are the same. The honourable member does not seem to have seen the notification before putting these questions.

NOMINATED MEMBERS OF MUNICIPAL COMMITTEE, ABOHAR.

***5938. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please (i) lay on the table a list of the nominated members of the Municipal Committee, Abohar, district Ferozepore ; and (ii) state—

- (a) whether any member in the list referred to in part (i) above has continued to be a nominated member since 1927, having been renominated in 1931 and in 1934 ; if so, the name of the said member with his qualifications ;
- (b) the names of the persons amongst Hindus who were recommended by the Deputy Commissioner to be nominated as municipal commissioners to the Municipal Committee, Abohar, in the years 1931 and 1934, respectively ;
- (c) the reasons why the same private person was nominated in the years 1927, 1931 and 1934 successively and the other recommendations of the Deputy Commissioner were not accepted by the Government ;
- (d) what action the Honourable Minister proposes to take to redress the grievances of other candidates of the Hindu community and voters of Abohar Municipality ?

The Honourable Dr. Sir Gokul Chand Narang : (i) (1) L. Chuni Lal Ahuja.

(2) S. Prem Singh.

[Hon. Dr. Sir Gokul Chand Narang.]

(ii) (a) Yes. Lala Chuni Lal Ahuja. He is a big mill-owner and a man of status and intelligence.

(b) 1931 :—

1. Lala Chuni Lal Ahuja.
2. Lala Dogar Das.

1934 :—

1. Lala Chuni Lal Ahuja.
2. Pandit Hans Raj Vaid.

(c) Lala Chuni Lal Ahuja was renominated by the Commissioner on each occasion on the recommendation of the Deputy Commissioner as he was considered to be most suitable.

(d) No action is considered necessary.

Sardar Jawahar Singh Dhillon : Are there no other Hindus suitable for nomination ?

The Honourable Dr. Sir Gokul Chand Narang : He was considered more suitable than others.

Sardar Jawahar Singh Dhillon : Does the Honourable Minister for Local Self-Government contend that no other suitable Hindu could be found ?

The Honourable Dr. Sir Gokul Chand Narang : The honourable member has not followed my answer. He was considered *more* suitable than others.

SUPERINTENDENT, GOVERNMENT PRESS.

***5999. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state —

- (a) whether the complaint published in the "Inquilab," dated 20th October, 1935, under the heading "Superintendent, Government Press," has been brought to the notice of the Government; if so, what action has so far been taken in the matter ;
- (b) the reasons why the services of Mr. Lambert, Works Manager, of the Central Jail Press, Lahore, have been dispensed with ;
- (c) whether it is a fact that during the term of his appointment the output of forms amounted to about 10 crores a year against 5½ crores during the period Mr. Davis worked as a Works Manager of the Central Jail Press ?

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

(b) He was found unsuitable.

(c) No.

SHAIKH MUHAMMAD HUSSAIN, GENERAL FOREMAN, GOVERNMENT PRESS.

***6000. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state whether it is a fact that Shaikh Muhammad Hussain, General Foreman, Government Press, has already put in 46 years' service and according to his service book his age is only 52 ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The reply is in the affirmative. Shaikh Muhammad Hussain is on leave preparatory to retirement.

MOSQUE IN THE GOVERNMENT PRESS COMPOUND.

***6001. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a large piece of land in the premises of Government Press has been turned into a pucca structure and is being used as a mosque ;
- (b) whether the Government has allowed the construction of the mosque on the Government land ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) There is a roofed praying platform 20' — 25' in area.

- (b) The construction of a praying platform was permitted by Government ; no authority for the roof is forthcoming.

EXTRA TIME FOR FRIDAY PRAYERS TO GOVERNMENT PRESS EMPLOYEES.

***6002. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Muhammadan employees in the Government Press are allowed 15 minutes extra time for saying their prayers on Fridays and the same period after 4-30 P.M., while doing overtime for the same purpose ;
- (b) whether this time is taken into account when calculating their wages ;
- (c) if not, why not ?

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

(b) Does not arise.

(c) Does not arise.

FORMS PRINTED IN THE CENTRAL JAIL PRESS, LAHORE.

***6003. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please—

- (a) lay on the table a statement showing outstanding orders of stock and non-standard forms as well as standard forms due to be printed or supplied by the Central Jail Press, Lahore ; and
- (b) state the reasons for allowing the work to fall in arrears ?

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

- (b) Inadequate supervision by the Works Manager.

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

Statement showing Forms and Registers supplied by Central Jail Press from January, 1936, to 15th October, 1936, with their balances due according to Appendices 'E' and 'F' of the Printing and Stationery Manual, 2nd Edition.

Serial No.	Department.	Total number of forms in series.	Date on which consolidated indent is due with Superintendent, Government Printing, Punjab.	Last date of supply.	Average annual consumption.	BALANCE DUE.		TOTAL ORDERS REGISTERED.	
						Annual indents.	Supplementary indents.	Annual indents.	Supplementary indents.
1	Patwari Standard forms.	1 to 145	1st December	June	9,880,611	27,575	678,836	168	164
2	Patwari non-standard forms.	No fixed series.	Ditto	Do.	1,415,060	NH	74,223	556	37
3	Registration.	1 to 33	1st February	August	530,891	175	1,500	32	51
4	Director of Land Records.	1 to 22	Ditto	April	5,830	NH	374	1	2
5	Cannals.	1 to 145	1st March	July	9,273,864	3,636,000	129,142	49	85
6	High Court.	1 to 39	1st April	Do.	40,050	125	374	3	NH
7	Civil, Criminal, Vexatious and Q. O. Series.	1 to 364	15th April	August	7,671,125	1,212,840	36,880	172	29
8	Shaniff, Petty.	1 to 13	Ditto	Do.	643,297	17,793	14,550	37	15
9	Judicial Registers.	1 to 69	Ditto	Do.	14,544	951	959	84	13
10	Civil and Criminal, Mag. Ist.	1 to 261	15th March	June	613,914	42,219	6,242	120	31
11	Revenue Forms.	1 to 242	15th May	September	2,993,914	957,711	Included in Annual	65	41
12	Director of Public Instruction, Punjab.	1 to 24	Ditto	Do.	5,772	NH	2,535	22	4
13	Forests.	1 to 31	1st June	Do.	102,621	33,721	1,200	16	3
14	P.W. A. Forms.	1 to 147	1st May	July	552,586	14,087	24,360	88	60
15	Universal Forms.	1 to 142	1st April	June	9,337,929	1,367,469	48,531	763	277
16	Police.	1 to 93	1st July	October	7,700,050	NH	..	39	68
17	General non-standard	Not fixed	..	..	706,644	160,400	..	318	..

**COMMUNAL REPRESENTATION AMONG THE ESTABLISHMENT OF THE OFFICE
OF INSPECTOR-GENERAL, CIVIL HOSPITALS.**

***6004. Khan Bahadur Mr. Muhammad Din Malik :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that no Muslim clerk holds any responsible post in the Establishment Branch of the office of the Inspector-General of Civil Hospitals, Punjab ;
- (b) whether it is a fact that the office superintendent and all the head assistants excepting one are non-Muslims ;
- (c) whether it is a fact that out of the 5 posts of senior assistants only one post is held by a Muslim ;
- (d) whether Government proposes to take suitable steps to allow the Muslims their due share in higher appointments in this office ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) There are at present 4 Muslim clerks in the Establishment Branch of the office of Inspector-General of Civil Hospitals as assistants, record keepers and diarists. It may be stated for the information of the honourable member that communal proportion is kept in view while making new appointments in the office but it is not practicable to post clerks in different branches on communal basis.

(b) Yes. The four non-Muslim head assistants include one European and one Indian Christian.

(c) Yes.

(d) The Muslims are adequately represented in the office as a whole. Promotions to the grade of assistants and head assistants are made by selection with due regard to seniority.

**LALA RAM CHAND KHANNA, CLERK, IN THE OFFICE OF THE INSPECTOR
GENERAL OF CIVIL HOSPITALS, PUNJAB.**

***6005. Khan Bahadur Mr. Muhammad Din Malik :** Will the Honourable Minister for Education please state (i) whether it is a fact—

- (a) that L. Ram Chand Khanna, a clerk in the office of the Inspector-General of Civil Hospitals, Punjab, was directly recruited in 1933 or 1934 in the senior scale of Rs. 75—5—150 ;
- (b) that acute deafness has long been recognised to be a disqualification for Government service ;
- (c) that L. Ram Chand Khanna is stark deaf and therefore unfit for service ;
- (ii) if replies to (a), (b) and (c) above be in the affirmative, what action Government proposes to taken in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) No. Lala Ram Chand Khanna, was recruited on the 24th December 1930 in the grade of Rs. 40—8—82—8/100, and worked in that grade up to the 31st October, 1932. He was subsequently promoted to the grade of Rs. 75—5—150 from the 1st November, 1932.

[Hon. Ch. Sir Shahab-ud-Din.]

(b) There are no standing orders on the subject. Fitness for Government service is judged by Civil Surgeons who examine candidates before confirmation.

(c) No. He was declared fit for Government service by the Civil Surgeon, Lahore.

(ii) Does not arise.

MUNICIPAL COMMITTEE, KAROR.

***6006. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** (1) Will the Honourable Minister for Local Self-Government kindly state whether it is a fact—

(a) that the Municipal Committee, Karor, in the Muzaffargarh district, was superseded in September, 1982, on account of unsatisfactory position of finances and administration ;

(b) that the outstanding liabilities of the municipal committee at the time of supersession were about Rs. 4,000 while the balance in the treasury at its credit on 18th April, 1982, was about Rs. 70 ;

(c) that the Punjab Government stated in the *communiqué* issued on the subject that "In these circumstances Government has been constrained to supersede the municipal committee and to place the Sub-Divisional Officer, Leiah, in charge of municipal affairs, until such time as financial stability is attained and the administration of the municipality is placed on a satisfactory footing";

(d) that the financial position of the committee has since improved and there was a cash balance of about Rs. 2,000 on the 31st March, 1986 ?

(2) When does the Government propose to revive the municipal administration in Karor ?

The Honourable Dr. Sir Gokul Chand Narang : (1) (a), (b), (c), and (d) Yes.

(2) The question of reconstitution will be considered after the receipt of a report on the financial position of the Karor Municipal Committee in July, 1987.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Why have the Government fixed July 1987 for the reconsideration of the case ?

The Honourable Dr. Sir Gokul Chand Narang : Because the local officers have been asked to send their report by that time. The question will be considered in July 1987 after the receipt of that report.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Why has this date, July 1987, been fixed by Government ?

The Honourable Dr. Sir Gokul Chand Narang : Because the local officers have been asked to send in their report in that month.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : When the budget shows that the financial position of the Municipal Committee has improved and the condition of the committee is satisfactory, why does the Government not ask the local officers to submit their report now and revive the Municipal Committee at once? Why does the Government delay unnecessarily?

The Honourable Dr. Sir Gokul Chand Narang : The local officers have been asked to wait, watch the progress and then report.

DECREASE OF SHEEP AND TRADE OF LAMB SKINS.

***6007. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Agriculture please state—

- (i) whether his attention has been drawn to the Punjab Livestock Census according to which the number of sheep in the province has decreased from 4,457,786 to 4,424,147 ;
- (ii) the reasons for the decline in the number of sheep in the province ;
- (iii) the extent to which the practice of causing forced abortion of pregnant sheep for the purpose of trade in lamb-skins is resorted to in the province ;
- (iv) whether Government proposes to take any preventive action to stop this practice ;
- (v) whether Government intends moving the Government of India to place an embargo on the exportation of lamb-skins to put a stop to this cruel and wasteful trade ?

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

(ii) The eastern districts are responsible for this, the number of sheep having increased considerably in the western districts of the province. The fall is due to the restriction of grazing facilities, the spread of epidemic diseases and the departure of migratory flocks, and to a certain extent also to the forced abortion of pregnant sheep for the purpose of trade in lamb skins.

(iii) No exact information is available.

(iv) The attention of the honourable member is invited to the reply given to part (g) of question No. *4267¹ on the 12th March 1935.

(v) No. The trade is not necessarily either cruel or wasteful.

REVISION OF CASES UNDER SECTION 401 OF CRIMINAL PROCEDURE CODE.

***6008. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Finance Member please state—

- (a) whether the attention of the Government has been drawn to the Privy Council judgment in the case entitled *Nazir Ahmad Appellant versus King Emperor* (Privy Council Appeal No. 12

¹Volume XXVI, pages 528-29.

[R. B. Mr. Mukand Lal Puri.]

of 1936), in which the Privy Council while accepting the appeal has set aside the conviction of the appellant and the death sentence passed on him, and has laid down that a confession recorded by a magistrate otherwise than in accordance with the provision and formalities laid down by sections 164 and 166 of the Criminal Procedure Code is inadmissible in evidence and cannot be deposed to orally by him or by refreshing his memory from the notes prepared by him ;

- (b) whether the Government intends to consider under section 401 of the Criminal Procedure Code the cases of all those persons who are under sentence of death or are undergoing sentences of transportation or imprisonment and whose convictions are based solely or mainly on the kinds of confessions ruled out by the Privy Council judgment referred to above either on representations submitted on behalf of convict-prisoners concerned or *suo motu* ;
- (c) whether the Government intends to appoint a commission consisting of judicial officers and members of the Bar to go through the various cases falling under the above category with a view to take action under section 401, Criminal Procedure Code ;
- (d) whether the Government is aware that the kinds of confessions now over-ruled by the Privy Council have for many years and in many cases been mainly or solely acted upon in upholding convictions in capital and other serious cases ; if not, whether the Government will obtain this information by the appointment of the commission suggested in (c) above ?

The Honourable Sir Donald Boyd : (a) Yes.

(b), (c) and (d). No.

PURCHASE OF LAND BY PERSONS WHO BELONGED TO CASTES NOT INCLUDED IN THE LIST OF STATUTORY AGRICULTURAL TRIBES.

***6009. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Revenue Member please state—

- (a) whether complaints have been made from time to time to deputy commissioners about the purchase of land by persons who belonged to castes not included in the list of statutory agricultural tribes ;
- (b) if so, what steps the Government has taken to ensure that the purchaser really belongs to the class of statutory agriculturists ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information is not readily available, and its collection would mean an amount of work incommensurate with the result. If the honourable member will cite some particular case or cases he may have in mind I will endeavour to ascertain facts and inform him.

HONORARY MAGISTRATES AND THE ASSEMBLY ELECTIONS.

*6010. **Mian Nurullah** : Will the Honourable Finance Member be pleased to state—

- (a) whether Government are aware that a number of honorary magistrates intend to contest seats in the coming Provincial Assembly elections ;
- (b) what steps, if any, have been taken in order that these magistrates may not be able to take undue advantage of their position as honorary magistrates ;
- (c) whether the Government intends to issue instructions so that all those honorary magistrates who want to seek election might not be allotted any fresh cases for disposal and withdraw the cases already pending in their courts till after the result of the election ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) Instructions have been in existence for several years that all cases should be withdrawn from honorary magistrates who are standing as candidates in elections, and that no new cases should be sent to them.

Sardar Sahib Sardar Gurbachan Singh : Has the Government any objection if these magistrates were to try cases from other parts of the district in which they have jurisdiction than the constituency from which they are standing ?

The Honourable Sir Donald Boyd : I would not like to answer that question off hand. The honourable member may give notice.

Khan Bahadur Malik Zaman Mehdi Khan : Is the Honourable Member for Finance satisfied that withholding of these powers for a few months is sufficient to deter these gentlemen from using their influence in the elections ?

The Honourable Sir Donald Boyd : I certainly think that the withdrawal of powers would be out of all proportion to the offence of standing as a candidate for the Assembly.

MURDER OF MR. RAM RANG, S. I., POLICE AND POLICE FORCE
POSTED AT VILLAGE DHARDEO.

*6011. **Sardar Jawahar Singh Dhillon** : Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Mr. Ram Rang, sub-inspector of police, Beas, district Amritsar, was murdered at village Dhardeo, police station Beas, on the 6th October, 1935 ;
- (b) whether it is a fact that a police force was quartered there on 7th October, 1935, which remained there for more than a month ;
- (c) whether it is a fact that Sohawa Singh, Lachhman Singh and 207 residents of village Dhardeo, district Amritsar, submitted an application on 5th November, 1935, to the Honourable Finance Member, in which they brought very serious allegations against the police force quartered there ;

[S. Jawahar Singh Dhillon.]

(d) if the answer to part (c) be in the affirmative, whether he will lay on the table their original complaint along with the accounts of losses said to have been sustained by them at the hands of the aforesaid police force, which they enclosed with their complaint, dated the 5th November, 1935;

(e) whether any enquiry was made by the Government; if so, the result of the enquiry and who made the enquiry; when and at what place it was made; how many of the complainants were served with notices to appear before the investigating officer and on what date;

(f) how many of the complainants actually appeared before the enquiry officer and gave their evidence and how far the allegations against the police were found true?

The Honourable Sir Donald Boyd : I regret that the answer to the question is not ready.

PUNITIVE POLICE POST AT VILLAGES GADDOKI, GREEN KOT, KATLUHI KALAN AND KATLUHI KHURD IN LAHORE DISTRICT.

***6012. Sardar Jawahar Singh Dhillon :** Will the Honourable Finance Member be pleased to lay on the table a statement showing—

(a) the date of the arrival of the punitive police post quartered in the villages of Gaddoki, Green Kot, Katluhi Kalan and Katluhi Khurd, tahsil Kasur, district Lahore, in 1924;

(b) the date of its removal;

(c) the names of the sub-inspectors, head constables and constables who were employed in the aforesaid police post;

(d) the period for which each of these police employees remained on the service list of this police post;

(e) the total pay which each of them received during his service in the aforesaid police post;

(f) the monthly house-rent paid to Bhai Lal Singh for providing a house for quartering the aforesaid police post;

(g) the date on which the house of Bhai Lal Singh was hired and the total amount of house-rent paid to the house owner during the stay of the aforesaid police post;

(h) the total expenditure borne by the Government for this police post?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

PUNITIVE POLICE POST QUARTERED AT VILLAGES GADDOKI, KATLUHI
KALAN, KATLUHI KHURD, AND GREEN KOT, TAHSIL
KASUR, DISTRICT LAHORE.

***6013. Sardar Jawahar Singh Dhillon:** Will the Honourable Finance Member be pleased to state—

- (a) whether any punitive police force was quartered at villages Gaddoki, Katluhi Kalan, Katluhi Khurd, and Green Kot, tahsil Kasur, district Lahore, in 1924, for three years;
- (b) whether it is a fact that Rs. 22,869-15-3 were assessed and collected by the Government from the inhabitants of these villages as punitive police tax;
- (c) whether it is a fact that Uttam Singh, Sarpanch of village Gaddoki, and other residents of village Gaddoki, Katluhi Kalan, Katluhi Khurd and Green Kot applied to the Honourable Finance Member, Government, Punjab, on the 25th September, 1936, in which they claimed that Rs. 5,289-15-8 had been realised in excess;
- (d) if the answer to (c) above be in the affirmative, whether the Government will lay on the table the original application of the residents;
- (e) whether the Government has made an enquiry regarding the claim of these villagers;
- (f) how far the allegations put in their application have been found to be true and what steps have been taken by the Government to redress the wrong;
- (g) whether it is a fact that the above-mentioned punitive police force remained stationed at Luliani police station for about three months and was quartered in these villages in January or February, 1925?

The Honourable Sir Donald Boyd: (a) Yes.

(b) No. The realisations totalled Rs. 21,818-15-3 equal to the calculated cost of the post.

(c) Yes.

(d) A copy is laid on the table.

(e), (f) and (g). The petition was forwarded to the Additional Superintendent of Police, Kasur, for enquiry. His report has not yet been received.

Copy of an application, dated 25th September 1936, from Uttam Singh, Sarpanch of village Gaddoki and other residents of village Gaddoki, Katluhi Kalan, Katluhi Khurd and Green Kot to the Honourable Home Member, Government, Punjab, Lahore.

We the undersigned residents of villages Gaddoki, Green Kot, Katluhi Kalan, Rakh Katluhi, Amrik Singhwala, tahsil Kasur, district Lahore, beg to lay before you the following few lines for your favourable consideration:—

(1) A punitive police post was quartered in these villages in 1924 which remained there for the period of 3 years. Rs. 7,454-10-5 were assessed and collected annually from the residents of the aforesaid villages as the costs of the additional police force. From the statement attached herewith you will find that Rs. 5,289-15-3 more than the actual costs borne by the Government to maintain the punitive police post have been collected which should be refunded. The main grounds for the refund of the amount are given below.

(1) After its arrival at village Gaddoki the police force was removed to thana Lulliani after 2 days. This police force remained stationed there for more than 3 months

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and was busy in patrolling and controlling the whole *ilaga*, therefore the costs of this period have been unjustly imposed on the residents of these villages. It is clearly laid down in section 15 (2) of the Police Act 5 of 1861 that the additional police force will be quartered in the area specified in the *Government Gazette*. In this case, —vide *Punjab Government Gazette*, No. 1162, dated 3rd October 1924— area in which the additional police force was to be quartered was not police station Lalliani, but the villages of Katluhi Kalan and Khurd, Green Kot and Gaddoki.

- (2) Sub-Inspector, police, incharge of the punitive police post joined 6 months late while his full annual pay has been levied upon the villagers.
- (3) Out of 12 police constables only 10 remained present in the police post, but the costs of 12 police constables have been imposed upon the residents. One constable was found always absent from the punitive police post as his services were placed at the disposal of the Deputy Superintendent, Police, Kasur.
- (4) One head constable joined the police post about 4 months late but his full pay since the quartering of the police post has been counted in the costs.
- (5) Bhai Lal Singh of village Gaddoki in whose house the police force was stationed has been paid the house rent of 2½ years while the residents of the villages have been taxed for 3 years.
- (6) No *charpais* and boxes were purchased for the police force in the 2nd and 3rd year but we had been charged for this.

*Details of the expenditure of the punitive police post quartered at villages
Katluhi Khurd, Katluhi Kalan, Green Kot and Gaddoki, tahsil
Kasur, district Lahore.*

Serial No.	Detail of actual expenditure for the year 1924-25.	Amount.
		Rs. A. P.
1	Pay of a sub-inspector for 6 months at the rate of Rs. 90 per mensem.	540 0 0
2	Contingent expenses of the above	54 0 0
3	Conveyance allowance of the sub-inspector for 6 months ..	180 0 0
4	Uniform allowance of the sub-inspector for 6 months ..	12 8 0
5	Subscription towards pension of the sub-inspector for 6 months	103 0 0
6	Pay of two head constables at the rate of Rs. 30 each per mensem for 9 months.	540 0 0
7	Pay of 10 constables at the rate of Rs. 20 per mensem for 9 months.	1,820 0 0
8	Contingent expenses of the above head constables and constables	218 0 0
9	Reserve force expenses equal to 1/6th of the pay of the constables	270 0 0
10	Uniform allowance of 10 constables and 2 head constables for 9 months at the rate of Rs. 15 each per annum.	135 0 0
11	Equipment expenses for 9 months	45 0 0
12	Equipment for the uniform of the reserve force	22 8 0
13	House-rent at the rate of Rs. 20 per mensem	180 0 0
	Total	3,898 0 0

Serial No.	Detail of actual expenditure for the year 1925-26.	Amount.
		Rs. A. P.
1	Pay of a sub-inspector for one year at the rate of Rs. 90 per mensem.	1,080 0 0
2	Pay of 10 constables for one year at the rate of Rs. 20 each per mensem.	2,400 0 0
3	Pay of two head constables for one year at the rate of Rs. 30 each per mensem.	720 0 0
4	Uniform allowance of the sub-inspector for one year ..	25 0 0
5	Subscription towards pension of the punitive police staff ..	18 0 0
6	Contingent expenses	420 0 0
7	Reserve force	400 0 0
8	Uniform allowance of the constables and the head constables ..	180 0 0
9	Uniform allowance of the reserve force	30 0 0
10	House-rent at the rate of Rs. 20 per mensem	240 0 0
11	Pay of water-carrier and sweeper at the rate Rs. 2 each per mensem.	48 0 0
	Total of expenditure for the 2nd year ..	6,361 0 0
	Total of expenditure for the 3rd year ..	6,361 0 0
	Total of expenditure for the 1st year ..	3,898 0 0
	GRAND TOTAL ..	16,620 0 0
	The amount which Government recovered from the inhabitants of the village during three years.	22,363 15 3
	The amount which was actually spent by Government on the punitive police post.	16,620 0 0
	Balance due from Government ..	5,743 15 3
	Pay of water-carrier and sweeper for 9 months during the 1st year.	36 0 0
	Net balance due from Government ..	5,707 15 3

COLLECTION OF REVENUE AND *ABIANA* BY THE HEADMEN OF
TURF FATTU OF VILLAGE GHARYALA.

*6014. **Sardar Jawahar Singh Dhillon:** Will the Honourable Revenue Member be pleased to lay on the table a statement showing—

- (a) the amount of revenue and *abiana* which each of the headmen of Turf Fattu of village Gharyala, tahsil Kasur, district Lahore, was ordered to collect each half-yearly from *harif*, 1924, to *rabi*, 1926;

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- (b) the date fixed by the revenue authorities for the deposit of the revenue and the *abiana* at the time of each *fasal* (harvest) during the period mentioned in (a) above ;
- (c) the amount of revenue and *abiana* collected and deposited by each of the headmen mentioned in (a) before the fixed date ;
- (d) the amount of *panchotra* to which each of the headmen mentioned in (a) was entitled at the rate of 5 per cent for the land revenue collection and 9 per cent. for the collection of *abiana* on the amount deposited by him before the date fixed each half-yearly ;
- (e) the amount of *panchotra* which was actually paid to each of them every half-year ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : A statement is laid on the table.¹

ARREST OF DULLA, SON OF DEENO, FOR REVENUE ARREARS.

***6015. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Dulla, son of Deeno, Jat, of village Gharyala, tahsil Kasur, district Lahore, was arrested on the authority of warrant issued by the revenue assistant, Kasur, for the recovery of alleged revenue arrears of Rs. 89-9-0 ;
- (b) if the answer to (a) be in the affirmative, for what period he was detained in the lock-up ;
- (c) whether he owned any land in the aforesaid village at the time of arrest ; if so, how much land did he own ;
- (d) whether he cultivated any land in his village in *fasal kharif*, 1935-36, or *rabi*, 1936 ;
- (e) whether it is a fact that according to the entries of water rates *mustkhid kharif*, 1935-36, or *rabi*, 1936, no *abiana* was due from him ;
- (f) if the answer to (d) be in the negative, the grounds for issuing warrants of his arrest ;
- (g) whether it is a fact that according to the entries of revenue records no land revenue was due from him ;
- (h) if the answer to (f) be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Yes. The warrant was issued by the naib-tahsildar, Kasur, for Rs. 89-4-6.

(b) From 22nd September 1936 to 1st October 1936 in the lock-up and one month in jail.

¹Kept in the Council Library.

- (c) No. The land is in the name of his father who is a *faqir*.
- (d) and (e) No.
- (f) The warrant was issued on the application of a *lambardar* who is illiterate. The application was supported by a *fard* issued by the *patwari* who is only a candidate.
- (g) Yes.
- (h) Enquiry is being made, and action will be taken against the persons at fault.

PUNITIVE POLICE POST AT RAJOKI AND WAN, POLICE STATION
KHALRA AND POLICE TAX.

***6016. Sardar Jawahar Singh Dhillon:** Will the Honourable Finance Member please state—

- (a) whether any punitive police post was quartered at villages Rajoki and Wan, police station Khalra, tahsil Kasur, district Lahore, in 1928 ;
- (b) whether it is a fact that this police force remained in these villages for a period of two years ;
- (c) whether it is a fact that the strength of the police force sanctioned by the local Government was to consist of one sub-inspector, 4 head constables and 20 constables ;
- (d) whether it is a fact that Rs. 11,265-10-0 annually were imposed on the inhabitants of these villages as punitive police tax ;
- (e) the total amount assessed and collected by the Government from the inhabitants of these villages as punitive police tax up till 31st October, 1935 ;
- (f) whether it is a fact that the inhabitants of the aforesaid villages complained to the Honourable Finance Member, in the month of November, 1935, that instead of 4 head constables and 20 constables only 2 head constables and 15 constables were sent to the aforesaid police post ;
- (g) whether it is a fact that in the estimate of costs regarding the aforesaid police post Rs. 40 per month were charged as the house rent while the Government used to pay Rs. 20 per mensem, for the period of two years ;
- (h) whether any inquiry has been made by the Government regarding the complaint referred to in (f) above, if so, the result of this inquiry ;
- (i) whether it is a fact that the inhabitants of the aforesaid villages claimed a refund of Rs. 1,052-18-9 on account of the punitive police tax realized in excess from these villages ;
- (j) whether it is a fact that the inhabitants of these villages claimed Rs. 1,052-18-9 refund after deducting Rs. 4,975-6-0 due from these villages as punitive police tax arrears ;

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(k) if the answer to (j) be in the affirmative, how far this claim has been found true and what is the amount which the Government has to refund to these villages ;

(l) whether it is a fact that no amount up till the end of September, 1935, has been refunded to the villagers ;

(m) if the answer to (l) be in the negative, the reasons for the delay in refunding the amount ?

The Honourable Sir Donald Boyd : (a) to (c) Yes.

(d) and (e) The calculated cost was Rs. 12,445-5-0 for the first year and Rs. 11,265-10-0 for the second. The total amount actually collected was Rs. 17,916-9-5.

(f) Yes.

(g) In the original estimate Rs. 50 per mensem was allowed as hutting charges. The rent actually paid was Rs. 30 per mensem.

(h) to (m) Inquiries are being made.

MOUNTED PUNITIVE POLICE POST AT VILLAGES MAKHI KHURD
AND MAKHI KALAN.

***6017. Sardar Jawahar Singh Dhillon :** Will the Honourable Finance Member be pleased to state—

(a) whether any mounted punitive police post was quartered in villages Makhi Khurd and Makhi Kalan, tahsil Kasur, district Lahore, between 1922 and 1925 ;

(b) if so, whether the inhabitants of these villages were taxed to meet the costs of the police post including the purchasing prices of the horses and other materials necessary for the mounted force ;

(c) whether it is a fact that after the removal of the police post the horses and mares and other articles purchased for the police were auctioned and the money deposited in the Government treasury ;

(d) if the answer to (c) be in the affirmative, the amount obtained by this auction ;

(e) whether it is a fact that the inhabitants of these villages submitted an application to the Honourable Finance Member, in May, 1936, which was received by him on 13th May, 1936, in which they claimed a refund of the amount deposited in the Government treasury realized on account of the sale of the horses and mares mentioned in (b) ;

(f) if the answer to (e) be in the affirmative, what decision has been arrived at by the Government in this connection ;

(g) whether the Government intends to refund the money demanded by the applicants ; if not, why not ?

The Honourable Sir Donald Boyd : (a), (b) and (c) Yes.

(d) Rs. 448-14-0.

(e) Yes.

(f) and (g) The matter is under the consideration of Government.

JARANWALA MUNICIPAL COMMITTEE, AND MR. JANJI LAL.

***6018. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

(i) (a) whether it is a fact that Sardar Sant Singh, Extra Assistant Commissioner (in charge local bodies) inspected the Jaranwala Municipal Committee office in 1983 and made very serious allegations against the secretary of the said committee (Mr. Janji Lal) ;

(b) whether this report was presented for action to the municipal committee ;

(c) if not, who was responsible for suppressing the report ;

(ii) (a) whether it is a fact that Dewan Brahm Nath, Extra Assistant Commissioner, inspected this committee in 1984 and he remarked that no action had been taken by the committee on the inspection report for the year 1983 ;

(b) whether the deputy commissioner has taken any action against the committee or its secretary for suppressing such important documents up to this time ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the reply to the question is not ready.

ADDRESS OF WELCOME TO PRESIDENT, INDIAN NATIONAL CONGRESS
BY JARANWALA MUNICIPAL COMMITTEE.

***6019. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Jaranwala Municipal Committee passed a resolution in April, 1985, for presenting an address of welcome to the President, Indian National Congress, and that the deputy commissioner suspended that resolution ?

The Honourable Dr. Sir Gokul Chand Narang : Yes.

INSPECTION OF JARANWALA MUNICIPAL COMMITTEE BY THE
DEPUTY COMMISSIONER.

***6020. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that the Deputy Commissioner Mr. A. A. Macdonald, M.A., I.C.S., paid a surprise visit to the Jaranwala Municipal Committee in May, 1985 ;

(b) whether the deputy commissioner has sent his inspection note to the committee up to this time (September, 1986) ?

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

(b) No.

CHARGES AGAINST PRESIDENT, JARANWALA MUNICIPALITY.

***6021. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the deputy commissioner (Mr. A. A. Macdonald) moved the local Government for the removal of the President of the Jaranwala Municipal Committee (S. Arjan Singh) without first obtaining any explanation from the said president ;
- (b) whether it is a fact that under instructions from the local Government the deputy commissioner framed thirteen charges against the president and expressed his opinion without hearing the president as to why he be not removed ;
- (c) whether it is a fact that the explanation of the president on these thirteen charges having been found satisfactory and corroborated by the records, a new charge regarding the loss of grit was framed at the instigation of the secretary (Mr. Janji Lal) ;
- (d) whether it is a fact that the committee had sanctioned the contract for the supply of 1,700 c.ft. grit in favour of Messrs. Bagga Singh Sohan Singh in August, 1934, and the committee had passed a resolution that the contractors be asked to execute the agreement ;
- (e) whether it is a fact that the Secretary, Mr. Janji Lal, wilfully neglected to ask the contractors to execute the agreement, did not even inform the contractors, and did not ask them to deposit the necessary earnest money ;
- (f) whether it is a fact that Messrs. Bagga Singh Sohan Singh had failed to supply the stone metal, the contract of which was already with them ;
- (g) whether it is a fact that fresh tenders for the supply of 4,500 c.ft. of grit were invited in February, 1935, and the tenders were opened in the presence of the vice-president (Lala Pindi Dass) ;
- (h) whether it is a fact that the committee gave the contract for the supply of this grit to one contractor ;
- (i) whether it is a fact that a bill for a running payment for the supply of this grit was prepared by the committee's sub-overseer and was verified by M. Tafazzal Husain, member in charge of works ;
- (j) whether it is a fact that bill for the final payment for this work was again prepared by the committee's sub-overseer and again recommended for payment by M. Tafazzal Husain ;
- (k) whether it is a fact that this final payment was passed by the committee in its general meeting ;
- (l) whether it is a fact that on the arrival of this grit the committee's sub-overseer reported that proper arrangements may be made for the safety thereof ;

- (m) whether it is a fact that the president ordered the stacking of the grit near the terminal-tax barriers and ordered all the tax moharrirs to be personally responsible for its safety ;
- (n) whether it is a fact that the deputy commissioner (Mr. A. A. Macdonald) at the instigation of the Secretary, Mr. Janji Lal, deputed Rai Sahib Lala Nathu Ram, Extra Assistant Commissioner for the measurement of the stacks of grit and the said officer measured only one stack and then reported the measurement of the whole supply of grit based on this measurement ;
- (o) whether it is a fact that the president (S. Arjan Singh) appointed three members for the measuring of all the stacks and their reports differed with that of the deputy commissioner based on the report of Rai Sahib Lala Nathu Ram ;
- (p) whether it is a fact that M. Tafazzal Husain, member, made a report regarding the loss of the grit and he sent a copy of the same to the deputy commissioner (Mr. A. A. Macdonald) ;
- (q) whether it is a fact that the president asked this member to produce evidence for the loss of the grit and he (M. Tafazzal Husain) said that he was not prepared to do so ;
- (r) whether it is a fact that president (S. Arjan Singh) requested the deputy commissioner (Mr. A. A. Macdonald) to ask the member (M. Tafazzal Husain) to supply the necessary evidence ;
- (s) whether it is a fact that the committee passed a resolution to the effect that the deputy commissioner be informed of the reported loss of grit and that the papers be laid again before the general meeting after the receipt of a reply from the deputy commissioner ;
- (t) whether it is a fact that the deputy commissioner has not replied so far ?

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

- (b) No. The charges were framed by the local Government.
- (c) No.
- (d) Yes.
- (e) No. An agreement was executed and security taken.
- (f) Yes. They failed to supply a small quantity out of the quantity tendered for.
- (g) Yes.
- (h) No. It was given by the president.
- (i) to (l) Yes.
- (m) Yes, but not on all stacks.
- (n) No. It was on the information of two members that Rai Sahib Lala Nathu Ram was deputed for the purpose by the deputy commissioner.
- (o) Yes, but the quantity found less by members practically tallied with quantity found short by Rai Sahib Lala Nathu Ram.

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(p) No report is reported to have been received in the office of the deputy commissioner.

(q) Yes.

(r) Yes.

(s) Yes.

(t) No reference is reported to have been received in the office of the deputy commissioner for reply.

MR. JANJI LAL, SECRETARY, JARANWALA MUNICIPAL COMMITTEE.

***6022. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Jaranwala municipal committee in its resolution No. 93 passed in its general meeting held on the 18th November, 1935, authorised the president (S. Arjan Singh) to take necessary steps against the secretary (Mr. Janji Lal) regarding his various irregularities and mis-appropriations and that the president suspended the secretary and that he refused to obey the orders of the president till the proceedings were confirmed by the deputy commissioner ;
- (b) whether it is a fact that the committee suspended this secretary twice and on both the occasions the deputy commissioner (Mr. Macdonald) intervened and reinstated him ;
- (c) whether it is a fact that the committee made thirty-three allegations against the secretary—Mr. Janji Lal—and according to some of these charges he owed hundreds of rupees to the committee and had been responsible for a considerable loss of income to the committee ;
- (d) whether it is a fact that the secretary admitted that he owed the money to the committee and that he was prepared to pay it ;
- (e) whether it is a fact that the committee forwarded the president's report and the secretary's defence to the deputy commissioner for final decision and that the deputy commissioner (Mr. A. A. Macdonald) has taken no action on the same till now (September, 1936)?

The Honourable Dr. Sir Gokul Chand Narang : It is regretted that the answer to the question is not ready.

M. TAFAZZAL HUSAIN AND JARANWALA MUNICIPALITY.

***6023. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that in February, 1936, M. Tafazzal Husain accepted the chair in the Jaranwala Municipal Committee in the presence of the vice-president (the president being absent) and refused to vacate it when asked by the vice-president of the said Municipal Committee, and that the deputy commissioner took no notice of it ?

The Honourable Dr. Sir Gokul Chand Narang : The inquiries made by the Deputy Commissioner, Lyallpur, show that the allegation made is incorrect.

Sardar Jawahar Singh Dhillon : Will the Honourable Minister please say what are the true facts of the case, if the facts given by me are untrue ?

The Honourable Dr. Sir Gokul Chand Narang : The honourable member will please give notice of the question.

MR. PINDI DAS AND MR. SANT RAM OF THE JARANWALA
MUNICIPAL COMMITTEE.

***6024. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Deputy Commissioner (Mr. A. A. Macdonald), Lyallpur, has called upon two members, (1) Mr. Pindi Das, (2) Mr. Sant Ram of the Jaranwala Municipal Committee to show cause why their names may not be recommended to the local Government for removal from the Municipal Committee ?

The Honourable Dr. Sir Gokul Chand Narang : Yes.

RENEWAL OF A LICENCE FOR A GUN HELD BY SARDAR ARJAN SINGH,
PRESIDENT, JARANWALA MUNICIPAL COMMITTEE.

***6025. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue please state whether it is a fact that the Deputy Commissioner (Mr. A. A. Macdonald) has refused to renew the licence for a gun held by S. Arjan Singh, President, Jaranwala Municipal Committee, and that he passed such orders in May, 1936, though the application of the renewal was made in December, 1935, in spite of the fact that S. Arjan Singh pays Rs. 700 as income-tax to the Government and that he had held that licence for the past several years ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Government have not verified the amount of income-tax paid. The application was made in January, not in December. The applicant had been removed from his position on the Jaranwala Municipal Committee shortly before the District Magistrate passed his orders. Subject to these qualifications the answer is in the affirmative.

Sardar Jawahar Singh Dhillon : Is it not a fact that the grant of licence was refused because of the removal of the applicant from the post of President ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I am sure it has got no connection.

SARDAR ARJAN SINGH, PRESIDENT, JARANWALA MUNICIPALITY.

***6026. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Deputy Commissioner (Mr. A. A. Macdonald) has caused Rs. 251 to be withheld from the payment—

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due to Sardar Arjan Singh, President, Jaranwala Municipal Committee, from the Public Works Department, even before his own decision regarding the loss of grit belonging to the Committee ;

- (b) whether it is a fact that Sardar Arjan Singh has been deprived of his right to consult municipal records regarding the recovery of this sum of Rs. 251 ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes, but the Deputy Commissioner has since asked the Executive Engineer to pay up the amount withheld.

(b) No.

Sardar Jawahar Singh Dhillon : Is the Honourable Minister prepared to institute an enquiry into this matter ?

The Honourable Dr. Sir Gokul Chand Narang : I shall be glad to institute an enquiry if a definite statement is made to me pointing out the facts on which the enquiry should be made.

Sardar Jawahar Singh Dhillon : Does not the Honourable Minister consider that the present record shows sufficient proof to institute an enquiry of the kind ?

The Honourable Dr. Sir Gokul Chand Narang : If the honourable member means that this question itself should be sufficient to institute an enquiry, perhaps I would hesitate. But if he really wants an enquiry to be made, he should not hesitate to supply more information.

LOSS OF GRIT FROM DISTRICT BOARD, JARANWALA.

***6027. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether there has been any loss of grit from the District Board Jaranwala-Chak Jhumra road ;
(b) who has been held liable for this loss ?

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

(b) Gulzar Husain, sub-overseer.

PRINTING OF PAPER BOOKS IN THE HIGH COURT AND PRINTING FEES.

***6028. Rai Bahadur Lala Sewak Ram :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that in the High Court of Judicature at Lahore, paper books are printed in the regular second appeals heard by the Division Bench ;
(b) if the answer to (a) be in the affirmative, whether the estimates for printing the paper books are prepared by the office and are to be paid for by the appellant ;
(c) whether the High Court refunds the balance of the unspent printing fee, if any ;

(d) whether it is a fact that only that part of the printing fee is allowed as cost which is spent on printing the paper books by the High Court ;

(e) if the answer to part (c) is in the negative whether the Government intends moving the High Court to refund the unspent printing fee to the party depositing the same ?

The Honourable Sir Donald Boyd : (a) Yes, unless otherwise ordered by the motion bench or the judge admitting the appeal.

(b) The rule will be found in paragraph 5 of Chapter 2-B of the High Court Rules and Orders (Volume V). In the majority of cases the fee for printing the paper book is calculated *ad valorem* on the value of the suit.

(c) The fee being of an *ad valorem* character, rather than one calculated on the actual cost of the printing, no question of a refund arises.

(d) No.

(e) Government see no need for any action.

CONCESSIONS FOR MANDI RENALA KHURD.

***6029. Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member please state whether he has received any representation from the shopkeepers of Renala Khurd, district Montgomery, asking for certain concessions in connection with a new mandi there; if so, what action has been taken thereon ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Yes, the matter is still under consideration.

Rai Bahadur Lala Sewak Ram : Will the Honourable Revenue Member please state if an assurance was given to the shop-keepers of Renala Khurd that when the new *mandi* is established their case will be considered favourably ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : I am afraid I cannot say offhand.

STUDENTS STRIKE IN MOTI RAM ARYA HIGH SCHOOL, CHUHAR MUNDA.

***6030. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education please state—

(a) whether his attention has been drawn to the fact that the students of the tenth class, Moti Ram Arya High School, at village Chuhar Munda, district Sialkot, went on strike from 7th to 12th September, 1936 ;

(b) if the answer to (a) above be in the affirmative, the reasons for the strike ;

(c) whether this strike was reported to the Inspector of Schools, Lahore division, Director of Public Instruction, Punjab, and the Honourable Minister for Education ;

(d) whether any action was taken by the Inspector of Schools, Lahore division ; if so, what ;

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(e) whether the school receives any grant-in-aid from the Education Department ; if so, the amount per annum ;

(f) if the answer to (d) be in the negative, the reasons therefor ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The Inspector of Schools, Lahore division, after enquiry, reports that almost all students of the tenth class absented themselves from the 5th to the 9th September, 1936.

(b) It is reported that the students had grievances against a teacher.

(c) No.

(d) No.

(e) No.

(f) Does not arise, see (c).

REMODELLING OF OUTLET NO. 1 RAWNTA CANAL DISTRIBUTARY, BHATINDA DIVISION.

***6031. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

(a) whether any application of co-sharers was accepted by the superintending engineer for remodelling their outlet No. 1 to be shifted from 1,850 R. D. to 2,850 R. D., Rawanta canal distributary, Shahna sub-division, Bhatinda division ;

(b) whether it is a fact that Tharaj, zilladar, gave an assurance to the co-sharers of the outlet referred to in (a) above that remodelling shall not take place and that the co-sharers should give an agreement to pay the cost of remodelling and whether the agreement was executed on a stamped paper ;

(c) whether it is a fact that all the outlets on Rawanta distributary were remodelled in March, 1936 ;

(d) whether the outlet referred to in (a) above was remodelled or shifted free of cost just as all the outlets referred to in (c) above ; if not, why not ;

(e) whether Government intends to consider the question of remodelling the outlet referred to in (a) above free of cost to redress the just grievances of the co-sharers of that outlet ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : It is regretted that the answer to this question is not yet ready.

WORKMEN AND SUPERVISING STAFF IN GOVERNMENT PRESS.

***6032. Mr. Nanak Chand Pandit :** Will the Honourable Revenue Member be pleased to state—

(a) the number of workmen employed in the Government Press, communitywise ;

(b) the number of the supervising staff in the Government Press, communitywise ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : A statement showing the number of workmen and the supervising staff, communitywise in the Government Press is laid on the table.

(a) *Workmen—*

1. Europeans, Anglo-Indians, Christians	..	..	..	14
2. Muslims	..	..	..	352
3. Hindus	..	..	..	138
4. Sikhs	..	..	..	19
5. Others	..	..	..	6
Total				529

(b) *Supervising staff—*

	Europeans.	Muslims.	Hindus.	Sikhs.
Superintendent	1	..	..	..
Deputy Superintendent	..	1	..	..
Manager, Book Depôt	..	..	1	..
Store-keepers and assistants	..	1	3	..
Head Reader	1	..	..	..
General Foreman	..	1	..	..
Assistant General Foreman	..	..	..	1
Section-holders	..	5	..	..
Assistant Section-holders	..	5	1	..
Press Jamadar	..	1	..	..
Assistant Press Jamadar	..	1	..	..
Bindery Jamadar	..	1	..	..
Head Computer	..	1	..	..
Total	2	17	5	1

ASSOCIATION OF WORKMEN, GOVERNMENT PRESS.

*6033. **Mr. Nanak Chand Pandit :** Will the Honourable Revenue Member be pleased to state—

(a) whether Government is aware that there is a union of the workmen in the Punjab Government Press ; if so, whether it has been recognized by the Government or not ;

(b) the total number of its members, communitywise ;

(c) whether Government is aware that the Hindu workmen of the Government Press have started their own association and whether this association is recognized ;

(d) whether Government intends to recognize both the associations ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Yes. The union has not been recognised by Government.

(b) 270. Information regarding the distribution of this number communitywise is not available.

(c) Yes. The union has not been recognised by Government.

(d) No.

BHAKRA DAM SCHEME.

***6034. Mr. Nanak Chand Pandit :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the Government has prepared an estimate of the amount of money which the Bhakra Dam Scheme will cost ;
- (b) whether the Government is aware that the zamindars of the Hoshiarpur, Hissar, and Rohtak districts are vitally interested in this scheme ;
- (c) whether the Government is aware that there have been continuous famines in these districts, especially in the Hissar district ;
- (d) whether Government intends to take in hand this scheme ; if so, when ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) A project estimate has been prepared.

- (b) Yes.
- (c) The extent of the famine conditions in the districts mentioned is known to Government.
- (d) Government will be prepared to consider the commencement of the scheme, if and when a satisfactory agreement with the owners of the land required for the reservoir and with other interested parties has been arrived at.

BRIDGE OVER THE SWAN (A HILL STREAM) NEAR UNA.

***6035. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the total length of the Swan (hill torrent stream) which runs in the Una tahsil and its breadth near the town of Una ;
- (b) whether the Government is aware that every year a large number of people and cattle get drowned in the Swan ;
- (c) the total number of deaths that took place last year due to drowning in the Swan ;
- (d) whether Government has considered the scheme of constructing a bridge near Una for crossing the Swan ; if so, when ; if not, why not ;
- (e) what is the estimate of the cost for a bridge over the Swan ;
- (f) what steps Government intends to take to prevent the loss of life—whether of human beings or of cattle by drowning in the Swan ?

The Honourable Sardar Sir Jogendra Singh : (a) The length of the Swan in the Una tahsil is about 42 miles and its breadth near Una is 1·84 mile.

- (b) A certain number of casualties occur each year.
- (c) Information regarding deaths last year due to drowning is not available but it is understood that some casualties occurred.
- (d) No proposals to bridge the Swan have been considered in the past owing to paucity of funds.
- (e) No estimate has been prepared but it is certain that the cost would be very high. The crossing is situated on a road maintained by the District Board and not the Public Works Department.

(f) Unless funds are forthcoming the construction of a suitable crossing is out of the question. It is proposed to draw the attention of the District Board to the desirability of giving warnings of approaching floods.

BRIDGE OVER THE SUTLEJ NEAR GUZAR NANGAL, UNA TAHSIL.

***6036. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Sutlej river divides the Una tahsil into two parts near Guzar Nangal ;
- (b) whether it is a fact that deaths due to drowning take place in the river Sutlej when the people cross the river from one part of the Una tahsil to the other ;
- (c) whether the Government intends building a bridge for the comfort and protection of the people of Una ?

The Honourable Sardar Sir Jogendra Singh : (a) The Sutlej runs along the south east part of the tahsil and passes near Guzar Nangal.

(b) Yes, it is understood that due to people not using the ferries at Guzar Nangal and Brampur which are within a mile of Guzar Nangal village, there have been certain cases of drowning during the recent rains .

(c) Not at present.

Mr. Nanak Chand Pandit : Will the Government make an enquiry as to the number of deaths which take place both in the Swan and in the Sutlej ? I want definite information.

The Honourable Sardar Sir Jogendra Singh : Government require notice of that question.

METALLED ROAD FROM LAHORE TO KULU.

***6037. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the length of the road from Lahore to Kulu via Pathankot ;
- (b) the length of the road from Lahore to Kulu via Gagret (district Hoshiarpur) ;
- (c) whether the Government intends having a metalled road from Lahore to Kulu via Gagret (Hoshiarpur) ?

The Honourable Sardar Sir Jogendra Singh : (a) 277 miles.

(b) 800 miles.

(c) No. It is not included in the programme.

ELECTRICITY FROM MANDI HYDRO ELECTRIC SCHEME FOR PUMPING WATER.

***6038. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the 87 persons who were supplied electricity for pumping water from the Mandi Hydro-Electric Scheme as mentioned in the review of the administration report of the

[S. S. S. Gurbachan Singh.]

Punjab Public Works Department, Electricity Branch, for the year 1935-36, published in the *Government Gazette*, dated Lahore, Friday, October 2, 1936 ;

- (b) the names of places to which these 87 persons mentioned in (a) belong, with the nearest post office, police station, tahsil and district ;
- (c) the number of kilowatts for which each person applied ;
- (d) the number of units consumed by each person per month ;
- (e) the rate charged per unit ;
- (f) the dates on which each person was actually supplied electricity ;
- (g) the dates on which the applications were received ;
- (h) whether the department has collected data about the working expenses of these 87 pumping plants ; if so, whether he will lay it on the table ; if not, whether he will have the data collected and supplied to the members of the House ?

The Honourable Dr. Sir Gokul Chand Narang : (a), (b) and (c) A statement is laid on the table.

(d) to (h) Information is being collected from the various sub-divisions.

Statement.

Serial No.	Name.	Connected load in kW.	REMARKS.
1	Ohaudhri Muhammad Munim Siddiqi, Batala	1.3	
2	Rai Bhawani Singh Bhandari, Batala	.75	
3	M. Khuda Bakhsh, Umapore Road, Batala.	5.625	
4	Secretary, Municipal Committee, Lyallpur	{ 4.275 4.476 }	8.751.
5	Lala Bhagat Ram Channa, Rail Bazar, Lyallpur	1.850	
6	Bhai Piar Singh-Jawahar Singh, Montgomery Bazar, Lyallpur.	2.070	
7	Malik Ram Narinjan Das, Jhang Bazar, Lyallpur.	2.310	
8	Rai Sahib Bhola Ram and Sons, Lyallpur	.75	
9	North-Western Railway, Lyallpur	8.75	
10	Seth Ram Narain, Lyallpur	1.5	
11	Mr. Babu Lal, Advocate, Ferozepore	3.75	
12	Messrs Ganda Ram Munshi Ram, Ferozepore	3.75	

Serial No.	Name.	Connected load in kW.	REMARKS.
13	Secretary, District Board, Ferozepore	5.5	
14	Secretary, District Sports Association, Ferozepore.	2.25	
15	L. Kanahi Ram, Advocate, Ferozepore	5.5	
16	Secretary, Municipal Committee, Ferozepore..	2.25	
17	L. Kanahi Ram, Government Pensioner, Ferozepore.	5.5	
18	S. Dhian Singh, Vakil, Ferozepore	3.75	
19	Secretary, Municipal Committee, Nankana Sahib.	3.75 1.56	=5.31.
20	Manager, Gurdwara Parbandhak Committee, Nankana Sahib.	7.46 11.25	
21	North-Western Railway, Nankana Sahib	6.0	
22	L. Kanahi Ram, Kasur	388	
23	M. Ghulam Mohy-ud-Din, Phillaur	2.43	
24	Messrs. Amar Singh and Sons, Goraya	1.5	
25	Messrs. Behari Lal Jagan Nath, Ludhiana	2.25	
26	Deputy Director of Agriculture, Ludhiana	2.25	
27	Messrs. J. N. Bansal Lal Talwar, Ludhiana	7.46	
28	Sardar Gurdial Singh, Ludhiana	3.5	
29	Secretary, District Board, Ludhiana	4.5	
30	Principal, Christian High School, Ludhiana.	2.25	
31	Secretary, Municipal Committee, Jaranwala	7.25 15.0	=22.25.
32	Principal, Mission School, Chuharkana	2.25	
33	Manager, Gurdwara Parbandhak Committee, Chuharkana.	7.46	
34	S. Bishan Singh, Lambardar, Tarn Taran	5.625	
35	Khan Sahib Heera Khan, Tarn Taran	3.75	
36	Manager, Khalsa High School, Tarn Taran.	.75	
37	Manager, Gurdwara Parbandhak Committee, Siri Darbar Sahib, Tarn Taran.	2.75	
Total		153.856	
or say		154 kW.	

MANDI HYDRO-ELECTRIC SCHEME AND INDUSTRY.

***6039. Sardar Sahib Sardar Gurbachan Singh :** With reference to the statement mentioned in the review of the administration report of the Punjab Public Works Department, Electricity Branch, for the year 1935-36, to the effect that the Mandi Hydro-Electric Scheme was undertaken with a view to develop industry in the province, will the Honourable Minister for Local Self-Government please state whether this view was expressed before or after the scheme was sanctioned by the Legislative Council ?

The Honourable Dr. Sir Gokul Chand Narang : The statement made in the Administration Report was that the whole scheme was undertaken very largely with a view to developing industry as distinguished from agriculture. It would perhaps be more correct to say that the scheme depended for its acceptance on financial grounds on the support anticipated from industrialists and mill-owners in the early stages. This was the view taken in Part I of the General Report on the project issued in 1924 where it was distinctly stated that the scheme depended upon the support of the industrial community. The relative merits of this scheme and the Madhopur scheme were discussed in this House in 1925. Colonel Battye then remarked "The Mandi Project is based for its inception on the industrial market because that is the only one at present that we can assure". He went on to say that he anticipated that not immediately but 30 or 40 years later electric power would be more important to the agricultural community than to the towns. The scheme was never actually referred to the Legislature for approval at a specific estimated figure. The result of the debate of 1925 was treated as approval of the scheme. Later, in 1928, in reply to a Council question, it was stated that no arrangements for the distribution of current in the villages for agricultural purposes had been provided for in stage I of the project. It is clear, therefore, that the scheme was undertaken very largely to develop industry in the province, but neither before nor after the scheme was actually taken up was there any intention on the part of Government to neglect the claims of the agricultural community. For obvious reasons the industrial load, as the most profitable and the most readily available, has had to come first. If it is eventually decided to take the scheme on beyond the first stage, there is every expectation that the share in the benefits which will accrue to the agricultural community will become progressively larger.

Sardar Sahib Sardar Gurbachan Singh : Will the Honourable Minister let the House know the approximate percentages at present given for industrial and for agricultural purposes ?

The Honourable Dr. Sir Gokul Chand Narang : Both are really comparatively negligible. Most of the current is being consumed for domestic purposes at present.

The North-Western Railway are the biggest consumers absorbing about 5000 kw. The Lyallpur Spinning Mills absorb about 1000 kw. The rest is very small both in the case of industry and in the case of agriculture.

Shaikh Muhammad Sadiq : Is it because the price in the case of industry and agriculture is too high as compared with other countries ?

The Honourable Dr. Sir Gokul Chand Narang : That may be one of the reasons ; but probably only one.

Shaikh Muhammad Sadiq : What is the price charged in Italy and Germany for hydro-electric current ?

The Honourable Dr. Sir Gokul Chand Narang : I shall be delighted to answer this question if notice is given.

PUMPING WATER FROM SUB-SOIL BY ELECTRICITY.

***6040. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the three places which the Government has selected in Gurdaspur district between Dhariwal and Qadian for pumping water from sub-soil by electricity as mentioned in the administration report, Public Works Department, Electricity Branch, for the year 1935-36 ;
- (b) whether the work of boring has been taken in hand at all the three places or at any one particular place ;
- (c) whether the Government is doing the boring or contract has been given to any private firm or firms ;
- (d) the name of the firm or firms if the contract has been given to private firm or firms ;
- (e) whether the Government will sell water from these pumping plants to private owners of land and to those who have acquired land for agricultural farms ; if so, at what rate ;
- (f) the area which each pumping plant can command in the case of Government farms ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The final selection of the sites for the three proposed tube-wells will be made shortly.

- (b) No.
- (c) Government will do the boring.
- (d) Does not arise.
- (e) (i) Government will sell water to all those who pay for it and take delivery of it at the well concerned.
(ii) Rates have not yet been worked out. This can only be done when the actual cost of the wells is known.
- (f) Probably between 200 and 300 acres.

CONTRIBUTORY PROVIDENT FUND.

***6041. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the contribution made by the Government towards the contributory provident fund for the officers of the departments under his control ;

[L. Jyoti Prasad.]

- (b) the rate of interest allowed on this fund during the last financial year ;
- (c) whether it is a fact that the employees of the local bodies who subscribe to the contributory provident fund are allowed an interest at a rate not exceeding the savings bank rate ;
- (d) whether it is a fact that the local bodies have invested their funds in approved securities earning an interest at a higher rate than the rate allowed to the employees ;
- (e) whether the Government intends to advise the local bodies to allow their employees such rate of profit, as is earned by those bodies on the investment of this fund ?

The Honourable Dr. Sir Gokul Chand Narang : (a) A contribution of 6½ per cent. of the subscriber's emoluments is made by Government towards the contributory provident fund of the officers of the Government departments under the control of Honourable Minister for Local Self-Government subject to the exceptions contained in Punjab Government notification No. 28256-F/G., dated the 10th August, 1934, a copy of which is laid on the table.

(b) The rate of interest allowed on this contributory provident fund during the last financial year was 5 per cent.

(c) Yes, but the attention of the honourable member is invited to rule XVI-8 of the Municipal Account Code, 1930, a copy of which is laid on the table.

(d) Yes. Some local bodies have, with the sanction of competent authority, invested their funds in approved securities at a higher rate of interest than the rate allowed to their employees.

(e) In view of the reply to part (c) Government does not consider it necessary to take any action.

FINANCE DEPARTMENT.

GENERAL.

The 10th August, 1934.

No. 23256.—With reference to rule 10 (2) of the Punjab Contributory Provident Fund rules published with Punjab Government, Finance Department Notification No. 18992, dated the 13th July, 1933, the Governor in Council acting with his Ministers is pleased to declare that the contribution to be paid by Government to the account of a subscriber admitted to the said fund shall, with the exceptions noted below, be fixed at 6½ per cent. (1/16th) of the subscriber's emoluments :—

*Exception (1).—*In the case of Government servants admitted on 1st August, 1933, who prior to that date subscribed to a special contributory provident fund under rules or orders previously in force the rate of Government contribution shall be the rate prescribed under the previous rules or orders :

Provided that where the rate prescribed under the previous rules or orders has been expressed as a fixed percentage of the subscribers' subscription it shall be re-calculated so as to express a percentage of the subscriber's emoluments.

*Exception (2).—*In the case of Government servants admitted on or after 1st August, 1933, who belong to a class which, but for the institution of the Punjab Contributory Provident Fund would have been eligible to subscribe to a special Contributory Provident Fund under rules or orders previously in force, the rate of Government contribution shall be that prescribed in exception (1) unless a different rate is for any reason in any particular case prescribed under the Punjab Contributory Provident Fund Rules.

A. D. GRINDAL,

*Offg. Secretary to Government, Punjab,
Finance Department.*

JOGENDRA SINGH,

Minister for Agriculture.

FIROZ KHAN NOON,

Minister for Education.

GOKUL CHAND NARANG,

Minister for Local Self-Government.

Copy of rule XVI.8 of the Municipal Account Code, 1930.

XVI.8. (1) With the previous sanction of the Commissioner a committee may from time to time withdraw any sum from the provident fund account with the Savings Bank and may invest or place such sum subject to the conditions and restrictions applicable to the investment or placement of a portion of the municipal fund under sub-section (1) of section 55 of the Act.

(2) The interest obtained by the investment or placement of any sum under the provisions of sub-rule (1) shall be deposited in the Savings Bank to credit of the account of the municipal provident fund; provided that if such interest is larger than the amount of the interest which would have accrued had such sum remained in the Savings Bank—

- (a) the difference between the interest so obtained and the interest that would so have accrued shall be credited to the municipal fund under the head 1—General Departments—A.—General, (vi)—Miscellaneous Unclassified Receipts; or
- (b) the whole or part of the difference between the interest so obtained and the interest that would so have accrued may, with the previous sanction of Government, be credited to the accounts of subscribers in the case of specified committees, subject to the following conditions:—

CONDITIONS.

1. The committee shall establish a Provident Fund Investments Depreciation Fund, hereinafter in these conditions referred to as "the fund" which shall be deposited in the Post Office Savings Bank or in the Imperial Bank of India Savings Bank under the general account of the General Provident Fund Account.

2. There shall be credited to the fund immediately on accrual—

- (a) all interest accruing on the amount of the fund from time to time; and
- (b) half of the difference between the interest obtained by the investment on placement of any sum under the provisions of sub-rule (1) of rule XVI.8 of the Municipal Account Code, 1930, and the amount of the interest which would have accrued had such sum remained in the Savings Bank; provided that if such difference exceeds 2 per cent. per annum on the sum invested, the amount to be credited to the fund shall be limited to a sum equal to 1 per cent. per annum on the sum invested.

3. After deducting from the interest obtained by the committee on any sum invested or placed under the provisions of sub-rule (1) of rule XVI.8 of the Municipal Account Code the amount referred to in condition 2 (b) above, the remainder of the said interest shall be deposited in the Savings Bank to the credit of the Municipal Provident Fund.

4. At the end of each year immediately after the account of each subscriber has been credited with interest in accordance with the provisions of sub-rule (2) of rule XVI.8 of the Municipal Account Code, the Secretary of the committee shall lay before the committee a statement showing—

- (a) the total amount of interest accrued to the Municipal Provident Fund Savings Bank account during the year just closed either earned in the Savings Bank itself or credited thereto in accordance with the provisions of condition 3 above, or carried forward from the previous year in accordance with the provisions of clause (3) of condition 5;

[Hon. Dr. Sir Gokul Chand Narang.]

- (b) the total amount of interest credited to subscriber's account under the provisions of sub-rule (2) of rule XVI-5; and
- (c) the balance of interest accrued and not so far credited to subscribers account.
5. (1) On receipt of the statement referred to in condition 4 the committee may decide that the whole or any portion of the balance referred to in clause (c) of condition 4 shall be credited to the accounts of subscribers as a bonus.
- (2) That amount of the bonus sanctioned by the committee shall be distributed over the accounts of all subscribers in the same ratio as the various sums of interest credited to the subscribers' account under sub-rule (2) of rule XVI-5 of the Municipal Account Code.
- (3) If the bonus sanctioned by the committee does not absorb the whole of the balance referred to in clause (c) of condition 4, the amount undistributed shall remain in the Municipal Provident Fund Savings Bank Account and shall at the close of the year be included in the sum referred to in clause (a) of condition 4.
6. At the close of five years after the institution of the fund and at regular intervals of five years thereafter the committee shall furnish to the Commissioner for the scrutiny a statement in form P. F. showing the total amount of Provident Fund investments held by the committee, and a statement showing the total amount at the credit of the fund.
7. If the Commissioner is satisfied at any quinquennial scrutiny that any of the investments held by the committee out of the Provident Fund have depreciated in value, he may direct that an amount not exceeding the amount of such depreciation shall be drawn by the committee from the fund and credited to the Provident Fund Savings Bank Account.
8. If the Commissioner is satisfied at any quinquennial scrutiny that the balance in the fund after the withdrawal, if any, of any sum in accordance with condition 7 is sufficient to cover any depreciation likely to occur during the next following period of five years in regard to any of the investments held by the committee as part of the Provident Fund, the Commissioner may direct that for the next five years the amounts to be deposited in the fund in accordance with clause (b) of condition 2 shall be reduced to such sum as he may prescribe, or shall be discontinued for such period not exceeding five years as he may direct.
9. If any reduction or discontinuance of the periodical payments into the fund has been ordered by the Commissioner under the provisions of condition 8, he may at any subsequent quinquennial scrutiny direct that the payments be restored to the original figure or to any proportion thereof as he may deem fit.
- (3) In cases in which the difference between the interest obtainable by the investment or placement of any sum under the provisions of sub-rule (1) and the interest that would have accrued had such sum remained in the Savings Bank, is to be credited to the municipal fund the cost of making any investment under the provisions of sub-rule (1) shall be paid from the municipal fund, and if, when any such investment is realized, the net price obtained after payment of brokerage and other incidental charges is less than the amount originally invested, the difference shall be made good from the municipal fund, and if such net price is greater than the amount originally invested, the difference shall be credited to the municipal fund.

MURDER OF DR. RAM GOPAL, V. A. S., NARNAUND.

*6042. **Lal Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that one Doctor Shiri Dutt, L. M. F., Railway Road, Rohtak, submitted a petition, dated 5th September, 1936, to the Inspector-General of Police, Punjab, the Deputy Inspector-General of Police, Eastern Range, the Chief Secretary to Government, Punjab, and the Deputy Commissioner, Hissar, in connection with the broad day light murder of his younger brother, Dr. Ram Gopal, V.A.S., Narnaund, in the Hissar district; if so, whether a copy of it will be laid on the table;
- (b) whether it is fact that there are serious allegations made against the Sub-Inspector, Police, Narnaund, in that petition;
- (c) what action, if any, has been taken on the representation;
- (d) if no action has been taken, the reasons for the same?

The Honourable Sir Donald Boyd : (a) Yes. (The name of the petitioner, the brother of the murdered man, was Pandit Nathu Ram, not Dr. Shri Dutt).

(b) Yes.

(c) The allegations were investigated by a gazetted officer of police, who found them to be without foundation.

(d) Does not arise.

WATER-TAX IN BHIWANI.

***6043. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state —

(a) whether it is a fact that a representation, dated Bhiwani, the 26th September, 1936, has been submitted to the Honourable Minister by the rate payers of Bhiwani (Hissar district) regarding the proposed water-tax in Bhiwani ;

(b) if so, whether a copy of it will be laid on the table ;

(c) whether it is a fact that the public of Bhiwani subscribed Rs. 2,75,000 for the waterworks scheme on the understanding that no water-tax would be levied on them ;

(d) what action, if any, has been taken on that representation ;

(e) if no action has been taken by the Government, the reasons for the same ?

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

(b) A copy is laid on the table.

(c) A sum of Rs. 2,45,900 was donated by the public for the Bhiwani Water Supply Scheme. There is nothing on the records of the Deputy Commissioner or the Municipal Committee to show that an understanding was given that water-tax would not be levied on the public.

(d) The representation is under the consideration of Government.

(e) Does not arise. I shall be grateful if the honourable member can place before me any evidence of the alleged understanding on this point. I do feel that when the public donated a large sum of Rs. 2,45,900, they deserve some concession. I would require evidence of that understanding.

From the Joint-Secretary, Rate-Payers Association, Bhiwani, to the Honourable Dr. Sir Gokul Chand Narang, Kt. M.A., Ph. D., Minister, Local Self-Government, Punjab, Camp Simla, dated Bhiwani, the 26th September, 1936.

The humble petition of the Rate Payers of Bhiwani, District Hissar.

MOST RESPECTFULLY SIGNED—

(1) That your honour's humble petitioners are the rate-payers of Bhiwani, of Hissar district.

(2) That in connection with the proposed water tax at Bhiwani, your honour's humble petitioners sent several petitions to your honour and to other authorities concerned, and in furtherance of these representations the Secretary of our Association waited upon your honour at Simla to have a personal interview.

[Hon. Dr. Sir Gokul Chand Narang.]

(3) That from the interview it is seen that certain facts have not been brought to your Honour's notice and the full.....details of the files are kept in the dark. Your honour's most humble petitioners submit as under:—

- (a) It will be evident from the history of the water works at Bhiwani, that in the year 1928, local officers made an appeal to the general public to subscribe liberally to the water works scheme, so that Government may be induced to give the grant for carrying out the projects. In response to this a representative committee known as "the Water Works Committee" was formed and through their efforts the public of Bhiwani very liberally subscribed a sum of Rs. 2,75,000 for this purpose. The Water Works Committee was given a distinct undertaking that no water tax will be levied. Over and above this a promise to irrigate a large area round about Bhiwani was also given. When the deputation of the Municipal Committee waited upon His Excellency, Sir Geoffrey deMontmorency, Governor of the Punjab at Bhiwani for a full grant, the whole financial position was discussed before him and the assurance levying no tax for the purpose was repeated by the local officials.
- (b) The Municipal Committee of Bhiwani with a view to meet the additional burden, revised their Octroi Schedule and raised the same by 50 per cent. all round in the year 1935 with a result that the income of the Committee increased sufficiently to meet the obligations.
- (c) All of a sudden in the year 1934 the Municipal Committee against their assurances started the water tax file. Some objections were filed but no heed was given to them. The matter went to and fro between the Deputy Commissioner's office and the Municipal Committee and finally the papers were sent up for notification and the tax was imposed by a resolution, dated 28th October, 1935.
- (d) As soon as the public came to know of this the matter was taken up and a requisition under section 25 (2) of the Punjab Municipal Act was sent by 11 members of the Municipal Committee out of 16 to reconsider this matter. The requisition speaks for itself (copy attached hereto). The members of the Bhiwani Municipal Committee themselves admit in this requisition that the financial position of the Committee is so sound and the income from the revised schedule of the Octroi duty is sufficient to meet the expenditure and the obligations of the water works scheme and therefore no further tax is necessary. The meeting held on 8th November, 1935, on this requisition passed unanimously that the imposition of water tax be held on for the present.
- (e) The official report, dated 27th September, 1935, of the accountant, Municipal Committee, when this proposal was before the Committee, says clearly, that the financial position is sound and that balance of the Committee has not at any time fallen below 1/10th the income, i.e., Rs. 20,000. This also further supports the view of the eleven members referred above. The Budget for the current year also supports the contention and there is a big balance after meeting all charges without including the income from this proposed water tax.
- (f) In spite of this resolution the matter was again taken up in an adjourned meeting on 21st January, 1936, attended only by 5 members out of 16 on a plea of a letter from the Deputy Commissioner, Hissar, without giving proper notice of the same in the regular agenda and there the former resolution of suspension of the water tax was cancelled.
- (g) In fact the whole procedure was very suspicious and the public was practically kept in the dark. On the Committee taking up the matter of rental valuation, the public came to know of this underhand taxation, and the public then started to place on record their protests by memorials and representations to your honour, His Excellency the Governor, the Commissioner, Ambala, and Deputy Commissioner, Hissar, and your honour's humble petitioners draw your kind attention to all these representations sent before.
- (h) Most of the members seeing the injustice done to the public and finding that the financial position did not require the imposition of this tax decided on 24th June 1936, to appoint a sub-committee to reconsider and report on the matter. This sub-committee at their meeting held on 18th July, 1936, unanimously passed that since the notification was out, with a view to get it cancelled the whole matter be first placed before the Deputy Commissioner and then action for postponing the levying of water tax for five years be taken up and three members were appointed to wait upon the Deputy Commissioner, Hissar, for this purpose. Copy attached hereto. No action was taken on the above resolution of the sub-committee and the matter is at present being bungled through, and the poor citizens

are being forced to pay this unjust and unnecessary tax. More than 2,000 objections have been filed protesting against the imposition of this tax and no heed is paid to these by the Municipal Committee. To the contrary all sorts of threats are being given to the public by Municipal authorities for their such action even so far that all such objectors will be heavily assessed.

4. That the Municipal Committee, Bhiwani's expenditure has ample scope for retrenchment and a lot of useless expenditure could be stopped. The management is far from satisfactory and if a proper check is exercised the prosperity of the Municipal Committee will still be on the better path. A careful scrutiny of the budgets and items of expenditure will clearly show this.

5. In conclusion therefore we most humbly pray that our former and this representation be given a careful consideration and orders for the cancellation of this unjust and unnecessary tax be passed. It will add both to the prestige and honour of Government and will encourage the Public to come forward to help all schemes of public benefit in the future.

NUMBER OF SEATS IN HISSAR MUNICIPALITY.

***6044. Lala Jyoti Prasad:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the question of raising the number of seats in the Hissar municipality was under the consideration of the Government;
- (b) whether it is a fact that this question has been dropped now; if so, the reasons therefor;
- (c) the population of Hissar and Hansi towns with their number of seats on the municipality of each town, respectively?

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

(b) The question has been decided; Government do not consider that there are sufficient reasons for increasing the number of members.

(c) The population of Hissar is 25,179 and that of Hansi 18,356. Each Municipality has 12 members. I may remark that ordinarily speaking we do not favour an increase in the number of members, as there are so many difficulties in revising the strength of the various communities. The safer course is to drop the question.

HISSAR JAIL.

***6045. Lala Jyoti Prasad:** Will the Honourable Finance Member be pleased to state whether there is a proposal to shift the Hissar jail to a place away from the town?

The Honourable Sir Donald Boyd: Yes, but neither a site nor funds are available at present, so it is impossible to say whether the proposal will ever take practical shape.

BHAKRA DAM SCHEME.

***6046. Lala Jyoti Prasad:** Will the Honourable Revenue Member be pleased to state as to what is being done in connection with the expediting of the Bhakra Dam Scheme?

The Honourable Captain Sardar Sir Sikander Hyat-Khan: Negotiations with the Bilaspur State for the land required for the reservoir are still in progress.

DRAIN ALONG THE LOWER JHELM CANAL IN THE SHAHPUR DISTRICT.

***6047. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Revenue Member please state—

- (a) whether any compensation has been given to the owners of land in the Shahpur district in whose areas the drain along the Lower Jhelum Canal has been constructed with the object of removing waterlogging ;
- (b) if the answer to (a) be in the negative, whether the Government proposes to give them compensation at all, and, if so, whether in cash or in the shape of land ;
- (c) whether it is a fact that on account of the alignment of this drain the land in some of the villages has not received any irrigation for the last two years ; if so, what steps the Government proposes to take to remove this complaint ;
- (d) whether it is a fact that for want of culverts over this drain, the zamindars in whose areas the drain passes are put to great inconvenience ; if so, what measures the Government proposes to take to remove this grievance ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : It is not clear to which drain the honourable member refers. In the absence of the name or adequate description of the position of the drain, it is regretted no reply can be furnished.

HAISIYAT TAX IN GUJRAT DISTRICT.

***6048. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether the Government or the local authorities have received any representations, petitions or complaints with respect to the method of assessment, amount of assessment, and difficulties in the matter of appeals arising from orders of assessment of the haisiyat tax in the Gujrat district ;
- (b) what action, if any, the Government has taken on these complaints and petitions ;
- (c) whether the Government is aware that the method of assessment adopted by the local authorities has caused great hardship and has aroused a great deal of resentment amongst the inhabitants of the Gujrat district ?

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

(b) Some of them were forwarded to the local officers for disposal, or report, if necessary.

(c) Government has reasons to believe that many people are dissatisfied with the assessment of haisiyat tax in the Gujrat district. The honourable member would be interested to know that the rules for the assessment of this tax were revised in November, 1935, and it is expected that as a result of the revision of these rules most of the complaints would disappear.

BENAMI TRANSACTIONS.

***6049. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to lay on the table a tahsilwise list of the *benami* transactions so far as ascertainable or ascertained, which have taken place during the last 10 years in the districts of Shahpur and Gujrat, and state the number of cases, tahsilwise, for both of these districts, for the last 10 years in which the mutations, having been rejected in the first instance by the revenue officers owing to the believed *benami* character of the transactions, were subsequently granted as a result of the decrees of civil courts?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : It is regretted that the information is not readily available, and its collection would mean an amount of work which the Government consider will be incommensurate with the result.

DECLARATION OF BHATIAS OF SARGODHA DISTRICT AS AGRICULTURISTS.

***6050. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is fact that Bhatias of the Bhalwal tahsil in the district of Sargodha have never as a class followed agricultural pursuits but do money-lending business ;
- (b) whether it is a fact that throughout the province the Bhatias are non-agriculturist Khattris ;
- (c) whether it is a fact that the Bhatias mentioned in (a) above some time ago brought a suit for a declaration that their tribe was a branch of the main notified agricultural tribes of Rajputs and that their suit was decreed ;
- (d) whether Government intends to file an appeal against the decision of the subordinate judge granting Bhatias the declaration sought for by them ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) The Bhatias are not agriculturists by profession and generally do money-lending.

- (b) Enquiries show that they are not agriculturists.
- (c) Certain Bhatias of the Shahpur district brought a civil suit which was decreed.
- (d) No.

INCREASE IN THE RATE OF MALIKANA.

***6051. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the rate of *malikana* has been increased from Re. 1-8-0 to Rs. 8-0-0 per acre in the Lyallpur district ;
- (b) if so, from which crop and for what reasons ;
- (c) whether this increase is in connection with the new settlement if so, why it has been applied from *rabi*, 1936 ;

[Mian Nurullah.]

(d) whether there is any scheme under consideration of the Government by which the rate of *malikana* will fluctuate with prices ;

(e) the percentage of *malikana* to land revenue previously and what it works out now ?

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

(b), (c), (d) and (e) Do not arise.

Khan Bahadur Malik Zaman Mehdi Khan : Has there been no alteration in the rate of *malikana* in Pirmahal ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : That is the position as I at present know. *Malikana* has, so far as I am aware, not been increased from Rs. 1-8-0 to Rs. 8 in the Lyallpur district.

Khan Bahadur Sardar Habib Ullah : Is it not a fact that during the last *rabi* season, the *malikana* has been charged at the rate of Rs.1-8-0 ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : In which area ?

Khan Bahadur Sardar Habib Ullah : In Lyallpur Pirmahal area.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Not, so far as I am aware.

Mian Nurullah : Is there any scheme under consideration of the Government by which the rate of *malikana* will fluctuate with prices ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Not to my knowledge.

COST OF PROPRIETARY RIGHTS.

***6052. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that each Bloch Chaudhri lambardar in the district of Lyallpur has to pay Rs. 400 per acre for getting the proprietary rights ;

(b) if so, when this sum was fixed, and what the general index number of prices was then as compared with the present index number ;

(c) the percentage fall in the price of wheat and cotton to-day as compared with the price of the year in which the rate referred to in (a) was fixed ;

(d) the year in which this rate was fixed and the price of wheat and cotton in that year ;

(e) whether the Government is aware that the rate of Rs. 400 per acre was fixed just after the war when the price of land was very high ;

(f) the average market price per acre in that year and the average-price of a square now ;

- (g) if the difference in the two prices mentioned in (f) is great, whether the Government intend to reduce the rate referred to in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) The grants consist of three squares or more to each lambardar and the price for purchase is as follows :—

- (i) Half square at Rs. 12-8-0 per acre.
- (ii) One square to be treated as lambaradari square on mule-breeding conditions and cannot be purchased.
- (iii) The balance can be purchased at the option of the grantee at Rs. 400 per acre.

(b) The grants were allotted in 1923. They are situated in the Jaranwala, Toba Tek Singh and Samundri tahsils. No price index number for these tahsils is available.

(c) and (d) As most of the grants are situated in the Samundri tahsil the prices taken from the Lal Kitab of that tahsil are as follows :—

	1923-24 per maund.	1935-36 per maund.	Percentage of all per maund.
	Rs.	Rs.	
Wheat ..	.. 3 18 4	2 7 0	86
Cotton American ..	.. 24 9 10	7 9 11	69
Cotton Desi ..	.. 19 6 4	6 2 6	68

(e) Government is aware that in 1923 when the grants were made the price of land was higher than it is now, but it is presumably rising again with the price of wheat.

(f) The average market price of land in the Samundri tahsil in 1923-24 was Rs. 425-7-0 per acre and in 1935-36 Rs. 309-2-0 per acre.

(g) In view of the fact that Chaudhri lambardars can purchase half a square at Rs. 12-8-0 per acre and that the price of land is probably rising again, no concession is considered necessary.

UNSTARRED QUESTIONS AND ANSWERS.

POPULATION OF SULTANKHAN WALA.

1411. Lala Jyoti Prasad : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the population of Sultankhanwala in the Ferozepore district, five years ago, and now ;
- (b) whether there is any decrease in the population ; if so, the reasons therefor and what steps Government proposes to put a stop to the decrease ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The population of village Sultankhanwala in the Census of 1931 was 1,074, but the present population cannot be stated without a formal census.

[Hon. Dr. Sir Gokul Chand Narang.]

(b) It cannot be said whether there is a decrease in population or otherwise, as there are no records showing the figures of the present population. In any case the ordinary means of increasing the population of a town are beyond the scope of Government intervention.

PETITION WRITERS IN FERROZPORE DISTRICT.

1412. Pir Akbar Ali : Will the Honourable Finance Member kindly state—

- (a) the number communitywise of the petition-writers working in the Ferozepore district, at its headquarters and in its tahsil-quarters, respectively ;
- (b) the interval after which the petition-writers' examination is held in each district of the province, and—
- (i) from which class of people the examiners are appointed ;
- (ii) whether there are any rules for the appointment of examiners and for regulating their appointment according to population basis of each community in each district ;
- (c) whether there are any rules for checking the preponderance of one community among the examiners ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table.

(b) The instructions on this subject will be found in rules 8 and 9 in Chapter 17-B of the High Court Rules and Orders (Volume I). They allow a district Judge to hold an examination whenever he considers this necessary in consequence of the number of petition writers having fallen below the prescribed scale. The examination is to be conducted by a board of such officers as the district judge may appoint for the purpose, presided over by an officer of not lower standing than a first class subordinate judge or an extra assistant commissioner.

(c) No.

Statement.

	Hindu.	Muslim.	Sikh.	Total
Ferozepore	19	9	1	29
Moga	13	1	3	17
Zira	7	1	1	9
Muktsar	11	1	..	12
Fazilka	17	2	1	20
Total	67	14	6	87

ATTACHMENT OF PROPERTY OF AGRICULTURIST JUDGMENT DEBTORS.

1413. Pir Akbar Ali : Will the Honourable Finance Member kindly state regarding the Ferozepore district, with the name of the civil court concerned, from October, 1935, to 31st August, 1936—

- (a) the number of cases in which notices of arrests—
 - (i) have been issued against the judgment-debtors, and
 - (ii) the number of debtors who were sent to jail ;
- (b) the number of cases in which the bulls belonging to agriculturist judgment-debtors were attached ;
- (c) the number of cases in which the houses belonging to agriculturists were (i) attached, and (ii) sold ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

GOVERNMENT AUCTIONEERS IN FEROZEPORE DISTRICT.

1414. Pir Akbar Ali : Will the Honourable Finance Member kindly state—

- (a) the names of the Government auctioneers with their qualifications and period of service, working in the Ferozepore district ;
- (b) the amount of commission paid by Government to each for the last two years ;
- (c) whether there were any complaints against any of them during this period ;
- (d) whether any enquiry was made, and if so, with what result ?

The Honourable Sir Donald Boyd : (a) Harbans Lal and Company. Lala Harbans Lal was appointed Government auctioneer in September, 1929. He was already a contractor and auctioneer before his appointment as Government auctioneer.

(b) The auctioneer's commission is not paid by Government but by a deduction from the proceeds of the sales. During 1934 and 1935 the total amount so earned by Harbans Lal and Company was Rs. 8,596-12-3.

(c) Yes.

(d) An inquiry is in progress.

SUPPLY OF ELECTRICITY FOR INDUSTRIAL AND AGRICULTURAL PURPOSES.

1415. Pir Akbar Ali : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether he is aware that in the annual report of the Electricity Department, published in the *Punjab Gazette*, dated the 2nd October, 1936, as a supplement, the Government has stated that the electricity scheme was undertaken very largely with a view to develop industry as distinguished from agriculture in the Punjab ;

[Pir Akbar Ali.]

(b) whether it is a fact that only a small fraction of the guaranteed and available energy is being at present utilised in the development of industries ;

(c) whether it is a fact that private companies like Lahore Electric Supply Company are giving electricity at a cheaper rate for industrial, agricultural and heating purposes, while the Public Works Department, Hydro-Electric Circle, is selling electricity at a dearer rate ;

(d) what Government intend to do to make the hydro-electric supply of energy popular ?

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

(b) Yes, about 15 per cent. for year 1935.

(c) Only in certain special cases.

(d) (i) Reduction of tariffs if and where possible.

(ii) Propaganda by pamphlets, posters and wireless.

(iii) Demonstration plants.

COPYING AGENCY.

1416. Pir Akbar Ali : Will the Honourable Revenue Member please state—

(a) whether the experiment tried in the Copying Agency in the Ferozepore district since June this year has proved successful ;

(b) if so, when Government intends to extend the experiment to the whole province ?

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

(b) Is under the consideration of Government.

CATTLE BREEDING IN GURGAON DISTRICT.

1417. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Agriculture be pleased to state—

(a) the arrangements that have been made in the Gurgaon district for the improvement of cattle-breeding since the advent of His Excellency the present Viceroy ;

(b) whether any special kinds of bulls have been provided for the district for the improvement of the breed of bulls and oxen ;

(c) whether Government intends to encourage those who desire to make efforts in this direction ;

(d) if the answers to (a), (b) and (c) be in the negative, whether Government intends doing anything in the direction indicated ?

The Honourable Sardar Sir Jogendra Singh : (a) A 'Bull Fund' has been started by the district board and 14 gentlemen have so far offered a donation of Rs. 100 each to the fund which will be utilised for the purchase of bulls. Besides, an indent for the purchase of 100 bulls was placed in the month of September by the board with the Government Cattle Farm, Hissar, out of which 50 bulls have been supplied as no more were available. Fifty-two Kurna buffalo bulls of good quality have also been purchased by the board in this month for free distribution to deserving villages.

(b) Hissar bulls and Kurna buffalo bulls are at present provided in the district for the improvement of the breed of cattle.

(c) Yes.

(d) Does not arise.

IMPROVEMENT OF AGRICULTURE IN THE GURGAON DISTRICT.

1418. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Agriculture be pleased to state—

(a) what steps are being taken in the Gurgaon district for the improvement of agriculture ;

(b) the results of the efforts, if any, made by the Government for the improvement of agriculture in the Gurgaon district during the last three years ;

(c) whether Government have any programme for the improvement of agriculture in the Gurgaon district ;

(d) if so, what ?

The Honourable Sardar Sir Jogendra Singh : (a) In Gurgaon district as in other parts of the province a competent staff has been posted with a view to popularising improved methods of agriculture, the use of pure seed, well-boring, etc.

(b) The following improvements have been effected :—

(1) Area under improved seeds :—

Acres.

(a) Sugarcane	..	10,700	} These figures relate to 1935-36.
(b) Cotton	..	13,700	
(c) Wheat	..	19,100	

(2) A large number of chaff-cutters, etc., and other implements are in use in the district.

(3) Thirty-seven bores have been sunk in the district during the past 3 years of which 27 were successful.

(c) No programme peculiar to this district has been prepared.

(d) Does not arise.

DEBT CONCILIATION BOARD, GURGAON DISTRICT.

1419. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Finance Member be pleased to state—

(a) whether Government intend setting up a debt conciliation board in the Gurgaon district immediately ;

(b) if not, why not ?

The Honourable Sir Donald Boyd : (a) No.

(b) Government think it better to watch the work of the five existing boards for a certain period, before deciding whether others should be established.

EXECUTION OF DECREES AGAINST AGRICULTURIST JUDGMENT-DEBTORS.

1420. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Finance Member be pleased to state with reference to the Gurgaon district—

- (a) the number of cases in which judgment-debtors have been arrested in execution of decrees after the enforcement of the Punjab Relief of Indebtedness Act ;
- (b) the number of cases in which notices of arrests were issued ;
- (c) the number of cases in which bullocks belonging to agriculturist judgment-debtors were attached ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

EXECUTION OF DECREES AGAINST AGRICULTURIST JUDGMENT-DEBTORS.

1421. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Finance Member be pleased to state the number of cases in which houses belonging to the agriculturists of the Gurgaon district have been attached or sold in execution of decrees against them after the enforcement of the Punjab Relief of Indebtedness Act ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

ADJOURNMENT MOTION RE SUPERSESSION OF THE LAHORE MUNICIPALITY.

Shaikh Muhammad Sadiq : I ask for leave to move a motion for adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the supersession of the Lahore Municipality.

Mr. President : The honourable member from Amritsar, Shaikh Muhammad Sadiq, asks for leave to move a motion for adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the supersession of the Lahore Municipality. Has he the leave of the Council to move the adjournment motion ?

The Honourable Sir Donald Boyd (Finance Member) : I must object, Sir.

Mr. President : Well, those members who are in favour of leave being granted may kindly rise in their places.

(As more than twenty members stood up, the leave was granted).

Mr. President : The motion will be taken at the close of the business to-day, that is, at 6 P.M.

The Honourable Sir Donald Boyd : That is very hard on the official members. They have got to do their work some time.

Mr. President : There is no alternative but to take up the motion either after the Council meeting to-day or on the 9th November.

Secretary : The rule is that the motion will be taken at the conclusion of the business of the day or at some other hour on the same day, which means not interrupting the business, but say at 6 o'clock.

The Honourable Sir Donald Boyd : I do not remember sitting after 6 for an adjournment motion.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government) : I do not know whether the interpretation is correct. Article 48 says—I shall quote it from memory :—

The president shall intimate that leave is granted and that the motion will be taken at the conclusion of the business of the day or at some other hour on the same day.....

What is there to prevent you from taking it at once, say at 4 o'clock or 8 o'clock on the same day. It does not mean that it must be taken at the conclusion of the day's business, but it may be taken up after 2 hours or 8 hours' business, of course, having regard to the convenience of honourable members. Supposing the day's business is finished at 6 P.M. and you do not take it at the conclusion of the day's business, that is, you do not take it up at 6 P.M., well, you can take it at some other hour on the same day. You may sit here after dinner and have a little after-dinner talk. (*An honourable member* : At 11 o'clock). Yes, say 11 o'clock, it will be on the same day. But certainly the interpretation will not be reasonable.

Again, I would submit another argument which to my mind appears to be conclusive. There cannot be any two opinions on that point. What is the object of an adjournment motion? The object of the motion is to ask the House to suspend its daily business to discuss a matter of urgent public importance. If it is not so, the meaning of an adjournment motion is nothing. Adjournment means you must adjourn your ordinary business to discuss something which is more important. So it means that it must be discussed during the business hours of the day, but if the business then in hand is so important that it cannot be adjourned I would say that it should be taken up after the day's business. So that I think it would be more reasonable if you take it up at 4 o'clock or 8-30 or whatever time is considered suitable before 6 P.M. and have done with it.

Mr. President : As the construction put by the Honourable Minister for Local Self-Government is not inconsistent with the wording of Article 48, I propose to take the motion at once. (*Hear, hear*).

Shaikh Muhammad Sadiq : Supposing the motion is carried, will the business of the House be adjourned?

Mr. President : The business of the House will be taken up after the disposal of the adjournment motion without any actual interruption.

Chaudhri Afzal Haq : Though you have given the ruling, may I point out that the rule is clear, namely—

That the motion will be taken at the conclusion of the business of the day.

Rule 48 is quite clear. You cannot fix an hour earlier than the conclusion of the business of the day. You can only fix it after the business of the day.

Mr. President : I have given my ruling. It may be right or it may be wrong, but the ruling is conducive to the general convenience of the members, and I stick to it. (*Hear, hear*).

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : No doubt we must obey your ruling and I will certainly do even though it is wrong. I move, sir—

That the Council do now adjourn.

The object of this adjournment motion is not in any way personal attack on anybody. If words are uttered, they should be understood as an attack or personal insult. Sometimes personalities have to be discussed. If to-day I have to refer to anybody, it is not a pleasant thing for me to do so. Coming to the object of the motion, it is not a pleasant thing to see the premier municipality of the province superseded. It means in other words that we are unfit to control our own affairs. You will find on the one hand that we are to be given powers to control the whole of the province but to-day the Government has taken away the power of local self-government from one of the biggest municipalities in the Punjab. I want to ask, what are the reasons which have necessitated this supersession? Government has not given any valid reasons for its supersession. We always find that many a time the House of Commons goes against the wishes of the Ministers and rejects proposals and refuses to carry out the directions of the King's Ministry, but the House is not superseded on that account. The king simply dissolves it and calls for a new election so that new men may be elected. It is not necessary that because 30 or 40 men who constituted the Lahore municipal committee proved unworthy of carrying out certain instructions the whole city of Lahore should be punished. There are certainly other men who can replace these and carry out the work of local self-government. Why should the whole of Lahore be punished for the misdeeds of the 40 or so men who have misbehaved? Unfortunately for the last 4 or 5 years, since the Municipal Executive Officers Act came into force, the whole system of municipal administration has been upset. I do not say that the Act has not done some good, but it has done more harm than good. It is most unfortunate that even when a chaprasi, if he is suspended, has an appeal against that order and he has three or four officers above to whom to appeal, the committee should be suspended without any opportunity to get things set right, if there is any mistake anywhere. Even if a man is fined Rs. 5 he has two courts higher up to go to, but in this case when a first class municipality is superseded not a single word is said giving reasons for this action, particularly stating whether there is anything wrong with any particular member or members. If there is anything wrong with some members they should be removed and prevented from holding office for a certain number of years. If there is something wrong with the president, he should have been removed. His conduct should have been inquired

into and he should have been removed and if the executive officer was in the wrong, action should have been taken against him. All these things were open to the Government. We had been hearing from day to day that the affairs of the Lahore municipal committee were going from bad to worse, but the Government has been looking on at these things and not telling the people how to stop this deterioration. Supersession is not the only remedy. There are other remedies. There is the remedy of an open inquiry. Why has the Government shirked an inquiry? I do not want to make it a communal question, it is not a communal question. But to see a first class municipality being superseded is really a very hard thing. It is injustice to the president, it is injustice to the executive officer, it is injustice to the members of the municipal committee. If you think self-government is a good thing, why punish the citizens? I hold that it is the result of the mismanagement of the whole affair by the Ministry itself or the Government itself, I will not say the Ministry, because I promised my honourable friend the Minister to substitute Government for Ministry, because when I say Ministry it may mean his person. The House was not taken into confidence, the public at large was not taken into confidence. When the Executive Officers Act was introduced, I told the Honourable Minister not to act like a Hitler, there was no Hitler at the time, "do not act like a Mussolini, do not act like a Napoleon." I asked him to first have a reform of the Municipal Act itself. It is a very old and anti-deluvion Act. The world has gone very much further and this Act is very very old and the Minister did not take any advice and he rushed through the Bill like a Spanish bull in the arena and upset all the apple carts. What is the result? At the end of his regime as a Minister, people should have been praising him for his work, but we find that everybody is decrying him for the management of the departments under his control. I do not mean any personal slur on the Honourable Minister. We are here to advise the Honourable Minister. I wish the Honourable Minister had only taken our advice. He was supposed to give training to the youngmen of the province in the science of local self-government, but what does he do? He appoints all over the Punjab no other persons than Government officials. He has failed miserably in carrying out the spirit of local self-government. The object was not to appoint P.C.S. officers to these jobs, but the object was to give training to the young and the middle aged so that they may carry out the work of local self-government, but he has not done this. He will say, "It is not in my hands. The appointment rests with His Excellency the Governor." Sir Donald Boyd is shaking his head. I have been asking the Honourable Minister about these things and he always told me that he is but a post office. My friend cannot deny it. He told me that the Governor has these appointments in his hands. I went to Sir Geoffrey deMontmorency. He said to me, "It is for the Honourable Minister." But when I came to the Minister he told me that he was only a post office. I could not help asking Sir Geoffrey to let me know at what pillar should I post my letter for him to get it. Like a good man that he was he laughed and promised that he would speak to Sir Gokul. I do not know whether he spoke to Sir Gokul or not. The initial mistake was the appointment of P. C. S. officers as executive officers. I will be doing a great wrong if I do not tell the Honourable Minister why he failed in Lahore. The worst choice he could make was to select Mr. Shankar Das to hold the appointment of Executive Officer, Lahore Municipal

[Sh. Muhammad Sadiq.]

Committee. I have nothing against that officer personally, I do not know him at all, but what I have heard of him, I am sorry to say, shows that he is not the proper person to carry out the work of a democratic institution. The Minister explained to me and I honestly believed his statement, that he never appointed the executive officer but that his name was sent in by some deputy commissioner and His Excellency the Governor appointed him. I do not blame him if he appointed his relation, for it is not a sin to help a relation. I know he is not on good terms with him, but people do not know it. They only know that he is a *rishtedar* of *wazir sahib*. This was an initial mistake. Then the temper of the gentleman is not good. Mian Abdul Aziz, late President of the Lahore municipality, requested him to see him, but Lala Shankar Das refused to go to see him. I am an ordinary member, but I am sure that if I ever request Sir Donald Boyd to see me he would not refuse to see me. He nods in the affirmative. Well, if an executive Councillor can do so, then why not an executive officer ?

The Honourable Dr. Sir Gokul Chand Narang : It is rather unfair to attribute to a public servant things which he is not in a position to contradict.

Shaikh Muhammad Sadiq : I will not touch upon these things, not that I do withdraw them. I do not want to say anything improper. We are criticising every day members of various services, does it mean that every one of them should become a member of the House to enable him to rebut the allegations. Such a thing is impossible. The president and the executive officer, like the two strong Spanish bulls were trying their strength against each other, with the result that the municipality suffered and democratic principles were all trampled under foot.

The Honourable Sardar Sir Jogendra Singh : What do you mean by democratic principles ?

Shaikh Muhammad Sadiq : Democratic principles require that if a man or a member of the municipal committee has proved unfit he should be removed and not that the whole House should be abolished. If the members or the executive officer proved unfit, action should have been taken against them. The members should have been disqualified for five years or more and new men should have been allowed to come in, but because of the failure of some out of 30 or 40 men in the municipality, it is not fair to give bad name to the municipal administration as a whole, without making any inquiry and without apportioning blame. It means that the people of Lahore are not fit for controlling their civic affairs. I deny the charge that there are no fit persons in Lahore who can run the municipal administration of Lahore. At present nobody knows who is wrong. My Honourable friend, the Minister for Local Self-Government, has made a mistake. Section 238 requires that there shall be only one administrator. It does not allow the creation of an assistant administrator, but I cannot understand what has happened to this Government, that they have lost even commonsense to read even the language of the section. Must we put a man who is condemned by half of Lahore again in the position of administrator ?

This leaves a bad taste in the mouth. I trust that the Honourable Minister would right the wrong. I am not interested whether the administrator is Hindu or Sikh or Muslim, but he should not be the cause of this trouble in the municipality. Under section 238 only one administrator can be appointed. Once you supersede a municipal committee, the Municipal Act is not applied to it. You cannot give powers under any section because the Municipal Act has ceased to apply. You cannot, therefore, give any duties to the Assistant Administrator—even a Hitler cannot do it—much less Dr. Sir Gokul Chand Narang. I would tell my friend before he enters this regime that it is inglorious. Lord Ripon gave self-government and Lord Lytton curtailed it. Dr. Sir Gokul Chand Narang has changed Local Self-Government into Gokul self-government.

The Honourable Dr. Sir Gokul Chand Narang : Thank you.

Shaikh Muhammad Sadiq : I tell you honestly and sincerely when I say that it is not in any way my object to insult you, but I must tell you that it is no use shutting your eyes. You must remember that there are only three months left when you will relinquish this office. I would request you to do good and a lot of it during the period of your office and with your old democratic spirit in you. I think you can still save democracy and self-government. I do not know whether you are for supersession or not because people tell me that you are not for supersession. If you are not in favour of supersession, then, you acted as a tool of some person. If you are against it, I will still request you not to take this supersession very lightly. Try to mend it if it is possible now. If necessary, please have re-election. This is the custom in Belgium, France and Germany. When sometimes it is impossible to carry on the Government, Kings and Presidents never supersede parliaments, they simply dissolve them. I would, therefore, request you to see that everything is done in a proper spirit, i.e., that an enquiry is held.

Khwaja Muhammad Eusoof (South-East Towns, Muhammadan, Urban) : When I read about the notification in the *Punjab Government Gazette* about the supersession of the Lahore Municipality, I came to the conclusion that British justice had died out of this province. The functions of the municipal committee are to provide good roads, sanitation, education, light and so on and so forth. I find that the Lahore Municipal Committee was not lagging behind in this direction. In case the Lahore Municipal Committee had failed to do any of the duties, it was for the Government under the Municipal Act, to so empower the Deputy Commissioner to get certain works carried out and pay for them from the funds of the municipal committee. Nothing like this was done in this case and all of a sudden the premier municipal committee of the Punjab was superseded. The best thing for the Government would have been to make an impartial enquiry about the conduct of the members and the officials as well, but I see that the Lahore Municipal Committee has been superseded but the Executive Officer still remains there. It would have been advisable for the Government to import fresh blood into the committee. If an enquiry is made, I can assure you that there will be many things which will be found against the Executive Officer and it will be found that he is more to blame than the members of the Lahore Municipal Committee. Wherever the

[Khwaja Muhammad Eusoof.]

Executive Officers' Act is applied and executive officers are working, the functions of the municipal committees are simply to hold meetings, pass resolutions and frame their budget. This is what they have got to do. It rests with the Executive Officer to have all the resolutions of the committee and all other instructions carried out and if there is anything lagging on the part of the members, I think they are not to blame. Everything is in the hands of the executive officers and not in the hands of members. The members have not the right of dismissing any servant of the committee or punishing him in any way. It is only the Executive Officer who can do so. It is something like a one-man department and I do not know why this committee has been superseded. I would advise the Government that they should hold an impartial enquiry and see who is to blame so that action against those people may be taken. The enquiry should not be held against the members only. The enquiry should be against the Executive Officer as well as other servants of the committee. With these words I support my friend Shaikh Muhammad Sadiq.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural) : The supersession of the Lahore Municipal Committee amounts to a decision both against the complainant as well as against the defendant. But in this case it is not against all the defendants but against one defendant only and in favour of the second defendant who would not only get the cost of the complaints against him but also derive other benefits. Complaints were made by the members of the committee over their signatures against the President as well as the Executive Officer and the proper course to adopt in a case like this was to hold an enquiry. If it were found that the members were to blame, they should have been punished. If it was found that the President was to blame, he should have been punished. If it was found that the Executive Officer was to blame, he should have been punished. But what is done in this case is that the members who have been complainants have been punished by the supersession of the committee. The President has been punished by the supersession of the committee, but the other defendant has not been touched. He has been given enhanced powers as Assistant Administrator of the committee. I fail to see any justice in this at all. Allegations that were made against the President and the Executive Officer are of the kind which I will now recount. One of the allegations is that the condition of the roads in Lahore is so bad that scarcely a day passes without a criticism with regard to these in the local papers. Three lakhs were voted last year with a rider that if repairs were not carried out within the budget year, the sanction may be treated as running for the following year. The President and the Executive Officer, it is alleged, did not carry out this programme. Then it is alleged that four tube-wells were sanctioned, but the President and the Executive Officer have not had them installed. Then it was decided by the sub-committee on Public Health—and here I am sure the honourable member, Dr. (Mrs.) Shave, would corroborate me—that four medical assistants for the examination of school children, three lady doctors for girls' schools, one public assistant for testing food and a Vaid Hakim may be appointed. The procedure is that nothing can be put up before the committee unless it has been recommended by the sub-committee concerned. The sub-committee concerned in this case recommende-

these appointments and for full one year these recommendations were not put before the committee. Then, the appointment of a secretary was not put up before the committee. Terminal-Tax Superintendent and Tax Superintendent were recommended to be appointed and these recommendations fared the same fate as before. Out of eighteen months of the life of the committee, the sub-committees functioned for only eight months which means that the committee was defunct for ten months—which again means that the members were not to blame for this but somebody who should have seen to the working of the committee. Before the Executive Officers' Act came into force it could be said that the members were to blame for such a state of things; but after that Act and after an executive officer had been appointed in Lahore, the blame cannot lie at any rate at the door of the members alone. Somebody else who had been appointed to see to the working of the municipal committee is also to blame, but it appears that he holds a position quite secure, not only that he cannot be touched, but if he can be touched at all, it is to be raised higher than his present position and not to be asked why he has not functioned with regard to his duties properly. Then, again, a fact which has come to my notice and which I state, subject to correction—a very strange fact indeed, is that some of the members of the committee, namely, Khwaja Nazir Ahmed, Lala Devi Chand Khanna, Mr. Guranditta Mal Kapur, and Lala Harbans Lal used to go round to the octroi posts during the period from sunset to 1 o'clock in the morning to see whether the people in charge of the terminal-tax posts were working properly. As a result of these rounds the income of the committee jumped up by thousands, but because they would go and report on the octroi registers regarding the misappropriations, regarding the bribes accepted by the municipal servants who were there at the terminal posts and regarding the embezzlements, the Executive Officer called these members and told them to stop their activities—as a matter of fact, directed them to stop their activities in this respect as their action amounted to interference in municipal administration. Well, I fail to understand how the action of these conscientious members, who realized what their duties towards the public were, could be called interference in municipal administration. These reports did not only remain un-noticed, but it was subsequent to those reports that they were called by the Executive Officer to stop these activities. These members approached the Honourable Minister for Local Self-Government in deputation and it is stated that the Minister himself bore out the interpretation put upon by the members regarding the Executive Officer in respect of these activities.

The Honourable Dr. Sir Gokul Chand Narang : I did not follow your last sentence.

Chaudhri Asadullah Khan : I said that the Honourable Minister himself bore out the interpretation put by the members with regard to the municipal administration and contrary to what the Executive Officer thought.

It is also rumoured that the coming into being of the Reforms Party was as a matter of fact a result of the endeavour of the Executive Officer himself. It is said that the Executive Officer himself canvassed some of

[Ch. Asadullah Khan.]

the members to join this party, with what motives I do not know and I do not propose to guess. It is also said that Mr. Few when approached—

The Honourable Dr. Sir Gokul Chand Narang : I must intervene here. I want to know whether it is permissible to an honourable member to make statements on hearsay evidence on the floor of the House and say it is stated or it is rumoured when no one is in a position to reply to those statements.

Mr. President : That is not a point of order any way. Unless you can show me any definite ruling on the point, I would allow the honourable member to proceed.

The Honourable Dr. Sir Gokul Chand Narang : It is not a question of ruling. It is a question of propriety. If a member rises and says an officer said so and so of which he has no knowledge himself and which no one else is in a position to contradict, is that fair? That is all I ask.

Mr. President : I regard it as fair.

Chaudhri Asadullah Khan : As I was saying, Mr. Few, a member of the Committee was approached by the Executive Officer and canvassed to join the Reforms Party. He, it is rumoured, laid it as a condition precedent that unless and until he was shown that the President had recommended the supersession of the Committee he was not prepared to join the Reforms Party. It is also stated that the original of the recommendation could not be shown to him and as he would not be satisfied with anything less than an assurance by the Honourable Minister for Local Self-Government himself, he was brought to the Honourable Minister who assured him with respect to that and it was then that he joined the Reforms Party.

Dr. (Mrs.) M. C. Shave : He never joined the Reforms Party.

Chaudhri Asadullah Khan : So far as the Executive Officer's approaching Mr. Few is concerned, that is a fact. It has already been pointed out by the honourable member from Amritsar that the Executive Officer is related to the Minister for Local Self-Government and what bearing that had on the case I leave for the honourable House to decide for itself.

Mr. F. H. Puckle : On a point of order. May I respectfully refer you to Article 59 (2) (v) of the Manual of Business and Procedure: "A member while speaking shall not utter defamatory words"?

Chaudhri Asadullah Khan : Allegations were made by some members of the committee some time back and on those allegations Diwan Sukh Anand, P. C. S. was appointed Inspector of Local Bodies and he inquired into this matter.

Mr. B. H. Dobson (Financial Commissioner, Revenue) : I did not enter the House to-day with any intention of discussing this subject, as I expected to speak on a different subject altogether. It seems, however, that in my late capacity of Commissioner, Lahore division, I am perhaps the best informed person about the subject under discussion, and I may remind the House that I was also the Commissioner of Lahore in 1931, when the report which is associated with my name saw the light. That report is public property and I think myself that the censures it contained should have sufficed to demolish the committee to which it applied. As a matter of

fact my colleagues and I were rather criticised at the time for not having proposed the supersession of the committee in less uncertain language. Some explanation is perhaps due on this subject. I may say therefore in the first place that we were not asked to make such a proposal : we were asked to report on the working of the municipality. Another reason was that a new committee had taken office, while we were conducting our enquiry, and we felt that some latitude must be given to that committee. There were other reasons. Our proposals included certain remedial suggestions, and those remedial suggestions have since as a matter of fact been carried out. One of them was the appointment of an Executive Officer. Another was the appointment of an Additional Deputy Commissioner. A third was the appointment of the Lahore Improvement Trust. These proposals were to a certain extent qualifying conditions, and it was quite natural that the Government should have waited to see the effect of their measures before proceeding to extreme lengths. At the same time those who care to refer to the report will find that we contemplated only a year more at the most of official life for the Municipal Committee of Lahore, and after that period we anticipated that Government would ask for a further report and take drastic action.

Five years have elapsed, and I again found myself Commissioner of Lahore in very much the same position as before. As to the circumstances under which the present notification has issued, I am in a position to explain those circumstances also. I was furnished with an Inspector of Local Bodies and this Inspector set about his duties in a very industrious and capable fashion. He had already submitted reports on Sialkot, Dalhousie, and Amritsar. So when the turn came for Lahore, it was only natural that he should have examined the past history of the case and generally taken stock of the present position. His report was compiled in the ordinary way of business and I forwarded a copy to Government on its completion with observations of my own. In the performance of this duty I need hardly say that I had no personal feeling one way or another. The Commissioner is interested only in good administration. But there is one point calling for comment. I have heard people asking why no opportunity was given to the committee to explain its behaviour. As to that I might remind you of what happened in 1931. When the Government appointed an enquiry committee—and speaking for my two colleagues on that committee it was not an undistinguished committee—the first thing the municipal committee did was to pass a resolution to the effect that it would have nothing to do with the enquiry committee. They left myself and my two colleagues to wander about the bazars picking up information as best as we could. This is what happened in 1931. It does not seem to me that on the present occasion, with that precedent before us, it would have been profitable to ask the committee for any explanation. However, that is only my own point of view ; it may not be the point of view of the Government.

I now come to the real essence of the matter. What is the case against this committee for supersession ? I may say at once that I certainly did not entertain a good opinion of this committee in 1931 and I saw no

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reason to change it in 1936, so if the question is asked who made the recommendation for supersession, I admit that I made that recommendation and having made the admission, I am prepared to tell the House why I made the recommendation.

I have mentioned that there were three extenuating circumstances which might have justified a suspension of judgment. One of them was the appointment of an executive officer. In 1931 the Executive Officer Act had not been passed. We had great hopes of that Act, and I would like to say in passing that the attacks which have been directed against the executive officer this afternoon should, in my opinion, not have been made. He is a public servant lent to the municipal committee, and his character ought not to suffer by reason of aspersions made upon it in his absence. But let us see what came of his appointment.

The income of the municipal committee has steadily increased since the advent of the executive officer, particularly under the head terminal tax, which is the chief source of the committee's income, the increase exceeding 2½ lakhs in 1934-35 over the income from terminal tax in 1931-32. Suitable, and sometimes exemplary, punishments have been awarded by the executive officer to delinquent employees both in the terminal tax and other departments. The general tone of the office administration has been raised and a system of daily diaries introduced in order to check the working of the staff. The condition of roads was considerably improved, particularly by the use of asphalt. The water supply was augmented by the provision of extra tube-wells. I must tell you that in arriving at this conclusion I had before me the report of the Inspector of Local Bodies—an entirely unbiassed report—which furnished me with chapter and verse for every one of my findings and which ran to 400 pages. In this report I found it clearly proved that the executive officer had not received the full support and co-operation of members and the municipal staff in carrying on the administration. Cases have been cited which prove that he has in fact been harassed vilified and ignored. The committee has entertained, without justification, and accepted, numerous appeals against the orders of the executive officer, though many resolutions accepting such appeals were suspended by the deputy commissioner.

In a fish lease case the executive officer was held responsible for "deliberate loss" of a certain sum, although the execution of the resolution penalising the executive officer was suspended by the deputy commissioner. In the notorious case, instituted by certain rate-payers against the executive officer, the members went so far as to obtain a temporary decree restraining the committee from paying salary to the executive officer. Further, in the case of the personal assistant to the president, the executive officer found him unfit for service and reduced his pay, though it was subsequently restored by the committee and the personal assistant exonerated from all charges. The Commissioner suspended the execution of this resolution, but the Committee resolved to move the Commissioner to waive his objection. As recently as March last the committee allowed the personal assistant to file a suit against the order of the executive officer.

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In the case of a sub-overseer, the executive officer found the sub-overseer unqualified and dishonest and suggested his dismissal, which finding was supported by certain members of the special sub-committee, but the committee reinstated the delinquent, who was allowed half pay for the period under suspension.

The executive officer's own personal assistant was suspended by the committee, though it was not competent to do so. The Commissioner suspended the execution of this resolution but the special sub-committee appointed by the committee continued to hold an enquiry into the conduct of the personal assistant, as the committee considered the order of the commissioner *ultra vires* of the Municipal Act.

The obstructive policy by the committee, as revealed by the instances cited above as well as several others referred to in the Inspector's report, has in fact prevailed ever since the introduction of the Executive Officer Act, because members whose powers have been curtailed with the advent of the executive officer, naturally resented their loss of privilege.

I will now cite other instances. One of the charges which I think must be known to the public because it has been reported in the papers, is that the committee conducts its proceedings in an unsatisfactory and unbusiness-like way. At certain meetings, described as stormy, there were scenes of rowdiness and disregard of conventional etiquette. Much time is wasted at meetings of the committee on discussion arising from personal and communal feelings among the members, to the prejudice of genuine and urgent business.

It is now desirable that I should draw attention to some of the committee's chief delinquencies. I may mention first their failure to submit to Government a programme of works to be executed in connection with the improvement of new *abadis*, which resulted in withdrawal of the Government grant amounting to Rs. 60,000. Arrears of taxation and other dues have accumulated so as to become irrecoverable, without any attempt to fix the responsibility on officials who were to blame. Many municipal commissioners are defaulters for rates and taxes due from themselves.

Shaikh Muhammad Sadiq : What is the amount involved ?

Mr. B. H. Dobson : I have not got the figures with me at present. The committee persistently refuses to impose fresh taxation, though its financial position is far from satisfactory. The sewerage scheme is in suspense and other works of an emergent character still remain to be executed. The committee exhibits deliberate incompetence with regard to the leasing of its property, with the result that they have sustained a considerable loss of revenue. A number of encroachments have been allowed on *nazul* and municipal lands.

The late municipal engineer was allowed to quit the services of the committee without rendering an account of advances, which amounted to about Rs. 40,000. Most of the building inspectors are unqualified and unreliable.

The committee deliberately disregards the provisions of law on "buildings", ignores procedure, and contravenes its own bye-laws. According to the statement prepared by the Inspector, the percentage of cases

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compounded is very high, more than 80 per cent. in some cases. Building cases involving serious offences are compounded at a nominal penalty, although they are not compoundable at all.

In the matter of its establishment the committee has been equally unbusinesslike. For instance, a terminal tax sub-inspector, on being transferred, was not provided with a post anywhere for 11 months, but was given his pay—an unnecessary expenditure of about Rs. 400. The expenditure on establishment has now been increased to 51·15 per cent., an excessive drain on the municipal fund, simply in order to provide for unqualified staff, who are paid much above their worth and receive increments without justification.

In the case of municipal engineers who do not possess proper qualifications Government ordered their removal, but the committee failed to terminate their services in accordance with law.

Mr. M. A. Ghani (Non-official, nominated) : The Municipal Committee of Lahore has always been taken to be a premier municipal committee of this province. It is one of the biggest municipal committees of India. Its supersession, therefore, is certainly of very deep concern for us all and we are certainly very sorry that it has been superseded. Its supersession shows that we are not capable of managing our own affairs. But all the same, strange to say, the news of the supersession of this committee has been simply welcomed by the people of Lahore (*hear, hear*). The man in the street on the 28th October, 1936 heaved a sigh of relief when he read in the papers that the Lahore Municipal Committee has been superseded and that a European officer had been appointed as its administrator. During the regime of the superseded municipal committee the municipal affairs of the city had gone from bad to worse. The condition of the roads was simply hopeless. The drains were so dirty that it was impossible to pass by them. The supply of water was insufficient and all the amenities which a municipal committee should afford to the public were not given to the public. Under the circumstances, the Government was quite justified in superseding this committee. However, it is very strange that the man who was responsible for the bad affairs of the municipal committee is still there. He has not been removed though the committee has been superseded. That is a thing which we cannot understand. It is a truism that the blame for the bad affairs of the Lahore Municipal Committee cannot be put at the door of the president or the members of the committee so much as it can be put at the door of the executive officer of Lahore. The municipal committee was there to pass resolutions and it was for the executive officer to carry them out and if those resolutions were not given effect to it was no fault of the committee. The public of Lahore has been crying against this executive officer for a long time. Questions have been put on the floor of this House, articles have been published in the papers, speeches have been made from the platform and everything which the public could do for the removal of the executive officer has been done. But the Government have not taken a single step to meet the wishes of the people. I do not know what is there in this executive officer that is so much appreciated by the Government. I do not know what love (*An honourable member* : Relation) yes, what relation

there is between this Government and the executive officer. The Honourable Minister for Local Self-Government objected to the allegations made by my friend from Sialkot against the executive officer. But here is a poster which, with your permission, I beg to read for the benefit of the honourable members. This poster was issued on the 22nd September, 1936, by Shaikh Fazl Muhammad, ex-draftsman and subedar (*laughter*). This poster was broadcast all over Lahore. It was pasted on the walls and there was not a single street and road of Lahore where this poster did not occupy a prominent place. It reads—

(Here the honourable member read some extracts from the poster which have been omitted from the debates under the orders of Mr. President as they are defamatory).

Mr. F. H. Puckle : On a point of order, Sir. Is the honourable member in order in publishing a criminal libel ?

The Honourable Dr. Sir Gokul Chand Narang : That is the question which I wanted to put. The point raised by the Chief Secretary is a very important one. The practice of your predecessor has been that if any document has been read out or quoted from in this House that document has to become a part of the record. In the present case perhaps the Chief Secretary is aware of the contents of this document. If there is something defamatory in this document which is read out in the House that becomes a part of the record which means that a defamation or a libel comes on record. The question is whether you would allow such a thing to happen, when there is nobody to reply to it. I do not know whether the honourable member realises that he is violating article 59 of the Manual of Business and Procedure to which reference has already been made. In article 59 (2) (v) it is laid down —

“A member while speaking shall not utter treasonable, seditious or defamatory words.”

It does not make any difference whether he reproduces defamatory words or uses them himself.

Chaudhri Asadullah Khan : This poster must be read out in the House before we know whether it is defamatory or not. How else are we to judge it ?

The Honourable Dr. Sir Gokul Chand Narang : In that way you can on payment of a few rupees get a big poster printed against anybody and have it read out in the House.

Mr. President : Has the honourable member got anything to say on the point raised by the Honourable Minister for Local Self-Government ? Under article 59 of the Manual of Business and Procedure a member may not utter anything that is “treasonable, seditious or defamatory”. If the words are defamatory he should himself desist from quoting them. If I hear any words in the pamphlet which are defamatory I would ask the honourable member to sit down.

Mr. M. A. Ghani : My point is that this poster was pasted on the walls of Lahore. It must have come to the notice of the executive officer. Why did he not prosecute this man if there was some defamation in it ?

Mr. President : I think you have quoted a fairly large portion of the document.

The Honourable Sir Donald Boyd : Is it fair to quote a portion only of the document ? Either the whole should be quoted or none. I suggest it is a document at the end of which there is an accusation against a member of this House that he dishonestly made 10 or 15 lakhs of rupees.

Mr. M. A. Ghani : I do not want to read the whole of it. But I would make a present of this document to the Honourable Minister and I would formally place it on the table of the House.¹

Mr. Nanak Chand Pandit : There was another document in which allegations were made against Chaudhri Sir Shahab-ud-Din.

Mr. M. A. Ghani : It is in the interest of the Honourable Minister that the executive officer or the Assistant to the Administrator is removed from his post. You remember that I put certain questions in this House in connection with the appointment of Lala Shankar Das and for the benefit of the House I would like to read the questions and the answers. But I observe that my time is over and so I resume my seat.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : As a temporary citizen of Lahore I feel a sense of humiliation that the municipality of this premier town should have been superseded. It is a reflection on our character of which we cannot be proud. But, the members who have spoken have said nothing about the services which the municipal committee was expected to render. The municipal committee is a body of men selected by the citizens to administer the funds they contribute for certain services, and it is abundantly clear from what I have seen in the press time and again that the municipal committee has failed to render these services. Now, are the members of this responsible House prepared to say that the funds which were contributed for certain services should not be spent for that purpose ? I have not heard a single member say anything in defence of the administration of the municipal committee. If the municipal committee failed in performance of its duties, is it not the duty of the Government to take steps to arrest deterioration ? I put this direct question. It is not a question of an attack either on the executive officer or the president who had the honour to administer the municipal committee. The fact remains that the failure of the municipal committee is at once a warning to us as to whether the present system of separate electorates with a low franchise can produce an administration which can carry out the the functions specified under the law and it is this to which we must pay our attention. It is not in the supersession of the municipal committee that you can find the remedy. The remedy will have to be discovered elsewhere if our affairs are to be properly managed and it is to this that I want to draw your pointed attention. The municipal committee of Lahore ought to have been in a position to be an example of local self-government for the whole of our province and in its failure is undoubtedly a warning which we must take to heart and try to revise the electorate so that men with strength of character and ability are elected, and are supported not on communal grounds, but on their ability to serve the citizens of Lahore.

¹Not published.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, rural) : I have listened very carefully to the speeches which have been made in support of the motion and I am obliged to the honourable members that they have realised that the supersession of the municipal committee was essential under the circumstances. Honourable members have admitted, as a matter of fact, in more speeches than one that the condition in Lahore was such that no other alternative was possible. One honourable member, Khwaja Muhammad Eusoof, pointed out that the function of the municipal committee is to give to the people good roads, good sanitation, good light, and good education. The municipality of Lahore during the last several years has seriously neglected those duties. Everybody knows the condition of roads in Lahore. In front of my house there is a large pit on the nullah. Several complaints have been made by the residents of the locality. A motor car will tumble into that pit or any child in the dark night will tumble into it. The pit is there right in the middle of the road and nothing has been done in spite of repeated requisitions and complaints. Again, if during the rainy season one were to go about the streets of Lahore, he will find that in the new *abadis* there is so much dirt and filth that it is impossible for a passer-by to go safely from one house to another. No less a person than Mr. Justice Aga Haider, a Judge of the High Court, whom one could not charge with bias, remarked that Lahore was the dirtiest place in the world. Similar statement has been made by another European gentleman whom I shall not name here. The members of the municipal committee go on fighting over petty affairs. They have their communal squabbles. They indulge in all kinds of tricks. But the germs of cholera, the germs of malaria, the germs of plague and of typhoid are no respectors of persons. They go on doing deadly harm. If you were to look to the health of Lahore you will find that people are suffering from all kinds of troubles every day. We know that the sand fly fever to which reference has been made is practically spread all over the city of Lahore. Nobody escapes from this foul disease. Typhoid is on the increase every day. If honourable members were to go to the small municipal schools where children are reading they will find the condition there very bad. No less a person than Sir Firoz Khan Noon remarked on the floor of this House that small children were cramped in little insanitary rooms and it was impossible for them to get any education at all. I would have moved an adjournment motion two years ago because the people of Lahore were sick of the affairs happening in Lahore town and the municipal committee did not properly attend to their functions. I refrained from moving the motion because as usual everything takes a communal turn. However, we find that the Reform party which consists of several Hindus and several Muslims on one side and the other party on the other side have made it clear that it is not a communal matter at all and the people were really glad that though they were fighting among themselves for presidentship or vice-presidentship, the members of the municipal committee were not communal. In the meanwhile, while these quarrels and squabbles were going on, the municipal affairs were seriously neglected. I blame nobody. I agree with the Honourable Minister for Agriculture that it is the system which has been introduced in this country that is responsible. You will find that within a short time the provincial council will come to a stand still and it will be impossible to work the system.

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In order to create mutual confidence the present system of separate electorates must go. There is a struggle for supremacy, parties will have complete control over the executive of the municipal committee, all other affairs having been very sadly neglected. It is a sad matter and we must be ashamed of it. I do not blame anybody. The system is such that mutual confidence cannot be created. Mr. Dobson who was the Commissioner some time ago and in charge of these municipal affairs has made these matters absolutely plain. The question before the Government was whether these things should be permitted to go on and the foul diseases should be allowed to have their full sway in the city of Lahore or whether something should be done to mitigate the sufferings of the people who were groaning under the bad administration of the municipal committee. The honourable member who opened the discussion said that he admitted that the affairs were bad but that the Honourable Minister should have done something else. But he suggested no remedy at all. I wanted to know from him what was the remedy which he would suggest for improving the municipal affairs and he suggested no remedy at all. He said that the Minister ought to have proceeded against the president or against certain members. But I assure you that had the Minister taken such a course there would have been another adjournment motion in connection with that. The point is this: Really we are thankful that this step has been taken. I hope that Government would be strong enough to carry on the municipal affairs in an efficient manner for some period, say 3 or 4 years, till the whole city of Lahore is clean, the dirt and filth are removed, the sanitation is properly managed and the roads are properly looked after. The grievance is that ordinarily the tax-payers and rate-payers suffer. Those grievances should be removed and Government should not be terrified by these adjournment motions and votes of censure.

Dr. (Mrs.) M. C. Shave (Nominated, non-official) : As a member of the committee just superseded, I naturally feel a certain amount of regret that all one's efforts have come at least to this sorry end. But mixed with that regret is a feeling of infinite relief that the long futile struggle is over at last. If the history of the working of the committee during the last year could be written in detail, one could prove to you how impossible it has been to do any good at all at any time. Supersession was inevitable. But what I and certain of my colleagues feel is that Government has not dealt with the man who rode the ship to destruction, and, handicapped by his unfortunate temper, headed it straight for the rocks. (*An honourable member* : You should say who that man was). That man was not the executive officer.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, rural) : In the first place I was not present in the Council when the Executive Officers Act was passed. I think it was the greatest and most foolish mistake ever made by any Minister of responsible Government. The result of that Act has been to introduce a dual system of Government. The dual system of Government has never worked in this world. If the Minister in charge of the Bill had any historical sense, he would never have introduced this Bill into the Council. In the time of Warren Hastings, the Governor-General of India, he and the members of his Council possessed equal

powers and the proceedings of the Council were marked by constant bickerings and quarrels. Why was this so? Because of the dual system of Government. In the case of the Lahore Municipal Committee there was the executive officer on the one hand and committee of about 46 members on the other hand, and the executive officer like a Mussolini or a Hitler had the committee of about 46 members under his thumb and these members were not allowed to manage the affairs of a first class municipality of the province. The executive officer prepared the budget, supervised building operations, prepared estimates, etc. He also possessed powers to appoint, degrade, suspend and dismiss all the employees of the municipal committee. Practically its wings were clipped and its hands and feet were tied. Under these circumstances, how could the municipal committee be held responsible for all the shortcomings that have been laid at its door? The executive officer is responsible for all the blame and not the committee as a whole; but the committee has been superseded, as has been stated by Mr. Dobson, because those gentlemen had been obstructing the working of the committee. If this is the criterion of the Government for the supersession of a first class municipality, namely the obstruction, then this House should be abolished. The Central Assembly at Delhi or Simla should also be abolished, because Congress people are most obstructionist in these bodies. Is that the criterion of Government, of a good Government? The Honourable Minister for Local Self-Government himself, before he occupied this honourable seat, had the reputation of being either an extremist or a progressive gentleman. He was a man of progressive ideas, but in actual practice he has shown himself to be most reactionary. Does he not feel in his heart of hearts that during his tenure of office he has struck at the very root of local self-government?

It has been always stated that these municipalities and local bodies are the training ground for higher duties. You may call them the foundations on which superstructure of self-government can be raised. But he has struck at the very root of local self-government. When there is no municipality where is the training ground for the members, who have got no other facilities for their training. Supersession is not therefore the remedy. Supposing a man's limb is deceased; It is not necessary that the man himself should be killed, but that limb should be amputated. If those gentlemen—the President, the Executive Officer or the members of the committee—were not performing their duties, action ought to have been taken against those persons and not against the whole institution. An enquiry ought to be held in regard to the conduct of the president or the members of the committee, and then suitable punishment ought to be meted out to them according to their deserts.

It is not necessary for me to repeat the arguments made by my predecessor, but in the first place the mistake was made by the Minister himself when he imposed upon this committee a relation of his own, as Executive Officer, and then, as naturally, he must have overlooked his certain objectionable acts. The supersession was not the real remedy. A chance ought to have been given to other people of the city of Lahore.

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

(Several honourable members wanted to speak).

Mr. President : I will warn the House that if any private member is now allowed to speak there is a danger of the motion being talked out. If honourable members want to take that risk, I shall allow them to speak.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government) : Let me say at once that no one can be more sorry than myself for the supersession of this committee. I believe in self-government and self-governing institutions and unless there is sufficient reason, I believe, that no action should be taken against them. I leave it now to the honourable members of this House to judge whether sufficient case has not been made out for the supersession of this committee. Go and ask the whole press, whether Hindu, Muslim or European what they say about it. Go and ask the man in the street, go to the men and women and children of Lahore and ask them whether they are sorry or happy over the supersession of this committee. I assure the House that excepting those who are personally affected, all citizens of Lahore are happy over the supersession of the Lahore Municipal Committee. In this House also the trend of the speeches has been not to condemn the supersession itself but to emphasize certain other things. The honourable mover of this motion said that further chance should have been given, other men should have been allowed to come in by election. He forgets that five years were given to the Lahore citizens and the municipal commissioners of Lahore to improve the state of affairs. When the Dobson Committee submitted its report a new election had just taken place and although everybody cried for supersession, I said, "No, a new committee has come in; Let us see how they conduct themselves." The recommendations of the Dobson Committee were conveyed to the committee. They went into these recommendations and passed a very lengthy resolution giving some sort of assurance to Government that these recommendations shall be carried out. The Government watched the progress of events for three years, but I may say with very great regret that instead of showing any improvement, the state of affairs went from bad to worse and no alternative was left to Government but to accept the recommendations of the local officers and supersede the committee. You have just heard that the Commissioner who is supposed to know all about local bodies made a strong recommendation. The other question which has been raised is that there should have been an inquiry. The honourable members who have emphasized this point forget that a lengthy inquiry lasting over a year was held by Mr. Dobson, the then Commissioner of Lahore and two other most prominent and highly respectable gentlemen of Lahore, I mean, Sir Zafar Ali, an ex-judge of the Lahore High Court and Raja Hari Kishen Kaul, a retired Commissioner. They submitted a report and expressed the view that the Committee should be superseded. They suggested remedies. Now, these remedies which were enumerated by Mr. Dobson were adopted by Government, but they were not adopted by the committee. The Government accepted these recommendations. You have the Improvement Trust, you have the Executive Officer and the other recommendations that were made by them were accepted by the Government, but it was most unfortunate that the suggestions made for the improvement of the municipal administration by the Dobson Committee were not adopted by

the Municipal Committee itself. These are among the causes which forced the Government to supersede the Committee. I am not going into details, they are too many and I have got 15 minutes only and I must dispose of the points which I consider important. (*Interruption.*) You can go into these from the Dobson Committee's Report. Any one who spends a rupee can read these things. But if you do not want to spend a rupee you can come to my office and you can look into it. Then there was another enquiry. Several representations were made to Government complaining against the maladministration of the Lahore Municipal Committee and the Government have been referring them to the Commissioner for inquiry. The Commissioner deputed the Inspector of Local Bodies to inspect the Municipal Committee of Lahore and make a report. That gentleman, as has been pointed out by Mr. Dobson, submitted a report covering about 846 pages, briefly touching upon all the points of maladministration and pointing out the vagaries in which the committee as a whole had been indulging for the last two or three years. I do not mean to say that all Municipal Commissioners were bad, some of them to my knowledge are very good men. I need not mention their names, but the result had been that on the whole the committee had proved a deplorable failure and there was no alternative, but to supersede it. Some honourable members have suggested that a further inquiry should have been held and although the Inspector of Local Bodies spent about 7 or 8 months over it and submitted a lengthy report still it was said that another inquiry should be held and it is also suggested that an inquiry should have been made into the conduct of every member of the Municipal Committee to find out who were guilty and who were not guilty. Now as you know there are 47 members of the Municipal Committee, and if an inquiry were started it must have meant first the framing of charges against 47 members and leading evidence against them in an open trial. Thousands of people would have collected at the town hall from day to day. They would have taken it as a big *tamasha* where their elected representatives were to be pilloried and subjected to examination and cross-examination. You can imagine how long it would have taken to make that inquiry to fix the blame on any particular individual. That would have defeated the very object we had in view. That would have been like fiddling when Rome was burning. It was absolutely necessary that if the Committee was to be superseded, a speedy action should be taken so that the evil should be checked, and the administration of the municipality should be placed in better hands.

Shaikh Muhammad Sadiq : On a point of order, Sir. Let the Honourable Minister name a few things which the Committee has done.

Mr. President : That is no point of order.

The Honourable Dr. Sir Gokul Chand Narang : I would place in the hands of the honourable member if he likes the report of the Inspector of Local Bodies covering about 846 pages of closely typed foolscap paper and he can also go into Mr. Dobson's report and he will find that most of the recommendations made by Mr. Dobson and his colleagues have not been carried out. Shelter has been taken now under the Executive Officer. Somebody told us that he was a relation of mine. Mistake or no mistake, he was appointed. He was specially recommended by one of the European Deputy

[The Hon. Dr. Sir Gokul Chand Narang.]

Commissioners and from the reports of all the local officers, the Deputy Commissioners and the Commissioners who have held charge of the Lahore District and the Lahore Division it appears that he has done his duty in a commendable manner and has proved himself a most efficient and satisfactory officer. (*Voices of "hear, hear" from official benches and "no, no" from opposition benches.*) Advantage has been taken of his absence and unfounded things which he has no opportunity to answer have been said against him. I am not going into a detailed defence of his. I need only refer to the opinions of the local officers who are in the best position to judge of his work and I am not prepared to listen to any calumny which interested persons have been flinging against him for one reason or another. It was pointed out by Mr. Dobson that he was harassed, he was not allowed to work. People have complained that roads are bad and some Municipal Commissioners have blamed the Executive Officer and have said that it was for the Executive Officer to carry out these repairs. Now under the law the Executive Officer has the power to enter into certain contracts for such kinds of work, but the value of the contracts has to be determined by the committee and you will be surprised to know that this Municipal Committee had fixed his power of entering into a contract at Rs. 250 and these gentlemen expect that they should have roads built like the Mall in all the *abadis*, in Faizbagh, in Ramnagar, in Krishannagar, etc., with Rs. 250 in his hand for each. (*Interruption.*) Municipal Committee would not help him in carrying out reforms. (*Interruption.*) That has been fully detailed in the Report of the Commissioner. (*Interruption by Shaikh Muhammad Sadiq.*) That is unfair. I did not interrupt my friend when he was speaking.

Shaikh Muhammad Sadiq : Twenty times.

The Honourable Dr. Sir Gokul Chand Narang : So far as the supersession itself is concerned I have no doubt it has been hailed as a blessing. If I agreed with anything in Mr. Ghani's speech, and in this he represented the true feelings of the citizens of Lahore it was when he said that when the news of supersession got abroad, every one heaved a sigh of relief and every one hailed it as a sort of relief from Heaven, and I entirely agree with Mr. Nanak Chand Pandit that if supersession had been delayed by a further period, perhaps he would have brought a vote of censure against the Government for sitting idle seeing this maladministration in the city going on, and not moving its little finger. It has been said by many people who are in a position to judge that the Government is really to blame for allowing maladministration to go on for so long a time. Others said that it was a standing disgrace to local self-government. Now appeals are being made in the name of local self-government and democracy and all that. Well, I am a believer in democracy to a certain extent, as I was before, but experience and the achievements of those people who were placed in charge of local self-government in Lahore and some other places have taught me that one should not be too optimistic in these things and one should avoid indulging too much in abstract theories and should face facts directly as they are. I believe in *Swarajya* but I also believe in *Surajya*. *Swaraj* means self-government and *Surajya* means good government and our aim should be to combine the two, to combine *swaraj* with *suraj*. No one will

be satisfied with mere idle expression of *swaraj*. It is natural when a president is deprived of certain of his powers and another person is appointed to divide powers with him, there should be a certain amount of friction. This is inevitable, but it depends upon the men to minimize the amount of that friction, and if both are sensible and both place the community above personal considerations there is no reason why they should not get on well. But if there are members who want to deprive the municipal Executive Officer even of his salary for one reason or another, you cannot hope for the success of the administration. So far as the Executive Officer is concerned, I am sure, he is in no way to blame for the present state of affairs. Friends from the front side said that Government has not given any reasons in its notification for the supersession. Do you want a candle to see the sun?

Shaikh Muhammad Sadiq : Sometimes.

The Honourable Dr. Sir Gokul Chand Narang : Do you want a mirror to see your wrist watch? Every man, woman and child in Lahore knows what the state of affairs is and still the honourable member wants the Government to proclaim the reasons for supersession. Then again, it is said that the Executive Officer should not have been made Assistant Administrator. There is some force in that item, but let me tell you that if this gentleman had not been kept on as an administrator there would have been serious difficulty. Perhaps some of you do not know that he has not the powers of Executive Officers. But he has been given certain powers to be useful to the Administrator. If this gentleman had been removed the state of affairs in the Lahore municipal committee would have been very bad, and if he has been kept on it is because it is absolutely necessary to retain his services. (*Hear, hear, and cheers.*)

Khan Bahadur Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban) : I thought I would much rather take no part in this discussion but certain remarks that have fallen from the lips of the Honourable Minister for Local Self-Government have impelled me to speak.

The Honourable Dr. Sir Gokul Chand Narang : You stood up to speak before I stood up.

Khan Bahadur Mr. Muhammad Din Malak : It does not matter, I might have said something quite different from what I am going to say now. I might have generally agreed with the official benches. The Honourable Minister has talked about the friction between the Executive Officer and the President, implying thereby that I have been responsible for it. I hope to be able to show that I have throughout studiously avoided friction and that while there had often been acrimonious notes between the Executive Officer and my predecessor, there was nothing of the kind between that dignitary and myself. The honourable Mr. Dobson in his speech has heaped encomiums on the Executive Officer. He might easily have spared a word or two for me also. As Commissioner of Lahore Division, if he knew the difficulties of the Executive Officer, he also knew my difficulties. Now since the establishment of the Executive Officer's institution, as everybody knows, the executive power has entirely passed into the hands of the Executive Officer. It does not belong to the committee now, but of this I

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will speak later. I think I must preface my statement by relating certain facts which I consider to be really responsible for the creation of factions in the municipal committee of Lahore. The superseded committee of Lahore was constituted in March, 1935 and within the short period of less than two months' time—when I had hardly yet got into the saddle, when I could not have committed any grave irregularity a petition was sent by 25 members of whom 6 were Muslims and 19 Hindus direct to the Honourable Minister for Local Self-Government asking for my removal from the office of President. I do not know of any rule or procedure under which the Honourable Minister could have entertained such a petition or take any action on it. He should have taken no notice of it. However, this petition having been forwarded to me for comments in my covering letter. I stated that there were two main factors responsible for the trouble. The first of these was

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that there were two candidates for the office of the President, i.e., Khawaja Feroze-ud-Din and myself. At a Muslim meeting called by the Nawab of Mamdot with a view to effecting an amicable settlement between Khawaja Feroze-ud-Din and his supporters and myself and my supporters the principle that we must all submit to the decisions of the majority in all matters municipal was agreed to. The Muslim members present decided in my favour by fifteen votes to five votes. On the same day at a Hindu meeting held at the house of Diwan Bahadur Raja Narendra Nath the Hindu members also decided in my favour by a similar majority. (*Hear, hear.*) At a subsequent meeting of the Muslim members also held at the Mamdot House the question of vice-presidentships was considered. Khawaja Feroze-ud-Din and five others argued that as the Muslims were now in a majority, the senior vice-presidentship must be also kept by them and Khawaja Feroze-ud-Din allowed to have it. The majority of the Muslim members were for giving this office away to the Hindus and the junior office to a non-Hindu non-Muslim, chiefly on the ground that if in spite of the bare majority they had only lately secured, they left the senior office go to the Hindus, it would be appreciated by the latter as a gesture of good will. Khawaja Feroze-ud-Din and his supporters' contention was that at places where the Hindus were in majority they had not shown any such consideration for the Muslims and they quoted instances of Bhiwani, Sheikhupura, Amritsar, etc., etc. Accordingly the question whether the Muslims should keep in the senior or the junior vice-presidentships being put to vote it was decided by twelve to six votes that the senior vice-presidentship should be allowed to go to Hindus. Immediately after the announcement of the result, Khawaja Feroze-ud-Din and his party walked out as a protest and in spite of the best efforts of the Nawab of Mamdot, Khan Bahadur Haji Rahim Bakhsh, Maulana Ghulam Murshid and others they went away in a not very friendly mood.

As regards the second factor I stated—"For the first time in the history of the Lahore Municipality the muslim community only lately, succeeded in obtaining recognition of the majority rights by being allowed bare majority in the committee and a bare majority is promised to them in the Punjab Council under the coming instalment of Reforms. It was my resolve, therefore, to so shape my policy as would disarm any real or imaginary

fears of our Hindu and Sikh brethren. I fully realised that very heavy responsibility lay on my shoulders not only with respect to the efficient and smooth working of the municipality but also, by more or less necessary implication with respect to the prospective Muslim administration of the autonomous Punjab. To my mind by allowing bare majority to the Muslims in the premier municipality of the province at this fateful juncture Government had put the entire Muslim community on their trial as it were. The amount of toleration, I thought, we showed in the municipality towards the minorities would be taken to supply a rough sketch of the Muslim policy in the higher sphere of administration." A man actuated by feelings like these would have both his hands amputated before he did anything to irritate the minorities. On receiving my reply the Honourable Minister for Local Self-Government did not pass any orders on it, at least no orders were communicated to me. I took it therefore, that he was satisfied with my version of the case. Anyway, it will have been seen that the leader of the five Muslim members had his own reasons and the Hindu members their own for entering into an alliance. The six Muslims wanted to oust me from the office of president because Khawaja Feroze-ud-Din wanted it, and the Hindus wanted to nullify the Muslim majority. This in short was the genesis of this alliance and it was managed within a week of my assuming the office of president. I repeat that I had not yet settled down properly and I could not have committed any grave irregularity during this short space of time and yet the Minister for Local Self-Government had been approached by nineteen Hindus and six Muslims for my removal from the office of president. However, while this alliance had still been subsisting between the six Muslim members and the nineteen Hindu members, another petition—signed this time by six Hindu members only and extending over four score or more of typed pages was submitted to the Minister for Local Self-Government. In this petition the six Hindu petitioners had roundly attacked the Muslim president and all the Muslim members including their six Muslim allies. This petition was sent to me for report and I submitted my report, but no orders on it either were ever issued: It must have been filed most probably because the Honourable Minister must have been satisfied of the frivolous nature of the Hindu complaints.

The Honourable Dr. Sir Gokul Chand Narang : That is not the only conclusion. (*Laughter*).

Khan Bahadur Mr. Muhammad Din Malak : The Honourable Minister may now disclose his reasons. Before proceeding further, I may make one or two points clear. I have been accused by those who are against me, that I have been secretly recommending to the Government that certain members should be punished for their misdeeds or that they should be removed. Now, the Government and the officers of the Government know full well whether I have ever made any secret, open, confidential or official report of this nature. I deny it. (*Hear, hear*). I have never made any such report against any individual member, Muslim or non-Muslim and currency has been given to such reports by interested people. (*Shame, shame*). The other thing is that I have been accused of having asked the Government to supersede the Lahore Municipal Committee, whereas all that I did was to suggest certain remedies. The alternative of supersession was only to be

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considered as a last resort. In the covering letter with which I forwarded my report on the six Hindu members' complaints, I stated in paragraph 2 :—

As regards the irregularities the Hindu members—particularly the six petitioners—are as much responsible for them as the Muslim members. A careful perusal of the enclosure will show that some at least of the petitioners have been guilty in a much larger degree than any of the rest—whether Muslims, Hindus or Sikhs. One of them may be said to be the evil genius of the committee. It goes without saying that in a democratic institution decisions of the majority prevail and, therefore, unless the individual members are possessed of a fair amount of civic responsibility, their decisions can seldom be such as not to lend themselves to criticism. If only the Government had seen it fit, in the past, to make use of their powers under sections 14 and 16 of the Punjab Municipal Act, it would have reacted favourably on the committee as a whole.

I then proceeded to make certain suggestions but it has been said by the Honourable Minister for Local Self-Government that no alternative to supersession was ever suggested.

The Honourable Dr. Sir Gokul Chand Narang : I ask the honourable member whether he is against the supersession. May I ask him whether it is not a fact that he recommended the supersession ?

Khan Bahadur Mr. Muhammad Din Malak : I would ask the Honourable Minister not to utilise my time.

The Honourable Dr. Sir Gokul Chand Narang : My question remains unanswered. (*Interruption*).

Khan Bahadur Mr. Muhammad Din Malak : I hope you will make due allowance for these interruptions and extend the time allotted to me, because it is an important question.

Mr. President : I have no option in the matter of extending time.

The Honourable Dr. Sir Gokul Chand Narang : He had recommended supersession. I have got in writing from him that the committee should be superseded.

Khan Bahadur Mr. Muhammad Din Malak : I have already referred to the alternative of supersession. The House may not know but the Honourable Minister knows but too well that the executive officer has been a failure. Mr. Dobson knows it. I would briefly refer to my observations on the annual administration report for the year 1934-35, which have not yet been answered either by the executive officer or the Honourable Minister for Local Self-Government. In these observations I had fixed the responsibility irrefutably and conclusively on the executive officer for the failure of the working of the municipal committee. (*Cheers*). Indeed the failure of the Executive Officer of this municipality is not an individual or personal affair. It would appear that too much had been expected of the executive officers' institution and too little has been done. In point of fact no improvement has been effected in the administration of the committee. (*Hear, hear*). (*Several Hon'ble Members :* The question may now be put).

Mr. President : The question is—

That the question be now put.

The motion was carried.

Shaikh Muhammad Sadiq : I cannot understand the speech of my honourable friend the Minister for Local Self-Government. Mr. Dobson gave a list of forty or fifty things which the committee has done. I ask the Government, when they said that the Hydro-Electric Scheme would not cost more than one crore of rupees and it has cost seven crores of rupees, has that department been superseded? You find in courts—even in the High Court—where it is held that police and certain other departments of the Government are corrupt. Have those departments been superseded? Has any commissioner been dismissed? Has any deputy commissioner been dismissed? Has any superintending engineer been dismissed? Has any Government Ministry been superseded? The municipal committee has been superseded because the Government say that it could not co-operate with the executive officer. Then why must we not remove the executive officer who refuses to obey the orders of the municipality? The Honourable Minister wants the committee to co-operate, but he does not want the executive officer to co-operate with the municipal committee. It is rather funny. If this executive officer was incapable of co-operating with the committee, he should have been asked to go away. If Rai Bahadur Lala Shankar Das had not been appointed illegally as assistant administrator, there would have been no trouble. There is no such post as assistant administrator in the Municipal Act and as the Municipal Act does not apply to a superseded committee, so no powers can be handed over to him. Where was the special necessity to have an assistant administrator? There was rivalry between the executive officer and the committee and the result was that you superseded the municipal committee. You should have allowed that gentleman to go in peace. Now his appointment opens out avenues of charges and attacks. In fact, I think the Honourable Minister has been very unfair to Rai Bahadur Lala Shankar Das in appointing him as assistant administrator. We do not say that he would not have shone as a deputy commissioner somewhere but we say that he could not work with such a democratic institution as the Lahore municipality. He has his own ideals. It is a bad example set by the Government that because the members of the municipal committee disagree with the executive officer, so it should be swept away. I am sorry to remark that an experienced man like Mr. Dobson should say that because the municipal committee was defective and it did not co-operate with the executive officer, so it should have been superseded. It is a very dangerous example set by the Government. Surely if an executive officer—be he a Minister, be he an Executive Member—does not co-operate with this Legislative Council, that officer has to go and not this House. It is exactly the same thing in the case of the Lahore Municipal Committee. The Government has laid down a very dangerous principle that in case of non-co-operation between a municipal committee and its executive officer, the committee should be superseded. Is he our servant or are we his? If we pay him, he must obey us. The Minister has fixed $\frac{1}{3}$ ths of the total number of votes for the election of an executive officer. That has made it impossible for any municipality to elect its own executive officer. So the Government appoints him. Once he is appointed he must obey the supreme person who has appointed him.

At this stage the debate automatically terminated as it was not concluded within two hours allowed for it by the Standing Orders.

RESOLUTION.

RELEASE OF LAHORE CONSPIRACY CASES AND MARTIAL LAW PRISONERS.

Mr. President : The House will now resume discussion of Shrimati Lekhwati Jain's resolution *re* release of Lahore Conspiracy cases and Martial Law prisoners.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I was citing the other day the case of Mr. Harkishan Lal who was convicted of waging war against the King Emperor and sentenced to transportation for life and later on was made a Minister to the Punjab Government. I also said that the witnesses in these cases did not come forward to give evidence because they were terrified. I find that soon after, an inquiry into these affairs was made by an enquiry committee appointed by the Congress and there a lawyer appeared before that enquiry committee and he made the following statement :—

I was cited as a witness for the defence of Mahashe Rattan Chand who was an accused in the National Bank Murder case. Just before I gave evidence Sukha Singh, a police officer, met me outside the court and said that many people had refused to give evidence for defence and I should do the same. I said my conscience was my own and I must give evidence of what I had myself seen. To that Sukha Singh said that in these days nobody had conscience and those that had suffered. He then threatened me and said that he would see that my pleader's licence was cancelled and further that I would get into trouble.

That will show that respectable people were even threatened who wanted to give evidence in favour of the defence. I submitted yesterday that on account of the Martial Law terror that prevailed in the province it was impossible for the people to get proper facilities for their defence, either by way of getting defence witnesses or getting good lawyers. This point was definitely raised by Pandit Moti Lal Nehru who made an enquiry into these affairs and that report confirms the statement that I have made.

All that I am submitting before this House is that in those days the conviction of a man like Rattan Chand might be legal—you may term it technically legal—but morally that conviction was utterly unjustified, and the Government ought in all seriousness to take upon itself now the case of Rattan Chand and release him along with the other eleven men who went to jail.

I would just cite one other thing which was stated by Pandit Moti Lal Nehru with regard to this Mahashe Rattan Chand :—

The most important witness for the prosecution is Khawaja Muhammad Husain, B.A. P. W. 3, whose conduct has been specially commended by the President of the Commission. As against him there is the evidence of Maqbool Husain, Pleader (now Foreign Minister, Patiala), D. W. 1 and Lala Duni Chand, Vakil, D. W. 2, from which it would appear that at least Rattan Chand could not have been present at the bank when it was in the hands of the mob.

I have carefully gone through the judgment of the Commission and I do not find in that judgment any mention of the witnesses on whose evidence this man was convicted. All that I am submitting is that under the peculiar circumstances of the whole situation, you cannot possibly attach any importance to the conviction that was arrived at in those extraordinary times by a judgment given by a tribunal which was improvised for that particular occasion. It is time that the Government should try to heal the wounds of the Martial Law.

Mr. President : I will allow the honourable member only two minutes more.

Mr. Nanak Chand Pandit : The wounds of Martial Law are kept alive and fresh. It is time when the province is now going to enter into a fresh instalment of reforms that there should be mutual goodwill between the people and the Government and that Government should take this time by the forelock and forthwith release the prisoners who were sentenced to the various terms of imprisonment by the tribunals.

On these grounds, therefore, which I hope will appeal to the Government, I request the Government to accept the resolution moved by the lady member.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official) (*Urdu*) : I must confess that one cannot help being carried away by the passionate and spirited speeches made by the honourable mover of the resolution and my honourable friend Mr. Nanak Chand Pandit. They were full of sentiment and very impressive : but if we eliminate the sentimental element from these speeches, the question becomes very simple. The mover of the resolution asks the Government for immediate release of all the prisoners convicted in the Lahore conspiracy cases of 1914-1915 and Martial Law prisoners of 1919. She thinks that a sentence of transportation for life means a maximum period of 20 years and as these prisoners have served this period of imprisonment, they should not be detained in jails any longer. There seems to be a misapprehension in the mind of the honourable member regarding the interpretation of the term "Transportation for life". I happen to be a member of the Standing Committee on Jails and during my visit to one jail, a Martial Law prisoner made a similar representation to me. I examined his history ticket, and consulted the rules. The normal period of imprisonment for prisoners sentenced to transportation for life, on a charge of waging war against the King or treason, is 25 years. It was, therefore, not correct to say that these prisoners were being detained after the expiry of their normal term of imprisonment. The Honourable Finance Member has explained the procedure and the rules on the subject. It would be futile for me to cover the same ground. My friend, Mr. Nanak Chand Pandit, has tried to discriminate between the ordinary criminals and those who had a political motive behind their offences. He has also said that those convicted for such offences were set free by the Government before the expiry of their sentences in the past and referred to the release of political prisoners, which included even Martial Law prisoners on the eve of Mortgage Chelmsford Reforms. He further suggested that Lala Harkishan Lal, who was also sentenced to transportation for life by the Martial Law Tribunal was not only set free but selected as one of the Ministers immediately after his release. In his opinion, many innocent people were sentenced by the Martial Law Tribunal and the Government released a large number of them afterwards. He therefore argued that the remaining prisoners should also be released forthwith. I am afraid, I cannot agree with my friend in discriminating between the ordinary criminals and those who had a political motive behind their violent crime. Even the Indian National Congress has disclaimed such persons. Any person who commits a crime and violates the law of the land is guilty

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of an offence, whether the motive behind the crime is political, moral or religious. Let us take the recent occurrences in Bombay. Both parties according to their own outlook have a religious motive behind the rioting and stabbing. One party thinks they are defending their right in the mosque and the other party thinks they are protecting the temple, but this motive does not in any way change the nature of the crime. Why go so far? Let us take the case of Shahidganj Mosque. The people who violated the law had a laudable object in view, that of protecting the mosque from demolition. In their religious fury and excitement some of them violated the law and even committed murders. Now, would the Legislative Council be justified in asking for the release of those who committed murders because they had done so with a religious motive? They had no other enmity with those who were murdered. I am sure, if a resolution for the release of such prisoners, is brought before this Council, my honourable friends who are supporting the resolution, will come out with fiery speeches and accuse the mover of such resolution of helping and supporting criminals and murderers and thus encouraging crime in the Punjab. Supposing a man kills another man, because he was guilty of moral turpitude, would it be justified to say that he should escape the punishment of law, because the motive behind the crime was very salutary, as he wanted to get rid of a pernicious person, who had disturbed the social well-being of the society? Would my honourable friends have been prepared to support the request, if it had been made, for the release of Nam Din, who killed Rajpal in a religious fury, because he had abused the Prophet of Islam? I am sure, not. They even protested against his dead body being carried in a procession to the graveyard. What justification then have they, in asking for the release of those who were convicted by courts of law, for serious offences, before the expiry of their sentences? It is not the province of this Council to sit as a court of appeal and review judicial decisions 20 years after the judgments had been pronounced. As my friend, Mr. Nanak Chand Pandit, has said the cases of Martial Law prisoners were reviewed by the Government and many of them were released by the Government against whom there was not sufficient judicial proof. The release of Lala Harkishan Lal and his appointment as first Minister in the Punjab is in itself a proof of fair-mindedness and square dealing of the Government. I cannot think alike with my honourable friend, that because political prisoners were released on the eve of the Montague Chelmsford Reforms, the Martial Law prisoners should also be released now on the eve of new constitution. The Government has learnt a good lesson from their past follies. The professional political leaders incited and persuaded young men and raw youth to violate the law with a promise to secure their release before the expiry of their sentences and to try and secure amnesty for them from the Government and it encouraged lawlessness. If this convention is established it might have far-reaching effects in the future. Under the new constitution a system of party Government will be introduced in this country and some of those who are opposed to the party in power, may persuade certain misguided and hot-headed youths to violate the law with the promise that their release will be secured, because the motive behind their crime is political. I would appeal to the Council to consider all the aspects of this question like practical men. We should not give a wrong decision on this question.

in our moment of excitement, being overpowered by sentiment. Sentiment should not be allowed to influence our decisions on such questions of vital importance, which may have serious consequences. It is in the power of this house to repeal or amend undesirable laws. Let the honourable mover of this resolution bring forward a legislation to amend repressive laws, which in her opinion are cruel or undesirable, but it is not the function of the House to interfere with the judicial decisions of courts established by law. If we encourage this practice and tolerate such interferences, justice will be reduced to mere farce and no property or life will be safe in this country. The primary duty of every Government worth the name is to maintain law and order in the country and to secure protection for life and property. If the legislative institutions start interfering with the execution of law, how will it be possible for a Government to maintain law and order in the country?

چون کفر از کعبه بر حیزد کجا مانند مسلمان

Some of the honourable members were pleased to compare the Government of this country with those of western civilised countries. I am afraid such a comparison would not help my friends. The countries in Europe are termed as civilised because they are independent. Howsoever uncivilised and inhuman acts they may do, no one can question their civilisation. The example of Italy is before us. She deprived Abyssinia of her independence and liberty, bombed the civil population, used poison gas, killed women and children, but still she maintains her title of civilised country. In Europe of to-day the doctrine of "Might is Right" is accepted and followed everywhere. Let us take the case of Spain. The Civil War has reduced the country to a mass of ruins. Two parties are struggling for power and using brutal force against each other causing ruin and destruction to life and property of innocent population, but in spite of this they rank among the civilised nations of the world. God save us from such a civilisation and standard of independence. No Indian, I am sure, could ever wish that such civilisation and state of affairs should develop in our motherland. Now, let us see what sort of treatment is meted out to political leaders who do not think alike with Government in those countries. Mussolini, the dictator of Italy, would not tolerate any opposition to his policy and plans. He would convert his opponents to his own ideas and methods, even by the use of physical force. He would not even hesitate to shoot and hang people who try to put obstacles in his way. The Nazi leader, Hitler of Germany, with one decree turns out all the Jews and confiscates their properties, because they do not fit in, in his economic programme. People are hanged and shot, because they have political ideas different from those of the dictator, and yet most of us are never tired of singing the praises of both these dictators.

Shaikh Muhammad Sadiq : I think both of them are equally bad. We praise neither of them.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Then, why should we compare the administration of this country with that of Germany and Italy? Why should we consider their civilisation and Government as a standard or model. In these countries the party in power is capable of every mischief. Nobody can question their wrongs. What is happening:

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in Soviet Russia, the idol of some of our distinguished politicians and hot-headed youths? (*Shaikh Mohd. Sadiq*: If the former are bad Russia is worse). Say this to the Congress President. In Russia hundreds of people were hanged and shot merely on the suspicion that they differed in political ideas with the party in power. In these civilised countries a mere suspicion against a person that his political ideas are not identical with those of the Government, is sufficient to hang him. How many Russians, Germans and Italians have been deprived of everything they possessed and are passing their days in misery and exile? Should we follow their example and standard of Government?

Shaikh Muhammad Sadiq: We are not enamoured of the form of Government prevalent in any of those countries. We want to have a Government after the model of the Government of the country of Englishmen.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Let me point out to my honourable friend that the legislature in the country of the Englishmen does not interfere with the decisions of law-courts. The British Parliament does no fooling with the administration of justice. The function of a legislative body is to make laws for the good of people and ensure good administration. We should never forget our responsibilities. People have confided in us and selected us as their representatives to give them a sound administration and good Government, to protect their life and property, to extend them amenities of life and to secure peace and order in the country. We should have no soft corner for breakers of laws and criminals. Probably honourable members do not realise that these sentimental speeches would lead us nowhere. These utterances might earn cheap popularity for the speakers, but will create a lot of mischief in the country. (*Sayad Mubarak Ali Shah*: I have not been able to make out anything from your speech). I would only tell my honourable friend that

باین عقل و دانش یزید گریست

I would appeal to the honourable members once again, that they should consider this question dispassionately and should not be led away by mere sentiment. Sentiment and practical politics do not go together. If they apply their minds calmly to this question like practical men, I am sure, they will be able to sift the grain of sense from the chaff of sentiment. With these words, I oppose the resolution under consideration.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) (*Urdu*): In my opinion a heart devoid of sentiment is devoid of life itself. I must confess that I am not capable of applying my mind as dispassionately to the subject under discussion as my honourable friend has done, who has just resumed his seat. I have had the bitter experience of witnessing all that happened in those unfortunate days in Amritsar. I was present in the city which was the scene of so many unfortunate murders and in which many buildings were burnt down and every sane man must condemn such actions. But I should like to put one question to the Government. Do they not consider that the people of Amritsar payed sufficient penalty for the offences committed by some of them, by losing a thousand souls in

Jalianwala Bagh? Again, we have made no suggestion here that the action taken by the Government in starting prosecutions was unnecessarily harsh; nor to-day do we say that this House should proceed to revise the orders passed by the courts. Moreover, nothing is farther from our mind than to say that the lives of Englishmen are in any way less precious than those of Indians. On the other hand, we are even prepared to treat Englishmen as our guests. We have the greatest possible solicitude for the safety of their person and property. They are our guests and we Indians have very great regard for them, but I must ask one question in this case. Suppose a similar calamity befell you, and you were made to crawl under the very eyes of your countrymen. How would you feel under those circumstances? A poor fellow was fat and bulky and had a projecting stomach; he could not crawl to the satisfaction of the officers who made him crawl again and again. The honourable member who has just preceded me is fairly corpulent. I think if he were to undergo the same ordeal he would realize the amount of physical torture and mental pain which a punishment of this character causes to the sufferer. However, if those unfortunate persons who were subjected to such treatment, have forgotten all about it, is it advisable for Government members to refer to the deplorable happenings of those days and revive those sad and painful memories? It is, therefore, necessary that government also should forget those unusual happenings and forgive those prisoners who are still detained in the jails. We know the history of India. There was a time when the people of this country rose up in arms against their masters and as a result of the Indian Mutiny a grim struggle went on between the government and the people of this country. During that period India remained a storm centre of bitter national feelings and animosities. But in the course of time the Government became indulgent enough to forget all about that upheaval. Now, does it become that Government which has shown such indulgence in the past to keep imprisoned their political prisoners who have been in jails for the last eighteen years? I admit that many governments deal with their political prisoners according to their nationality. But we should not lose sight of this fact that the world has very much changed now. The political awakening, self-consciousness among the masses and the freedom of thought prevailing to-day in the world cannot brook the mentality which is but a relic of the past. I would give you an instance to show how far the political outlook has changed. During the war a person named Pears and certain others rebelled against the Government. They were arrested and shot dead within five minutes. But now the Right Honourable Mr. Anthony Eden, the Foreign Secretary of the same country to which the Honourable Finance Member belongs conveyed to the Spanish Ambassador the British appeal to both the parties, rebels and the duly constituted Government, engaged in the civil war in Spain for an exchange of prisoners who are at present held as prisoners. Imagine what a great change this instance shows in the attitude of our British Government even towards the mischief-mongers. But the Punjab Government's adamant attitude towards its political prisoners is quite inexplicable. Every government has followed this principle all along to re-consider the case of political prisoners condemned to penal servitude after the expiry of their imprisonment and in almost all cases it has set them free. It is quite clear that a person who remains in

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jail for twenty years can hardly re-start his political activities. With shattered body and mind he is really unfit for anything. The government appears to labour under this misapprehension that those persons who were convicted for semi-political offences had a personal grudge against it. Their crime at best was simply perhaps this that they took part in a procession or attended a political meeting. It does not behove an all-powerful government like ours to keep in prison people for an indefinite period. When the Gandhi-Irwin pact was signed all the political prisoners were released, who had actually committed crimes of a serious nature. I whole heartedly condemn those people who deliberately and purposely create mischief. I believe that those persons who break the law for selfish ends and who commit murders for the sake of wealth and property deserve the severest punishment at the hands of government. But, is it just and fair that budding youths and inexperienced young men who fell a prey to the misguidance of mischievous political workers should be treated mercilessly and worse than ordinary criminals? With all the emphasis at my command I would say that injustice cannot go beyond this. How strange it is that a boy of 16 who was arrested about 19 years ago is still under confinement! God alone knows how many careers have been destroyed and how many lives have been ruined in this manner. Can England quote even a single instance from her modern history to show that a martial Law prisoner was ever kept in prison for more than sixteen years? If that wretched fellow had committed a murder, why did the Government spare his life? How could he escape the hangman's halter? But I know that the Government itself is not convinced that the poor boy has committed any serious crime. According to the suggestions made by my honourable friend, Mr. Gurmiani, if he were the actual murderer he ought to have been hanged. But his life was spared and this shows that he was not guilty of murder and deserved some consideration. I would, therefore, respectfully submit that these unfortunates have paid sufficient penalty for their crimes if they committed any. We have forgotten the stiff treatment which we suffered at the hands of Government. The Government also should in its turn forgive those poor and wretched people who have been interned in jails for a very long time. I do not want to blame the judiciary of that time. Those were extraordinary days. People were afraid to appear as witnesses. A spirit of terror prevailed everywhere. The authorities showed great high-handedness in the dispensation of justice. The Government treated people in a harsh and stern manner, regardless of their wealth, honour, social status and reputation. I know my friend, Mr. Manohar Lal, was arrested. The Honourable Mian Sir Fazl-i-Husain had to flee to Simla to save himself. Our late Minister Lala Harkishen Lal had his due share. The Honourable Sir Gokul Chand was sent to jail. Now, can anybody imagine that Khan Bahadur Habib Ullah could have committed a violent crime? Even he was not spared. How strange it is then that even such reputed men with all the worldly resources at their command could not go off scott free! You can imagine the plight of poor people, and the less I speak of it the better. The orders in those days were "Catch these badmashses; don't let them escape". The only crime of Sir Gokul Chand was that he led a procession sitting on a black horse. He was arrested and brought to the Kotwali where he was given a handful of grams to

eat and a bowl of water to drink, so that he may come to his senses and the idea of leadership may soon evaporate from his head. You can imagine the torments and sufferings of poor people who were arrested in those days. If such treatment was meted out to Khan Bahadurs and Rai Bahadurs, you can guess the plight of poor people. In this connection I must relate another amusing incident. A few days ago a Criminal Investigation Department officer refused to enter the room of Mr. Justice Din Muhammad. On being asked why he hesitated to do so, he replied that he had arrested him in the Martial Law days. He was now afraid lest he should be hand-cuffed in turn and made to pay the penalty for his past misconduct. It is a fact that in those days many false witnesses were procured because no witnesses would come forward. I admit on such occasions injustice is apt to be done. The Government hands over such cases to its subordinates who in their zeal very often do undesirable things. Those were extraordinary days. But we have forgotten all about them. I remember in the court of Mr. Puckle, the then Deputy Commissioner of Amritsar, 10 out of 12 accused were acquitted. Proper justice was done and everybody was satisfied. There might have been some justification in sentencing persons found guilty to long imprisonments. But now it seems nothing but obstinacy on the part of the Government to keep them in prison even though two decades have rolled by. India is an Eastern country and here only Eastern ideas are understood and tolerated. We expect at the hands of Government the same treatment as the Raja shows to the *praja*. I, therefore, request the Government that it should forget all that had happened in the past and gracefully pardon those still in jail. Sometime ago it was said that the political prisoners would be released in batches in January last. But that month passed off without any gesture on the part of Government. Then it was proposed to set them free in April, but that month also rolled by and the Government did nothing to set the prisoners at liberty. I should like to submit to the Government that this is the most opportune time for the present Government to win the favour and gratitude of the people. It will not be proper to put this matter off till June, 1937 and to allow this question to be decided by the future Government, as has been declared by the Honourable Finance Member. The Government is unnecessarily incurring the odium of the people by detaining the prisoners who have already paid the penalty imposed upon them by law. The Government certainly runs no risk in releasing those prisoners. The movements with which they were alleged to be connected is no longer alive. They are absolutely unfit for any further mischief. The present Governments can do a good act and win credit. The prisoners by now have undergone sufficient term of imprisonment. The long and rigorous imprisonment of 18 years is not a joke. My honourable friend, Mr. Gurmani, has said that he is a jail visitor and on one occasion he came across a prisoner who has been in jail for the last 22 years. I would submit to my honourable friend that it is easy to go to the prison as a visitor, but if he spends a few days in the jail as a prisoner he would realize what it is to pass 18 long years as a prisoner. We shall, therefore, esteem it a favour if Government releases these prisoners. They should not adopt a die-hard attitude towards them. We know that rioters who were convicted in connection with Cawnpore riots have been released on representation by leaders of both communities. If that

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is so, I fail to understand why Government hesitates to release the Conspiracy Case and Martial Law prisoners for whom the public at large is so anxious. With these words, Sir, I resume my seat.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I congratulate Shrimati Lekhwati Jain for bringing this resolution before this House and also for the beautiful speech she has contributed to this debate. She has enunciated a great principle of administration that justice should be tempered with mercy. I think it was Shakespeare who said that Mercy is twice blessed; it blesseth him that gives him and him that receives. So I think the whole question should be considered from that point of view. The proceedings in the cases under discussion were conducted certainly in very peculiar circumstances. Perhaps it is too late in the day now to pass remarks on the facts which took place at that time. But we have very cogent evidence and I think a good deal of that has already been repeated in this House, that the circumstances were such that even if people were to repeat those activities, they would not be considered wrong. I would only submit one or two instances. One is the evidence of a wakil of Amritsar and this has been read by Mr. Nanak Chand Pandit. Therefore I need not repeat it. I give another instance from my personal experience. During those days I had a zaildar staying with me at Lyallpur. The poor fellow was involved in a case which was supposed to have taken place at Chak Jhumra, about 13 miles from Lyallpur. Evidence was produced before the court definitely that the man was at Chak Jhumra while he was actually at my house at Lyallpur. The evidence against him was that at that time he had joined in a dacoity at Chak Jhumra. I happened to talk this matter over to the Additional District Magistrate of the place, Tikka Rajendra Pal, who was my next door neighbour. He also recollected that the man was actually at Lyallpur at that time and he himself had sent the man with a message from Sir Geoffrey deMontmorency who was then Deputy Commissioner of Lyallpur, to be given to an Extra Assistant Commissioner. It was by a mere chance that I talked this matter to Tikka Rajendra Pal and it was a co-incidence that he too remembered that incident. I had to put him in the witness box and the man was of course acquitted. Just think how many persons there were who could get the evidence of people like the Additional District Magistrate to defend them. I know there were 30 other men involved in the case and they were all convicted. And if this zaildar was involved in the martial law case how many others could have been involved and unnecessary punishment awarded to them. Again as soon as Martial Law was over there was gracious announcement made by His Majesty in which he said:

"It is my earnest desire at this time that so far as possible any trace of bitterness between my people and those who are responsible for my Government should be obliterated. Let it become possible for those who are charged with the maintenance of peaceful and orderly Government to forget the extravagances they have had to curb. A new era is opening. I, therefore, direct my Viceroy to exercise in my name and on my behalf the Royal Clemency to political offenders in the fullest measure which in his judgment is compatible with public safety. I desire him to extend it on this condition to persons who for offences against the State or under any special or emergency legislation are suffering imprisonment or restriction upon their liberty."

My idea in quoting this beautiful announcement is that the spirit which compelled His Majesty to make such an announcement should be carried out. The people rotting in the jails are physical wrecks. Diseases like consumption and phthisis are associated with their names. We read every day in the newspapers that such and such a prisoner is suffering from phthisis and sometimes we read that the wives and children of those prisoners are also suffering from the same diseases. I think, after all these hardships of 17 years, it is only meet that clemency should be shown to these people. I have only to submit that our Government is strong and they should show some courage as well. It is wrong to think that these decrepit men when they come out of the jails after spending such long terms of imprisonment, can in any way raise any effective voice against the Government. With these words I support the resolution moved by Shrimati.

Diwan Ram Lal (Legal Remembrancer): I rise to oppose this resolution. Honourable members who have spoken on the other side have used up a lot of false sentiment and have misled themselves about a number of facts which they have placed before this House. It has been said that in connection with the Conspiracy cases of 1915 those people have not been treated properly either during the course of the trial or after the trial terminated.

At this stage the Council adjourned till 2 P. M. on Monday, 9th November, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 9th November, 1936.

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. C. Bourne (Secretary, Electricity, Industries and Labour Departments).

Mr. W. H. F. Armstrong (Director of Public Instruction).

STARRED QUESTIONS AND ANSWERS.

HAQ MAURUS TO REWARD GRANTEES.

***6053. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether formerly *haq maurus* was granted to reward grantees after payment of one or two instalments in the Lyallpur district ;
- (b) whether the Government is aware that many reward grantees in Firmahal and Toba Tek Singh tahsils have paid four instalments and yet *haq maurus* is not given to them ;
- (c) if so, why ?

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

(b) Four instalments of *nazrana* amounting to Rs. 25 per allotted acre have been assessed so far but all grantees have not paid them.

(c) Under the conditions of grant Rs. 60 per allotted acre must be paid as *nazrana* before occupancy right can be conferred.

LADY DOCTOR, GUJAR KHAN.

***6054. Sardar Sampuran Singh :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that a complaint of a serious nature against the local lady doctor was made by Doctor Dyal Singh, private medical practitioner, Gujar Khan, district Rawalpindi, on 29th April, 1936, to the Civil Surgeon, Rawalpindi, President, Red Cross Society and Inspector-General of Civil Hospitals, Punjab ;
- (b) whether it is a fact that the Civil Surgeon, Rawalpindi, demanded an explanation of the said lady doctor ;

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- (c) whether the statement made by the lady doctor in her explanation was correct ;
- (d) whether the Civil Surgeon has taken any action against the lady doctor ;
- (e) what action Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes. As the lady doctor was an employee of the Red Cross Society and was not serving in an institution under the administrative control of this Government, no action could be taken in the matter. Copies of the complaints were, however, forwarded by the Inspector-General of Civil Hospitals, Punjab, to the President, Red Cross Society, Rawalpindi, for necessary action.

- (b) to (e) Do not arise.

SELECTION OF NAIB-TAHSILDARS FROM AMBALA DIVISION.

***6055. Sardar Sampuran Singh :** Will the Honourable Revenue Member please state—

- (a) whether Government has lately selected candidates for naib-tahsildarship from the Ambala division ;
- (b) if so, how many, and the number of Sikhs among them ;
- (c) if no Sikh has been selected, the reasons for the same ?

The Honourable Captain Sardar Sir Sikander-Hyat-Khan : (a) Candidates for the post of naib-tahsildar are selected, not by Government, but by Commissioners, and the Commissioner of Ambala has recently made a selection.

- (b) 15, none of whom was a Sikh.
- (c) Sikhs are already fully represented in the divisional cadre in proportion to the population of their community.

SCHOLARSHIPS FOR DISTRICT BOARD AND MUNICIPAL MIDDLE SCHOOLS, DERA GHAZI KHAN DISTRICT.

***6056. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education please state—

- (a) the number of scholarships that are awarded to the students of the district board and municipal middle schools of the Dera Ghazi Khan district every year ;
- (b) the number of such scholarships that were awarded community-wise each year, since the present district inspector of schools took charge of this district ;
- (c) whether it is a fact that no scholarships or only a few were awarded to the Hindu students during this period, if so, the reasons therefor ?

The Honourable Chaudhri Sir Shahab-ud-Din :

- (a) District Board Schools 25
- Municipal Board Schools One after every 5th year.

(b) Nil. The present district inspector of schools joined only in March, 1936.

- (c) Does not arise.

**RETRENCHMENT OF LOCAL BOARD TEACHERS, DERA
GHAZI KHAN DISTRICT.**

***6057. Rai Bahadur Lala Sewak Ram:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether any retrenchment has been made in the teaching staff of the district board and municipal schools of the Dera Ghazi Khan district during the last three years ;
- (b) if so, whether the Honourable Minister will lay on the table a statement showing the names of the teachers retrenched, their qualifications and the criteria of their retrenchment ;
- (c) whether it is a fact that new men were appointed in place of the retrenched teachers, if so, why ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes. Retrenchment was only made in the teaching staff of the district board and municipal schools of Dajal and Rajanpur Committees of the Dera Ghazi Khan district during the last three years.

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

(c) No new men were appointed in place of retrenched teachers but 8 teachers named Jesa Ram, Sultan Masud, and Muhammad Masud, possessing special qualifications were taken by the District Board to fill the three vacant posts.

A statement showing the names of the teachers retrenched, their qualifications and the criteria of their retrenchment.

District Dera Khan.	Board Ghazi				
		1. M. Muhammad Muss, of Basti Yaqi School.	J. V. Special Certificate.	Copy of District Board letter No. E-14/5817, dated the 21st October, 1936, enclosed.	
		2. Lala Bhola Nath, of Hajbat Mastoi School.	Ditto		
		3. Lala Fattu Ram, Sikhani-wala School.	Ditto		
		4. M. Muhammad Ibrahim Shah, of Jhok Bodo School.	Ditto		
		5. M. Allah Diwaya Shah, Gabel School.	J. V.		
		6. Lala Topan Das, of Son-maini School.	Ditto.		
		7. M. Ghulam Qadir, of Kotla Jafar School.	S. V.		
		8. M. Abdul Karim, of Tallpur School.	J. V.		
		9. M. Piran Ditta, of Murgahi School.	Ditto.		
		10. M. Khuda Bakhsh, of Nurpur School.	Ditto.		
		11. M. Jan Muhammad, of Lalgarh School.	S. V.		
		12. M. Khuda Bakhsh, of Mad Muhammad Shah School.	J. V.		
		13. M. Ghulam Hassan, of Bandowani School.	S. V.		
		14. M. Sardar Khan, of Chooni School.	J. V.		
		15. Lala Hari Chand, of Mah-tam School.	Ditto.		
		16. M. Allah Bakhsh, of Mullanwala School.	Ditto.		

[Hon. Dr. Sir Gokul Chand Narang.]

Municipal Com- mittee, Dajal.	17. Lala Chaman Lal, Ver- nacular teacher, Dajal School.	J. V.	..	Reduced for ill-health <i>vide</i> Civil Surgeon, Dera Ghazi Khan's note, dated the 24th July 1934 and Muni- cipal Committee, resolution No. 1, dated the 27th August, 1934.
	18. Lala Chela Ram, Vernacu- lar teacher, Dajal School.	J. V. Special Certificated.		Reduced to decrease expenditure on edu- cation in view of small number of boys, <i>vide</i> Municipal Committee resolu- tion No. 46, dated the 9th July, 1935.
	19. Lala Teka Ram, Vernacu- lar teacher, Dajal School.	J. V.	..	Ditto.
	20. Lala Rup Chand, Assist- ant English Teacher, Dajal School.	J. A. V. Matri- culate.		Reduced to decrease expenditure on op- tional English clas- ses, <i>vide</i> Municipal Committee Resolu- tion No. 39, dated the 28th August, 1935.
Municipal Com- mittee, Rajan- pur.	21. M. Ahmad Bakhsh, of Ra- janpur School.	J. V.	..	Reduction on account of decrease of the students on roll.

Letter from V. B. Stainton, Esquire, I.C.S., Chairman, District Board, Dera Ghazi Khan, to the Deputy Commissioner, Dera Ghazi Khan,—No. E-14/5817, dated the 21st October, 1936.

WITH reference to your office endorsement No. 5270, dated the 17th October, 1936, I have the honour to state as under :—

(a) With a view to reorganize the Education Department, and to bring its commitments to a reasonable level, a Special Sub-Committee was constituted to study the position thoroughly and to put up suitable proposals. The Sub-Committee, could not, however, accomplish the arduous task, and the matter had to be referred to the Board direct. A number of schools was closed down or reduced in standard and certain principles were laid down for the reduction in the staff, *vide* resolution No. 76, dated 30th April, 1934, copy enclosed. Thereafter a list of incompetent teachers was prepared by the District Inspector of Schools, Dera Ghazi Khan, according to such principles and another Sub-Committee was constituted to go through the details. No decision was reached. The case was referred to the Examiner, Local Fund Accounts, Punjab. He did not also give any useful advice except that the matter might be placed before the controlling officers, and this was promptly done. No guidance was made by such officers. Finally the case was placed in the hands of the Inspector of Schools, Multan division. He suggested a set of 7 proposals, which were accepted by the Board, *vide* resolution No. 42, dated 29th April, 1935, copy enclosed. Consequently 16 teachers were selected by Mr. Henderson, the then Chairman, from the list prepared by the District Inspector of Schools, Dera Ghazi Khan, and they were retrenched with effect from the 19th August, 1935.

(b) The names of the teachers referred to at the end of the preceding paragraph are given below :—

(1) M. Muhammad Musa, of Basti Yaqi School	..	J. V. Special Certificated
(2) Lala Bholi Nath, of Haibat Mastoi	..	Ditto.
(3) Lala Fattu Ram, Sikhaniwala	..	Ditto.
(4) M. Muhammad Ibrahim Shah, of Jhok Bodo School	..	Ditto.
(5) M. Allah Diwaya Shah, Gabol School	..	J. V.
(6) Lala Topan Das, of Son-maint School	..	Ditto.
(7) M. Ghulam Qadir, of Kotla Jafar School	..	S. V.
(8) M. Abdul Karim of Tallpur School	..	J. V.
(9) M. Piran Ditta, of Murgahi School	..	Ditto.
(10) M. Khuda Bakhsh, of Nurpur School	..	Ditto.
(11) M. Jan Muhammad, of Lalgarh School	..	S. V.
(12) M. Khuda Bakhsh, of Mad Muhammad Shah School	..	J. V.
(13) M. Ghulam Haasan, of Bandowani School	..	S. V.
(14) M. Sardar Khan, of Chooni School	..	J. V.
(15) Lala Hari Chand, of Mahtam School	..	Ditto.
(16) M. Allah Bakhsh of Mullanwala School	..	Ditto.

(c) No new men were appointed in place of the retrenched teachers. However, 3 teachers of special qualifications were taken in, in the three vacant posts, to regularize the cadre. Their names are given below :—

- (1) Lala Jeesa Ram.
- (2) M. Sultan Masud.
- (3) M. Muhammad Masud.

Copy of Civil Surgeon's note, dated the 24th July, 1934, regarding Ohaman Lal, Teacher, Municipal Board Middle School, Dajal, Dera Ghazi Khan District.

This fellow wants to be passed fit for service he is early case of tuberculosis of the lungs; who had an attack about a year ago but has improved now considerably. He is likely to relapse again, however, at any time and I do not think he is fit to be a school teacher and should be invalided out.

Copy of a resolution No. 14, dated the 27th August, 1934, passed by the Municipal Committee, Dajal.

Ohaman Lal has accordingly been discharged from school duties with effect from 1st August, 1934.

Copy of a resolution No. 46, passed by the Municipal Committee, Dajal, on the 9th July, 1935.

RESOLVED that Lala Chela Ram, Special Certificated and Lala Teka Ram, J. V., may be reduced from 1st August, 1935. The roll in the primary department is very low and one teacher can easily suffice. Ahmad Bakhsh, J. V., a temporary hand working in leave case of Lala Chela Ram is made permanent to work on Rs. 15 per mensem. He is hard working man and will try to increase the roll moreover all the students belong to muslim community at present.

Teachers concerned informed accordingly.

Copy of a resolution No. 39, passed by the Municipal Committee, Dajal, on the 29th August 1935.

As Chaudhri Dharam Chand, Junior Anglo-Vernacular, agrees to work on Rs. 30, therefore, Lala Rup Chand, Junior Anglo-Vernacular (temporary) may be reduced from 1st September 1935. Municipal Committee, on account of present financial weakness, cannot bear the present English education expenses for so small number of boys as has been remarked by Deputy Inspector of Schools recently. Hence the above-noted reduction is given effect to.

EMPLOYEES OF GOVERNMENT AND JAIL PRESSES.

***6058. Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member be pleased to state—

- (a) the total number of employees in the Punjab Government Press communitywise;
- (b) the total number of employees in the jail presses of the province, communitywise;
- (c) the number of employees, communitywise, in the presses mentioned above, in the following branches.
 - (i) composing section;
 - (ii) section-holders and assistant section-holders;
 - (iii) mono-operators;
 - (iv) mono casters;
 - (v) lino operators;
- (d) whether it is a fact that the minority communities are not given their due shares, if so, what steps Government proposes to take in the matter?

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

(d) If more Hindu and Sikh operatives were forthcoming, Government would be glad to employ suitable candidates, as vacancies occur.

(a) *Total number of employees in the Punjab Government Press communitywise :—*

(1) Europeans, Anglo-Indians and Christians	..	..	..	14
(2) Muslims	..	..	..	352
(3) Hindus	..	..	..	138
(4) Sikhs	..	..	..	19
(5) Others	..	..	..	6
Total				529

(b) *Total number of employees in the Jail Presses communitywise :—*

(1) Europeans, Anglo-Indians and Christians	..	..	..	2
(2) Muslims	..	..	..	28
(3) Hindus	..	..	..	12
(4) Sikhs	..	..	..	3
Total				45

(c) I.—*The number of employees communitywise in the Government Press :—*

(i) *Composing Section—*

Muslims	..	..	..	..	99
Hindus	..	..	..	..	50
Sikhs	..	..	..	..	6
Anglo-Indians and Christians	..	..	..	..	5
Total					160

(ii) *Section-holders and Assistant Section-holders—*

Muslims	..	..	..	..	10
Hindus	..	..	..	..	1
Sikhs	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	..
Total					11

(iii) *Mono Operators—*

Muslims	..	..	..	..	6
Hindus	..	..	..	..	..
Sikhs	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	..
Total					6

(iv) *Mono Casters—*

Muslims	..	..	..	..	4
Hindus	..	..	..	..	1
Sikhs	..	..	..	..	Nil.
Anglo-Indians and Christians	..	..	..	..	Nil.
Total					5

(v) Lino Operators—

Muslims	..	..	..	..	2
Hindus	..	..	..	..	1
Sikhs	..	..	..	..	..
Anglo-Indians and Christians	..	..	..	..	1
Total	..	..	..	..	4

(c) II.—The number of employees communitywise on the technical establishment of Jail Presses according to the branches, is given as under as the main duties of them differ from those in the Government Press :—

Central Jail Press—

Press and Machine Foreman	..	..	..	1 Muslim.
Photo Lithographer	..	..	..	1 Sikh.
Electrician	..	..	..	1 Sikh.
Machine minders—5	..	..	..	2 Hindus.
				3 Muslims.
Vernacular copy-holder	..	..	..	1 Hindu.
Draftsman	..	..	..	1 Muslim.
Transferer	..	..	..	1 Muslim.
Mistries	..	..	..	2 Muslims.
Bindery Foreman	..	..	..	1 Muslim.
Assistant Foreman	..	..	..	1 Muslim.

Boretal Institution Press—

Instructor	..	..	..	1 Muslim.
Press Instructor	..	..	..	1 Muslim.
Bindery Instructor	..	..	..	1 Muslim.
Reader	..	..	..	1 Hindu.
Copy-holder	..	..	..	1 Muslim.

DECLARATION OF CERTAIN TRIBES IN KHUSHAB TAHSIL AS AGRICULTURAL TRIBES.

*6059. **Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member be pleased to state—

- whether it is a fact that in the Khushab tahsil, district Shahpur, several non-agriculturist Muslims have been declared to be members of notified agricultural tribes during the last three years ;
- if so, the number of individuals or families so declared during the last three years ;
- whether it is a fact that Sikhs and Hindus of Bhatia and Gakhar tribes in the Shahpur district are treated as non-agriculturists while the Muslims of the same tribes are treated as members of the notified agricultural tribes ; if so, the reason for this distinction ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Certain Muslims of the Khushab tahsil served the Secretary of State for India in Council with notices under section 80 of the Civil Procedure Code to change their caste designation in the revenue records. The claims of some of them were, after thorough enquiries, admitted ; whereas others went to the civil courts and succeeded in obtaining declaratory decrees in their favour.

(b) 96.

(c) First part " No ", the second part does not arise.

RECRUITMENT TO FISHERIES DEPARTMENT.

***6060. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the Fisheries Department has been separated from that of the Agricultural Department and placed under the control of the Warden of Games ;
- (b) whether it is a fact that the recruitment to the post of sub-inspector of fisheries and deputy sub-inspector of fisheries is to be made by the Director of Agriculture ;
- (c) if the reply to (b) above be in the affirmative, the reason why this power has been delegated to the Director of Agriculture and not to the Warden of Games ?

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

(b) and (c) Do not arise.

HEAD OF THE FISHERIES DEPARTMENT.

***6061. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that prior to the amalgamation of the Fisheries Department with that of Agricultural Department the powers of recruitment or appointment to the post of sub-inspector of fisheries and deputy sub-inspector of fisheries were delegated to the Warden of Fisheries ;
- (b) whether it is a fact that the Financial Commissioner, Development, was then the head of the Fisheries Department ;
- (c) if the reply to (b) above be in the affirmative, the reasons for making the Director of Agriculture as head of the Fisheries Department ;
- (d) what action the Government intends to take in the matter ?

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

(b) Yes.

(c) For administrative convenience.

(d) Does not arise.

FISHERIES DEPARTMENT.

***6062. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture kindly state the classification of duties between the Director of Agriculture (as head of the Fisheries Department) and that of the Warden of Games pertaining to the Fisheries Department ?

The Honourable Sardar Sir Jogendra Singh : The Game Warden has been authorized to supervise the district fisheries work under the Director of Agriculture.

FISHERIES DEPARTMENT.

***6063. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of sub-inspectors and deputy sub-inspectors of fisheries, together with their names and dates of their appointments and academic qualifications in the Fisheries Department ;

(b) the income and the expenditure of the Fisheries Department for the financial year 1935-36 ?

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

			Rs.
(b) Income during 1935-36	..	..	49,068
Expenditure during 1935-36	..	..	40,582

Statement.

Name.	Date of appointment in the Fisheries Department.	Date of appointment in the present post.	Academic qualifications.
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EIGHT SUB-INSPECTORS OF FISHERIES.

1. Lala Bhagwan Dass	1st July 1916 ..	2nd April 1917 ..	Matriculation.
2. Lala Prem Dass ..	1st July 1916 ..	1st October 1920	Ditto.
3. M. Muhammad Ibrahim.	4th January 1921	4th January 1921	Matriculation, also Patwar Examination in 1906 and Kanungo examination in 1912.
4. S. Murad Ali ..	22nd May 1921 ..	22nd May 1921 ..	Read upto the Intermediate standard of the Allahabad University (U. P.).
5. Pandit Mulkh Raj	1st August 1921..	1st August 1921..	F.Sc. and read upto the B.A. standard. Passed Settlement training as naib-tahsildar candidate in 1921.
6. M. Muhammad Din	3rd November 1923.	3rd November 1923	Matriculation.
7. Pandit Harcharan Dass.	24th December 1918.	16th July 1926 ..	Ditto.
8. Bhai Ude Singh ..	7th April 1927 ..	7th April 1927 ..	M.Sc. (Lucknow).

SIX DEPUTY SUB-INSPECTORS OF FISHERIES.

1. M. Muhammad Bashir.	1st September 1925	1st September 1925	Middle examination and read up to the Matriculation standard.
2. M. Karam Bakhsh	1st September 1925	1st September 1925	Read upto Vernacular Middle standard.
3. M. Fazal Ilahi ..	19th July 1926 ..	19th July 1926 ..	Anglo-Vernacular Middle Examination and studied upto the Matriculation standard.
4. M. Abdullah Khan	1st March 1927 ..	1st March 1927 ..	5th Class Vernacular Examination.
5. Lala Chokha Nand	17th August 1931	17th August 1931	F.Sc.
6. Bhai Sundar Singh	30th October 1934	30th October 1934	Matriculation.

BRIDGE ON THE BEAS NEAR SUJANPUR TIRA.

***6064. Thakur Pancham Chand :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the *pattan* of Sujampur Tira ferry is in a very bad condition and especially in the rainy season it is very dangerous for the public to cross the Beas river at that place;
- (b) whether it is a fact that the Government of India in consultation with the Punjab Government intends to contribute some amount for the construction of a bridge on the Beas river close to Sujampur Tira;
- (c) if the reply to (b) above be in the affirmative, what action the Punjab Government has taken in the matter?

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

(b) No.

(c) Does not arise.

SUPERINTENDENTS AND HEAD VERNACULAR CLERKS IN DEPUTY COMMISSIONERS' OFFICES, JULLUNDUR DIVISION.

***6065. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

- (a) the number of candidates together with their names and dates of their acceptance as superintendents and head vernacular clerks of the deputy commissioners' offices in the Jullundur division;
- (b) the names of the present superintendents and head vernacular clerks of deputy commissioners' offices of the Jullundur division together with their ages and length of service put in by each of them?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Number of candidates for the post of superintendent and head vernacular clerk in the district offices of the Jullundur division as entered in the lists is 11 and 6, respectively. These lists are confidential *vide* paragraph 3.4 of the District Office Manual: Government does not consider it in the public interests to give the information asked for.

(b) The list giving the requisite information is laid on the table.

List of superintendents and head vernacular clerks of Deputy Commissioners' Offices in the Jullundur Division.

Serial No.	Name.	District where posted.	Age.	Length of service.
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SUPERINTENDENTS.

			Years.	Years.
1	Pandit Daulat Ram ..	Kangra ..	55	32
2	Lala Kanshi Ram ..	Hoshiarpur ..	46	21
3	Lala Kishen Chand (on leave) ..	Jullundur ..	54	33
	(Lala Jagat Ram, officiating) ..	Do. ..	51	22
4	Lala Shadi Ram ..	Ludhiana ..	44	19
5	Chaudhri Nazir Hussain ..	Ferozepore ..	47	28

HEAD VERNAICULAR CLERKS.

1	Pandit Moti Ram ..	Kangra ..	56	32
2	Lala Diwan Chand ..	Hoshiarpur ..	53	24
3	Pandit Mathra Das ..	Jullundur ..	44	20
	(M. Fakhar-ud-Din, officiating) ..	Do. ..	46	19
4	M. Faqirullah ..	Ludhiana ..	47	23
5	M. Devi Singh ..	Ferozepore ..	48	27

APPOINTMENT OF DIRECTOR OF LAND RECORDS.

***6066. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- the name of the person who has been recently appointed Director of Land Records and the community to which he belongs ;
- the post from which he has been promoted to the present one ;
- whether there was any other gentleman senior to him in the list of seniority kept for the purpose ;
- the number of persons who have been superseded by the selection of the present incumbent to this post ;
- the respective pay of the Personal Assistant to the Director of Land Records and of the gentleman who has now been appointed at the time of his appointment to this post ;
- what steps the honourable member proposes to take to redress the grievances of aggrieved communities (Hindus and Sikhs) and members of Provincial Civil Service in this respect ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) Khan Sahib Mirza Ihsan Ullah Khan, who is a Muslim Rajput agriculturist of the Gujranwala district.

(b) From the post of Revenue Assistant, Gujrat.

(c) and (d) The post of Director of Land Records is borne on the junior Indian Civil Service time-scale and has been filled temporarily with the permission of the Secretary of State for India in Council, by an officer of the Punjab Civil Service. There is no seniority list maintained for the purpose of filling up this post to which appointment is made by selection of the officer who is considered most suitable to perform the duties required.

(e) Rs. 760 and Rs. 720.

(f) The question does not arise in view of the reply given to parts (c) and (d) above.

ARREST AND DETENTION OF GURMUKH SINGH.

***6067. Sardar Jawahar Singh Dhillon :** Will the Honourable Finance Member please state—

(a) whether his attention has been drawn to a news published on page 6, column 1, of the *Tribune*, dated 7th October, 1936, under the heading "Alleged Communist Leader";

(b) if so, what action has been taken by the Government so far in this respect, if not, whether the Government intends to take any action in the matter now;

(c) the date on which Comrade Gurmukh Singh was arrested by the Criminal Investigation Department and for what reason;

(d) the law under which Comrade Gurmukh Singh has been detained for such a long time by the Criminal Investigation Department and the offence with which the said Gurmukh Singh has been charged;

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

The Honourable Sir Donald Boyd : (a) Yes.

(b) Government are satisfied that the arrested man is identical with Gurmukh Singh, son of Hoshnak Singh, who was sentenced to transportation for life in the Lahore Conspiracy Case of 1914-15 and escaped from custody in January 1923.

(c) On the 8th September last, under section 2 (1) of the Punjab Criminal Law (Amendment) Act, 1935.

(d) Under section 2 (2) of the same Act.

(e) Steps are now being taken for his re-committal to jail to complete his sentence of transportation.

GOVERNMENT GRANT FOR REPAIRS TO SMADH MAHARAJA
RANJIT SINGH, LAHORE.

***6068. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- (a) whether any amount was awarded by the Government to the Committee of Management of Smadh Maharaja Ranjit Singh situated opposite the Lahore Fort for the annual repairs of the Smadh ;
- (b) if the answer to (a) above be in the affirmative, the amount so awarded per annum ;
- (c) whether the amount is still awarded since the Committee of Management of Smadh Maharaja Ranjit Singh ceased to operate and the management of the Smadh came under the Gurdwara Parbandhak Committee, Lahore, constituted under the Sikh Gurdwara Act ;
- (d) if the answer to (c) above be in the negative, the reasons for stopping the payment for annual repairs of the Smadh ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :
(a) to (d) The charge of the Samadh as a 'protected monument' was handed over to the Archaeological Department of the Government of India on 1st April 1928. The question of expenditure on the Smadh is, therefore, no longer under the control of the Punjab Government.

Sardar Jawahar Singh Dhillon : Is the Punjab Government prepared to recommend this case to the department to whom the Samadh has been handed over ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :
About what ?

Sardar Jawahar Singh Dhillon : That it should be repaired.

The Honourable Captain Sardar Sir Sikander Hyat-Khan :
But why does the honourable member presume that no funds are being provided for the purpose ?

POST DIPLOMA COURSE AT VETERINARY COLLEGE, LAHORE.

***6069. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister for Agriculture kindly state—

- (a) the subjects for the Post Diploma course at the Veterinary College, Lahore ;
- (b) whether it is necessary to attend and pass the Post Diploma course in one year ;
- (c) whether it is possible to pass the Post Diploma Examination in four years by appearing in one subject every year ?

The Honourable Sardar Sir Jogendra Singh :

- (a) (1) Veterinary Medicine,
(2) Meat and Milk Inspection,
(8) Veterinary Surgery, and
(4) Obstetrics.
- (b) Yes.
- (c) No.

JHATKA MEAT IN POLICE LINES, LYALLPUR.

***6070. Sardar Sampuran Singh :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that for a long time *jhatka* and *halal* meat were allowed in the Police Lines, Lyallpur ;
- (b) whether it is a fact that on an objection raised by some Muslims of the local police, the assistant superintendent of Police, Lyallpur, passed an order that there was no objection to the use of *jhatka* meat by non-Muslims in the police lines ;
- (c) whether it is a fact that a deputation of the *Muslims* of the local police and another deputation led by Shaikh Marghub Ahmad, Bar-at-Law, Lyallpur, saw the superintendent of police on this question ;
- (d) whether it is a fact that shortly after that, the superintendent of police made an order to the effect that the Sikhs of the local police force should not use *jhatka* meat in their mess in the police lines, Lyallpur ;
- (e) whether it is a fact that a deputation of the local Sri Guru Singh Sabha made a request to the Deputy Inspector-General of Police to be heard on the matter but this request was refused ;
- (f) whether it is a fact that the use of *halal* meat is still allowed in the police lines ;
- (g) whether the Government is aware of the fact that a Sikh is forbidden the use of *halal* meat ;
- (h) whether Government is aware that the order of the superintendent referred to in (d) has caused great discontentment among the Sikh community as a whole ;
- (i) what steps the Government proposes to take in the matter ?

The Honourable Sir Donald Boyd : (a) *Halal* meat has always been allowed, but it is against the general practice to allow *jhatka* meat or beef in police lines.

(b) In the middle of March last some non-Muslim constables asked for permission to have meat in the mess. *Jhatka* was not mentioned. Permission was given to them to have meat in the mess if their mess-mates did not object.

(c) Certain representations were made to the Superintendent by the Muslims of the district police force. No deputations were received.

(d) Orders were issued by the Superintendent at the end of March re-affirming the old rule.

(e) A request was made to the Deputy Inspector-General of Police by the Sabha mentioned to receive a deputation. He replied that police officers have the right of access to their superior officers in any matter concerning their well-being, and that he could not allow the intervention of a third party in a matter affecting police discipline. The action taken by the Deputy Inspector-General had the full approval of Government.

(f) and (g) Yes.

(h) No.

(i) Government are not prepared to allow any departure from the old practice stated at (a) above.

HAVELI PROJECT.

***6071. Lala Chetan Anand :** Will the Honourable Revenue Member please state—

(a) at what stage the Haveli Project is ;

(b) whether the sanction of the Secretary of State for India has been obtained ;

(c) when Government is likely to take the project in hand ?

The Honourable Captain Sardar Sir Sikander-Hyat-Khan :

(a) The Haveli Project was submitted to the Government of India for sanction in December 1935.

(b) Not yet.

(c) When sanction of the Secretary of State for India is received.

NOMINATION OF MEMBERS, OKARA MUNICIPALITY.

***6072. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government please state—

(a) whether any memorial has been submitted to the Government and the Commissioner, Multan division, by the Hindus of Okara town with regard to the nomination of members in that municipality ;

(b) whether the Government is prepared to consider the claims of Hindus of Okara in the nomination of members as submitted in the memorial ?

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

(b) No. The power lies with the Commissioner.

1914-15 CONSPIRACY PRISONERS.

***6073. Lala Chetan Anand :** Will the Honourable Finance Member please state—

(a) the number and names of 1914-15 conspiracy prisoners still in jails ;

(b) when the Government intends to release them ?

The Honourable Sir Donald Boyd : (a) Two. Parmanand, son of Gaya Parshad and Gurmukh Singh.

(b) It is proposed to consider the release of Parmanand in July 1937 if his behaviour in the meantime remains satisfactory. Gurmukh Singh has only served about 7 years of his sentence.

DETENUEES IN THE PUNJAB.

*6074. **Lala Chetan Anand:** Will the Honourable Finance Member please state—

- (a) the number and the names of detenues detained in the Punjab at the end of September, 1936;
- (b) the period each of them has been under detention?

The Honourable Sir Donald Boyd: A statement is laid on the table.

Statement.

Name.	Date from which detained.
I.—DETAINED UNDER REGULATION III OF 1818.	
1. Ihsan Elahi	10th February, 1931.
2. Karam Singh	28th April, 1931.
3. Chaman Lal Asad	8th April, 1933.
4. Teja Singh alias Wasdev Singh alias Ishar Singh ..	5th October, 1933.
5. Ram Kishan	18th July, 1934.
6. Chanan Singh	14th December, 1935.
7. Teja Singh Asad	17th March, 1936.
II.—DETAINED UNDER THE BENGAL CRIMINAL LAW AMENDMENT ACT, 1930.	
1. Satindra Nath Sen	9th January, 1932.
2. Dinesh Chandra Sen	8th February, 1932.
3. Hira Lal Das Gupta	6th June, 1930.
III.—DETAINED UNDER SECTION 2 OF THE PUNJAB CRIMINAL LAW (AMENDMENT) ACT, 1935.	
1. Gurmukh Singh	8th September, 1936.
2. Bhagat Singh	11th September, 1936.

SUPPLY OF NEWSPAPERS TO GOVERNMENT SCHOOLS, MULTAN DIVISION.

*6075. **Lala Chetan Anand:** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the "Eastern Times" is being subscribed by almost each Government school in the Multan division out of the funds contributed by the Muslim as well as Hindu and Sikh students;

- (b) whether the "*Tribune*" or some other Hindu paper is also subscribed by such schools for the use of Hindu and Sikh students, if not, why not ;
- (c) whether books for schools are purchased out of the Reading Room Fund and they eventually become the property of the Government ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

FEE CONCESSION IN SCHOOLS IN MULTAN DIVISION.

***6076. Lala Chetan Anand :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that in some Government schools in the Multan division, the Muslim students have been given fee concessions far in excess of the percentage fixed by the Government ;
- (b) if so, whether he will take steps to see that the non-Muslim communities get their due share and the percentages fixed are not exceeded ?

The Honourable Chaudhri Sir Shahab-ud-Din : The time and expense necessary to collect the information asked for in paragraph (a) of the question would be incommensurate with the value of the information, but the honourable member's attention is invited to Article 126 of the Punjab Education Code, XI edition, under which the percentages fixed for the Muslims and non-Muslims may be exceeded in certain cases. He may, however, bring to the notice of the Education Department any cases in which he thinks that injustice has been done to the non-Muslims.

SUPERINTENDENTS OF HOSTELS, GOVERNMENT SCHOOLS, MULTAN DIVISION.

***6077. Lala Chetan Anand :** Will the Honourable Minister for Education please state—

- (a) the number of superintendents of hostels, communitywise, in Government schools of Multan division, and the number of years that each incumbent has been holding the post ;
- (b) whether it is a fact that under the instructions issued by the Education Department, the post of superintendent of hostels is to be held alternately by a Muslim and a non-Muslim teacher ;
- (c) whether it is a fact that the posts have been held for years successively by Muslim teachers in some Government schools in the Multan division ;
- (d) if so, what action Government intends to take in the matter ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) The requisite information concerning the number of superintendents of hostels community-wise in Government schools in the Multan division for the year 1935-36 is given below :—

Muslims	10
Hindus	4

Of these the following have been working continuously as hostel superintendents for the following periods preceding March, 1935 :—

5 Muslims	2 years each.
5 Muslims	3 years each.
3 Hindus	2 years each.

(b) Yes, as far as possible.

(c) See (a).

(d) No action.

COMMUNAL REPRESENTATION AMONG MENIALS IN GOVERNMENT SCHOOLS AND HOSTELS, MULTAN DIVISION.

***6078. Lala Chetan Anand :** Will the Honourable Minister for Education please state—

- (a) the number of Government schools and hostels in the Multan division ;
- (b) the number of menials employed in these institutions community-wise ;
- (c) whether it is a fact that even in schools where the number of Muslim students is far less than that of non-Muslim students, only one non-Muslim (waterman) is employed as against 4 Muslim servants, the peon, the school chaukidar, the hostel chaukidar, and the Muslim waterman or *bhishti* ;
- (d) if so, whether the Government will take steps to see that the Hindus and Sikhs are adequately represented in the menial staff of schools and hostels ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

SALE OF LAND TO NON-AGRICULTURISTS IN SARGODHA DISTRICT.

***6079. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Sargodha, by an order, dated the 1st November, 1932, sanctioned the sale of a very big plot of land belonging to Mian Qadir Bakhsh, zaildar of Dharmea, in villages Masar and Kuddiana, in favour of certain non-agriculturists ;
- (b) the exact area of the land of which the sanction was given by the Deputy Commissioner, Sargodha ;

- (c) whether it is a fact that at least two zamindars had shown willingness to purchase the land ;
- (d) whether it is a fact that the sanction of sale referred to in (a) was given in favour of non-agriculturists simply on the ground that the latter were willing to pay a better price for the land than the agriculturists ;
- (e) whether it is a fact that the debts for the liquidation of which the sanction was given were all unliquidated debts ;
- (f) whether it is a fact that it has been repeatedly held by the Financial Commissioner that sanction for sale in favour of a non-agriculturist cannot be granted for the liquidation of unsecured debts ;
- (g) what Government intends to do in the matter ?

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

Yes.

(b) About 200 bighas.

(c), (d), (e) and (f) Yes.

(g) The sale in question occurred nearly 4 years ago and no objection or appeal was lodged against the orders of the Deputy Commissioner. In the circumstances there was no occasion for intervention by the Commissioner, or the Financial Commissioners. Local Government cannot interfere with the statutory discretion of Financial Commissioners.

GHULAM MUHAY-UD-DIN, SUB-INSPECTOR OF POLICE, SHEIKHUPURA.

***6080. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) the date when Ghulam Muhay-ud-Din, sub-inspector of police, was first posted in charge of police station Sheikhpura, and how long he has been there in that position ;
- (b) whether it is a fact that previous to his appointment in Sheikhpura district he was suspended from service, and, if so, for what period and the reasons for this suspension ;
- (c) whether it is a fact that the said sub-inspector started a case under sections 392, 147, 353, 224, 149, Indian Penal Code, against Sardar Atma Singh and some public workers on the 15th March, 1930, and his conduct was severely criticised by the additional district magistrate who after protracted trial acquitted the accused, holding that the prosecution story was false and an after-thought ;
- (d) whether the Government is prepared to place a copy of the judgment in the said case on the table ;
- (e) if the answer to (c) be in the affirmative, whether any action was taken against the said sub-inspector ;
- (f) whether it is a fact that Nawabzada Said Ullah Khan, Deputy Commissioner, Sheikhpura, made reports against him, and he was ordered to be transferred to Montgomery district, but subsequently that transfer was cancelled, if so, why ?

The Honourable Sir Donald Boyd : (a) The officer named was in charge of the Sheikhpura police station from the 10th September 1923 to the 31st July 1931. He was re-posted to the same police station on the 20th March 1935 and is still in the appointment.

(b) He was under suspension from May 1927 to August 1928 in connection with certain charges of corruption, of which after careful inquiries he was acquitted.

(c) and (d) A case under section 350 and other sections of the Indian Penal Code was registered against Atma Singh and five other persons in 1930. The accused were acquitted by the Additional District Magistrate. The judicial file has been destroyed and it is accordingly not possible to lay a copy of the judgment on the table or to say whether it contained criticisms of the prosecution.

(e) There is no record of any such action.

(f) The officer was transferred to the Montgomery district in July 1931 and re-transferred to Sheikhpura a few weeks later. The District Magistrate of Sheikhpura made the usual confidential reports on all the sub-inspectors in the district. Government cannot undertake to disclose the contents of such reports.

Sardar Jawahar Singh Dhillon : Will the Honourable Finance Member please state why such an important document was destroyed?

The Honourable Sir Donald Boyd : I presume it was destroyed under the ordinary rules for the destruction of records.

Sardar Jawahar Singh Dhillon : Will the Honourable Finance Member please state whether an entry was kept in the Goshwara that this document was destroyed?

The Honourable Sir Donald Boyd : If the honourable member will give notice of the question, I shall be able to answer it.

Sardar Jawahar Singh Dhillon : Is it a fact that instead of taking any action against such an officer, he was granted a medal of O.B.E.?

The Honourable Sir Donald Boyd : Once more I must ask for notice.

SHAIKH KARAMAT ALI, MEMBER, SHEIKHPURA MUNICIPAL COMMITTEE.

***6081. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that one Shaikh Karamat Ali, Pleader, Sheikhpura, a member of the Municipal Committee, Sheikhpura, absented himself from the meetings of the said municipality for more than three months ;

(b) whether it is a fact that the president of the municipality reported to the deputy commissioner that recommendation be made to the Government for removing his name from the membership of the committee under section 16 of the Municipal Act ;

(c) whether it is a fact that the papers against the said member were not sent to the Honourable Minister for taking suitable action against him ?

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

(c) Papers were called for.

The Commissioner did not recommend that action under section 16 (1) (c) should be taken against Shaikh Karamat Ali, but a warning is being conveyed to him on the orders of Government.

Sardar Jawahar Singh Dhillon : Will the Honourable Minister for Local Self-Government please state whether the said pleader is a relation of the Deputy Commissioner of Sheikhpura ?

The Honourable Dr. Sir Gokul Chand Narang : A distant cousin.

LEASE OF LORRY STAND, SHEIKHPURA.

***6082. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Additional District Magistrate, Sheikhpura, conducted an enquiry into the leasing out of a lorry-stand at Sheikhpura in the month of April, 1986 ;
- (b) whether it is a fact that one Ram Singh, son of Narain Singh, commission agent, caste Arora, resident of Sheikhpura, appeared as a witness in that enquiry ;
- (c) whether Government is aware that the name, parentage, and occupation of this witness was subsequently changed and instead of his statement the statement purporting to be one of Harnam Singh, son of Nihal Singh, occupation agriculturist, was found on inspection of the file ;
- (d) whether Sardar Atma Singh, President, Municipal Committee, Sheikhpura, complained about this tampering with the record and demanded a sifting enquiry into the conduct of the additional district magistrate who recorded the statement ;
- (e) if the answer to (d) be in the affirmative, whether any enquiry was made into this alleged tampering with the record ; if not, why not ;
- (f) whether the Government in view of the serious allegations made against the magistrate by a man of the responsible position of Sardar Atma Singh, President, Municipal Committee, in his application, dated the 22nd June, 1986, is prepared to make an independent enquiry into the case and take suitable action in the matter ?

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

(b) Yes.

(c) On enquiry it has been reported that there was no change and that the names of the witness and his father were misheard by the Reader, as the court was crowded and the Reader is a bit hard of hearing. The accuracy of the statement itself is unchallenged.

(d) Yes.

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(e) The matter was gone into and it was found that a mistake had been made by the Reader as explained under (c).

(f) No.

Sardar Jawahar Singh Dhillon : Is the deaf reader still in service ?

The Honourable Dr. Sir Gokul Chand Narang : I really do not know. If the honourable member gives notice I shall inquire.

CANDIDATES IN DEPUTY COMMISSIONER'S OFFICE, LUDHIANA.

***6083. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please—

(i) lay on the table—

(a) papers regarding the appointments of—

- (1) M. Inayat Ullah, 2nd copy clerk,
- (2) M. Muhammad Ismail, registration muharrir,
- (3) M. Bhagat Ram, Leave reserve,
- (4) M. Muhammad Ramzan, and
- (5) M. Khair Din, patwari, leave reserve,
in the deputy commissioner's office, Ludhiana ;

(b) representations and applications of the leave reserves and other candidates regarding these appointments to the Deputy Commissioner, Ludhiana ;

(c) representation of leave reserves and other candidates addressed to the Financial Commissioners, Punjab, regarding Nos. 1 to 3 in (i) (a) above and deputy commissioner's order thereon refusing to transmit it ;

(d) letter No. 3621-E., dated the 24th September, 1934, from the Assistant Secretary to the Financial Commissioners, Punjab, to the Commissioner, Rawalpindi division, copy sent to Commissioner, Jullundur division,—*vide* his endorsement No. 3622-E., dated the 24th September, 1934 ; and

(ii) state—

(a) whether it is a fact that Nos. 1 to 3 in (i) (a) were entertained in service above the prescribed age limit by direct appointment, without the previous sanction of the commissioner which was required under the rules ;

(b) whether it is a fact that the deputy commissioner has withheld the representation referred to in (i) (c) which ought to have been forwarded and has decided to apply for the commissioner's sanction now, to legalise the appointments of Nos. 1 and 2 but has ignored No. 3 altogether merely to prejudice the candidates ;

(c) whether it is a fact that the Government letter referred to in (i) (d) implies that one patwari leave reserve should be appointed ;

- (d) whether it is a fact that instead of appointing one patwari leave reserve three have been engaged ;
- (e) whether the candidates in the deputy commissioners' office, Ludhiana, accepted in 1986 have been made to suffer by these appointments and have been made as unpaid candidates ;
- (f) if the replies to above are in the affirmative, what action Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (i) It is not in the public interest to lay these papers on the table.

(ii) (a) Yes.

(b) Yes ; but Commissioner's sanction is being applied for in all three cases.

(c) Yes.

(d) No.

(e) No.

(f) None.

MUHAMMAD KARAM DIN, TEACHER, DISTRICT BOARD PRIMARY SCHOOL,
THATTA PAUR.

***6084. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government has received any complaints against one Muhammad Karam Din, a teacher in the District Board Primary School, Thatta Paur, post office Thana Kunjah, district Gujrat, that he is teaching *namaz* and *azan* to the Hindu and Sikh students of the school ;
- (b) whether it is a fact that as a protest and from fear of conversion of their children, the parents of these Hindu and Sikh students withdrew them from the school ;
- (c) whether the authorities made any enquiry into the veracity of these allegations ; if so, what is the result of the enquiry ;
- (d) what action has been taken against the teacher concerned ?

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

(b) Yes.

(c) An inquiry was made and it was found that the allegations were correct.

(d) The teacher has been warned and clearly told that on a repetition of the occurrence he will be dismissed. He has also been transferred from Thatta Paur.

ELECTORAL ROLLS RELATING TO PANIPAT, JAGADHRI AND SHAHABAD MUNICIPALITIES.

*6085. **Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) how many claims were filed by the general and Muslim voters for registration of their votes for the Punjab Legislative Assembly in the electoral roll relating to Panipat municipality ;
- (b) how many of such claims were based on the qualification of literacy which requires a separate application to be made ;
- (c) how many such claims were accompanied with such separate petitions ;
- (d) whether the Reforms Commissioner issued any instructions to the effect that where such claims were not accompanied by such separate applications they could be accepted at any subsequent time and that the decision on the claims could be postponed to enable the petitioners to file such applications with their claims ; if so, on which date such instructions were issued ;
- (e) whether the receiving officer, the Secretary, Municipal Committee, Panipat, brought these instructions to the notice of the petitioners or whether they were otherwise proclaimed or made known to the public ;
- (f) who was the revising authority and whether the instructions mentioned in (d) were ever read by him ;
- (g) whether it is a fact that the revising authority refused to accept such petitions at the time of the hearing of the claims or give them further opportunity to file separate applications ;
- (h) how many claims in all have been rejected by the revising authority at Panipat of Hindus and Muslims ;
- (i) whether it is a fact that a very large number of people, particularly females, have been deprived of their right of vote due to the above-mentioned omission of the secretary, municipal committee and the revising authority at Panipat ;
- (j) similar information in regard to the towns of Shahabad, district Karnal ; and Jagadhri, district Ambala ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :—

				General.	Muslim.
(a)	Panipat	..	..	406	507
	Shahabad	..	..	198	49
	Jagadhri	..	..	167	Nil
(b)	Panipat	..	..	88	285
	Shahabad	..	..	85	22
	Jagadhri	..	..	88	Nil

(c) Nil.

(d) Such instructions were issued on August 22nd, 1936.

(e) The instructions were for Revising Officers.

(f) Panipat .. }
 Shahabad .. } The instructions reached the Revising Officers
 Jagadhri .. } too late to be effective.

(g) Jagadhri .. }
 Shahabad .. } Does not arise.
 Panipat .. }

At Panipat only 44 claims were rejected for want of separate applications.

At Shahabad all rejected claims were rejected for want of proper attestation, or of proof, or for absence of the claimant—and not for want of separate applications.

				General.	Muslim.
(h)	Panipat	..	..	397	494
	Shahabad	..	..	82	42
	Jagadhri	..	..	142	Nil.

(i) This is not so. The instructions were for the Revising Officer, and not for the Receiving Officer. Also the honourable member is referred to the answer to part (g) of the question.

(j) Answers are given above.

REPORT ON THE WORKING OF THE DEBT CONCILIATION BOARDS.

*6086. **Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) whether the attention of the Government has been drawn to the report on the working of the debt conciliation board at Jhang, made by a committee appointed by the Bar Association, Jhang, to enquire into the malpractices and illegalities of the said board ;
- (b) if so, whether the allegations made in the report against the president and the members of the board are wholly or partially true ;
- (c) if the answer to (b) be in the affirmative, what action the Government proposes to take in the matter ;
- (d) whether the Government itself will appoint a committee to enquire into the working of the debt conciliation boards at various places in the province ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) The Report suggested that in certain respects the Conciliation Board at Jhang had taken a wrong view of the law, but it did not contain any such allegations against the Chairman and members as to necessitate special inquiries.

(d) No.

RECRUITMENT OF NAIB-TAHSILDARS.

***6087. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the nominations of naib-tahsildars in all the divisions excepting Jullundur have taken place recently ;
- (b) the names of the divisions where the recruitment to the cadre of naib-tahsildars has not taken place since 1930 ;
- (c) the reasons for not recruiting by nomination naib-tahsildars in the Jullundur and Rawalpindi divisions since 1930 ;
- (d) when the nominations of naib-tahsildars in the Jullundur and Rawalpindi divisions are likely to take place ;
- (e) the number and names of candidates for naib-tahsildarship from Jullundur division who have not yet been offered appointment ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) Candidates have been recruited since 1930 in all divisions, except Jullundur and Multan.

(c) The number of candidates is at present sufficient for the requirements of the Jullundur division, and fresh recruitment has quite recently been made in the Rawalpindi division.

(d) When the number of candidates is reduced to 12.

(e) Nil.

MOTOR SERVICE ON DHARAMSALA-SUJANPUR TIRA ROAD.

***6088. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the motor service on Dharamsala-Sujanpur Tira road was discontinued last year under the orders of the Deputy Commissioner, Kangra ;
- (b) the reasons for dispensing with the motor service on Dharamsala-Sujanpur Tira road ;
- (c) what action the Government intends to take in respect of running a through motor service from Dharamsala to Alampur this year ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) and (b) As a result of the lorry accident near Barsar in February last, in which eighteen persons were killed, the Deputy Commissioner, Kangra, convened a small committee of officials to consider the condition of the roads in his district and their suitability for motor transport. Following their inquiries he issued instructions at the beginning of June prohibiting motor transport on one section of the road between Dharamsala and Sujanpur Tira, which had been found to be unsafe.

(c) It is understood that the Kangra District Board is now carrying out certain improvements on this section of the road. When these are completed the Deputy Commissioner will reconsider the position.

VERNACULAR MIDDLE SCHOOL FOR KOTLA.

***6089. Thakur Pancham Chand :** Will the Honourable Minister for Education kindly state—

(a) whether his attention has been drawn to a letter published in the *Tribune*, dated the 2nd May, 1936, and 22nd May, respectively, under the caption "Wanted an Anglo-Vernacular Middle School at Kotla (Kangra)";

(b) if the reply to (a) above be in the affirmative, what action the Government has taken in the matter?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes.

(b) No action.

MOTOR ACCIDENTS IN THE KANGRA DISTRICT.

***6090. Thakur Pancham Chand :** Will the Honourable Revenue Member kindly state—

(a) the number of motor accidents on the Grand Trunk Road between Pathankot and Baijnath and on *kacha* roads in the Kangra district in the years 1934—36;

(b) the number of casualties during this period on these roads?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Thirty-two reported to the authorities.

(b) Twenty-seven. This includes the eighteen casualties in the accident near Barsar in February last.

BENAMI TRANSACTIONS.

***6091. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member be pleased to lay on the table a tahsil-wise list of the *benami* transactions so far as ascertainable or ascertained which have taken place during the last ten years in the districts of Shahpur and Gujrat, and state the number of cases, tahsil-wise, for both of these districts, for the last ten years in which the mutations, having been rejected in the first instance by the revenue officers owing to the believed *benami* character of the transactions, were subsequently granted as a result of the decrees of civil courts?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Attention of the honourable member is invited to the reply given to question No. *6049.¹

SALE OF LAND TO NON-AGRICULTURISTS IN SARGODHA DISTRICT.

***6092. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Sargodha, by an order, dated the 1st November, 1932, sanctioned the sale of a very big plot of land belonging to Mian Qadir Bakhsh, zaildar of Dharmaa, in villages Masar and Kuddiana, in favour of certain non-agriculturists ;
- (b) the exact area of land of which the sanction was given by the Deputy Commissioner, Sargodha ;
- (c) whether it is a fact that at least two zamindars had shown willingness to purchase the land ;
- (d) whether it is a fact that the sanction of sale referred to in (a) was given in favour of non-agriculturists simply on the ground that the latter were willing to pay a better price for the land than the agriculturists ;
- (e) whether it is a fact that the debts for the liquidation of which the sanction was given were all unliquidated debts ;
- (f) whether it is a fact that it has been repeatedly held by the Financial Commissioner that sanction for sale in favour of a non-agriculturist cannot be granted for the liquidation of unsecured debts ;
- (g) what Government intends to do in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The question is the same as question No. *6079¹ to which I have just replied.

PAY OF SUPERINTENDENT OF JAILS.

***6093. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that there are different rates of pay for the European and the Indian officers for the post of superintendent of jails in the Punjab ;
- (b) the initial rate of pay and annual increment fixed in the case of three retrenched European military officers appointed recently as superintendents of jails ;
- (c) the initial rate of pay and the annual increment fixed in the case of Mr. C. G. Bateman appointed as superintendent ;
- (d) whether it is a fact that no initial rate of pay has been fixed in the case of the departmental officers promoted from the rank of deputy superintendent ;

- (e) if the reply to (d) is in the affirmative, the reasons for this differential treatment for the same post, and why the recommendations of the Indian Jails Committee as enumerated in paragraph 37 of the report were ignored?

The Honourable Sir Donald Boyd : (a) No.

(b) Rs. 700—30—1,000; they will get no civil pension.

(c) Rs. 250—30—460/30—550/40—670/40—750/50—800; plus a jail allowance of Rs. 100. He was to enter this scale at the stage next above the pay which he was previously drawing as Superintendent of the Delhi Reformatory School.

(d) Yes. They are given their grade pay as Deputy Superintendents, plus Rs. 100 as special pay.

(e) To have fixed a uniform rate of pay for all Jail Superintendents, irrespective of the source from which they were recruited, would have entailed a large and unnecessary burden on the revenues of the province. As regards the recommendation in paragraph 37 of the Report of the Indian Jails Committee, 1919-20, the honourable member will notice that the recommendation was phrased in tentative language, and the Government of India left it to the discretion of provincial governments to adopt such pay for promoted Deputy Superintendents as might seem to them to be suitable.

WHOLE TIME SUPERINTENDENTS OF JAILS.

***6094. Chaudhri Afzal Haq :** With reference to the answer to question No. *5618, re Lumsden Committee's Report answered on the 30th March, 1936, will the Honourable Finance Member please state—

- (a) whether it is a fact that wholetime Superintendents were appointed in Gurdaspur and Hissar district jails;
- (b) if the answer to (a) above is in the affirmative, why the charge of these jails was given to civil surgeons against the accepted principle enumerated in paragraph 7 of resolution No. 15619, dated 28th May, 1926;
- (c) whether population is the only consideration for appointing a wholetime superintendent in a jail;
- (d) if so, why wholetime superintendents are not appointed in sub-jails like Amritsar and Kasur?

The Honourable Sir Donald Boyd : (a) Yes.

(b) As a measure of economy.

(c) No. It continues to be the policy of the local Government to provide whole-time Superintendents for all District Jails, so far as financial conditions allow.

(d) The honourable member will find the instructions governing the charge of subsidiary jails in paragraph 1149 of the Punjab Jail Manual.

RECOVERIES FROM THE JAIL STAFF.

***6095. Chaudhri Afzal Haq :** Will the Honourable Finance Member please lay on the table a statement showing the amount recovered from the jail staff of each jail during the calendar year 1934-35, separately, along with a copy of the instruction said to have been issued regarding the recoveries as stated in the concluding lines of his reply to question No. *5619¹ asked on 30th March, 1936?

The Honourable Sir Donald Boyd : Copies of the following two communications addressed by Government to the Inspector-General of Prisons are laid on the table:—

Memorandum No. 42746-Jails, dated the 16th December 1935.

Letter No. 958-J.P.—36/12535, dated the 16th April 1936.

I regret that the information asked for in regard to recoveries in 1934-35 is not ready.

Copy of a memorandum No. 42746-Jails, dated the 16th December 1935, from the Home Secretary to Government, Punjab, to the Inspector-General of Prisons, Punjab.

SUBJECT:—*Procedure to be adopted in making enquiries into cases involving recoveries.*

REFERENCE your letter No. 6009-G. I./I.1.7, dated the 10th June, 1935, on the subject noted above.

The instructions contained in paragraph 3 of Punjab Government letter No. 18609-Jails, dated the 13th May, 1935, should in future be observed in all disciplinary cases. The amount of detail to be embodied in the order will depend on the seriousness of the case.

Copy of a letter No. 958-J. P. 36/12535, dated the 16th April, 1936, from the Home Secretary to Government, Punjab, to the Inspector-General of Prisons, Punjab.

WITH reference to the correspondence ending with your letter No. 3131-G. I./C.28-A, dated the 19th March, 1936, I am directed by the Governor-in-Council to forward for your information and guidance a copy of the reply given by Government to Council Question 5619*, put by Sardar Jawahar Singh Dhillon, M.L.C., in the last Session of the Punjab Legislative Council.

2. I am to make it clear that the Governor in Council entirely concurs in the views expressed in paragraph 53 of the Report of the Indian Jails Committee, 1919-20.

Extract of paragraph 3 from Punjab Government letter No. 18609-Jails, dated the 13th May, 1935, to the Inspector-General of Prisons, Punjab.

3. The file prepared by the Superintendent of the Jail or other officer conducting the original enquiry should contain the charges, the replies of the official against whom departmental action is being taken and the evidence and his order, after a discussion of each charge on the strength of the evidence, produced, should contain a considered finding on each charge. On appeal, it is not sufficient for you to record, on a summary prepared by your office, a brief order that the appeal is either accepted or rejected. Your order should contain an outline of the charges and the evidence and your reasons for rejecting or accepting the appeal.

APPLICATION AGAINST THE INSPECTOR OF CO-OPERATIVE SOCIETIES OF
TANDA, DISTRICT HOSHIARPUR.

***6096. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that Bela Singh, son of Jiwan Singh, Jat of village Babak, with thirty other Sikh Jats submitted an application against the Inspector of Co-operative Societies of Tanda, district Hoshiarpur;

- (b) the nature of complaints against the said inspector ;
- (c) the rank of the officer who enquired into the complaints ;
- (d) the findings of the officer who enquired into the complaints ?

The Honourable Sardar Sir Jogendra Singh : (a) Government have no information of any such application.

(b), (c) and (d) Do not arise.

INCREASE OF *PANJOTRA* TO LAMBARDARS OF HOSHIARPUR.

***6097. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the lambardars of Hoshiarpur recently submitted an application to the Government requesting for the increase of *panjotra* ;
- (b) if so, what action has been taken on the application ?

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

(b) Does not arise.

CHOS IN THE HOSHIARPUR DISTRICT.

***6098. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of villages affected by *chos* in the Hoshiarpur district ;
- (b) the area that is laid waste by *chos* in the Hoshiarpur district ;
- (c) when the figures mentioned in parts (a) and (b) were last collected ;
- (d) what scheme is in hand to check the increase of *chos* ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) and (c) The exact number is not available but 147 villages have been notified up-to-date under section 3 of the Chos Act of 1900.

(b) and (c) According to a report submitted by Mr. L. B. Holland, I.F.S., in 1928, 148, 849 acres in Hoshiarpur were affected by *chos*.

(d) Mr. A. P. F. Hamilton of the Indian Forest Service has been on special duty in the district since the 20th March 1934 and has been experimenting in *cho* training and the protection of the Katardhar hills in Hoshiarpur. His appointment has been extended up to the 20th March 1937. A conference was held at Simla on the 2nd July to consider how erosion and denudation of hills in certain districts of the Punjab could be prevented. For

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the Hoshiarpur district the conference recommended the following measures :—

- (1) That in order to encourage the control of grazing and tree-planting, etc., along *chos* on co-operative lines one inspector and four sub-inspectors of the Co-operative Department be appointed for a period of four years at a total estimated cost of Rs. 28,000 and that the scheme be given a prominent place in the list of scheme to be financed out of the grant expected from the Government of India for rural reconstruction.
- (2) That the Forest Officer on special duty might put up a definite scheme for the reclamation of an area of say about 500 acres by direct Government agency and that the owners of the land should if possible be persuaded to hand the land over to Government for a period of years without compensation.
- (3) That Government should undertake legislation in order to provide that, when an area is notified under section 3 of the Chos Act and owners of a revenue estate representing two-thirds of the total area apply for the application of section 4 or section 5 of the Act, Government should have the power to issue a notification accordingly without any claim being made against them for compensation.

The first two recommendations of the conference have been accepted by Government, and the third is under consideration.

SHAH CHARAG MOSQUE.

***6099. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Shah Charagh mosque has been restored to the Mussalmans without imposing any condition ;
- (b) whether certain conditions were imposed when the Badshahi mosque, Lahore, was restored to the Muslims ?

The Honourable Sir Donald Boyd : (a) No.

(b) The honourable member is invited to refer to the reply given to a question put by him on this subject in 1925, No. 1837.

CHANGAR CLAN IN VILLAGE TUNG PAIN.

***6100. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that some persons of *Changar clan* live in the village Tung Pain, tahsil and district Amritsar and were shown as *dakhil kar* in the last *jamabandi* ;

- (b) whether the *Changars* have submitted complaints to Government that attempt is now being made by the patwaris to deprive them of their houses by adverse entries in the revenue records?

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

MARTIAL LAW PRISONERS.

***6101. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the names of the Martial Law prisoners who are still in jail ;
 (b) when the Government proposes to release them ;
 (c) whether it is a fact that the conduct of all these prisoners has been good throughout ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table.

(b) The normal practice, in the case of life prisoners of this type, is to release after 25 years, less such remissions as may have been earned. According to this principle the prisoners who are in the Andamans, having earned the special one-third remission now allowed to prisoners transported overseas, will become due for release on various dates in 1987 and 1988. Those now in jail in India should not according to the ordinary rules be discharged until considerably later, but Government propose to consider their cases, as a special measure, at the same time when the men in the Andamans become due for release.

(c) No.

Statement.

IN THE ANDAMANS.

1. Dina, son of Wazira.
2. Jalal Din, son of Sawan.
3. Karam Chand, son of Fatch Chand.
4. Jai Ram Singh, son of Atma Singh.
5. Sarwar, son of Muhammad Baksh.
6. Allah Din, alias Dina, son of Dasandhi.

IN JAILS IN INDIA.

7. Girdhaji Lal, son of Wali Ram.
8. Sunder Singh, son of Kala Singh.
9. Manohar Singh, son of Lehna Singh.
10. Rattan Chand, son of Sita Ram.
11. Muhammad, son of Asia Sood.
12. Sadiq, son of Ibrahim.

MUNSHI AHMAD DIN, PRESIDENT, PUNJAB SOCIALIST PARTY.

***6102. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Munshi Ahmad Din, President, Punjab Socialist Party, an under-trial prisoner in the Jullunder jail, is suffering from an eye complaint;
- (b) the report of the civil surgeon as to his ailment;
- (c) whether the Government propose to treat him in Mayo Hospital Lahore?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The last report received by Government from the Civil Surgeon (dated the 9th October) was as follows :—

“As the eye condition is much better, the left one is cured and the right one is healing as satisfactorily as can be expected, I see no necessity of any eye specialist examining him now and I am of opinion that unless the prisoner meddles with eye mischievously it will gradually heal up.”

(c) No.

POST GRADUATE COURSE FOR SUB-ASSISTANT SURGEONS.

***6103. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that sub-assistant surgeons have to appear in the grade examination before getting increments in the scale of Rs. 86—102—118;
- (b) whether it is a fact that assistant surgeons also had to appear in the grade examination, a practice which was replaced by the system of post-graduate training;
- (c) if the answers to (a) and (b) are in the affirmative, why sub-assistant surgeons are not given the same privilege as is given to the assistant surgeons;
- (d) whether it is a fact that the sub-assistant surgeons through their All-India Medical Licenciates Association have been agitating for the replacement of grade examinations by a post-graduate course for the last sixteen years;
- (e) whether it is a fact that the above representations have been accepted in principle by the Government;
- (f) if so, what action Government proposes to take in the matter?

The Honourable Chaudhri Sir Shahab-ud-Din : (a), (b), (d) and (e) Yes.

(c) and (f) In view of the present financial position of Government, the scheme for the introduction of post graduate classes for sub-assistant surgeons in place of the present quadrennial professional examinations has been deferred for more prosperous times.

POLLING BOOTHS FOR FEMALE VOTERS IN THE PUNJAB ASSEMBLY ELECTIONS.

***6104. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state what arrangements Government proposes to make for the separate polling booths for female voters in the coming Punjab Assembly election ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : It is not possible to make any statement at present. The question of the details of polling arrangements of all kinds is now being taken up.

SECRECY OF BALLOT PAPERS IN THE PUNJAB ASSEMBLY ELECTIONS.

***6105. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) whether the Punjab Government proposes to adopt the recommendations made by the Delimitation Commission regarding coloured ballot papers or the ballot papers marked with a particular symbol for each individual candidate ;
- (b) if not, what steps the Government proposes to take to ensure the secrecy of ballot papers in the ensuing Punjab Assembly elections ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) and (b) The Punjab Government's decision on this matter is embodied in chapters VI to VIII of part C of the Punjab Legislative Assembly Electoral Rules, 1936, published in the *Punjab Government Gazette Extraordinary* on Friday, October 2nd, 1936.

INCOME OF COPYISTS.

***6106. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that with effect from 1st February, 1936, out of the share of the copyists entered in Register C. D. No. 5 a share for the retrenched persons is being credited to the Government ;
- (b) if so, whether this procedure is in accordance with District Office Manual, Punjab Rule 18-A (40) (1) ;
- (c) the total amount of the retrenched copyists' income so far credited to the Government in each district and how the same has been accounted for in the Government accounts ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Yes, in districts where the existing section copyists exceeded the number fixed by the Commissioners of divisions.

(b) No, but the instructions in rule 18-A-40 of chapter 18 of the District Office Manual, were countermanded by Punjab Government letter No. 857-A, dated the 15th February, 1936.

[Hon. Capt. Sardar Sir Sikander Hayat-Khan.]

(c) A statement is laid on the table. The amount was credited to the head "XXXV—Miscellaneous, B—Copying Agency Accounts."

Statement showing the amount of the share of the retrenched copyists so far credited to Government.

District.	Amount.
	Rs.
Hissar	828
Rohtak	578
Gurgaon	597
Karnal	19
Ambala	271
Total	2,294
Kangra	592
Hoshiarpur	315
Jullundur	345
Ludhiana .. .. .	..
Ferozepore .. .. .	..
Total	1,252
Lahore	1,271
Amritsar	633
Gurdaspur	562
Sialkot	722
Gujranwala	582
Sheikhpura	347
Total	4,117
Gujrat .. .. .	..
Shahpur	517
Jhelum	1,204
Rawalpindi	161
Attock	740
Mianwali .. .. .	..
Total	2,622
Montgomery	28
Lyallpur	380
Jhang	459
Multan .. .. .	..
Muzaffargarh	380
Dera Ghazi Khan	371
Total	1,624
GRAND TOTAL	11,808

EXCISE ASSISTANT TO THE FINANCIAL COMMISSIONER.

*6107. **Chandhri Faqir Husain Khan:** Will the Honourable Minister for Agriculture be pleased to state—

(a) when Rai Sahib Lala Narsingh Das, Excise Assistant to the Financial Commissioner, is due to retire from Government service;

(b) whether it is a fact that by the time of his retirement all other Provincial Civil Service officers possessing the necessary qualifications for the post will also retire;

(c) if reply to (b) above be in the affirmative, what steps Government are taking to give necessary training to some other officers?

The Honourable Sardar Sir Jogendra Singh : (a) 17th April, 1941.

(b) Yes.

(c) None at present.

EXCISE ASSISTANT TO THE FINANCIAL COMMISSIONER.

***6108. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the qualifications necessary for appointment as Excise Assistant to the Financial Commissioner;

(b) whether the post is earmarked for a Provincial Civil Service officer;

(c) the names of the officers who possess the requisite qualifications, and whether any one of them has held the post of Excise Assistant in the past, if so, for what period;

(d) whether there is likelihood of any other officers having the requisite qualifications being appointed to the post of Excise Assistant before their retirement;

(e) whether any officers have expressed a desire to be appointed as Excise Assistant, and, if so, why they have not been selected for that post?

The Honourable Sardar Sir Jogendra Singh : (a) No qualifications have been prescribed, but selection for the post of Excise Assistant to the Financial Commissioners must be made with proper regard to the duties to be performed by him which are detailed in sections 2·7 and 2·8 of the Punjab Excise Manual, Volume III.

(b) No.

(c) The names of all qualified officers have not been ascertained, but Lala Kanwal Nain, Extra Assistant Commissioner, held the post of Excise Assistant for eight months.

(d) This can obviously not be stated with any certainty.

(e) Yes. It is not in the public interest to make a change at present.

SETTLEMENT OF AMRITSAR DISTRICT.

***6109. Chaudhri Faqir Husain Khan :** Will the Honourable Revenue Member kindly lay on the table a copy of the forecast report regarding the settlement of the Amritsar district?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Government consider that no useful purpose will be served by making the report public. It was prepared in 1929 and most of the matter in it is out of date.

ASSESSMENT OF LAND REVENUE IN AMRITSAR DISTRICT.

*6110. Chaudhri Faqir Husain Khan: Will the Honourable Revenue Member kindly state—

- (a) the schedule of prices fixed for the purpose of assessment of land revenue in the Amritsar district during the last settlement;
- (b) the schedule of prices proposed to be fixed for the purpose of assessment of land revenue in the Amritsar district for the forthcoming settlement;
- (c) the proportionate percentage of difference between (a) and (b)?

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

(b) The settlement officer's proposals regarding the commutation prices have not yet been received.

(c) Does not arise.

Commutation prices which form the basis of the current settlement of the Amritsar district.

	Annas per maund.
Wheat, irrigated	36
Wheat, unirrigated	34
Barley	22
Gram	26
Mixed wheat and gram	28
Toria	42
Sarshaf	48
Massar	28
Rice	28
Maize	25
Moth	30
Mung	38
Mash	38
Sugarcane (gur)	50
Cotton	76
Til	64

SETTLEMENT OF AMRITSAR DISTRICT.

*6111. Chaudhri Faqir Husain Khan: Will the Honourable Revenue Member kindly state—

- (a) the sources from which the Government have obtained the average of prices for the purposes of settlement of the Amritsar district;
- (b) the basis on which the average prices have been calculated for the purposes of the forthcoming settlement of the Amritsar district?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) and (b) No prices have yet been assumed for the purposes of the re-settlement of the Amritsar district. Proposals in this behalf will be submitted by the settlement officer for the approval of the Financial Commissioners, in due course.

PRICES OF AGRICULTURAL PRODUCE IN AMRITSAR DISTRICT.

***6112. Chaudhri Faqir Husain Khan :** Will the Honourable Revenue Member kindly lay on the table a statement showing the average prices of the principal agricultural produce on which water-rate and land revenue are charged in each tahsil of the Amritsar district during the last 20 years, respectively ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The question is not clear. If the honourable member wishes to know the commutation prices which form the basis of the current settlement of the Amritsar district, he might kindly refer to paragraph 42 of the final settlement report of that district.

SHORT NOTICE QUESTIONS AND ANSWERS.

DISTRIBUTION OF LAND TO UNEMPLOYED GRADUATES.

Thakur Pancham Chand : Will the Honourable Revenue Member be pleased to state—

- (a) how many squares of land were distributed to the unemployed graduates by the Government ;
- (b) whether it is a fact that the deputy commissioner, Kangra, recommended the names of three graduates ;
- (c) whether the claims of the Kangra district were considered ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : (a) Grantees for 96 rectangles have been selected recently.

(b) Yes. He recommended four graduates to the Commissioner, Jullundur division.

(c) Yes. The claims of the Kangra district were considered.

WATER LEVEL IN JULLUNDUR AND HOSHIARPUR DISTRICTS.

Sardar Sahib Sardar Gurbachan Singh : Will the Honourable Revenue Member please state —

- (a) whether it is a fact that water level is falling in Jullundur and Hoshiarpur districts ;
- (b) whether representations have been made to Government from time to time on this matter ;
- (c) what action Government has taken to remedy the evil and with what results ?

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

(b) Yes.

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

(e) The matter is under the consideration of Government as explained by the Financial Commissioner, Development, to the Standing Committee on Agriculture, of which the honourable member is a member, at its meeting held at Simla on the 25th and 26th August, 1936.

UNSTARRED QUESTIONS AND ANSWERS.

MORTGAGE OF AGRICULTURAL LAND IN GURGAON DISTRICT.

1422. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state—

(a) the area of agricultural land in the Gurgaon district belonging to statutory agriculturists mortgaged to other statutory agriculturists in lieu of the debt owed to non-agriculturist money-lenders during the last five years ;

(b) the amount of money involved in the mortgage referred to in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Information regarding the area mortgaged to agriculturists for debts owed to non-agriculturist money-lenders is not available.

DEBT OF AGRICULTURISTS, GURGAON DISTRICT.

1423. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state the total amount of debt of agriculturists in the Gurgaon district ?

The Honourable Captain Sardar Sir Sikander Hyat-Khan : The information is not available, and it may be doubted whether it is even ascertainable with any degree of accuracy considering the very large number of persons concerned and the tendency of the agriculturist to under-estimate or over-state his debt as may suit him best. In any case no information which could be regarded as in any way reliable could be obtained for the district as a whole without a labour and expense out of all proportion to the advantage to be gained from the enquiry.

HINDU AGRICULTURISTS OF GURGAON DISTRICT IN POLICE SERVICE.

1424. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Finance Member be pleased to state whether there is any Hindu agriculturist of the Gurgaon district in the Indian or Provincial Police Service ?

The Honourable Sir Donald Boyd : No.

DRINKING WATER SUPPLY IN GURGAON DISTRICT.

1425. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education be pleased to state—

(a) whether the Rural Sanitary Board, Punjab, has ever considered the question of water supply for drinking purposes in the rural areas of the Gurgaon district ;

(b) if not, when Government intends to take up the question ?

The Honourable Chaudhri Sir Shahab-ud-Din : (a) Yes. Trial borings costing Rs. 6,591 were made, and brackish water only was struck.

(b) Does not arise.

WATER SUPPLY IN GURGAON DISTRICT.

1426. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education be pleased to state—

(a) the amount spent on the improvement of water supply in the rural areas of the Gurgaon district during the last five years ;

(b) the improvements effected thereby ?

The Honourable Chaudhri Sir Shahab-ud-Din : During the last five years, 1931-32 to 1935-36 a sum of Rs. 778-9-0 was spent by the District Board, Gurgaon, on repairs to drinking water tanks and installation of a lift and force pump on a well. In addition to this a sum of Rs. 3,444-7-0 out of the discretionary grant of Rs. 3,500 was spent by the board in making masonry platforms and providing corrugated iron sheet sheds on 13 wells in different villages of the district. Prior to the year 1931-32 a sum of Rs. 6,591 was granted by the Sanitary Board for trial borings in the district but these were unsuccessful and only brackish water was found.

APPOINTMENTS IN DEPUTY COMMISSIONER'S OFFICE, GURGAON.

1427. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state—

(a) the number of candidates who have been offered appointments in the Deputy Commissioner's office, Gurgaon, during the last three years ;

(b) the number of statutory agriculturists among them ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 17.

(b) 12.

FEMALE EDUCATION IN GURGAON DISTRICT.

1428. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education be pleased to state the amount of money expended by the Government on female education in the Gurgaon district ?

The Honourable Chaudhri Sir Shahab-ud-Din : I regret that the answer to this question is not ready.

COMMUNAL REPRESENTATION IN THE OFFICE OF SUPERINTENDENT OF POLICE, GURGAON.

1429. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Finance Member be pleased to state—

(a) the respective representation of Hindus (agriculturist and non-agriculturist), Muslims, and Sikhs in the office of the Superintendent of Police, Gurgaon ;

(b) the number of Hindus recruited from the Gurgaon district to the prosecuting staff of the district police ?

The Honourable Sir Donald Boyd :

(a) Hindus ..	(Agriculturists) ..	12
	(Non-agriculturists) ..	5
Total ..		17
Muslims ..	28	
Sikhs ..	None.	

(b) The prosecuting staff is recruited on a range basis. At Gurgaon there are at present five Hindu residents of the district on the prosecuting staff.

REMISSION IN LAND REVENUE, GURGAON DISTRICT.

1430. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state the total amount of land revenue remitted in the Gurgaon district during the last five years on account of bad harvests and economic depressions?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :
Rs. 32,42,897.

HINDU AGRICULTURIST PATWARIS IN GURGAON DISTRICT.

1431. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state—

- (a) the number of statutory Hindu agriculturists among the patwaris of the Gurgaon district recruited from the Gurgaon district during the last five years;
- (b) the relative population of Hindus, Muslims and Sikhs in the district of Gurgaon?

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

(a) 35.

(b) Hindus ..	2,66,641
Muslims ..	1,29,479
Sikhs ..	289

PAPERS LAID ON THE TABLE.**STATEMENT SHOWING ACTION AGAINST CORRUPT OFFICIALS.**

Secretary : The Annual Statement showing action taken against corrupt officials in the Punjab during the year ending 31st March, 1935, is laid on the table¹.

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS FOR THE YEAR 1934-35.

The Honourable Sir Donald Boyd : I present the report of the Committee on Public Accounts, for the year 1934-35².

¹Vide Appendix.

²Kept in the Council Library.

DEMANDS FOR EXCESS GRANTS, 1934-35.

The Honourable Sir Donald Boyd : I have to announce that the demands printed on the order paper are presented on the recommendation of His Excellency the Governor.

IRRIGATION ESTABLISHMENT.

The Honourable Sir Donald Boyd (Finance Member) : I move—

That an additional sum not exceeding Rs. 2,00,045 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of Charges on Irrigation Establishment.

The motion was carried.

DEBT SERVICES.

The Honourable Sir Donald Boyd : I move—

That an additional sum not exceeding Rs. 508 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of Debt Services.

The motion was carried.

GENERAL ADMINISTRATION.

The Honourable Sir Donald Boyd : I move—

That an additional sum not exceeding Rs. 1,325 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of General Administration.

The motion was carried.

AGRICULTURE.

The Honourable Sir Donald Boyd : I move—

That an additional sum not exceeding Rs. 6,184 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of Agriculture.

The motion was carried.

PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS ESTABLISHMENT.

The Honourable Sir Donald Boyd : I move—

That an additional sum not exceeding Rs. 4,220 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of Charges on Public Works Department, Buildings and Roads Establishment.

The motion was carried.

REFUNDS.

The Honourable Sir Donald Boyd : I move—

That an additional sum not exceeding Rs. 61,344 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March, 1935, in respect of Refunds.

The motion was carried.

SUPPLEMENTARY AND TOKEN DEMANDS, 1936-37.

LAND REVENUE.

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member) : I beg to move—

That a supplementary sum not exceeding Rs. 1,52,360 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, 1937, in respect of Land Revenue.

Mr. President : The motion moved is—

That a supplementary sum not exceeding Rs. 1,52,360 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, 1937, in respect of Land Revenue.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I oppose the whole demand under consideration. This demand consists of several items. Items Nos. 1 to 3 I would not have opposed but as charges of Forests and Irrigation are put together in this demand, I have to oppose the motion. In reality, I object to expenditure under items Nos. 4 and 5. This expenditure is meant for what are called Dhundi and Bruceabad estates. Some of the members of this House are not aware that these two estates originally belonged to the people of Dera Ghazi Khan. Unfortunately at a time when there was extreme financial stringency, and these people could not pay land revenue, they made a settlement with the Government in the way of taking a little compensation in some cases or what is called sale price. The Government took it because people could not pay land revenue for a year or so. This land—comprising 178 square miles—is a very big area. Any one who would care to go to Dera Ghazi Khan will be wonderstruck to see this big area all managed by the Government. It is for consideration as to how the people are now managing to live when so much area has been taken away from them. No other district has so much area to lose. It is too much for a district like Dera Ghazi Khan to afford to lose for ever this area comprising forty thousand acres. If there was a fault on the part of the ancestors who could not pay the land revenue or who could not hold it on account of financial stringency, their posterity is of course not to blame. The Government has acquired this area with practically no money. If they paid anything, it was very little. I think it is like those big areas in the Ambala division in possession of two Europeans who took advantage of the poverty of the people and acquired that land.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : A point of order, Sir. Is the honourable gentleman relevant in what he is saying? We are merely considering at the moment whether a naib-tahsildar should be replaced by an agricultural assistant or not, but he is discussing the merits of Dhundi and Bruceabad estates which have got nothing to do with the demand under consideration.

Chaudhri Allah Dad Khan : I am giving this account in the form of a little bit of information to the honourable members to show that this estate does not belong to the Government and it should be released. That is my point.

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Released to whom?

Chaudhri Allah Dad Khan : Released to the people of Dera Ghazi Khan. This land was taken from those people for not paying land revenue. They could not keep it in times of grave financial stringency. It is up to the Government to release it now. It will be an act of generosity on the part of the Government to raise the fallen people of Dera Ghazi Khan who are perhaps the poorest in the whole of the Punjab. Dera Ghazi Khan is the poorest district, so far as I can judge, in the whole of the Punjab. This is on account of such a big area having been taken away from those people. I think the Government can do a little generosity in restoring this land to them. It can take such compensation from them as it gave to them if it was given at all. I think there are records of Government which can prove very well how much they gave for it. The other point why Government should restore this land to the descendants of those people or other people of Dera Ghazi Khan is that the Government itself does not get much from this land. The income from this land goes to the Irrigation Department which manages it. But I tell you that deducting the expenses of the tahsildar, the naib-tahsildar, who used to be previously with him but has just now been reduced, his staff, and other people who act as *karindas* and *mukhtars*, the Government ultimately gain very little. If the Government restore it to the people it will not lose much as it will get land revenue from the people. Such a big personality as that of the Government should not now continue to be an eye sore to the people and should not be reminding them that because their ancestors failed, as a result of financial stringency, to pay their way, therefore, the land has been taken from them. The Government is a very big personality. It has, of course, all resources available at its disposal and moreover, it has given lands to people in other colonies such as the Nili Bar and Lyallpur colonies. Therefore, there is no reason why it should not give the land to the people who originally possessed it. I think in the case of Nili Bar Colony it is not now traceable who were the original possessors or owners of these lands which were taken by the Government and in that case too the Government are making grants out of those lands and perhaps a greater portion of these grants preferably goes to the people of those areas where these lands are lying. This is perhaps simply on account of the consideration for the descendants of those people whose land the Government possesses.

Shaikh Abdul Ghani : Everything belonged to Adam in the first instance.

Chaudhri Allah Dad Khan : In Dera Ghazi Khan the Government have not thought of this matter. So far as I understand, the people resent this land being in the hands of the Government. Government does not earn much of income from this land. I know from experience that Government cannot earn much. I have been given instances for the benefit of the Honourable Member of the Government that officers used to have the land left by the people who died in villages. There were portions of small areas here and there in the villages which were owned by the Government on account of the owners dying heirless. The Government used to manage those lands through the patwaris or tahsildars or qanungos. Now it has been found that hardly any income accrues to the Government. Even if it does accrue, it is very little. So, Government has released those lands

[Ch. Allah Dad Khan.]

and declared them as *shamilats*. If these lands also are restored to the original owners the land revenue which they will get from those lands will be a sufficient recompense and the loss which Government suffers in the beginning will be made up. If it is not made up monetarily, it will be made up in affection and loyalty of the people who will be very thankful to the Government and who will regard it as an act of generosity. I do not think there is any need for the appointment of an agricultural assistant to assist the tahsildar for the good management of the estates. The best thing, as I have already stated, is to restore these lands to the original owners. Besides this, the appointment is not proper for another reason. If the Retrenchment Committee which was presided over by no less a person than Mr. Calvert, the Financial Commissioner, than whom no one knew better the working of the revenue Department, if that Committee decided to retrench the appointment, then it should have been unnecessary to make the appointment again. Whenever an officer is retrenched, the officers always try to show that that officer is badly necessary. You will see from the amalgamation of the Canal Department and the Revenue Department—

The Honourable Captain Sardar Sir Sikander Hyat-Khan : Is that also relevant — the amalgamation of the Canal and the Revenue Departments ?

Mr. President : The honourable member will please not go too far away from the point at issue.

Chaudhri Allah Dad Khan : I may say that there are many instances from which it can be proved that whenever Government has attempted to reduce the post of an officer, that officer has always tried to justify his being kept there. Has the Government made any enquiry by sending an officer to see that the work cannot be done without the help of the naib-tahsildar ? Government has made the appointment without consulting the Council and in defiance of the report of the Retrenchment Committee and now it has come before the Council for obtaining their sanction for the additional expenditure incurred on this account. If the Committee on Public Accounts sanctioned it, that does not mean that the whole Council has sanctioned the additional expenditure. Government should have come to the Council before incurring the expenditure and not after they have incurred it.

With these observations I oppose the whole demand and I beg that the Government should consider these matters carefully.

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member) : I have no mind to reply to the irrelevancies of the honourable member opposite but I might for the information of the House state that the appointment of an agricultural assistant is in the interest of the estate because the income from the estate goes into the public exchequer. Everybody is now trying to improve agriculture and naturally Government do not wish to be left behind in this respect. It was, therefore, decided that an agricultural assistant, instead of a naib-tahsildar, should be appointed so that he can improve the estate and its income by introducing scientific methods.

The honourable member has made a long winded speech regarding the history of the estate and suggested that it should be given back to the people of Dera Ghazi Khan district because according to him the property consists of small scattered bits here and there which Government took over from people who died without issue. The honourable member is absolutely wrong in his surmise; it is a compact estate in a compact block and was not acquired by escheat. I might for the information of the House add that there is a scheme under consideration for colonisation of this area. We might be able to give it on lease to enterprising agriculturists, from other parts of the province, or allot it to people who are willing to settle down there, on well-sinking conditions. It is anticipated that this will not only improve the condition of this estate but also help generally the development of the district by teaching local people, to adopt better methods of growing more paying crops. This will benefit every one concerned. I do not think I need say any more.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 1,52,360 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, 1937, in respect of Land Revenue.

The motion was carried.

STAMPS.

The Honourable Sir Donald Boyd (Finance Member) : I beg to move—

That a supplementary sum not exceeding Rs. 1,710 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, 1937, in respect of Stamps.

The motion was carried.

IRRIGATION, NAVIGATION, ETC., WORKING EXPENSES.

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member) : I beg to move—

That a supplementary sum not exceeding Rs. 2,16,770 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, 1937, in respect of Irrigation, Navigation, etc.,—Working Expenses.

The motion was carried.

IRRIGATION ESTABLISHMENT.

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

That a supplementary sum not exceeding Rs. 57,230 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, 1937, in respect of Charges on Irrigation Establishment.

The motion was carried.

IRRIGATION WORKS.

The Honourable Captain Sardar Sir Sikander Hyat-Khan :

I beg to move—

That a supplementary sum not exceeding Rs. 14,81,000 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, 1937, in respect of Construction of Irrigation Works.

The motion was carried.

ADMINISTRATION OF JUSTICE.

The Honourable Sir Donald Boyd (Finance Member) : I beg to move—

That a supplementary sum not exceeding Rs. 73,600 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, 1937, in respect of Administration of Justice.

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

The Honourable Sir Donald Boyd : I beg to move—

That a supplementary sum not exceeding Rs. 70,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Jails and Convict Settlements.

Mr. President : Motion moved—

That a supplementary sum not exceeding Rs. 70,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Jails and Convict Settlements.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (Urdu) : I have stood up to oppose this demand. I want to point out that the condemned prisoners should not be transferred from one jail to another. Under the jail rules a condemned prisoner has a right to see visitors up to seven days from the date of his being sentenced to death. Now, for instance, if a condemned prisoner is transferred from Rohtak jail to Campbellpur, a considerable part of seven days is spent in the transfer. In this way the relatives of the unfortunate man are deprived of a good deal of time which is fixed under rules for the interview of the prisoner. Then, the Government has to spend a good deal on this transfer as they have to make arrangements for a number of policemen to escort the prisoner to another jail and thus to incur a good deal of unnecessary expenditure.

Mr. President : Unless what the honourable member is trying to point out arises definitely out of the item under discussion, no reference can be made to a question of policy or general principle underlying the demand or the grant under discussion.

Chaudhri Ram Sarup : Moreover, if the sessions judge orders for a change of the place of execution, the Government has to arrange for another transfer of the prisoner and incur even more expenditure. Then, the relatives of the prisoner lose even more days and the wretched prisoner is practically deprived of a privilege provided for him by law.

Mr. Nanak Chand Pandit : How many people from Rohtak were hanged last year? *(Laughter).*

Chaudhri Ram Sarup : It is the business of the Honourable Finance Member to answer such questions.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban)
3 P.M. (Punjabi) : I think my honourable friend from Rohtak is right in asking the Government not to transfer the condemned prisoners but to hang them in the jails of their native districts.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 70,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Jails and Convict Settlements.

The motion was carried.

POLICE.

The Honourable Sir Donald Boyd (Finance Member) : I move—

That a supplementary sum not exceeding Rs. 68,000 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, 1937, in respect of Police.

The motion was carried.

MEDICAL AND PUBLIC HEALTH.

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education) : I move—

That a supplementary sum not exceeding Rs. 51,770 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, 1937, in respect of Medical and Public Health.

The motion was carried.

AGRICULTURE.

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

That a supplementary sum not exceeding Rs. 2,25,360 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, 1937, in respect of Agriculture.

The motion was carried.

INDUSTRIES.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government) : I move—

That a supplementary sum not exceeding Rs. 94,600 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, 1937, in respect of Industries.

The motion was carried.

MISCELLANEOUS (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat-Khan
(Revenue Member): I move—

That a supplementary sum not exceeding Rs. 90,040 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, 1937, in respect of Miscellaneous (Reserved).

Mr. President: Motion moved—

That a supplementary sum not exceeding Rs. 90,040 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, 1937, in respect of Miscellaneous (Reserved).

Chaudhri Afzal Haq ((Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu): I want to say a few words with regard to item 7 of demand No. 12. Government has made an application for a supplementary grant of Rs. 15,000 in connection with the expenditure on Debt Conciliation Boards, but it has not at all cared to throw any light on the working of these institutions. The agricultural classes are steeped in debt and the House is quite in the dark whether these boards have provided any relief to the zamindars and whether they have relieved them to some extent of their indebtedness. The best course for the Government was to have taken the House into its confidence and shown to the honourable members the achievements of these boards. A provision of Rs. 50,000 was made in the budget for the year 1936-37 for expenses connected with the working of these boards. If, however, this amount was insufficient for that purpose the Government should have taken the House into its confidence and consulted the honourable members about this matter. Then, if there was really any need for additional expenditure, it could ask for more money. But, now, without giving any explanation to the House regarding the working and requirements of these boards, Government has quietly applied for an extra sum of Rs. 15,000. It is said that Government has received the progress reports from the various Debt Conciliation Boards. I fail to understand why these reports have not been circulated among members of the Council. The Government should not try to hide such small matters from the honourable members. For six years the House went on clamouring that the Relief of Indebtedness Bill be passed, but now that it has become an Act and Debt Conciliation Boards have been established to provide relief to agricultural debtors, Government wants to keep the members in the dark about their working. It was the duty of the Government to make this point clear in its report that the boards have proved successful so far, and that they have helped the agriculturists to a great extent. But it has not mentioned in its report even a single word about the quality and quantity of work that has been done by the conciliation boards. Under the circumstances, I would suggest that as long as the Government does not make this point clear, the House should refrain from granting this demand.

The Honourable Sir Donald Boyd (Finance Member): The intention of conciliation boards is clearly set forth in the Punjab Relief of Indebtedness Act. The honourable member is apparently anxious for statistics of the work actually done. I have already given him figures with regard, at any rate, to four, if not five of these boards for the first half of the year. The other statistics are not yet ready. It is not reasonable to call for special statistics at this stage as to do so would interrupt the work of these bodies.

or would involve an increase of staff which would cost money. I think that everybody who has come in touch with the work they are doing will realize that they are doing good work and will certainly like to give them a further chance.

Chaudhri Afzal Haq : We have not received any figures. Have the Government circulated this report to the members?

The Honourable Sir Donald Boyd : At the end of the year a report will be prepared.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 90,040 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, 1937, in respect of Miscellaneous (Reserved).

The motion was carried.

MISCELLANEOUS DEPARTMENTS (TRANSFERRED).

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

That a supplementary sum not exceeding Rs. 54,700 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, 1937, in respect of Scientific and Miscellaneous Departments (Transferred).

The motion was carried.

CIVIL WORKS (RESERVED).

The Honourable Sir Donald Boyd (Finance Member) : I move—

That a supplementary sum not exceeding Rs. 20,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Civil Works (Reserved).

The motion was carried.

CIVIL WORKS (TRANSFERRED).

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

That a supplementary sum not exceeding Rs. 2,07,850 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, 1937, in respect of Civil Works (Transferred).

The motion was carried.

BUILDINGS AND ROADS ESTABLISHMENT.

The Honourable Sardar Sir Jogendra Singh : I move—

That a supplementary sum not exceeding Rs. 5,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Buildings and Roads Establishment.

The motion was carried.

HYDRO-ELECTRIC SCHEMES—WORKING EXPENSES.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I move—

That a supplementary sum not exceeding Rs. 30,340 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, 1937, in respect of Hydro-Electric Schemes—Working Expenses other than Establishment (Transferred).

The motion was carried.

HYDRO-ELECTRIC SCHEMES—CAPITAL EXPENDITURE.

The Honourable Dr. Sir Gokul Chand Narang: I move—

That a supplementary sum not exceeding Rs. 3,37,330 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, 1937, in respect of Hydro-Electric Schemes—Capital Expenditure other than Establishment (Transferred).

The motion was carried.

SUPERANNUATION ALLOWANCE AND PENSIONS (RESERVED).

The Honourable Sir Donald Boyd (Finance Member): I move—

That a supplementary sum not exceeding Rs. 2,25,000 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, 1937, in respect of Superannuation Allowance and Pensions (Reserved).

The motion was carried.

STATIONERY AND PRINTING (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member): I move—

That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stationery and Printing (Reserved).

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED).

The Honourable Chaudhri Sir Shahab-ud-Din (Minister for Education): I move—

That a supplementary sum not exceeding Rs. 1,150 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, 1937, in respect of Stationery and Printing (Transferred).

The motion was carried.

REFUNDS (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat-Khan (Revenue Member): I move—

That a supplementary sum not exceeding Rs. 3,100 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, 1937, in respect of Refunds (Reserved).

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat Khan : I 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, 1937, in respect of General Administration (Reserved).

The motion was carried.

CIVIL WORKS—CAPITAL EXPENDITURE.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I 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, 1937, in respect of Civil Works—Capital Expenditure.

The motion was carried.

THE PUNJAB TOWN IMPROVEMENT (AMENDMENT) BILL.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I introduce the Punjab Town Improvement (Amendment) Bill. I beg to move—

That the Punjab Town Improvement (Amendment) Bill be taken into consideration at once.

The statement of Objects and Reasons explains the position and it is not necessary for me to make any speech to explain the necessity of the Bill.

The motion was carried.

Mr. President : The Bill will now be taken up clause by clause.

Clause 1 (2).

Mr. President : The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Preamble.

Mr. President : The question is—

That this be the preamble of the Bill.

The motion was carried.

Clause 1 (1).

Mr. President : The question is—

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

The motion was carried.

The Honourable Dr. Sir Gokul Chand Narang : I move—

That the Punjab Town Improvement (Amendment) Bill be passed.

Mr. President : Motion moved—

That the Punjab Town Improvement (Amendment) Bill be passed.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*) : I do not think that this amending Bill is at all necessary. If the supersession of the Lahore Municipal Committee is to last for a short time, Government need feel no necessity for nominating members for the Improvement Trust. In this connection I should like to know the period for which the Lahore Municipality will remain suspended.

The Honourable Dr. Sir Gokul Chand Narang : It has not been settled how long the supersession is to last. But I can assure my honourable friend and others interested in the matter that supersession will not last a day longer than is necessary.

Mr. President : The question is—

That the Punjab Town Improvement (Amendment) Bill be passed.

The motion was carried.

THE PUNJAB ALIENATION OF LAND (AMENDMENT) BILL.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official) : I beg to introduce the Punjab Alienation of Land (Amendment) Bill. I also beg to move—

That the Punjab Alienation of Land (Amendment) Bill be taken into consideration at once.

I do not propose to make a very long speech at this stage. The statement of Objects and Reasons is self-explanatory. The necessity for this Bill has arisen because of the recent ruling of a Full Bench of the Lahore High Court, which held that the trees were not covered by the definition of land given in section 2 of the Punjab Alienation of Land Act. There has been a conflict of opinion on this point among the various Judges of the Punjab Chief Court and Lahore High Court. Whenever there has been a divergence of opinion on the interpretation of a statute, the legislature has intervened and cleared the point, in order to set the controversy at rest. This Bill also has the same object in view. I would now quote a few cases in which different views have been taken by the Honourable Judges on this question. Mr. Justice Wilberforce in the two cases reported at 108 Punjab Record, 1919, held that the trees were land. Mr. Justice Wilberforce in his judgment remarked that—

For instance, dates are just as much the produce of the land as wheat, and under section 15 no alienation of the produce of the land is lawful for more than one year. I do not consider, therefore, that the legislature intended to give permission to members of agricultural tribes to sell trees except as timber apart from the land. It could not have been intended that a member of an agricultural tribe owning a thickly planted grove of mango trees could sell the trees to a non-agriculturist with a view to the purchaser enjoying the permanent benefit of the fruit. In such cases the land itself is of no value, as no crops can be grown and a sale of the permanent rights of the trees would be for all practical purposes, a sale of the land, and in my opinion such a sale would be prohibited not only by section 15, but also by section 3.

He further remarked in Civil Revision No. 775 of 1918, *Bulia versus Sultan Khan* that—

There appears to be no published authority of this court dealing exactly with the matter before me, though 52 P. R. 1906 (5) is in some way applicable to this case. In that case it was held that though the maxim *quid quid plantatur solo solo cedit* cannot be accepted in this country as having the wide meaning attached to it in England, it does cover the case of trees growing on the land. I have no doubt, therefore, that it was not the intention of the Legislature to exclude standing trees from the definition of land.

In another case reported as A. I. R. 1925 Lahore 29, *Achhro Mal versus Maula Bakhsh*, a Division Bench of the Lahore High Court held that "trees are not land as defined in the Punjab Alienation of Land Act." I may, however, point out that this decision of the Division Bench was based upon the rulings given in *Dhanni Ram versus Aya Ram* reported at 15 Punjab Record 1892 (Full Bench). *Yaru versus Adil* reported at 46 Punjab Record 1893 and *Nur Muhammad versus Tiloka Mal* reported at 1904 P. L. R. page 460. In the first two cases the point for decision was as to what would be a land suit within the meaning of the Punjab Courts Act then in force, and the question was not as to whether trees were land as defined in section 2 (3) of the Punjab Alienation of Land Act, as these decisions were given prior to the enactment of the Punjab Alienation of Land Act. The third case related to certain crops which were partly cut and partly standing and section 15 of the Punjab Alienation of Land Act which was the relevant provision of law on the subject does not appear to have been referred to. The ruling of the Division Bench therefore could not be treated as an authority superior in any way to the well considered ruling given by Mr. Justice Wilberforce in 108 Punjab Record 1919. In another case reported at A. I. R. 1933, Lahore, 589, Mr. Justice Tapp held that "trees are not land" within the meaning of section 2 (3) of the Punjab Alienation of Land Act. In this case the Honourable Judge, merely followed the Division Bench ruling given in *Achhru Mal versus Maula Bakhsh* and did not discuss the point itself at all. The only ruling in which every aspect of the question was discussed for the first time is by Justice Sir James Addison, in D. C., Jhang, *versus Ganga Ram* and others, reported as A. I. R. 1933 Lahore, 880. The Honourable Judge remarked that "This subject has already been before me in revision petition No. 897 of 1930, decided on the 17th December, 1930 and there I held that these date-trees were as much land as the land to which they were attached and could not be sold independently of the land. I am still of the same opinion and have no doubt that *Amir Khan versus Lohari Mal* was properly decided by Wilberforce, J." He further remarked that—

It is clear from this discussion that the Legislature never intended to give permission to members of Agricultural Tribes to sell fruit trees apart from the land. It was not the intention that a member of the agricultural tribe, owning (say) a grove of mango trees could sell these trees to a non-agriculturist with a view to the purchaser enjoying the permanent benefit of the produce. That practically would mean the sale of the land. Such a sale, it must be held, is prohibited not only by section 15, but by section 3 of the Punjab Alienation of Land Act, and comes within section 16 of the Act.

Let me also point out that the view that a tea garden is within the definition of land in section 2 (3) of the Punjab Alienation of Land Act

[K. B. Mian Mushtaq Ahmad Gurmani.]
 was affirmed by the Privy Council in *Kaju Mal and others versus Salik Ram*, 5 Lahore 50, on appeal from the judgment of the Punjab Chief Court in *Kaju Mal versus Salik Ram* reported at 91 Punjab Record, 1919. A Full Bench of the Lahore High Court, however, recently held in *Bhagwana versus Gopi*, reported as A. I. R. 1935 Lahore, 202, that trees, whether fruit-trees or otherwise cannot be considered to be 'land,' within the meaning of section 2 (3) of the Punjab Alienation of Land Act. After discussing the previous rulings on the point, the Full Bench remarked that "We have however to interpret the definition as it stands and if the language used does not carry out the real intention of the legislature, it is of course open to it to amend the definition." It is, however, noteworthy to mention that this case is not reported in the Official Report and cannot, therefore, have been regarded by the High Court itself as an authoritative case; but because it is a Full Bench judgment, it must be realized that this ruling will have to be followed in future, by all courts in this province. Now that a clear suggestion has been made by the Full Bench of the Lahore High Court, it is only desirable for the Punjab Legislative Council to amend the law and remove the doubt that exists on the point, in order to set the controversy at rest and preserve the *status quo*, which existed at the time of the passing of the Punjab Alienation of Land Act. This Council has already accepted the principle by passing clause 10 of the Debtors' Protection Bill, that trees belonging to a member of an agriculturist tribe should not be alienated, apart from the land on which they stand, in favour of a non-agriculturist by the civil courts in satisfaction of a decree. Section 10 of the Debtors' Protection Act, thus creates an anomaly in as much as it restricts the powers of a civil court to alienate trees apart from the land on which they stand in satisfaction of a decree, but it leaves the power of private alienation of such trees unrestricted. I may make it quite clear once again that this Bill does not aim at extending the scope of the existing law. Its object only is to explain the true position and remove any doubt that exists on the point on account of a conflict of authority created by the divergence of opinion in different rulings of the Lahore High Court.

Mr. President : Motion moved—

That the Punjab Alienation of Land (Amendment) Bill be taken into consideration at once.

Lala Chetan Anand (West Punjab Towns, non-Muhammadan, Urban) (Urdu) : I rise to oppose the Bill now before the House. It has been announced by Government on more than one occasion that they would not be a party to anything that may extend or limit the scope of the Punjab Alienation of Land Act. And after having given such an assurance I wonder how the Government have thought it fit to sponsor the Bill which will surely extend the scope of the Act. This Bill if passed into law will debar the zamindars from selling trees standing on their lands. You know that trees usually get ready for sale after three or four years and if the zamindars are forbidden by law to sell them they will be put to great hardship and monetary loss. With these words I strongly oppose the Bill.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu) : I would like to say a word or two with regard to the Bill under consideration. It is obvious that the zamindars have not

been given an opportunity to express their views on it. Unless they are given such an opportunity it would be inexpedient to make the proposed amendment in the Act. As a matter of fact the zamindars will not welcome the provision which restricts their power of selling the trees standing on their lands. I wonder why the zamindar members are keeping silent today when a matter of such importance is being considered by the House. With these words I request the Government to circulate this Bill for eliciting public opinion thereon.

Mr. President : The question is—

That the Punjab Alienation of Land (Amendment) Bill be taken into consideration at once.

The motion was carried.

Clause 2.

Mr. President : Now the Bill will be taken up clause by clause. Clause 2.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban) (*Punjabi*) : Who on earth, would like to be deprived of the right of disposing of his property? If today you are debarred from selling trees standing on your lands tomorrow you may be forbidden by law to sell your maize crops. Let the zamindars consider the economic problem now confronting them calmly and dispassionately. As a matter of fact the zamindars cannot do without money-lenders and the latter will be nowhere if the former cease to co-operate with them. I, therefore, ask both the zamindars and the money-lenders to put their heads together to solve the economic problem and leave their old habit of looking to Government for lead.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Preamble.

Mr. President : The question is —

That this be the preamble of the Bill.

The motion was carried.

Clause 1.

Mr. President : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I beg to move—

That the Punjab Alienation of Land (Amendment) Bill be passed.

Mr. President : The question is—

That the Punjab Alienation of Land (Amendment) Bill be passed.

The Council divided : Ayes 48, Noes. 10.

AYES.

Abdul Ghani, Shaikh.
Afzal Haq, Chaudhri.
Akbar Ali, Pir.
Allah Dad Khan, Chaudhri.
Arjan Singh, Sardar.
Armstrong, Mr. W. H. F.
Asadullah Khan, Chaudhri.
Askwith, Mr. A. V.
Bahadur Khan, Sardar.
Balbir Singh, Rao Bahadur Captain
Rao.
Bedford, Mr. J. D. H.
Bourne, Mr. F. C.
Boyd, The Honourable Sir Donald.
Bradford, Mr. W. G.
Darling, Mr. M. L.
Dobson, Mr. B. H.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazl Ilahi, Khan Sahib, Shaikh.
Ghani, Mr. M. A.
Ghulam Muhammad, Pir.
Grindal, Mr. A. D.
Habib Ullah, Khan Bahadur
Sardar.
Jaameja Singh, Captain Sardar
Bahadur Sardar.
Jawahar Singh Dhillon, Sardar.
Jogendra Singh, The Honourable
Sardar Sir.
Mazhar Ali Azhar, Maulvi.
Mubarak Ali Shah, Sayad.

Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Amin Khan, Khan
Bahadur Malik.
Muhammad Eusoof, Khwaja.
Muhammad Hasan, Khan Sahib.
Makhdum Shaikh.
Muhammad Sadiq, Shaikh.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Muzaffar Khan, Khan Bahadur Cap-
tain Malik.
Nathwa Singh, Chaudhri.
Noor Ahmad Khan, Khan Sahib
Mian.
Nur Khan, Khan Sahib Risaldar
Bahadur.
Puckle, Mr. F. H.
Ram Chandra, Mr.
Ram Lal, Diwan.
Roberts, Professor W.
Shahab-ud-Din, The Honourable
Chaudhri Sir.
Shah Nawaz Khan, Nawab Khan.
Shave, Dr. (Mrs.) M. C.
Sheo Narain Singh, Sardar Bahadur
Sardar.
Sikander Hyat-Khan, The Honour-
able Captain Sardar Sir.
Umar Hayat, Chaudhri.
Zaman Mehdi Khan, Khan Bahadur
Malik.

NOES.

Bansi Lal, Chaudhri.
Bhagat Ram, Lala.
Chetan Anand, Lala.
Jyoti Prasad, Lala.
Labh Chand Mehra, Rai Sahib Lala.
Labh Singh, Mr.

Narendra Nath, Diwan Bahadur
Raja.
Ramji Das, Lala.
Ripudaman Singh, Thakur.
Sewak Ram, Rai Bahadur Lala.

The Council then adjourned sine die.

PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 10th November, 1936.

HIS EXCELLENCY THE GOVERNOR'S ADDRESS.

His Excellency the Governor arrived in procession with the officers of the Council and his personal staff at 11 A. M., and took his seat on the throne.

His Excellency then addressed the Council as follows :—

The life of the present constitution and with it the life of the Legislative Council is rapidly drawing to a close. Although the Council will not be dissolved until the eve of the new constitution, it is improbable that it will again be summoned, and I wish, therefore, to take the last opportunity of addressing the House. It is natural that our thoughts should be turned to the future, and it is a sure proof of political consciousness that at the moment questions of parties, policies, elections and votes should be of almost general concern. Nonetheless, we may spare a few minutes this morning to look back and briefly survey the road along which we have travelled together. It is more than six years since this Council first met, and, although the new leases of life which it has been given from time to time were due to extraneous circumstances, the continuity which has been one of the results, is a strong argument in favour of the five-year period which the Government of India Act of 1935 lays down as the normal period which should intervene between successive elections. The life of the Council has been a busy one. Up to the present session, it had passed 26 Acts, and during the past few weeks it has passed several more. Among the latter is an Act to promote the consolidation of holdings, and I congratulate the Council on passing into law a measure which will, I believe, be of great benefit to the people of the province. Legislation has covered a large field—Law and Order, Revenue, Local Self-Government, Finance, Social Reform, Indebtedness and Industries, but, whatever the subject of legislation might be, the House has given to it the most careful and weighty consideration. As a legislative body, it has admirably fulfilled its functions, and I particularly acknowledge the support it has always given to the Executive Government in legislative measures, and indeed in all other matters, concerning law and order.

This Council came into existence when the economic crisis was already acute, and, as the depression intensified, financial matters grew in importance. While members of the House have jealously watched the interests of the people they represent and have pleaded their cause with force and eloquence, they have, at the same time, approached questions of finance with a sense of responsibility and with an appreciation of the difficulties of Government. The Executive, for their part, have been sympathetic towards claims for relief, and thus there has been a large measure of agreement between them and the Legislature in the policy they have pursued. Non-official members have given help of great value to Government in financial matters. I would particularly mention the services of those who served on the Retrenchment Committee, the

Sources of Revenue Committee, the Standing Finance Committees and the Public Accounts Committees. It is a matter of great moment for the future that not only have the finances of the province been managed on sound lines, but that the Legislature has played a worthy part in its financial policy, and has established traditions which will be a guide for its successors. In administrative matters other than financial, Government have had the advantage of the advice of Standing Committees of the House, while outside the formal functions of the Legislature, they have constantly invited the assistance and co-operation of non-official members representing all parties. I may cite as recent examples, conferences on seed distribution, co-operation, industrial development and within the last few days on cattle breeding. I have always attached the greatest importance to associating members of the Legislature with deliberations of this kind. I know that they have been of immense advantage to Government, and I believe they have not been without their value to the gentlemen who have given their help. I trust the practice will continue and develop under the new constitution. There is nothing in the Government of India Act or in the system of democratic Government, to which it relates, which is inconsistent with informal consultation by the Executive Government with members of other parties, and I am convinced that common deliberation in appropriate matters will assist the ministry without detracting from its responsibility or dignity. One of the main objects of the new Constitution is to bring the people through their representatives into closer touch with the administrative machine of Government. This involves no abrupt change of policy, for the stage has long been set for an advance of this kind.

The reforms of 1921 prepared the way for more frequent contact between officers of Government and non-official members of the Legislature. Official relations have led to many personal friendships, and, in so far as the disappearance of the official bloc will restrict existing opportunities for informal and friendly intercourse, all of us will regret the change, but, speaking for myself, and I believe for any ministry that the province may have, I hold that it will remain an important duty of Government officers, and especially of Secretariat officers, to maintain touch with members of the new Assembly, and to continue that process of mutual understanding and, if I may say so, of mutual education, which is a healthy feature of the present system. The House will wish to join with me in expressing our appreciation of the wholehearted co-operation and devoted service which officers of Government of all ranks have given to the system of Government which is about to expire. Much has depended on their loyalty and sense of duty. Still more will depend on them in the future, for under a party system of Government the normal working of the administration is dependent on efficient and loyal services. There need be no misgiving on this account. Given a fair field and no favour, they will maintain their traditions and faithfully carry out the policy of the Government they serve.

The introduction of the new order will mean to me a change of colleagues, and, although it is unusual to deliver a funeral oration some months before the patients expire, and the more so when it is possible for all but one of them to enter on a more vigorous lease of life, I may be allowed to pay a tribute to the Members and Ministers with whom it has been my privilege to serve, and to acknowledge with very deep gratitude the services

they have given to the province, the spirit of co-operation in which they have worked between themselves and with me and the close friendly relations that have existed between us. Responsible government presupposes the ability of the Ministry to work as a team. The best promise of the future lies in the experience of the past.

One of my present colleagues was until a few months ago the President of this House. Owing to the lamented death of Sir Fazl-i-Husain in whom the province lost a great man of whom it will always be proud, Sir Shahab-ud-Din exchanged, at my personal request, an office in which he was able to rule as a benevolent autocrat for one in which, as a Minister, he is responsible to the House and subject to the criticism of any member of it. I suspect that his private inclinations are in favour of benevolent autocracy, but, however that may be, I am personally grateful to him for having subordinated to public duty his private feelings. As President, he was senior among his colleagues in India. From the first he has taken as his model the Mother of Parliaments, and he has a profound knowledge of parliamentary law and practice. He presided for many years over the proceedings of this House with dignity, impartiality and firmness, and to him must be given much of the credit for the establishment and enforcement of parliamentary traditions and conventions. In you, Sir, if I may be allowed to say so, the House has elected a worthy successor.

To turn to the future. From the financial point of view, the omens are more favourable than they appeared even a few months ago. The clouds of economic depression are less sombre than they have been for some years, and so far as one dare look forward in these uncertain times, we seem to be well set on a period of recovery. We cannot expect the boom years to return, but we can hope for increasing relief from the hard struggle which recent times have witnessed. For the moment, we have had an excellent *khari* harvest practically all over the province, and the area sown for the *rabi* promises to be a record. The rise in the price of wheat and the revival after many years of export overseas are facts of the utmost significance to the Punjab. Good harvests and favourable prices mean much to the financial stability of Government; they mean far more to the comfort and contentment of the people. The rise in the value of wheat goes some way to discount the disappointment caused by the financial settlement made under the Government of India Act. For taken broad and large that settlement means that the Punjab must rely on its own resources for the early years of the new constitution, and that even later, the assistance from outside sources will not be sufficient in itself to allow any large expansion of existing activities. That is the fact we have to face, and it is the more unwelcome because there has been no time when money could be spent with such advantage or when the people were so eager to press forward. It means that there has to be efficient organisation of the resources that exist, closer co-operation between various departments, less dissipation of energy and, above all, voluntary effort by the people themselves for their own good. Here again much has been done. There is greater co-ordination between officers of Government, more interest by one department in the work another is doing and a wider recognition of the fact that they are both often working towards the same end and can help each other. There is more vigorous life in the villages. A spirit of progress is

abroad which, though it may owe its existence largely to official stimulus and which will require for many years official guidance and encouragement, is typical of a movement which is gathering force under its own momentum. There is an immense amount of solid work being done which has been greatly assisted by the special grants made by the Government of India during the last two years. I need only give as examples the consolidation of holdings, the distribution of good seed, the improvement of cattle breeding, the increase of rural amenities and greater attention to public health. Rapid progress is being made in all these directions, and, while there are many villages in which little or nothing has yet been done, it is undoubtedly a fact that the movement for the improvement of rural conditions has public opinion behind it and that a spirit of emulation is replacing the apathy and suspicion with which the early workers had to contend. The time is ripe for a big advance and no matter what its character may be, the Government of the day will find that one of its most absorbing tasks will be to give a clear lead to a people eager to go ahead. While there is hardly any limit to the amount of money that can profitably be spent on beneficent activities, there can be no question of the work standing still until more funds become available. The organisation is in working order, much success has already been won and a remarkable stimulus has been given by the personal interest and example of His Excellency the Viceroy. The conditions are auspicious, and any Government based on a popular vote must of necessity extend and intensify the policy of rural reconstruction, which has for many years been an important part of the programme of the existing Government. It is not a matter of urban *versus* rural interests. The two are so closely knit together that it is impossible to think of them apart. Artificial distinctions between them merely obscure economic realities. Agricultural prosperity means prosperity in the towns—more trade, more work for the professional classes, less unemployment for all. Industrial development makes new markets for agricultural products, increases their value and reduces the pressure on the soil by drawing labour from the countryside. There is no economic antagonism between the village and the town. Each must share in the prosperity or misfortune of the other. Such adjustments as may be necessary can yield to good-will and commonsense.

The economic disturbance has pressed heavily on the people, but their splendid courage and tenacity have brought them through it. There has been great exhaustion of resources and many adjustments to lower standards of living. But, on the other hand, the past few years have not been entirely without compensation. The lesson has been learnt that credit in excess of needs is an evil both to the lender and the borrower; it imposes a burden on the land which it can hardly support even in normal times; and it withdraws from trade and industry money which might otherwise be spent on their development. While the necessity of agricultural credit will always remain, it is to the ultimate good of the province that every one concerned should have learnt that abuse of credit is an unmitigated evil. The people of the Punjab have always been distinguished for their sturdy independence. Adversity has made them more self-reliant, and self-reliance is a valuable asset with which to start a new undertaking, whether in business or in government.

The Punjab is virile and progressive. Feelings are apt to run high at times and occasions will arise in the future, as in the past, when the task of administration will not be easy, but underneath there is a solid foundation of sound commonsense, and it is this which will see the province through its difficulties as they occur. The new constitution is a tremendous advance on the old one, but it contains little for which the present one has not prepared the ground, and I believe that the Punjab will acquit itself as honourably under the one as it has done under the other. There is a general desire to secure a just, stable and efficient administration, and to work to a successful end the constitution in the spirit in which it has been conceived. The fulfilment of hopes will lie mainly with the people and their representatives. They can count on the loyal assistance of the servants of Government, and with all working for the common good, the task will be achieved. For myself, I will strive within the constitution to do all that is possible to ensure success, and particularly to foster and strengthen the spirit of disinterested public service, which is the keynote of good and stable government.

I cannot, without infringing the orders which I have myself approved, wish any individual member success in the coming elections, but I can express the hope that the new Assembly will be well represented in all parties by the experience, influence and sanity which have distinguished the present Council.

His Excellency the Governor then left the Chamber and the proceedings terminated.

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APPENDIX

STATEMENT SHOWING THE ACTION TAKEN AGAINST CORRUPT OFFICIALS IN THE PUNJAB DURING THE PERIOD 1st APRIL, 1935, TO THE 31st MARCH, 1936.

(Vide page 394 ante.)

Head of Department or Office.	Number and designation of officers punished.	Nature of punishment awarded.	Offence.
1	2	3	4
Chief Engineer, Public Works Department, Irrigation Branch.	1. One Patwari	Pay reduced from Rs. 23 per mensem to Rs. 22 per mensem with effect from the 1st November, 1935.	Entering wrong names of cultivators and of crops in the <i>gorab</i> . (Note.—The punishment of dismissal was not awarded in this case as the allegation of bribery was not established).
Ditto	2. One temporary subordinate.	Services dispensed with	Making false entries in the measurement book.
Ditto	3. One Patwari	Dismissed	Tampering with <i>khassra</i> entries and concealment of irrigation for <i>rahi</i> 1934-35, resulting in loss to Government.
Ditto	4. Ditto	Ditto	He was either a partner in corruption with a Patwari dismissed last year or he did perfunctory check of <i>rahi</i> 1933-34.
Ditto	5. One lower subordinate (Residue).	Dismissed and debarred from further employment in the Public Works Department.	Making false measurements, etc., he knowingly entered in favour of a contractor, work, which he knew to have been done by Government gangs.

APPENDIX—CONTINUED.

STATEMENT SHOWING THE ACTION TAKEN AGAINST CORRUPT OFFICIALS IN THE PUNJAB DURING THE PERIOD 1st APRIL, 1935, TO THE 31st MARCH, 1936.

Head of Department or Office.	Number and designation of officers punished.	Nature of punishment awarded.	Offence.
1	2	3.	4
Chief Engineer, Public Works Department, Irrigation Branch.	6. One Patwari ..	Dismissed	Making false entries in khazra.
Ditto	7. Ditto ..	Ditto	Tampering with khazra entries with intent to defraud.
Chief Conservator of Forests (Hoshiarpur Forest Division).	8. Two Forest Guards ..	Ditto	Accepting a bribe of Rs. 5.
<i>Inspector-General of Police.</i>			
Superintendent of Police, Hissar ..	9. One Head Constable ..	Dismissed	Extorting a bribe in a case under section 457, Indian Penal Code.
Superintendent of Police, Ambala	10. Ditto ..	Censured	Suspected extortion of a bribe.
Ditto	11. Ditto ..	Dismissed	(NOTE.—A lesser punishment than dismissal was awarded in this case because the charge of corruption was not fully established). Extorting Rs. 50 while posted as a moharrir at Police Station, Ambala Cantonment.

Superintendent of Police, Hoshiarpur.	12. One Foot Constable	..	Ditto	..	Unlawfully arresting and extorting a bribe from a person on whom a bailable warrant under section 323/384/108, Indian Penal Code, was served.
Superintendent of Police, Ludhiana	13. Ditto	..	Ditto	..	Extorting annas eight while on patrol duty.
Superintendent of Police, Kangra	14. One Sub-Inspector	..	Ditto	..	Accepting a bribe of Rs. 1,000 from an accused in an excise case.
Superintendent of Police, Lahore	15. One Foot Constable	..	Ditto	..	Extorting Rs. 15 from an accused.
Ditto	16. One Assistant Sub-Inspector.	..	Ditto	..	Accepting Rs. 100 from the father of an accused for releasing him.
Ditto	17. One Head Constable	..	Ditto	..	Accepting a bribe from certain members of the Criminal Tribes for entering their names in the list of exemptees.
Superintendent of Police, Gurdaspur.	18. Ditto	..	Ditto	..	Extorting bribes from lorry drivers plying on the Pathankot-Delhouise Road as an insurance against prosecution.
Superintendent of Police, Lyallpur	19. One Foot Constable	..	Reduced from the Rs. 18 to the Rs. 17 grade.	..	Endeavouring to extort a sum of Rs. 10 from a Christian.
Superintendent of Police, Montgomery.	20. Ditto	..	Dismissed	..	(NOTE.—A lesser punishment than dismissal was awarded in this case as the charge of extortion was not fully proved). Accepting a bribe.
Assistant Inspector-General, Government Railway Police.	21. One Head Constable	..	Reduced to Foot Constable on Rs. 20 per mensem.	..	Extorting Rs. 7 from a passenger while on patrol duty with a running train. (NOTE.—A lesser punishment than dismissal was awarded as the charge of extortion was not fully proved).

APPENDIX—CONTINUED.

STATEMENT SHOWING THE ACTION TAKEN AGAINST CORRUPT OFFICIALS IN THE PUNJAB DURING THE PERIOD 1st APRIL 1935 TO THE 31st MARCH, 1936.

Head of Department or Office.	Number and designation of officers punished.	Nature of punishment awarded.	Offence.
1	2	3	4
Assistant Inspector-General, Government Railway Police.	22. One Foot Constable ..	Stoppage of increment for three years, with permanent effect on future increments.	Extorting Rs. 7 from a passenger while on patrol duty with a running train. (Note.—A lesser punishment than dismissal was awarded as the charge of extortion was not fully proved).
Ditto	23. One Head Constable ..	Dismissed	Spilling an excise case on the acceptance of a bribe.
Ditto	24. One Foot Constable ..	Ditto	Ditto ditto.
High Court, Punjab.	25. One Naib-Nazir ..	Fine Rs. 10	Allowing inspection of a file without application and permission of the court.
Senior Sub-Judge, Gurgaon	26. Officiating Naib-Nazir..	Ditto	Demanding illegal gratification. Enquiry held in the matter by Sub-Judge, 1st Class, showed that though he did not regard the evidence of the witnesses as true he felt convinced nonetheless that the complaint was not without some foundation.
Senior Sub-Judge, Ambala	27. One Reader to Sub-Judge.	Reduced as Ahmed to Sub-Judge.	Assisting in unauthorized inspection of records allowed by the Ahmed for illegal gratification.

Ditto	28. One Officiating Ahlmad to Sub-Judge.	Reduced to his substantive post of Record Officer. ¹	Allowing unauthorized inspection of a record for illegal gratification.
Judge, Small Cause Court, Amritsar	29. One Execution Bailiff ..	Fined 15 days' pay. (<i>He has since retired from service</i>).	Demanding illegal gratification.
Judge, Small Cause Court, Mianwali	30. One Naib-Nazir, Sub-Judge's Court.	Dismissed ..	Accepting bribes.
Judge, Small Cause Court, Lyallpur	31. One Urdu Copyist ..	Suspended for 2 months ..	Attempting to extort money.
Judge, Small Cause Court, Sheikhpura.	32. One Civil Nazir ..	Dismissed ..	Corruption.
Ditto	33. One Naib-Sheriff ..	Suspended for 7 months and reduced as Bailiff.	Ditto.
Ditto	34. One Bailiff ..	Dismissed ..	Ditto.
Ditto	35. Five Process Servers ..	Ditto ..	Ditto.
Ditto	36. One Officiating Bailiff ..	Ditto ..	Ditto.
Ditto	37. One Process Server ..	Suspended for six months ..	He was first dismissed for corruption but on appeal reinstated after a suspension for six months.
Ditto	38. Three Process Servers ..	Suspended for one year ..	Corruption.
Judge, Small Cause Court, Dera Ghazi Khan.	39. One Process Server ..	Dismissed ..	Dishonesty.

(Note.—The Honourable Judges have examined all cases, except those of a Reader and an Officiating Ahlmad, Amritsar¹, which will be taken up subsequently, in which punishments lesser than dismissal were awarded by the District and Sessions Judges, concerned. They are satisfied that in no case was the charge of corruption brought home to the accused and that the punishment awarded in each case is adequate.)

¹On examination of the cases of the Reader and officiating Ahlmad to the Subordinate Judge, Amritsar, the Honourable the Chief Justice has since dismissed both from Government service.

APPENDIX—CONTINUED.

STATEMENT SHOWING THE ACTION TAKEN AGAINST CORRUPT OFFICIALS IN THE PUNJAB DURING THE PERIOD 1st APRIL, 1935, TO THE 31st MARCH, 1936.

Head of Department or Office.	1	2	3	4
Head of Department or Office.	Number and designation of officers punished.	Nature of punishment awarded.	Offence.	
Chief Secretary to Government, Punjab.	40. One Care-taker ..	Dismissed	..	Accepting illegal gratifications and falsification of accounts.
Ditto ..	41. One Stationery Clerk ..	Ditto	..	Dishonesty in money matters.
Ditto ..	41 (a). One Extra Assistant Commissioner.	Ditto	..	Corruption.
Financial Commissioner, Punjab.	42. Five Junior Clerks ..	Two dismissed. The increment of one was withheld for 2 years with permanent effect on future increments. The increments of the other two were stopped for one year.	..	Corruption. (Note.—The charges of corruption were not established in the three cases in which the punishment of dismissal was not awarded).
Do ..	43. One Law Reserve Apprentice Clerk.	Suspended for one month and twenty days.	..	Corruption. (Note.—On examination of the case the Commissioner came to the conclusion that no further action was necessary).
Do ..	44. Two Patwaris ..	Dismissed	..	Corruption.
Jullundur ..	45. One Patwardi ..	Ditto	..	Ditto.

Rawalpindi	..	..	..	..	Ditto	Ditto	..
Do	..	..	..	..	Ditto	Tampering with revenue records.	..
Do	..	..	..	..	Under suspension	Ditto	..
Do	..	..	..	..	Dismissed	Bribery, embezzlement and forgery.	..
Do	..	..	..	..	Re-instated on appeal against dismissal. Allowed a subsistence allowance of Rs. 5 per mensem only for the period of suspension. Reduced from Rs. 45 to Rs. 39 per mensem with permanent effect.	Ditto.	..
Mulhan	..	..	..	..	Dismissed	Corruption. (Note.—The punishment of dismissal was not awarded as the charges of corruption were not established).	..
Do	..	..	..	..	Dismissed	Corruption.	..
Do	..	..	..	..	Under suspension	Ditto.	..
Do	..	..	..	..	Reduced to a Patwari	Ditto.	..
Do	..	..	..	..	Dismissed	Ditto.	..
Do	..	..	..	..	Was sent for judicial trial and was sentenced to 18 months rigorous imprisonment and a fine of Rs. 500.	Ditto.	..
Lahore	..	..	..	..	Dismissed	Making an alteration in Revenue Court's decree.	..
Do	..	..	..	..	Ditto	Giving false evidence.	..
Do	..	..	..	..	Ditto	Ditto.	..
Do	..	..	..	..	Increment stopped for one year and no pay allowed for the period of suspension from the 20th January 1934, to the 14th August, 1935.	Corruption. (Note.—Corruption was not clearly proved hence the extreme penalty of dismissal was not inflicted).	..
Do	..	..	..	..	Ditto	Ditto	..
Do	..	..	..	..	Ditto	Ditto	..

APPENDIX—CONCLUDED.

STATEMENT SHOWING THE ACTION TAKEN AGAINST CORRUPT OFFICIALS IN THE PUNJAB DURING THE PERIOD 1st APRIL, 1935, TO THE 31st MARCH, 1936.

Head of Department or Office.	Number and designation of officers punished.	Nature of punishment awarded.	Offence.
1	2	3	4
Superintendent, Government Printing, Punjab.	57. One Clerk ..	Dismissed ..	Theft of two Remington Typewriter Rollers and the carriage complete with roller of a Bar-Log typewriter from office.
<i>Inspector General of Prisons.</i>			
Central Jail, Lahore ..	58. Two Warders ..	Dismissed ..	Introducing prohibited articles inside the jail.
Central Jail, Montgomery ..	59. One Warder ..	Ditto ..	Introducing prohibited articles inside the jail and having dealings with prisoners.
Old Central Jail, Multan ..	60. Ditto ..	Ditto ..	Introducing prohibited articles inside the jail.
Borstal Institution, Lahore ..	61. Ditto ..	Ditto ..	Removing unauthorized articles from inside the jail.
District Jail, Ambala ..	62. Ditto ..	Ditto ..	Receiving illegal gratification from the relatives of a prisoner.

District Jail, Multan	63.	One Deputy Superintendent.	Ditto	..	Misappropriating Government stocks.
District Jail, Shalkot	64.	One Warder	Ditto	..	Introducing prohibited articles inside the jail.
District Jail, Gujranwala	65.	One Head Warder	Ditto	..	Maltreating, searching and extorting money from an outsider on the jail premises.
District Jail, Mianwali	66.	One Warder	Ditto	..	Removed unauthorized articles from inside the jail.
Sub-Jail, Kasur	67.	Ditto	Ditto	..	Introducing prohibited articles inside the jail.
Ditto	68.	Ditto	Suspended for six months	..	Removing unauthorized articles from inside the jail. (Note.—A lesser punishment than dismissal was awarded in this case as he was found guilty of the theft of only a very small quantity of gram which was also made up of refuse).
Camp Jail, Attock	69.	Ditto	Suspended for two months	..	Receiving money for conveying to a prisoner. (Note.—A lesser punishment than dismissal was awarded in this case as the evidence was purely circumstantial and insufficient to establish beyond reasonable doubt the guilt of the accused).

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