

THE
Punjab Legislative Council
Debates.

From 24th February to 31st March, 1936.

Vol. XXVIII.

OFFICIAL REPORT.



Lahore :

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1936.

PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
COUNCIL.

President.

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

Deputy President.

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

Secretary.

Sardar Bahadur Sardar Abnasha Singh, Bar.-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 to Government, Punjab.
- ✓ The Hon'ble Nawab Muzaffar Khan, C.I.E., Revenue Member to Government, Punjab.
- ✓ The Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture (Sikh Landholders).
- ✓ The Hon'ble Malik Sir Firoz Khan Noon, Kt., Minister for Education (Shahpur East, Muhammadan, Rural).
- ✓ The Hon'ble Dr. Sir Gokul Chand Narang, M.A., Ph. D., Kt., Minister for Local Self-Government (North-West Towns, Non-Muhammadan, Urban).

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.
- ✓ 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.
- ✓ Fazl Hahi, Khan Sahib Shaikh, Director, Information Bureau.
- ✓ Latifi, Mr. A., C.I.E., O.B.E., I.C.S., Financial Commissioner, Revenue.
- ✓ 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.
- ✓ Rahman, Khan Bahadur Dr. K.A., O.B.E., Director of Public Health.
- ✓ Ram Chandra, Mr. C.I.E., M.B.E., I.C.S., Secretary to Government, Finance Department.
- ✓ Salisbury, Mr. C. V., I.C.S., Secretary to Government, Electricity, Industries and Labour Departments.
- ✓ Tate, Mr. T. B., Secretary to Government, Public Works Department, Irrigation Branch.

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.

- ✓ Allah 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.
- ✓ Bansilal, Chaudhri, Lahore City, Non-Muhammadan, Urban.
- ✓ Bhagat Ram, Lala, Jullundur-cum-Ludhiana, Non-Muhammadan, Rural.
- ✓ Bishan Singh, Sardar, Sialkot-cum-Gurdaspur, Sikh, Rural.
- ✓ Chetan Anand, Lala, B.A., LL.B., West Punjab Towns, Non-Muhammadan, Urban.
- ✓ Chhotu Ram, Rao Bahadur Chaudhri, B.A., LL.B., South-East Rohtak, Non-Muhammadan, Rural.
- ✓ Chowdhry Mr. Sajan Kumar, Hissar, Non-Muhammadan, Rural.
- ✓ Faqir Husain Khan, Chaudhri, Amritsar, Muhammadan, Rural.
- ✓ Fazl Ali, Khan Bahadur Nawab Chaudhri, O.B.E., Gujrat East, Muhammadan, Rural.
- ✓ Ghani, Mr. M. A., Representative of Labouring Classes, Nominated.
- ✓ Gopal Das, 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.E., Representative of the Punjab Officers and Soldiers of His Majesty's Indian Forces, Nominated.
- ✓ Jaswant Singh, Guru, Ferozepore, Sikh, Rural.
- ✓ Jawahar Singh Dhillon, Sardar, B.Sc. (Agri.) (Wales), M.S.P. (London), Lahore, Sikh, Rural.
- ✓ Jyoti Prasad, Lala, B.A., LL.B., South-East Towns, Non-Muhammadan, Urban.
- ✓ Kesar Singh, Rai Sahib Chaudhri, Amritsar-cum-Gurdaspur, Non-Muhammadan, Rural.
- ✓ Labh Chand Mehra, 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, Mr. Muhammad Din, Lahore City, Muhammadan, Urban.

III. NON-OFFICIAL MEMBERS—CONTINUED.

- ✓ Mamraj Singh Chohan, Kanwar, B.A., LL.B., Ambala-cum-Simla, Non-Muhammadian, Rural.
- ✓ 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, Muhammadian, Urban.
- ✓ Mohindar Singh, Sardar, Ludhiana, Sikh, Rural.
- ✓ Mubarak Ali Shah, Sayad, Jhang, Muhammadian, Rural.
- ✓ ~~Muhammad Abdul Rahman Khan, Chaudhri, Jullundur, Muhammadian, Rural.~~
- ✓ Muhammad Amin Khan, Khan Bahadur Malik, O.B.E., Attock, Muhammadian, Rural.
- ✓ Muhammad Eusoof, Khwaja, South-East Towns, Muhammadian, Urban.
- ✓ Muhammad Hayat Qureshi, Khan Bahadur Nawab, C.I.E., Shahpur West, Muhammadian, Rural.
- ✓ Muhammad Hasan, Khan Sahib Makhdum Shaikh, Muzaffargarh, Muhammadian, Rural.
- ✓ Muhammad Jamal Khan Leghari, Khan Bahadur Nawab, Baluch Tumandars, Landholders.
- ✓ Muhammad Raza Shah Gilani, Makhdumzada Sayad, Multan West, Muhammadian, Rural.
- ✓ Muhammad Sadiq, Shaikh, Amritsar City, Muhammadian, Urban.
- ✓ Muhammad Sarfaraz Ali Khan, Raja, Jhelum, Muhammadian, Rural.
- ✓ Muhammad Yasin Khan, Chaudhri, B.A., LL.B., Gurgaon-cum-Hissar, Muhammadian, 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, Muhammadian, Rural.
- ✓ Narendra Nath, Diwan Bahadur Raja, M.A., Punjab Landholders, General.
- ✓ Nathwa Singh, Chaudhri, Karnal, Non-Muhammadian, Rural.
- ✓ Nihal Chand Aggarwal, Lala, East and West Central Towns, Non-Muhammadian, Urban.
- ✓ Noor Ahmad Khan, Khan Sahib Mian, Montgomery, Muhammadian, Rural.
- ✓ Nur Khan, Khan Sahib Risaldar Bahadur, Rawalpindi, Muhammadian, Rural.

III.—NON-OFFICIAL MEMBERS—CONCLUDED.

- ✓ Nurullah, Mian, B. Com. (London), F.R.E.S., Lyallpur South, Muhammadan, Rural.
- ✓ Pancham Chand, Thakur, Kangra, Non-Muhammadan, Rural.
- ✓ Pandit, Mr. Nanak Chand, M.A., Hoshiarpur, Non-Muhammadan, Rural.
- ✓ Raghbir 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.
- ✓ 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.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 24th February, 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. A. Latif (Financial Commissioner, Revenue).
- ✓ Mr. M. L. Darling (Financial Commissioner, Development).
- ✓ Mr. C. V. Salusbury (Secretary, Electricity).
- ✓ Mr. Ram Chandra (Secretary, Finance).
- ✓ Mr. T. B. Tate (Secretary, Irrigation).

REFERENCE TO HIS LATE MAJESTY KING GEORGE V.

The Honourable Sir Donald Boyd (Finance Member): Sir, I move the following motion—

This Council do place upon record its expression of deep sorrow on the death of his late Majesty King George V, Emperor of India, and of its heartfelt sympathy with His Majesty King Edward VIII, Emperor of India, and Her Gracious Majesty Queen Mary, in their grievous loss and do convey to His Majesty loyal congratulations upon his accession and assurance of devotion to His Royal person.

It is fitting that the Legislative Council of the Punjab should join the other legislatures of the Empire in passing a resolution of condolence on the death of the late King George V, Emperor of India. His Majesty visited the Punjab on two occasions—first when he was Prince of Wales in the winter of 1905-06 and later when he came to Delhi, which was at that time part of the Punjab, for the great Coronation Darbar of 1911. As the result of his first visit King George carried with him a deep understanding of and sympathy with India and its people and after his return to England he gave an account of his tour at the Guildhall and revealed the main impression left upon his mind in the words—

“I cannot help thinking from all I have heard and seen that the task of governing India will be made easier if we on our part infuse into it a wider element of sympathy. I will venture to predict that to such sympathy there will be an ever abundant and genuine response. May we not also hope for a still fuller measure of trust and confidence in our earnest desire and efforts to promote the well being and to further the best interests of every class?”

The history of King George's reign is proof that these words were sincerely meant. His reign has seen the fulfilment of the policy of the increasing association of Indians with the administration in the appointment of three Indians as Members of the Council of the Governor-General and the appointment in our own province of an Indian as Acting Governor on two occasions. The foundation of an Indian Sandhurst; the Indianisation of the Army;

[Hon. Sir Donald Boyd.]

the creation of a Royal Indian Navy and a Royal Indian Air Force are very clear landmarks on the road to an autonomous India, and on the constitutional side there has been a corresponding development. King George's reign has seen the establishment of the present constitution in which four of the portfolios in the Punjab Government are held by Indians and it was in his time that the Act was passed which will give to provinces complete autonomy next year. At the opening of the Round Table Conference His Majesty made an appeal to the members to combine justice with progress and added "For these things I care deeply," and the result of that Conference will be a constitution in which all the portfolios in the provincial Government will be held by Indians. The people of this country will in future look back upon the reign of King George as an epoch of rapid political progress towards responsible self-government.

immediately after the King's death I was struck by two aspects of the notices which appeared in the press: the first was that Indian-edited papers, no matter how critical they may be of the British connection, wrote of the King in a personal sense as if to say "Our King." The other aspect of these notices, which struck me, was the unanimity of the press in recognising the outstanding characteristics of the late Sovereign, his sincerity, simplicity, whole-hearted devotion to duty and the singular kindness of his disposition. Several papers emphasized the fact that not only by birth but also by character he was in very truth the first gentleman in the land. On this sad occasion there can be no doubt that the attitude of the Press was a true reflection of the mind of the people in whose hearts the King-Emperor had found an abiding place through his well-known kindness and sympathy. One is tempted to expatiate at length on the story of the King-Emperor's life and reign, to dwell upon his calm courage throughout the dark days of the Great War and to express our thankfulness that the troubled times that followed upon that cataclysm found the Empire led by a monarch whose personal qualities had so endeared him to his subjects that all have worked in unity for the common good and this great commonwealth of nations has been able to survive the strain and emerge more firmly united than ever under a constitutional monarchy which has by service made good its claim to be served. But many others wish to add their tribute to the memory of King George and I must not trespass long on the time of the House.

I would, however, remind the Council of the deep sorrow with which the news of His Majesty's death was received throughout the province. On the day of his funeral not a shop was opened in Lahore and there was a general cessation of business in the city and civil station. The same conditions prevailed all over the province and the demonstrations of grief by all classes were remarkable not only for their unanimity but still more for their spontaneity and sincerity. Throughout his reign King George enjoyed the constant companionship of a gracious Queen, distinguished for her shrewd sense and steadfastness of character, who has always been animated by the same devotion to duty and kindness of heart which were among the main characteristics of His Majesty. To Queen Mary and our new King Edward VIII we would offer our respectful condolence and sympathy in their great

bereavement which is also our own. At the same time we would tender to King Edward our humble homage and the assurance that his gallant conduct as a soldier during the war and the pains he has taken to make himself acquainted at first hand with the conditions and needs of every corner of the Empire have secured the admiration, loyalty and affection of his people.

Many present here to-day must remember his visit to this Council as Prince of Wales almost exactly fourteen years ago when he assured us that from the day the stalwart Punjabis of the Indian Expeditionary Force landed in France his thoughts went forth to the plains and hills of the Punjab and he declared himself proud of the title of brother in arms of the gallant Punjabis in the war and expressed a wish that in these times of peace, he would still have the people of the Punjab as comrades in the tasks that lay before us. I think that we can loyally assure His Majesty that his hope has been fulfilled and will continue to be fulfilled to the end of our lives.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, the whole of the Punjab mourns the passing away of His late Majesty King George V, and our heartfelt sympathies go to the Royal Family and Her Gracious Majesty Queen Mary. King George proved himself in truth the Emperor of India. It was he who at Delhi by his graciousness and unfailing courtesy won the heart of all those who had the privilege to come in contact with him. It was he who reaffirmed the memorable proclamation of Her Majesty the late Queen Victoria when India passed under the Crown which we regard as our Magna Charta. It was in his name that His Royal Highness the Duke of Connaught promised swaraj for India. If my memory serves me right the word swaraj was then for the first time used in such an announcement. In war and peace he upheld the ideals of true kingship. He was responsive to all the moral and material needs of his people, he was always ready to accept what his people desired and to carry their wishes into effect thus reconciling kingship with democracy. May his soul rest in peace.

Tender as woman, manliness and meekness

In him were so allied,

That they who judged him by his strength or weakness

Saw but a single side.

And now he rests ; his greatness and his sweetness

No more shall seem at strife,

And death has moulded into calm completeness

The statue of his life.

To His Majesty King Edward VIII we offer our humble congratulations and our loyalty and devotion. May the blessings of his reign reach the rich and the poor alike, Englishman and Indian, like the rays of the sun, which never sets on his Empire.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): I consider it an honour to be allowed to associate myself with the resolution moved by the Leader of the House. His Majesty the late King was

[Hon. Malik Sir Firoz Khan Noon.]

thoroughly loved by all his subjects. We all feel that he had a genuine desire to see his Indian subjects advance. The welfare of his Indian subjects found a place in the warmest corners of his heart, and he took a deep and keen interest in our welfare and progress. He was keenly interested in the political advance in this country. He occupied a unique position by being the most constitutional king in the world and has left behind him standards of constitutional probity which have reconciled the claims of the subjects to self-determination to the claim of the ruler to be the fountain head of justice and public confidence. He respected the will of his people. Whether it was the labourer or the conservative, whoever had the confidence of the British public had the King's confidence and was put in power. I do not know of any king whose demise ever caused so much genuine sorrow and grief as that of our late King. The Indian public at large only recently gave proof, if proof were needed, of their deep love and loyalty for the late King Emperor by subscribing to the Silver Jubilee Fund on such a large scale. Every villager who subscribed a few rupees took genuine pleasure in it.

I also associate myself in offering my humble congratulations to His Majesty King Edward VIII in whose accession to the throne I take special pride as he was my contemporary at Oxford. His Majesty has visited India before and knows India and its people and I have every confidence that his great influence in Great Britain will be utilised for the economic, social and political advancement of his Indian subjects and I sincerely hope that his reign will lead India to the goal to which she has set her heart namely an equal partnership in the British commonwealth of nations.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I have the honour to associate myself whole-heartedly with the Leader of the House in the resolution that he has moved. It was in 1908, I think, that I had the honour and pleasure of seeing the late King George for the first time as Prince of Wales in the House of Commons. The picture of his face has not faded from my mind. He has always appeared to me as the picture of a true king, every inch a king. English monarchs are restricted by all the limitations of constitutional monarchy. But as history shows, many of them have exercised in an unobtrusive manner great influence in the affairs of the Empire. King George, it would be admitted on all hands, exercised in a quiet manner the greatest influence on the affairs of the Empire. He recognised that the will of the people was the supreme consideration with those placed in power. I personally believe that all governments have to depend for their strength and stability on the maintenance of their prestige, but there are limits even to this consideration. King George fully realised these limits of prestige. It was out of this consideration that he unsettled a most important settled fact so far as the history of Bengal is concerned. He was aware that there was a genuine grievance in the minds of the people of Bengal over the partition of their province and he had the courage and great statesmanship to unsettle that settled fact. I have no doubt that thereby he won the genuine and sincere gratitude of the people of Bengal and the admiration of all the people of India. Then again, as you are aware, in the early days of 1907-08 the word

Swaraj was considered an anathema and the very use of the word led to prosecutions until a Division Bench of the Ontario High Court held that there was no sedition implied in the use of the word *Swaraj*. It was King George again who put the seal of his royal approbation on the use of this word and its great implications. Not only did he use the word *Swaraj* as representing the ultimate goal of the Indian people, but he did more than any other single individual placed in power could do in bringing that goal nearer to the people of India. It is a great thing for any monarch to have introduced two great epochs in the political advance of a country. It will be remembered for a long time that both the Government of India Acts were passed in his time, one in 1919 and the other in 1935. His great love for his people would be evidenced by the facts that his own beloved son was sent to the Great War and in spite of his own rather infirm health he personally went to the front to encourage his soldiers in the most trying times of the Great War. With all these qualities, even if he had not been a king, even if he had not been born a prince, he would have been one of the greatest men of this world. He endeared himself to his people by his noble deeds both in England and in India. I need not repeat the references to the evidence of the great affection displayed both by Englishmen and by Indians over his sad demise. I join my friends in offering our deepest sympathy to the bereaved members of the Royal family.

I also join them in tendering my respectful congratulations to His Majesty King Edward VIII on his accession. King Edward, as Prince of Wales has given promise of his greatness. I have no doubt in my mind that he will prove one of the greatest kings of England. He is one of the ablest princes and he has travelled more perhaps than any other crowned head in Europe. I have no doubt that he will bring his great knowledge of the world and its affairs to bear upon the work of administration of the Empire. His intimate knowledge of the people of India, I am sure, will be very helpful to him and also to the people of this country. I hope and expect that the great work of political advance of this country begun by his great father would be completed by him.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): On behalf of the Punjab National Unionist Party I associate myself whole-heartedly and respectfully with the dual resolution of condolence and congratulation which has been moved by the Honourable Leader of the House. I also associate myself sincerely with the sentiments which have been expressed by the Honourable Leader of the House as well as by the members who have spoken after him. The sad demise of His Gracious Majesty was a very severe blow to the forces of peace in the world. He was not only a great king; he was also a great force for the maintenance of peace in the world. His passing away threw the whole of the Empire into deep and spontaneous grief. This widespread and spontaneous grief was due to most eminent qualities of humanity and statesmanship which he possessed. His late Majesty identified himself with his people in their joys and sorrows. When the Great War was in progress he personally visited the front in order to gain first hand knowledge of the hard conditions of life in which the soldiers of his army had to fight.

[R. B. Ch. Chhotu Ram.] Then, again, when the unprecedented slump came on he was the first to make a substantial reduction in his civil list. Yet again, when Bihar was visited by a great calamity in the shape of a terrible earthquake he made a very substantial donation to the fund which was started for the relief of the people of Bihar. Lastly, he was a model of a constitutional monarch. When on a famous occasion the House of Lords adopted an intransigent attitude, he made it plain that he would abide by the advice of his Prime Minister and if need arose, he would create 200 peers in order to nullify the opposition of the conservative peers of the House. In consequence of these qualities, he was rightly and deeply loved and respected by all his subjects not only in Great Britain but throughout the Empire.

As for his Majesty King Edward VIII, he seems to have captured the affections of his people by storm. Everybody knows that he is thoroughly democratically minded. Over and above that he made a declaration that he was going to follow in the footsteps of his illustrious father and that the first object of his life would be to maintain the liberties of the people and to work for the welfare of all the classes. A declaration of such sentiments is bound to result in tremendous popularity of the King Emperor. It is a pleasure for all of us to tender our respectful and loyal homage and devotion to such a noble sovereign.

Mr. Muhammad Din Malak (Lahore City, Munammanan, Urban) : As member of this honourable House from the city of Lahore and as President of the Lahore Municipality I respectfully associate myself with all that has been said by the previous speakers. Such are our limitations and such the everchanging environments of mortal man that to-day we mourn the death of our illustrious monarch when only a few months back we were celebrating with such genuine manifestations of loyalty the twenty-fifth anniversary of his accession to the throne. If the spontaneity of our irrepressible enthusiasm on the occasion of the Silver Jubilee was unique our unity to-day in mourning his loss is no less unique. Nothing could be a greater tribute to his memory or to the wisdom and success of his reign than the fact that while during the last few years, as we have witnessed, monarchical rule in other countries has received rude jolts and severe setbacks, His late Majesty has left it for us more firmly established than ever before. The late King Emperor was a constitutional monarch in the truest sense of the word. He combined in himself all the best traits and all the outstanding virtues of his race. He was a great man and a great gentleman. And yet, when every conceivable good thing has been said of him one feels one has not been able to do due justice to this great character. The fact is that he had in him something which refuses to be explored by the naked eyes and it was this indefinable something, unfathomable something which more than any other quality endeared him to us so completely and so fully. Judging by our own feelings we can well imagine the feelings of the bereaved Royal family. We humbly assure His Majesty King Edward VIII, Emperor of India and Her Gracious Majesty Queen Mary of our heart-felt sympathy in their sad bereavement. We also offer to His Majesty our loyal congratulations upon his accession to the throne with the assurance that he can always depend upon our devoted loyalty to his Royal person.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): Sir, I rise to support the motion moved by the Honourable Leader of the House on behalf of the Sikh members of this Council. At the very outset I do associate myself with each and every word which has fallen from his lips and I do also endorse the sentiments expressed by the other speakers, who have just preceded me. The late King George V was a great monarch, a loving father, a true sportsman and above all a God-loving man in the true and real sense of the word. In a word he was a noble king and a perfect gentleman. His late Majesty was full of sympathy and encouragement not only towards the aspirations but even in the sufferings and hardships of his people. He was ever ready to respond to every appeal to his sense of justice and fairplay. His spirit of benevolence and kind heartedness won for him his subject's unbounded love, esteem and confidence. The universal mourning will bear testimony to King George's sovereignty over the hearts of the people of the world.

The great revolution of the world-war destroyed, expelled and extinguished many renowned and ancient monarchies of Europe and it is the highest tribute to the late king that the Crown of England to-day stands more firmly established and more securely planted in the hearts and affections of the people than ever.

He was a great respecter of constitution and hence was a true constitutional monarch. His noble and shining example on this score has already been faithfully and scrupulously followed by his most illustrious son His Majesty King Edward VIII, who has on the very first occasion after his accession very graciously announced his decision to abide by and to uphold the constitution.

The cold and cruel hand of death has wrested away from us the noble soul of our late King Emperor. Ah! it was so sudden and unexpected. The world has sustained an irreparable loss by the untimely demise of one of the greatest and noblest of monarchs. I may be pardoned if I may recall a personal incident connected with my humble life. In the summer of 1933 I happened to be in England in connection with my duties as a member of the Indian Delegation to the Joint Parliamentary Committee on Indian Reforms. I was presented to His late Majesty King George V on that occasion. I will never forget the gracious smile with which he greeted me. I found myself all of a sudden in the presence of a mighty monarch upon whose Empire the sun never sets. His late Majesty's august personality inspired me with awe, love and reverence. His Majesty's remarks about my community were full of love and endearment. That was the proudest time of my life and I do hope to cherish this memory in the inmost recesses of my heart for all the time to come.

In dealing with the Indian aspirations and problems, His late Majesty had always shown active and genuine sympathy for his Indian subjects. He fully believed in "Trust begets trust". I am at one with the Honourable the President of the Bengal Legislative Council when he says, "Trust and sympathy were his watch words in dealing with the legitimate aspirations of his Indian subjects."

[S. B. S. Buta Singh.]

With these words we offer our sincere grief and deep sympathy to His Majesty King Edward VIII, Her Gracious Majesty Queen Mary and other members of the Royal family in their sad bereavement. In the end I also whole-heartedly join in the chorus of congratulations and expressions of loyalty to Edward VIII our new King Emperor. With your permission I shall now recite a poem in Urdu composed by a great friend of mine at Sheikhpura.

- (۱) مرحوم شہنشاہ جارج کے انسوس کا چرچا کھر کھر ہے
ہر ملک میں ہے ہر قوم میں ہے ہر طبقہ میں ہر لب پر ہے
- (۲) بے مثل تیرے اچھے محتاسن میں اور اعلیٰ خصائل رکھتے ہے
ہر دل میں محبت ہے اُن کی غم اُن کے میں چشم ہر واک تر ہے
- (۳) تہی آنکو مسائل ہند سے ہمدردانہ بڑی ہی دلچسپی
محبوب رعایا تہی آنکو اصلاً یہ حقیقت اظہر ہے
- (۴) ہیں پیش یہ اشک تعزیت ملکہ مغموم کی خدمت میں
ہمدردی ہے ملک معظم سے اور جو بھی گھرانے کا ممبر ہے
- (۵) جس تاج کی دنیا کے ہر حصہ پہ با شان حکومت ہے
اب تاجِ عظیم الشان وہ ملک ہشتم ایک و رد کے سر پر ہے
- (۶) ہم اس سے عقیدت رکھتے ہوئے اس بات کے دل سے خواہاں ہیں
ہو آپ کے عہد مبارک میں سب دور جو کلفت کھر کھر ہے
- (۷) یہ ملک معظم شاد رہے ہر نگر سے یہ آزاد رہے
کھر شاہوں کا آباد رہے یہ دل سے دعا ہے احقر ہے۔

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan landholders) : It is with the feelings of deepest sorrow and profoundest grief that I join the expression of heart-felt distress and loss at the sad and most lamented demise of His late Majesty King George, our gracious Emperor of august and revered memory. The Indians generally and the Punjabis particularly are known for their devotion and loyalty to the person of their King. Nothing appeals to their hearts more than a personal affection to their sovereign and nothing can replace the support which they are accustomed to feel in the person of their king. The bulk of our population knows very little the various aspects of parliamentary Government and they merely know that they are being governed by a ruler who has their interests dear to his heart and in whose power and sympathy they repose their confidence. In the death of his late Majesty India as a whole realises that they have lost a tangible reality and a source which was the fountain head of blessing and benefit. His death is not the loss of India or the British Empire but the whole world. In none of the States of the world there is a personage with half the administrative experience, political sagacity and statesmanship as His late Majesty and his death will be greatly felt by the politics and the

peace of the present age. We are proud of him as he was a noble, gracious, sympathetic and righteous King.

On behalf of the Muslim landholders of the Punjab whom I have the honour to represent in this House and who feel that their sorrow is great and, their loss irreparable, I offer most respectfully and humbly the sincere sympathies of my constituency and of myself to His Gracious Majesty King Edward VIII and Her Majesty Queen Mary at the great loss which they have recently suffered and pray to God that He in his mercy may grant them the fortitude and strength to bear this loss with feelings of resignation to Divine will.

Though our sorrow is deep I feel it my duty to request you to convey our respectful homage and sincere congratulations to His Gracious Majesty King Edward VIII on the assumption of the reins of the Government of this country and to assure His Majesty of our unfailing devotion to his person and loyalty to his Government. When we think that His Majesty has visited this country and graced this Chamber with his august presence our hearts feel a pride which can only be valued and appreciated by an Indian who by traditions and culture is trained to believe that the King is the shadow of God on earth. It is our humble prayer that God may grant His Majesty the King Emperor long and prosperous life and that his rule may be a source of blessing to the vast Empire the destiny of which Providence has placed in his hands.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): On the occasion of the Silver Jubilee His Majesty late King George V in his moving address after the service at St. Pauls said, "For the years that may be given to me I dedicate myself anew to your service". These simple and true words give the key note of his life and explain the general and spontaneous grief that was felt by his devoted and loyal subjects throughout the Empire and especially in India. The spontaneous hartals, and suspensions of business, to which the Honourable Leader of the House has referred, in towns like Lahore and Multan were a manifestation of the loving and firm hold that he had over the hearts of his subjects and clearly showed that the grief felt has been shared by all, the prince and the peasant, the poor and rich and the high and low. It is true that he inherited his position to the throne but he won his way to the hearts of his people. Duty was the guiding principle of his life. As a King His Majesty's reign extended over one of the most critical periods of the world's history. In fact he reigned over perhaps the most difficult quarter of a century and it was in no small measure due to his personal ability and character that while powerful and old established monarchs in Europe lost their Crowns, the British Crown emerged safer and stronger. His late Majesty handed down the throne to his son with its foundations strengthened, its moral authority, its honour and its dignity enhanced. As a man, His Majesty set a very high standard of personal life and his subjects all over the world highly appreciated and admired the quiet ideals of family life and natural piety which he placed before himself and which he practised and which princes elsewhere all over the world might do very well to follow. His Majesty always evinced a keen interest in the affairs of his subjects in India. He was the first monarch to demon-

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

strate the importance of India in the British Commonwealth of nations by taking the trouble of coming personally to India to hold a special Coronation Durbar at Delhi, a royal precedence which we hope our new monarch may be graciously pleased to find time to repeat. Again, although the connection of British with India extends over a long period and the Crown took over the direct administration of this country as late as 1858, it was during his reign that the first steps towards responsible system of administration were made in the form of what are known as Montague-Chelmsford Reforms. His interest in the poor would be shown by the fact that the collections on the occasion of the last Silver Jubilee were ordered to be spent for the alleviation of the distress of the poor and the sick. While our late Emperor will be enthroned in the grateful memories of his people, we assure His Majesty King Edward VIII of our steadfast loyalty and humble devotion to his royal person. We remember gratefully how on the occasion of his last visit to Lahore, he moved freely without reserve and restraint in the Shalimar Gardens amidst the surging crowds that had gathered to see him and pay their homage to him. He made us feel that he was one of us. His Majesty King Edward VIII has visited all parts of the Empire and has already shown by his wide knowledge and sympathy that he will enter fully into the life and aspirations of those whom Providence has placed under his charge. May he live long, and may India soon attain to the height of her constitutional ambitions, during his reign, is the sincere prayer of every Indian. On behalf of our party representing the Hindus of this province, I associate myself whole-heartedly with the resolution which has been moved by the Honourable Leader of the House.

Mr. E. Mayadas (Nominated non-official) : Sir, I also heartily associate myself with the resolution which has been moved by the Honourable Leader of the House. Much of what I should have liked to say has already been stated by those who have spoken before me and so I will make but a few brief remarks. His Majesty, as has been said, was the head of the great Empire over which the sun never sets. In fact it is greater than that, for the area of his Empire covers more than one-fourth of the globe and the population of the Empire also is more than one-fourth of the population of the world, and yet although so great and powerful, the King was humble and kind and good. There are so many instances that can be quoted of his kindness and love for his people. During the Great War he worked day and night devoting all his energies, and not only he but also Her Majesty the Queen Empress, the Prince of Wales and other members of the Royal family, in the cause of the nation. We know how His Majesty went to the trenches and this he did at the risk of his life. He never spared himself. Quite near his end when he could scarcely rise, he tried to sign a document but he was absolutely weak and his hand could not move the pen and yet when there was a moment of consciousness the only question he asked was about the welfare of the Empire. Even at the last moment he was thinking of the Empire. There are so many instances about his love of the poor people, how he used to go to the poor quarters of London. On a recent occasion His late Majesty King George and Her Majesty Queen Mary visited a poor quarter and the children recognising them ran and stood on the foot-

boards of the car and cheered their Majesties. The King was seen patting them gently on their heads.

His Majesty was brought up as a sailor. He was made to work like an ordinary man and he won his promotion not by favour but by merit and there are numerous stories which tell us how he was loved by his people when he was gaining his experience. His Majesty had a wonderful memory. When he visited the trenches in 1916, he saw a soldier who was very young and who was very short in stature. His Majesty was struck with his short stature and spoke to him and shook hands with him just as he did with other soldiers. Five years later His Majesty was visiting the British Industries Fair when he saw the same soldier and recognised him. In the meantime he must have seen thousands of soldiers, but His Majesty recognised that soldier and reminded him of the incident of meeting him in the trenches in France. He was a perfect gentleman. After the Silver Jubilee he went one morning for a walk. There are certain spots on public roads near the palace where the road has two lines of nails and pedestrians may walk between those two lines without fear of being run over by motor cars. His Majesty was walking between those lines of nails like any ordinary citizen, when suddenly a motor car appeared and the chauffeur quite unreasonably spoke harshly not knowing whom he was addressing. But His Majesty never showed any displeasure but rather smiled and he was still smiling when he reached the palace. Queen Mary asked him the reason for his smiling and then he repeated the incident and all present enjoyed a hearty laugh over the incident. That he was loved and respected not only in his Empire but all over the world is abundantly clear from the numerous messages that were received from every part of the globe and even from the *ex-Kaiser*. A personal friend of mine, a Punjabi, had the good fortune of visiting the palace three years ago and this is how he has related the incident. "Three years ago when His Majesty graciously called us to Buckingham Palace his humility and grace captivated us. Without any trappings of royalty he received us in the common atmosphere in which a gentleman meets others. He conversed with us as if we had been life-long residents of the palace and we came away having witnessed in flesh and blood the true personification of greatness." It is commonly said that the King is the father of his subjects. This saying was more true in the case of His late Majesty King George than that of any other monarch. At this time we cannot help thinking of His Majesty King Edward VIII and the Queen Mother and other members of the Royal family. I pray that the Heavenly Father may give them courage and fortitude to bear this loss. Our eyes are turned to King Edward VIII. It is said that in the matter of travel and in the matter of meeting people of all spheres of life there is none to equal him. His first message has thrilled us with joy. It runs like this :

"I place my reliance upon the affection of my peoples throughout the Empire and upon the wisdom of their parliaments to support me in this heavy task and I pray that God may guide me to perform it".

We pray that he may live long to rule over this land.

Sardar Bahadur Captain Sardar Janmeja Singh (Nominated non-official) (Urdu): Sir, I rise to associate myself with the condolence

[S. B. Capt. S. Janmeja Singh.]

resolution moved by the Honourable Leader of the House, on behalf of the ex-soldiers and Indian officers of His Majesty's army in the Punjab. Feelings of love and regard which we soldiers have for our King can very well be gauged from the fact that we lay down our lives on the battle-field to vindicate his honour and prove our love for him. We all pray for the long life and prosperity of our new King.

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

As a humble citizen of this country I join in the words and sentiments expressed in this House to-day. When the late King George ascended the throne of England, the political life of that country was in the greatest ferment, greatest since the days of the Reform Act of 1832. In fact the constitution of England was in the melting pot. Socialism on the one hand and reactionaryism on the other were pulling each other and it was a kind of tug-of-war between these two parties in which it was thought that the constitution of the country would be radically affected. There was partisanship on every side and at that time the King stood alone without any advisor because every person in England was on the one side or the other. The King stood alone and he triumphed. The result was that the constitution of England was newly established and that constitution, it has been proved by the course of events, was the proper constitution for the political advance of that great country.

His late Majesty's connection with this country will always be appreciated in this country. We may divide the British connection with our country into four portions. The first was the period of conquest and exploitation, the second was the period covered by the later years of Queen Victoria's reign which we may call the period of pacification, the third, the rule of the King Edward VII, was an era of hesitation, and we may say that the last, the reign of His late Majesty King George V, was the era of democratisation. For it was in this last period for the first time that the British people accepted and established the theory of democratic Government in this country. And the future historian will always speak of the connection of His late Majesty with this country as the commencement of the era of liberty. We know that His late Majesty had the fullest sympathy with the aspirations of this country. In his famous Guildhall speech when he returned from India as Prince of Wales he expressed that the real remedy for the ills of this country lay in the word 'sympathy', and to that word he always stuck throughout his reign. He was the first member of the Royal family who realised that the people of this country were amenable to sympathy. And you know that on the occasion of his death, the whole of India, all its people irrespective of their different shades of political opinion including the followers of Mahatama Gandhi felt like one man and expressed their profoundest sorrow and grief.

One thing we will always remember and that is that he restored the capital of India to us. India without its capital at Delhi was a country without a heart. It may look to some people a very ordinary thing but in the future political life of the country we will always be grateful to him because he

restored to us our old capital for no country can feel its dignity and realise that it is on the threshold of a new era unless it had its old capital restored to it. Just imagine that England's capital was shifted to Liverpool. What would be the Englishman's feeling if that were to happen? The same feeling would have been held by Indians if our capital had remained at Calcutta. The transfer of the capital to Delhi began a new era in our history.

Again, the King's connection with the Round Table Conference. It was the first time that any king had in person opened an Indian political conference, and I can assure you that hundreds and thousands of proclamations issued by the British Government would have had no effect whereas a few words uttered as they were by His Majesty assured the people that the British nation was really sincere in what they have been saying in regard to India. It was not necessary for His Majesty to associate himself with the Conference but his doing so showed his sympathy, his foresight when by coming and gracing the occasion, he reassured thousands and thousands, nay lakhs of people here, that the British Government was in earnest and his kingly words carried more weight than all the Acts of Parliament in regard to India. This is not the time to make a long speech. We know that His Majesty's life has been characterised by real sympathy towards his subjects and we also know how he had always dignified the Emperorship. It was not as if the Emperorship added dignity to the personality of the man but in his case it was the man who conferred dignity on the Emperorship.

Professor W. Roberts (Nominated non-official): On behalf of the non-official European community outside this House I wish to associate myself with this resolution. I have been very profoundly struck with one or two aspects which came to my notice after the death of the King Emperor. One is the shortness of time that elapsed after the death of the King Emperor before the news was spread all over India. In my own case I happened to be living in the wilds of Khanewal in control of a very large number of concerns. We sent a telegram at 9 o'clock the same day of the King Emperor's death. The King Emperor died at 5-30 Indian time. That telegram was received at the stations to which it was addressed by 10, and in only one case did it give the first news. In most cases they had the news already at 7 or 7-30 in the morning. A very good illustration of the closely knit condition of the world at present is that within an hour or two, as far as news is concerned, we know what goes on in any part of the world. Many people must have heard the funeral service practically at the time it was going on, by means of the wireless. This brings home to us the great changes which have taken place in the world during the reign of the late King Emperor.

Another thing that struck me very much was the very profound sorrow with which the death of the King Emperor was received. I must say that it put me to some extent to shame. In one of our factories which I visited, about sixty miles from Khanewal, from the hush and quiet I knew that when I arrived at ten o'clock the news had already been received. It had a very great impression on me, and when our staff later reported from another centre that prayers had been held at many places at midday, that again put me

[Professor W. Roberts.]

personally to some shame and made me realise that it was not only the King Emperor that we had lost but that we had lost, as the Honourable the Finance Member mentioned, a great gentleman who possessed dignity, simplicity and great devotion to duty.

Mr. M. A. Ghani (Nominated non-official): The late lamented King George V was essentially a king of the labourers and the poor people. It was during his glorious and gracious reign of more than twenty-five years that a vast amount of labour and social legislation was passed both in England and India. He took particular interest in the welfare of the poor people. In him we have certainly lost a very sympathetic king of the British Empire. In this great bereavement of ours we have this consolation that he is succeeded by his son who is equally sympathetic and has, as a matter of fact, given proof after proof of his great sympathy with the poor and the labouring classes. It is certainly an honour to be the subject of such kings and with such kings we need not have any Lenin or Stalin, Mussolini or Hitler or any dictator of that sort. With these words I heartily associate myself with what has been said by the Honourable the Leader and other members of this House.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated non-official) (*Urdu*): Sir, The Honourable Leader of the House has voiced the innermost feelings of the members of this House and the people of the Punjab in moving his resolution. The death of His late Majesty King George V is not only a great shock to the Royal family and the British Empire but an irreparable loss to the entire world. His late Majesty was not only a great king and emperor but also a statesman of the highest rank, a lover of truth and a missionary of peace. His decision to join in the Great War was actuated by the desire to protect the weaker nations from the oppression of their stronger neighbours. His Majesty did all that was possible to avoid the war but when it became inevitable he gallantly shared his responsibilities to discharge the international obligations. Never before in the history of the world was kingship put to a severer test than during the regime of His late Majesty and we are proud to say to-day that he stood the test with courage and credit. The Great War brought about revolutionary change in political out-look and theories of administration among the society and resulted in the overthrow of monarchies and imperialism, but our late Sovereign through his sympathy, tact and goodwill made the foundations of British Crown and the Empire more firm and secure than ever. He set a high ideal about sovereignty before the modern world. He showed throughout his life that a king should be a father, a leader and a servant of his people and should always be sensitive to and sensible of the needs and wishes of his subjects and that nothing should be nearer and dearer to his heart than the interests of his people. The aim of King George's life had been to serve his people and to further their interests to the best of his ability. We find a unique feature in his rule. In spite of the war, unrest and political upheavals, the progress which was made in the fields of science, industry, art and culture during this period is unprecedented in the history of the human race. His great personality united varying interests, different races and distant countries into one commonwealth of nations and thus proved

that the old belief that "East is East and West is West and the twins shall never meet" was a mere fallacy. The East and West stand united to-day through the link of goodwill and bond of love. King George's regime has a special significance for India as it was during his reign that Indian aspirations were sympathetically recognised by Great Britain and substantial steps were taken to translate them into practice. Indians were afforded equal opportunities with their British brethren in the administration and honest and sincere efforts were made to train them for managing their own affairs. The Punjab feels the loss of their beloved Emperor more deeply as the Punjabis had the privilege of being in close and more intimate contact with His late Majesty during and after the Great War than many other parts of the Empire. The Punjab can rightly take pride in the fact that the gracious reward of the Montague-Chelmsford Reforms was greatly due to its loyal services during the Great War. The deep sorrow which King George's death has caused not only in his own Empire but throughout the world shows how greatly he was respected and loved by all. His Majesty's blessings were not only confined to his own Empire but to the entire human society. The important part which he played to overcome the economic crisis and to preserve the peace of the world has earned universal praise and gratitude for him. His Majesty's death has a great lesson for us. In our moment of great sorrow we are brought closer and our differences seem to have faded away. Everybody, irrespective of his political ideas and different points of view, is thinking in the same manner and voicing the same feeling. It seems that it is not impossible for us to sink our differences and work together to achieve a common goal. I also take this opportunity to offer our deep gratitude to Her Gracious Majesty Queen Mary for the keen interest that she has always taken in the welfare of her people side by side with her illustrious husband. We offer her our respectful and deep sympathies in her bereavement and assure Her Majesty of our unfailing devotion and affection towards her. It is a great consolation that the reigns of this great Empire are transferred to safe and worthy hands and we are confident that His Majesty King Edward VIII will prove a worthy successor to his late father and will bring increased dignity, honour and distinction to the Crown of England. His Majesty's sympathy and keen interest in the welfare of the Empire as Prince of Wales has already earned an enviable popularity and affection for him and we wish to assure his Imperial Majesty of our steadfast loyalty and unbounded devotion to his Royal person. We sincerely pray that he may live long to rule over his great Empire and his reign may be marked with unparalleled success, prosperity and peace. Sir, I whole-heartedly support the resolution under consideration.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadian, Urban): I heartily associate myself on behalf of the ladies of the province with all that the Honourable Leader of the House and other honourable members have said. The news of the death of our beloved King came like a bolt from the blue. He was not only our kind but our real benefactor and protector. We looked upon him as our father, and you very well know what the word father connotes. It means love, care, protection of the children and keeping discipline among them. Our King loved his subjects like his real children. Various British kings are known in history by various

[Sh. Lekhwati Jain.]

names, for example Edward the Confessor, Alfred the great, Victoria the good, Edward the peacemaker and King George the fifth will surely be known as George the beloved. The King was always solicitous about the welfare of his subjects. When any trouble natural or otherwise came to his subjects he keenly felt for them, and asked his Government to liberally help them. No king in the history of the world has ever been so generous. I can say without fear of contradiction, that whatever steps his Government took they were calculated for the welfare of his subjects. He was both an ideal king and an ideal man. In his death the world has lost the greatest and the best living human being, and we are left to mourn his loss. He was the gem of humanity. Much has been said about him as a king but what appeals to me most was his ideal family life. He was a happy husband, a loving father of his children and proud grandfather of his grand children. Our nawabs and rajas who are mere pignies as compared with him, both in power and riches, are very fond of increasing their harem. It will be for the good of humanity if they follow his noble and illustrious example of monogamy. I fully hope and trust that our present King will follow the traditions of his worthy father. In this hour of grief and sorrow our hopes are centred in him. I offer my heart-felt sympathy with His Majesty King Edward VIII and Her Majesty Queen Mary. I also take this opportunity of conveying my heart-felt, sincere and respectful congratulations, and felicitations to him, and pray Almighty God that his Majesty King Edward VIII may prove a noble son of a noble father and live long to reign over us, his loyal and humble subjects.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Mubammadan, Rural) (Urdu): Sir, after the long, eloquent, and exhaustive speech of the Honourable Leader of the House, it is hardly necessary to say anything on this resolution. However, I should like to say a few words by way of homage to the memory of His late Majesty, King George V. It is not England alone that has suffered by his death, but, as a matter of fact, the whole world has sustained an irreparable loss by the demise of the late King Emperor. If it were possible to weigh and consider the lots of various monarchs of history, it would be said that His late Majesty was one of the most fortunate kings of the world.

In the last Great European War which marred the destinies of the various nations and deprived them of their national freedom, the splendid victory gained by the allies was one great event of the time of His late Majesty the King Emperor of India. So far as India is concerned, the time of His late Majesty proved to be a great source of blessing. Before His late Majesty's time politically speaking, India was in her infancy. She could not distinguish between right and wrong. Nobody knew what national liberty meant. But in His late Majesty's time by and by India showed signs of political awakening and began to develop a spirit of national freedom till at last the Indians both educated and uneducated have now come to regard the national liberty to be the most valuable and greatest asset of a country. I believe the foundation stone of national liberty laid by His late Majesty would eventually support the great edifice of Indian freedom and

the country's ambitions in this connection would materialise in the time of His Majesty King Edward VIII. If prayers could prolong one's life I am sure His late Majesty would have lived till doomsday, for the fact that His Majesty's subjects all over the country have expressed a deep sense of sorrow and grief at the sad demise of His late Majesty clearly shows the extent to which they loved their late Sovereign. I hope our future is bright and is marked with constitutional success and progress and that the legacy left by His late Majesty will be fulfilled. I further hope that His Majesty King Edward VIII would try to remove the doubts now lurking in the minds of the Indian politicians to the effect that Governors under the new reforms would thwart the political progress of the provinces under their charge and that His Majesty would take steps to make our life, both private and public, a success.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): Sir, as a representative of the Hindus of the Punjab in my capacity of President, Punjab Hindu Sabha, I whole-heartedly join in the resolution moved by the Honourable Leader of the House in offering our loyal sympathy with the Royal family. We also congratulate His Majesty King Edward VIII on his accession. It is hoped that he will follow the noble example set by his father as a constitutional monarch and as a perfect gentleman, and we hope his example will be followed by those who represent him in India.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I rise to associate myself with the motion that has been moved before this House. The cruel hand of death has removed one of the most important figures from the face of this world. He had inherited the great British Commonwealth of Nations over which the sun never sets and unique as the position of the British monarch is His late Majesty added lustre to that position. How much influence he exercised in the interest of peace not only in the British Empire but in the whole world, can be gathered when one compares the fighting speeches of the European dictators to-day with the soothing speeches and messages of His late Majesty the King Emperor. The blow has been felt throughout the Empire, but it is heavier to India, because India's problems were the anxious concern of His late Majesty. Royal messages sent a thrill of hope and encouragement throughout the Indian Empire.

In his demise the world is mourning not only the last of a great monarch but a first rank gentleman of the world. Truly may it be said that humanity reached in his personality the highest level.

I also join in conveying to His Majesty King Edward VIII, our homage and devotion to His Royal person.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (*Urdu*): Sir, I whole-heartedly support the resolution moved by the Honourable Leader of the House. In fact we are very seriously grieved at the sad demise of His late Majesty. Not only India but the whole Empire is now in mourning. The whole world has lost in His late Majesty a well wisher of human race. I remember in 1919 in connection with the

[K. B. Capt. Malik Muzaffar Khan.]

peace celebration contingent I was there at the Buckingham Palace along with other Indian officers when His late Majesty inspected the contingent under Review order. When I recollect that time I am moved to tears. I pray that His late Majesty's soul may rest in peace. I also offer my hearty and humble congratulations to His Majesty King Edward VIII and hope that His Majesty will follow in the footsteps of His Majesty's illustrious and renowned father. In the end I request that a message of condolence on behalf of the zamindar subjects of His Majesty in general and those of my district (Mianwali) in particular be conveyed to the members of the Royal family.

Rai Sahib Lala Gopal Das (Lahore and Ferozepore *cum*-Sheikhupura, non-Muhammadan, Rural): I whole-heartedly join the Honourable Leader of the House in expressing our deep sorrow on the great loss that the Empire has sustained in the death of His Majesty King George V. Many warm tributes of appreciation have been paid to the memory of our late King. All I need say at the present time is that the grief is shared by each and every individual of His Majesty's subjects in this Empire. In him we have lost a beloved king who gave strong proofs of fullest sympathy with all his subjects. It is our prayer that his soul may rest in peace and may watch during the reign of his illustrious successor the completion of our political advance which was initiated in his lifetime. In the end I wish to express on behalf of our party our respectful condolence to the members of the Royal family and also our loyal message to His Majesty King Edward VIII.

Mr. President : Honourable members, I entirely associate myself with the sentiments of sorrow expressed from all sides of the House on the sad demise of His late Majesty King George V, and join in expressing my deepest sympathy with His Majesty King Edward VIII, Emperor of India, Her Gracious Majesty Queen Mary and other members of the Royal family. I also associate in offering my sincerest congratulations to His Majesty King Edward VIII, Emperor of India, on his accession to the throne and assure him of our greatest veneration and keenest devotion to his Royal person.

The resolution was passed unanimously all members standing.

Mr. President : I will convey the message of the Council to His Majesty King Edward VIII, Emperor of India.

As I propose to adjourn the House as a mark of respect, I may state that the questions on to-day's list will be asked to-morrow along with the questions in the list of 25th. The remaining business in to-day's list will be taken up to-morrow after the presentation of the Annual Budget by the Honourable Finance Member.

The Council then adjourned till 2 P.M., on Tuesday, 25th February, 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 25th February, 1936.

The Council met at the Council Chamber at 2 P.M. of the Clock. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

CROWN LANDS IN POSSESSION OF OCCUPANCY TENANTS AND TENANTS-AT-WILL.

***2341. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the total amount of crown lands in the cultivating possession of (i) occupancy tenants and (ii) tenants-at-will in the province as a whole and the proportion which it bears to the total area under cultivation ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not ready.

ABOLITION OF SPECIAL PAY TO OFFICERS OF IMPERIAL SERVICES.

***3717. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly lay on the table of the Council a statement showing the annual saving effected by the abolition, if any, of special allowances given to the officers of various Imperial Services before retrenchment ?

The Honourable Sir Donald Boyd : The question of reducing or discontinuing certain allowances is under consideration in the light of the principles laid down by the Secretary of State. But no appreciable savings are expected, as the allowances cannot be reduced or discontinued without giving rise to claims for compensation from officers whose existing rights have been protected, unless the conditions which led to the grant of the allowance have altered or disappeared.

JAIL ADMINISTRATION.

***4113. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) what improvements have been made in the jail administration and what reforms have been introduced in the Punjab jails with special reference to the Provincial Jail Inquiry Committee and the special Jails Commission of 1921 ;
- (b) whether all recommendations contained in those reports have been carried out ;
- (c) if not, the reasons for the same ?

The Honourable Sir Donald Boyd : I regret that the answer is not yet ready. Statements giving the information are under preparation. It is hoped that it will be found possible to supply them to the honourable member before the conclusion of the present session.

MOTOR VEHICLES.

***4218. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue be pleased to state—

- | | | | | | | |
|-------|---|---|---|---|---|---|
| (a) * | * | * | * | * | * | * |
| (b) * | * | * | * | * | * | * |

- (c) how much money was realized in the province during the last five years through (i) the registration of licence of motor vehicles and (ii) the imposition of fine on the motor drivers, and the owners of motor vehicles ?

The Honourable Nawab Muzaffar Khan : (c) It has not been possible to ascertain exact figures. The approximate figures are as follows :—

- (i) Fees for registration permits—Rs. 6,05,000. Receipts on account of fees for driving licences and receipts on account of the provincial motor tax are not included in this figure.
- (ii) Rs. 5,76,000.

NAL CHAH IN SONEPAT AND JHAJJAR TAHSILS.

***4227. Rao Bahadur Chaudhri Chhotu Ram :** With reference to questions Nos. 19278 and 19855 asked by me and answered on the 26th of June, 1934, and the 29th of October, 1934, respectively, will the Honourable Member for Revenue kindly state the total amount of money refundable to the owners of all the wells which had become unserviceable for the purpose of irrigation since 1924 or 1925 in the tahsils of Sonapat and Jhajjar, district Rohtak, and the number of which was admitted by Government to be about 250, if the whole amount collected in respect of these wells during the period of desuetude were ordered to be refunded ?

The Honourable Nawab Muzaffar Khan : The actual number of such wells as admitted by Government in reply to his question *3278¹ was 246. It has since been discovered that sixteen wells were included in the statement supplied to the honourable member by mistake ; so the actual number was 230. For two out of these 230 wells the Collector is refunding *abiana* to the owners from the dates after which it should not have been charged, viz., *kharif* 1929 and *kharif* 1932, respectively. As for the remaining 228 wells no refund can be claimed under rule II as a matter of right merely because 4 harvests have passed, nor was any remission due in fairness because the wells were still fit for use. Their case fell under rule II of paragraph 558 of the Land Administration Manual and it was discretionary with the Collector in accordance with rule VI of the said paragraph, read with rule II, to grant remission from any harvest he considered necessary in each case. On the hypothesis that remission should have been given to these wells during the period of desuetude the amount refundable in respect of them works out at Rs. 9,068.

FODDER.

***4467. Mian Nurullah :** In connection with the settlement in Lyallpur, will the Honourable Member for Revenue be pleased to state—

¹Volume XXV, page 31.

²*Ibid*, page 698.

how many acres of fodder were sown in a circle for which inquiry is complete during the year for which the prices have been taken ?

The Honourable Nawab Muzaffar Khan : The average area under fodder in the Jaranwala tahsil, which forms one assessment circle, was 52,798 acres in the five years ending 1932-33, which was the basis of the Settlement Officer's produce estimate, so far as cropping was concerned. For the 20 years on which commutation prices were based no reliable figure is available.

SETTLEMENT OF LYALLPUR DISTRICT.

***4469. Mian Nurullah :** With reference to the instance taken in the last few lines of section of the *communiqué*, recently published by Government in connection with the settlement of Lyallpur district, will the Honourable Member for Revenue be pleased to make it more clear by taking the concrete case of the circle for which enquiry may have been completed ?

The Honourable Nawab Muzaffar Khan : Enquiries have since been completed in respect of Jaranwala and Lyallpur tahsil assessment circles and the contingency referred to in the last few lines of paragraph 7 of the press *communiqué* has not arisen in either case. Attention in this connection is invited to the abstracts of Jaranwala and Lyallpur assessment proposals published by the Settlement Officer under rule 19 of the Assessment Rules of 1929 (copies¹ laid on the table for ready reference).

SETTLEMENT OF LYALLPUR DISTRICT.

***4470. Mian Nurullah :** With reference to the recent *communiqué* and schedule published by Government regarding settlement of Lyallpur district, will the Honourable Revenue Member please state—

- (a) the index number calculated with the price of the last settlement ;
- (b) the index number worked out with prices now assumed ;
- (c) the percentage that (b) forms of (a) ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (c) The standard index figures of the Jaranwala and Lyallpur assessment circles of the settlement now in progress have been worked out by the Settlement Officer and published in the Abstracts of the assessment reports of these tahsils. The assessment circles at last settlement were by Canal divisions and were not co-terminous with tahsils, still less with the Jaranwala and Lyallpur tahsils. The percentage of the matured area under each crop, the yields and the prices assumed at last settlement cannot therefore be regarded as relating to the areas which now form the Jaranwala and Lyallpur circles, and this fact vitiates any comparison between the indices now worked out and those calculated on the basis of the material collected at last settlement. It should also be remembered that the Rakh Branch was settled in 1913 and the other areas in question in 1923.

Assuming that the honourable member's intention is that *only* the *price* factor should be taken from the last settlement, the rest of the data being

¹Placed in the Library.

[Hon. Nawab Muzaffar Khan.]

assumed as now collected, the index figures of the various circles into which these tahsils were divided at last settlement have been worked out, and the two sets of figures are as under :—

Circle.	Standard Index figure calculated by the Settlement Officer on the prices now assumed. (b).	Index figures on the basis of prices assumed at last settlement for various portions of the tahsil. (a).	Percentage of (b) to (a).
Jaranwala tahsil assessment circle.	72,776	74,032 (Gugera Branch No. I).	98
	72,776	72,524 (Gugera Branch No. II).	100
	72,776	58,954 (Rakh Branch portion).	123
Lyallpur tahsil assessment circle.	73,760	71,542 (Jhang Branch No. I).	103
	73,760	58,423 (Rakh Branch portion).	126

Khan Bahadur Malik Zaman Mehdi Khan : Does the question of extending the area make any difference ?

The Honourable Nawab Muzaffar Khan : I require notice of this question.

TERMINAL TAX RAILWAY MANDI, LUDHIANA.

***4499. Mian Nurullah :** Will the Honourable Minister for Local Self-Government please state—

- whether it is a fact that the area known as Railway Mandi, Ludhiana, has come within the municipal limits of the Ludhiana Municipality since 18th December, 1936 ;
- whether it is a fact that the terminal tax limits of the Ludhiana Municipality for the purpose of assessment of terminal tax are the same as the municipal limits ;
- whether it is a fact that the terminal tax on goods imported within the area referred to in part (a) above has not been charged in accordance with the Terminal Tax Schedule in force in the Ludhiana Municipality for a period of four months or more from the date the new area came within the municipal limits ;
- whether it is a fact that the Committee suffered a loss in the income from terminal tax in this respect due to the negligence of the official in charge of the Department for non-assessment of terminal tax on goods imported within that area ;
- if replies to parts (a) to (d) are in the affirmative, whether the Government is prepared to make an enquiry ?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) Yes. (c) and (d) Further information is being collected in regard to these items.

(e) This will depend upon the information to be received in regard to (c) and (d).

IRRIGATION IN SULTANKE VILLAGE.

***4535. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether he is aware that the zamindars of Sultanke village of Lahore district have been submitting representations to Government for the last 25 years for the shifting of outlet R. D. 97 to R. D. 98 in order to get their land lying at a higher level than that of outlet R. D. 97 within the command of the canal;
- (b) the area of the land to be so irrigated;
- (c) whether he is aware that the area mentioned in (b) was included in the *chak bandi* made in the last settlement of the land to be irrigated, and that for this reason enhanced rate of land revenue was fixed for it, and that the zamindars have been paying land revenue at the increased rate;
- (d) how much has been paid on account of the increased rate in (a) over and above the ordinary land revenue in respect of the area mentioned in (c) above;
- (e) whether he is aware that the Irrigation officials agreed in 1932 or thereabout to accede to the request of the zamindars mentioned in (a) and that for this purpose they got Rs. 328 deposited towards the cost of the outlet, and also they got the outlet, a mile and-a-half dug up by the zamindars concerned;
- (f) whether there was any objection to the outlet being sanctioned and why the proposal was dropped;
- (g) what compensation the Government intends to make to the zamindars for the trouble and expense they were put to as mentioned in (d);
- (h) what action the Government intends to take in the matter in view of facts in (a), (c) and (e) above?

The Honourable Nawab Muzaffar Khan : (a) No. The earliest representation for shifting the outlet to R. D. 98,000, which is traceable, is dated the 19th March, 1928.

(b) About 300 acres.

(c) No. The area mentioned in (b) was classed as *benjar* and enhanced rate of land revenue has not been assessed.

(d) Does not arise.

(e) The applicants deposited an amount of Rs. 328 with the Sub-Divisional Officer in 1932 which has since been refunded to them. It was understood that in case the request for shifting the outlet was not granted the

Hon. Nawab Muzaffar Khan.]

money deposited would be refunded. There is nothing whatever on record to show that the Irrigation Branch at any time had agreed to shifting the outlet to R. D. 98,000 or that any assurance was ever given to them to that effect.

(f) It was unnecessary to shift the outlet and the change was also objected to by neighbouring cultivators.

(g) No compensation of any kind is due from the Government to the applicants.

(h) Does not arise.

ARREST UNDER THE PUNJAB RELIEF OF INDEBTEDNESS ACT.

***4592. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly place on the table district-wise a list showing—

- (a) the number of arrests in execution of decrees which have taken place after the Punjab Relief of Indebtedness Act came into force ;
- (b) the number of houses attached or sold in execution of decrees since 19th April, 1935 ;
- (c) the number of cases in which notices to judgment-debtors have been issued calling upon them to show cause why they should not be arrested ;
- (d) the number of cases in which objections against the attachment of houses of agriculturists have respectively been allowed or disallowed ?

The Honourable Sir Donald Boyd : I regret that the further information promised in my reply given to this question in the last session of the Council is not yet ready. It will be communicated to the honourable member when ready.

PUNJAB RELIEF OF INDEBTEDNESS ACT AND WARRANTS OF ARREST.

***4633. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) how many warrants of arrest issued by the civil court in each of the districts of the Punjab were cancelled or withdrawn on the coming of the Punjab Relief of Indebtedness Act into force ;
- (b) whether the process fees paid by the decree-holders for the issue of those arrest warrants have been refunded to any decree-holder ; if not, what steps Government proposes to take to refund the process fees paid in court by the decree-holders ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table.

(b) Process fees are not refundable. The rule on the subject will be found in paragraph 6 of Chapter 5-A of the High Court Rules and Orders (Volume IV), a copy of which is available in the Council Library.

Statement.

District.	Number of warrants of arrest issued by civil courts which were cancelled or withdrawn on the coming of the Punjab Relief of Indebtedness Act, 1934.	District.	Number of warrants of arrest issued by civil courts which were cancelled or withdrawn on the coming of the Punjab Relief of Indebtedness Act, 1934.
Hissar	2	Gujranwala ..	80
Gurgaon	178	Gujrat	32
Karnal	20	Shahpur	54
Rohtak	203	Jhang .. ..	..
Ambala	167	Jhelum .. ..	..
Simla .. ..	..	Rawalpindi ..	27
Hoshiarpur ..	50	Attock	1
Kangra	3	Mianwali	2
Jullundur .. ..	..	Montgomery ..	20
Ludhiana	35	Lyallpur	7
Ferozepore ..	89	Sheikhupura ..	..
Lahore	257	Multan	89
Amritsar	57	Muzaffargarh ..	63
Gurdaspur	86	Dera Ghazi Khan ..	..
Sialkot	153		

JARANWALA SMALL TOWN COMMITTEE.

***4710. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- the total population of Jaranwala town in the Lyallpur district community-wise ;
- the proportion of Muslim voters to non-Muslim voters at present in the small town committee ;
- whether it is a fact that Government proposed in 1930 to change the small town committee into a municipality ;
- if so, the reasons for not translating that proposal into action ;
- how many wards were proposed by the Government ;
- whether it is a fact that the small town committee accepted the proposals of the Government ;
- if so, why Government have not accepted those proposals and acted according to them ;

[Sh. Lekhwati Jain.]

- (h) whether he will place on the table of the Council the correspondence which passed between his office and that of Deputy Commissioner's and the committee?

The Honourable Dr. Sir Gokul Chand Narang : (a) The total population of Jaranwala community-wise is as follows :—

Muslims	..	..	..	2,216
Sikhs	..	..	..	1,008
Hindus and others	..	..	..	4,096

(b) 27 : 73.

(c) Yes.

(d) Jaranwala has since been converted into a municipality.

(e) Six.

(f) Yes.

(g) Government has accepted the proposals.

(h) Not necessary in view of the replies given above.

RURAL DEVELOPMENT.

***4740. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) the amount of money which the Punjab Government has received from the Government of India as its share from the amount of one crore distributed among the various provinces for spending on schemes for the economic development and improvement of rural areas ;
- (b) the scheme prepared by the Punjab Government for spending the above grant ;
- (c) the details of the scheme for each district and the amount to be spent in each ?

The Honourable Nawab Muzaffar Khan : (a) Rs. 8,50,000.

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

List of Schemes to be financed from the Government of India grant for rural development.

1. Consolidation of holdings.—Rs. 2,01,766.

Out of this amount Rs. 50,000 will be spent on consolidation of holdings by the Revenue staff in the Sialkot, Gujrat and Rohtak districts.

The balance will be spent by the Co-operative Department in speeding up the work already being done in the Jullundur, Hoshiarpur, Ambala, Lahore, Gurdaspur and Ferozepore districts, by the employment of extra staff.

2. Sanitary Improvements in 31 villages in Gujrat District.—Rs. 8,820.

The amount will be spent on improvements such as sillage drains, pavements of dry brick on edge, provision of hand pumps, repairs and roofing of percolation wells, etc. The Gujrat district has been selected because there are Dehat Sudhar Committees in several villages of that district. The Committees of 31 villages have agreed to contribute one-third of the cost of the works mentioned above in cash or by supplying labour and material. The District Board, Gujrat, will contribute one-third. The balance will be met from the grant of Rs. 8,820.

3. *Bore Hole Latrines in Shatargarh tahsil.—Rs. 10,000.*

Measures are being carried out in the Gurdaspur district for combating Hookworm disease. One of these measures is the provision of bore hole latrines to prevent reinfection from the soil. The amount will be spent in constructing such latrines to demonstrate their advantage from this point of view.

4. *Water-supply Schemes.—Rs. 2,25,322.*

There are eight schemes relating to the following localities :—

District.	Village.	Estimated cost.
		Rs.
Kangra	Palampur	21,841
Dera Ghazi Khan	Vehoa	22,000
Shahpur	Jabbi	27,343
Shahpur	Choha	30,666
Mianwali	Burekheil	22,583
Mianwali	Sanwans	8,401
Dera Ghazi Khan	Sakhi Sarwar	36,008
Jhelum	Toba, Saroya and Athar	48,076
	Reserve	8,404
	Total	2,25,322

5. *Serum Cellars.—Rs. 20,225.*

The amount will be spent upon improving the distribution of sera and vaccines require for dealing with the outbreak of contagious diseases in the province and this will be done by increasing the number of depots where sera and vaccines are stored, which at present is very limited.

6. *Reconstruction of Veterinary Hospital at Rohtak.—Rs. 12,000.*

The amount will be spent on reconstructing the veterinary hospital which was destroyed during the floods of September, 1933.

7. *Construction of ten Veterinary Hospitals.—Rs. 60,000.*

Veterinary hospitals will be built at the following places :—

(a) *Dhanni Tract—*

- | | |
|-----------------------|--------------------|
| (1) Dina | District Jhelum. |
| (2) Kot Momin | District Shahpur. |
| (3) Chakrals | District Mianwali. |

(b) *Dajal Tract—*

- | | |
|-------------------|---------------------------|
| (4) Karor | District Muzaffargarh. |
| (5) Dajal | District Dera Ghazi Khan. |

(c) *Haryana Tract—*

- | | |
|--------------------------|-------------------|
| (6) Rattia | District Hissar. |
| (7) Farrukhnagar | District Gurgaon. |
| (8) Panshana | District Gurgaon. |
| (9) Gansur | District Rohtak. |

(10) A place to be selected in the Hissar District.

8. *Broadcasting Scheme.—Rs. 48,040.*

The amount will be spent in buying and servicing receivers for villages in the Ambala division which will listen-in from the Delhi Broadcasting Station, and also upon recharging batteries and upon accidental expenses for maintenance. A small amount will also be spent on improving the rural side of the Delhi programme.

[Hon. Nawab Muzaffar Khan.]

9. *Tanning Scheme.*—Rs. 75,920.

The amount will be spent for the construction and equipment of a Central Tanning Institute at Jullundur. The expenses of locating two demonstration parties—one at Multan and the other in the Gurgaon district—will also be defrayed.

10. *Fruit Growing.*—Rs. 62,000.

Rupees 15,000 will be spent for building and equipping a fruit preservation laboratory on a semi-commercial scale, and Rs. 47,000 for the production of fruit nursery plants on a large scale and their sale to the public at cheap rates.

11. *Well Boring.*—Rs. 25,898.

With effect from the 1st November, 1935, overhead charges on wells bored by the Department of Agriculture have been abolished. These overhead charges amounted to Re. 0-12-0 per foot bored, subject to a maximum of Rs. 100 in any one case.

12. *Discretionary grants to Deputy Commissioners.*—Rs. 1,00,000.

Rupees 3,500 have been allotted to each district except Simla, which has been given Rs. 2,000. The amount is to be spent by the Deputy Commissioners in any way they consider best for the development of their district.

BUNGALOW SITES, KHANEWAL.

***4765. Khan Sahib Chaudhri Riasat Ali :** Will the Honourable Member for Revenue please state—

- (a) the number of plots reserved as bungalow sites according to the lay-out scheme in the Khanewal town ;
- (b) the number of plots allotted already ;
- (c) the number of plots still to be distributed ;
- (d) the names of persons to whom they have been allotted ;
- (e) the names of the persons whose applications are pending and since when ;
- (f) the conditions of this allotment ;
- (g) whether huge heaps of sand are lying on this site which are blown from place to place by the wind in summer ;
- (h) when the Government intends to allot these plots ?

The Honourable Nawab Muzaffar Khan : (a) Seventeen according to layout scheme, but four sites were reserved subsequently. Total twenty-one.

(b) Ten.

(c) Eleven.

(d) (1) Khan Sahib Haji Farid Khan, Honorary Magistrate, Khanewal One site.

(2) Lala Parshotam Lal Rajpal ; now held by Diwan Mitra Sen Batra, Pleader, Khanewal Do.

(3) Khan Haibat Khan, M.L.C., Khanewal Do.

(4) Mr. H. Roberts, Khanewal Do.

(5) Captain Thakar Singh Do.

(6) Church Missionary Society Half site.

(7) Sardar Jawand Singh, Khanewal Do.

(8) British Cotton Growing Association Three sites.

(9) Salvation Army One site.

(e) No application is pending.

- (f) A copy¹ is laid on the table.
- (g) Small heaps of sand are lying on some of these sites.
- (h) Further sales will be considered on receipt of applications.

PROCEDURE FOR OBTAINING COPIES.

***4835. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether the procedure for obtaining copies is the same throughout the Punjab ;
- (b) whether complaints against the present procedure have come to the notice of the inspecting judges of the High Court and other responsible officers of Government, if so, the steps which have been taken by Government to remove these complaints ;
- (c) whether it is a fact that a person desirous of obtaining copies has, under the present procedure, first to apply for them then to come after a few days to ascertain the estimate of cost prepared by the copying department, then to deposit the amount indicated in the estimate and finally to come in person to get delivery of those copies ;
- (d) whether it is a fact that the only time deducted, in the case of appeals, for computing limitation is the time from the date of deposit to the date of the preparation of the copies applied for, and that the present procedure prescribed for obtaining copies coupled with the law of limitation as interpreted by the highest court in the province places it within the power of the copying department to render an appeal time-barred ;
- (e) whether it is a fact that a mofussil applicant may have to spend a good deal of time and money in paying visits to the headquarters even though the copying charges may amount only to six or twelve annas ;
- (f) whether it is a fact that a man belonging to the furthest corner of the Rohtak district has to go to Karnal for obtaining the copies of any part of the record of a case pending in or decided by the District and Sessions Judge of Karnal ;
- (g) the third class railway fare from Kosli in the Rohtak district to Karnal and back ;
- (h) whether in view of the serious hardships which result from the present procedure of obtaining copies, and from the abolition of the copying agency Government is prepared to revise the whole system ?

The Honourable Nawab Muzaffar Khan : It is admitted that the working of the Copying Agencies in the Punjab is not all that can be desired and that the system of paying for copies in advance has been a source of trouble in many cases. A meeting will shortly take place between the Financial Commissioner, Revenue and a representative of the Honourable Judges to see in what direction changes can be made in the existing system so that the Agencies can be worked with greater convenience for the litigant public.

¹Placed in the Library.

LEVEL CROSSING NEAR HISSAR RAILWAY STATION.

***4854. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that there is a level crossing just near the Hissar railway station where seven lines of all the three railways, i.e., N.-W. R., B. B. and C. I. and B. S. R. pass ;
- (b) whether it is a fact that between the hours of 5 A.M. and 10 P.M. fourteen passenger trains besides goods trains pass over the aforesaid lines ;
- (c) whether it is a fact that shunting of engines of all the three Railways also takes a good deal of time daily while the level crossing gates are closed, thereby restricting all traffic of the town ;
- (d) whether it is a fact that vehicles and foot passengers generally have to wait long before they are allowed to cross the lines to go to the other side ;
- (e) whether it is a fact that on one side of the crossing is the town proper and on the other side are situated all the civil and criminal courts, police lines and the residences and offices of all the officers of all the departments of the district ;
- (f) whether it is a fact that roads leading to a large number of villages and fields are also on the other side of the crossing ;
- (g) whether it is a fact that there is great inconvenience felt by the public as well as the officers without a bridge over that crossing ;
- (h) what steps, if any, Government proposes to take in the matter ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not yet ready. Certain information is awaited from the Bombay, Baroda and Central India Railway.

BEATING OF BLUE SHIRTS BY AHRARS.

***4865. Pir Akbar Ali :** Will the Honourable Finance Member kindly state—

- (a) whether the article described as “pandemonium at Muslim meeting” published at page 8 of *Civil and Military Gazette* in its issue of Sunday, August 11th, has been brought to the notice of the Government ;
- (b) if so, whether it is a fact that some of the Blue Shirts were beaten by the Ahrars in the meeting mentioned in the article referred to in (a) ;
- (c) if the answer to the above be in the affirmative, whether the police and magistrates present in the meeting took any steps to prevent the Ahrars from beating the Blue Shirts ; if so, with what effect ; if not, what the object of the presence of the police and the magistrates in the meeting was ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) At a public meeting held by the Ahrars at Amritsar on the 9th August, 1985, in celebration of "Lahore Martyrs Day," speakers were continually interrupted and eventually blows were exchanged between the Ahrars and their opponents. No Magistrate was present, but Police officers separated the parties and restored order.

AZAN.

***4878. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) whether he is aware that inside the tahsil building of Jagadhri tahsil, there is a small mosque which has ever since the tahsil building was constructed been used for saying prayers ;
- (b) whether he is aware that Mr. Hira Lal Jain, a sub-judge at Jagadhri, whose court is outside the tahsil building, reported to his superior officers that the calling of 'Azan' at 1-30 p.m. interferes with his work in the court ;
- (c) whether he is aware that the tahsildar of Jagadhri, in pursuance of the report has ordered the tahsil Muslim staff not to call the 'Azan'.
- (d) under what rules or law the tahsildar has taken the action referred to in (c) :
- (e) whether he is aware that the 'Azan' is called just during the recess at 1-30, and lasts for about a minute and-a-half ;
- (f) whether it is not a fact that the noise made by litigants of the civil court and the tahsil and the ringing of the bell of the treasury every hour has never been objected to ;
- (g) whether it is not a fact that no other official of the civil court or tahsil has ever objected to the calling of 'Azan' ever since the tahsil building was constructed ;
- (h) whether he is aware that the Bar Association of Jagadhri, consisting of Hindus, passed a resolution recently condemning the general attitude of the sub-judge ;
- (i) whether he is aware that recently a Hindu served the sub-judge with a notice to prosecute him for abusing him in the court and that the sub-judge apologised to him ;
- (j) whether he is aware that the incidents mentioned in (c) and (h) above have agitated the Muslims ;
- (k) what action the Government intends to take in the matter ?

The Honourable Sir Donald Boyd : (a) There is no mosque inside the tahsil compound of Jagadhri tahsil, though there is a prayer platform in the compound. This platform was officially recognised as a "Prayer Platform" in 1931 on the following conditions—

- (1) that no further additions should be made to the platform ;
- (2) that the Government would not accept any responsibility for its repair and that no public funds would be spent on its repair or upkeep ; and

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- (8) that it must be removed without compensation at any time if required by Government ;
- (b) Yes, the Sub-Judge brought to the notice of the Deputy Commissioner the fact that the calling of the Azan by Government servants interfered with work in the Court ;
- (c) The Tahsildar of Jagadhri had advised his subordinates not to call the Azan ;
- (d) The calling of *Azan* at this prayer platform seems to have been an innovation ;
- (e) Yes ;
- (f) Government has no information ;
- (g) Government has no information ;
- (h) Yes, but Government is not aware of the religion of the members of the Jagadhri Bar ;
- (i) Government has no information ;
- (j) No ;
- (k) None.

CLASHES OVER *Azan*.

***4935. Pir Akbar Ali :** Will the Honourable Finance Member be pleased to state—

- (a) how many incidents of clashes between Muslims and Sikhs over the question of calling *Azan* in a mosque have happened every year during the last 15 years, stating the names of the villages, the number of the killed and the wounded of Muslims, and Sikhs separately in each case, in the districts of Lahore, Amritsar, Ferozepore, Ludhiana, Sheikhpura ;
- (b) whether any measures have been adopted by the Government to prevent such incidents as are referred to in part (a) above ; if so, when they were adopted, their nature and the result of their adoption ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not ready.

FRESH SOURCES OF REVENUE.

***4980. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** 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 : I regret that the information which is being collected is not yet complete. As soon as the information is complete, a resolution will be issued stating the action taken by the Punjab Government on the report of the Punjab Sources of Revenue Committee. Meanwhile, if the honourable member wishes information with regard to any particular item, I shall be glad to supply it.

VISITS OF DISTRICT MEDICAL OFFICER OF HEALTH.

***5026. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Minister for Education kindly state the names of places more than five miles away from a metalled road, an unmetalled road or a canal bank-road visited by the various District Medical Officers of Health during 1983-84 and 1984-85?

The Honourable Malik Sir Firoz Khan Noon: A statement¹ giving the required information is enclosed.

LAY-OUT PLANS SANCTIONED BY THE MUNICIPAL COMMITTEE, LAHORE,
ON THE 8TH JUNE, 1985.

***5082. Sardar Jawahar Singh Dhillon:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the total number of so-called lay-out plans sanctioned or rejected by the municipal committee of Lahore at its meeting held on 8th June, 1985;
- (b) whether it is a fact that some of these plans were considered by the committee after the time limit fixed by law had expired and the plans had been sanctioned *ipso facto*;
- (c) if reply to part (b) be in the affirmative, the number of such plans and how many of them were sanctioned and how many were refused by the committee;
- (d) if the replies to the above questions disclose that the committee neglected to sanction or refuse the plan within the time fixed by law, what action Government proposes to take against the committee for this negligence?

The Honourable Dr. Sir Gokul Chand Narang: (a) It is presumed that the honourable member is referring to cases where the owner of land intends to divide the land into two or more plots for building purposes. Such cases, in the opinion of the Municipal Committee of Lahore, fall under section 170-A of the Municipal Act, but Government are advised that they fall under section 192 of the Act. Twenty-eight such cases were decided by the Committee in the meeting held on the 8th June, 1985.

(b) and (c). There is no time limit within which such cases should be decided if they are considered to be building schemes, but the limit laid down in section 170-C of the Act would apply if they are considered to fall under section 170-A. In the latter case the Committee decided 11 applications which could be said to have been automatically sanctioned. It sanctioned 7 of them and rejected 4.

(d) Does not arise as Government are advised that a municipal committee cannot decide such cases.

DISTURBANCE DURING DUSEHRA AT ROHTAK.

***5096. Lala Jyoti Prasad:** Will the Honourable Finance Member be pleased to state—

- (a) whether "Stop Press" news published in the "Hindustan Times", Delhi, of 10th October 1985, about an attack on processionists.

¹Placed in the Library.

[L. Jyoti Prasad,]

of Dusehra procession in Rohtak, and news under the heading "Mischief-mongers from outside responsible for trouble", and "Pir's alleged share in trouble," appearing in the same paper of 12th October 1935, have come to the notice of the Government ;

- (b) if so, who are responsible for the assault on the peaceful processionists ;
- (c) what steps Government has taken to find out the causes of the trouble ; whether there has been any enquiry to that effect ;
- (d) if the answer to second part of (c) be in the affirmative, what has been the result of that enquiry ;
- (e) the number community-wise of the injured and of those who died in the disturbance ?

The Honourable Sir Donald Boyd : (a) No. The *Hindustan Times* is printed and published in Delhi.

(b) As cases are pending in Court it would not be proper to answer this part of the question.

(c) A magisterial enquiry was held by the Sub-Divisional Officer, Sonapat.

(d) The Magistrate held that the disturbance leading to the riot was caused by the playing of music before the Dini mosque and in the vicinity of the Gashtian mosque at Maghrib prayer time. He found the firing by the Police perfectly controlled and justified.

(e) One Hindu killed and 24 Hindus injured. No injured Muhammadans were produced before the authorities. Two Muhammadan police officers were injured.

DISTURBANCE DURING DUSSEHRA AT ROHTAK.

***5097. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether any arrests have been made or challans put in court in connection with the disturbance at Rohtak on the occasion of the last Dusehra procession ;
- (b) if the answer to (a) be in the affirmative, the number community-wise of those who have been arrested or challaned ;
- (c) whether investigation in this connection is complete or is still pending ?

The Honourable Sir Donald Boyd : (a) Yes ;

(b) Thirty-nine Muhammadans have been arrested and sent up for trial on charges of rioting ; 2 Hindus have been arrested and sent up for trial on similar charges ; while 2 Hindus have been arrested and are being tried for having infringed section 32 of the Police Act, 1867.

(c) The investigation into the Riot Cases was completed in November, 1935.

DISTURBANCE DURING DUSSEHRA AT ROHTAK.

***5098. Lala Jyoti Prasad :** Will the Honourable Finance Member kindly state—

- (a) whether officers on the spot apprehended any trouble on the occasion of last Dussehra at Rohtak ;
- (b) if so, what precautionary measures were taken by them ?

The Honourable Sir Donald Boyd : (a) and (b) No ; but as some excitement had been created among Muslims when the *Bharat* procession passed in front of a mosque playing music on the 1st October, 1935, extra precautions were taken for the *Bharat Milap* procession on the 8th October, 1935. Strong Police guards in uniforms and plain clothes were posted near all mosques on the route, at strategic points in the town and also with the procession. Extra Magistrates were placed on duty and both the District Magistrate and the Superintendent of Police were present on the spot to supervise and control the situation.

DISTURBANCE DURING DUSSEHRA AT ROHTAK.

***5099. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Commissioner, Ambala division, visited Rohtak recently in connection with the Dussehra disturbance there ;
- (b) whether it is a fact that a deputation of the leading Hindus of the town waited upon him and the members of the deputation were assured of effective protection against hooliganism by the Commissioner ;
- (c) if answers to (a) and (b) be in the affirmative, what steps have been taken or are being taken to ensure the non-recurrence of such an untoward incident in future ?

The Honourable Sir Donald Boyd : (a) Yes, the Commissioner reached Rohtak on the 9th October, 1935.

(b) Yes.

(c) The communities have reached an agreement about the passage of processions in front of places of worship. Government is consulting the Deputy Commissioner, Rohtak, and the Commissioner, Ambala division, on the question of defining the conditions under which music may be played during religious processions, in the licences issued for such processions.

PATWARIS' SCHOOLS.

***5131. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly lay on the table the following information re patwaris' schools opened during the last few years :—

- (a) (i) whether the number of students to be admitted was fixed ;
- (ii) whether any educational qualifications were prescribed for such students ;
- (iii) whether the students for these schools were selected before admission ; if so, how ;

[Ch. Muhammad Abdul Rahman Khan.]

- (b) whether it is a fact that in the Patwaris' School, Jullundur, the text books were changed last year ;
- (c) if the answer to (b) above be in the affirmative, the reasons for changing the courses of study ;
- (d) the percentage of failed students in the Patwaris' School, Jullundur ?

The Honourable Nawab Muzaffar Khan : (a) (i) In some cases it was fixed.

(ii) Yes, except in Jullundur.

(iii) Yes, according to local circumstances, but no selection was made in Jullundur.

(b) No.

(c) Does not arise.

(d) Seventeen.

PATWARIS' SCHOOL, JULLUNDUR.

***5132. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly lay on the table the following information *re* the Patwaris' School opened last year at Jullundur :—

- (a) the total number of students admitted to the said school ;
- (b) the number of students admitted district-wise ;
- (c) the number of successful students district-wise ;
- (d) the number of failed students district-wise ;
- (e) whether the number of students to be admitted was fixed district-wise ;
- (f) the books prescribed, the names of their authors and the royalty, if any, paid to the authors ;
- (g) whether any educational qualifications were prescribed for the students seeking admission to the said school ; if so, what ; if not, why not ;
- (h) whether the students were admitted by selection ; if so, how ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) 977.

(b), (c) and (d) A statement is laid on the table—

Name of district.	Total number of candidates.	Passed.	Failed.
Hissar	1	1	..
Rohtak	21	21	..
Gurgaon	18	17	1
Karnal	2	2	..

Name of district.	Total number of candidates.	Passed.	Failed.
Ambala	36	36	..
Simla	1	1	..
Kangra	3	3	..
Hoshiarpur	46	37	9
Jullundur	465	331	134
Ludhiana	30	29	1
Ferozepore	37	37	..
Lahore	50	47	3
Amritsar	5	5	..
Gurdaspur	3	3	..
Sialkot	12	11	1
Gujranwala	1	1	..
Sheikhupura	8	6	2
Gujrat	2	2	..
Shahpur	34	34	..
Jhelum	5	5	..
Rawalpindi	1	1	..
Attock	5	5	..
Mianwali	8	8	..
Montgomery	26	26	..
Lyallpur	65	56	9
Jhang	10	10	..
Multan	17	16	1
Muzaffargarh	3	3	..
Delhi	6	6	..
Hazara	1	1	..
Nabha State	1	1	..
Kapurthala State	1	1	..
Loharu State	1	1	..
Private	52	51	1
Total	977	815	162

[Hon. Nawab Muzaffar Khan.]

(e) No.

(f) Attention is invited to Appendix A to Chapter 3 of the Punjab Land Records Manual which contains the list of publications used in patwari schools. As no non-Government publications are specifically prescribed the question of the names of the authors and the royalty does not arise.

(g) and (h) The matter is under enquiry.

PATWARIS' SCHOOL, HOSHIARPUR.

*5133. **Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly lay on the table the following information regarding the Patwaris' School opened a few years ago at Hoshiarpur :—

- (a) the total number of students admitted to the said school ;
- (b) the number of students admitted district-wise ;
- (c) the number of successful students district-wise ;
- (d) the number of failed students district-wise ;
- (e) whether the number of students to be admitted was fixed district-wise ;
- (f) the books prescribed, the names of their authors and the royalty, if any, paid to the authors ;
- (g) whether any educational qualifications were prescribed for the students seeking admission to the said school ; if so, what ; if not, why not ?
- (h) whether the students were admitted by selection, if so, how ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) One hundred and twenty-nine. Ten more students were allowed to appear in the final examination in one subject only.

This was in 1931.

(b) Hoshiarpur	..	..	..	..	109
Jullundur	..	..	..	..	11
Gujranwala	..	..	..	..	1
Lyallpur	..	..	..	..	3
Ludhiana	..	..	..	..	1
Kangra	..	..	..	..	10
Karnal	..	..	..	..	1
Ambala	..	..	..	..	1
Hissar	..	..	..	..	1
Patiala State	..	..	..	..	1
(c) Hoshiarpur	..	..	..	..	86
Ludhiana	..	..	..	..	1
Jullundur	..	..	..	..	8
Gujranwala	..	..	..	..	1
Lyallpur	..	..	..	..	3
Kangra	..	..	..	..	6
Karnal	..	..	..	..	1
Ambala	..	..	..	..	1
Hissar	..	..	..	..	1
Patiala State	..	..	..	..	1

(d) Hoshiarpur	..	..	..	21
Jullundur	..	..	..	3
Kangra	..	..	..	4

(Two students of the Hoshiarpur district did not appear in the examination).

(e) No.

(f) The books prescribed were as follows :—

- (1) Manual of Arithmetic for Patwaris, Part I.
- (2) Manual of Arithmetic for Patwaris, Part II.
- (3) Mensuration for Patwaris.
- (4) Qawaid Mal (published by Attar Chand Kapur and Sons).
- (5) Abstract of Qawaid Mal by Lala Diwan Chand, Sadr Kanungo.

Information as to the names of authors of the above books except No. (5) is not available. It is also not known whether any royalty was paid to the authors of any of the above books.

(g) Attention is invited to paragraph 3·7 of the Punjab Land Records Manual.

(h) Yes. The students were admitted after selection by the Collector himself.

POPULATION OF JULLUNDUR DISTRICT.

***5134. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the population of each community showing zamindars (statutory agriculturists) and non-zamindars, respectively, in the Jullundur district ;
- (b) the total amount of salary paid to the employees of each community, respectively, according to their being zamindars (statutory agriculturists) and non-zamindars, in the Jullundur District Board ;
- (c) the total amount of land revenue paid by Muslim and Sikh zamindars, respectively, in the Jullundur district ?

The Honourable Dr. Sir Gokul Chand Narang : The salary paid is as follows :—

				Rs.
Muslims	..	..	..	21,895
Hindus	..	..	..	14,478
Sikhs	..	..	..	5,481
Others	..	..	..	299

The collection of other information will entail an expenditure of time and labour which will be out of proportion to the value of the information and will not be justified in public interest.

PATWARIS' SCHOOL, JULLUNDUR.

***5138. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state with regard to the Patwaris' School at Jullundur—

- (a) whether a particular proportion was fixed for each district amongst the entrants to the said institution; if so, what; if not, why not;
- (b) whether the proportion fixed for each district was exceeded in some cases; if so; why?

The Honourable Nawab Muzaffar Khan : (a) No proportion was fixed by districts, as there is no such practice. Besides it was not possible for the Deputy Commissioner, Jullundur, to fix a proportion for each district in view of the fact that he was not in a position to know the actual requirements of the individual districts in this behalf.

(b) Does not arise.

Chaudhri Muhammad Abdul Rahman Khan : Is it a fact that candidates belonging to other districts were admitted to this school in greater numbers?

The Honourable Nawab Muzaffar Khan : The answer is in the affirmative.

Chaudhri Muhammad Abdul Rahman Khan : Is it a fact that such large number of students was admitted to this school in order that the book written by Lala Arjan Das may sell in large number?

The Honourable Nawab Muzaffar Khan : Government has no information on the point.

Chaudhri Muhammad Abdul Rahman Khan : Are you prepared to make enquiries on the point?

The Honourable Nawab Muzaffar Khan : I cannot answer this question off-hand.

PATWARIS' SCHOOL, 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 Nawab Muzaffar Khan : (a) Yes.

(b) Yes.

(c) Enquiries are still being made and the information when collected will be communicated to the honourable member.

PENSION TO TAHSIL CHAPPRASIS.

***5140. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether tahsil chapprasis are not treated on the same footing as other Government servants in the matter of grant of pension ;
- (b) if so, whether the Government propose to do away with this differential treatment ; if not, why not ?

The Honourable Sir Donald Boyd : (a) The honourable member's attention is invited to Chapter XIX of the Civil Service Regulations, which gives the required information.

(b) No. For financial reasons.

PASSPORT TO ALLAMA HUSSAIN MIR.

***5143. Maulvi Mazhar Ali Azhar :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that in February, 1933, the famous humourist and journalist of Punjab, Allama Hussain Mir, intended to visit sacred places in Persia, Mesopotamia, Syria, Palestine, Egypt, and Hedjaz and submitted his application to the Deputy Commissioner, Amritsar, for a passport ;
- (b) whether it is a fact that the Superintendent of Police did not recommend a passport for the applicant ;
- (c) whether it is a fact that he was considered to be a leader of the Civil Disobedience Movement and a dictator of the " Jallian-wala Bagh War Council " ;
- (d) whether it is a fact that the applicant was away from Amritsar during the Civil Disobedience Movement ;
- (e) whether it is a fact that the applicant has stated in his application that the only aim and object of his voyage was to pay a visit to the holy places ;
- (f) if the reply is in the affirmative, the reasons for the refusal to grant him a passport ?

The Honourable Sir Donald Boyd : (a) An application was made by Allama Hussain Mir to the Deputy Commissioner, Amritsar, in the early part of 1933 for a passport to proceed to the Hedjaz, Iraq, Palestine, Syria, Egypt and Persia.

(b), (c) and (f) It is not in the public interest to answer these parts of the question.

(d) No. Allama Hussain Mir is known to have been in Amritsar on at least one occasion during the course of the Civil Disobedience Movement.

(e) The actual application preferred by Allama Hussain Mir is not readily available, and the statement made in it cannot conveniently be verified. It is, however, worth mention that Allama Hussain Mir, when he applied for a passport, was already in possession of a pilgrim pass enabling him to travel to the holy places.

ELECTRIC TESTING LABORATORY.

***5152. Sardar Sampuran Singh :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a sum of over Rs. 20,000 was allotted to the Industries Department in the financial year 1934-35, for the purchase of instruments and meters for the Electric Testing Laboratory ;
- (b) whether it is a fact that additional funds to the same extent are being asked for by the Electric Inspector to complete the purchase of this equipment ;
- (c) whether the question of having a similar laboratory in MacLagan Engineering College, Moghalpura, is also under consideration and that instruments of similar nature have been purchased by the Hydro-Electric Department ;
- (d) the reasons for not centralising the Electric Testing Laboratory at MacLagan Engineering College, Moghalpura, where a competent staff to run the same is available without extra cost to Government, in order to effect a saving ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not ready.

ID-UL-ZUKA.

***5157. Shrimati Lekhwati Jain :** With reference to question No. *4970¹ by Pir Akbar Ali, will the Honourable Finance Member be pleased to state how many of these riots were the outcome of provocation given by Muslims in the form of :—

- (i) taking out decorated cows in processions ;
- (ii) starting cow sacrifice or slaughter where it had never taken place before ?

The Honourable Sir Donald Boyd : (i) None ;
(ii) One.

ARREST OF ARJAN AND MAMRAJ OF CHEHAR KALAN.

***5181. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the name of the *ilaga* magistrate of Bhiwani in August, 1935, when the wounded and killed at Singhani (in Loharu State) were brought to Bhiwani ;
- (b) whether it is a fact that the *ilaga* magistrate circulated a letter to the sub-Inspectors of Bhiwani tahsil with the result that the sub-inspectors in question prohibited the entry of Loharu State people into British territory and ejected some of those who had entered ;

- (c) whether it is a fact that one Shafaquddin, foot-constable of police station, Hissar, arrested Arjan and Mamraj of Chehar Kalan (Loharu State) on 10th August, 1935, or thereabout at Hissar and sent them to the *thana* without any warrant of arrest against them ;
- (d) whether it is a fact that the said Arjan and Mamraj were kept in custody for one night and then let off ;
- (e) whether it is a fact that the Deputy Superintendent of Police in-charge was consulted in regard to their arrests and he approved the same ;
- (f) if so, what was the justification for these arrests ;
- (g) whether any action has been taken against the constable concerned for his action in the matter ;
- (h) whether it is a fact that the Loharu Darbar paid any expenses consequent on the treatment and stay of the injured Loharu subjects at Bhiwani and Hissar hospitals ; if so, what was the amount credited to the said hospitals for such treatment and stay ?

The Honourable Sir Donald Boyd : (a) It is not the practice of Government to supply names.

(b), (c) and (d) No.

(e), (f) and (g) Do not arise.

(h) Nothing was paid by the Loharu State for patients admitted to hospital at Bhiwani. A sum of Rs. 47-12-0 was paid by the State as the cost of the diet of patients admitted to the hospital at Hissar. This has been credited to the funds of the Hissar Municipal Committee, which maintains the hospital.

LAW OF DIMINISHING RETURN IN AGRICULTURE.

***5182. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether Government recognized the law of diminishing return in the case of agricultural land ;
- (b) if so, whether the yield of various crops increases at every subsequent settlement ;
- (c) if the increased yield is the result of labour and manure, whether Government makes any allowance for them ;
- (d) if not, why not ?

The Honourable Nawab Muzaffar Khan : (a), (b), (c) and (d) Books on economics explain the law of diminishing returns. The honourable member is referred to the standard works on the subject.

The yields of various crops are determined during the settlement operations in a district or part of a district in accordance with statutory instructions. The yields so determined relate to each class of land in each assessment circle and an increased yield is assumed only where the increased yield is justified by actual conditions.

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Labour and manure form a part of the expenses of cultivation. This question is dealt with in rules 7 and 19 of the rules published with Punjab Government Notification No. 6073-R. of 23rd December, 1929.

Khan Bahadur Malik Zaman Mehdi Khan : How many settlements have been there in the Lyallpur district ?

The Honourable Nawab Muzaffar Khan : I could not tell you off-hand. May be about three.

Khan Bahadur Malik Zaman Mehdi Khan : Had the yield of gur, cotton and wheat been enhanced in the last settlement ?

The Honourable Nawab Muzaffar Khan : The yield depends on various factors. Take for instance manure and the seed and various other things. In Lyallpur itself I have seen only recently that in the case of wheat it has gone up tremendously by the recent experiments of the Agriculture Department.

Khan Bahadur Malik Zaman Mahdi Khan : The law of diminishing returns says that the yield must decrease instead of increasing.

*5183—*5199.—*Cancelled.*

CO-OPERATIVE CENTRAL BANKS.

***5200. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether Government is responsible to pay to the depositors of any Co-operative Central Bank in case any such bank fails ;
- (b) whether Government has any agency for controlling effectively the working of Co-operative central banks in the province ?

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

(b) Central co-operative banks are independent institutions and are not subject to the control of Government except to the very limited extent permitted by the Co-operative Societies Act and the Rules made thereunder.

CO-OPERATIVE CENTRAL BANK, HISSAR.

***5201. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether any plot of land for the site of Co-operative Bank, Hissar, was purchased other than the one on which the present building of the said bank has been erected ;
- (b) if so, when and for what amount ;
- (c) whether any objection to the purchase of that plot was ever raised by the Co-operative Department or by the auditors of the Department ;
- (d) if so, what it was, and when it was raised ;

- (e) whether the Hissar Co-operative Central Bank followed the instructions of the department; if not, what steps the Co-operative Department took against the Hissar Central Co-operative Bank?

The Honourable Sardar Sir Jogendra Singh : (a) The bank purchased 3 plots, one of which not being contiguous to the other two, was afterwards exchanged for one which was contiguous.

(b) On 18th November, 1930. The price paid is said to have been Rs. 2,000.

(c), (d) and (e) The advice given by the Department or by auditors to individual banks is their private concern and not for publication.

CO-OPERATIVE CENTRAL BANK, HISSAR.

***5202. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether the building of the Hissar Co-operative Central Bank was constructed with the previous sanction of the Co-operative Department; if so, whether he will place a copy of the sanction on the table;
- (b) the amount with the said bank in its buildings fund on the day of the sanction;
- (c) the total expenditure incurred by the Central Bank, Hissar, for its building;
- (d) in case the expenditure exceeded the amount in the building fund whether the Co-operative Department took any action;
- (e) if so, what; if not, why not?

The Honourable Sardar Sir Jogendra Singh : (a) The expenditure of co-operative banks on such objects is within the authority of the Managing Bodies of the banks themselves and is not subject to the sanction of the Co-operative Department.

(b), (c), (d) and (e) These are matters for consideration of the shareholders of the bank and for its Managing Committee within the powers delegated to them in its by-laws. It is not in the public interest to disclose the advice tendered to banks by the Co-operative Department in this and other matters of internal management.

CENTRAL CO-OPERATIVE BANK, HISSAR.

***5203. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether the managing committee of the Hissar Central Co-operative Bank sanctioned the construction of a single-storied or a double-storied building in the first instance;
- (b) if the building consists of more than one storey whether the second one was constructed without the previous sanction of the managing committee;

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(c) if so, whether any action was taken by the Department in this respect ; if not, why not ;

(d) whether the Assistant Registrar, Co-operative Societies, district Hissar, raised any objection to the construction of the second storey at its commencement or whether he informed the Co-operative Department of it ; if not, why not ?

The Honourable Sardar Sir Jogendra Singh : The honourable member is referred to the answer given to question No. *5202¹.

CO-OPERATIVE CENTRAL BANK, HISSAR.

***5204. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether the Department issued any instructions regarding a cut in the salaries of the employees of the Hissar Co-operative Central Bank, if so, when and what were the instructions ;

(b) whether that cut was enforced ;

(c) whether any increments were allowed to the employees after the proposal for the above said cut ;

(d) whether the Co-operative Department took any steps against the said bank for not following its instructions ;

(e) whether any dividend has been paid to the share-holders of Hissar Central Bank for the years 1932, 1933, 1934 and 1935 ?

The Honourable Sardar Sir Jogendra Singh : (a) The Co-operative Department does not control the internal management of Co-operative banks in such matters.

(b), (c) and (d) Do not arise.

(e) No.

CO-OPERATIVE CENTRAL BANK, HISSAR.

***5205. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to place on the table a statement showing—

(i) name and designation,

(ii) educational qualifications,

(iii) date of appointment,

(iv) salary at start and at present,

(v) annual increments so far allowed,

of all the employees of the Hissar Co-operative Central Bank, respectively ?

The Honourable Sardar Sir Jogendra Singh : No particulars are maintained by Government of the employees of Co-operative banks, which are autonomous institutions. The bank itself should be addressed.

CO-OPERATIVE CENTRAL BANK, HISSAR.

***5206. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture please place on the table a list of the Co-operative Societies attached to the Hissar Co-operative Central Bank noting their respective classification against their names?

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

List of Societies affiliated with the Hissar Central Co-operative Bank in Hissar Tahsil.

No.	Name of Society.	Classification.
1	Jagan	C
2	Kirara	C
3	Bheri Akbarpur	C
4	Kirori	C
5	Samman	C
6	Moth Sarai	C
7	Asrawan	C
8	Fransi	C
9	Sham Sukh	C
10	Sham Sukh Chumaran	C
11	Budhlada Patti Sihan	C
12	Mevad Khurd	C
13	Chaudhriwas	C
14	Bahbalpur Kumharan	C
15	Badan Brahmanan	C
16	Bhodja Khara	C
17	Barwala Pana Gora	C
18	Chand Naud	C
19	Dhani Gharan	C
20	Barwala Pana Ismail	C
21	Bahbalpur Jattan	C
22	Bagla	C
23	Nangla	C
24	Mayer	C
25	Hissar Tajjaran	C
26	Bhojraj	C
27	Bhodi	C
28	Ladwi	C
29	Jamalpur Khajoo	C
30	Rewat Khara	C
31	Bure Punian	C
32	Dobhitia	C
33	Bharri	C
34	Doulatpur Sayyadan	C
35	Tohana Mohalla Qilla	C
36	Pirthala	C
37	Hissar Khatikan	C
38	Barwala Pana Kala	C
39	Nanagthala	C
40	Hissar Mohalla Birkhuwala	C
41	Hissar Mohalla Ghosjan	C
42	Hissar Mohalla Qureshian	C
43	Siharwa Pana Gharsan	Under liquidation.
44	Harita	C
45	Mangali P. Suratia	C
46	Hissar Gujran	C
47	Himmatpura	C
48	Landheri Sukh Lambran	C
49	Jakhai	C
50	Hissar Multani Loharan	C
51	Dhani Mazra Mangali Suratia	C
52	Gangwa	C
53	Jat High School, Hissar	C
54	Nangli	C

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No.	Name of Society.						Classification.
55	Akkanwali	C
56	Nathwana	C
57	Tohana	C
58	Kandri	..	..	..	..	..	C
59	Ralli	..	..	..	..	..	C
60	Doulatpur	..	..	..	..	..	D
61	Budhlada Patti Sadhoo	..	..	..	..	..	C
62	Ahmadpur Jattan	..	..	..	..	..	C
63	Ladwa	..	..	..	..	..	C
64	Jeora Makhna	..	..	..	..	..	D
65	Hissar Bhangian	..	..	..	..	..	C
66	Jamalpur Mohalla Qilla	..	..	..	..	..	C
67	Hissar Beoparian	..	..	..	..	..	D
68	Tohana Khatikan	..	..	..	..	..	C
69	Matlauda	..	..	..	..	..	D
70	Ratta Theh	..	..	..	..	..	C
71	Shekarpura	..	..	..	..	..	C
72	Hissar Kumharan	..	..	..	..	..	C
73	Hissar Bisatian	..	..	..	..	..	D
74	Hissar Ihata Ahmad Nabi Khan	..	..	..	..	..	B
75	Hissar Chumaran	..	..	..	..	..	C
76	Hissar Sandagran	..	..	..	..	..	D
77	Dobhi Pana Jakhar	..	..	..	..	..	C
78	Lugana	..	..	..	..	..	C
79	Tohana Choukhandi	..	..	..	..	..	C
80	Dobhi	..	..	..	..	..	C
81	Dewan	..	..	..	..	..	C
82	Buraj Jattan	..	..	..	..	..	C
83	Dabra	..	..	..	..	..	C
84	Bondheri Jhuria	..	..	..	..	..	C
85	Balsamand Bagarian	..	..	..	..	..	C
86	Balak	..	..	..	..	..	D
87	Balak Bagar Pathanan	..	..	..	..	..	D
88	Balsamand Khatikan	..	..	..	..	..	C
89	Dhansu Malian	..	..	..	..	..	C
90	Gawar Pana Babal	..	..	..	..	..	D
91	Hindwan Pana Jattan	..	..	..	..	..	C
92	Hissar Malian	..	..	..	..	..	C
93	Jeora	..	..	..	..	..	C
94	Khedar Khas	..	..	..	..	..	D
95	Kabrail Muslim Jattan	..	..	..	..	..	C
96	Mangali Pana Aqlan	..	..	..	..	..	D
97	Niyana	..	..	..	..	..	C
98	Parbhuwala	..	..	..	..	..	D
99	Shikarpur	..	..	..	..	..	C
100	Sarsana Pana Keswan	..	..	..	..	..	D
101	Satrod Kalan	..	..	..	..	..	C
102	Sarsaul	..	..	..	..	..	C
103	Siswal	..	..	..	..	..	D
104	Sundawas	..	..	..	..	..	C
105	Talwandi Rana Qadim	..	..	..	..	..	D
106	Talwandi Rana Jadid	..	..	..	..	..	D
107	Tokas	..	..	..	..	..	C
108	Kurri	..	..	..	..	..	C
109	Tohana Mohalla Beoparian	..	..	..	..	..	C
110	Budhlada Patti Dogran	..	..	..	..	..	C
111	Budhlada Patti Rajputan	..	..	..	..	..	B
112	Talwandi Rajputan	..	..	..	..	..	C
113	Phuloowala Dogran	..	..	..	..	..	C
114	Alipur	..	..	..	..	..	C
115	Bonda-Heri Mahlan	..	..	..	..	..	C
116	Rawalwas Khurd Pana Darmiana	..	..	..	..	..	C
117	Bishhpari	..	..	..	..	..	C
118	Balsamand	..	..	..	..	..	C
119	Bhagana	..	..	..	..	..	C
120	Charaud	..	..	..	..	..	D
121	Dhiranwas	..	..	..	..	..	D

No.	Name of society.	Classification.
122	Dongra	D
123	Darauli	D
124	Gorchhi	C
125	Gawar Pana Gawaria	D
126	Gawar Pana Bahniwal	D
127	Hassangarh	D
128	Juglan Qadim	C
129	Juglan Athamnan	C
130	Jalalpur Behal	D
131	Kharar	C
132	Kabrel	C
133	Kaimari	D
134	Khedar Pana Joya	D
135	Khedar Pana Ghumaran	D
136	Kalirawan	D
137	Mirzapur Marana	D
138	Mirzapur Khas	C
139	Mangali Muslim Rajputan	C
140	Mangali Jhara	D
141	Pinhar Pana Saddar	D
142	Pinhar Pana Garhi	D
143	Panghal Pana Bola	D
144	Panghal Pana Rohal	C
145	Pattan	D
146	Rawalwas Khurd Pana Punian	D
147	Rawalwas Khurd Pana Nahar	D
148	Rawalwas Khurd Pana Kalirawan	D
149	Rawalwas Khurd Pana Bichla Chouk	C
150	Rawalwas Kalan Pana Gujran	D
151	Rawalwas Kalan Pana Jattan	D
152	Sarsana Pana Plania	C
153	Siswala	C
154	Siswala Dhani Balian	C
155	Salaingarh	C
156	Tharwa	D
157	Dongra Thulla Mund	D
158	Kirtan Pana Jattan	D
159	Kharis	C
160	Mani	D
161	Jamalpur Mohalla Gujran	C
162	Talwara	C
163	Kharkara	C
164	Kumbha Khara	D
165	Hissar Afghanan	C
166	Hissar D. B. Employees	C
167	Hissar Beoparian Delhi Gate	C
168	Hissar Dogran	B
169	Hissar Bhangian Takiawala	C
170	Kulana	C
171	Municipal Employees, Hissar	B
172	Barwala Mahajan	X
173	Bachhuana	X
174	Balsamand Teachers Centre Thrift and Savings	B
175	Barwala Sayyadan Teachers Centre Thrift and Savings	B
176	Government Cattle Farm Staff Centre Thrift and Savings	A
177	District Board Office Employees Centre Thrift and Savings	C
178	Government High School Staff Centre Thrift and Savings	C
179	Hissar Co-operative Thrift and Savings Society	A

*List of Societies affiliated with the Hissar Central Co-operative Bank,
Limited, Hissar in Hansi Tahsil.*

No.	Name of Society.	Classification.
1	Bhada Khara	C
2	Bhatla	C
3	Mirchpur Nahar	C
4	Dhani Kumharan	C
5	Hansi Khatikan	C

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No.	Name of Society.	Classification.
6	Mohsan-ul-Aqwam, Hansi ..	C
7	Bha ni ..	C
8	Dhani Palwali ..	C
9	Dhana Kalan ..	C
10	Bohel ..	C
11	Hansi Bhangian, Qutab Gate ..	C
12	Rohnat ..	C
13	Kanwari Nangalia I ..	C
14	Hansi Bhangian ..	C
15	Pur Pana Brahmanan ..	C
16	Siwara Jattan ..	C
17	Siwara Brahmanan ..	C
18	Barsi Gujran ..	C
19	Hansi Chumaran, Qutab Gate ..	C
20	Kutabpura Gujran ..	C
21	Budhwar ..	C
22	Balawas Jattan ..	C
23	Guraran Pana Thakaran ..	C
24	Hansi Mandi ..	B
25	Hansi Mandi Brahmanan ..	A
26	Hansi Malian Moghalpura ..	D
27	Jamawari Ahiran ..	C
28	Kanwari Pana Doon ..	C
29	Kanwari Pana Brahmanan ..	C
30	Kanwari Pana Nangalia II ..	D
31	Lohari Ragho ..	C
32	Majadpure Jaria ..	C
33	Malikpur Netwan ..	C
34	Malikpur Qadim ..	B
35	Pur Pana Jakhar ..	B
36	Rajthal ..	C
37	Rajthal Brahmanan ..	C
38	Sulakhani Pana Jattan ..	B
39	Talu Pana Bhao ..	D
40	Garhi M. Mahanda ..	C
41	Gurana Brahmanan ..	C
42	Umra Khurd ..	C
43	Majahadpur Pahal ..	C
44	Umra Brahmanan ..	C
45	Umra Kalan Chumaran ..	C
46	Kulana ..	C
47	Sikanderpur Mazra Barsi ..	C
48	Khokha ..	C
49	Barsi Jattan ..	C
50	Gurana P. Garhi ..	C
51	Khot Kalan ..	C
52	Kanwari Sheoran I ..	C
53	Kanwari Sheoran II ..	C
54	Rajli P. Rajli ..	C
55	Rajli P. Charan ..	C
56	Sultanpur Naharmal ..	C
57	Talu Brahmanan ..	C
58	Umra Dalian ..	C
59	Lalpure ..	C
60	Durjanpur Mazra Barsi ..	C
61	Depal ..	C
62	Jamawari Ahiran Athsmanan ..	C
63	Kumbha P. Bhilan ..	C
64	Hansi Farm ..	C
65	Kushalki Dhani ..	C
66	Balioli ..	C
67	Pirwali Dhani ..	C
68	Rattera ..	C
69	Hansi Malian Mughalpur Bagar Hathaiwala ..	C
70	Malik Pure Kheri Rojh ..	C
71	Gherai ..	C
72	Balioli Mohapur ..	C

No.	Name of Society.	Classification.
73	Richpura	C
74	Singhwa Rago	D
75	Khot Khurd	C
76	Kharkari	C
77	Sorkhi	C
78	Sheikhpura	X
79	Dhani Kheta	C
80	Narnaud	C
81	Sesai Kalirawan	C
82	Khanda Kheri Resal Sohan	B
83	Moth Rangaran	C
84	Bhurtana Ghosian	C
85	Ghari Aziman	X
86	Rakhi Shahpur	X
87	Gamra	X
88	Khanda Kheri	B

CO-OPERATIVE SOCIETIES, HISSAR DISTRICT.

***5207. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture please state—

- the number of persons who applied for permission to sell their agricultural lands for the repayment of debts to the co-operative societies in the Hissar district during the last five years;
- in how many cases the permission was granted and in how many it was refused;
- how many debtors of co-operative societies in the Hissar district applied for insolvency during the last five years?

The Honourable Sardar Sir Jogendra Singh: (a) and (b) I regret the information is not available.

(c) Thirty-six during the last four years. Figures previous to this period are not available.

CO-OPERATIVE BANK, DASKA.

***5208. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture please state—

- whether it is a fact that the present accountant of the Daska Co-operative bank in the Sialkot district is not empowered under bye-law 26 of the bank to carry on any business of the bank;
- if so, what action the Department has taken in the case as the accountant is doing all the business of the bank in contravention of the above bye-law?

The Honourable Sardar Sir Jogendra Singh: I regret that the answer to this question is not ready.

CO-OPERATIVE BANK, DASKA.

***5209. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture please state—

- whether it is a fact that the Managing Body of the Daska Co-operative Bank in the Sialkot district did not hold a meeting

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of the directors on 25th June 1935 for which a requisition was made by five directors on 9th June 1935.

(b) if so, what action has been taken by the Department against the Managing Body ;

(c) if not, the reasons for the same ?

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

(b) None.

(c) The Managing Body was justified in not holding the meeting, since the resolution which it was proposed to discuss could not be moved under the by-laws of the bank.

PETITIONS FOR REVISION TO FINANCIAL COMMISSIONERS.

***5210. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to state—

(a) how many petitions for revision were presented to each of the Financial Commissioners, respectively, from 1st January, 1933 to 31st December, 1935 ;

(b) how many of the petitions were accepted and how many were rejected finally ;

(c) how many of the petitions were rejected in preliminary hearing
(i) by hearing the petitioners and (ii) without hearing the petitioners ?

The Honourable Nawab Muzaffar Khan : The information required by the said question is given below—

(a) Financial Commissioner, Revenue ..	961	
Financial Commissioner, Development	197	
(b) Financial Commissioner, Revenue ..	205	} accepted.
Financial Commissioner, Development	22	
Financial Commissioner, Revenue ..	689	} rejected.
Financial Commissioner, Development	166	
(c) (1) Financial Commissioner, Revenue	342	} rejected after hearing petitioners.
Financial Commissioner, Development	59	
(2) Financial Commissioner, Revenue	347	} rejected without hearing petitioners.
Financial Commissioner, Development	107	

Chaudhri Allah Dad Khan : Almost all of these were rejected without hearing. In a very few cases were the applicants asked to explain. Why is it ? You cannot reject a man's application without hearing him.

The Honourable Nawab Muzaffar Khan : I require notice.

SMALL TOWN COMMITTEE, KHARAR.

***5211. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the population and voting strength of Kharar (Ambala) regarding Muslims and non-Muslims alone ;
- (b) whether it is a fact that he issued a letter in which he directed that Kharar wards should be so made as to enable a return of 2 Muslims, 3 Hindus and 1 Sikh out of 6 ;
- (c) whether he will place on the table the full text of letter No. 28909-L.S.G., dated 23rd September 1931, from Secretary to Government, Punjab, Transferred Departments, Lahore, to all Deputy Commissioners in the Punjab, with its enclosures ;
- (d) how the Kharar Small Town Committee would represent Muslim and non-Muslim strength if worked out on the basis of the statement attached with the letter mentioned in (c) above ;
- (e) the proportion of seats to which Muslims and non-Muslims of the Small Town Committee, Kharar (Ambala) are entitled under the formula of 1929 on the analogy of the statement attached with letter No. 28909-L.S.G., dated 23rd September 1931, mentioned in (c) ;
- (f) whether since the creation of a Small Town Committee in Kharar the due proportion of Muslims have been ever returned to the municipality (by election) and whether the Government has tried to make good the deficiency by nomination ;
- (g) what steps the Government are ready to take to ensure 3 Muslim seats out of 7 for future in the Kharar Small Town Committee ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The population of Muslims and non-Muslims is 1,924 and 2,930 respectively. The voting strength is 586 and 890 respectively.

- (b) Yes.
- (c) A copy of the letter and of its enclosures is laid on the table.
- (d) and (e) Muslims would be entitled to 2 out of elected seats, and 3 out of total number of seats.
- (f) Two Muslims were elected in 1933.
- (g) Commissioner's attention will be drawn to the matter.

Letter No. 28909-L. S. G., dated 23rd September, 1931, from the Secretary to Government, Punjab, Transferred Departments, to all Deputy Commissioners in the Punjab.

DISTRICT BOARDS

Subject :—APPOINTMENT OF NON-OFFICIAL MEMBERS OF _____

MUNICIPAL COMMITTEES

I am directed by the Punjab Government (Ministry of Local Self-Government) to invite No. 4886, dated 23rd February, 1925

attention to Punjab Government letter _____ and to request that

No. 17664, dated 23rd June, 1927

the orders contained in paragraph 1 thereof, especially as regards the submission of additional names, may be complied with when proposals for the appointment of non-official members of District Boards

_____ are forwarded by you.
Municipal Committees

[Hon. Dr. Sir Gokul Chand Narang.]

2. It is observed that when making recommendations for the appointment of members from various communities, the proportion of seats to which such communities are entitled according to the formula, which has been in force since the year 1923, should not be disregarded without good reasons, which should be specified. The method of calculating such proportion of seats is shown in the attached statement.

Statement showing the method of working out the proportion of seats to which various communities are entitled under the formula of 1923 prescribed in the case of local bodies.

Elected members	13
Appointed non-official members	3
Total number of non-official members	16

Population of local area.			Voting strength of local area.		
Muslims	11,356		Muslims	5,091	
Non-Muslims	9,287		Non-Muslims	5,433	
Total	20,643		Total	10,524	

A.—Number of elected seats to which communities are entitled—

(This is required for formulating proposals regarding wards or electoral circles).

(a) according to population—

Muslims.	Non-Muslims.
$\frac{13 \times 11,356}{20,643} = 7.151$	$\frac{13 \times 9,287}{20,643} = 5.848$

(b) according to voting strength—

Muslims.	Non-Muslims.
$\frac{13 \times 5,091}{10,524} = 6.288$	$\frac{13 \times 5,433}{10,524} = 6.711$

(c) average of (a) and (b) above—

Muslims.	Non-Muslims.
$\frac{7.151 + 6.288}{2} = 6.7 = 7$	$\frac{5.848 + 6.711}{2} = 6.2 = 6$

B.—Number of non-official seats (elected and appointed) to which communities are entitled—

(i) according to population—

Muslims.	Non-Muslims.
$\frac{11,356 \times 16}{20,643} = 8.801$	$\frac{9,287 \times 16}{20,643} = 7.198$

(ii) according to voting strength—

Muslims.	Non-Muslims.
$\frac{5,091 \times 16}{10,524} = 7.740$	$\frac{5,433 \times 16}{10,524} = 8.259$

(iii) average of (i) and (ii) above—

Muslims.	Non-Muslims.
$\frac{8.801 + 7.740}{2} = \frac{16.541}{2} = 8.2 \text{ or } 8$	$\frac{7.198 + 8.259}{2} = \frac{15.457}{2} = 7.7 \text{ or } 8$

C.—Number of members actually elected and difference to be made good if possible by appointing members from various communities—

Community.	Total number of non-official seats (elected and appointed) to which the community is entitled.	Actually elected.	Difference.
Muslims	8	6	2
Non-Muslims ..	8	7	1

REPRESENTATIONS FOR POSTING A NON-MUSLIM DEPUTY COMMISSIONER TO JHANG.

***5212. Shrimati Lekhwati Jain :** (i) Will the Honourable Finance Member be pleased to lay on the table a statement of Deputy Commissioners communitywise that have been posted to Jhang district since the year 1919 together with their periods of stay ?

(ii) Will he be pleased to state—

(a) whether it is a fact that the local Hindu Sabha has been urging the local Government through representations, public meetings, deputations and press since 1929, to post a non-Muslim deputy commissioner to Jhang ;

(b) whether it is a fact that a strong representation, dated the 30th August 1935, was sent by the Hindu Sabha, Jhang, urging upon the local Government to send a non-Muslim deputy commissioner and articles touching the same subject also appeared in the *Milap*, Lahore, and the *Tajar*, Lyallpur, in their issues of 14th and 21st October, respectively ;

(c) whether it is a fact that two separate deputations of Hindus and Sikhs of Jhang waited on Mr. Garbett, Commissioner, Multan division, on his special visit to Jhang, in April, 1935, in connection with the Sikh-Muslim disturbance and impressed upon him the desirability of sending a non-Muslim deputy commissioner ;

(d) whether the Government has taken any steps to redress the grievance of the non-Muslims by sending a non-Muslim deputy commissioner to Jhang ;

(e) if answer to part (d) be in the negative ; whether the Government propose to take any steps to that effect ?

Mr. F. H. Puckle (Chief Secretary) : (i) A statement containing the information asked for is laid on the table.

(ii) (a) The Hindu Sabha sent representations on this subject.

(b) In June, 1934, and September, 1935. Nothing else has come to the notice of Government.

(c) Government have received no report from the Commissioner to this effect.

[Mr. F. H. Puckle.]

(d) Government do not admit that any legitimate grievance exists. During the last seven years there has been a non-Muslim deputy commissioner in Jhang for nearly 8 years.

(e) Does not arise.

Statement showing the community to which the Deputy Commissioner of Jhang belonged during the period 1919 to date.

Community.	PERIOD.	
	From	To
Muslim	23rd April, 1919	18th October, 1919.
Muslim	19th October, 1919	5th November, 1923.
Sikh	6th November, 1923	1st November, 1925.
Muslim	2nd November, 1925	10th March, 1929.
Anglo-Indian	20th March, 1929	20th April, 1930.
Muslim	23rd April, 1930	26th February 1931.
	18th April, 1931	14th October, 1932.
European	15th October, 1932	3rd April, 1933.
Muslim	4th April, 1933	12th December, 1933.
	22nd April, 1934	3rd September, 1934
Muslim	13th December, 1933	21st April, 1934.
Hindu	4th September, 1934	20th November, 1934.
Muslim	21st November, 1934	18th August, 1935.
Muslim	19th August, 1935	29th September, 1935.
Muslim	30th September, 1935	To date.

EDUCATIONAL QUALIFICATIONS OF CANDIDATES FOR POSTS OF LEAVE RESERVE CLERKS IN THE DEPUTY COMMISSIONER'S OFFICE, JHANG.

***5213. Shrimati Lekhwati Jain :** Will the Honourable Member for Revenue be pleased to state—

(a) the total number of the posts of leave reserve clerks that fell vacant during the year 1935, in the Deputy Commissioner's office, Jhang ;

(b) the total number of (1) Hindus, (2) Muslims and (3) Sikhs, separately along with their educational qualifications that appeared for a test held for recruitment to these posts ;

(c) the result of the test in order of merit ;

- (d) whether the result of the test was taken into consideration while making these appointments ;
- (e) the total number of (1) Hindus, (2) Muslims and (3) Sikhs along with their academic qualifications who were appointed to such posts.

The Honourable Nawab Muzaffar Khan : (a) Six—

(1) Two posts in February, 1935.

(2) Four posts in June, 1935.

(b) For the two posts 16 persons applied and out of these the Deputy Commissioner interviewed 8. The test was held on 29th January, 1935, and 6 candidates appeared for the test. For the 4 posts which were filled in June, 1935, there were 115 applications, out of which 95 applicants presented themselves for interview by the First Assistant to the Deputy Commissioner. Out of these 62 were selected for the test and details as regards them are as follows :—

Educational qualifications.				Hindus.	Muslims.	Sikhs.	Total.
B.A., LL.B.	..	..	..	1	..	..	1
B.A.	..	..	..	4	7	..	11
B.Sc. (Agri.)	..	..	..	..	1	..	1
F.Sc.	..	..	..	..	1	..	1
F.A.	..	..	..	6	8	..	14
Matriculates	..	..	..	6	23	3	32
Post Matriculate	..	..	..	1	1	..	2
Total				18	41	3	62

(c) The result of the test for the 2 posts was as follows :—

Serial No.	Name.			Community.	Educational qualifications.	Marks obtained.
1	Karam Elahi	..	..	Muslim ..	B.A. ..	8/10
2	M. Talib Husain	..	..	Muslim ..	Matric. ..	8/10
3	L. Nand Lal	..	..	Hindu ..	B.A. ..	7/10
4	M. Haq Nawaz	..	..	Muslim ..	Matric. ..	6/10
5	S. Sardar Singh	..	..	Sikh ..	Matric. ..	5/10
6	M. Akhtar Hussain	..	..	Muslim ..	Matric. ..	4/10

[Hon. Nawab Muzaffar Khan.]

As regards the selection for the 4 posts filled in June, 1935, no marks were awarded by the First Assistant to the Deputy Commissioner who conducted the test and interviewed the candidates. The selection made by the Deputy Commissioner from amongst the candidates recommended was as follows :—

1. M. Akhtar Husain (Matric).
2. M. Muhammad Abdullah (B.A.).
3. S. Jodh Singh (Matric).
4. M. Ghulam Qadir (Patwari and Matric).

(d) Yes.

(e) Particulars as regards the 6 posts that were filled are as follows :—

Muslims	..	.. 5	{ B.A. 2 Matric 3 *One of them was a patwari.
Hindus	..	..
Sikh,	..	.. 1	Matric.

PROVINCIAL CO-OPERATIVE LAND MORTGAGE BANK.

***5214. Professor W. Roberts :** Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware that a provincial co-operative land mortgage bank has been successfully started in Bombay ;
- (b) whether any steps have been taken to start a similar bank in the Punjab ;
- (c) if such a bank was started in the Punjab, whether Government would be prepared to give concessions similar to those given in Bombay, including the three years subsidy ?

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

(b) and (c) The problem of starting a land mortgage bank has been considered from time to time. I have no progress to report.

SITES FOR BUNGALOWS AND GARDENS IN MUNICIPAL COMMITTEE, MIAN CHANNU.

***5215. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Revenue Member please state whether it is a fact—

- (i) (a) that in the municipality of Mian Channu no sites for bungalows or private gardens have been allotted ;
- (b) that the municipality in view of the demand from the people passed a resolution in May, 1932, requesting Government to sanction five private bungalow sites and a public garden ;
- (c) that a similar resolution was again passed in September 1933 ;
- (d) that in spite of these resolutions no sites were set apart for any private bungalows and a public garden ; on the other hand the proposed area was temporarily allotted to lambardars ;

- (e) that private bungalow sites are allotted in Khanewal and there is a pressing demand from zamindars and respectable citizens for such sites in Mian Channu which is a flourishing colony town ;

(ii) if so, whether Government proposes to sanction private bungalow sites and a public park in Mian Channu on the area originally proposed by the committee and allot some other land to lambardars ?

The Honourable Nawab Muzaffar Khan : (i) (a) Yes.

(b) Yes, but no reference was made to Government,

(c) and (d) Because the municipal committee dropped the proposal in a resolution passed in November, 1933.

(e) Bungalow sites have been allotted at Khanewal, but there appears to be no demand at Mian Channu, and an auction of seven sites in 1930 had to be postponed. No applications for bungalow sites have been made since then.

(ii) Does not arise, but Government will consider the question if and when there is a demand. There is a proposal at present under the consideration of Government for the allotment of Government land for a town hall and a public garden at Mian Channu.

Sardar Sahib Sardar Ujjal Singh : Will the Honourable Member be prepared to consider the question favourably if there is a demand ?

The Honourable Nawab Muzaffar Khan : Yes.

TOWN HALL AT MIAN CHANNU.

***5216. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Revenue Member please state whether it is a fact—

(i) (a) that the Deputy Commissioner, Multan, recommended to Government the sanctioning of the site now occupied by temporary sub-tahsil for the construction of a town hall at Mian Channu ;

(b) that the municipal committee of Mian Channu agreed to provide a court room for the naib-tahsildar in the town hall and also agreed to pay compensation to the lessee of the temporary sub-tahsil if Government agreed to transfer the temporary sub-tahsil site to the local body for the construction of the town hall ;

(ii) if so, what action Government has taken so far in the matter ?

The Honourable Nawab Muzaffar Khan : (i) (a) and (b) Yes.

(ii) The matter is under consideration.

DRAINAGE SCHEME AND SCHOOL BUILDINGS AT MIAN CHANNU.

***5217. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

(a) the amount of colony grant earned by the Municipal Committee, Mian Channu, and lying undispursed with the local Government ;

[S. S. Sardar Ujjal Singh.]

(b) whether it is a fact that the drainage scheme and the school buildings have not been completed for want of funds ;

(c) if so, what action Government proposes to take in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Rs. 1,49,909.

(b) Yes.

(c) The Financial Commissioners have made a provision of Rs. 50,000 for the drainage scheme of Mian Channu under the head " 47—Miscellaneous (Reserved) Contribution—Grants for Colony Towns " for the next financial year. If the demand is voted by the Punjab Legislative Council, the grant will be placed at the disposal of the Municipal Committee, Mian Channu, in April, 1936.

UNSTARRED QUESTIONS AND ANSWERS.

COMPLAINT AGAINST ASSISTANT DISTRICT INSPECTOR OF SCHOOLS, CHUNIAN.

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

(a) whether a nephew of Lala Durga Das, Pleader, Chunian, district Lahore, who was a student of the Municipal Board Primary School, Chunian, was examined by the Assistant District Inspector of Schools, Chunian, in 1929 ;

(b) whether his result was not declared by the assistant district inspector along with the result of other students ;

(c) whether Lala Durga Das submitted a complaint against the assistant district inspector concerned ;

(d) whether any action was taken against him ;

(e) if so, what ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

COW SACRIFICE, KALUWAL.

804. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state—

(a) whether it has been brought to the notice of the Government that Lala Sant Ram, Magistrate, first class, Hoshiarpur, had been deputed to settle the cow sacrifice question on the 'Id festival in village Kaluwal, tahsil Dasuya, in 1929 ;

(b) whether it is a fact that the said magistrate arranged to take out the cow from the village to Galzia slaughter-house ;

(c) whether it is a fact that at the request of the Hindus it was proposed that the cow should be taken out through the agricultural lands to the slaughter-house ;

(d) whether it is a fact that all communities agreed to the proposal of the magistrate and the cow sacrifice was going on peacefully ;

- (e) whether it is a fact that in year 1929, the Sikh community again raised objection and wanted to take away cow by force and Mr. Jenkins, then Deputy Commissioner, under the police guard allowed the Muslims to make a sacrifice and they continued to make cow sacrifice peacefully in the year 1930 ;
- (f) whether it is a fact that when Mr. Bakhle took charge of the district, Hindus and Sikhs again protested and held a meeting in Kaluwal ;
- (g) whether it is a fact that Mr. Bakhle, Deputy Commissioner, Hoshiarpur, ordered the Mussalmans to take the cow to the slaughter-house three days before the 'Id and appointed a magistrate with orders that beef may be brought to the village through public road and not through agricultural lands ;
- (h) whether it is a fact that the magistrate refused to take cow under his protection up to the slaughter-house ;
- (i) whether it is a fact that the cow was sacrificed within the four walls of a private house in the village Kaluwal in 1933 ;
- (j) if so, why the magistrate did not give protection as usual to the Mussalmans to take cow to the slaughter-house ?

The Honourable Sir Donald Boyd : I regret that the reply to this question is not ready.

COW SACRIFICE, KALUWAL.

805. Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that district authorities in Hoshiarpur refused to give protection to the Mussalmans of Kaluwal to sacrifice cow as had been previously agreed in 1928 ;
- (b) whether it is a fact that one Maulvi Ibrahim and others were arrested long before 'Id in the year 1933, and were run in under section 107, C. P. C. ;
- (c) whether it is a fact that Maulvi Ibrahim and others were sent to jail on the occasion of 'Id in spite of their offering security bond in 1932 ;
- (d) whether it is a fact that in the year 1933 Mr. Bakhle even did not grant licence for cow sacrifice to Mussalmans ;
- (e) whether it is a fact that some Mussalmans were arrested in Kaluwal village, tahsil Dasuya, for offering sacrifice of cow at 'Id festival in 1933 ;
- (f) what steps the Government have taken or propose to take to allow the Mussalmans to offer cow sacrifice according to the canon of their religion ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not ready.

COW SACRIFICE, KARORE.

806. Chandhri Afzal Haq : Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that when Mr. Bakhle, Deputy Commissioner, took charge of district Hoshiarpur the Mussalmans of village Karore were not allowed to make cow sacrifice on 'Id in spite of the fact that the Mussalmans of Karore, tahsil Garhshankar, were allowed to sacrifice cow on 'Id long before ;
- (b) whether the Government is considering to take steps so that Mussalmans of the village Karore may be allowed to make sacrifice as usual as on the 'Id festival ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not ready.

BOOTAWALA CANAL.

1189. Mr. E. Mayadas : With reference to answer to question No. 1121¹ of 25th March, 1935, will Honourable Revenue Member be pleased to state if since then the matter has been enquired into further, if so, with what result ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not yet ready.

ECONOMICS AND POLITICAL SCIENCE.

1339. Mr. E. Mayadas : (i) Will the Honourable Minister for Education be pleased to lay a statement on the table showing—

- (a) the names of colleges, both recognised and unrecognised, where provision for teaching Economics and Political Science exists—
 - (i) in intermediate classes ;
 - (ii) in B.A. classes ;
- (b) the names of colleges where these subjects were actually taught during the last year, giving the number of students that took up these subjects in each college, treating each subject separately ?
- (ii) Will he be pleased to state—
 - (a) whether it is a fact that there is a demand for the teaching of these subjects ;
 - (b) whether it is a fact that these subjects are not taught in any Government college ;
 - (c) if the answer to (ii) (b) be in the affirmative, the reasons for it ;
 - (d) whether Government is now considering the question of teaching these subjects in Government colleges ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (i) (a) and (b) Statements showing the requisite information are laid on the table.

(ii) (a) Yes.

(b) No. Political Science is taught in Government College, Lahore, and provision for the teaching of Economics exists in Government colleges at Lahore, Ludhiana, Multan and Shahpur.

(c) Does not arise.

(d) Does not arise.

Intermediate Examination, 1935.

Name of College.	Number of candidates in Economics.
1. Khalsa College, Amritsar	70
2. Hindu Sabha College, Amritsar	56
3. M. A. O. College, Amritsar	54
4. S. E. College, Bahawalpur	56
5. V. B. College, Dera Ismail Khan	23
6. G. N. Khalsa College, Gujranwala	37
7. D. A. V. College, Hoshiarpur	77
8. P. W. College, Jammu	52
9. D. A. V. College Jullundur	78
10. Randhir College, Kapurthala	28
11. Khalsa College, Lyallpur	24
12. D. M. College, Moga	33
13. Mohindra College, Patiala	128
14. Edwards College, Peshawar	36
15. Islamia College, Peshawar	40
16. Gordon College, Rawalpindi	35
17. Murray College, Sialkot	71
18. S. P. College, Srinagar	126
19. D. A. V. College, Lahore	169
20. Dyal Singh College, Lahore	183
21. Islamia College, Lahore	102
22. F. C. College, Lahore	NIL
23. Kinnaird College, Lahore	23
24. S. D. College, Lahore	69
25. R. S. D. College, Ferozepore	40
26. D. A. V. College, Rawalpindi	64

NOTE.—Political Science is not a subject for the Intermediate.

B. A. Examination, 1935.

Name of College.	NUMBER OF CANDIDATES.	
	Economics.	Political Science.
D. A. V. College, Lahore	97	62
F. C. College, Lahore	93	63
Islamia College, Lahore	36	19
Khalsa College, Amritsar	57	67
Gordon College, Rawalpindi	50	..
Murray College, Sialkot	31	..
Edwards College, Peshawar	15	..
S. E. College, Bahawalpur	19	..
Mohindra College, Patiala	67	31
S. P. College, Srinagar	34	..
P. W. College, Jammu	13	..
Dyal Singh, College, Lahore	74	92
Kinnaird College, Lahore	16	..
Islamia College, Peshawar	20	..
S. D. College, Lahore,	78	65
D. A. V. College, Jullundur	29	28
V. B. College, Dera Ismail Khan .. .. .	..	..
R. S. D. College, Ferozepore	22	..
Government College, Lahore	47	42
Government College, Lyallpur	46	..
Ludhiana College, Ludhiana	11	..
Emerson College, Multan	18	..
DeMontmorency College, Shahpur	9	..

NOTE 1.—V. B. College, Dera Ismail Khan, is affiliated in B.A. Economics but as the college got extension of affiliation in B. A. in 1935 candidates from this college will appear in B. A. in 1937 for the first time.

NOTE 2.—The college against which the number of candidates in B.A. Political Science is not shown are not affiliated in the subject.

PANEL OF CHAIRMEN.

Mr. President : Under Rule 3 of the Punjab Legislative Council Rules, I nominate the following members to the Panel of Chairmen for the current session :—

Mr. J. D. Anderson ;

Rao Bahadur Chaudhri Chhotu Ram ;

Khan Bahadur Mian Ahmad Yar Khan Daulatana, and

Shrimati Lekhwati Jain (*cheers*).

PRESENTATION OF THE BUDGET.

The Honourable Sir Donald Boyd (Finance Member) : As usual I have to comment on the accounts of three years—the year 1934-35 of which the accounts have been closed, the current year which has not yet reached its close, and the year 1936-37, the budget for which I will present to-day. With regard to the year 1934-35, at this time last year my anticipation was that there would be a surplus of Rs. 31 lakhs. Fortunately that anticipation proved to be an under-estimate and the actual surplus of the year on the revenue account, excluding Extraordinary Receipts, was Rs. 42½ lakhs. This is very satisfactory, and I only regret that the opportunity was not taken of repaying last year to the Central Road Development Fund a sum of Rs. 15 lakhs, which was diverted from road development to the maintenance of existing roads in the three years ending 1933-34, when the financial position made it impossible to find sufficient funds for maintenance. Honourable members will find that this adjustment has been made in the current year, where the revised estimate of receipts under XXX—Civil Works has been reduced from 16·86 lakhs to 3·66, and on the other hand the revised estimate of Deposits received from the Central Road Development Fund has been increased from Rs. 7 lakhs to 24 lakhs. As receipts under Deposits and Advances do not come into the Revenue Account, the result of the adjustment made this year is to increase our revenue deficit by Rs. 15 lakhs.

2. The Council will remember that last year I budgetted for a trifling surplus of Rs. 56,000 in the year 1935-36. So far as can be seen at present, this surplus will not be realised, even after we have made allowance for adjustments such as that of the 15 lakhs transferred from Revenue to Capital under the Central Road Development Fund. Our revised estimates now show that we are likely to have a nominal deficit of Rs. 21½ lakhs. If we deduct the Rs. 15 lakhs already mentioned, our revenue deficit will probably be Rs. 6½ lakhs and this deficit may easily disappear when we have the final accounts of the year at our disposal. At the same time, I have to confess to another nominal adjustment which has affected the accounts in the other direction. After a careful consideration of the factors involved it has been decided to charge to capital the expenditure on the scheme, which was started two years ago, for the prevention of waterlogging by the construction of surface drains. It was proposed to spend 35 lakhs on this scheme spread over a period of five years, and an instalment of 7 lakhs was provided in the budget of this year under the revenue head "Working Expenses." Of this amount Rs. 3,66,000 representing provision for new works

has been transferred to Capital. The transfer of this sum from the revenue to the capital portion of the accounts obscures the revenue account to that extent. While the real deficit is not as bad as the accounts show it is quite bad enough and it behoves us to examine the position and see where we have dropped the money. 3

The total revenue income according to the revised estimate is nearly 15 lakhs less than was budgetted for while the expenditure is 6.56 lakhs more. Gross land revenue receipts are likely to be 2 lakhs less than was anticipated. This deficit of 2 lakhs is mainly due to the unsatisfactory character of the rabi harvest of 1935. The Council will remember that we had a long spell of cloudy and rainy weather last spring, and in April rain, accompanied by strong winds, caused lodging of the crop and retarded the development of the grain. When the wheat ripened it was to all appearance a fine crop, but after it had been harvested and threshed out, it was discovered in several parts of the country that the grain had shrivelled in the ear with the result that the harvest was a poor one. Suspensions of land revenue to the extent of nearly 5 lakhs and remissions of over 3 lakhs became necessary owing to the condition of the crop, while 11 lakhs of special remissions were sanctioned because of the low level of prices. This late failure of the harvest was of an exceptional nature and the budget estimate appears to have been a sufficiently close approximation to the facts. 4

A much more serious loss has been sustained in the receipts from Stamps, which are likely to produce 15½ lakhs less than we anticipated when the budget was framed. The main reason for this loss is the decline in civil litigation, which is due to several causes, of which the chief is the belief of creditors that suits will be infructuous owing to the inability of the debtor to pay and to the wide measure of protection which he enjoys under the existing law. Some loss has been caused by resort to collusive arbitration which saves the cost of suing, and some of the loss is due to the establishment of debt conciliation boards in conformity with the provisions of the Punjab Relief of Indebtedness Act, 1935. We have information about the working of three of the four boards which have been set up. The Jhang Conciliation Board has received 885 applications, of which 49 have come from creditors: the Amritsar Board has received 413 applications, 50 of them from creditors, and the Panipat Board has had 356 applications, 90 of them being from creditors. The boards have plenty of work to do, and while it is too early to pronounce any opinion on their effect there is little reason to expect any considerable increase in regular suits for the payment of money, so that we must be cautious in our estimates of the income from judicial stamps. 5

While economic depression has been responsible for a decline in litigation and the consequent use of Court-fee stamps, it has also affected receipts from non-judicial stamps by restricting the buying and selling of immovable property. Last year the Transfer of Property Act was applied to the municipalities and notified areas of the province so far as sales, leases and gifts are concerned, but the results of this change are not yet apparent.

The other great loss is in the income under the head XXX—Civil Works, which shows a falling off of 13 lakhs owing to the credit of nearly 15 lakhs to the Deposit head—Central Road Development Fund, instead of to ordinary revenue in order to repay the amount previously diverted to the maintenance of roads. This item alone accounts for the whole of the

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deficit in the revised estimate of income as compared with the budget estimates. But for this nominal adjustment the budget estimate of income would have been revised. These three heads—Land Revenue, Stamps, and Civil Works have let us down, if I may use the expression, to the extent of 80 lakhs between them. Fortunately, certain other sources of revenue did better than was expected and have served to lessen our deficit. Forests and Agriculture each produced a lakh and-a-half more than was estimated. The direct receipts from irrigation were 8 lakhs better than the budget estimate; and the Hydro-Electric scheme brought in an extra 5 lakhs, leaving our total revenue income 15·22 lakhs worse than the budget estimate.

On the expenditure side the budgetting was fairly accurate, the only serious deviations from the estimates occurring in irrigation, where the expenditure including working expenses will be about 5·98 lakhs less than the budget estimate, and in Debt Services, which will probably show an excess of nearly 5 lakhs. This excess, however, is only a matter of accounting. The Police estimates show an excess of a lakh, which is due to the necessity of strengthening the force first by borrowing aid from other provinces and later by employing additional police to deal with the recent communal disturbances. I shall have more to say on this subject when dealing with the current year's budget.

While the year is likely to close with a deficit of 21·22 lakhs on the purely revenue account, one satisfactory feature is that we have not had to borrow either for capital expenditure or to meet a revenue deficit, nor do we anticipate that any borrowing will be necessary next year because of this year's deficit. As already stated, 15 lakhs of the deficit represents a transfer from the revenue to the capital account and does not affect our balance in any way, and the real deficit is only 6½ lakhs while our closing balance on all accounts is likely to be a crore and-a-half, which will provide ample means to pay our way until the rabi revenue begins to come in.

3. Turning to the estimate for 1936-37, a mere glance at the figures is sufficient to justify the estimates of income under all heads, except possibly Land Revenue, Irrigation, Agriculture, Civil Works and the Hydro-Electric scheme. In the case of Land Revenue, the estimate has been carefully framed by the Financial Commissioners after considering the forecasts of district officers. The result is an estimate of 466 lakhs. The actual income in 1934-35 was 7½ lakhs more; and this year, which includes a rabi considerably below average, we expect 464 lakhs, which is only 2 lakhs less than the estimate for next year. The signs point to a fairly satisfactory rabi and to at least normal sowings of cotton while the demands of the sugar mills are likely to result in an extension of the area under sugarcane. The unsatisfactory feature is the present drop in the price of cotton; but it is impossible to predict the future course of cotton prices, and I doubt whether the recent drop is going to affect sowings. The estimate adopted seems to be fair on the information now available, but it is on the sanguine side and may not be realised.

In the case of Irrigation, the budget estimate for next year is 410 lakhs, which is 4 lakhs more than the actuals of 1934-35 and 2 lakhs more than the revised estimate for the current year. The average of the last 10 years has been 420 lakhs, but allowance has to be made for the reduction in rates that

took place two years ago. The increase is based on the anticipation of the Irrigation Branch that the irrigated area will increase for various reasons, such as the fact that in the case of certain canals the river supply was low in the last two years and also the effects of remodelling.

Agriculture.—The estimate is 1½ lakhs more than what we expect to realise in 1935-36, but there is good reason for this rise, which is due to the increased activity of the department in distributing good seed over as wide an area as possible, an activity which is sure to produce speedy increase in the wealth of the province and is of direct benefit to the main revenue-paying class, the agriculturists. The increase on this account is, of course, set off by a corresponding debit on the expenditure side.

The income from Civil Works depends mainly on the contribution received from the Central Road Development Fund, which will be increased owing to the good progress that has been made on certain works.

The only other increase over last year's figures that requires any notice is that in the estimate of 24·68 lakhs from the Hydro-Electric scheme. The figure is more than twice the amount realised in 1934-35 and is 33 per cent. above what we expect to get this year. One lakh of increase is due to the transfer of the Renala Hydro-Electric installation from the Buildings and Roads Branch to the Hydro-Electric department, but the bulk of it is due to development. The Hydro-Electric project is a rapidly growing business concern. The revised estimate of income in the current year is 5 lakhs more than the budget estimate and there is every reason to expect that the present rate of development will continue.

4. The total estimate of receipts appears to me to be fair and reasonable. It is Rs. 10,44,20, which is 5½ lakhs less than the actuals of the last completed year 1934-35. The weakness of all our budget estimates, of course, is that they depend to such a great extent on seasonal conditions. A good monsoon and full rivers make a prosperous province and a prosperous Government. A failure of the rains or low supply in the rivers may wreck our budget prospects. In fact the Finance Member is in much the same position as the Punjabi agriculturist of whom Kipling wrote :—

“ His life is a long-drawn question

Between a crop and a crop.”

It is true that we may continue to lose income from stamps, but on the other hand the receipts from the Hydro-Electric scheme are expanding rapidly and the canal colonies have still some room for expansion. The estimate therefore appears to be a reasonable one.

5. But while we have to estimate below the average of the last ten years in the case of income, I regret that it is not possible to do so in the case of expenditure and the estimate for next year is 18½ lakhs above the decennial average. Apart from the restoration of full rates in pay, there are various reasons for the growth of expenditure. One constant factor is the incremental system of salaries, which causes a constant increase in expenditure on pay and pensions until the peak is reached and that will not be for some years yet. The increase is to some extent countered by the 15 per cent. reduction in the initial salary of posts to which new appointments have been made since the close of 1930, but the benefit of this cut will not be appreciable for several years. While on this subject, I may say

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for the information of the Council that the salaries of Class I and Class II services were revised in the past summer. It was not, however, possible to announce the results of this revision, as it seemed advisable to submit the rules governing the application of the new rates for scrutiny by the Government of India, and their reply is still awaited. Apart from general factors, such as the incremental system, which tend to cause a rise in expenditure, there are particular factors operating to swell our expenditure in 1936-37. One of them is the holding of the elections for the future Legislative Assembly. These are estimated to cost $5\frac{1}{2}$ lakhs altogether, of which Rs. 4,81,000 will be spent in 1936-37. Then we have been driven to heavy extra expenditure by the communal disturbances which commenced in July last. Such disturbances are an expensive luxury for the province, though they may bring profit to some of the individuals who are mainly instrumental in raising the trouble. If people would realise that communal disturbances have to be paid for in hard cash, they might show greater activity in repressing the more turbulent elements of the community. Additional police will cost us Rs. 1,67,200 in 1936-37 and for that sum we could have effected considerable expansion in the beneficent activities of Government. For example, we could have completed the equipment of industrial institutions the provision for which has had to be halved: we could have made progress with the provincialisation of hospitals, or opened new veterinary hospitals, or established much desired girls' schools. Failing the provision of these amenities we could have reduced our deficit by that amount.

The expenditure on Forests will be nearly a lakh more than in the current year owing partly to increments in salaries and partly to interest on additional capital expenditure.

Again, we find a net increase of 1.85 lakhs in expenditure on Agriculture after allowing for receipts. This is due to the purchase of good seed for re-sale to agriculturists all over the province. These three items alone account for two-thirds of the increased expenditure estimated for 1936-37, and fortunately elections and additional police are not likely to be recurring items.

When all is said and done the increase of expenditure estimated for 1936-37 as compared with the year that has closed, i.e., 1934-35, is disturbing, and with a view to checking it, I propose to have the increases in each department analysed at greater leisure than is possible during the rush of preparation of the budget. Where possible economies will be made with a view not only to reducing the deficit of 1936-37 but also to preventing the future excess of expenditure over income. I can assure the Council that the need of economy has by no means been overlooked, but so much retrenchment has already been done in recent years that little scope for it is now left. The most conspicuous savings in the coming year will be the reduction in the number of Judges in the High Court from sixteen to eleven and a considerable saving in the cost of the Sikh Gurdwaras Tribunal.

It is to be remembered, however, that we have had large surpluses in the last two completed years, Rs. 34,15,000 in 1933-34 and Rs. 42½ lakhs in 1934-35, i.e., 77 lakhs in these two years, and without a more detailed examination of the financial position than has been possible, it would be premature to curtail beneficent activities merely because we are likely to be

37½ lakhs down between the current year and next year. It has to be recognised that development by way of new expenditure has been so drastically cut down during the past few years that the only scope for economy on a considerable scale lies in the curtailment of existing activities.

6. In the remarks in the preceding paragraphs no account has been taken of income from Extraordinary Receipts. These receipts, as honourable members are aware, consist mainly of the sale proceeds of land in the colonies and elsewhere. They are of a capital nature and have been used hitherto to finance capital expenditure, or, in order to avoid borrowing, to meet a revenue deficit. The average income from this source in the last ten years has been 64½ lakhs. Owing to the low prices, which have prevailed since the slump began, sales of land have been greatly reduced. In 1934-35 only Rs. 16,40,000 was realised from this source: in the current year we expect Rs. 22½ lakhs and in the next year we have budgetted for Rs. 36 lakhs. As I have already said, we do not propose to raise any loans for capital expenditure in the next two years, as we expect to be able to finance our capital expenditure from extraordinary receipts and from our balances, which fortunately are in a satisfactory condition. Our opening balance at the beginning of the current year was Rs. 192 lakhs: we expect to close the present year with a balance of Rs. 166½ lakhs. At the end of next year we estimate that the balance will have dropped to 141 lakhs. In practice it will probably be found that this amount is sufficient for the ways and means which we will have to find for ourselves under the new constitution until the rabi land revenue begins to come in.

7. The Council will probably wish to know what the future financial prospects of the province are so far as can be forecast at the present time. There are certain definitely adverse factors. Of these there is one that is likely to come into immediate effect. I refer to the re-settlement of the Lyallpur district, which, at present prices, is likely to result in a loss of 20 lakhs per annum compared with the average revenue actually realised from the district before the settlement began. This estimate allows for the fact that special remissions have been almost constantly granted in recent years. When prices improve the revenue from the district will also improve under the new sliding scale system, but at present our income from the district is threatened with a serious reduction. Again, when provincial autonomy commences, we will lose a fixed assignment of 6.97 lakhs, which is granted to the province by the Government of India with respect to the excise on liquors brewed or distilled in the Punjab and consumed in the North-West Frontier and Delhi Provinces.

A third possible loss is threatened by the stoppage of the export of *charas* from Yarkand under the orders of the government in charge of that place. The Punjab stands to lose 11 lakhs per annum, which is the average proceeds of the duty on *charas*, but this loss will not affect us during the next year, as our stocks are ample. Whether export will be re-opened or not, it is impossible to say; but it is well that the Council should be acquainted with the danger that lies ahead.

In answer to a Council question which was asked at the last session, members were informed that Government anticipated a recurring increase in expenditure of 4 lakhs per annum owing to the new system of Government when the reforms come into force. In addition, we must expect another

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lakh of expenditure on a Public Service Commission, and there will be non-recurring expenditure of 17½ lakhs on the new Council Chamber. There is also the normal and unavoidable increase in recurring charges due to incremental scales and pensions. These are the rocks ahead so far as they can be foreseen at the present moment. They would not be very big rocks if it were not for the existing low level of prices, and the threat to our revenues will be greatly diminished if a marked rise occurs.

8. I have mentioned the main adverse factors, but we must also look at the brighter side of our prospects. One consideration to be placed on the credit side is the fact that we are likely to receive a share in the surplus of income-tax which can be spared by the Federal Government. As members are aware, an enquiry on this subject is being conducted at the present moment by Sir Otto Niemeyer, who gave a very careful hearing to the representations made on behalf of this province, and we can rest assured that our case will be fully and fairly considered. Another consideration is the growing return from the Hydro-Electric Project, which is rapidly developing. It now supplies 19 towns in which the distribution is conducted by the department. It has two important bulk consumers, the Amritsar Municipal Committee and the North-Western Railway, Moghalpura. An agreement has been signed for the electrification of Phagwara and Kapurthala. Qadian has been added to the towns to be electrified by the department and an experiment in tube-well irrigation is being made in the neighbourhood of Batala. This last experiment, if successful, will enable the rural classes to get some share of benefit from the scheme.

A third possible source of increased revenue lies in the Haveli irrigation scheme, which has been submitted to the Government of India with the request that the sanction of the Secretary of State may be obtained to its execution. This project involves placing a barrage across the Chenab below its junction with the Jhelum and taking off canals on the banks of the river. The left bank canal will drop water into the Ravi and feed the Sidhnai canals, at the same time supplying irrigation to certain areas which have not previously been irrigated. The water thus saved in the Ravi will be used to make the Burala Branch Extension perennial. In addition, the Chief Engineer, who has drawn up the Haveli project, proposes to take Ravi water down the Lower Bari Doab Canal to a spot near Montgomery and from there by a new link to supply the Pakpattan canal. This link will create a new source of revenue, which is calculated to bring in 15½ lakhs per annum. If it eventuates, I think the House will agree that the Chief Engineer will have deserved the thanks of Government as well as of the irrigators in the Sutlej Valley.

The Irrigation Department have also under consideration the possibility of reviving the Thal Project. There are many attractive features about this project, but until a detailed examination has been made it is not possible to say whether it will be financially profitable. The scheme actually under consideration provides for the irrigation of a million and half acres of land including 240,000 acres of Government waste; and if the scheme matures, this will add a considerable sum not only to our Extraordinary Receipts, but also to our annual income. It will be evident that Government are

not neglecting opportunities of development in the interests of the finances of the province as well as of the agriculturists of the areas affected.

Unless there is a marked rise in the value of agricultural produce, it is doubtful whether the Sutlej Valley Project will add much to our income in the near future apart from the utilization of Ravi water, which I have just mentioned. Last year as a matter of fact, the project paid the full interest charge of 6 per cent. for the first time, although it was not calculated to pay that amount till the year 1946-47. This result, however, was due to the unexpected credit to the project of about Rs. 24 lakhs of arrears of indirect proceeds, and we can hardly hope to attain the same result again for a considerable time ahead.

9. Taking one year with another and having regard to our satisfactory balances, I think that the position of the province is sound, provided that strict economy is observed in the future as it has been observed in the past; and while it is much to be regretted that the last year of the present constitution is likely to end with a deficit, I am quite satisfied that the present Government will hand over to their successors a thoroughly solvent estate which provides amenities in the form of education, canals, roads, hospitals agricultural institutions, veterinary relief and co-operative credit on a scale that is unsurpassed in India.

10. The Finance Department has again suffered from changes in personnel. Mr. Ogilvie was absent on leave during last summer, returning in time for the preparation of the budget, which is mainly his work. He has recently had to leave us once more, this time, I fear, for good, and the Department loses a Secretary whose quickness of apprehension, resourcefulness, and conscientious work have been of the greatest value. Fortunately, we have found an able successor to the post of Secretary in Mr. Ram Chandra, whose long experience in the Secretariat of the Government of India is proving very helpful.

Mr. Grindal also was away on leave last summer, but during the winter we have had the benefit of his unrivalled knowledge of financial rules and procedure. While Mr. Ogilvie was away Mr. Pearson acted for him and his special knowledge of public works finance proved invaluable.

Once more I would express my deep gratitude to the superintendents and the office staff of the department for their willing work.

The Accountant-General has again put the department under a debt of obligation by his constant tactful co-operation and advice for which I am very grateful.

Sir, I present to the House the budget for 1936-37. (*Cheers*).

PAPERS LAID ON THE TABLE.

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS.

The Honourable Sir Donald Boyd (Finance Member): I present the Report ¹ of the Committee on Public Accounts of the Punjab Legislative Council on the Appropriation Accounts of the Punjab Government for the year 1933-34.

3 P. M.

¹ Kept in the Council Library.

AGREEMENT WITH THE RESERVE BANK OF INDIA.

The Honourable Sir Donald Boyd : As required by sub-section (4) of section 21 of the Reserve Bank of India Act 1934, I lay on the table a copy of the agreement between the Punjab Government and the Reserve Bank of India showing the conditions on which the Punjab Government have entrusted to the Bank the management of the public debt and the issue of new loans.

Agreement between the Secretary of State for India in Council, acting by and through the Governor of the Punjab in Council and the Reserve Bank of India.

AN AGREEMENT made this 2nd day of November, 1935, BETWEEN THE SECRETARY OF STATE FOR INDIA IN COUNCIL, acting by and through THE GOVERNOR OF THE PUNJAB IN COUNCIL (hereinafter called "the Punjab Government") of the one part and THE RESERVE BANK OF INDIA (hereinafter called "the Bank") of the other part.

WHEREAS the Bank was constituted and incorporated and is regulated by the Reserve Bank of India Act, 1934 (being Act No. II of 1934) (hereinafter called "the Act").

AND WHEREAS by section 21 (2) of the said Act it is provided that each Local Government shall entrust the Bank on such conditions as may be agreed upon with the management of its public debt and with the issue of any new loans.

NOW IT IS HEREBY MUTUALLY AGREED AND DECLARED by and between the said parties hereto as follows, that is to say :—

1. This agreement shall come into force on the execution of these presents.
2. The management of the public debt of, and the issue of new loans by, the Punjab Government and the performance of all the duties relating thereto respectively including the collection and payment of interest and principal and the consolidation, division, conversion, cancellation and renewal of securities of the Punjab Government and keeping of all registers, books and accounts and the conduct of all correspondence incidental thereto shall be transacted by the Bank at all or any of its offices in Bombay, Calcutta and Madras and at any of its offices, branches or agencies at which respectively the administration of any portion or portions of the public debt is for the time being conducted or interest thereon is for the time being payable and the Bank shall also keep and maintain such registers, books and accounts in respect of the said public debt as the Punjab Government may from time to time direct and shall audit all payments of such interests and act generally as agents in India for the Punjab Government in the management of the said public debt and shall conduct such agency subject to such orders and directions with regard to the general management thereof as may from time to time be given to the Bank by the Punjab Government.
3. As remuneration to the Bank for the management of the public debt as aforesaid the Bank shall be entitled to charge to the Punjab Government half-yearly a commission at the rate of Rs. 2,000 per crore per annum on the amount of the public debt as aforesaid at the close of the half-year for which the charge is made. In calculating this charge the following amounts shall be excluded from the amount of public debt, viz., :—
 - (a) The amounts of loans discharged outstanding after one year from the date of a notice of discharge.
 - (b) The amount of stock certificates for Rs. 50,000 and upwards held by the Punjab Government or by any officer or officers of that Government authorised in that behalf.

And in addition to the charge of Rs. 2,000 per crore per annum the Bank shall be entitled to charge to the Punjab Government such fixed sum as may from time to time be agreed upon between the parties on account of the stock certificates referred to in clause 3 (b) hereof and the Bank shall be also entitled to charge the public (but not the Punjab Government) all such fees and charges as are now or may hereafter from time to time be prescribed by the Governor General in Council under the powers conferred upon him by the Indian securities Act, 1920 (Act No. X of 1920) for duplicate securities and for the renewal, consolidation, division or otherwise of all Government Securities which the Bank issues.

4. The responsibility for all loss or damage to the Punjab Government which may result from any act or negligence or omission of the Bank in conducting the business of the public

debt aforesaid or the payment of interest or discharge value thereon or the renewal, conversion, consolidation, sub-division or cancellation of any security of the Punjab Government shall rest with and be borne by the Bank provided, however, that it shall not be incumbent on the Bank to verify signatures and endorsements on securities which *prima facie* appear to be in order and in the acceptance of which the Bank shall not be guilty of any negligence and in such cases no liability shall be incurred by the Bank in respect thereto.

5. This agreement may be determined by either party giving to the other party one year's notice in writing expiring on the 31st day of March in any year, such notice if given by or on behalf of the Punjab Government to be addressed to the Governor of the Bank and to be served by being left at the Head Office of the Bank and if given by the Bank to be served by leaving the same with or addressing the same by registered post to the Secretary to the Government of Punjab in the Finance Department and immediately upon the expiration of such notice this agreement shall absolutely cease and determine save as to rights or liabilities acquired or incurred prior to such termination.

6. Nothing in this agreement shall operate to affect in any way the obligations imposed either on the Punjab Government or on the Bank by or under the Act or any subsequent amendment or amendments of the Act.

7. The Bank shall be entitled to perform all or any of the matters contained in this agreement through such agency or agencies as may be prescribed by the Act or any amendment thereof or as may be approved by the Punjab Government.

8. In the event of any dispute arising as to the terms and conditions of this agreement such disputes or any differences of opinion shall, in the event of the parties hereto failing to reach an agreement, be referred to an officer to be nominated by the Governor-General, whose decision shall be final and binding as between the parties hereto.

IN WITNESS whereof Charles MacIvor Grant Ogilvie, Secretary to the Government of the Punjab in the Finance Department by the order and direction of the Governor of the Punjab in Council acting for and on behalf of the Secretary of State for India in Council has hereunto set his hand and the Reserve Bank of India has caused its common Seal to be hereunto affixed the day and year first above written.

SIGNED by the above-named Charles MacIvor Grant Ogilvie, Secretary to the Government of the Punjab in the Finance Department by the order and direction of the Governor of the Punjab in Council acting for and on behalf of the Secretary of State for India in Council in the presence of

(Sd.) A. D. GRINDAL,

*Deputy Secretary to Government, Punjab,
Finance Department, Lahore.*

THE COMMON SEAL of the above-named Reserve Bank of India was hereunto affixed in the presence of Sir Sikandar Hyat Khan, K. B. E., a Deputy Governor, and Sir Purshotandas Thakurdas, Kt., C.I.E., M. B. E., and Framroz Edulji Dinshaw, Esq., two of the Directors of the said Bank who in token thereof have hereunto signed their names in the presence of

(Sd.) K. G. AMBEGAOKAR,

Secretary, Reserve Bank of India.

(Sd.) C. M. G. OGILVIE,

*Secretary to Government, Punjab,
Finance Department.*

Common Seal
of the
Reserve Bank of
India.

(Sd.) S. HYAT KHAN,

Deputy Governor.

(Sd.) PURSHOTANDAS THAKURDAS,

(Sd.) F. E. DINSHAW,

Directors.

SUPPLEMENTARY, ADDITIONAL AND TOKEN GRANTS, 1935-36.

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.

LAND REVENUE.

The Honourable Nawab Muzaffar Khan (Revenue Member) :

I move—

That a supplementary sum not exceeding Rs. 14,180 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Land Revenue.

The motion was carried.

STAMPS.

The Honourable Sir Donald Boyd (Finance Member) : I move—

That a supplementary sum not exceeding Rs. 610 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Stamps.

The motion was carried.

FORESTS.

The Honourable Nawab Muzaffar Khan (Revenue Member) :

I move—

That a supplementary sum not exceeding Rs. 18,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Forests.

The motion was carried.

IRRIGATION WORKS.

The Honourable Nawab Muzaffar Khan : I move—

That a supplementary sum not exceeding Rs. 9,28,320 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Construction of Irrigation Works.

Mr. President : Motion moved—

That a supplementary sum not exceeding Rs. 9,28,320 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Construction of Irrigation Works.

Khan Bahadur Sardar Habibullah (Lahore, Muhammadan, Rural) :

There are two items in this demand which would require a little more information and I would be very much obliged if the Honourable the Chief Engineer will please throw some more light. The first item is that which appears at page 8 of the Estimates, construction of silt excluder at Dadupur and replacing right guide bank of Dadupur Regulator. The estimated cost of the work is Rs. 80,660. The note says—

“The water entering the Western Jumna Canal at present brings in a grade of silt which is too heavy for its channels to carry.”

I understand that this channel is a very old one and I should like to know what was happening before this, and why there is a necessity for a sudden expenditure of Rs. 80,000 for clearing this silt. How did the department clear the silt before, and if it did not clear it before, why did they not do so? The note further says that on account of this defect there had been some trouble of waterlogging by which 1,000 acres of land have been rather destroyed by waterlogging. I would very much like to understand why the department did not look to this defect before.

The second item on which I would like further information is No. 4, in regard to the Lower Chenab West Circle. The note says—

"The additional demand of Rs. 78,780 is required to cover the excess on account of construction of 18 instead of 12 spans in Bay No. 8 in connection with 'Reconditioning Khanki Weir.'"

Here again this has become a general practice more or less in the Punjab that the estimates are not properly prepared in the beginning. The defect is noticed later and the department rushes up to the Council for an additional grant. I would very much like to understand from the Chief Engineer why the original estimates in this instance were not correctly prepared and why this 18 span bay has now to be constructed instead of the 12 span one which was originally proposed. Is it the new scheme of a new engineer or is it owing to some defects subsequently coming to notice?

Mr. T. B. Tate (Chief Engineer, Irrigation): With regard to the silt excluder at Dadupur in the Western Jumna Canal and the necessity for which appears to have arisen the reason is that actually silt has been accumulating in the canal for the last fifty to a hundred years. The position has been going from bad to worse. For some time various schemes have been under consideration as to how to deal with it. Now conditions have become so bad that there is a threat of irrigation falling off and of our being unable to run full supply in the canal. Arising out of this silting in this canal waterlogging is tending to increase owing to the high levels at which it is necessary to run the water in the canal. It is incidental to the silting in the canal—this threat of increased waterlogging.

In regard to Khanki Weir, I am afraid I am not very *au fait* with the reasons for the revision of the design. I would have liked a few minutes to study the question, but it is a design which was certainly revised during the course of construction. My impression is that it was considered of great importance and provided a greater assurance against high floods.

Mr. President: The question is:—

That a supplementary sum not exceeding Rs. 9,28,320 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Construction of Irrigation Works.

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Sir Donald Boyd (Finance Member): I move—

That a supplementary sum not exceeding Rs. 38,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of General Administration (Reserved).

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I move—

That a supplementary sum not exceeding Rs. 3,000 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of General Administration (Transferred).

The motion was carried.

AGRICULTURE (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : I move—

That a supplementary sum not exceeding Rs. 1,41,100 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Agriculture (Transferred).

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. 51,000 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Industries.

The motion was carried.

CIVIL WORKS—ESTABLISHMENT.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I move—

That a supplementary sum not exceeding Rs. 14,400 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Civil Works—Establishment.

The motion was carried.

HYDRO-ELECTRIC SCHEME—WORKING EXPENSES.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government) : I move—

That a supplementary sum not exceeding Rs. 2,23,900 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Hydro-Electric Scheme—Working Expenses other than Establishment.

The motion was carried.

WORKING EXPENSES AND CAPITAL EXPENDITURE (TRANSFERRED).

The Honourable Dr. Sir Gokul Chand Narang : I move—

That a supplementary sum not exceeding Rs. 6,200 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 March, 1936, in respect of Working Expenses and Capital Expenditure (Transferred).

The motion was carried.

STATIONERY AND PRINTING (RESERVED).

The Honourable Nawab Muzaffar Khan (Revenue Member) : I move—

That a supplementary sum not exceeding Rs. 71,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Stationery and Printing (Reserved).

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I move—

That a supplementary sum not exceeding Rs. 21,800 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Stationery and Printing (Transferred).

The motion was carried.

REFUNDS (RESERVED).

The Honourable Nawab Muzaffar Khan (Revenue Member): I 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 March, 1936, in respect of Refunds (Reserved).

Mr. President: Motion moved—

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 March, 1936, in respect of Refunds (Reserved).

Khan Bahadur Malik Zaman Mehdi Khan: I beg to ask whether any condition was embodied in the agreement that the contractors will be given a refund if the yield of wood was less than what was anticipated? Have any such refunds ever been given in the past? And how is that yield of wood estimated afterwards?

The Honourable Nawab Muzaffar Khan: I think the facts appear to be that certain contractors had purchased the wood which they could not get later on and that amount had to be refunded.

Khan Bahadur Malik Zaman Mehdi Khan: It does not say that it was because they did not get the wood but because the yield was lower.

The Honourable Nawab Muzaffar Khan: There are various blocks and the yield in that particular block may have been insufficient, and so, that amount had to be refunded.

Mr. President: Question is—

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 March, 1936, in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I move—

That a supplementary sum not exceeding Rs. 15,16,400 be granted to the Punjab Government (Ministries of Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Refunds (Transferred).

Khan Bahadur Malik Zaman Mehdi Khan: Was there any justification why the industrial standard tariff rates for electric supply were not accepted and lower rates were accepted when the agreement with the Lyallpur Cotton Mill was signed?

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): The point is this, that connection was given before the agreement had been signed in order not to lose revenue and a higher rate had been charged than was agreed to subsequently in the agreement. Therefore a refund had to be made equal to the difference between the rate charged and the rate subsequently agreed to.

Khan Bahadur Malik Zaman Mehdi Khan: My question is, why standard rates were not quoted and why lower rates were accepted in the agreement?

The Honourable Dr. Sir Gokul Chand Narang: Because the consumer was purchasing a very large amount of load. No personal regard was shown in this case. The same rate would be charged from any one else if he consumes the same amount of load for industrial purposes.

Mr. President: The question is—

That a supplementary sum not exceeding Rs. 15,16,400 be granted to the Punjab Government (Ministries of Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND OTHER THAN STORES.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I beg to move—

That a supplementary sum not exceeding Rs. 64,000 be granted to the Governor in Council and the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Expenditure in England (Other than Stores) under the control of High Commissioner for India.

The motion was carried.

IRRIGATION.

The Honourable Nawab Muzaffar Khan (Revenue Member): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Other Irrigation Expenditure met from Ordinary Revenues.

The motion was carried.

POLICE.

The Honourable Sir Donald Boyd (Finance Member): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Police.

Mr. President: Motion moved—

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 March, 1936, in respect of Police.

Lala Bhagat Ram (Jullundur-own-Ludhiana, non-Muhammadan, Rural) (*Urdu*): Sir, in this connection I would only submit that the expenditure incurred on the additional police should be met by taxing the people of Lahore who have been really responsible for the present state of affairs and not by taxing the whole province. The principle underlying the imposition of punitive police posts should also apply to this case.

Mr. President: The question is—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Police.

The motion was carried.

MISCELLANEOUS (RESERVED).

The Honourable Nawab Muzaffar Khan (Revenue Member): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Miscellaneous Departments and Miscellaneous (Reserved).

The motion was carried.

MISCELLANEOUS (TRANSFERRED).

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Miscellaneous (Transferred).

The motion was carried.

CIVIL WORKS (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March, 1936, in respect of Civil Works (Transferred).

The motion was carried.

THE PUNJAB ENTERTAINMENTS DUTY BILL.

The Honourable Sir Donald Boyd (Finance Member): I move—

That the Punjab Entertainments Duty Bill be referred to a select committee consisting of—

Rao Bahadur Chaudhri Chhotu Ram;
Khan Bahadur Mian Mushtaq Ahmad Grumani;
Khan Bahadur Sardar Habib Ullah;
Rai Bahadur Mr. P. Mukerjee.;
Khan Bahadur Nawab Muhammad Hayat Qureshi;
Rai Sahib Lala Gopal Das;
Sardar Bishan Singh;
Sardar Sampuran Singh;
Mr. J. D. Anderson;
A nominee of the Honourable President, and
the Mover.

The motion was carried.

The Honourable Sir Donald Boyd : I move—

That the quorum of the select committee be five.

The motion was carried.

THE PUNJAB CONTROL OF PUBLIC UTILITY SERVICES BILL.

The Honourable Sir Donald Boyd (Finance Member) : I move—

That the Punjab Control of Public Utility Services Bill be referred to a select committee consisting of—

Shaikh Muhammad Sadiq,
Khan Sahib Chaudhri Riasat Ali,
Mr. Muhammad Din Malak,
Raj Bahadur Mr. Mukand Lal Puri,
Mr. Lakh Singh,
Sardar Sahib Sardar Ujjal Singh,
Mr. J. D. Anderson,
A nominee of the Honourable President, and
the Mover.

The motion was carried.

The Honourable Sir Donald Boyd : I move—

That the quorum of the select committee be five.

The motion was carried.

THE PUNJAB CRIMINAL PROCEDURE (ELECTION OFFENCES) AMENDMENT BILL.

The Honourable Nawab Muzaffar Khan (Revenue Member) :
I beg to introduce the Punjab Criminal Procedure (Election Offences)
Amendment Bill. I also move—

That the Punjab Criminal Procedure (Election Offences) Amendment Bill be taken into consideration at once.

The Bill as will be observed is a simple measure. The recent events in certain towns and other places have shown that the elections are gradually being reduced to a farce in this province. This evil is not confined to this province alone. Similar incidents have happened in other parts of India also and Bombay has already passed an Act on the lines of the present Bill. This Bill is exactly on the same lines on which the Bombay Legislative Council has passed a similar measure. I do not think it would be necessary for me to give instances of the evil prevailing in this province. It is no secret and the Council knows it full well. At the present time when the franchise is to be widely extended both in urban and rural areas—in rural areas tenants cultivating eight acres in irrigated areas and 12 acres in unirrigated areas are going to be enfranchised—I think it is necessary that we should have safeguards against false personation. Otherwise our elections will not be genuine elections and our representation will not be genuine representation. With these few words I move the motion.

Mr. President : The question is—

That the Punjab Criminal Procedure (Election Offences) Amendment Bill be taken into consideration at once.

The motion was carried.

Mr. President : The council will now proceed to consider the Bill clause by clause. The question is—

That sub-clauses (2) and (3) of clause 1 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That the preamble stand part of the Bill.

The motion was carried.

Mr. President : The question is—

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

The motion was carried.

The Honourable Nawab Muzaffar Khan : I beg to move—

That the Punjab Criminal Procedure (Election Offences) Amendment Bill be passed.

The motion was carried.

The Council then adjourned till 2 P.M., on Thursday, 27th February, 1986.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 27th February 1936.

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

OATH OF OFFICE.

✓ Mr. A. D. Grindal (Deputy Secretary, Finance,) was sworn in.

STARRED QUESTIONS AND ANSWERS.

DEBTORS SENTENCED TO CIVIL IMPRISONMENT.

***5218. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member be pleased to state—

- (a) how many debtors as defined in the Punjab Relief of Indebtedness Act were sentenced to civil imprisonment after this Act came into force, from the date of its coming into operation to 31st December, 1935 ;
- (b) how much debt was owed by each of these debtors ?

The Honourable Sir Donald Boyd : It is regretted that the answer to this question is not ready.

MR. PARTAP CHAND, MANAGER, CO-OPERATIVE BANK, DASKA.

***5219. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that under rule 18 of Government notification No. 18819, dated the 23rd June, 1917, the managers of co-operative banks in the Punjab, when taking up service, enter into an agreement that any dispute arising between the managers and the managing bodies of the banks will be referred to the Registrar, Co-operative Societies, for arbitration, and that either party is debarred from proceeding in the civil courts ;
- (b) whether Mr. Partap Chand, manager of the Co-operative Bank, Daska, in the Sialkot district, submitted his application to the Registrar, Co-operative Societies, for arbitration on his wrongful dismissal ;
- (c) if so, whether it is a fact, that the Deputy Registrar who was directed to decide the dispute gave his decision for the reinstatement of the said manager after setting aside the wrongful dismissal by the managing committee of the bank ;
- (d) whether it has come to the notice of the Registrar, Co-operative Societies that Mr. Partap Chand, the said manager, was never

[L. Jyoti Prasad.]

given the charge even for a single day in pursuance of the award of the Deputy Registrar ;

- (e) what steps, if any, Government propose to take in order to set aside the illegal and wrongful dismissal by the managing body and reinstate the above manager ;
- (f) in case the department is not able to enforce its arbitration on the managing body, whether Government proposes to withdraw its arbitration and allow the aggrieved manager to take recourse to the civil courts for damages for his wrongful dismissal ?

The Honourable Sardar Sir Jogendra Singh :

(a) Yes.

(b) Yes.

(c) Yes.

(d) On Mr. Partap Chand rejoining for duty at the bank, the Managing Committee gave him a month's pay in lieu of notice from that date, and dispensed with his services.

(e) None. The Manager was, legally, reinstated in accordance with the arbitrator's decision. The bank was entitled under the terms of the Manager's engagement to dispense with his services as they did after his re-instatement.

(f) No. The bank accepted the award of the arbitrator. Its subsequent action has not been made the subject of arbitration.

MR. PARTAP CHAND, MANAGER, CO-OPERATIVE BANK, DASKA.

***5220. La'a Jyo'i Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that Mr. Partap Chand, the manager of the Co-operative Bank, Daska, in the Sialkot district, was allowed only half the salary for the period between his wrongful dismissal and reinstatement, though the Deputy Registrar ordered his reinstatement ;
- (b) if so, the reasons for not allowing him full salary for the period between his dismissal and reinstatement when the arbitrator found him quite innocent ?

The Honourable Sardar Sir Jogendra Singh : I regret that the answer to this question is not ready, it will be communicated to the honourable member when ready.

CONVICTIONS FOR UNNATURAL OFFENCE AGAINST BOYS.

***5221. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Finance Member kindly state—

- (a) how many convictions for unnatural offence against boys under 16 have taken place in the province during the years 1933-34 and 1934-35 ;

- (b) in how many of the above cases of convictions were school teachers the offenders ;
- (c) how many of the above cases were tried by section 30 and how many by first class magistrates ;
- (d) in how many of the above cases of convictions was a sentence of less than two years rigorous imprisonment awarded ;
- (e) in how many of the above cases of conviction was whipping given along with terms of imprisonment ;
- (f) how many of the above cases of conviction were referred to the High Court for an enhancement of the sentence and with what result in each case ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not ready.

MUNICIPAL COMMITTEE, LUDHIANA.

***5222. Khan Sahib Chaudhri Riasat Ali :** Will the Honourable Minister for Local Self-Government kindly—

(a) lay on the table the copies of the following :—

- (i) resolution No. 683, dated 18th August, 1935, passed by the Municipal Committee, Ludhiana, in its general meeting ;
- (ii) resolution No. 794, dated 30th August, 1935, passed by the Municipal Committee, Ludhiana, in its general meeting ;
- (iii) resolution No. 1523, dated 23rd January, 1936, passed by the Municipal Committee, Ludhiana, in its general meeting ;
- (iv) memorandum No. 6915-L.F.C., dated 23rd August, 1935, from Sardar Sahib Bawa Nanak Singh, M.A., P.C.S., officiating Deputy Commissioner, Ludhiana, to the Executive Officer, Ludhiana Municipality ;
- (v) appeal dated 12th September, 1935, by Mr. K. K. Deen, ex-Secretary, Municipal Committee, Ludhiana, in the Court of the Commissioner, Jullundur division, Jullundur, against the decision of Municipal Committee, Ludhiana, dispensing with his services, as well as the order of the Commissioner, Jullundur, dated 19th November, 1935, deciding the aforesaid appeal ;

(b) state—

- (i) whether resolution No. 794, dated 30th August, 1935, of the Municipal Committee, Ludhiana, was ever placed before the officiating Deputy Commissioner, Ludhiana, who issued memorandum No. 6915-L.F.C., dated 23rd August, 1935, for orders ;
- (ii) if not, why not ;
- (iii) if the reply is in the affirmative, whether he will lay on the table his orders ;

[K. S. Ch. Riasat Ali.]

- (iv) the reasons why the present Deputy Commissioner issued letter No. 10331-L.F.C., dated 26th January, 1935, to the Executive Officer, Ludhiana Municipality, after more than three months had passed since the Ludhiana Municipality gave its explanation in its resolution No. 794, dated 30th August, 1935; and in the presence of the order, dated 19th November 1935, of the Commissioner, Jullundur division, Jullundur?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to the question is not ready.

MUNICIPAL COMMITTEE, LUDHIANA.

***5223. Khan Sahib Chaudhri Riasat Ali :** Will the Honourable Minister for Local Self-Government please—

(a) lay on the table the copies of the following :—

- (i) resolution No. 705, dated 17th August, 1935, passed by the Ludhiana Municipality in its general meeting;
- (ii) letter No. 10330-L.F.C., dated 26th December, 1935, from the Deputy Commissioner, Ludhiana, to the Executive Officer, Ludhiana Municipality;
- (iii) appeal filed by Lala Gian Chand, ex-overseer, Ludhiana Municipality, in the court of Deputy Commissioner, Ludhiana, against the decision of the Ludhiana Municipality in dispensing with his services, as well as the order of the Deputy Commissioner, Ludhiana, on the above-mentioned appeal;

(b) state—

- (i) the reasons for the delay in issuing letter No. 10330-L. F. C., dated the 26th December 1935, by the Deputy Commissioner, Ludhiana, to the Executive Officer, Municipal Committee, Ludhiana;
- (ii) the date, when the order on the appeal filed in the court of the Deputy Commissioner, Ludhiana, by Lala Gian Chand, ex-overseer, Municipal Committee, Ludhiana, against the decision of Municipal Committee, Ludhiana, was communicated to the committee;
- (iii) whether it is a fact that owing to the delay by the Deputy Commissioner, Ludhiana, in issuing his order suspending resolution No. 705, dated 17th August, 1935, the municipal funds have suffered a loss inasmuch as the committee appointed a new overseer on a pay of Rs. 50 per month,—*vide* its resolution No. 869, dated 6th September, 1935, on removal of the ex-overseer?

The Honourable Dr. Sir Gokul Chand Narang : It is regretted that the answer to the question is not ready.

AHERIS AS A CRIMINAL TRIBE.

***5224. Lala Jyoti Prasad :** With reference to answer to part (c) of my question No. *4562¹ asked on 21st October, 1935, will the Honourable Revenue Member be pleased to state—

- (a) whether the examination has been completed and the question has been considered by Government as to whether the notification declaring the Aheris as a criminal tribe should not be cancelled ;
- (b) if the answer to (a) be in the negative, what steps, if any, Government proposes to take to expedite the matter ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The case is still under examination. Every effort will be made to expedite it, but the honourable member will realise that the scrutiny of the cases of all the individuals concerned must take some time.

DRINKING WATER IN HISSAR DISTRICT.

***5225. Lala Jyoti Prasad :** With reference to answer to part (c) of my question No. *4564² asked on 21st October, 1935, will the Honourable Minister for Education kindly state—

- (a) whether the technical objections raised by the Public Works Department have been settled and whether the proposed scheme which was held up, has again been considered by the Sanitary Board ;
- (b) if the answer to (a) be in the negative, what action, if any, Government propose to take in order that the scheme be put in action as soon as possible ?

The Honourable Malik Sir Firoz Khan Noon : (a) The technical objections raised by the Public Works Department were considered by the Sanitary Board at its meeting held on the 16th September, 1935, but the proposed scheme could not be proceeded with, as investigation is still being carried out by the Public Works Department with a view to find out the possibility and suitability of alignment of open channels for the supply of drinking water to village ponds in the Hissar district.

- (b) Does not arise.

INCOME FROM COURT FEE STAMPS.

***5226. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state district-wise the income from court fee stamps for six months each before and after the coming into force of the Punjab Relief of Indebtedness Act ?

The Honourable Sir Donald Boyd : A statement is placed on the table.

[Hon. Sir Donald Boyd.]

Statement showing district-wise the income from court fee stamps for six months each before and after the coming into force of the Punjab Relief of Indebtedness Act.

Division.	District.			From 1st October, 1934 to 31st March, 1935.	From 1st April, 1935 to 30th September, 1935.
				Rs.	Rs.
Ambala ..	Hissar ..	..	..	84,636	68,264
	Rohtak ..	..	..	90,218	88,756
	Gurgaon ..	..	..	57,870	56,357
	Karnal ..	..	..	88,432	85,584
	Ambala ..	..	..	1,29,434	1,14,201
	Simla ..	..	..	22,195	37,791
	Total ..			4,72,785	4,50,953
Jullundur ..	Kangra ..	..	..	71,287	61,494
	Hoshiarpur ..	..	..	1,64,082	1,49,963
	Jullundur ..	..	..	2,07,656	1,90,893
	Ludhiana ..	..	..	1,27,427	1,29,148
	Ferozepore ..	..	..	1,48,564	1,75,998
	Total ..			7,19,016	7,07,496
Lahore ..	Lahore ..	..	..	5,18,522	4,40,875
	Amritsar ..	..	..	2,30,755	2,21,159
	Gurdaspur ..	..	..	1,28,007	1,17,909
	Sialkot ..	..	..	1,32,763	1,12,428
	Gujranwala ..	..	..	99,377	87,443
	Sheikhupura ..	..	..	62,294	58,768
	Total ..			11,71,718	10,38,582
Rawalpindi ..	Gujrat ..	..	..	80,225	74,600
	Shahpur ..	..	..	1,14,863	99,479
	Jhelum ..	..	..	73,590	71,459
	Rawalpindi ..	..	..	1,91,310	1,78,245
	Attock ..	..	..	52,545	42,572
	Mianwali ..	..	..	60,556	57,754
	Total ..			5,73,089	5,24,109

Division.	District.	From 1st October, 1934 to 31st March, 1935.	From 1st April, 1935 to 30th September, 1935.
		Rs.	Rs.
Multan	Montgomery	88,512	78,322
	Lyallpur	1,56,725	1,25,892
	Jhang	83,850	66,557
	Multan	1,46,705	1,15,943
	Muzaffargarh	67,458	54,608
	Dera Ghazi Khan	53,537	43,123
	Total	5,96,787	4,84,445
	GRAND TOTAL	35,33,395	32,05,585

COGNISABLE CASES.

***5227. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state the total number of cognisable cases reported at the various police stations in the districts of Hissar, Gurgaon, and Karnal for the calendar year 1935, and in the district of Rohtak for the last six months of the calendar year 1935?

The Honourable Sir Donald Boyd : A statement is laid on the table giving the figures for Hissar, Gurgaon and Karnal. The total number of cognisable cases registered in the Rohtak district in the last six months of 1935 was 507. I have no separate figures for the various police stations in the Rohtak district, but these can be obtained if desired.

Statement showing the total number of cognisable cases reported at the various police stations in the districts of Hissar, Gurgaon, and Karnal during the year 1935.

District.	Police stations.	Cases reported.
Hissar	City Hissar	110
	Sadr Hissar	128
	Barwala	78
	Tohana	100
	Budhlada	66
	Hansi	193
	Narnaund	105
	City Bhiwani	75
	Sadr Bhiwani	44
	Toham	46
	Siwani	35

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District.	Police stations.			Cases reported.
Hisar—concd.	Fattehabad	169
	Ratia	89
	Bahuna .. ..	..	..	70
	City Sirsa .. ..	..	..	71
	Sadr Sirsa .. ..	..	..	138
	Rania .. ..	..	..	89
	Rori .. ..	..	..	115
	Dabwali .. ..	..	..	110
	Railways .. ..	..	..	34
	Total ..			1,836
Gurgaon	City Rewari .. ..	..	..	63
	Sadr Rewari .. ..	..	..	76
	Khol .. ..	..	..	47
	Jatusana .. ..	..	..	53
	Gurgaon .. ..	..	..	118
	Farrukhnagar .. ..	..	..	74
	Sohana .. ..	..	..	54
	Ballabgarh .. ..	..	..	118
	Chhansa .. ..	..	..	82
	Palwal .. ..	..	..	162
	Hassanpur .. ..	..	..	102
	Firozepore .. ..	..	..	88
	Punahana .. ..	..	..	47
	Nuh .. ..	..	..	86
	Toaru .. ..	..	..	33
	Hathin .. ..	..	..	62
	Railway .. ..	..	..	27
	Rewari .. ..	..	..	..
	Railway Bandikauli .. ..	..	..	..
	Railway Nimka .. ..	..	..	2
	Railway Delhi .. ..	..	..	1
	Total ..			1,295
Karnal	Karnal City .. ..	..	..	73
	Pundri .. ..	..	..	67
	Nissang .. ..	..	..	62
	Urlana .. ..	..	..	144
	Rajaund .. ..	..	..	81
	Thanesar .. ..	..	..	75
	Assandh .. ..	..	..	49
	Guhla .. ..	..	..	81
	Gharaunda .. ..	..	..	79
	Kaithal .. ..	..	..	83
	Butana .. ..	..	..	70
	Pehowa .. ..	..	..	54
	Ladwa .. ..	..	..	28
	Radaur .. ..	..	..	48
	Sadr Karnal .. ..	..	..	104
	Shahabad .. ..	..	..	91
	Sadr Panipat .. ..	..	..	74
	City Panipat .. ..	..	..	71
	Thaska Miranji .. ..	..	..	91
	Indri .. ..	..	..	77
	Sambhalka .. ..	..	..	90
	Total ..			1,537

HINDUS IN POLICE DEPARTMENT.

***5228. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the proportion of Hindus in the cadre of assistant sub-inspectors, head constables and constables is very small ;
- (b) whether it is also a fact that Government in this House has always expressed its readiness to encourage the enrolment of Hindu candidates ;
- (c) if so, what steps, if any, are being taken to make up the proportion ;
- (d) the number of constables selected community-wise in each district in the last selection ;
- (e) the total number of candidates community-wise who offered themselves for selection in each district in the selection held last ?

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. The number of Hindus in the rank of assistant sub-inspector and in that of head constable is not appreciably below that to which they would be entitled on the basis of population. In the rank of constable the percentage is somewhat less (17·9 per cent.)

(b) Yes.

(c) Efforts are being made to rectify the deficiency in those districts where it is most marked by recruitment from other districts, but owing to differences in language, climate and conditions of living it is not always easy to secure recruits from outside.

(d) A statement is laid on the table.

(e) No record is kept of applicants for enlistment.

District.	NUMBER OF CONSTABLES RECRUITED AT THE LAST SELECTION BY COMMUNITIES.			
	Hindus.	Muslims.	Sikhs.	Others.
Hissar.	2	4	3	..
Rohtak	4	6	1	..
Gurgaon	10	3
Karnal	2	2	7	..
Ambala	3	7	..
Simla	2	1	4	..
Hoshiarpur
Jullundur	2	..

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District.	NUMBER OF CONSTABLES RECRUITED AT THE LAST SELECTION BY COMMUNITIES.			
	Hindus.	Muslims.	Sikhs.	Others.
Ludhiana	1	1	2	..
Kangra	8	..	1	..
Ferozepore	2	14	..	..
Lahore	17	22	5	..
Amritsar .. ..	..	3	2	..
Gurdaspur	2	9	4	..
Sialkot	3	3	2	..
Gujranwala	1	2	1	..
Sheikhupura	4	3	8	..
Montgomery	1	1	14	..
Lyallpur	1	4	1	..
Jhang .. ..	..	..	..	..
Multan .. ..	..	4	..	..
Muzaffargarh	5	6	2	..
Dera Ghazi Khan	2	4	..	..
Gujrat	1	1	1	..
Shahpur	3	3	..	..
Jhelum	3	4	..	..
Rawalpindi	1	..	..	..
Attock	3	1	1	..
Mianwali	1	4	1	..
Railway Police, Punjab	5	43	27	..
Total	84	151	96	..

MUNICIPAL COMMITTEE, HISSAR.

***5229. Lala Jyoti Prasad :** With reference to reply to part (f) of my question No. *4842¹, asked on 1st November, 1935, will the Honourable Minister for Local Self-Government please state as to whether the matter has received the consideration of Government?

The Honourable Dr. Sir Gokul Chand Narang : The matter is under the consideration of the Commissioner, Ambala division, at present.

EXTRA ASSISTANT COMMISSIONERS.

***5230. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the total number of extra assistant commissioners, agriculturists and non-agriculturists, community-wise, in the Punjab with their home districts who have been directly appointed by selection ;
- (b) the number of such Hindu non-agriculturist extra assistant commissioners drawn from each of the five revenue divisions ?

Mr. F. H. Puckle (Chief Secretary) :

(a) Muslims	..	48	{	Agriculturists	..	..	40
				Non-Agriculturists	..	..	8
Hindus	..	24	{	Agriculturists	..	..	11
				Non-Agriculturists	..	..	13
Sikhs	..	11	{	Agriculturists	..	..	8
				Non-Agriculturists	..	..	3
Anglo-Indian and Indian Christians.				Non-Agriculturists	..	..	2

They belong to all the districts in the Punjab except Gurgaon, Karnal, Simla and Sheikhpura.

(b) Jullundur	..	..	..	..	1
Lahore	..	..	..	..	7
Rawalpindi	..	..	..	..	3
Multan	..	..	..	..	2

PUNJAB LEGISLATIVE ASSEMBLY ELECTIONS.

***5231. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state as to when the new Punjab Legislative Assembly elections will be held ?

The Honourable Nawab Muzaffar Khan : Government is not in a position to give the information asked for.

POLICE DEPARTMENT.

***5232. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the number community-wise of superintendents of police, deputy superintendents of police, including prosecuting deputy superintendents of police, inspectors and sub-inspectors including prosecuting inspectors and sub-inspectors in the Punjab ;
- (b) the number of Hindu non-agriculturists in each cadre ?

The Honourable Sir Donald Boyd : The honourable member is asked to refer to the Consolidated Statement showing the representation of the several communities in the various departments of the Punjab Government, a copy of which has doubtless been supplied to him through the Council office. The Consolidated Statement does not give the desired information in regard to Superintendents of Police. This is as follows :—

Europeans and Anglo- Indians.	Muslims.	HINDUS.		Sikhs.	Others.
		(a) Agriculturists.	(b) Non- Agriculturists.		
27	6	2	1	1	—

NON-OFFICIAL VISITORS FOR PUNJAB MENTAL HOSPITAL.

***5233. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) the names of the non-official visitors appointed at present for the Punjab Mental Hospital, Lahore ;
- (b) whether any honourable member of this House, if he desires to visit the hospital, can do so with the previous permission of the Honourable Minister in charge ?

The Honourable Malik Sir Firoz Khan Noon : The names of the non-official visitors appointed with effect from 1st January, 1936, are—

- (a) (1) Dr. Bhagat Ram Khanna, McLeod Road, Lahore.
- (2) Rai Bahadur Dr. Maharaj Krishan Kapur, Temple Road, Lahore.
- (3) Mrs. E. Inglis, Ferozepore Road, Lahore.
- (4) Sardar Bahadur Dr. Kartar Singh, Honorary Magistrate, Lahore.
- (5) Mrs. D. C. Rai, 8-A, Chamba House Lane, Lahore.
- (6) Mr. Lovell Hudson of Messrs. A. F. Ferguson and Company, Lahore.

- (b) There is no objection to an honourable member of this House visiting the Punjab Mental Hospital provided he gives sufficient notice to the Medical Superintendent of the Punjab Mental Hospital, Lahore. His consent will also be necessary for visiting individual patients as he must be the judge as to whether such visits will not have a disturbing effect on their mental condition.

Lala Chetan Anand : What is meant by sufficient notice ?

The Honourable Malik Sir Firoz Khan Noon : I think the honourable member knows it as much as I do.

ELECTRIFICATION OF SIRSA TOWN.

***5234. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Lahore Electric Supply Company some time back got a licence to electrify the Sirsa town in the Hissar district ;
- (b) whether it is a fact that the company has not taken any steps up till now towards the installation of the plant, etc. ;
- (c) whether he is in a position to say that the company intends to put up a plant and electrify the town ; if so, when ;
- (d) in case the company does not intend to instal a plant and produce electrical energy, whether Government is prepared to cancel the licence in order to give opportunity to other companies ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) No.

(c) Government do not see why the Company should not intend to put up the plant unless they are prepared to run the risk of forfeiting the security of Rs. 5,000 deposited by them. The Company are required to complete the works by 24th April 1937, i.e., within a period of two years from 24th April, 1935, the date of the commencement of the licence ;

(d) Does not arise at present.

POLICE FORCE.

***5235. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the population of Hissar, Gurgaon, Karnal and Rohtak districts, community-wise ;
- (b) the total police force, community-wise, in each of these districts ;
- (c) the number of sub-inspectors, head constables and foot constables, community-wise, in each of the above-named districts ?

The Honourable Sir Donald Boyd : A statement is laid on the table—

		Hindus.	Muslims.	Sikhs.	Others.
(a)					
Hissar		539,419	253,784	55,169	1,107
Gurgaon		495,839	242,357	500	1,467
Karnal		574,487	259,730	16,928	1,649
Rohtak		662,093	137,880	596	5,052
(b)					
Hissar		253	394	35	1
Gurgaon		281	249	22	1
Karnal		217	354	67	3
Rohtak		193	265	26	3
HISSAR.					
Sub-Inspectors ..		7	16	3	..
Assistant Sub-Inspectors ..		1	10	2	..
Head Constables ..		19	70	4	..
Foot Constables ..		226	298	26	1
GURGAON.					
Sub-Inspectors ..		10	9	2	1
Assistant Sub-Inspectors ..		2	2	..	..
Head Constables ..		31	49	2	..
Foot Constables ..		238	186	17	..
KARNAL.					
Sub-Inspectors ..		9	15	5	1
Assistant Sub-Inspectors ..		3	4	1	..
Head Constables ..		23	58	4	1
Foot Constables ..		181	274	56	..
ROHTAK.					
Sub-Inspectors ..		3	10	4	..
Assistant Sub-Inspectors ..		..	6	..	..
Head Constables ..		24	44	3	..
Foot Constables ..		165	204	19	3

MALARIA IN HISSAR TOWN.

***5236. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that malaria attained abnormal magnitude this season in Hissar town ;
- (b) what preventive steps, if any, including the distribution of quinine were taken by the municipal committee and the health officer of the town ?

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

(b) Does not arise.

HAVELI PROJECT AND BHAKRA DAM SCHEMES.

***5237. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Haveli Project scheme is to be submitted shortly to the Government of India for obtaining sanction from the Secretary of State for India ;
- (b) the stage at which the Bhakra Dam scheme now is ;
- (c) whether it is a fact that the Haveli Project scheme is being given priority over the Bhakra Dam scheme, although the latter one has been before the Government for the last 15 or 20 years ;
- (d) whether it is a fact that the area to be irrigated by the Bhakra Dam scheme and specially the Hissar district is often visited by famines owing to scarcity of rains ;
- (e) the reasons for ignoring the claims of south-eastern districts to be watered by Bhakra Dam scheme and giving preference to other less deserving districts ?

The Honourable Nawab Muzaffar Khan : (a) The Haveli Project has been submitted to the Government of India.

(b) Solutions to the problems connected with the occupation of the area of Bilaspur State which would come within the limits of the Dam reservoir, are yet being sought.

(c) No.

(d) The area referred to suffers from a shortage of rain, which at times has tended to produce famine conditions.

(e) Does not arise.

HISSAR JAIL.

***5238. Lala Jyoti Prasad :** With reference to part (g) of my starred question No. 4855¹, asked on the 4th November, 1935, will the Honourable Finance Member be pleased to state as to whether Government has taken any steps to examine the proposals of shifting the jail ?

The Honourable Sir Donald Boyd : The proposal is under examination by Government.

SUPPLY OF DRINKING WATER, HISSAR DISTRICT.

***5239. Lala Jyoti Prasad :** With reference to part (c) of my starred question No. 4789¹, asked on the 29th October, 1935, will the Honourable Minister for Education be pleased to state whether the Public Health Department has considered the ways and means and come to any conclusions to provide potable water to villages in the Hissar district ; if so, what ?

The Honourable Malik Sir Firoz Khan Noon : Projects for constructing 5 pucca tanks on suitable sites in the Hissar district to provide potable water in rural areas at an estimated cost of Rs. 70,000 have been received from the District Board, Hissar, and are at present being technically scrutinized by the Public Health Engineering Department.

I might add that the Sanitary Board in their meeting yesterday considered these schemes and decided to recommend to the Government that at least one tank should be built at a cost of Rs. 14,000. If the Government can find that money, the honourable member may expect one tank to be built in the Hissar district out of the scheme.

METALLING OF HANSI-BHIWANI ROAD.

***5240. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether in its meeting of June, 1934, the Punjab Communications Board passed a resolution to give 50 per cent. grant to the metalling of 4 or 5 miles of Hansi-Bhiwani kucha road in the Hissar district ;
- (b) whether a few months back an estimate for a further construction of four or five miles of that road was submitted to the Communications Board for some grant ;
- (c) if the answer to (b) be in the affirmative, whether any grant has been given ; if not, the reasons for the same ?

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

(b) Yes.

(c) No grant could be sanctioned as funds placed at the disposal of the Communications Board for expenditure during the recent years were not sufficient even to pay the full grant-in-aid earned by district boards for maintenance of class II roads.

Therefore the sanction to a grant-in-aid for any new construction is at present out of question.

UNEMPLOYMENT.

***5241. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that there is a growing problem of unemployment amongst both the educated and uneducated of the province ;
- (b) if so, whether Government has made any endeavour to investigate the problem in all its aspects in the near past ;

- (c) what necessary steps, if any, Government proposes in order to provide adequate means of employment thereby relieving the suffering caused by it?

The Honourable Sir Donald Boyd: The honourable member is referred to the reply given to question No. *4958¹ on the 14th November, 1935, to which I have nothing to add.

LIQUOR SHOPS.

***5242. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Minister for Agriculture kindly state—

- (a) the number of new and additional liquor shops permitted to be opened in the province for the year 1936-37;
- (b) the details of this increase district-wise;
- (c) what justification there is for this addition in each case;
- (d) how much additional revenue this increase in the number of liquor shops has brought to the Government; and if accurate data are not available, how much increased revenue he expects from this increase in the number of shops?

The Honourable Sardar Sir Jogendra Singh: (a) Forty-two, but as three existing country liquor shops will be closed with effect from the 1st April, 1936, the number of new country liquor shops to be opened in 1936-37 is 89.

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

(c) The prevention of illicit distillation.

Statement showing the new country liquor shops opened and the bids received for the year 1936-37.

Serial No.	District.	Locality of shop.	Bids received.	REMARKS.
1	Hissar ..	Adampur ..	Rs. 220	Not auctioned yet.
2	Do. ..	Ksiru ..	..
3	Do. ..	Rania ..	2,200	
4	Karnal ..	Sainalkha ..	800	
5	Do. ..	Kaul ..	460	
6	Do. ..	Kuri ..	170	
7	Ambala ..	Bullana ..	4,750	
8	Kangra ..	Forsyth Ganj ..	500	
9	Do. ..	Dhameta ..	350	
10	Do. ..	Pahra ..	400	
11	Hoshiarpur ..	Jaijon ..	1,040	
12	Do. ..	Posi ..	1,000	

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Serial No.	District.	Locality of shop.	Bids received.	REMARKS.
			Rs.	
13	Jullundur	Jamsher	800	
14	Do.	Kangsabhu	640	
15	Do.	Muthada Kalan	120	
16	Do.	Umarpura	150	
17	Do.	Malpore	410	
18	Do.	Chak Raman	150	
19	Ferozepore	Daulatpura	700	
20	Do.	Dodar	1,000	
21	Do.	Baruwali	850	
22	Do.	Mallan	710	
23	Lahore	Kashmir Building, McLeod Road, Lahore.	21,500	
24	Do.	Chak Saffanwala, Motang ..	16,500	
25	Gurdaspur	Anlakh	130	
26	Do.	Khera	220	
27	Do.	Penwan	100	
28	Do.	Ikhlaspur	320	
29	Shahpur	Chak No. 126-S. B. ..	210	
30	Rawalpindi	Raja Bazar, Rawalpindi City ..	28,800	
31	Do.	Lal Kurti Bazar, Rawalpindi Cantonment.	19,000	
32	Do.	Thoha Khalsa	600	
33	Montgomery	Jandraka	800	
34	Lyallpur	Chak No. 132-R. B. ..	620	
35	Do.	Chak No. 271-J. B. ..	720	
36	Do.	Chak No. 93-G. B. ..	240	
37	Do.	Chak No. 642-G. B. ..	920	
38	Do.	Chak No. 67-G. B. ..	850	
39	Do.	Chak No. 478-G. B. ..	590	
40	Do.	Chak No. 445-G. B. ..	520	
41	Do.	Mamun Kanjan Railway Station.	150	
42	Do.	Chak No. 349-G. B. ..	200	
		Total ..	1,10,410	

TEMPERANCE PROPAGANDA.

*5243. **Rai Bahadur Mr. Mukand Lal Puri** : Will the Honourable Minister for Agriculture please state—

- (a) whether any grant or donation has been budgeted by the Government for the temperance societies of the province for temperance propaganda for the next year ;
- (b) if answer to (a) is in the negative, the reasons why assistance to this useful work has not been given or has been discontinued ?

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

(b) Financial stringency.

REPRESENTATION OF MUZAFFARGARH DISTRICT IN GOVERNMENT SERVICES.

*5244. **Khan Bahadur Mian Mushtaq Ahmad Gurmani** : (a) Will the Honourable Member for Finance kindly state that whether it is a fact —

- (a) that the Muzaffargarh district is very poorly represented in Government services generally and in the Provincial and gazetted ranks of services in particular ;
- (b) that only one direct appointment to the cadre of extra assistant commissioners has so far been made from Muzaffargarh district ;
- (c) that no direct tahsildar has been taken from Muzaffargarh district so far ?
- (d) What action Government proposes to take to give an adequate representation in services to this backward district ?

Mr. F. H. Puckle (Chief Secretary) : (a) Government have made no enquiries, but the honourable member is referred to the History of Services of Gazetted Officers, a copy of which is in the Council Library.

(b) There are five Extra Assistant Commissioners who belong to the Muzaffargarh district, of whom one was selected by direct nomination on Register C.

(c) Yes.

(d) In making appointments to services Government cannot undertake to take into consideration the district to which a candidate belongs.

RESOLUTIONS.

" NET ASSETS " FOR PURPOSES OF ASSESSMENT OF LAND REVENUE.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

This Council recommends to the Government to appoint a committee composed of officials and non-officials to—

- (a) fix the meaning of ' net assets ' ;
- (b) investigate the extent to which costs of production have fallen or risen with the prices of agricultural products ;

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- (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;
- (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;
- (e) determine what percentage of the net assets Government has actually been realising in the Lyallpur district during the last few (five) years.

This is a resolution of very great importance, a resolution of fundamental importance because it is the question of net assets that ultimately fixes the land revenue on any land-owner. It is a pity that so long proper attention was not paid to this as it should have been paid. My district is under settlement and we are taking some care to fight and represent our cause to the Government in a proper way and, therefore, I move this resolution and I hope the Government will give the fullest consideration and a sympathetic reply and think over it twice before replying in the negative. This is only a request for the appointment of a committee of officials and non-officials. What are they going to do? The objects are set down in the five clauses of the resolution. They are only required to study this subject and report. I should say that for the time being it is not going to affect the land revenue. It is going to be more or less a scientific study, some valuable research both for the Government and the zamindars. I now come to part (a) of the resolution which is about net assets. What is "net assets"? It is gross income of a zamindar minus expenditure. The question is whether in their present calculations the Government gives us a fair cost of cultivation, a fair amount of expenditure of all sorts before they arrive at the result and whether the Government takes only 25 per cent. out of the real profit that the zamindar gets. The definition of net assets is given in clause 3 of section 18 of the Land Revenue Act and is based on the presumption that land is cultivated by tenants. There is a fallacy that puts the zamindar at a disadvantage. In the first place I want to bring to the notice of this Council and the Government that this is not a fair way; it is not a fair assumption; if anything, it is a wrong assumption because the majority cultivate themselves. I do not know the figures for the whole of the province, but I do know for Lyallpur and I believe that even taking the province as a whole, the self-cultivating peasant, the peasant proprietor is much larger in numbers than the land-owners and their tenants. The *nakhattu* land-owner, as some people like to call him, and other land-owners who get cultivation done through tenants in my district form about 6 per cent. of the whole lot. Tenants cultivate about 35 per cent. and the peasant proprietors about 59 per cent. I take it that in the province as a whole the figures are not far different. I am going to prove my case by facts and figures taken from books published by the Government. One book that I would like to refer to is the Board of Economic Enquiry, Punjab, Publication No. 40 and another is No. 44, Family budgets, 1932-33 and 1933-34. It is a thorough study into the balance-sheet of a farmer and a tenant and in one of these books, Professor Kartar Singh, who, I think, is the author, has observations of 6 tenant cultivators and in the other 4 tenant cultivators.

The Honourable Nawab Muzaffar Khan : I might point out that these books are not Government publications.

Mian Nurullah : I will correct myself. It is not a Government publication, but it is a publication of a department run by Government officials.

The Honourable Nawab Muzaffar Khan : Government is not responsible for these publications.

Mian Nurullah : I will mention that the president of the Board of Economic Enquiry, Punjab, is the Financial Commissioner, Development, and, therefore, I have got every faith in all the facts stated in these books and I take them as correct from Government side as well as from the public side, barring, of course a fraction of error which always exists in all publications whether Government or non-official. Of course there are exaggerations on both sides, but I think that will be only to a limited extent. The question I want to refer to is the question of net assets which is based on one supposed fact by the Government that the tenant and the landlord share half and half. From the publications I have referred to I am going to prove that the tenant never takes half but much less than the landlord, usually one-third to one-fourth of what the landlord takes. I might draw the attention of the House to page 27 of 1933-34 Accounts. On this page income of the tenant is given in one column and the expenditure is given in the other and the deficit in the third. I find that all the six tenants are running at a loss. Unfortunately it is a deficit year for them also.

Tenants.

- (a) income is Rs. 332, expenditure is Rs. 528 and deficit is Rs. 196 ;
- (b) income Rs. 281, expenditure Rs. 484 and deficit Rs. 153 ;
- (c) income Rs. 279, expenditure Rs. 449 and deficit Rs. 170 ;
- (d) income Rs. 152, expenditure Rs. 556 and deficit Rs. 404 ;
- (e) income Rs. 205, expenditure Rs. 465 and deficit Rs. 260 ;
- (f) income Rs. 184, expenditure Rs. 391 and deficit Rs. 147.

For convenience I have dropped annas and pies.

Altogether income is Rs. 1,435 and expenditure is Rs. 2,770 and deficit is Rs. 1,334 and deficit on the average comes to Rs. 222. Now the mystery is how these tenants live and carry on and make up these deficits. That is a problem to be solved and I refer you to the next page of this publication wherein reasons are given that such and such a tenant has gone home to his old district and mortgaged his land or sold his land or bullocks, though not all of them, or gone under debt and made good the deficit. That is how they are going on. My crucial point is this that this assumption on the part of the Government is wrong, because the share that goes to the landlord is much more than the share that goes to the tenant and the tenant is pulling on only because of reasons just now mentioned. I now refer you to another book of the Board of Economic Enquiry, namely, Punjab Farm Accounts, 1930-31 and 1929-30. From facts and figures given therein you will find that the share of a landlord in 1931-32 was Rs. 16-7-9 whereas the corresponding share of the tenant was only Rs. 4-0-5 ; the landlord got four times more than the tenant. Next year 1930-31, the landlord got Rs. 10-14-6 and the tenant got *minus* Rs. 5-8-10, again a difference of three times. Next year 1929-30 a landlord got Rs. 28-1-10, per acre, while the

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tenant got Rs. 6-4-2 per acre and so on. In 1928-29, Rs. 24-13-10 is the share of the landlord per acre while the share of the tenant is only Rs. 9-0-8 and in 1932-33, total amount that a landlord got out of that farm was Rs. 141 and the tenants got only *minus* Rs. 96, that is to say, he made that amount from other sources. How on earth, then, can we presume that thing? How can the landlord and the tenant get equal shares? He does not and that is the reply to the argument of the Government. I should say that the tenant pinches himself too much.

Then again, concession is given to us for the interest on the capital spent. A man from Lahore buys 5 squares for Rs. 80,000 or say Rs. 50,000, as they are cheaper now. What return does he get? You take revenue on certain basis of net assets. You never give him any concession by way of interest which he would otherwise have earned. If Government sells land in colonies on instalments, do they not charge interest? Is it fair to follow one principle in one case and another in the case of another? Further the cost of keeping bullocks and the question of their maintenance come in. Last and not the least there is the question of wages. It is only fair that we should get some wages for all the labour that we put in. The argument from the Government side is going to be that they take out the revenue from the landlord's share. The tenant goes to the dog in a way. As I have shown from facts and figures, the tenant has to bring from his old home or borrow to pay the landlord his share and the Government its revenue. Landlord does nothing to improve the condition of the tenant, and his condition is pitiable as is clear from these facts and figures. What I would like to suggest to the Government is that the definition of net assets should be gross-assets *minus* the following expenses of cultivation as ascertained or estimated. Ordinary expenses of cultivation include payments, if any, which the land-owner customarily makes whether in kind or in cash either in whole or in part in respect of water rate—on this I am going to dwell later on when the cost of cultivation will be discussed. Water rates are not inelastic, so to say. Second thing is maintenance of means of irrigation—that probably you allow; maintenance of embankments—that probably you also allow; seed supplies, manures, implements of husbandry, fair daily wages of cultivators and their families working on the farms—these are the most important; and lastly interest on capital invested and replacement of capital, cost of bullocks, their depreciation and maintenance, wages due to artisans and menials. That is what the definition should be. Therefore this is only a thing which a committee can go into thoroughly and not myself personally or anybody else. This is a thing of the greatest importance, and if the Government says that in 1928 we framed a definition, I would say that that is a misnomer. Even the Taxation Enquiry Committee of 1924 was very doubtful whether any definition of net assets included payment of labour.

Now I pass on to the other portions of my resolution. These again are of fundamental importance because of the introduction of a new system of assessment, a revolutionary change, as it has been described, that has come in recently. This, again, is a question of utmost importance both, I should say, from the Government point of view and the zamindar's point of view, and the Government should always placate and look to the interests

of the zamindars so as to keep the zamindar alive in order to be able to get proper revenue at the proper time and run the Government properly. I, therefore, want you to be fair. Before I go on to take the actual proposition I must describe how the Government arrive at its due share. What they do is like this. A certain area is fixed as a circle. In that circle the total acreage under crops is found out. For instance, say there is a circle of 25 acres. You will find that 37 per cent. or about 9 acres of that is under wheat and one acre is under sugarcane and about 8 acres under cotton and so on. Then the prices of all these crops are found out, a fair average of prices prevailing for the last few years is taken, just to give an indication of what prices will prevail in the years to come. The produce is multiplied by the prices of the commodities and then the percentage of cropping is taken out to find out the total income, the so-called gross assets of that circle. After these deductions you get the net assets as they are called, which is the profit of the landlord and out of that the Government is entitled to its share of 25 per cent. Now in many districts the share is much less than 25 per cent.; in some it is going to approach 25, while in future settlements they will try to make it as near 25 per cent. as they can. This is the method so far adopted. Since the Lyallpur settlement started, the Government incorporated a new policy, suggested by some members of the House, that the Government should charge according to the rise or fall in prices. If the prices rise, Government share of the net assets, although the percentage would be the same, would also go up and land revenue would go up in consequence. Under this new system Government has taken an arbitrary level of prices as the commutation price, and that is given in the schedule attached to the *communiqué* about the land revenue system issued by His Excellency the Governor and the then Revenue Member. Under that announcement the prices are far above what they are going to be or what they have been. Of course it is said that they are the average of the last twenty years. All of us remember quite well that we had a discussion here about the abnormal prices of 1919 to 1929 and the Government did not agree to omit these years as being abnormal. But compared with the present level, the level taken into account in the new system would be much higher than what we can ever expect, even though there be wars, for the wars in future are not going to last very long and again they will not have the same effects as they had before. All the important countries of the world have become self-sufficing as a result of the lesson of the last War, and we have to take note of the fact that no country is going to buy from us even if there is a long war. The prices taken in the schedule to which I have referred are as follows: For American cotton, the price was something like 200 annas, for desi cotton, 168, for wheat 60 and so on. Actually these figures are far above the level that we can ever expect. The yields are going to be multiplied by these prices in annas and percentage cropping. This will give a certain index number. That will fix the arbitrary demand which the Government can make when the prices do go up to the level which they have fixed. But for the time being, when the prices are low, Government would work out an index number on a similar basis and if that index number is 50 per cent. of that arbitrary index number, then the zamindars will be asked to pay only 50 per cent. and so on. If the prices go further down there would be more remission, if they go down just a little, the remission would be less, —it will all the same be called a remission. I

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shall presently show that that remission is going to be only a paper remission. In actual practice when the prices are low the effect will be noticeable and, as the Honourable Finance Member in his budget speech just the other day showed, we would probably be down by Rs. 20 lakhs in the case of Lyallpur alone.

Another presumption that is wrong in that system is this and that is its greatest defect to my mind, although I am a supporter of that system. The Government somehow presumes that the costs of cultivation fall in the same proportion as the prices fall. I shall prove here and now that that is an entirely erroneous presumption, and I want the Government to pay some attention to this contention, in fact it is the chief reason why I have brought up this resolution. It is a matter which can be looked into only by a committee and not by an individual. Take for example that the prices of the produce of 50 maunds of wheat is Rs. 100. Now the cost of cultivation is something like 60 or 70 per cent. or even more. I think the agricultural research department of the Government of India would be able to tell us what the cost of cultivation is. It will be Re. 1-8-0 to Re. 1-12-0 for wheat, about Rs. 32 for an acre of cotton and over Rs. 100 for an acre of sugarcane. All the same I can assert that in the case of wheat of which I am talking now it would not be less than Re. 1-8-0 per maund and not more than Re. 1-12-0. At the average rate of yields of 13, 14 or 15 maunds an acre, the amount would be something like Rs. 22 for an acre. For the sake of convenience I would put it at 70 per cent. I want to draw your attention to another table worked out by one of our famous economists here, Professor Brij Narain. He has worked out that if the prices are 40 per cent. below the scheduled prices, as I may call them because they were published in the schedule and if the cost of cultivation goes by 40 per cent., then the net assets fall by 25 per cent. and the Government will get 25 per cent. It is only at a certain level of prices that the Government gets according to their calculations. But as we depart from that level of prices, the fall or rise does not harmonise in the same way in the case of price and of the cost of cultivation. The result, as the professor has worked out, comes to this. If the fall of prices is 40 per cent. and the fall in the cost of cultivation is only 35·72 per cent., the net assets fall by 50 per cent. and the Government share of the net assets rises to 30 per cent. That is a crucial point and, I admit, difficult to understand. It is a pity that I have not got here a blackboard to actually work out the figures. But honourable members may take it that the figures have been carefully worked out and they show that if the cost of cultivation falls only by 33·36 per cent. the net assets fall by 62·5 per cent. and the share of Government goes up to 40 per cent., 15 per cent. more than the limit of 25. Again, if the cost of cultivation falls by 27·15 per cent., the net assets fall by 70 per cent. and the Government's share goes up to 50 per cent. If the cost of cultivation goes down by 25 per cent., the net assets fall by 75 per cent. and the Government's share goes up to 60 per cent. Again, if the cost of cultivation falls by 21·43 per cent., the net assets fall by 80 per cent. and the Government's share rises to 75 per cent. Lastly, if the cost of cultivation goes down by 20·72 per cent., the net assets go down by 85 per cent. and the Government's share becomes 100 per cent. Is that not anomalous and very difficult to understand?

All the same it is very easy to demonstrate and I can explain how it is so. If you look up the farm accounts of 1930-31 and 1931-32, you will find that the total income falls from Rs. 896 in one year to Rs. 550 in the next year. The cost of cultivation (which includes abiana which is about Rs. 90 in both cases, and the harvesting and winnowing, I exclude labour for the time being) falls from Rs. 135 to about Rs. 119. Talking in percentages, the prices fall 88·6 per cent. and cost of cultivation falls by 12·2 per cent. Thus income becomes $(100-88·6)=11·4$ and cost of cultivation $(70-8·5)=61·5$. That means practically no net assets and no share of Government. The cost of cultivation consumes the whole income. In other words, it means that the Government take in that year 100 per cent. It is a pity that I have no blackboard here, otherwise I could have made it very clear. However, I shall take a hypothetical case, for that would be easier to understand. Imagine before your eyes on the left hand side the figures of Rs. 100, as the price of produce and imagine the cost of cultivation to be Rs. 70. Out of Rs. 70 the deduction is only Rs. 10. That gives us Rs. 60. On the other side, you have 100 minus 38, something like 62. That means that the cost of cultivation is about the same as the total income that you get out of the produce. That is nearly cent. per cent. and there are hardly any net assets and there is hardly any share left for the Government. Will the Government say that they would not get more than 25 per cent. in such a case? In certain cases, which I shall explain to any one interested to know, the Government will take cent. per cent.

This brings me to part (e) of my resolution where I want the figures to be worked out for certain years in regard to Lyalpur. Nine or ten months ago, when I made the point here, the Honourable Sir Donald Boyd maintained that my contention was wrong. I have here got facts and figures which I would like the Government to verify and I should like to be corrected if I am wrong. Here is the information furnished to me by a certain farmer who is now the president of the Zamindara League. He had sown his seed, taken care of his crop and he found when the crop was ready that a balance of Rs. 846-4-6 had to be paid by him to Government as land revenue, abiana and other dues. I shall draw the attention of the Financial Commissioners to this particular instance. The land is first class. At any rate, it was so at the last settlement and it may be so even now. In rabi 1932, this was the position and a warrant for attachment was issued against the land-owner on 17th August, 1932, for a sum of Rs. 846-4-6. He said: I am sorry, I have no cash. Government could not help it. They attached his crop. The crop was raised by Government, it was thrashed by Government, and was finally sold by Government. The land-owner had nothing to do, he did not get a penny, he only supervised the thing, he only took receipts from the Government officials that so many maunds of cotton, so many maunds of wheat were collected and so on. I have got his register with me here. After taking the whole crop there was a balance of Rs. 743-2-6 standing against him. The story does not end there. The landlord said: I shall sow again, I will borrow seed, I will live on debt and shall give the crop to be raised by Government again. Again the Government had to take the crop. A warrant for attachment was issued on 17th March, 1933, and the next crop was also attached and raised by Government. The balance this time standing against him was Rs. 793-9-0. (*An honourable member*: Was no

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 interest added ?) I do not know what the Government did. That only the Government can say. I may inform honourable members that on both these occasions he was only a servant of Government who managed the whole thing and found out that after deducting their revenue they found that there was still a balance due to Government. (*An honourable member :* Are you sure that there was no leakage ?) That I do not know and it is for the Government to tell us if there was any. What happened next ? Again, a warrant of attachment. I think he has been in the lock-up on two or three occasions. The kharif crop of 1933-34 was again attached. On 15th March, 1934, he gave up his crop and after the sale of that crop there was again a balance left of Rs. 491-1-3. The poor fellow did not get a penny out of the land. (*An honourable member :* What was the area of that land ?) I think he owned along with his brother five squares. The crop was again attached on 4th September, 1934, and on this occasion again the balance due was Rs. 671-11-6. The last kharif again was attached on 3rd April, 1935, and again there was a balance left of Rs. 781-2-0. Where would this end ? (*An honourable member :* Why did he not give up cultivation ?) Because he wanted to assure the Government that there were no net assets. What else could he do ? What happened next ? During the last elections when so much was due from him, one of his friends who was a candidate of that constituency asked somebody to stand surety and that money was realised from his surety and now he is going to borrow from that candidate to pay up.

That brings me to the last portion of my resolution. I must hurry up because other important resolutions are coming up. I would like Government to go into these things. Government should appoint a committee of inquiry. There is a good deal of study and research to be done and that can be done only through a proper committee of inquiry. For that committee of inquiry I suggest very eminent persons like the honourable friend sitting opposite (*Mr. Manohar Lal*) who is a great economist. If he is on such an inquiry it will be a great help to us. Then you can put Rao Bahadur Chaudhri Chhotu Ram who is so much interested in this question. Then if you do not mind a gentleman of the views of Professor Brij Narain—he is a socialist but we have nothing to do with his ideas—he will be very useful. We can take some of the experts like the Financial Commissioner, Development. I am sure he will be most helpful because he knows a lot about the matter. Recently when we took a deputation of the settlement committee to him he put in three hours and discussed matters thoroughly. We must have worried him a lot but he is a man who patiently tried to understand all the points which we had to bring up. Then we can have the Honourable Minister for Agriculture and our capable Finance Secretary whom we welcome back among us. I would like such a personnel for this committee, so that they will give their full consideration. The result is bound to be satisfactory and useful.

With these words I request all the members of the House to give me support in this fundamental and important thing which is really very necessary in the future so that we should know how much we pay. It does not matter how much we pay, whether we pay 60 per cent. or more. We do not mind paying even 80 or even 100 per cent., but we do want to know

how much we are paying. "مورالہذا سب سے زیادہ بڑا چیلنج ہے"
This is what we do not like. I hope there will be no hesitation in appointing such a committee of inquiry.

Mr. President : The resolution moved is—

This Council recommends to the Government to appoint a committee composed of officials and non-officials to—

- (a) fix the meaning of 'net assets' ;
- (b) investigate the extent to which costs of production have fallen or risen with the prices of agricultural produce ;
- (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 ;
- (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 ;
- (e) determine what percentage of the net assets Government has actually been realising in the Lyallpur district during the last few (five) years.

The Honourable Nawab Muzaffar Khan There is just one point. I was carefully listening to the honourable member, but I have not been able to understand his part (c) of the resolution. He has not explained its meaning.

Mian Nurullah : I can go over it again.

The Honourable Nawab Muzaffar Khan : I simply wanted to ask the meaning of clause (c).

Mian Nurullah : I have pointed out by example that if there is a fall of 40 per cent. in prices and the fall in cost of cultivation is less, then the Government begins to take much more than 25 per cent.—a thing which I quoted from Professor Brij Narain's book. Government at low level of prices begins to take more than its due share of 25 per cent. which I have just proved from facts and figures.

The Honourable Nawab Muzaffar Khan : I have now understood the point.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural) : I rise to support the resolution so ably moved by my honourable friend from Lyallpur. In fact he has so fully dealt with the question that very little remains to be said. But it is for me to say that on account of this high assessment the zamindars are being ruined. Go to any village and you will see the condition of the people—most miserable, starving, ill-clad and having no means to educate their sons and marry their daughters and many of them probably dying. The thing is that Government unfortunately take a certain principle which they call "land revenue according to net assets," but in practice they have never adhered to this principle of net assets, and I am surprised to hear this talk of Government charging land revenue from the zamindars according to net assets. Government has been increasing its expenditure and in order to meet it, it has been levying higher rates of land revenue on the zamindar. As my learned friend has pointed out the net assets which they claim as basis for their land revenue is taken from the rent which the tenants pay, but in fact the tenants should be made to pay only rent for land. Suppose in a village there are 100 men. Out of them 50 own land. Where are

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the other 50 to go to? They take it on rent no matter how exorbitant that rent is. No matter how pressing and how tyrannical that rent may be, it is on that basis that land revenue is levied. The main principle in the theory of land revenue is that the State takes from the land-owners a certain proportion which varies according to the capacity of land and the previous governments from whom the present Government has inherited that principle used to take very often rent in kind. If the Government were to accept the principle of net assets and take land revenue according to that principle it will become poor in no time. In the first year it will get nothing. After paying for the wages of labour, cost of seed, cost of bullocks, cost of keeping watch over land and the cost of building there will be nothing left. That is why Government pretends that it takes revenue according to net assets. Suppose the Government insists on saying that it takes land revenue according to net assets, what is the justification for raising the demand on the district board rate? Everybody knows that the local rate was about 3 per cent. of the land revenue. Then it was raised to 5 per cent., then to Rs. 8-5-4, and now recently a few years ago they have raised it to 12 per cent. That shows that it is increased to meet the increased expenses. Why not come forward and say that your expenses cannot be defrayed if you charge according to net assets, therefore you charge according to your expenses? What is improper in that attitude is that in order to justify their position the net assets have been increased from year to year. Who would deny that the capacity of land which is not irrigated by canal water has deteriorated? The produce has become much less than it was before. The production has been decreasing and land revenue increasing year by year and yet it is stated that the land revenue is charged according to net assets. Why does Government pretend to be charging according to net assets? Because it cannot take land revenue on any other principle. The Government cannot ask the zamindar to meet its expenses which are daily increasing. Government cannot say that; what Government says is that net assets have been going up year by year and therefore it is imposing higher and higher rates. Compare the rates of land revenue prevailing in several villages in the Ambala district and in some other districts with the rates that prevailed when the first settlements were undertaken about the year 1860 or so, and you will find that for the same land which paid only 2 annas of land revenue 8 annas is now being paid, and it is for the areas which are not commanded by canal, it is for the areas in which the zamindar can only trust to Heaven for the ripening of the crop and not to canal. What is the justification of raising the land revenue to four times? For that reason I think the resolution is very good because it will give to the zamindars an idea of what the Government is charging, whether Government is charging according to net assets or not. As I have said Government cannot charge on any other principle.

Then my friend has told us how net assets are calculated, but I think there are other factors which are brought to bear to determine the net assets. For instance, the general procedure is that the tahsildar or the revenue assistant generally in each circle asks the patwari to preserve a certain plot of land and to take care of it, keep watch over it, reap it and to store the produce. Then the officer comes to find out the produce of the land. The

zamindars know that that is not the only crop which they have to guard and that is not the only field. So they pay little attention to it and the result is that it is very often eaten by cattle and of course the produce from other fields is brought on to the field and it is put down in the Lal Kitab and from that estimates are made. Of course the Government may say, "Look here, we have taken the net assets from the tenants paying land revenue. We have been more moderate than we actually should have been." But that is not the proper way of looking at things. The main factor that the Government

should have in view is the present plight of the zamindar. He is getting poorer and poorer and is almost starving. He is not able to educate his children. If many of them have been paying land revenue so far, it is by selling their cattle, their household utensils, ornaments and such other things. They sometimes sell even their daughters in order to pay land revenue. Such is the plight of the zamindars. Government should take note of these conditions. If instead of that the Government goes on charging more and more, that is not fair. If the Government expenses are going up and they want more revenue, it is not the poor zamindars that should be further burdened. Either the Government should reduce its expenditure or it must try to find other sources of revenue which will not touch the pockets of the zamindars. A wholesome resolution was passed by this Council in 1928 which fixed the land revenue up to 25 per cent. of the net assets. But in many districts this limit has been exceeded. I am told that in the Lyallpur district they are charging more than 25 per cent. This should not be the case. If the Government is not going to pay heed to the pitiable conditions of the zamindars, a time will soon come when these zamindars will refuse to pay land revenue not because they would be unwilling to pay but because they would be unable to pay. Even now many zamindars have been sent to jail for not paying land revenue, and what is worse is that these people in lock-ups are asked to pay for their own expenses of food.

The Honourable Sir Donald Boyd : I must say that that statement is not correct.

Chaudhri Allah Dad Khan : I am giving out my own experience as tahsildar for twenty years. The zamindars are asked to get their food from their own homes and if the tahsildars present a bill of cost of their food, the deputy commissioner, says, "This is a very big bill, it is more than the land revenue you have to recover." No one can deny this fact. The Government should take note of this fact before sending a zamindar to the lock-up, not for refusing to pay land revenue but because of his inability to pay it due to the successive system of exploitation of the poor zamindars. On a previous occasion I showed that Government was taking 80 per cent. of the net assets of the zamindars. But now the standard of basing land revenue has been reduced; still it is more than 60 per cent. The Government members have only to imagine how they will feel if 60 per cent. of their salaries are taken away by Government. I am sure many of them will take leave and go away or will resign their offices. The zamindars have been the strong support of the Government and it is therefore not proper to burden them with such heavy rates of land revenue. It is not fair to take advantage of the meek attitude of the poor zamindars in paying his land revenue whatever that may be without murmur and impose additional burden on them. I

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know there is nobody in this chamber who does not sympathise with the zamindars in their present pitiable plight. I therefore hope that this resolution will be adopted by the House unanimously. With these words I strongly lend my support to the resolution.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I think it is only fair that I should say a word both to the Government and to the zamindar. Certain things have been said which are contrary to the conventions of settlement operations. There seems to be some misapprehension about the net assets. *Net assets* have been defined by Mr. Nurullah as the surplus produce after deducting the cost of cultivation. The question now is, what are the factors on which net assets are based? There are several factors, and I do not think any useful purpose will be served by the appointment of a committee of officials and non-officials to go into this matter, because there is not a single factor which has been omitted from the instructions for the settlement officers. The various factors are, first to find out the total area of crops on every kind of soil. For this purpose the unit is the assessment circle. In this many estates are grouped. Then the settlement officer has to fix the soils and then cropping is taken into account. Then the yield is found out by crop experiments from the account books of mortgagees, the books of landlords, from the books of banias, from market prices, from the gazette prices, by the experience of the settlement officers who go out at the time of the girdawari or crop inspection and find out what the yield is going to be. He is not a good settlement officer who is not able to find out at the time of inspection of the field what the amount of yield is going to be in a certain field. He should train his eye for the purpose. These are the instructions for him and these the data on which he is to work. (*An honourable member*: Are they acted upon?) Yes, as far as is humanly possible. Then there is the question of prices which are called in common parlance commutation prices, that is, prices which are used for multiplying the total area of crops for every crop. These commutation prices are taken on the basis of the prices of the 20 or 30 years for which the expiring settlement has been in operation, excluding, of course, those prices which are abnormal on account of drought or famine or for some such other cause. There are other factors also such as rents, that is batai, zapti rents, and so on. All sorts of rents have to be taken into consideration and then the area on which all these sorts of rents are paid is multiplied by the amount paid for each kind of crop and soil and then the whole thing is worked out. The area under batai is separately calculated, the area under zapti is separately worked out and so on. All sorts of these things are taken into consideration. Then the settlement officer has instructions not merely to blindly take into consideration these arithmetical calculations. He has to see whether there are sufficient number of tenants to cultivate the land, what the depth of water in the wells is and so on. Meticulous care is taken in issuing instructions that no item is omitted. It is another matter whether all these instructions are carried out in full or not. As far as Government is concerned, as far as the finding out of the net assets goes, there are instructions which are full and complete. Therefore as I said in the beginning no useful purpose will be served by appointing a committee to go into this question.

The only question that remains about which sufficient care has not been taken is the factor of labour involved in the cultivation of land. In the case of income-tax Government allows the expenses of carrying on a business to be deducted from the gross earning for the purpose of calculating the amount of income-tax to be paid. If a person runs a shop all the expenses incidental to the running of the shop is deducted from the gross earnings and only the balance is assessed to income-tax. Similarly there seems to be no reason why the expenses of labour of cultivating the land should not be deducted from the gross earnings of a zamindar for the purpose of assessing the land revenue. (*An honourable member*: Is the cost of labour of the shopkeeper himself deducted for the purpose of assessing income-tax?) It should be done. Similarly no interest is allowed on the capital sunk by a tenant or by a peasant proprietor in the cultivation of his land. Very little in actual practice is allowed for the replacement or for the purpose of bullocks or for improved implements of husbandry. I have never heard of anything to the effect that a settlement officer has allowed any amount for improved implements of husbandry.

The Honourable Sir Donald Boyd: It is on rent that you base the estimate of net assets. May I ask the honourable member what the costs of a tenant's cultivation have got to do with the net assets? In taking rents as a guide to net assets, you take away all that the tenant has spent. It is on rent that the assessment is made.

Khan Bahadur Malik Zaman Mehdi Khan: The reason why I take into consideration the cost of cultivation is that it may be deducted from the gross produce.

The Honourable Sir Donald Boyd: It is.

Khan Bahadur Malik Zaman Mehdi Khan: Why should you object to it then? Where was I wrong then? My point is that no further instructions are necessary and no useful purpose will be served by the appointment of a committee, because there is no further field to explore but you may take into consideration the omissions pointed out by the mover and by myself. So, for these reasons, I oppose the resolution.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): Sir, the object of the committee is not only to explain the meaning of 'net assets,' but it is to change the definition of 'net assets' as well. My honourable friend who has just sat down said that there is no detail which is left out from the instructions for the settlement officers. Most probably that is correct; but there are certain omissions which no doubt have been left out. This reminds me of a popular story of a patwari crossing a canal or a river. He took the average depth of the stream and thought he could pass with his family quite safely through it. But the poor fellow omitted to consider one point that despite the fact that the average was low, the water might still be very deep at certain points. In the same way the phrase 'net asset' is thoroughly discussed and every detail about it is given and perhaps those details sometimes look like overdoing, but all the same they have omitted one thing and that is the depth of the stream. They do not allow the cost of labour, which should be a major portion of the cost of production.

The Honourable Sir Donald Boyd: May I ask if the honourable member would advocate a resettlement at every harvest?

Sardar Sampuran Singh : I do not mean to say that there should be resettlement at every harvest, nor have I said a single word which would indicate that. What I mean to say is that they have made a very big omission and that is the labour of the cultivator. The phrase 'net assets' itself seems to have no meaning unless you take into account this item as well. But this is always eliminated. Does the Government consider that when using the phrase 'net assets', it should not have the meaning given in the English Dictionary? It is, therefore, absolutely necessary that there should be a committee which should define these words and we should not give false meaning to the phrase 'net assets' which neither a layman nor a literary man would give to these words.

There was an objection that the pay or wages of the proprietor of business is not considered and it is only the pay of the munims or the clerks which is taken into consideration in assessing income-tax. But a very big omission has been made so far as the agricultural land is concerned. A square is sometimes bought for Rs. 10,000 and people have gone so far as to pay to the Government Rs. 50,000 for a square in the Lyallpur district. If you would only consider the interest on it, even at a very low rate, say, 3 per cent., then you will find that it does not pay anything so far as the investment is concerned. But when assessing income-tax the interest is allowed on the capital outlay or say that part of it which has been raised as a loan. If a person buys a house or raises a loan and spends Rs. 20,000, they will allow interest on that investment till it is paid back and is excluded from the income when assessing income-tax. But that is never done in the case of an agriculturist. With these words I support the resolution.

Mr. A. Latifi (Financial Commissioner, Revenue): My honourable friend who represents Sheikhpora has cleared so much of the ground that it is not necessary for me to say very much. I may begin, however, by observing that it is unfortunate that the honourable mover who appears to have devoted a great deal of research to the study of this question has omitted or at all events did not disclose having perused the proceedings of this very Council when the Land Revenue Amendment Act of 1928 was passed and he also apparently did not look up the relevant sections of the Settlement Manual which contains the law as well as the regulations on the subject with which his resolution is concerned in as complete a manner as he would desire. The position I take up, therefore, is that the appointment of any committee of the sort which the honourable member desires is quite unnecessary and would be a waste of public funds and of the time of the official and non-official gentlemen who may be required to serve on it. I am rather puzzled as to the way in which I should deal with the various points raised by the honourable mover and the gentlemen who have succeeded him. But I think perhaps I might begin with the honourable mover. He began by saying that the whole of the definition of our 'net assets' is based on the fallacy that all land in the Punjab is cultivated by tenants and that this definition apparently forgets the peasant proprietor. The framers of the land revenue policy in the Punjab as also the framers of the legislation of 1928 were under no such delusion. It has always been fully recognised that more than half of the land of the Punjab is cultivated by peasant proprietors. At the same time it is also recognised that it is impossible in fact to estimate the profits of the net assets merely on the profits of the peasant proprietor. This

is very well illustrated by a statement which I might quote, made by Sir Fazl-i-Husain in this House on the 5th of May, 1928, and this statement will also meet another objection which was raised, I think, by the honourable member from Lyallpur, regarding depreciation of bullocks. Sir Fazl-i-Husain said, referring to an amendment to the Bill—

The proposal of the honourable mover as to the inclusion of the expenses of depreciation of cattle in the ordinary expenses of cultivation was so fair and just that none would dare to oppose it provided that it was not already included in the Bill. The remuneration given to tenants does include expenses of depreciation of cattle in it. I therefore submit, Sir, that the amendment proposed by my friend is superfluous and irrelevant.

Then he goes on to say—

Sir, the real point at issue was whether the proportion of net assets was to be determined from the view point of self-cultivating owners or from the point of view of rent receiving owners. The select committee favoured the latter view.

The whole matter was, therefore, considered in all its aspects in 1928 by a committee as competent, if I may say so, as any that will be appointed by this House, and that committee definitely came to the conclusion that the balance of advantage from the point of view of the cultivator lay in adopting the methods that we have ultimately adopted.

Shaikh Muhammad Sadiq : Then why object ?

Mr. A. Latifi : We are not objecting. It is the honourable mover who objects. Now another extraordinary proposition which the honourable mover put forward—I hope I understood him aright—was that Government always takes it for granted that the landlord everywhere “takes half the produce.” Well, Government take nothing of that sort for granted. I do not know whether I should waste the time of the honourable members by quoting the Settlement Manual ; but the instructions definitely lay down that the settlement officer should carefully determine what the landlord actually gets and the instructions warn the settlement officer that very often the landlord’s paper share as given in the revenue records is no true guide to his actual share. For example, it is pointed out for the guidance of settlement officers that the actual amount stolen by tenants and their families, in certain tracts where this practice prevails, should also be taken into account. These similar instructions warning the settlement officer as to the exact amount to be debited to the landlord are to be found in the Settlement Manual, Chapters XV to XXV.

The point raised by Sardar Sampuran Singh was with regard to the wages of the tenant. I think the Honourable Finance Member has already pointed out in the course of this debate that all this is included in that statutory definition of net assets and I am rather surprised that this point is being again raised. I imagine that one of the reasons why there is so much misunderstanding about this particular matter is that the last clause in the explanation at the end of section 3 (18) of the Land Revenue Act (which defines net assets) is not sufficiently understood. From this clause it is evident that the rent received by the landlord represents the net profit of the land after deducting all the tenant’s expenses including the wages of the tenant himself. A tenant who agrees to pay any given amount as rent surely agrees to pay it after taking into account all his expenses, including his own wages. It is not, therefore, unfair as laid down in the Settlement Manual (paragraph 6, part D of Appendix I) that “the ‘net assets’ of an estate

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mean the average surplus which the estate may yield after deduction of the expenses of cultivation. A full fair rent paid by a tenant-at-will, though sometimes falling short of the net assets, may generally, in practice and for purposes of assessment, be taken as a sufficiently near approximation to them on the land for which it is paid."

The honourable mover quoted a number of details which he has culled from certain farm accounts published by the Board of Economic Enquiry. I have no doubt that facts and figures of this kind will be borne in mind by the settlement officer to the extent to which he regards them as relevant and reliable, and, indeed, even if such a data is not available, a settlement officer is required to collect them himself. For example in paragraph 341 of the Settlement Manual it is stated that it may be useful to work out a separate estimate for an ordinary well-holding actual or supposed of crops raised within the well area should be taken into account, secondly estimates may be framed on the supposition that the land is not cultivated by a tenant, in the latter case the deductions from value of rates produced in order to obtain the net assets will include reasonable interests on the initial cost of purchasing bullocks, the annual cost of repairs, the cost of seeds, wages of labour, etc. All this is taken into account. I will not take any more of the time of the House because there are various other matters which concern my colleague with which he will no doubt deal adequately. (*Cheers*).

Mr. M. L. Darling (Financial Commissioner, Development) : I could have wished, that on the first occasion on which I am privileged to speak in this House, I did not feel obliged to oppose a resolution which is clearly dictated by sympathy for the Punjab peasant. I trust that no one will call in question my sympathy for the Punjab peasant, but at the same time, it is well to remember that there are times when sympathy must be kept in check by other forces, the forces of the brain. This present motion seems to me such an occasion since it raises both a legal point and a fiscal point. When it comes to the legal interpretation of an Act, it is a question whether there is any room at all for sympathy, and when one has to determine one's attitude towards a fiscal point, sympathy must be held in check by the consideration that action taken by this House might have a serious effect upon the finances of the province. My honourable friend the Financial Commissioner, Revenue, has dealt with the legal aspect of the question, but as the question of settlement is a highly technical one, I may perhaps be allowed to repeat one or two points. I confess that three or four weeks ago, before I went to Lyallpur to study the question of the Lyallpur assessment, which has been much debated this afternoon, I was much more ignorant than I care to admit now of the actual law and rules of assessment. But there seems to me no doubt now, after careful study, that the law and the rules rest upon resolutions passed by this House, and are, therefore, not to be lightly amended. The essence of the law is that (i) assessment should be based upon rents rather than upon the actual surplus or deficit of a cultivating owner, and (ii) this estimate should be formed in terms of a sufficiently long period of years and in respect of four main factors. These are firstly, the area under cultivation and which is likely to mature from harvest to harvest ; secondly, the cropping of that area, and thirdly the yield which the chief crops may be expected to give from harvest to harvest, and finally the course-

of prices. You will understand that when you are dealing with factors as important as those I have mentioned for a period which by a resolution of this House is now to be 40 years, you can only proceed upon estimate. You cannot proceed upon publications even as valuable as those which have been quoted here to-day, those of Professor Brij Narain and the Board of Economic Enquiry. In passing, I should like to say in regard to the latter that these publications are undoubtedly of the very greatest interest, but they deal with the cultivating tenant, whereas the assessment must deal with, as my honourable friend the Financial Commissioner, Revenue, pointed out, with the rent receiver. Further, if we look to the figures for the three years ending 1933, as far as canal irrigated lands are concerned, they deal only with 156 acres. Now, I put it to the House whether any prudent man in dealing with an area of over a million acres such as is the case with the Lyallpur district—not to speak of the 30 million acres of the province as a whole—I put it to the House whether any prudent man would consider himself justified in drawing a final conclusion in regard to a period of 40 years and many thousand cultivators, cultivating over a million acres. Would he be justified in basing conclusions upon an enquiry, however exhaustive, however accurate, in regard to a mere 156 acres (*hear, hear*)? I do not propose to go into all the prices that the honourable mover has quoted. There is not time enough for that now. But I would like to say that, naturally enough from the point of view of his motion, he has taken years of depression to bring home the points that he is trying to make. That seems to me to be hardly fair, and if we take the figures for the two years before 1930-31, this enquiry shows that, whereas in the later years the net profit was only Rs. 18-14-0 per acre, in the two years before it was Rs. 28-15-0, that is to say, it was more than twice what it was in the slump years. It has been freely said to-day that prices will not change and that, therefore, it is fair to take the prices of slump years, but if we look only to recent years, we find that already very considerable changes have taken place. For example in 1930-31 the average price of wheat was Re. 1-9-0 per maund. Yet only two years later, in 1932-33, it had risen to Rs. 2-11-0. It has no doubt fallen again to about Rs. 2-4-0, but a well-known economist from Cambridge stated in a lecture given in Lahore only a few days ago that he was confident that owing to what has happened in Canada, this last year the price of wheat this time next year would be much higher than it is to-day. Then take the price of gur. In 1932-33, it was only Rs. 2-12-0 a maund, yet a year ago it had risen to Rs. 4-15-0. The same is true of American cotton. In 1930-31, the price was Rs. 5-9-0 a maund; a year ago it was Rs. 9-8-0 a maund. I mention these prices not with the intention of suggesting that the higher prices are likely to be those of the future—even if I were a prophet I would hesitate to say that—but only to show that even in slump years prices oscillate very considerably. Well, there is one of the four factors—prices—liable even in years of depression to such violent fluctuations that it would be very difficult to make an assessment in terms of even 3 years, still more in terms of five years, and it would be hopelessly difficult to make any estimate which could be regarded as reliable for the next 40 years. This was the difficulty which confronted the Government when it decided to adopt a sliding scale of prices. I should now like to point out that Government has tied its hand in one very serious way; that is, while it is prepared to allow remission to any extent, however much prices fall, it has bound itself not to go above the level of

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what are called commutation prices. And the effect of that upon the assessment of the next forty years may be very considerable. One speaker this afternoon said, speaking with the confidence of a prophet, that it was not possible, it was not thinkable that prices would touch the commutation level during the next forty years. And yet I have already shown that cotton has been up to Rs. 9-8-0 which is not so very far from the commutation level of Rs. 12-8-0, and that *gur* has also been up to Rs. 4-15-0. Indeed anyone who has studied prices would have to admit that there is every possibility of prices touching the commutation level in the next forty years, but when that is likely to happen no one can say. And there is also the possibility, seeing that cotton within the last ten years touched Rs. 25 a maund, that prices may go above the commutation level. No one can say whether that will happen or not, but no one can deny the possibility, particularly having regard to the unsettled conditions both politically and economically that prevail in the world at the present moment. In spite of the possibility, I will not say probability, that prices may go well above the commutation level, Government has decided in the interests of the zamindar and the peasant that, however, much they go above this level, it will not take one anna more than the sanctioned demand and that, however, much they fall, it will grant a remission in accordance with the fall. I think any one who considers that offer dispassionately will agree that it is not merely a liberal offer but a magnanimous offer an offer such as has never been made to the peasants of this province before by any ruler past or present and such as has not yet been made to the peasants of any other province in India. (Cheers). Now the effect of that offer is this. If this sliding scale had been enforced in Jaranwala tahsil in 1934-35, that is to say, a year ago, the tahsil would have had a remission of Rs. 6½ lakhs. The demand at present is Rs. 16½ lakhs, and according to the settlement officer's proposals, which are now under the consideration of Government, and under the application of the sliding scale in terms of the prices of 1934-35, the amount that would have been taken that year would have been Rs. 10 lakhs, whereas the amount actually taken was Rs. 14 lakhs. So you may say that, had Jaranwala tahsil been so fortunate as to have had its assessment begun two or three years earlier, it would have been saved in 1934-35 the sum of Rs. 4 lakhs, and what is true of Jaranwala is equally true, in terms of the appropriate figures, of the other three tahsils of the district.

A point has been made in regard to the sliding scale prices that as prices slide downwards, the proportion that Government will take of net assets will slide upwards. That apparently is due to the fact that one of the expenses of cultivation allowed by the settlement officer in his produce estimate is half the water rate, which is borne by the landowner. If the water rate remains constant, then it certainly follows that the proportion that Government takes of net assets may possibly rise. But I ask honourable members to remember the *if* in that sentence, because there is no certainty, looking forward forty years, that water rates will remain constant. Indeed if we are to judge the future by the past it will be safer to affirm that water rates will not remain constant. Only last year a very substantial reduction was made, which I understand has brought the whole level of water rates down below the point at which they were in 1924. But even if water rates were to remain constant, the effect upon the proportion that Government will

take of net assets, other factors remaining constant, would not be very considerable. But will other factors remain constant? Is there any possibility that they will remain constant? The other factors I have in mind are those I mentioned before, the area to be matured, the cropping of that area, and finally the yields. If Government were to make an allowance on account of water rate because that is constant from year to year or as long as it remained constant, then surely Government should also take into consideration the variations in these other factors. It would have to consider how much land has been cultivated, how much has been matured at each harvest, it would have to consider the yield of each harvest and also the cropping of each harvest. I think it must be clear to honourable members that if that were done, it would involve the re-assessing of a district not only every year but every harvest. Is that practicable? I personally hold it is not. And if one considers the immense amount of trouble to all concerned and expense to Government involved in a settlement, I think and hope that most honourable members will agree that it is not ever desirable even if it were possible. It follows, therefore, there is no certainty, even if water rates remained constant, that the proportion that Government would take of net assets would for a long period go above 25 per cent. Let us take again the possibility that in a particular year it will go above 25 per cent. There is nothing in the law and rules of assessment to debar Government from demanding more than 25 per cent. of net assets in a particular year, for under the law and rules it is not concerned with the effect of its assessment from year to year. Once, at the beginning of the period of settlement, it is its bounden duty to determine what shall be charged from zamindars during the period of settlement and when in effect it enters into a contract with the owners of land for the period of settlement. And once that contract has been determined it is not concerned with the effects, unless unexpected effects occur as a result of climatic disturbances, and when those disturbances are great, it has its rules of remission which in the past have been very liberally applied. Coming now to a few of the points that have been made by honourable members, the honourable member who spoke second emphasised the miserable condition of the peasants of the province. I have for the last twenty years paid much attention to the economic position of the peasants of this province and no one who has paid even a superficial attention to this question will doubt for a moment that during the last five years they have had a very hard time. And all of us who have been in close touch with them have nothing but admiration for the way in which they have borne their burdens and met their obligations. ~~(Cheers)~~ I think it would be difficult in any country in the world to find a body of peasantry that is entitled to greater respect on that ground. At the same time admiration and sympathy must not blind one to the fact that, so far as Lyallpur and the canal colonies of the Punjab are concerned, the peasantry of this province in their standard of life are well above the level of the peasantry in some other important countries. I would only quote the example of Austria. A year or two ago I found the compounds of peasants full of cattle, and when I asked them how much meat they ate, whether they ate it every day or perhaps only twice or thrice a week, I was astounded to be given the reply: "We eat it only once a year, at Christmas." "How then comes it" I asked "that you have so many cattle. Surely they supply you with meat more than once a year." And the reply was, "Our cattle go to pay our taxes." I could quote instances from other countries to show that the economic level of the

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peasantry of this province, with the exception of certain tracts, is much above the level of other important countries. And from my own observation made during an extensive tour throughout India last year I will say without hesitation that there is no part of India where the standard of living of the peasantry is higher than it is in the Punjab, and in many parts it is much lower.

My honourable friend Sardar Sampuran Singh drew an analogy from income-tax. I have been concerned with the administration of income-tax for a number of years and can therefore perhaps claim some familiarity with its not very attractive provisions. But one thing is clear to me and that is that it is not possible to draw any logical analogy between income-tax and land revenue. I will not go into my reasons for that. But our whole revenue system is based upon considerations which have no application at all to income-tax.

In conclusion I will ask the House to believe me when I say that, after studying the Lyallpur assessment on the spot for a fortnight, after visiting a number of villages, talking to many people, and receiving a number of deputations from some of which I am glad to say I was able to learn a great deal, after doing all this, I am personally satisfied that the peasant will get a square deal from Government in the matter of his assessment. In fact, I would go further and say that he will get a deal such as he has never had before and such as he never hoped for two or three years ago. (*Cheers*).

Mian Nurullah : My task to drive my point home has been facilitated by the fact that the real point behind my resolution has been touched by the last speaker. He seems to have more sympathy, he wants to go into the matter, he seems to possess much liberal views, he wants to study the matter and I am sure that during his speech he seems to have admitted many things and he has appealed to us not to press it for other reasons. He has made an effort to understand that there is some force in what we say and he seems to say that he would like to see it through if it were not to touch the fiscal side. Again, I would like in two sentences to dispose of the other two speakers who opposed the resolution—Khan Bahadur Malik Zaman Mehdi Khan and the Financial Commissioner, Revenue. They have been settlement officers for a long number of years and they have gone into the rules and the stereotyped sort of instructions and other regulations again and again for the last so many years and it is very difficult to lift the head above them and look ahead to find out that there is something that you can still do, that there is something that you can still research upon and that the whole thing has come out only after the inauguration of the recent land revenue policy of the sliding scale. That was not there when these rules were framed. When this Council passed these rules that was not the method adopted by Government. The honourable Financial Commissioner, Development, stated that prices have appreciated for the last few years. That is just a reaction to the main fall that started in 1922. It is not a serious change, nor is it a serious appreciation. When the Financial Commissioner for Revenue referred to Mian Sir Fazl-i-Husain's speech I could only think that he could not see further than what had happened and therefore he referred to the rules or the speeches already made. But the real thing why Government does not go from the tenant cultivation

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basis to the landlord cultivation basis is this. It is clear from the farm accounts from where I will show by facts and figures that the income of a *siri* landlord is much less than that of a *batai* landlord. This is the reason why Government would not go over to the self-cultivating landlord. In 1928-29 the *siri* landlord got Rs. 16-15-11 per acre, while the *batai* landlord got Rs. 33-14-6. In the year 1929-30, the *siri* landlord got Rs. 12-6-11, while the *batai* landlord got Rs. 29-6-0.

The Honourable Nawab Muzaffar Khan : What is a *siri* landlord ?

Mian Nurullah : One who cultivates himself or through his own servants. In 1930-31 the *siri* landlord got Rs. 4-1-9 and the *batai* landlord Rs. 4-14-6. In 1931-32, the former got Rs. 7-14-8 and the latter Rs. 20-8-2. The records show clearly that the *siri* landlord gets less than the *batai* landlord, and that is the real reason why Government does not want to go over to the landlord cultivation ; there is no other reason.

My point is this that it is only on account of the new system that this point has cropped up and that is what calls for this inquiry. The Financial Commissioner for Development seems to have admitted on many points that he would like this thing to be done but that it is not possible. For instance, I have pointed out that he would like the financial position of the province to be as good as it is ; it should not be affected in any way. Secondly, he has also admitted that during the last few days that he has been here he has been studying the subject, he has been studying the rules and the new method and the new implications, and in a way he is getting much wiser and I am sure that after a study of a couple of months he will come to know all the facts and then realise that there is much in this resolution, that there is some necessity of incorporating this change and that there is the necessity for an inquiry because it is a thing which has just cropped up.

Under these circumstances my submission is this that as I have said before we are prepared to pay what we have been paying. We have no hesitation in that but I would like to know what percentage we do pay when the prices fall so low as they did in 1930-31. It has been established from the book by Professor Brij Narain " India before the Crisis " that we have been giving even as much as a hundred per cent. of the net assets, the reasons being that the cost of cultivation falls only a little. This is mostly inelastic and if there is any change, it is only 10 per cent. or 12 per cent. This is the thing which my honourable friend the Financial Commissioner seems to have realised and it is on this ground that I request you again that it should not be the fall in prices that should control the revenue or that should control the remission, it should be the fall in net assets. I therefore urge and press for an inquiry committee to be set up for the purpose.

The Honourable Nawab Muzaffar Khan (Revenue Member) : Sir, after the masterly manner in which the two land revenue experts, the Financial Commissioners, have dealt with the subject, I think it is hardly necessary for me to add very much to it. There are, however, one or two points with which I shall deal. I congratulate the mover of the resolution on the sympathy which he has shown for the tenants. These are very happy signs that we land-owners and landholders have now started thinking of the tenant. Only recently when I went to Dera Ghazi Khan this was the

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question which I discussed with my friend sitting opposite Sardar Bahadur Khan, and many other prominent landholders of the district and they all realised that it was high time that the landlord thought about this very important matter. As will be observed, generally speaking in this province the tenant does not pay any portion of the land revenue. He pays his rent to the landlord and it is from that rent that the landlord has to pay not more than one-fourth of the money value of the net assets. It is for the landlord to improve the condition of the tenants. Government is in full sympathy with the tenants and they would be prepared to give relief to the tenants wherever possible in the shape of taqavi, etc. But the general question is really one for the landlords to consider. I am very glad that the honourable member has moved the resolution and I congratulate him for the sympathy which he has shown to these classes. I hope it will be practical sympathy.

Taking the resolution as a whole I think it has my full sympathy. My only difficulty is that looking at the resolution I find that it is unnecessary in the case of certain items and in regard to others it is impracticable. For instance, if you read the first portion of it, it says that we should fix the meaning of "net assets." It was not very long ago, that is seven years ago, in 1928 that this House considered the whole question very carefully, and fixed its meaning. They will remember that they fought inch by inch, and considered the Land Revenue (Amendment) Bill item by item. It was then that this definition which you now find in clause (18) of section 8 of the Land Revenue Act was adopted. The Financial Commissioner, Revenue, has read from the speech of my distinguished predecessor which would show how the whole question was thoroughly thrashed on the floor of this House at that time. It seems somewhat unfair to Government that you should seek to change the law which you passed yourselves not very long ago. If the honourable mover had any definite suggestions to make it was for him to have introduced or brought forward an amendment of the Act and not moved a resolution.

It will be observed that net assets have been very carefully defined in clause 18. They are further explained in the rules. These rules were not framed in the ordinary way by the executive Government. The procedure is laid down in Section 60-A of the Land Revenue Act and under this section it was the duty of Government to place those rules before the House. These rules too were passed with the approval of the House. I shall not take the time of the House very much, but I should like to read one rule which was then framed which would show the House the spirit in which the Government framed these rules. I would draw particular attention to rule 9 with regard to rents which runs as follows:—

"All rents which are not true economic rents and are not based on the prevailing rent-rate or the average rate actually paid on any class of land shall be excluded by the Revenue Officer from his calculations as abnormal. Thus the following rents shall be considered abnormal:

- (c) rents unduly inflated by jealousy or special local or personal conditions of a transitory character, rents so exorbitant as to be no index of the real letting value of land, and rents in which other factors such as mortgage money enter."

The Government went so far that it guarded against the Jealousies which existed in our villages and provided safeguards against them. It

will thus be observed that as far as the first portion, that is clause (a) of the resolution is concerned, it is absolutely unnecessary. Very carefully framed rules on the subject are laid down and there is no need to appoint a committee to enquire into this matter.

As regards part (b) of the resolution, it wants the committee to 'investigate the extent to which costs of production have fallen or risen with the prices of agricultural produce.' It will be observed that the cost of production varies from district to district, from tahsil to tahsil, from one assessment circle to another, and in some cases I would say even from one village to another and from one well to another. It is a very formidable task which my honourable friend proposes to place before the committee if one is appointed. He is himself not clear as to whether his resolution relates only to Lyallpur district. Obviously he could not have made any exception. His intention appears to be that this enquiry should be conducted throughout the province. As it is, the settlement officers after 30 or 40 years do not find it an easy task with all the data at their disposal. It would certainly be impossible for a committee to come to any conclusion on this point and it would therefore be absolutely useless to appoint a committee to investigate the cost of production throughout the province.

As regards clause (d) of the resolution which requires the Government 'to 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.' I respectfully point out that, we have already got a simple formula on the subject which is working quite satisfactorily. There is one thing which I would request the House to understand and it is this. This formula is a concession over and above the restrictions already imposed under the law. This is the concession which Government has voluntarily shown to the zamindars on account of the abnormal fall in prices. It is a very generous and bold step which Government has taken. The zamindars of the province have always shown common sense and great fortitude for which the Punjabi zamindars are well known in the past, and I am sure if they fully realise the advantages of this formula they will not press the matter further.

With regard to the last portion of the resolution, that is, 'to determine what percentage of the net assets Government has actually been realising,' my honourable friend has not said anything. In this connection I would like to point out that it would serve no useful purpose to determine what percentage of the net assets Government has actually been realising in the Lyallpur district. The Land Revenue (Amendment) Act, 1929, does not apply to old settlements. I would also remind my honourable friend that on account of the fall in prices Government has within the last five years or so remitted over half a crore of rupees in land revenue alone and I do not see what good the Committee could do by determining the percentage of net assets at this stage. I, therefore, oppose the resolution.

Mr. President : The question is—

This Council recommends to the Government to appoint a committee composed of officials and non-officials to—

- (a) fix the meaning of 'net assets';
- (b) investigate the extent to which costs of production have fallen or risen with the prices of agricultural produce;
- (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;

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- (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;
 (e) determine what percentage of the net assets Government has actually been realising in the Lyallpur district during the last few (five) years.

The Council divided : Ayes 98, Noes 25.

AYES.

Afzal Haq, Chaudhri.	Muhammad Amin Khan, Khan Bahadur Malik.
Ahmad Yar Khan, Daulatana, Khan Bahadur Mian.	Muhammad Eusoof, Khwaja.
Akbar Ali, Pir.	Muhammad Hayat Qureshi, Khan Bahadur Nawab.
Allah Dad Khan, Chaudhri.	Muhammad Raza Shah Gilani, Makhdumzada Sayad.
Asadullah Khan Chaudhri.	Muhammad Sadiq, Shaikh.
Bansi Lal, Chaudhri.	Muhammad Sarfraz Ali Khan, Raja.
Bhagat Ram, Lala.	Mukand Lal Puri, Rai Bahadur Mr. Muzaffar Khan, Khan Bahadur Captain Malik.
Bishen Singh, Sardar.	Nathwa Singh, Chaudhri.
Buta Singh, Sardar Bahadur Sardar.	Nur Khan, Khan Sahib Risaldar Bahadur.
Chetan Anand, Lala.	Nurullah, Mian.
Faqir Hussain Khan, Chaudhri.	Pancham Chand, Thakur.
Gopal Das, Rai Sahib Lala.	Ramji Das, Lala.
Gurbachan Singh, Sardar Sahib Sardar.	Ram Sarup, Chaudhri.
Habib Ullah, Khan Bahadur Sardar.	Roberts, Professor W.
Haibat Khan Daha, Khan.	Sampuran Singh, Sardar.
Jawahar Singh Dhillon, Sardar.	Sewak Ram, Rai Bahadur Lala.
Lekhwati Jain, Shrimati.	
Malak, Mr. Muhammad Din.	
Mamraj Singh Chohan, Kanwar.	
Muhammad Abdul Rahman Khan, Chaudhri.	

Ujjal Singh, Sardar Sahib Sardar.

NOES.

Askwith, Mr. A. V.	Mushtaq Ahmad Garmani, Khan Bahadur Mian.
Boyd, The Honourable Sir Donald.	Muzaffar Khan, The Honourable Nawab.
Bradford, Mr. W. G.	Parkinson, Mr. J. E.
Darling, Mr. M. L.	Puckle, Mr. F. H.
Fazl Ilahi, Khan Sahib Shaikh.	Rahman, Khan Bahadur Dr. K. A.
Firoz Khan Noon, The Honourable Malik Sir.	Ram Chandra, Mr.
Ghani, Mr. M. A.	Salisbury, Mr. C. V.
Gokul Chand Narang, The Hon'ble Dr. Sir.	Shah Nawaz Khan, Nawab Khan.
Grindal, Mr. A. D.	Shave, Dr. (Mrs.) M. C.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Sheo Narain Singh, Sardar Bahadur Sardar.
Jogendra Singh, The Honourable Sardar Sir.	Tate, Mr. T. B.
Labh Chand Mehra, Rai Sahib Lala.	Zaman Mehdi Khan, Khan Bahadur, Malik.
Latifi, Mr. A.	

(At this stage Mr. President left the chair and the Deputy President occupied it).

LESSER THAL PROJECT.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural) (Urdu):
I beg to move—

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.

The population of the province has increased and is still increasing and as such it requires that more schemes of colonization should be taken in hand so as to enable the surplus population to migrate to new colonies. At present loans can be had at very low rates of interest. Consequently this is the most appropriate time for starting new schemes for bringing waste lands under cultivation. This would help in lessening the burden of population on land already under cultivation. With these brief remarks I move my resolution.¹

Mr. Deputy President: Resolution moved—

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.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammdan, Rural) (Urdu): I have risen to support this resolution. The Honourable Finance Member in his budget speech referred to this scheme and said that it was being considered by the Government. After these remarks of the Honourable Finance Member one need not make a lengthy speech. I will only submit this much that if the Government intend to take this scheme in hand then this is the most auspicious time for doing so. The money market is cheap and loans can be had at very low rates of interest. Constructing this scheme at this time is not only beneficial for the people of the province but also for the Government themselves. At present due to the low rates of interest Government will have to incur less expenditure on its construction and consequently there will be less burden on their exchequer. I would request the Government to accept this resolution and forward the scheme to the Government of India as soon as possible for obtaining their sanction to enable the undertaking of the work at an early date. With these words I support the resolution before the House.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (Urdu): I support this resolution because it is in the interest of the zamindars. If this resolution were given practical effect, two tahsils of my district and also some part of the Muzaffargarh district will get water for irrigation purposes. This scheme has been under consideration for the last 40 years. For various reasons one of which was the Great War, it remained in abeyance. At one time I was also given to understand that this scheme had been completely abandoned. But I am pleased to hear that the Government have again taken this scheme into consideration. This scheme will do a lot of good to backward areas like the Thal tracts of Mianwali and Bhakhar tahsils which are at present lying barren. The zamindars of these areas will become prosperous. Not only will the zamindars become prosperous but the Government also will gain a lot for lakhs of

[K. B. Capt. Malik Muzaffar Khan.]

acres of crown waste land will be brought under irrigation. This land if it could be brought under irrigation would prove very fertile. By canal irrigation of these tracts the revenue of the Government will increase. Not only this but it is also often our experience that where land is made cultivable and the income of the people increases, crimes grow fewer.

As has been pointed out by Qureshi Sahib at present loans can be had at very low rates of interest and, therefore, it is the most opportune time for undertaking the construction of this scheme. But if it continued to remain under consideration perhaps it will never be undertaken and as it has continuously been postponed during the last 40 years it may again be postponed. If the Honourable Finance Member would very kindly recommend it to His Excellency the Governor in order that he may forward it to the Government of India for their approval and then if they also give their approval it would surely prove a great boon to the poor people, and they will feel grateful to him. The Honourable Finance Member has always been kind to the people and has been helping them in every possible way. I hope he will again help them and oblige them. In the end I will say that at the time of constructing this scheme the land which lies to the north of the railway line should be given particular attention with the object of bringing it under cultivation. This land which lies to the north of the railway line if irrigated will prove more profitable than the land that lies to the south of the railway line. I hope the Honourable Finance Member will consider my suggestion. With these words I support the resolution now under consideration.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official): Sir, I was glad to hear in the budget speech of the Honourable Finance Member that the Irrigation Department is considering the possibility of reviving the Thal Project, but the consideration which this scheme has received at the hands of the Government in the past is not very encouraging and I hope that the scheme will not meet the same fate this time. The Sind Sagar Doab Irrigation Scheme was probably the first which was considered by the Punjab Government in 1871, but it has been kept in abeyance up till now. In 1892 the Sind Sagar Colonization Act was passed to make the scheme financially sound and to facilitate its construction. The scheme was submitted to the Government of India in 1903 but the Upper Chenab and Upper Jhelum Canal Projects stood in the way of its construction. These projects were completed in 1912 and 1915 respectively. In 1916 the Punjab Government resolved to re-examine the Sind Sagar Project and a committee of revenue and irrigation experts was appointed for this purpose. The committee arrived at the conclusion that the Project was feasible and financially sound. The soil tests were also carried out and it was found that the land was of a good quality and fit for cultivation but the Government of India again stood in the way of this project and suggested to the Punjab Government that the Sutlej Valley Project should be given precedence over this scheme, for reasons best known to them. In October, 1922, the Punjab Legislative Council passed a resolution that the Sind Sagar Scheme be re-submitted for the sanction of the Government of India and the Secretary of State but the Government of India once again stood in its way on account of the protest from the Bombay Government who feared that this project would interfere in the success of Sukkar barrage. In 1924 a new scheme was pre-

pared commonly known as the Lesser Thal Project which the Punjab Irrigation experts considered would not in any way prejudice the success of the Sukkar barrage. The Government of India appointed an expert committee to examine the discharges of Indus waters with a view to obtain further data of a reliable nature to determine the distribution of water of Indus between the Punjab and Sind. In view of the attitude of the Government of India and having little hope of the Sind Sagar Scheme materialising the Punjab Government repealed the Sind Sagar Doab Colonization Act in 1929, but it was pointed out by the then Revenue Member that if at any further date it were possible to construct this project higher water rates could be substituted for a free share of land which the Act gave to the Government. The Indus Discharge Committee, I understand, has come to the conclusion that sufficient water is available for the Haveli and the Lesser Thal Projects. I believe that the Government of India has accepted the recommendations of that committee. There seems to be no difficulty in the way of the Lesser Thal Project now. It is only fair that the people of the Sind Sagar Doab should now get the benefit of irrigation after a long period of suspense and patience. Their patience, if I may say so, has sufficiently been taxed. The scheme will provide irrigation for over a million and a half acres of land including more than 2 lakhs and sixty thousand acres of Government waste land. This project will not only bring in a considerable sum to our extraordinary receipts, but will also add a wholesome annual income to the provincial revenues. The financial position of the province is not very satisfactory and it is only desirable that we should make all possible efforts to increase our revenues in order to meet the increasing expenditure which the new constitution will entail. Moreover, it is necessary to increase our production to fulfil the needs of our fast growing population. The present time is most opportune to start such schemes as the capital and labour are both cheap. If the scheme is carefully examined and estimates revised, I am sure the scheme would cost much less than it was anticipated in the past. I, however, wish to assure the Government that the proprietors of land in the Sind Sagar Doab will whole-heartedly co-operate with the Government to make the scheme a sound financial proposition, even if they have to make some sacrifice. I do hope that the Government would also show the same spirit of reciprocity and see the scheme through without delay. I would suggest that this scheme should be expedited and the sanctions of the Government of India and the Secretary of State obtained in good time so as to start its construction as soon as the Haveli Project nears completion as it will be convenient and advantageous to transfer the staff and the machinery employed in the construction of Haveli scheme on to this work. I would like to make one more suggestion for the consideration of the Government. The heads of the Haveli and the Lesser Thal Canals should be so designed as to provide facilities for producing hydro-electric power. The cheap electric energy so provided will not only give an additional income to the Government but will also prove of great advantages to the development of industries and agriculture in that part of the province. In conclusion, I lend my whole-hearted support to the resolution under consideration.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): I rise to support the resolution moved by my honourable friend from Lyallpur. The project

[S. S. Sardar Ujjal Singh.]

recommended in this resolution relates to a tract which is very dry. The average rainfall is hardly about 5 or 6 inches annually. The chief point which one has to consider in a big project like that is whether the project is going to benefit the province as a whole and whether it is going to be a financial success. From what I have learnt I gather that the expert opinion has been in favour of the scheme. The soil of that ilaqa is said to be very good and the area which is proposed to be brought under irrigation will be about 22 lakhs of acres out of which near about 16 lakhs of acres is culturable. The scheme is estimated to cost about 6 crores and even at the present low prices the total sale of land will bring to the Government near about 5 crores of rupees from 2½ lakhs of acres which is the property of the Government. Another point which one has got to take into consideration is the fact that by this scheme several market towns will grow up in that ilaqa and factories will be established and employment will be provided for thousands of people. The scheme will thus be of great benefit to the province as a whole. With these few words, I support the resolution.

Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban): The Thal Project has had a very chequered career during the last 65 years or so. What, however, stands out in bold relief is the fact that the Punjab Government has tried its level best for its advancement right from the year 1871 up to the present day. If only the Government of India had been half as solicitous, the Thal tract, its dunes and deserts would have been turned into fine orchards and rich fertile fields years back. But on one ground or another the Government of India have been putting their foot into it, though fortunately their animosity too seems to be disappearing now. The Honourable Finance Member, in his budget speech the other day, held out the prospect of reviving the scheme and the fact of his having done so has reduced the operative portion of this resolution to a mere request to the Government that they should see to its execution with due despatch and expedition. To meet any possible misgivings in connection with the financial aspect of the scheme, the offer of the proprietors of lands, to surrender to the Government 1/5th of their *shamlats* and *bunjar* lands or alternatively to agree to pay higher revenue or higher water rates is there. In view of the consistently sympathetic attitude of the Punjab Government, I do not think any elaborate discussion of the merits of the scheme would be quite called for or the point that the Thal Project should be brought under canal irrigation as an imperative necessity needs any emphasis. Indeed far from having any complaint in that direction, we stand beholden to the Punjab Government and we are sincerely grateful both to the civil officers and the irrigation officers of the Punjab Government for their abiding interest in the scheme despite repeated failures and periodical rebuffs from the Imperial Government. All that need be urged is that the Lesser Thal Scheme may be proceeded with simultaneously with the Haveli Project which latter, it is understood, is surely going to be taken in hand, possibly by the end of the current year. I hope that the Honourable Revenue Member will give the House the assurance that the Punjab Government would see to the execution of the scheme without any further avoidable delay.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): This project is about 50 years old, if not older. It has been postponed from time to time, no doubt for very good reasons. In 1902, the Sind Sagar Colonization Act was passed to facilitate the construction of Sind Sagar Doab Irrigation Scheme. In 1919, the Sind Sagar Doab Irrigation Scheme which is now known as Thal Project was actually prepared and sent up to the Government of India and the Secretary of State for sanction. It was returned with the direction that the Punjab Government should proceed with the Sutlej Valley Project. In 1922, the Punjab Legislative Council passed a resolution to the effect that the Punjab Government should prepare the Sind Sagar Doab Irrigation Scheme and send it to the Government of India for sanction with a view to begin its construction as soon as work in the Sutlej Valley was finished. A resolution was ably moved by one of the leading zamindars of this province, then a leading member of the Legislative Council, Mian Shah Nawaz, and was supported from all sides of the House. The Punjab Government in pursuance of that resolution or otherwise, prepared a project which I understand was subsequently turned down because the Bombay Government would not agree to it because of the possible danger to the schemes of irrigation in Sind. Subsequently it appears that the Indian Government set up a committee to look into the question of water of the Sind river for ten years and in 1935 again a committee was appointed which reported on this matter and made a report that the waters of the Sind could be made available for irrigation in the Punjab both for the Haveli Project and the Lesser Thal Project, without any detriment to Sind and I understand Bombay Government has accepted this position. If this is so, it is time that the Punjab should make the best use of this consent, and should not lose the present opportunity of utilizing the waters of Sind for the development of the province and should not allow Sind or any other province to stand in the way of the Punjab utilizing the waters of Sind for developing its resources. Anything which is calculated to develop the resources of this province directly or indirectly, to reduce unemployment, has the fullest and unstinted support of all the members sitting on these benches of the House and I, therefore, whole-heartedly support this proposal. The difficulty which was pointed out by the Honourable Finance Member is a difficulty which no doubt will be examined by experts and that is the financial aspect of the matter, but in this case the matter appears to be hopeful because the proprietors of the lands situated in the areas which are likely to be irrigated by this project are prepared to co-operate with the Government to the fullest extent. At this time I may be permitted to digress a little and to refer to one of the previous facts of the Punjab Legislature in the matter of legislation and to point out that the repeal of the Sind Sagar Doab Act in 1929 was one of the greatest blunders—if the House would pardon me for saying so—committed by this Council to the great detriment of the revenues of the province. The then Leader of the House, Mian Sir Fazl-i-Husain, was careful to point out that if the interests of the province as a whole were to be looked at it was doubtful whether the Sind Sagar Doab Act by which the proprietors of that area had given undertakings to give up three-fourths of the areas of the *shamlats* in exchange for the benefit of having irrigation scheme, should be repealed. Almost all the zamindars had entered into agreement during the period of 1902—1929 by which they had actually agreed to give up a portion of

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

their land in exchange for the boon of irrigating the rest, which otherwise would remain entirely useless. But in deference to the wishes of the zamindar members of the House that valuable advantage, that valuable asset of the whole province, was thrown away and I make bold to say thrown away for nothing. I understand, however, that even now the proprietors of land in that area are willing to co-operate with the Government to the fullest extent in giving up, as I was told by one of the leading representatives, one-third or one-fourth of the area in lieu of this privilege of irrigation. If the price of that area is added to the value of the Government land which would be available for colonization, construction of this scheme, the financial aspect of the matter could be partially helped. It would, as the Honourable Finance Member hopes in his budget speech, lead to a considerable addition to extraordinary receipts. I do hope and wish to take this opportunity of emphasising that the Government has in pursuance of the policy already enunciated given up the practice of doling out these valuable properties

5 P. M.

which belong to the province as a whole to persons who are supposed to have rendered services to it, and that this valuable area of land which is available in that locality would be sold or would be utilized in the interests of the revenue of the province and would not be frittered away by giving it as petty grants. With the co-operation of the landholders of that area who are willing to give up a portion of the irrigated land, and also to pay higher rates of land revenue and abiana, I think it should be possible to solve the difficulty of finance, which is a real difficulty, and which no doubt, the Government will closely examine.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I think the time for the execution of the Lesser Thal Project seems to be very favourable now. In the first place, the Punjab Government has always been in favour of this project. The only hitch in its way was the opposition of the Bombay Government. But now that Government also seems to have yielded and there seems to be no reason why the Punjab Government should not take this opportunity of benefiting a portion of the province which is arid and which is practically rainless and which deserves the greatest support from the Punjab Government. Moreover, the reason why these times are considered favourable is that the present Finance Member, the Honourable Sir Donald Boyd, has always had a soft corner in his heart for that portion of the province, and there is every reason that he will do his best to support this measure. The chief points for the success of the scheme are, first, plenty of water, second the financial resources and third, the quality of the land. As regards water supply, the Indus which rolls on for hundreds of miles through this province practically gives no water to the lands of this province. It only benefits the province of Sind. There is thus no dearth of water. As regards finances money is cheap now and can be had at 3 or 3½ per cent. on loan. Moreover, Government has got its own *Rakhs* (jungle lands) and if the land is sold at Rs. 200 per acre it can gain about five crores by the sale of lands. In addition to that there are the lands of the proprietors about 15 lakhs of acres of which will come under irrigation. As regards the quality of the soil, as every one who has been to that district will know for about fifteen miles to the south of the railway line, the land is very flat and of very good quality. Even now

whenever there is good rainfall wheat and gram can be raised in large quantities.

It is the duty of this Council to look to a portion of this province as well as to the whole of it. If the people of that portion of the province such as the Khushab tahsil, Mianwali and Bhakhar tahsils of the Mianwali district and Leiah of the Muzaffargarh district also get the benefit of irrigation from the Indus, the prospect should be welcome to this Council.

There is one point to which I should refer by way of digression and that is the point made by Mr. Puri. There is a proverb :

حلائی کی دوکان اور فنا جی کا ناٹ

The honourable member referred to the blunder which the Punjab Government made in 1929 when it abolished or repealed the Sind Sagar Doab Canal Act, because he thinks that no one from his party had to lose, that was the reason why that repeal had the whole-hearted support from its members. But I ask, why should Government rob these poor zamindars of about three-fourths of their lands when in actual practice Government has been selling their own lands, even one acre of theirs, for money? Is there any reason why a distinction should be made in the case of these poor people? The repeal was a very generous and equitable act on the part of the Government, an attempt to undo a blunder which had once been allowed to be committed. So whatever may be the reasons why the Act was repealed I very much doubt whether in this first quarter of the twentieth century people should be compelled to give up their valuable rights.

For the reasons I have given, I whole-heartedly support the resolution.

Rai Sahib Lala Labh Chand Mehra (Nominated, non-official) (Urdu): I have very carefully listened to the speeches that have been made on the resolution that is now under discussion. Nearly all the honourable members of this House who have taken part in this debate are unanimous on this point that this scheme should be immediately taken in hand and I think that even the Government will not oppose it. However, there is one very important point which no honourable member has touched so far and which has created some doubts in my mind. I want to remove my misgivings in regard to that matter. Now the question is whether the agricultural produce of our province has got a ready market and at profitable prices and whether there is good demand for our grain. If the answer to this question is in the affirmative, then I think Government should unhesitatingly set about this work in right earnest, as this will greatly benefit the province and add to its prosperity. But I frequently hear in this House, and I see every day outside it also, that there is no market for our agricultural produce. The supply is much more than the demand and although the prices are extremely low and unprofitable, yet corn from other countries comes and sells in the ports of India at still lower prices. This is not all. I hear that in some countries superfluous corn was burnt. While the previous resolution was under discussion an honourable member quoted from economic survey reports of Lyallpur that the zamindars were carrying on their agricultural pursuits at a loss. Therefore, we should very carefully consider

[R. S. Lala Labh Chand Mehra.]

one point and that is that by producing more than is wanted and for which there is no market, will we not be causing a dump?

I am connected with the tea trade in which line there is a huge export business. This commodity also had very badly suffered in the last trade depression. The prices had come down to a level at which it was not profitable to grow and manufacture the goods. It was found that it was a case of over-production. Much more tea was produced than there was a demand for. The chief tea producing countries combined and the result is that the producers of 90 per cent. of the product in the country decided to limit their produce. For the last three years they are manufacturing only 85 per cent. of their actual crops, the balance they are either destroying or leaving on the plants. At their request the Government has passed Tea Control Act by which not more than 60 or 65 per cent. of the total crop is allowed to be exported. This Act is in force for the last three years. It has been prohibited by law to start any new plantation. The result of these restrictions is that the prices of tea have risen and this fact has proved very helpful and beneficial to the tea-growers. Similarly, in dealing with this scheme we have to bear in mind that by taking this scheme in hand we may not dump the market. It is not right to say that since money is very cheap therefore we should borrow it and invest it in this scheme. I want to make it clear that I am not opposed to this resolution, but I submit that this is a very important point and the honourable members should consider it carefully. Since no honourable member had touched this point, and since it had created some doubts in my mind, I thought it worth my while to make a few observations in order to remove them. Before passing this resolution, we should very carefully consider this aspect of the question. We should not be carried away by this idea that money is very cheap and we should borrow it and spend it on this scheme. The point is that if money is cheap and it can be had at a cheap rate why not turn it to good account by spending it on some industries which will find some use for our own agricultural products. If we can borrow money cheap let us spend it on industry which is the crying need of the moment. Our country is extremely backward in industry and there is very great room for improvement and progress. If we spend money on industry, we will considerably improve the prosperity of our country. I would, therefore, very strongly appeal to the House to consider this point very carefully. If it feels that it is essential to take this scheme in hand, then it may pass this resolution. With these words I resume my seat.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): At this tail end of the discussion upon the resolution one need not take long, but I would like to point out a few landmarks in the history of this project and would not take more than two minutes over it. It was as back as 1871 that this project was originally put forward as the Sind Sagar Doab Irrigation Scheme. Again in 1892, Mr. Macworth Young, Financial Commissioner, afterwards Sir Macworth Young, Lieutenant-Governor of the Punjab, made another representation in a scheme ending in the Colonization Act of 1902. That was to facilitate the project and make it a financial success. As my honourable friend, the member for industries, has pointed out, Government returned those lands back to those people from whom the lands were pinched. I

am sorry that the honourable member is not taking the correct view of the Repeal Act of 1902. I rather agree with the honourable member Malik Zaman Mehdi Khan that that was the only just course for Government.

(At this stage Mr. President resumed the chair.)

Mian Sir Fazl-i-Husain also said :—

Therefore it was felt that higher rates would be as good a substitute as Government could find for the present Act which is going to be repealed.

The proprietors agree even to pay higher rates, and there is no necessity of pinching the lion's share of their land. They were not Government's. I do not, therefore, agree with the honourable member for industries.

Following up the scheme I might point out that again in 1916 a very big committee consisting of about a dozen high officials, experts, local officials and all sorts of officers including technical people, engineers and others was set up. That committee met at a conference at Simla to consider the feasibility of the Thal Project. The report that that committee made was this :

First, that the whole Thal was commandable by a canal, with a head in the neighbourhood of Mari and above the natural weir. The problem will be much the same as that which arose on the Upper Jhelum Canal at Mangla. Mr. Ward has indicated on the accompanying small scale map his proposals for the general alignment of the main canal and its branches showing that the Thal is like other Punjab Doabs, and can be commanded in much the same way as far as main branches and distributaries are concerned.

This is a point that I shall come to later because the Honourable Finance Member has made mention of this in his budget speech :—

Thirdly that the actual colonisation of the tract does not appear to present any features of special difficulty,—

and there seems to be no reason to anticipate difficulty in obtaining the required number of colonists.

After that in 1919 the project was extensively and elaborately again put up by the honourable Mr. Wood, the Secretary for Irrigation to Government, Punjab, and sent to the Government of India. But somehow for reasons best known to the Government of India the project was not taken up and other projects were started. That sort of danger still exists if to-day we do not pass this resolution and press it on the Government. If our Government does not press it, it is quite likely that the Sind people might start a project of their own.

Later on in October, 1922, a similar resolution as the one we are now discussing here was passed by this Council, and I have no doubt that this Council will give its strongest support to the resolution once again so that at this last effort we might succeed in having the project started. There are good reasons for its being started now because the old difficulty of securing water from the Indus is no longer there.

In 1929 the Act was repealed and at that time Mian Sir Fazl-i-Husain, the Member in charge, stated that if later on the people and the Government again liked it, we could start the project. Here the most important matter is the financial question and I have documentary proof in my hand and I can assert with authority that owners are willing either to part with one-fifth of their *shamilat* and *banjar* lands which is only fair or to pay higher rates which the Government would like. *(An honourable member: Not in Mianwali).* Perhaps excepting Mianwali. There they would certainly

[M. Nurullah.]

pay higher rates. The most redeeming feature is the fact that the Indus Committee has agreed to give the Punjab a certain quantity of water which would go on increasing. You can have the project in hand and ultimately increase as you get more supply of water. Now that the people are prepared to support you in your offer it is only right that you should support this resolution and press that it may be forwarded to the Government of India as soon as possible, so that the project may be taken in hand along with the Haveli Project, or as soon as possible. Even from the commercial aspect the Lesser Thal Project will prove a success. There are 22 lakhs of acres of which Government owns 8·50 and the people about 17, and out of this land 75 per cent. is arable and irrigable, and the crown land when it is sold will probably fetch six crores. It will add to the provincial revenue and will help to balance the budget.

As regards the nature of soil, almost all the officers have spoken well of it. Sardar Sahib Sardar Ganda Singh who had done the settlement and our honourable member Mr. Anderson who was there think very favourably about the soil. Mr. King was pleased to remark that the soil is wonderfully productive when it gets water. There is no difficulty even from the engineering point of view. The project is a very safe one and one that has no technical difficulties about it.

I will now wind up my speech by saying a word or two about the point raised by my honourable friend from Amritsar. He has drawn attention to the fact that if we produce more wheat in our province we might lose because the zamindars cannot pull on at the present rate. The Financial Commissioner said this morning that the rates have a tendency to go upwards. It is possible that they might appreciate and our difficulty is removed. I do not think it will add to our difficulty at all. Further if we take such imaginary difficulties into consideration we would not have been able to have any of our schemes. Some of them have proved very profitable. I have no doubt that if Government proceed with this scheme they will find that they have added immensely to the wealth of the province, because at the present time they can get cheap money and cheap labour. If we are afraid that we will incur a loss to the province, by over production then the remedy lies in our adopting methods that America, for instance, has adopted. There they curtail cultivation of certain crops. I am told that lands of Thal are good for cotton as well as for wheat and other crops. Therefore later on it might be possible for the province to allot certain crops for certain areas which will give the maximum of results, and as our industries increase all our products will be consumed. The whole trouble is that so long as we do not increase industries, our raw products in the country will not be consumed. To my mind the advantages outweigh the disadvantages if the resolution is passed and therefore I strongly support the resolution.

Professor W. Roberts (Nominated, non-official): There is just one point which was touched by my friend from Amritsar with regard to this project and that is the increase in wheat. We have already got the Haveli Project which is to be constructed soon and the Lloyd Barrage in Sind will also increase the wheat production. I do not think that taking the world production of wheat that this is a serious matter. But it is serious from the point of view of the province and it does mean that we

must find an export market for a good deal of this wheat, and for this reason I hope that the high freight of wheat to the ports of Calcutta and Karachi and its deleterious influence in retarding the progress of development in the Punjab might be brought to the notice of the Government of India when forwarding this project for sanction. I think it is a point which, if put properly, might result in some consideration.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural): I rise to support the resolution under discussion. Many good things have been said in support of the resolution and I need not repeat them. But I would like to say that it is a backward area and it should be the duty of every Government to develop it. At the same time, I would also like to warn the Government that before taking this project in hand they should consider all the aspects of the question. The provision of irrigation facilities to one particular corner of the province should not be the only consideration. At the present moment the financial condition of the province is not a very happy one as we have found from the budget which has only recently been presented to this Council. I would ask the Government that they should consider all the aspects of the question, particularly the financial question. The Act referred to by the honourable member representing Industries require consideration and I think Government should consider the feasibility of introducing if not the same Act, an Act on similar lines. As I understand only the other day from the speech of the Honourable Finance Member the land in that project is not more than 250,000 acres. This is not a very big piece of land, like other colonies where the Government had to find money by selling a lot of their Government waste land and financing the projects as they did in Montgomery or in Lyallpur or in the case of the Sutlej Valley Project. Moreover I would also like the Government to understand fully well that this is the fourth project that the Government would take in hand within a short period. I only refer to the Sutlej Valley Project, the Hydro-Electric Scheme, the Haveli Project and this being the fourth project. Government will have to find a large amount of money, not a small amount for all these projects. The estimates prepared should be gone into very carefully. Reference has been made to the committees that sat in connection with the investigation of this project, but they are old committees. Some sat in 1916 and others perhaps even before that, and since then things have changed to a very great extent. I would therefore like the Government to consider in the present daylight whether this project is going to pay commercially. If it is not going to pay commercially then I am very doubtful if it would be wise of this Government to commit the future Government that is coming perhaps after a year or so to a big project like that. I would like the Government to do something for this backward area, but I would like them to consider all these things before they take up the scheme in hand.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): May I give a piece of information. So far as the apprehensions expressed by the honourable member from Amritsar are concerned, at present there need be no apprehension on that account. Our population increased by 2½ lakhs in a year, and if our population continues to increase at this rate, it is essential that our production should also increase.

[Hon. Sardar Sir Jogendra Singh.]

Then again I had figures worked out showing the surplus that was left after consumption and it only comes to about 1·9 chhataks per head of population. Then again an inquiry was held as to the consumption of food in various classes in Khanewal. That inquiry brought out a very clear fact that whereas a Jat family consumes about 16 chhataks of wheat, the depressed classes consume only about 10 chhataks. So there is a big margin between ten chhataks and sixteen chhataks if people were to be fully nourished.

There is undoubtedly the problem of prices to which Mr. Roberts referred and I am entirely at one with him that not only the provincial Government, but the Government of India should try to improve prices in every possible way they can, either by decreasing freights or by other financial arrangements which have helped other countries in improving prices. In Australia where agricultural slump was worse than in the Punjab the Australian Government by the measures they have taken, have found their way to prosperity. On the ground of over-production there are no reasons to stay the production.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan, Landholders): I stand up to support the resolution moved by Sardar Bishan Singh. One of the chief items of the programme of our party is to uplift the backward areas and it is on that account also that it is the duty of all of us to support a resolution of this kind. (*An honourable member* : That is the policy of our party too.) I am glad to find that that is the policy of the other party as well. I understand that this will be a productive scheme. In all the schemes that Government have undertaken in the past there was a lot of Crown waste land. They were a sort of commercial projects and in this project we will have a lot of proprietary areas which will benefit by receiving irrigation in addition to crown waste land. So this will be in a way a commercial and beneficent scheme, and it is the duty of the whole House to support it whole-heartedly.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to lend my support to the resolution. The very fact that this project will irrigate a very large area should itself commend the scheme to Government. One or two speeches have been made expressing fear lest there should be over-production. I may point out that the population has also increased. In the last census there was only a population of 32 crores. The recent census shows that the population has increased to 35 crores. In the Punjab alone there has been an increase of more than 50 lakhs in population during the last decade. Therefore the fear of over-production need not deter the honourable members nor the Government from agreeing to proceed with the project.

The scheme is estimated to irrigate a very large area of Government land. That will certainly add to the revenue of the Government and this fact also should induce the Government to do all that is possible for the completion of the scheme. Besides as the honourable member who just preceded me said this scheme will benefit those backward people who are now starving. The total amount of rainfall in that area is only six inches. Even with this scanty rainfall the crops in those areas sometimes mature,

thus showing that the soil is very fertile. If irrigation facilities are provided in that area, we will have wonderful results. Consequently the finances of the Punjab Government will improve. For these reasons we should render all possible support to the scheme. I am glad this resolution has been supported by members in all parts of the House. With these words I lend my support too.

The Honourable Nawab Muzaffar Khan (Revenue Member): The history of the case has been fully stated by various honourable members and so I do not think it necessary for me to repeat it. As the House may be aware the delay to consider the scheme has been due to the claim of the sister province of Bombay to Sind waters. The Indus Water Distribution Committee appointed by the Government of India in 1935 have now recommended for the Thal project, a maximum withdrawal of 6,000 cusecs in *kharif*, limiting the mean supply in December and January to 2,000 cusecs; in February and March to 3,600 cusecs; and in November to 5,600 cusecs. It is hoped that these recommendations will be accepted by the Government of India and the parties concerned.

In this connection it will be remembered that Sir Fazl-i-Husain, my distinguished predecessor, while agreeing to the repeal of the Sind Sagar Doab Colonization Act, 1902, said—

Government realized that if at any time, it may be 15 years hence or more, it were found that some water is available to have an irrigation scheme for the Sind Sagar Doab Canal, but that the scheme is extremely expensive and the usual rates prevailing would not permit Government to take up the scheme, the representatives of the people of the province will no doubt be ready at that time to agree to such steps being adopted as would make that scheme a practical one. Therefore it was felt that higher rates would be as good a substitute as Government could demand for the present Act which is going to be repealed. The Sind Sagar Doab is the only one in the Punjab left outside the benefit of irrigation, and when the time arrives, I have no doubt, Government and the representatives of the people will co-operate to bring the Sind Sagar Doab under irrigation.

These were the words spoken by Sir Fazl-i-Husain at that time. I am very glad to hear from the honourable members who have spoken to-day that the people are ready to pay higher taxes. So from that point of view there is no difficulty though personally I doubt very much whether most of the honourable members have got the consent of all the owners. The Punjab Government, however, have already taken up the question and are examining it carefully. A suggestion was made about consulting Sardar Ganda Singh and Mr. Anderson. Both these officers have been already consulted and they have given their opinions. Naturally, Government wants to move cautiously in the matter. It has been decided to frame careful estimates of expenditure and revenue; to see what water and land revenue rates would be necessary to make the project financially practicable. Soil surveys were carried out some years ago. These will have to be checked. If this check showed that the project is financially practicable provided that the people concerned agreed to pay either higher water rate or additional land revenue or a capital charge, then Government would be in a position to place the facts before the people, so that they could express their wish as to whether the project should be proceeded with or not.

Thus, so far as the Government is concerned, it will be observed that it has not let the grass grow under its feet. Immediate steps have been

[Hon. Nawab Muzaffar Khan.]

taken even before the final decision regarding water has been reached. The signs are hopeful and if everything turns out to be according to expectations, the project would be submitted to the Government of India with a view to begin its construction when the Haveli Project has been completed. Mr. Bedford, as every one in the House knows, is full of enthusiasm and is as anxious and keen to undertake this scheme as the honourable members. The scheme is thus in very able and sympathetic hands.

There is one thing in regard to which I should like to say one word. The scheme after such a long and chequered career is at last in sight. It is only befitting that we showed our sense of deep gratitude to the various officers who have in the past taken part in it. I would in particular mention among those officers Mr. Macworth Young who later became the Lieutenant-Governor of our province and Mr. Hailey, one of the greatest of our Governors. These two officers took very keen interest and it is due to their hard work that we are now seeing the fulfilment of this scheme. Similarly, Colonel Wace, the Financial Commissioner and Colonel Holmes, the Chief Engineer gave much of their time and thought to this scheme. I am sure the House would agree with me that the Punjab owes these great men a deep debt of gratitude. With the reservation already stated I accept the resolution.

Mr. President : The question is—

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.

The motion was carried.

MINIMUM SALARY OF GOVERNMENT AND *quasi*-GOVERNMENT SERVANTS.

Mr. M. A. Ghani (Nominated, non-official) : I beg to move—

This Council recommends to the Government to so arrange the conditions of service of all petty and whole-time Government and *quasi*-Government servants that the minimum salary paid to them should not be less than Rs. 30 a month.

There seems to be a certain amount of misapprehension in the minds of certain honourable members as regards the real import of this resolution. I would like, with your permission, Sir, to explain the resolution first and then to advance my arguments in support of it. Some honourable members think that by this resolution I am asking the Government to raise the salaries of all petty Government servants to Rs. 30 a month. That is not at all my resolution. My resolution is that the Government should so arrange the conditions of service of the petty Government servants that the sum total of the salary paid to them should not be less than Rs. 30 a month. Where a Government servant is paid a certain amount of travelling allowance it should be included in this minimum salary of Rs. 30 a month. If he is given free quarters, then a reasonable amount of rent of these quarters should be taken into account in calculating the minimum salary of Rs. 30. If he is given the benefit of provident fund, then its benefit should be included by some actuarial method in the Rs. 30 limit. My submission is this that a Government servant as such should never get less than Rs. 30 a

month to keep the body and soul of himself and of his family together. This is the real meaning of the resolution which I have moved for the acceptance of the House.

Another point I should like to urge is this. I do not want that part-time Government servants should be paid Rs. 90 a month. I use the expression "whole time Government servants" advisedly. Village chaukidars and other servants of that sort will not come under the terms of my resolution. My rural friends in the Council need not therefore be afraid of their *abiana* or land revenue being raised.

Certain honourable members have asked me as to the meaning of the expression "*quasi*-Government servants." By this term I only mean such Government servants who do not come technically within the definition of Government servants as given in the Government Servants Conduct Rules. There are certain servants who are employed by the institutions run and kept by the Government, for instance municipalities, district boards, the University and so on. There are also village and canal patwaries. (*An honourable member*: They are Government servants.) No, they are village servants, but not Government servants. They are *quasi*-Government servants.

Next I shall explain what I mean by minimum salary. By using the expression "minimum salary" I mean neither more nor less than a mere living wage. I do not mind if the Government would like to substitute "living" for "minimum." I shall be prepared to accept that amendment. Putting the resolution in popular language it will come to this, that all these Government servants should be paid some such salary which together with any allowances that may be paid to them in some form or other should not be less than Rs. 90 a month.

The Honourable Malik Sir Firoz Khan Noon: Irrespective of the price of commodities?

Mr. M. A. Ghani: Yes; I am coming to that later on. So in support of my resolution I should like to say one thing. I do not blame the Government for giving so low a salary to their petty and whole-time servants. I know that since 1921 the Government have taken steps for improving the lot of these poor people and I know that some steps have been taken to increase their salary also and on their behalf I am very grateful to the Government in this respect. But I feel that there is some room for improvement to be made and I move this resolution to request the Government to do a little bit more for them and to improve their lot. I do not want that these servants should be paid very high salary, but only that a living salary should be paid and when I say living salary I only mean that the Government might make an enquiry as to what living salary is.

The Honourable Nawab Muzaffar Khan: Or what we pay to our private servants, you and I?

Mr. M. A. Ghani: I am coming to that point later on. I have got a very good reply to that question. But it will come at a proper stage. My submission is that some such amount should be paid to a servant that he is able to keep himself and his family. It is now well recognised what is meant by a family. Family means the bread-winner and his wife, four

[Mr. M. A. Ghani.]

children and either a widowed mother or a father who may not be earning himself. (*An honourable member*: What about the fifth child?) This is the definition of family given in the Punjab Census Report and that is the definition of family that is given in various books published by the Government. We have to stop somewhere and have to limit the members of the family for purposes of minimum wage. It will be a very good thing if the Government makes an enquiry as to what is the amount with which a family as I have defined is able to live. It is not for me to go into the figures and say that so much money is required for keeping the body and soul of a family together. It is for the Government to make an enquiry in this respect. To my way of thinking I believe that Rs. 90 is the minimum sum with which a family can have the bare necessities of life. To a certain question put by me in this House the Honourable Finance Member was pleased to say that the lowest paid Government servant got Rs. 9 a month. Now I would most respectfully like to ask the Government, is Rs. 9 a living salary? Can anybody live on Rs. 9 a month and keep his family? Again, there are certain Government servants who are paid Rs. 12 a month.

Mr. F. H. Puckle: Who is this man who gets Rs. 9 a month?

Mr. M. A. Ghani: The village chaukidar.

The Honourable Sir Donald Boyd: He is not a Government servant.

Mr. M. A. Ghani: I am talking of chaukidars who are Government servants.

The Honourable Sir Donald Boyd: I think they get Rs. 18.

Mr. M. A. Ghani: You told me that Rs. 9 was given to the lowest paid Government servant.

The Honourable Sir Donald Boyd: May I ask when I said that?

Mr. M. A. Ghani: I might have forgotten the number of the question and the date on which I put it. The question was, what was the salary paid to Government servants and who was paid the lowest salary and who was paid the highest salary and the reply was that the lowest paid Government servant was paid Rs. 9 a month and the highest paid was the Governor and he was paid Rs. 8,000 a month. That was the reply I received. Now I come to the question of the peons. I understand that the peons get Rs. 14 a month and some of them get Rs. 15 a month and the jamedars get Rs. 18 and 24. The village teachers, the teachers of primary schools are paid only Rs. 14 a month. (*An honourable member*: They are paid Rs. 25.) The canal patwari is paid Rs. 18 a month. (*An honourable member*: Rs. 27.) That is the highest grade. So the position is this, that some of these Government servants get a petty salary with which it is very difficult for them to live. I would, therefore, request the Government to make an enquiry as to what is a living salary in this province, what amount is required for a human being to live decently and to buy the bare necessities of life. Thereafter I would like the Government to make an enquiry as to what amount will be required if that living salary is to be paid to all these Government servants. I know that this resolution is going to be opposed on this ground that a large amount of money would be required for the purpose mentioned

in this resolution and that there is no such amount in the budget. (*Interruption.*) My learned friend on my left says, reduce the salaries of the officers and the highly paid Government servants. I do not think that the Government as at present constituted would be in a position to consider that question. (*An honourable member: Why not?*) About two years ago a motion was made in this House that the salaries of the Ministers should be brought down to Rs. 3,000. Even that motion was defeated in this House. (*Rai Bahadur Mr. Mukand Lal Puri: Which side did you vote?*) I voted for the reduction and you voted for a still further increase of the salaries. That is a very big question and I would like the Government to either reduce the salaries of its highly paid servants or to find means to have the money for paying a living salary to these poor people. I think the Government has got no right to pay a starving wage to a large number of human beings who serve the Government from morning till evening. If any learned member of this House is in a position to assure me that Rs. 12 or Rs. 15 a month or Rs. 18 is a very decent salary then, I would be quite prepared to withdraw this resolution. (*Interruption.*) It is all very well for the Honourable Minister for Local Self-Government with his Rs. 5,000 a month as his salary and with Rs. 10,000 more coming from his factories to laugh at this resolution. (*The honourable Dr. Sir Gokul Chand Narang: I am not laughing. I am sympathising with you. You have my sympathy. I am for reducing the salary.*) I assure you that it is a very serious question and it is time for the Government to at least make an enquiry into this question. In most countries of the world such enquiries have been made and it has been established by those countries that at least a living wage ought to be paid to the workers. I would not like to name those countries. (*An honourable member: Why not?*) That may not be palatable to certain members of the Government. But I would urge the Government to consider the conditions in this province and the conditions in those countries. What has happened in Russia? What has happened in Czechoslovakia? What has happened in Spain and what has happened in Japan? These references of mine should not be taken as a sort of threat to the Government, but I would request the Government to do justice. It is only in the name of justice that I appeal to the Government. I am not in a position nor would I like to hold any threat to the Government. I am not one of those who would say that chaukidars or peons should go on strike. (*Honourable members: But tongawalas may.*) As tongawalas have been referred to, I may say to Government members that I was not responsible for the strike. (*Honourable members: Who said so? Nobody said so.*) I am always against strikes. (*Hear, hear.*) That strike was brought about by the Executive Officer who is the relative of the Honourable Minister for Local Self-Government.

Mr. President: The honourable member is irrelevant.

Mr. M. A. Ghani: Therefore, in the name of justice, I would appeal to the Government to consider this resolution.

At this stage the Council adjourned till 2-30 P.M. on Friday, 28th February, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 28th February, 1936.

*The Council met at the Council Chamber at 2-30 P.M. of the clock.
Mr. President in the chair.*

OATH OF OFFICE.

✓ *Mr. F. B. Wace (Registrar, Co-operative Societies), was sworn in.*

STARRED QUESTIONS AND ANSWERS.

DRINKING WATER-SUPPLY FOR DEPRESSED CLASSES, AMBALA.

***5245. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

(a) whether written representations were made to the Deputy Commissioner, Ambala, last year by certain people of the depressed classes inhabiting certain villages in that district for drinking water-supply in their areas through the Punjab Sanitary Board ;

(b) if so, whether copies of those representations would be laid on the table together with an account of the nature of the action taken in each case ?

The Honourable Malik Sir Firoz Khan Noon : (a) No such representation was received last year by the Deputy Commissioner, Ambala, or the Sanitary Board.

(b) Does not arise.

HINDI AND ARABIC IN GOVERNMENT SCHOOLS.

***5246. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the names of Government schools in which no arrangements for the teaching of Hindi in the fifth class and Arabic in the seventh class are made in the Punjab, together with the respective percentages of Hindu and Muslim students in those different institutions on the 31st March, 1935 ?

The Honourable Malik Sir Firoz Khan Noon : With reference to Government girls' schools it is submitted for information of the honourable member that arrangements are made for the teaching of Hindi in all classes in all Government girls' schools in the Punjab but that arrangements do not exist for the teaching of Arabic in the 7th class in any Government girls' school in the Punjab. It is added for the information of the honourable member that to obtain the information asked for in the case of boys' schools in the Punjab, together with the required percentages in girls' schools, will involve a very great deal of labour and it is doubtful whether the value of the information, if obtained, would be commensurate with the amount of labour involved. What is the honourable's member's object in asking this question ?

MURDEROUS ASSAULTS.

***5247. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) the number of murders or murderous assaults alleged to have been committed by religious fanatics during the last 12 months in the different districts of the province ;
- (b) the number of murders of money-lenders during the last 12 months in rural and urban areas, respectively ;
- (c) the respective periods of time taken by the police in various cases to arrest the perpetrators and their abettors ;
- (d) the respective amounts of compensation money granted by the Government, if any, to the survivors of the murdered and disabled in each case ?

The Honourable Sir Donald Boyd : (a) Sixteen murders ; twenty-five murderous assaults.

(b) Four in rural and two in urban areas.

(c) In five of the cases referred to at (b) above, arrests were made after two, five, ten, ten and twenty-four days. One case remained untraced. To collect the required information regarding all the cases referred to in part (a) of the question would entail considerable time and expense, but if the honourable member desires information regarding any particular case it will be obtained.

(d) Compensation was granted by Government in one case only. This was the case of a Sikh constable who was stabbed in Lahore on the 8th July, 1935. His widow was granted a cash sum of Rs. 500 and an extraordinary pension of Rs. 10 per mensem. His son and daughter have been given extraordinary pensions of Rs. 5 and Rs. 4 per mensem respectively.

SHAH CHIRAGH BUILDING, LAHORE.

***5248. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether the question of the restoration of the Lahore Shah Chiragh building was referred to the Government of India before having been finally decided upon ;
- (b) if so, whether a copy of the correspondence would be placed on the table ?

The Honourable Sir Donald Boyd : (a) No.

(b) Does not arise.

NAIB-TAHSILDARS AND TAHSILDARS.

***5249. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state the respective numbers of agriculturists and non-agriculturists appointed or promoted to naib-tahsildarships and tahsildarships during the current financial year communitywise (Hindus, Muslims, Sikhs and Christians) ?

The Honourable Nawab Muzaffar Khan :

	Muslims.	Hindus.	Sikhs.	Christians.	Total.
<i>Naib-Tahsildars.</i>					
Agriculturists	6	2	1	..	9
Non-Agriculturists	1	1	..	..	2
<i>Tahsildars.</i>					
Agriculturists	15	3	1	..	20
Non-Agriculturists .. ..	..	1	..	..	1

EXPENDITURE ON GOVERNMENT INDUSTRIAL SCHOOLS.

***5250. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state the amount of expenditure incurred approximately by the Government during the last financial year in the Punjab on the maintenance of Government Industrial schools ?

The Honourable Dr. Sir Gokul Chand Narang :

Total expenditure during last financial year (1934-35) on Government industrial schools (including institutes) ..

{	Boys' schools = Rs. 5,95,328
	Girls' schools = Rs. 88,544.

Rs. 6,28,772.

EXPENDITURE ON GOVERNMENT SCHOOLS.

***5251. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the amount of expenditure incurred approximately by the Government during the last financial year in the Punjab on the maintenance of ordinary Government schools—middle and high ?

The Honourable Malik Sir Firoz Khan Noon :

	Rs.
(i) Government middle and high schools for boys=	11,84,538
(ii) Government middle and high schools for girls=	4,10,233
Total ..	15,44,771

LEAVE OF ABSENCE TO STUDENTS FOR MARRIAGES.

***5252. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the present number of married students in primary, secondary and intermediate classes of recognised male and female educational institutions of the Punjab in rural and urban areas ;

[Shrimati Lekhwati Jain.]

- (b) whether headmasters and principals of recognised schools and colleges sanction leave of absence to students for marriages when they are below the age limits of 18 and 14 years for males and females, respectively, as prescribed by the Sarda Act ;
- (c) if so, whether the Government proposes to take any steps in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) If the honourable member will very kindly state the object of this part of the question I may be able to give her the necessary information without having to hold a province-wide enquiry which will involve great expenditure of time and labour.

(b) If the honourable member is aware of any cases she may very kindly draw the attention of Government to these and suitable action will be taken.

(c) Does not arise.

PUBLIC WELLS.

***5253. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that public wells sunk at public expense by the Punjab Sanitary Board are intended to be open in actual practice equally to all members of the public—depressed or non-depressed—as evidenced by the publication of a letter in the press issued by the Director of Public Health ;
- (b) if so, whether instructions have been issued to this effect so far to all deputy commissioners and tahsildars in the areas where such wells have been sunk ;
- (c) if not, whether the Government proposes to do so now ?

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

(b) No necessity for the issue of such instructions has arisen so far.

(c) Government will consider the matter if the necessity arises.

PERSIAN AND URDU TEACHERS IN GOVERNMENT SCHOOLS.

***5254. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the respective number of non-Muslim and Muslim teachers of Persian and Urdu in high classes of Government high schools on 31st March, 1935 ;
- (b) the respective number of non-Muslim and Muslim students of Government high schools having passed the matriculation last year in Persian and Urdu, respectively ;
- (c) if the number of non-Muslim teachers of Urdu and Persian in high classes of Government high schools is smaller in proportion than the number of non-Muslim students of these subjects, whether Government intends to take any action in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) Before information regarding (a) and (b) can be given it will facilitate matters if the honourable member could very kindly give an idea as to what she would like Government to do if the number of non-Muslims is smaller than that of Muslims or vice versa.

MALBA COLLECTIONS BY LAMBARDARS.

***5255. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state—

- (a) the amount of *malba* collections made by lambardars along with revenues during the last financial year in the Punjab ;
- (b) whether accounts of *malba* money are being properly kept and inspected by responsible Government officials in each district ?

The Honourable Nawab Muzaffar Khan : (a) *Malba* is a village common fund with which Government has no direct concern and no figures are available.

- (b) The accounts are not inspected by Government officials.

PROSECUTIONS UNDER FREE AND COMPULSORY PRIMARY EDUCATION ACT.

***5256. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the number of prosecutions launched respectively by municipalities and district boards during the last three years, respectively, against parents for having violated the Free and Compulsory Primary Education Act within their areas and the number of convictions secured accordingly ?

The Honourable Malik Sir Firoz Khan Noon : Perhaps it will save the Department holding a province-wide enquiry if the honourable member could draw the attention of Government to the particular place or places where there have been more prosecutions than the honourable member likes or where the honourable member would like more prosecutions to be launched than has been the case in the past.

REMISSION OF SCHOOL FEES.

***5257. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of students of the scheduled castes of the depressed classes in the enjoyment of full remissions of fees on 31st March, 1935, in various classes of the middle department of various Government high schools of the Punjab ;
- (b) whether it is a fact that in a majority of cases headmasters are extending only half rate concessions in fees to the scholars of the scheduled castes while securing for students belonging to non-scheduled classes the privilege of enjoying full concessions ;
- (c) if so, whether the Government proposes to take any steps in the matter ?

The Honourable Malik Sir Firoz Khan Noon : This question was received in the Education Department on the 18th of February, 1936. I regret that the answer to the question is not ready.

MEDICAL AND LEGAL EDUCATION FOR DEPRESSED CLASSES.

***5258. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of students of the scheduled castes of the depressed classes having completed their medical and legal education in Government Medical School, Amritsar, King Edward Medical College, Lahore, and Law College, Lahore, respectively, during the last ten years ;
- (b) if the number is very small, whether Government intends to ensure special facilities in these directions for these backward classes ?

The Honourable Malik Sir Firoz Khan Noon : (a) Let us presume for the sake of argument that the number of such students is small.

(b) If the number of such students is small what extra facilities would the honourable member like Government to provide for these persons. At present the depressed class students are entitled to admission to all Government institutions on equal footing along with the rest of the Punjab students.

HINDUS IN THE EDUCATION DEPARTMENT.

***5259. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the respective number of agriculturists and non-agriculturists amongst Hindus trained for the teaching profession in the Central Training College, Lahore and the Normal schools of the province during the last four years ;
- (b) the respective number of agriculturists and non-agriculturists amongst Hindu teachers employed in various Government schools in various grades during the last four years ;
- (c) the number of Government high schools situated in urban and rural areas, respectively ;
- (d) the proportion of agriculturists and non-agriculturists amongst Hindu assistant district inspectors of schools at present ;
- (e) the proportion of agriculturists and non-agriculturists amongst Hindus of the Punjab according to the last census ;
- (f) the proportion kept in view by the Education Department for the appointment of Hindu agriculturists and non-agriculturists as assistant district inspectors and teachers of Government high schools, respectively, during the last four years ?

The Honourable Malik Sir Firoz Khan Noon : This question was received in the Education Department on the 18th February, 1936. I regret that the answer to the question is not ready.

STRICTURES ON POLICE BY HIGH COURT.

***5260. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state the number of cases in which the High Court, Punjab, passed strictures on the conduct of the police during the last three years, together with the nature of action taken against police officials concerned in each case ?

The Honourable Sir Donald Boyd : It is regretted that the answer to this question is not ready.

RECRUITMENT OF POLICE CONSTABLES.

***5261. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the present representation of minorities (such as Sikhs, Hindus, Christians and depressed classes) in the police constabulary of the province is insufficient as compared with that of the majority community of the Punjab ;
- (b) if so, whether suitable candidates of the minority communities are not available for recruitment in different districts as constables ;
- (c) if so, whether the Government is prepared to recruit them from the neighbouring United Provinces ?

The Honourable Sir Donald Boyd : (a) The honourable member will find the relevant figures in the Consolidated Statement which is supplied to all members of the Council, showing the proportionate representation of the several communities in the various departments of the Punjab Government. It will be seen that the representation of Hindus and Sikhs in the lower ranks of the police is somewhat less than it should be on the basis of population. In the upper subordinate ranks, on the other hand, these communities are fairly represented.

(b) There are many districts in which it is most difficult to find suitable candidates from the minority communities to serve in the lower ranks. Efforts are made to remedy the deficiency in those districts by recruitment from outside, but differences of language and climate and differences in conditions of living make it difficult in many cases for recruits from one part of the province to serve contentedly in another.

(c) Largely for the above reasons the introduction of recruits from the United Provinces has been found by past experience to be unsatisfactory.

ADULT EDUCATION.

***5262. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of *bona fide* vernacular teachers in the Punjab on 31st March, 1935 ;
- (b) the number of literacy certificates awarded to unlettered adults during the last financial year through these teachers ;
- (c) the number of *bona fide* vernacular teachers participating in adult education and earning some honorarium for this work ;
- (d) the number of schools conducting adult education at present ;

[Shrimati Lekhwati Jain.]

- (c) if the number of teachers and schools conducting adult education is very small at present, whether the Government intends to take any steps in view of the extension of vote to a larger number of people in the coming constitution ?

The Honourable Malik Sir Firoz Khan Noon : If the object of the honourable member in asking this question is to draw the attention of Government to the desirability of opening adult schools, then the answer is that the experience of the Education Department is that adult schools which were opened in the past did not achieve the object for which they were opened. It was considered that the money was being wasted and they were closed and the best course is to educate the children. Even though this Ministry decided to open more adult schools in order to increase the percentage of literacy in the Punjab, it is not possible to do so owing to financial stringency. In view of this, I hope, the honourable member will not insist on the Department collecting the information desired in the earlier parts of the question.

Khan Bahadur Malik Zaman Mehdi Khan : Why was not the object of the adult schools achieved ?

The Honourable Malik Sir Firoz Khan Noon : It was found on investigation that the men who were supposed to go to the adult schools were not actually going there in the evenings to read and that we were wasting the money on teachers' salaries. I remember definitely a case which came up to me from the Jhelum district where we closed a school for the simple reason that the attendance at the school was only in name and that the pupils were not actually attending the institution.

Khan Bahadur Malik Zaman Mehdi Khan : Why was a school then opened in an area where there was no response ?

The Honourable Malik Sir Firoz Khan Noon : On account of the pressure perhaps of persons like the honourable member who is now pressing the point.

CONGREGATIONAL PRAYERS IN TAHSIL BUILDINGS, AMBALA DIVISION.

*5263. **Shrimati Lekhwati Jain :** Will the Honourable Member for Finance be pleased to state—

- (a) whether congregational prayers to the accompaniment of *azan* are being performed at present within the precincts of any tahsil buildings in the Ambala division ;
 (b) if so, the names of those tahsil buildings as well as their districts ?

The Honourable Sir Donald Boyd : (a) and (b) Congregational prayers preceded by *azan* are performed at present within the precincts of the following tahsil buildings situated in the districts noted against them :—

1. Rohtak	} Rohtak district.
2. Jhajjar and	..	..	..
3. Gohana	..	..	..
4. Panipat and	} Karnal district.
5. Thanesar	..	..	..

- | | | | | |
|----------------|----|----|----|---------------------|
| 6. Gurgaon and | .. | .. | .. | } Gurgaon district. |
| 7. Rewari | .. | .. | .. | |
| 8. Jagadhari | .. | .. | .. | |

The calling of *azam* at the prayer platform at Jagadhri is an innovation.

TRAINING GYMNASTICS IN GOVERNMENT SCHOOLS.

***5264. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Government schools where no regular arrangements for training in gymnastics exist at present ;
- (b) if there are any such Government schools, what steps Government intends to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

DEPRESSED CLASSES.

***5265. Shrimati Lekhwati Jain :** Will the Honourable Member, Revenue be pleased to state—

- (a) whether it is a fact that of all communities the depressed classes are most backward in all districts ;
- (b) if so, the respective numbers of districts and divisions where deputy commissioners and commissioners visited their quarters themselves in rural as well as urban areas in order to have first-hand knowledge of their conditions and grievances during the last year ?

The Honourable Nawab Muzaffar Khan : (a) In the absence of a systematic enquiry into the conditions of all classes in every district this must be a matter of opinion.

- (b) Does not arise.

SALARIES OF TEACHERS IN BOARD SCHOOLS.

***5266. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether he is aware that there are some local bodies (municipalities and district boards, etc.) wherein teachers of board schools are not being paid their salaries regularly every month though in the enjoyment of grant-in-aid from provincial funds ;
- (b) if there are any, whether the Government intends to take any steps in the matter ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

POLICE UNIFORMS.

***5267. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether police uniforms of different police officials of various grades are made of Indian cloth ;

[Shrimati Lekhwati Jain.]

(b) if not, what the approximate cost of imported cloth was in this connection during the last financial year in the Punjab ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Does not arise.

UNIFORMS OF GOVERNMENT MENIAL SERVANTS.

***5268. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether Government have issued any instructions to the effect that the uniforms of Government peons, chowkidars, &c., serving in the various departments should be made of Indian cloth ;

(b) if not, whether Government intends to take any action in this matter ?

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

(b) Does not arise.

SCHOOL FEE CONCESSIONS.

***5269. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

(a) the names of tahsils in different divisions of the Punjab where students of the notified agricultural tribes are ensured concession fee rates in high classes of the recognised high schools ;

(b) the names of tahsils in different divisions of the Punjab where students of the scheduled castes of the depressed classes are ensured fee concession facilities in high classes of the recognised high schools ;

(c) if the percentage of (b) is lower than (a), what steps the Government intends to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) The special fee concessions in the secondary classes of Government and Board Anglo-vernacular schools and Government Intermediate colleges are allowed to the children of agriculturists and village *kamins* belonging to the following tahsils and areas :—

<i>District.</i>	<i>Areas to which the concession extends.</i>
1. Shahpur .. ..	.. Khushab tahsil.
2. Jhelum .. ..	.. All tahsils.
3. Attock .. ..	.. Ditto.
4. Mianwali .. ..	.. Ditto.
5. Rawalpindi .. ..	.. Ditto.
6. Muzaffargarh .. ..	.. Ditto.
7. Dera Ghazi Khan .. ..	.. Ditto.
8. Hissar .. ..	.. Fatehabad and Bhiwani tahsils.
9. Rohtak .. ..	.. Jhajjar tahsil.
10. Karnal .. ..	.. Kaithal.
11. Kangra .. ..	.. All tahsils except Kangra and Palampur.
12. Hoshiarpur .. ..	.. Una tahsil.
13. Simla .. ..	.. Kot Khai tahsil.
14. Gurdaspur .. ..	.. Pathankot and Shakargarh tahsils.
15. Gurgaon .. ..	.. Nuh and Ferozpur-Jhirka tahsils.
16. Ambala .. ..	.. Naraingarh tahsil.
17. Sialkot .. ..	.. Bajwet ilaqa.

(b) As in (a) above as the children of the depressed classes are usually classified as village *hamins* and therefore enjoy all the concessions which are allowed to agriculturists. In addition they are awarded the following scholarships :—

- (i) Scholarships of Rs. 10 per mensem, up to a maximum of four in any given year at the college stage.
 - (ii) Thirty high school scholarships of Rs. 6 per mensem which are awarded in accordance with the rules of the Punjab Education Code.
- (c) Does not arise.

EXECUTIVE OFFICERS OF MUNICIPALITIES.

***5270. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether he is aware that in the United Provinces, secretaries are invested with the powers of executive officers in the case of municipalities not affording to employ two different persons for these two posts ;
- (b) whether the same arrangement has been considered for the Punjab ?

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

(b) There is no legal bar to combining the posts of executive officer and secretary in one person, and in some cases this has been done.

ASSISTANT DISTRICT INSPECTORS OF SCHOOLS HAVING HOME RESIDENCE IN RURAL AREAS.

***5271. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state the present percentage of assistant district inspectors of schools having their home residence in rural areas even though they do not belong to the notified agricultural tribes of the Punjab ?

The Honourable Malik Sir Firoz Khan Noon : If the object of the honourable member is to show that assistant district inspectors whose homes are in rural areas are as sympathetic towards agriculturists as the statutory agriculturists, it is difficult for Government to agree to or to dissent from this surmise. Does the honourable member still wish Government to collect the information ?

Shrimati Lekhwati Jain : Yes.

ADULT EDUCATION.

***5272. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the Punjab Text-Book Committee have so far got suitable adult readers published in Urdu, Hindi and Punjabi, respectively, for the propagation of adult education ;
- (b) if not, whether the Government intends to take any action in the matter ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to the Council question is not ready.

STUDENTS FROM DEPRESSED CLASSES.

***5273. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Government schools where the number of students of the scheduled castes on 31st March, 1935, was less than six ;
- (b) the number of students of the scheduled castes of the depressed classes having matriculated from each of the Government schools of the province during the last five years ?

The Honourable Malik Sir Firoz Khan Noon : If the honourable member will very kindly state her object in asking this question, it may be possible to avoid a province-wide enquiry which will have to be made if the information asked for in this question is to be collected.

STUDENTS FROM DEPRESSED CLASSES.

***5274. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of district board schools where the number of students of the scheduled castes of the depressed classes was less than six on 31st March, 1935, in the Ambala division ;
- (b) the number of district board schools situated in the Ambala division in areas where Free and Compulsory Primary Education Act was in force on 31st March, 1935 ?

The Honourable Malik Sir Firoz Khan Noon : (a) If the honourable member will kindly state her object in asking this question perhaps I can give her the necessary information without having to hold a division-wide enquiry.

- (b) I regret that the answer to this part of the question is not ready.

MOTOR ACCIDENTS.

***5275. Shrimati Lekhwati Jain :** Will the Honourable Revenue Member be pleased to state—

- (a) whether evidence has sufficiently proved that one of the main causes of serious motor accidents is the drunkenness of drivers in a majority of cases ;
- (b) whether there is any prohibition of the use of liquor for drivers at the time of driving motor vehicles stipulated in their licences ;
- (c) if not, whether the Government intends to take any action in the matter ?

The Honourable Nawab Muzaffar Khan : (a) , (b) and (c) No.

REFERENCE TO LATE CHAUDHRI KESAR SINGH.

The Honourable Sir Donald Boyd (Finance Member) : Sir, I regret to have to announce that news has been received of the death of Raj

Sahib Chaudhri Kesar Singh, a member of this Council in which he represented the Amritsar-cum-Gurdaspur (non-Muhammadian) Rural constituency. He was a man of great influence in the Gurdaspur district, and especially in the Shakargarh tahsil of that district. His influence was based on solid foundations, an upright and independent character and a high sense of public duty. In addition to being a member of this Council, Chaudhri Kesar Singh was a zaildar and honorary magistrate and recently a jagir was conferred upon him, so he was also a jagirdar. He was best known as an enthusiastic co-operator. He was president of his Union Bank and was a keen member of better-living societies and greatly interested in rural uplift. His services to the co-operative movement were of a high order and I know that both the present Registrar and Mr. Darling, who held the post of Registrar for a long period, have the highest opinion of Chaudhri Kesar Singh's influence upon the movement in the Shakargarh tahsil. He was a man of independent character and though thoroughly loyal was never afraid to give a frank opinion about the acts and policy of Government. In spite of his great influence and valuable services, he was a modest man, keeping himself always well in the background. He was a very likeable character and all those who knew him at all well regarded him as a friend and will miss him very greatly. His friendship was one of the many pleasant things for which I have to thank my membership of this Council; and it is with a very real sense of loss that I have heard of his death. I am sure that all members of this House are with me in expressing the deepest regret at this sad event and in expressing our sympathy, our sincerest sympathy, with his family.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I wish to associate myself with the Honourable the Finance Member. Chaudhri Kesar Singh was a good man who held balanced opinions. The Honourable Finance Member has already mentioned his many-sided activities. He was a keen co-operator and promoted co-operative movement to the best of his power. He was a very helpful member of standing committees. He never hesitated in expressing his opinion freely. Above all, Chaudhri Kesar Singh set an example of independence, loyalty and devotion to duty which can be rarely surpassed. I sincerely wish to express my sympathy with the bereaved family. His loss is a great loss to this House.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): Sir, I heartily associate myself with my colleagues in what they have said about Chaudhri Kesar Singh. I counted him amongst my best personal friends. I sincerely feel the loss of a gentleman of his temperament who was always calm and cool. He had the best interests of his constituency at heart. It was always a pleasure to work with him when he was a member of this Council. In this House some years ago he was a regular prominent member of the Punjab National Unionists Party. Therefore I doubly mourn his loss, that is, as a former member of my party and also as a member of this House. I am sure that every one here will want to sympathise with the family of the late Chaudhri Kesar Singh. I am sure it will be difficult to replace him.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): Sir, I have particular reasons to feel grieved at

[Hon. Dr. Sir Gokul Chand Narang.]

the sad demise of Chaudhri Kesar Singh. He was my colleague not only as a member of this Council for the last 10 years or so, but also as a member of the party to which I have the honour to belong. He was, as has been pointed out, a jewel of a man and I do not think that he at any time in his life gave offence either by word or deed even to his worst enemies. He was imbued with a deep sense of duty and you will remember that he was most regular in his attendance in the Council. I am really very, very sorry to have lost him. He was one of those on whose support I could always count without fail and it is a great loss that the Council as a whole and the party to which he belonged, have suffered by his demise. My heart goes out in sympathy for his sons, who are, I am sorry, not very well placed in life yet. I trust and hope that the Leader of the House will keep a friendly eye on the family and help them as much as possible for the great services rendered by their late father.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, we have all heard with great regret the news of the death of one of our colleagues, Chaudhri Kesar Singh. He was one of the oldest members of this Council and we on these benches are very sorry for the loss that our party has sustained on account of his death. A tribute has been paid to his services in various capacities and all the members of the Council share the views which have been expressed by the Leader of the House. Sir, with your permission I would formally move the adjournment of this Council.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, on behalf of the Unionists Party I associate myself with all that has been said by the previous speakers on this subject. Chaudhri Kesar Singh was our honourable colleague. We all mourn his loss.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural) (*Urdu*) : Sir, the late Chaudhri Kesar Singh was a personal friend of mine ; he came from the same district as myself. He was a perfect gentleman and was very popular among the people. His great virtue was this that he incurred nobody's displeasure. He offended none by word or deed. For the last thirteen years he was regularly representing his constituency which returned him unopposed. There are very few people like him in this world. I sincerely mourn his loss, and associate myself with all that has fallen from the lips of the speakers who have preceded me.

Mr. President : I have no doubt that every member of the House associates himself with the sentiments of sympathy and sorrow expressed by the gentlemen who have spoken. I will convey the feelings of sympathy and condolence to the members of the bereaved family. As a mark of respect I adjourn the House till 2 P.M., on Monday, 2nd March, 1936.

The Council then adjourned till 2 P.M., on Monday, 2nd March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 2nd March, 1936.

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

OATH OF OFFICE.

✓ Mr. A. D. Grindal (Deputy Secretary, Finance), was sworn in.

STARRED QUESTIONS AND ANSWERS.

PRISONERS.

*5276. **Lala Chetan Anand** : Will the Honourable Finance Member be pleased to state—

- (a) the number of political prisoners in the Punjab jails at the end of 1935 ;
- (b) the number of conspiracy case prisoners in the Punjab jails at the end of 1935 ;
- (c) the number of persons detained in the Punjab jails at the end of 1935 ?

The Honourable Sir Donald Boyd : (a) and (b). If the honourable member will inform me what he means by "political prisoners" and "conspiracy case prisoners," I will endeavour to have the information collected.

(c). 22,856. This figure includes under-trials and civil prisoners, as well as convicted criminal prisoners.

DAMAGE IN MULTAN DIVISION BY QUETTA EARTHQUAKE.

*5277. **Lala Chetan Anand** : Will the Honourable Finance Member please state—

- (a) the extent of damage done to property and loss of lives of the persons of the Multan division in the recent earthquake of Quetta ;
- (b) whether it is a fact that Dera Ghazi Khan suffered most in this disaster ;
- (c) the amount of relief distributed per district by the Government in the division of Multan ;
- (d) how Government intends to give relief to the persons permanently incapacitated or rendered orphans and widows as a consequence of the Quetta earthquake ?

Mr. F. H. Puckle (Chief Secretary) : (a) The exact information is not available, but it is estimated that some seven thousand lives were lost and that the loss of property amounts to Rs. 21,00,000, approximately. The honourable member must please understand that Government take no responsibility for the accuracy of these estimates.

(b) Yes.

[Mr. F. H. Puckle.]

			Rs.
(c)	Dera Ghazi Khan	22,500	
	Jhang	1,620	
	Montgomery	4,984	
	Multan	18,700	
	Lyallpur	7,848	
	Muzaffargarh	5,200	

(d) Relief is given in many forms, for instance, subsistence grants, and the payment of the school fees of children who can no longer afford to pay them. The Viceroy's Quetta Relief Fund is administered by a Central Committee under which there are provincial committees. Applications for relief are examined in the first instance by district committees which make recommendations to the provincial committee. The money at the disposal of the Quetta Relief Fund Committee is not Government money, though the Punjab Government subscribed one lakh to the fund. Nor is the organization of relief measures an affair of Government except in so far as officers of Government are members of the central, provincial and district committees.

OFFICIALS PUNISHED BY DEPUTY COMMISSIONERS.

***5278. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to make a statement regarding the number of officials including revenue staff, district-wise, who were punished departmentally by the deputy commissioners of the Punjab from 1st January, 1934, to 31st December, 1935 ?

The Honourable Nawab Muzaffar Khan : The statement showing the required information is laid on the table.

Statement showing the number of officials punished departmentally by the deputy commissioners in the Punjab, from 1st January, 1934, to 31st December, 1935.

District.	Number of officials punished departmentally.	District.	Number of officials punished departmentally.
Hissar	98	Gujranwala	Information not supplied.
Rohtak	55	Sheikhupura	86
Gurgaon	180	Gujrat	109
Karnal	79	Shahpur	71
Ambala	104	Jhelum	174
Simla	2	Rawalpindi	142
Kangra	5	Attock	77
Hoshiarpur	80	Mianwali	6
Jullundur	129	Montgomery	568
Ludhiana	75	Lyallpur	27
Ferozepore	125	Jhang	260
Lahore	132	Multan	135
Amritsar	Information not received.	Muzaffargarh	317
	358	Dera Ghazi Khan	218
Gurdaspur	78	Total	3,688
Sialkot			

IRRIGATION OF CHAK NO. 20 OF ZIRAK MINOR.

***5279. Lala Chetan Anand :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the tail area of Zirak minor, i.e., Chak No. 20 of the said minor, sub-division Shergarh is not being properly irrigated since the year 1927 ;
- (b) if so, whether it has been reported to him that the removal of the tail cluster of the said minor towards the south of Muhammad Wah and the distribution of the said chak into two chaks is likely to improve the condition of the said area so far as the question of irrigation is concerned ;
- (c) whether the canal authorities have been moved from time to time by the *abnoshan* of the said chak to remove the tail cluster from the north to the south of Muhammad Wah and to divide the chak into two ;
- (d) what steps the canal authorities have taken so far to remove the tail cluster from the north to the south of Muhammad Wah and to divide the chak into two ;
- (e) if no steps have so far been taken what other steps the canal authorities intend to take to improve the irrigation of the said chak?

The Honourable Nawab Muzaffar Khan : (a) The area was not properly irrigated before 1933, but defects in the channel were removed and the irrigation since 1933 has been satisfactory.

- (b) Does not arise.
- (c) Yes.
- (d) None as the change is not desirable.
- (e) Does not arise.

AUCTION OF LAND IN LYALLPUR DISTRICT.

***5280. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) in the following tabular form the total number of persons along with their names and addresses who bought Government land in auction in the district of Lyallpur, paid advance money but could not pay instalments on account of which their land was confiscated ;

1	2	3	4	5	6	7	8
Name and address.	Year in which purchased.	Amount paid in advance.	Amount paid as instalments (if any).	How long he enjoyed benefit from that land.	Approximate rental value of that land.	The year when the land was confiscated.	The money of those to whom land has been restored.

[Mian Nurullah.]

(b) whether the above table shows—

- (i) that some defaulters have been given land worth the amount they had already paid ;
- (ii) that some persons have not been able to get land in return for what they had paid as advance ;

(c) if so the reasons for the differential treatment meted out to persons mentioned in (b) (i) and (ii)?

The Honourable Nawab Muzaffar Khan : The question does not specify the years for which information is required. As the labour involved in collecting this information would be out of all proportion to the apparent advantages to be gained from it, it is not in the public interest to institute the desired enquiry. Moreover, column 8 of the statement asked for is obscure.

Mian Nurullah : What about part (b) ?

The Honourable Nawab Muzaffar Khan : We could not give the statement.

Mian Nurullah : That is quite apart from the table—the question of differential treatment to certain people.

GRANT TO ELEMENTARY SCHOOLS, AMBALA DIVISION.

***5281. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to place on the table—

- (a) Letter No. 4491-A., dated the 28th February, 1935, from the Director of Public Instruction, Punjab, to the Inspector of Schools, Ambala division ;
- (b) C. M. memorandum No. 430-C., dated the 20th June, 1935, from the Inspector of Schools, Ambala division, to the District Inspector of Schools, Hissar ;
- (c) C. M. memorandum No. 2051, dated the 5th March, 1935, from the Inspector of Schools, Ambala division, to the District Inspector of Schools, Hissar ?

The Honourable Malik Sir Firoz Khan Noon : It is not in the public interest that correspondence between various offices of Government should be made public.

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 it applies to all the divisions, the effect and the amount of the reduced grant in those divisions ;
- (e) if it applies only to Ambala division, the reasons for this discrimination ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

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 Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

GRANT TO ELEMENTARY SCHOOLS, AMBALA DIVISION.

***5284. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) whether sections 86 to 95 of the Punjab Education Code, latest edition of 1934, still apply to the Ambala division ;
- (b) the reasons why the circular No. 4491-A., dated 28th February, 1935, from the Director of Public Instruction to the Inspector of Schools, Ambala division, which goes against the spirit of those sections should operate in defiance of the express text of those sections ?

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

(b) The letter in question does not conflict with those provisions of the Punjab Education Code.

PRIMARY AND ELEMENTARY SCHOOLS.

***5285. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state the difference between primary and elementary schools in regard to the following particulars :—

- (i) the period of study ;
- (ii) the course of study ;
- (iii) the grant-in-aid ?

The Honourable Malik Sir Firoz Khan Noon : (i) None.

(ii) The honourable member is referred to article 26, chapter I, of the Punjab Education Code (eleventh edition).

(iii) Grant-in-aid to primary schools or departments is discussed in articles 50 to 85 and that to elementary schools in articles 86 to 95, chapter III of the Punjab Education Code, 11th edition.

DELHI-MULTAN ROAD.

***5286. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) when the scheme of metalling the Delhi-Multan road was considered and the work taken in hand for the first time ;
- (b) whether it is a fact that this road near Sirsa in the Hissar district is not crossable in the rainy season and one or two months after on account of the Ghaggar river through which the road passes ;
- (c) whether it is a fact that Lahore, the capital of the Punjab, and other big places like Ferozepore, remain disconnected with Hissar and Rohtak districts for motor traffic during the period mentioned in (b) ;
- (d) if answers to (b) and (c) be in the affirmative, whether it is proposed to construct an overbridge on the Ghaggar ;
- (e) whether it is a fact that some years back an estimate for the construction of the bridge mentioned above was prepared by the Public Works Department and submitted to Government for sanction ;
- (f) if so, the reasons for not constructing the bridge then ?

The Honourable Sardar Sir Jogendra Singh : (a) The scheme was considered in the year 1924 and work was started by the end of 1925.

- (b) Yes.
- (c) Yes.
- (d) Yes, when funds are available.
- (e) Yes.
- (f) Paucity of funds.

NOTIFIED AREA COMMITTEE, MANDI BAHADUR-DIN.

***5287. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the town of Mandi Baha-ud-Din is a notified area under the provisions of the Punjab Municipal Act ; if so, when the notified area committee was constituted ;
- (b) whether all the members of the notified area committee are nominated by the Commissioner on the recommendations of the Deputy Commissioner ;

- (c) whether the Deputy Commissioner is the president and the tahsildar vice-president of the committee since the date of its formation ;
- (d) the population of the town in the last census and its present population ;
- (e) the present annual income of the committee ;
- (f) whether the committee is charging the following kinds of taxes :—
 - (i) terminal tax ;
 - (ii) property tax ;
 - (iii) toll tax ;
 - (iv) licence fee from the sellers of fruits and vegetables ;
 - (v) fees from the owners on applications for construction of buildings ;
 - (vi) fees from the sellers of meat ;
 - (vii) *teh-bazari* fees ;
- (g) what the committee has done for the betterment of the town and its residents since the year 1920, besides lighting and cleaning of a few streets, and the maintenance of a hospital ;
- (h) whether the other colony mandis of the Punjab such as Khanewal, Phularwan and Bhalwal have been declared as municipal areas and municipal committees formed therein, though they have got less population and less income as compared with Mandi Baha-ud-Din ;
- (i) whether the question of declaring the town of Mandi Baha-ud-Din as municipal area and constituting a municipal committee was ever considered by the Local Self-Government along with the town of Phularwan ; if so, when and whether Phularwan has a municipal committee ;
- (j) whether the Government is aware of the strong feeling which exists amongst the inhabitants of the town that the progress of the town is being hindered simply because none of the members are elected by or represent the tax-payers, and that they are the nominees of the local officers and have lifelong lease as members ;
- (k) whether there is any municipal school for boys or girls in the town ;
- (l) whether any of the streets of any of the mohallas has been floored up to this time ;
- (m) whether the committee has supplied drains to any of the mohallas ;
- (n) the present financial position of the committee ;
- (o) whether any representation has been made on behalf of the public for the constitution of municipal committee ; if so, when ;
- (p) what action has been taken on the said representation ;
- (q) whether he proposes under the circumstances to take steps to constitute a municipal committee at Mandi Baha-ud-Din ;
- (r) if so, when ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes. The place was converted into a notified area on 2nd April 1919.

(b) Yes.

(c) Yes, with the exception of the period from 22nd June 1934 to 16th January 1936, when the Revenue Assistant was Vice-President.

(d) The population in 1931 was 3,668. The present population is 7,414 on account of the limits of the notified area having been extended.

(e) The annual income of the Committee for the year 1934-35 was Rs. 49,946-1-0.

(f) The Committee is charging all these taxes except those mentioned in classes (ii) and (iv) of this part of the question.

(g) The Committee has done very little to improve the town so far as having streets and drainage and general sanitation are concerned. It has spent the following amounts since 1920 for the improvement of the town :—

			Rs.	A.	P.
(1) Planting of trees	..	..	10,471	14	6
(2) Education (Contributions)	..	..	15,164	11	9
(3) Public Health and Welfare	..	..	5,469	9	5
(4) Public Works	..	..	9,528	12	11

(h) Khanewal and Phularwan have been converted into municipalities, but Bhalwal is still a small town. A statement showing the population and income of each of these four places is laid on the table.

(i) Phularwan was converted into a municipality on the 9th May 1933. The question of converting the notified area of Mandi Baha-ud-Din into a municipal committee has twice been considered, but the proposal was dropped.

(j) Yes.

(k) At present there is no municipal school for boys or girls but the committee has taken up the question of opening a middle school for girls and it is hoped that such a school will be opened during the next financial year.

(l) and (m) No.

(n) The present financial position of the Committee is as follows :—

			Rs.	A.	P.
Balance on 24th February 1936	..	..	56,164	6	1
Liabilities	..	..			Nil.

(o) Yes, a representation was received in 1935.

(p) The views of the local officers were obtained.

(q) and (r) The matter is under consideration.

Statement.

<i>Municipality.</i>			<i>Population.</i>	<i>Income,</i> Rs.
1. Phularwan	..	..	2,991	31,763
2. Khanewal	..	..	11,205	1,83,650
<i>Notified Area.</i>				
1. Mandi Baha-ud-Din	..	..	7,414	78,150
<i>Small Town.</i>				
1. Bhalwal	..	..	4,153	45,227

RECRUITMENT TO INDUSTRIES DEPARTMENT.

***5288. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) how many posts of machinists, turners, fitters, pattern makers and foundrymen fell vacant during the years 1984 and 1985 in the Industries Department and how many of them have been filled up by the ex-pupils of Government Metal Works Institutes ;
- (b) the technical and educational qualifications of the outsiders taken in the department and the nature of qualifications and experience possessed by these outsiders and which the ex-pupils of Government Metal Works Institutes do not possess ;
- (c) if the students of these institutes are not considered efficient even after a training of four years, the reasons for the same ?

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

Machinists	7
Turner	1
Fitters	2
Pattern maker	1
Foundrymen	3

One of these vacancies was filled by an ex-pupil of the Government Metal Works Institute, Ambala.

(b) It is not necessary in public interest to give a comparative statement as required.

(c) Government considers that ex-students of Government Metal Works Institutes should have trade experience to qualify for the post of teacher in a specialised school.

RECRUITMENT TO INDUSTRIES DEPARTMENT.

***5289. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Industries Department has prescribed any open test for filling the posts occurring in the department ;
- (b) if so, what concession the department offers to the ex-students of the Government Institutes ;
- (c) if none, what preference is given to the ex-pupils of the Government Institutes ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes. Since last year for recruitment to technical posts of teachers with a view to securing the services of the best men available.

(b) The heads of institutions are informed when tests are held and they are asked to communicate the dates of tests to their ex-pupils who may be qualified for the posts concerned.

(c) Other things being equal, ex-students of Government Institutes receive preference.

HOSTEL SUPERINTENDENT, GOVERNMENT METAL WORKS INSTITUTES,
AMBALA CITY.

***5290. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that one of the superintendents of the two hostels of the Government Metal Works Institute, Ambala City, is quite illiterate ;
- (b) if so, why he was made to supersede some of his colleagues who are educated and senior ;
- (c) what action the Government propose to take in this direction ?

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

(b) and (c) Do not arise.

GOVERNMENT METAL WORKS INSTITUTES, AMBALA.

***5291. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that some daily wages staff is maintained in the Government Metal Works Institute, Ambala, who are required to prepare things and these are exhibited for sale ;
- (b) if the reply is in the affirmative, why students are not asked to prepare the things so that they may be able to work independently ?

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

(b) Does not arise.

CONCILIATION BOARDS UNDER RELIEF OF INDEBTEDNESS ACT.

***5292. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) the number of applications instituted before each of the conciliation boards constituted under the Relief of Indebtedness Act, 1935 ;
- (b) the number of creditor respondents and how many of them are non-agriculturists ;
- (c) the names of the various newspapers and journals to which the notices have been sent for publication by each of the above boards and the number of such notices sent to each such paper ;
- (d) whether the Government are aware of the fact that the papers or journals to which such notices have been sent are not generally read by the class of people to which the creditors belong ;
- (e) whether the object of publishing such notices is publicity and information to the respondents ;
- (f) the total circulation of each of the above journals ;
- (g) if the object is publicity and information to the respondents, what Government proposes to do to achieve that object ?

The Honourable Sir Donald Boyd :

Name of Board.	PART (a).	PART (b)—FIRST PART.
	Total number of applications instituted.	Number of creditor respondents.
Jhang	935	786
Amritsar	289	256
Panipat	356	266
Garhshankar	115	61

I regret that the answer to the rest of the question is not yet ready.

SHORT NOTICE QUESTION AND ANSWER.

RESTORATION OF SHAH CHIRAGH MOSQUE TO MUSLIMS.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Will the Honourable Member for Finance be pleased to state the action that Punjab Government are taking to implement the promise to restore the Shah Chiragh mosque to the Muslim community?

The Honourable Sir Donald Boyd : In the *communiqué* issued to the press in July last Government expressed the hope that it would be possible to vacate the mosque before the 1st of January, 1936. Considerable delay has been occasioned by consideration of the various proposals for the location of the courts at present housed in the Shah Chiragh mosque. It was necessary, for instance, to consult the High Court regarding the proposal to transfer the Montgomery Sessions Court to Montgomery, and after it was decided to retain it in Lahore, the suitability of various sites and buildings had to be considered in detail by the Public Works Department and further consultation with the High Court was necessary. It has finally been decided to house the courts in Jind House; but the Honourable Judges have asked, in the interests of judicial work, that the courts shall not be moved until building operations at Jind House have been completed. Orders have been issued that building operations shall be carried out with the least possible delay, and it is hoped that they will be complete by the end of June next. The honourable member may rest assured that there will be no avoidable delay in handing over the building to the Anjuman-i-Islamia.

UNSTARRED QUESTIONS AND ANSWERS.

1340—1348. *Cancelled.*

SUSPENSION OF COURT BUSINESS ON FRIDAYS FOR JUMA PRAYERS.

1349. Raja Muhammad Sarfaraz Ali Khan : Will the Honourable Finance Member please state—

- (a) whether it is a fact that there is a rule which requires the courts to suspend the court business on Fridays for a few hours to enable the Muslims to offer Juma prayers;

[Raja Muhammad Sarfaraz Ali Khan.]

(b) if the answer to (a) is in the affirmative, whether such a rule is observed by the courts in the province;

(c) if the answer to (a) is in the negative, what action the Government propose to take to enable the Muslim public to offer Juma prayers?

Mr. F. H. Puckle (Chief Secretary): (a) No.

(b) Does not arise.

(c) The High Court and subordinate civil courts close for half an hour every day between 1 and 2 p.m., while district magistrates are authorised in consultation with sessions judges to allow a similar interval in courts of magistrates.

GIRLS' HIGH SCHOOL, FEROZEPUR CITY.

1350. Pir Akbar Ali: Will the Honourable Minister for Education kindly state—

(a) whether there is any Government girls' high school at Ferozepur city;

(b) if not, whether he is aware that there is a great demand for such school, and that the educational authorities have proposed the opening of a girls' school in the said town;

(c) if so, when the Government propose to open a girls school in the said town?

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

(b) Yes.

(c) As soon as funds are available.

GRAND TRUNK SIHALA-KAHUTA ROAD.

1351. Khan Sahib Risaldar Bahadur Nur Khan: Will the Honourable Minister for Agriculture kindly state—

(a) whether Government intends taking over the Grand Trunk Sihala-Kahuta road in the Rawalpindi district for maintenance by the Public Works Department in the near future;

(b) if so, when;

(c) if not, why not?

The Honourable Sardar Sir Jogendra Singh: The whole question of road development in the province is under consideration and a revised road development programme is being drawn up. Government is, therefore, unable to say at the present time whether the Public Works Department will take over the Sihala-Kahuta road for maintenance in the near future.

HANSI-JIND ROAD.

1352. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that in 1926 Government considered the question of classifying Hansi-Jind road into A class ;
- (b) if so, when the above road was classified into A ;
- (c) if not, the reasons for the same and whether the Government is prepared to give further consideration to this matter ?

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

(b) Has not been classified as class I.

(c) The road is not at present considered to be of sufficient provincial importance as compared with other roads that have hitherto been included in the list of class I (arterial) roads.

METALLING OF FEEDER ROADS.

1353. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether there is any scheme before the Government for metalling the feeder roads in the province ;
- (b) if so, whether he will lay a copy of this scheme on the table ;
- (c) whether the Government has got any of the feeder roads metalled up to this time ?

The Honourable Sardar Sir Jogendra Singh : (a) No, but one is under preparation.

(b) Does not arise..

(c) If the honourable member means by feeder roads, roads that do not run parallel to the rail road, then the province has 2,600 miles of these metalled.

ZAMINDARS' HOLDINGS.

1354. Sardar Jawahar Singh Dhillon : Will the Honourable Revenue Member please state the average area of zamindars' holdings in Lahore district in 1912, 1922 and 1932 ?

The Honourable Nawab Muzaffar Khan : The only information that is available is contained in Rural Section publications nos. 4 and 11 of the Boards of Economic Enquiry which are obtainable from the publishers, "Civil and Military Gazette" Press, Lahore.

LAND UNDER BATAI AND CASH RENT.

1355. Sardar Jawahar Singh Dhillon : Will the Honourable Revenue Member please state the percentage of area in Lahore district under—

- (a) batai land ;
- (b) cash rent, for years 1930 to 1935 and average cash rent per bigha ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not yet ready.

RECOVERY OF ARREARS OF LAND REVENUE.

1356. Sardar Jawahar Singh Dhillon: Will the Honourable Revenue Member please state—

(a) in how many cases coercive processes for the recovery of arrears of land revenue were issued in Lahore district in the years 1928 to 1935 respectively;

(b) the last day for payment of land revenue in the above years?

The Honourable Nawab Muzaffar Khan: A statement is laid on the table.

(a)			(b)		
<i>Number of coercive processes (including writs of demand) issued.</i>			<i>Last date of payment of land revenue.</i>		
1928-29	..	434	1928-29	..	
1929-30	..	1,067	1929-30	..	} Kharif 1st February. Rabi 1st July.
1930-31	..	1,383	1930-31	..	
1931-32	..	1,453	1931-32	..	
1932-33	..	1,496	1932-33	..	} Kharif 15th February. Rabi 15th July.
1933-34	..	4,090	1933-34	..	
1934-35	..	4,237	1934-35	..	

APPLICATIONS FOR INSOLVENCY FROM AGRICULTURISTS, LYALLPUR DISTRICT.

1357. Sardar Jawahar Singh Dhillon: Will the Honourable Finance Member be pleased to state—

(a) how many agriculturists of Lyallpur district applied for insolvency in each of the years 1928 to 1935;

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

(c) their total liabilities and assets;

(d) the area of land owned by the applicant?

The Honourable Sir Donald Boyd: I regret that I am unable to give the information asked for, as the time and labour involved in collecting it would be out of all proportion to its value. To obtain the information it would be necessary to go through the records of all decided cases of the district for the last eight years.

DECREES AGAINST AGRICULTURISTS, LAHORE DISTRICT.

1358. Sardar Jawahar Singh Dhillon: Will the Honourable Finance Member please state the total amount of money for which decrees were passed by civil courts, Lahore, against agriculturists of the district in years 1928 to 1935 and the total value of the decrees in execution against them?

The Honourable Sir Donald Boyd: I regret that the answer to this question is not yet ready.

LAND HELD BY AGRICULTURISTS, LAHORE DISTRICT.

1359. Sardar Jawahar Singh Dhillon: Will the Honourable Revenue Member be pleased to state the total area of land held by agriculturists in Lahore district; how much of it is under mortgage and for what amount?

The Honourable Nawab Muzaffar Khan: The total area held by agriculturists in Lahore district is 1,136,953 acres. How much of it is under mortgage and for what amount, is not known.

DEBT OF AGRICULTURISTS, LAHORE DISTRICT.

1360. Sardar Jawahar Singh Dhillon: Will the Honourable Revenue Member please state the total amount of debt of the agriculturists of the Lahore district?

The Honourable Nawab Muzaffar Khan: I regret that the answer to this question is not yet ready.

ZAMINDAR'S FAMILY, LAHORE DISTRICT.

1361. Sardar Jawahar Singh Dhillon: Will the Honourable Revenue Member please state the average number of members of a zamindar's family in the district of Lahore?

The Honourable Nawab Muzaffar Khan: A statement showing the average size of a cultivator's family based on data secured by the Board of Economic Enquiry, Punjab, for nine villages of the Lahore district is laid on the table. Government have no further information.

CULTIVATORS' FAMILIES ONLY.

Size of family in nine villages in the Lahore district based on the data collected by the Board of Economic inquiry, Punjab.

Serial No.	Tahsil.	Village.	SINGLE FAMILY.				JOINT FAMILY.			
			Number of families.	Males.	Females.	Total.	Number of families.	Males.	Females.	Total.
1	Lahore ..	Handu ..	8	25	28	53	38	268	241	509
2	Do. ..	Sultanki ..	53	117	99	216	23	115	77	192
3	Do. ..	Jallo ..	31	96	84	180	12	63	54	117
4	Do. ..	Kharak ..	53	131	102	233	20	89	68	157
5	Do. ..	Kot Mehtab Khan.	46	142	129	271	6	30	43	73
6	Do. ..	Karol ..	52	169	137	306	51	204	187	391
7	Kasur ..	Pathanki ..	32	92	73	165	10	43	45	88
8	Do. ..	Tut ..	49	136	106	242	19	89	59	148
9	Chunian ..	Ganja Kalan	39	96	86	182	4	21	21	42
		Total ..	363	1,004	844	1,848	183	922	795	1,717
		Average ..	..	2.77	2.32	5.09	..	5.04	4.24	9.38

Average of all families: Males 3.53; Females 3.00; Total 6.53.

NOTE—"Family" means all persons living together and using the same hearth.

HARVEST PRICES, LAHORE.

1362. Sardar Jawahar Singh Dhillon : Will the Honourable Revenue Member be pleased to state the harvest prices of wheat, gram, cotton (desi), toria and sugarcane in the years 1928—1935 in Lahore?

The Honourable Nawab Muzaffar Khan : A statement giving the required information is laid on the table.

Statement showing harvest prices of wheat, gram, toria, gur and cotton desi in the years 1927-28 to 1934-35 in Lahore.

Years.	Wheat.			Gram.			Toria.			Gur.*			Cotton Desi.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
1927-28	4	0	0	3	12	0	6	11	0	5	8	0	12	0	0
1928-29	4	0	0	4	8	0	7	4	0	6	1	0	10	0	0
1929-30	2	8	0	3	6	0	5	0	0	6	9	0	7	0	0
1930-31	1	6	0	1	12	0	3	10	0	4	5	0	4	2	0
1931-32	2	1	0	1	11	0	3	8	0	3	11	0	5	2	0
1932-33	2	14	0	2	5	0	3	10	0	3	5	0	6	1	0
1933-34	2	5	0	1	14	0	3	0	0	3	11	0	4	7	0
1934-35	2	5	0	2	0	0	4	7	0	5	6	0	5	11	0

*The price of sugarcane is not available.

BUDGET—GENERAL DISCUSSION.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, it is customary on such occasions as this to offer thanks and congratulations to the Honourable Finance Member and the other members of the Finance Department for the preparation of the budget in such a fine and efficient manner. It is undoubtedly true that the preparation of a budget requires a good deal of labour and intelligence, and, therefore, our thanks are really due to those who are responsible for its preparation. Hence according to the usual practice I consider it my duty to prelude my remarks about the present budget with an offer of thanks and congratulations to the Honourable Finance Member and his subordinates. I am particularly thankful to the Honourable Member for his having made a full, fair, frank and straightforward statement about the future financial prospects of the province. He has told us according to his own lights and in his noble and frank way the financial difficulties that he thinks will face us under the new constitution. I am glad to say that in giving an idea of these difficulties he has not indulged in the juggling of figures and he has not tried to keep back anything which we ought to know about the financial position of the province. It is really an admirable attitude of the Honourable Finance Member. Besides telling us that the year under consideration will close with a deficit of 21½ lakhs, he has referred in particular to three or four such items of revenue which will yield an income much below what they have

been usually yielding. He has told us that according to the rates that will be introduced in the Lyallpur district after the settlement the income from land revenue from that district alone will go down by about 20 lakhs of rupees. Then he says that we are likely to lose 11 lakhs of rupees on account of the stoppage of the export of *charas* from Yarkand. Over and above that we are going to suffer a loss of about 7 lakhs on account of adjustments with respect to excise on liquors brewed or distilled in the Punjab and consumed in the North-West Frontier and the Delhi Provinces. These losses, it must be remembered, we are to suffer when provincial autonomy commences. It is very good that we know beforehand what difficulties we are going to face in the future. But in my humble opinion there are other items of revenue also which are going to yield much less income in the future and which will combine to make the figure of deficit grow very large. As the honourable members are aware the settlement of the Lahore district has already been undertaken and there are many other districts in the province about which settlement operations are already due or nearly due and if the fluctuating rate of assessment is to be introduced in all such districts, we are sure to lose a large sum of money in land revenue. At a very moderate estimate, I will fix the loss at two or three lakhs of rupees under this item. Then there is going to be a much greater fall from Stamps than the estimated fall of 15 lakhs. This fall will be the result of the passage of so many Acts for the protection of indebted classes and compromise proceedings. Besides that, we are going to lose a large income from the Excise Department. It is an open secret that the country does not look with favour on the present excise policy of the Government and consequently when the Ministers come into power, they will be compelled by their electors to revise this policy and in that case we shall suffer a loss of about 5 lakhs. It is a very moderate estimate which I have made of the fall in the income of the autonomous province and according to this moderate estimate there is going to be a loss of about 50 lakhs of rupees in the revenues of the Punjab. Now, add to this the expenditure that we will have to incur on account of the incremental system of salaries. This would be at least something between 10 or 12 lakhs. The deficit in the budgeted income of the Government as stated by the Honourable Finance Member is going to be 21½ lakhs. Then you will have to stand the expenditure on the new reforms which is estimated at about 5 lakhs. All this means that there will be a deficit of about one crore. It is difficult to say what new sources of revenue can be explored to make up for the increased expenditure. No doubt the Honourable Finance Member has by placing all these facts and figures before the House drawn their attention to the necessity of finding out new sources of income. He said that we will get some income from the Hydro Electric Scheme. It is for him to tell us how much income can be expected from this scheme. Some time back an enquiry committee made enquiries with reference to this matter and, therefore, I have also some little knowledge about it. In my opinion in no case will the income from this source increase by more than 10 to 12 lakhs. At present the estimated income from this source is about 24 lakhs. All are looking forward expectantly to Sir Otto Neimayer Committee's report and think that some money will be got from the Government of India. At present one cannot say how much this will be, but I fear this hope is not going to materialise very much. I wonder then how this deficit of one crore in our budget is going to be made up. We cannot lay the blame for it at the door of

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the Government. But I will say that before handing over charge to the reformed Government the present Government should do their best to reduce their expenditure so as to save the future reformed Government from endless trouble and botheration.

I will make a few suggestions as to how the expenditure can be reduced. First of all the salaries should be reduced and the cut should be again applied as it was done sometime back by the Punjab Government. By the cut in the salaries Punjab Government had effected a saving of about 16 lakhs. The next suggestion is that some change should be made in the incremental system of salaries. With the advance in years the expenses on account of increments in salaries will increase. Whether a Government servant's work is good or bad he gets his yearly increment all right. There should be a graded system of increment in salaries without time scale. A Government servant should only get the next grade when he has proved himself efficient. In the Subordinate Educational Service the employees get graded increment and not yearly increment according to time scale. My next suggestion to effect reduction in expenditure is by cutting down the expenditure of different departments wherever possible. Although the Honourable Finance Member has said that all possible reduction has been made in the expenditure of different departments and that there is no scope for further curtailment, yet, I think that in the Irrigation and Roads and Buildings Branches of the Public Works Department much saving can be effected. In the Police Department there is sufficient scope of reduction of expenditure. At present on account of communal disturbances it may not be possible but as soon as the communal atmosphere clears, Government should try to reduce their expenses on the police. At present every now and then the Government brings a new demand for the Police Department. The Government should try to effect saving in the expenditure of the Police Department. In addition to reducing the expenditure Government should also try to increase its income by exploring new sources of revenue. All the recommendations made by the Revenue Committee should be given effect to as soon as possible.

Now, I will make a few remarks regarding the different Government departments. First of all I should like to draw the attention of the Honourable Minister for Education to the system of education at present in force. The Education Department has been under the control of the Indian Ministers for the last so many years and they have been very able men but they have not done much to improve the system of education. At present the boys turned out from the colleges are no good in any respect. University education should be discouraged. It is possible that honourable members may not agree to this proposal but I feel it is most essential that the University education should be discouraged. All the expenditure that is incurred on account of University education should be spent on primary, secondary and girls' education. In Germany University education was extended too much after the Great War but then it was soon realised that too much University education was productive of undesirable results and big waste. Consequently the present German Government had to discourage it. After the Great War the number of University students in Germany had risen to 60,000 from 14,000 before the War. In Germany the system has been altogether changed.

There all boys whether rich or poor are given compulsory education up to the middle standard and only those students are allowed to take higher education who are regarded fit for it. After a student passes the high classes an efficient board consisting of learned doctors, leading educationists and other gentlemen capable of giving expert opinion examine him and if they are of the opinion that he will do well in the University and will prove to be of great use to his country, he is allowed to continue his education, otherwise not. No distinction is made in this respect between sons of the rich and the poor. The aim of the Government is to bring the present figure down to 6,000 by such methods. You know there are scores of universities in Germany; but the Government is bent upon restricting University education. I want to urge, that our Government should follow the example of the German Government. Our educationists should join heads and try to better the condition of education in the province. Fortunately there are leading educationists like Mr. Manohar Lal among us. People like him should devise means to restrict education so that every Tom, Dick, and Harry should not be allowed to go to the University, take a degree of Bachelor of Arts and then go about in search of jobs worth ten, twenty or thirty rupees per month. It is a fact that such people are making a nuisance of themselves everywhere.

I have another suggestion to put forward. We should prepare our young men for manual labour. In Germany and America both agriculturist countries, students are sent out in the vacations to work on farms. They pick fruits and reap the harvest. For two or three months in a year they are made to do this work. In Germany particularly there is a rule that students of both sexes below the age of 25 are made to work on farms for at least one year. In this respect also no distinction is made between the rich and the poor. But in this unfortunate country of ours if the sons of zamindars pass their eighth class examination they want to get some employment in offices; they refuse to do any manual labour. We should remedy this state of affairs. We should make our sons work on farms. Personally I am quite prepared to send my son to work on an agricultural farm (*hear, hear*). It is necessary that our children should be taught to do manual labour. In these days our boys do not like to bring a glass of water with their own hands. This is bad. The Honourable Minister for Education should look into this question and take early steps to encourage manual labour among young men reading in schools and colleges under his control.

I now come to industries. I am sorry to remark that the Honourable Minister in charge of Industries is not present in the House at present although you have pointed out on various occasions that when a particular department is under discussion the gentleman in charge should be present.

Sardar Bahadur Sardar Buta Singh: The Honourable Minister for Agriculture is there in his seat.

Khan Bahadur Sardar Habib Ullah: The condition of our industries is hopeless. Although the Council has drawn the attention of the Government to this subject several times, nothing effective has so far been done in this connection. No doubt a Bill has been passed recently which will, it is claimed, help industries. But it is yet too early to see its effect.

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I have several times stressed the importance of encouraging cottage industries.

The Honourable Sardar Sir Jogendra Singh: Can you define cottage industries?

Khan Bahadur Sardar Habib Ullah: This is neither my duty nor the duty of any other member of the Council to say what particular cottage industries should be encouraged in the province. It is the duty of Government to examine the question. Some of the experts can be asked to make a research and find out which of the cottage industries will be helpful to this province. It is very strange that whenever a suggestion is put forward from this side of the House gentlemen on that side ask us to give a demonstration as to how that suggestion can be carried into practice. But now that they are there it is their duty to do something. When we occupy those benches we will find means to do something.

The Honourable Sardar Sir Jogendra Singh: May I explain my reason for asking that question? One hears a good deal about cottage industries, but nobody has tried to define what he means by cottage industries. The honourable member will soon be here and help us to find out what are cottage industries.

Khan Bahadur Sardar Habib Ullah: I am very sorry to note that this question has come from Sardar Sahib. I would not have been surprised if this question had come from the Minister in charge of industries but it has surprised me when it has come from the Honourable Minister for Agriculture. I would, however, suggest that the Government may send one of its officers to Japan to make research. I think such an officer will be able to suggest hundreds of industries which can be usefully resorted to in this province.

Again, fostering cottage industries will not be of much use if suitable marketing arrangements are not made. Take the instance of a small weaver who does work in a city or in a village. In Japan raw material is provided to him at his place and his cloth is bought through co-operative societies and then carried to the market. But what happens in this country? The weaver purchases the raw material himself. To begin with he pays one rupee four annas for his raw material, which can be bought by a co-operative agency for not more than one rupee. Then after finishing his work at the khaddi he goes from street to street in order to dispose of this cloth but without success. When after a week or so he comes by a customer he is prepared to get rid of his product for any price. This bargain is hardly satisfactory for him and he leaves his occupation for all time to come. It is, therefore, necessary that you should set up a good marketing system. You should supply the weaver with raw material at his place and purchase his product from him and carry it yourself to the market. This will encourage the industry. Improvement of marketing conditions and encouragement of cottage industries should go side by side. You should send one of your officers to Japan so that he may find out what cottage industries can be usefully adopted in this country keeping in view its peculiar climatic and other conditions. Everybody knows that the condition of agriculture in this country is far from satisfactory. I think the condition of agriculture

can be improved by fostering cottage industries. The Government should try to better the conditions of agriculture and cottage industries side by side. I have been asked to suggest what cottage industries can be suitably adopted in this country. There is the Director of Agriculture. If he is really an able man he will be able to suggest. It is really deplorable that the officers should be saddled with so much of routine work. The proper work for the Director is not to sign bills or doing routine work. He is expected to do more important work. He has to take the initiative, he has to do the thinking for a department. But if the Director is not a technical expert he can ask some of his officers. If this question is not attended to in right earnest the condition of agriculture will continue to remain as bad as it is to-day. I do not mean to suggest that by fostering our cottage industries we will be able to shut our door completely for all imports. But, much can be achieved if cottage industries are encouraged to a satisfactory extent. So long as nothing is done to increase the income of the zamindar his status in life will continue to be very low. Fostering of cottage industries will be a step in the direction of increasing his income. You can use hydro-electric scheme also in order to increase the income of the zamindar. I know that for some time past the Government has been busy trying to make it a paying concern. It is all very well to do it because after all you have to run it as efficiently as a commercial concern can be run. But we know that at least several thousands of units of the energy generated by the scheme is being wasted because it is not being utilized. There are so many people who are prepared to avail of that energy at cheap rates. So long as you do not come across good customers for that energy you should sell this at cheap rates. You may say that this will not be proper from a business point of view. We also wish that you may have better chances of selling your energy. But so long as good customers are not available you should not mind giving it at cheap rates to those who intend to work tube-wells or to utilize the energy for agricultural purposes.

The Honourable Dr. Sir Gokul Chand Narang : After some time we should stop supplying the energy at cheap rates ? Is that so ?

Khan Bahadur Sardar Habib Ullah : Yes, you can stop when you think that you can dispose it of on better terms. For the present there is no use wasting your energy for nothing.

The Honourable Dr. Sir Gokul Chand Narang : No energy is being wasted even now.

Khan Bahadur Sardar Habib Ullah : There is another thing to which the attention of the Government has been invited time and again by me and by many other honourable members of this Council. I am referring to the evil of corruption. But the Government has done nothing beyond issuing a circular now and then which is thrown by the people, for whose guidance it is intended, into the waste paper basket. Corruption is on the increase in every Government department. Its burden falls on the poor people in the shape of a heavy expenditure which is borne annually. Even the Government dues cannot be paid without greasing the palm of the *Shah Nawis*. If I go to pay Rs. 100 into the Government treasury the *Shah Nawis* will not let me have the acknowledgment without first taking two rupees

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from me. Now, it is perfectly intelligible if a person demands illegal gratification for some personal 'service' to him. But to demand an illegal gratification when he goes to pay Government money in Government treasury is simply ridiculous and deplorable. And all this is being done under the very nose of high officers. Then, if I go to enquire the date on which my case is to come up for hearing I have to grease the palm of the court official. Is it not the duty of the Government to stop this evil practice? And if the court official does tell me the date of my case, it is usually a wrong one. This adds to my worry and expenditure. I do not mean to say that every official of Government is corrupt. But I will certainly say that in most of the departments and among minor officials, bribery is very common. Therefore, I earnestly submit that steps should be taken to improve this scandalous state of affairs and special attention should be paid to this matter. By selecting a few persons and then saying that sufficient evidence was not found to establish their guilt and then allowing them to go off scot free, the situation will not improve. It is said that public opinion should be created and fostered which should teach people not to take to such recourses. When there is no education, and when there is no organization, how can you create public opinion? It is true that corruption cannot be totally stopped, but if Government pays special attention to this matter, circumstances will greatly improve and at least 50 per cent. of corruption will decrease. Wherever a good and strong deputy commissioner has gone who has adopted a stern attitude towards his subordinates, 50 per cent. of corruption has decreased. The work of reducing corruption is as important as the work of rural reconstruction. This work should be included in the rural uplift work and regarded as its branch. The result will be that if corruption does not quite disappear, there will at least be a marked decrease in it. I would earnestly appeal to Government to take strong measures in this connection, and try to ameliorate this state of affairs.

Next, I would say a few words in respect of rural reconstruction work. I have been often accused of this fact that I was responsible for the creation of the post of the Commissioner for Rural Reconstruction. There is no doubt about it that since the appointment of that officer a good deal of money has been spent. In this connection we have to spend yet more money. It is needless to say that the rural uplift work is very important. It is very helpful and beneficial. It has helped the zamindars to some extent. In this respect, much has yet to be done, and it is our duty to encourage this work. The methods that the Commissioner for Rural Reconstruction has adopted should be improved by Government. It should try to take help from local and provincial people. In this connection I would propose that a provincial committee be formed which should meet now and then and consider the ways and methods of the Commissioner for rural uplift. It should try to understand his line of action and if there are any defects, they should be pointed out to him. Then, there should be committees in districts which should consist of zaildars, numberdars, and other respectable persons. The rural reconstruction department does not cultivate in the people the habit of co-operation. But if it will consult the committees and work with their co-operation, it will greatly cultivate in people the habit of mutual help and co-operation. The provincial committee need not meet

very frequently. It can meet now and then and can give some advice to the Commissioner for rural uplift in certain matters. These are my suggestions, and, I think, if they are acted upon, we shall greatly benefit the zamindars and the peasantry of this province, as it is a very useful work. I do not propose to go into the details of the rural uplift work. If I begin to discuss the present working of this department, what should be done and what should not be done, it will take a long time and unnecessarily prolong the discussion. I, therefore, would wind up my speech with a strong appeal to the Honourable Revenue Member, that he should pay particular attention to this work. With these words, I resume my seat.

Mr. President : If every honourable member, participating the general discussion, takes as much time as Khan Bahadur Sardar Habib Ullah has taken, I am afraid that very few members will get opportunity to speak. Does the House desire that I should fix a time limit for speeches ?

(It was agreed that the time limit should be 15 minutes for each member.)

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Every year we attend the budget session and hear the budget speech delivered by the Honourable Finance Member and every year we congratulate him and every year we try to tear him to pieces. Unfortunately for our province we have a certain amount of expenditure which we cannot reduce and unfortunately for us also we have not got at the helm of affairs in this country any person who is such an authority as to give us some help in increasing our income. We tell the Honourable Finance Member that our expenses are increasing. What does he do ? He acts like the person about whom I will give an example. A person met a doctor and the doctor told him, "You are putting on weight, better reduce it." That gentleman being a glutton went home and thought about it seriously. After six months he again saw the doctor and he was walking on clutches. "What did you do ?" asked the doctor. "You asked me to reduce my weight and I could not cut off my food and so I thought the best thing was to cut off my leg," was the reply. Similarly, what does the Honourable Member do ? We ask him to reduce expenses. He reduces the expenditure on the nation building departments which are the life of the country. You will have observed that a few years back the fees of the students were increased and the grants reduced. We know that he did not reduce the high salaries of the officers. Look at the wastage on public works, wastage in the Irrigation Department ? Can we not stop this *rishwat satani* ? What do you do ? You reduce some hospitals, give less grants to aided schools and say here is the budget, the work is done, we have reduced the expenses, and you restore the cut of 5 per cent. in salaries, well knowing that there is going to be a deficit of 21 lakhs next year. I am afraid this jugglery has been going on too long in this country and time has come, I am sorry to use these words, to stop it. This being practically the last or the last but one budget, it is useless to go in for the Honourable Member. He being only a part of the machine, we cannot expect these things from him alone ; but all the same we must say we are dissatisfied. The whole Government should have taken care to find means to increase the income of the province. We are having a deficit budget for the last 5 years. There is no use expecting any money from this province when there is no money. Year by year we are importing millions worth of goods into this country and not a pice

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worth of goods go from the Punjab. You may do all sorts of jugglery. You may say that we are solvent. But the fact remains that day by day our wealth is going down. Some ten years back we had plenty of gold and cash. We used to see our women in the villages loaded with ornaments of gold. But now if you go to the village you will find that not a single woman wears even a *churi* of gold. Nothing is left with us. All the reserve is gone.

It is all well for the Honourable Finance Member to say that he is leaving this country solvent. He is no doubt leaving us solvent—

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I use the word in its technical sense. Every student of chemistry knows what a solvent and solution is. The fact, the painful fact, is that we are going down day by day and the day will come in a few years when we shall find ourselves in a crisis. There will not then be a penny to pay the loans we are now accumulating. You have borrowed crores of rupees for irrigation, crores for hydro-electric schemes. How are we to pay the interest, how are we to repay the debt? Where will the money come from unless we are going to export something out of this country? If there is a well out of which you are to distribute water to a growing population unless you burrow deep into the ground and take water it is impossible to expect that the well could meet the demand for water, but when the well has dried out and no water is available then pumping it becomes useless and then other sources have to be found out.

What are the ways by which Government have tried to increase our income? It is no use saying that we are to have more schools, more courts for the administration of justice and so on. There will be so many administrative improvements going on, but what is it that the Government have done to add to the income side of the province? None whatsoever. Last year I forced my honourable friend, the Minister for Local Self-Government, to bring out a Bill which was lying in the musty files of his office for many years. The Bill was brought up and passed through this House last year. That was the culmination of my five years of effort, and we have yet to see whether the Government is going to implement its provisions. Imagine what the situation would be in similar circumstances, say, in France. If they honestly felt they could not balance the budget, that their imports were more than their exports, they would have taken courage to stop all imports of luxuries. In a country like England which draws its supplies from practically every country in the world, be it Tibet or be it China, as soon as it found that the imports were more than the exports what happened? What did it do when this was the position just a few years ago? At once they swept off the entire ministry from the seats of power—it was then the Labour Ministry—and formed a National Government, and what was the first object of this National Government? It was to balance the budget, not only to balance it but to see that the wealth of the country did not go out, but to decrease the imports and increase the exports. What did they do to gain this end? The thing by which they had always stood steadfastly, I mean the gold standard, even that was demolished in two minutes and the currency was depreciated to such an extent that their exports increased and imports diminished. What is our position here? Our cotton, we cannot sell, our wheat we cannot sell. The Minister for Agricul-

ture says that we have not got even enough wheat to live upon. How are we to feed ourselves, how are we to give the salaries of high paid officers, how are we to run our roads and railways, how on earth are we going to carry on? There is no way except to help the growth of industries. If we can not bring money from outside at least let us stop the money going out of our province. The Honourable Finance Member will be leaving us in another year and I assure the House that our position is going to be very bad despite the Honourable Member's assurances that he is leaving us solvent. I am not blaming the Honourable Finance Member, but I am blaming the whole system of Government. We would have been richer persons if something had been done to stop this outflow of money from the province. But we are helpless. My honourable friend, the Minister in charge of Agriculture, when he started his regime as Minister for Industries, started with a bang and proclaimed: "I am going to help the growth of industries for therein lies our hope." But he ended with a thud. My honourable friend, the Minister for Agriculture, talked to us highly about industries and what he was going to do for them. But all his talk has ended in smoke. (*The Honourable Minister for Agriculture*: I will be able to show that they did not end in smoke.) Something may be somewhere in the pigeonholes of Government, but of practical proof there is none. His period of office has been an absolute failure so far as industries were concerned. (*Honourable Members*: Question.) Honourable members may go on questioning, but there are facts staring at our face. I had high hopes of the Honourable Minister. I am not criticising him with any rancour, I am only explaining the position as it actually is. The position before the House and the true position before the province is indeed far from hopeful. Despite all our efforts in the past we have been able to do precious little for cottage industries. The Honourable Minister asks, what are cottage industries? A minister who has been these years in office if he asks now what are cottage industries, I can only say that his place should be somewhere outside this House. Leave aside cottage industries. Has anything been done for industries? There was a committee appointed and it investigated and reported on one hundred and fifty industries. If even fifty of them had been encouraged by Government we would have been a prosperous province to-day. Let us see what other countries have done. Within twenty years from a purely agricultural country Japan has grown to be a most prominent industrial country of the world. I trust my honourable friend has not forgotten history by this time. Surely he must remember that within a few years after the Franco-German War with the little indemnity which Germany took from France it started industries on a vigorous scale and went through to a pinnacle of industrial regeneration and has come to occupy the position it occupies to-day. Here every year we are asking: You are increasing our expenses, increase our wealth correspondingly. What has been the practical result? Zero. It may be that going through Anarkali you see young boys in the height of fashion and many people going about buying this thing and that. But this does not reflect the true state of the province. Go into the country to the remote places. You see people who do not get food even once a day, you see poor boys ill-clothed and ill-fed. There is poverty all over the province. Do not judge by the boys and girls of Lahore; do not go away with the impression conveyed to you by the rich people borrowing money to buy motor cars or buying nice dress suits. Go

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to the interior of the country and see the conditions for yourself. The condition is most deplorable. I live in a town; I live in the midst of my countrymen and I know the true position of my own countrymen. I ask, what is the budget going to do, the budget which these smiling gentlemen have prepared and placed before us? Not a single penny is being spent on *Yatimkhanas*. There are hundreds and thousands of orphans in the province and you are not spending a penny for orphanages. You have thousands of workless people and Government do not provide employment for them. Unemployment in any other country on such a large scale as it is here now would have had telling effects. Any government which does not do anything for the large numbers of unemployed would be out in the street within five hours. You may sit here happily and quietly with thirty votes behind you knowing that nobody can touch you. I assure you that a government which does not look after its unemployed workers, does not find work for them, is not worthy of being called a government. It is all right to say, we are administering the affairs of the country. Anybody can administer a country like this anywhere. It is nothing difficult. You are well paid and secure in your places, what about lakhs of unemployed? Unless trade and industry flourish you can have no real prosperity for the country. There are no doubt conferences and committees from time to time to consider this, that and the other. One or two gentlemen of Government sit along with a few Council members there and then off they go to have six months' sweet sleep. It is no use telling us that we are going to have a deficit of only 20 lakhs. I say it will not be twenty lakhs only, but day by day the deficit will increase.

I am sorry that the time for my speech is up. My burden has been the same throughout. I now bow to your ruling, Sir, and shall when the time for moving cuts comes urge upon the Government even at the last moment to do something for industries.

Thakur Pancham Chand (Kangra, non-Muhammadian, Rural) (*Urdu*): Sir, so far as I can recollect this is the sixth and perhaps the last budget that has been presented to this Council. The term of the Council was extended every year but along with it the matters got further complicated. The Urdu maxim

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is applicable to us because from the day we were elected members of the Council we have been face to face with the world-wide general depression. The abnormal fall in prices and consequent miserable plight of the zamindars compelled the Government to grant remissions in land revenue and abiana from time to time. An attempt was made to make up the deficiency in the income by effecting a cut in the salaries of government servants but even this has now been restored. A loss of about 15 lakhs has been sustained in the receipts from Stamps. Another loss of 11 lakhs is threatened by the stoppage of the export of charas from Yarkand under the orders of the Government in charge of that place. There is to be a loss of 20 lakhs from land revenue in the Lyallpur district and loss of 7 lakhs in the Excise Department. In fact our condition is insolvent. The new reforms are likely to saddle the province with further financial difficulties. Under

the new constitution the number of members and ministers will be almost doubled. It would entail fresh expenditure. There are particular factors operating to swell our expenditure in 1936-37. One of them is the holding of elections for the future Legislative Assembly. There will be a non-recurring expenditure of 17½ lakhs on the new Council Chamber. There is of course one redeeming factor and that is the growing return from the Hydro-Electric Project which is developing. I understand that the Government have under consideration some schemes of new taxation. The country is already sick of taxation and any further taxation is likely to prove the last straw that breaks the camel's back.

I would also like particularly to draw the attention of the House to the communal tension now prevailing in the province. The Honourable Finance Member in his speech remarked as follows:—

"Then we have been driven to heavy extra expenditure by the communal disturbances which commenced in July last. Such disturbances are an expensive luxury for the province, though they may bring profit to some of the individuals who are mainly instrumental in raising the trouble. If people would realise that communal disturbances have to be paid for in hard cash they might show greater activity in repressing the more turbulent elements of the community."

After reading or hearing these remarks one should hang his head in shame. As a matter of fact before the introduction of Montague-Chelmsford Reforms the inter-communal relations were very amiable. The Congress was all in all. At the time of the Jallianwala bagh tragedy it appeared that the whole country was united. But with the advent of the reforms the situation altogether changed. Communal riots became the order of the day. The first communal riot broke out at Multan on the occasion of Muharram when I was in the Dera Ghazi Khan Jail. Almost all prominent leaders of Congress were then in jail. We predicted at the time that India was doomed. These riots cause immense loss to life and property. It is a pity that two sons of the motherland cannot live in peace. They fly at each other's throats in the name of religion. As a matter of fact I doubt if slaves can have any religion. Further, what connection has religion with politics? If the present state of affairs continue I do not think our position will be in any way better than that of the members of a district board. The whole power will be in the hands of the governors. We are talking of minorities and majorities. I ask, when Aryans invaded India were they in majority or when Muhammadans came to India were they in majority? The English now governing India are also in a minority. In my opinion the responsibility for the present state of affairs mainly rests with the press and particularly with vernacular press. The editors and correspondents have no conscience and they do this so that the circulation may increase. Secondly it rests with the self-interested communal leaders and leading members of the Council. The activities of the vernacular press must be restricted. The communal leaders should refrain from fanning communal fire. If they refrain from their nefarious activities the communal situation in the country is sure to improve in a day. Unless better inter-communal relations prevail we cannot look for national advancement and progress. The third factor which is responsible for this communal tension is the existence in large numbers of the denominational institutions. There is for example a D.-A. V. college which, in effect, has been a college for Hindus alone and there is an Islamia college in which

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only Muslims can read and seek admission. Then there is a Khalsa College for Sikhs alone. Now the youngmen who study in such colleges cannot be expected to have a broader outlook on life. They must be men of sectarian views and in fact they are men of sectarian views and a student who has been reading all his life in a D. A.-V. school or college does not regard a Muslim as a Punjabi or an Indian but he knows him as a Muslim. Similarly a Muslim student who has been educated in an Islamia school or college, has no love for a Hindu as his countryman. These denominational institutions are, in short, poisoning the minds of our youngmen on whom we could have relied for the liberation of our motherland. In order that these institutions may not prove harmful as they are doing at present, I would request the Honourable Minister to make it compulsory for the management of these institutions to admit a fixed percentage of students belonging to communities other than the community to which an institution concerned apparently belongs. This course, I am sure, will help to create a healthy atmosphere and a spirit of toleration in the minds of youngmen who are going to take our place in the near future.

There is yet another factor which has very much spoiled the atmosphere and that is the present wide-spread unemployment. Honourable members must have some experience of how the unemployed youngmen help to foster communal bitterness. Having nothing to do they approach members of their respective communities and tell them that such and such service of the Government has become a monopoly of other communities or that there is a paucity of members belonging to their community in that service. The members who are easily accessible and who very much depend for their success on the voters are then asked to see the Finance Member and the Chief Secretary and request the latter to stop recruitment of the members of the community or communities already over-represented and to take men belonging to their community alone. I may here as well say that somehow the members of the Council have come to be regarded as service securing agencies and the result is that they are so much pestered by their voters. As weak human beings they are in their turn influenced by what they are told by their voters and in this way the communal feelings grow to make matters worse. It is high time that some remedy should be found out to put a stop to this evil. If Government cannot do anything at present to decrease the number of unemployed, I would suggest to the Honourable Minister to give up the policy of opening new colleges in future at least for some time to come.

The Honourable Malik Sir Firoz Khan Noon : I think that the honourable member will not mind if the college at Dharamsala is closed.

Thakur Pancham Chand : I will not mind if all the colleges are closed at least for some time to come. It is a fact, that students join these colleges with very high hopes. Every one of them goes to these colleges with the hope that after his B. A. and M. A. he will become an extra assistant commissioner and failing that he is sure to secure the post of a tahsildar or at least that of a sub-inspector of police. But only a few of them succeed in getting these posts and others become dangerous members of society if I may say so. The worst of it is that in these colleges our youngmen forget that high ideal, "Simple living and high thinking." They only

learn to live in expensive style and in this way they waste so much of the money of their parents and I should say of their country. My time being over, I resume my seat.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I express my hearty appreciation of the labour and hard work which the Finance Department have brought to bear upon the preparation of this budget. The Honourable Finance Member, as an administrator, has been a straightforward, sincere and sympathetic officer and his speech on budget estimates shows that this is a clear full, frank, and fair statement of the finances of the Punjab. That this is a deficit budget is not his fault. Unfortunately throughout the country, with the exception of one province, that is Bombay, all the provincial budgets are deficit budgets. It is a fact that we are passing through a very critical economic depression. So far as the financial position of the province is concerned the Honourable Finance Member himself has admitted in his budget speech that the income is below the average of the last 10 years and also concedes that his expenditure is below the decennial average. That in itself is a disturbing and distressing feature of the budget. Again, unfortunately when budget estimates were presented last time, we had a surplus budget of fifty-six thousand rupees. But the Honourable Finance Member says now that the actuals that we are having in the revised estimates for the current year are 21 lakhs on the deficit side. This is explained in this way that we have got 15 lakhs of rupees less than the budgeted income which was shown last year and that we have to spend 6 lakhs more than the expenditure budgeted for the current year. Therefore, taking into consideration these factors, it must be admitted that the condition and the state of affairs is very serious. When we come to the budget estimate for the year 1936, we find that the Honourable Finance Member tells us that there are certain adverse factors which are sure to affect the Punjab finances, as for instance, he says that one important factor is that there will be a sure loss of 20 lakhs of rupees, so far as the revenue and income are concerned, from the revenue of Lyallpur district alone. Because the system of fluctuating land revenue that has been introduced will result in a sure loss of 20 lakhs of rupees.

Another adverse factor that he has admitted is that we would be losing 6·97 lakhs as a provincial share which the Punjab was getting with respect to Excise duty on liquors brewed and distilled in the Punjab. Then we are told that with the introduction of the reformed constitution the cost of the administration will be raised by a sum of over 4 lakhs. Well, that is the price for democracy, as we surely know that democratic administration is always more costly and, that therefore, there must be a price for democracy.

Another addition to our expenses is the sum of one lakh for the Public Service Commission. We are told that a sum of 17 lakhs of rupees will be spent upon the construction of the new Council Chamber. As against these adverse factors which he has shown in his speech he counts upon certain aspects of the income side. But these are more or less of a fluctuating nature. They are not very sure factors from which we might expect that income would be coming. They are in the nature of a surmise. The Honourable Finance Member thinks that perhaps the province will be getting more income from Hydro-Electric Scheme. But when we know the condition of the zamindar, when we know that the purchasing

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power of the zamindar is the lowest, we doubt very much that we would be getting any income from Hydro-Electric Scheme. He also counts upon some income from the Haveli irrigation scheme. This being the state of affairs, it might be submitted that all is not well with the State of Denmark. He himself has admitted in his speech—

“When all is said and done the increase of expenditure estimated for 1936-37 as compared with the year that has closed, *i.e.*, 1934-35, is disturbing, and with a view to checking it—”

He says :—

“I propose to have the increases in each department analysed at greater leisure than is possible during the rush of preparation of the budget”.

Now, if that is the state of affairs, it can hardly be said that the present Government will be handing over a solvent estate as it is stated, to the reformed Government.

We must take stock of our present state of finance. As has been urged from time to time there is much scope for economy. I would submit that in the first place it has been pointed out in this House from time to time that the salary bill is perhaps responsible for the great expense. This province consumes something like 400 lakhs as the salary bill. Therefore it is high time that some attention should be paid to the reduction of the high salary bill. When last year the Honourable Finance Member was introducing the Budget he said that there was a ray of hope and perhaps the worst of economic depression was over and he restored the 5 per cent. cut. We were assured that there was a surplus of 56,000. But what do we actually find? We find that there is a deficit of no less than 21 lakhs of rupees. Further, at that time also I pointed out that it was doubtful whether the depression was over and whether we had even turned the corner. Facts have clearly shown that that was the exact state of affairs. Therefore it is a problem which must be faced by the Government sooner or later.

Last year when the Honourable Finance Member was making a speech on the Budget, some questions had been put to him whether there was going to be a revision of salaries of class I and class II services. Another year has rolled on and still the Government is not in a position to announce what their decision is. It says that it has done all that could possibly have been done, but still it is not in a position to announce what has been done. While on this subject I might point out that there is increase in the police budget. As has just been pointed out by some previous speakers, that has been caused by the communal disturbances, and it has been rightly pointed out that we Punjabis ought to hang our heads in shame for these communal disturbances which are responsible for this heavy expenditure. The Honourable Finance Member in his speech states and I must quote his very words. He says :

“Such disturbances are an expensive luxury for the province, though they may bring profit to some of the individuals who are mainly instrumental in raising the trouble. If people would realise that communal disturbances have to be paid for in hard cash, they might show greater activity in repressing the more turbulent elements of the community.”

This is a sane advice and I think we should not be ashamed to take it coming though it may be from the often maligned bureaucrat. When we find

that actually circumstances have been created through which this province is passing, we must take the lesson to heart and I must take this opportunity without trying to apportion the blame, because in some quarters it has been suggested that for these disturbances only those who are responsible for the communal trouble must be made to pay, without going into that question because it requires examination, I think we must be failing in our duty if we were not to pay our tribute to the Government in general and to the Finance Member and the Chief Secretary in particular for the effective steps that they have taken to cope with these communal troubles and in restoring peace and tranquillity which was being disturbed by the turbulent elements in the province.

Next I have got to make one or two observations, and the first is with regard to the important question of unemployment. Last year in my speech I drew pointed attention of Government to this thorny problem which must be faced by every government. European governments have tackled this question and their governments fail or succeed according to their capacity to tackle this problem. In this country also this question must be tackled. We find, for instance the United Provinces Government have appointed a committee of officials and non-officials to examine this question and to suggest ways and means of how to solve the great question of unemployment. It would be no answer from Government that they have no funds. It is a question which must be tackled and it is a question which not only concerns a large number of young men who have got the best brains and who have spent most of their capital on their education but some of them are men who, as His Excellency Sir Herbert Emerson was pointing out the other day, are going from door to door for their livelihood and who might adorn some of the important Government benches. This is a question which must be tackled by Government. (*An honourable member*: What has become of the Unemployment Committee's Report?) The question has been put purposely by the honourable member, and he knows that the United Provinces Government have stated that they are not in a position to take any action on account of lack of funds. I did anticipate this question and that is why I said that it is no reply to say that there are no funds, whether that reply comes from the United Provinces Government or from the Punjab Government. This question of unemployment when solved will also solve a very important political issue, because we find that misguided youths sometimes fall a prey to mischief mongers and spell their own ruin and become a menace to the ordered progress of government and also to the progress of the country. Therefore I suggest in all humility that this question must attract the attention of the Punjab Government.

Then there is the question which has just been touched and that is the question of the industrial and agricultural developments of the country. I know that the Honourable Minister for Agriculture will come with his long speech on improved seeds and improved cattle, but he should rise above these technical details and come forward with a big and bold scheme just as it is being done in countries like Japan, Germany and Italy. (*An honourable member*: We are not a country, we are only a province). So much the better.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu): I am thankful to the Honourable the Finance Member for preparing this budget. I am thankful not to him alone but also to those Finance Members who preceded him and chalked out a way for him to be followed while preparing a budget. I do not know how a budget is to be prepared but still if I were to occupy the place of the Honourable the Finance Member I am sure I will prepare a budget if not better than his at least as good as his. It is easy to prepare a budget of this sort. It only requires cutting down the grants of the beneficent departments. A subordinate, say an assistant, comes and tells that the income has fallen while the expenditure has increased. On this you have only to refer to the budget statement of the last year and out of the grant of some beneficent departments make a cut equal to the amount of the loss in the income. But sometimes on account of the expectation that criticism may be launched by the members on the ground that such a big cut has been made in one particular item of expenditure, cuts of smaller amounts are made in the grants of all the other beneficent departments in the hope that while a big cut in one particular item is sure to attract notice smaller cuts may pass unnoticed. Sometimes in order to escape criticism on the part of the members the Finance Department adopts such methods. The one crying need of the people is education but it is education grant which suffers whenever there is a deficit budget. The pace at which education is progressing here would require at least 900 years to impart education to some reasonable proportion of the population. Similarly in the Department of Industry, whenever Government wishes its expenses are curtailed and then again whenever thought fit the amount curtailed is restored. The same is the case in the Public Health Department. The Government can take any liberty with its expenditure whether it is cutting down or increasing. Government does so because it knows that it cannot be defeated in the Council and that it can get the budget passed very easily. The Government no doubt deserves to be congratulated for this, but I think it is we who most deserve such congratulations because it is we who have not the courage to oppose the Government. No one can call upon the Government to explain their position so far as poverty and such other evils are concerned. In this country no one has the courage to ask from the Government as to what they have done that they should be paid taxes. No widow who pays any kind of tax has the moral courage to ask of the Government what they have done for her that they should demand a tax from her. No father has the courage to ask as to why he should pay a tax when nothing has been done for the education of his children. Under these circumstances when there is no one to call upon you to explain your conduct you can prepare a budget even for 15 crores. I can prepare a budget of any such amount, and who cannot do so if he is sure of his Rs. 5,000 a month? People have been raising hue and cry and have been demanding that education should be imparted on a very large scale but the Government have always turned a deaf ear to their demands. The Government realise taxes without discharging their corresponding duties in the matter of education, health, etc. In such conditions it is not difficult to prepare any budget.

My honourable friend Sardar Habib Ullah just read a statement that by the 5 per cent. cut in the salaries a saving of 20 lakhs has been made.

The Government does not tell us the real amount spent on the services but I think it cannot be less than Rs. 4 crores and a sum not less than two crores is spent on the travelling allowance of different Government servants. Out of a budget of 10 crores a sum of 6 crores is nearly spent on services. Seven crores are paid as interest on debts and export for the year 1934-35 is about five crores without any corresponding import. This means that we annually send out money but do not get money imported as the price of any commodities sent out to other countries. This very well shows our financial condition. Our financial condition cannot but be poor when our import of goods is great but export very little. Much stress is being laid in these days on the development of cottage industries. If you start preparing khadar it is no use, for after working all day long you can prepare khadar worth only 5 pice and if you were to work very hard and become an expert weaver of khadar your daily income will not exceed 7 pice. I have worked the hand loom and have seen that it is no use weaving khadar. The country is poor, educated people are going about without employment and all classes of the people are equally in the grip of indigence. I was told by a few teachers that often such students come to their schools who have not got clothes to keep them warm in the winter season. Under such circumstances it does not look proper for us to congratulate the Government on the preparation of any such budget as the present one. It is also not proper for the Government to expect any such sort of congratulations as have been poured upon them by various members.

Next, I will make a few submissions regarding co-operative societies. The Honourable Minister for Agriculture will soon rise and start taking pride so far as the work of the co-operative societies is concerned. I would ask you, to calculate the time in which the burden of indebtedness will again—in case the present burden of indebtedness is removed as it is being attempted to remove it—become as great as it is at present on account of these societies. In 1929 the debt of the zamindars was 80 crores and then later on according to the report of the committee which you had constituted it was 1½ arbs. With the exception of a few societies all the societies have proved a failure. Only those societies are successfully working whose members are either Government servants or non-agriculturists. In my district the societies of the zamindars which are in a flourishing condition are only those which depend for their deposits, etc., on the money that is sent from America by some relatives of the members of those societies who have gone there and are earning it there. It is such deposits which are advanced to zamindars as loans. The societies of C and D classes are so many in numbers that one fails to understand how they work or whether they will continue to work successfully.

The next subject I shall refer to is the question of education of our children which is always a source of deep anxiety for me. But the Government is not paying adequate attention to this question. Recently the condition of education in England was being discussed in our newspapers. It was mentioned that in a certain school all the students of a particular class got promotion with the exception of a single student who was very weak. Nobody recommended that the school should be closed down; the only recommendation which was made was that the teacher in charge of that class should begin to coach the boy at the latter's residence. This

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is the interest which England takes in the education of a single son of hers and this is the solicitude which is felt in that country lest one of her sons should remain unlettered. But in this unfortunate country of ours thousands of boys are roaming about uneducated, unlettered and nobody bothers his head about them.

I know how the Government prepares its 'satisfactory' budgets. They can very well promise that they will prepare a satisfactory budget in 1937. But what have they been doing in the past? In 1921 a surplus of 60 lakhs was shown but in the following year a big deficit was shown. In the same way there have been alternate deficits and surpluses in the previous years. Why so? Our deficits and surpluses are not based on any sound principle. They depend upon the sweet will of the Government. The Government is all powerful; it does whatever it wishes to do. We have neither to do anything with the deficits nor with the surpluses. In fact if I were questioned as to the condition of our present budget my answer would be that I see the word deficit writ large on every page of our budget. I think that so long as the regime of those people who pull the strings of administration while sitting in their *kothis* is not brought to an end, the present state of affairs will continue to exist. The time is fast approaching when it will become impossible for such people to be at the helm of affairs. At that time the ministers will be responsible to the elected representatives of the people. People will demand explanation from ministers on every vital issue. Under those circumstances ministries will be kicked like a foot ball from one corner of this House to another. Responsible, and wise gentlemen will rather like to remain out of the cabinet in order to save their honour. Coming into the cabinet will entail great responsibilities and great risk of incurring the displeasure of the people. May be, somebody is taken in by the deceptive appearance of the present budget. In that case he will be desirous of laying his hand at a glittering thing, but this will prove to be a live coal. He will certainly burn his fingers. This will be the state of that person who is deceived by the present financial condition of the province as depicted in the budget, and is out to form a ministry. I have got very pessimistic feelings about the present state of affairs. I think our budget represents a body without life and our people are a nation without soul. Only a Messiah will be able to save us. I have always been pointing out that the Government can never continue to befool us.

(At this stage the bell rang indicating that the time of the honourable member was up.)

Sardar Sahib Sardar Ujjal Singh (Sikh Urban): Although the Honourable Finance Member has made every effort to balance the budget and tried to reduce deficits, one disquieting feature about it remains. Our revenue receipts since 1925-26 have been gradually falling. In that year the revenue receipts were 11,89 lakhs but for the year 1936-37 they have been estimated at 10,44 lakhs. On the other hand we see the expenditure growing up. In 1925-26, excluding the provincial contribution, the expenditure was 9,12 lakhs and for 1936-37 it amounts to 10,61 lakhs. If we look at the reserved side, we find that the expenditure has grown tremendously. Police expenditure in 1934-35 stood at 1,21 lakhs whereas in 1936-37 it has

been budgeted at 1,26 lakhs, that is, an increase of 5 lakhs in two years. On the whole the beneficent departments have suffered heavily. In 1929-30 the total amount set apart for the beneficent departments was 8,28 lakhs whereas after seven years, that is, in 1936-37 the amount set apart for the beneficent departments is 2,89 lakhs inspite of the increase in population. This should give the Government serious thought whether all is going on well in this province. The Government should also consider whether their only duty is to balance the budget or whether they have got more important duties towards the people. No doubt the Government has been for the last few years trying to economise but mostly at the expense of the beneficent departments. It has done precious little to improve the condition of the people as a whole. The budget may have been balanced, but the income of the people, the purchasing power of the people stands at the lowest ebb.

The Government used to give near about 10 lakhs as grant for the Sanitary Board, but at present it does not commit itself to any figure. The Government used to give about 28 lakhs as contribution for the roads under the various district boards. That grant has been considerably reduced and practically all nation-building activities are at a standstill. There has been no advance in education. All the programme for opening new hospitals at tahsil headquarters has been set aside. If we look to other countries, we can draw some inspiration, we can find, at any rate, the efforts that have been made for helping the people. As most of us know, the United States of America, a very rich country, rich in industries and rich in Agriculture, has made stupendous efforts to raise the level of prices. But for the Bank Head Act, which was passed last year and which has unfortunately been declared illegal by the Supreme Court, prices of cotton would not have risen last year. If the Punjab peasants were able to obtain higher prices for cotton last year, it was not due to any effort on the part of the Indian Government or on the part of the Government of our own province, it was simply due to the efforts of the United States of America to help their farmers; and to-day, by the declaration of that Act as illegal by the Supreme Court, the price of cotton, which stood at Rs. 235 Brooch some months back, is now Rs. 190. In the case of wheat, the prices, as we all know, are so low that it does not pay the cultivator to sow wheat. Even these low prices we are able to maintain by an imposition of import duty. We have no exportable surplus in the case of wheat, but we are situated in such a way that in selling our produce to different provinces, we cannot obtain a fair price. The chief difficulty in our way is the railway freight. Australia can compete with us more favourably in Calcutta for the simple reason that it is cheaper to export wheat from Australia to Calcutta than it is from the Punjab markets to Calcutta. Another competitor who has come into the forefront since the last few years, is Sind. On account of Sukkar Barage Scheme, vast areas have been brought under cultivation in Sind. Wheat of our province is at a disadvantage at Karachi. The railway administration has tried to redress this grievance to some extent not by reducing freight from Punjab markets to Karachi, but by raising freight for distances under 400 miles to Karachi, which has evoked a very strong protest from the Karachi Chamber of Commerce and from Sind. Unless the Government of the Punjab make strong efforts and make strong representation to the Government of India for revising the railway freight

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policy, it will not be possible for the Punjab zamindars to grow wheat at remunerative rates. I hope that with a brilliant Punjabi as Railway Member, these grievances of the Punjab will be redressed.

The Honourable Nawab Muzaffar Khan : It has already been represented.

Sardar Sahib Sardar Ujjal Singh : Another factor which has considerable effect on raising prices, as most of us know, is the question of currency. I do not know whether this is the place for ventilating our grievance, but the fact remains that if our currency is depreciated, it will have the effect of stimulating prices of primary commodities. As most of us know, the wage-earner in this province is a co-sharer in the produce—the agricultural wage is not paid in cash. The chief objection against depreciation of currency is that the wage-earner, the poor man, who is to be paid in cash, will suffer. But that argument does not hold good so far as this province or for the matter of that the whole of India is concerned. The majority of our wage-earners are agriculturists who are paid in kind and not in cash and if the prices of primary commodities rise, the wage-earner as well as the peasant proprietor will stand to gain.

The next question on which I would like to submit my views is the question of the services. We all realise that the success of the new constitution depends upon the good relations between the various communities and we all regret the communal tension, that exists in this province to-day. Many remedies have been suggested. Some swear by the fact that unless joint electorates are introduced, there will be no peace in the province. It may be true, but it is not possible at this stage. Even if it were possible, I do not know whether all the communities are in a mood to accept joint electorates at present. But there is another question—the question of services, which has been the bone of contention. Most of the questions in the Legislative Council which are put by honourable members relate to the representation of various communities in the services. I, for one, would like services to be recruited on merit alone, and I was responsible for moving a resolution in this Council in one summer session, when Sir Geoffrey deMontmorency, the then Finance Member made a declaration of Government policy. But the different communities did not appear to agree with me on this point. The services have continued to be recruited on communal lines. The result is that in some departments some communities have [got] preponderating representation and in others some other communities. The Sikhs are very poorly represented in the police constabulary. The House will be astonished to know that the Sikhs, who supply and who have supplied a very big share to the Army, are only represented by 7 per cent. in the constabulary. What I am driving at is this, that the communal tension will be considerably decreased, if not eliminated, if the proportion of the various communities is fixed. (*Hear, hear*). If you cannot recruit people on merit alone, the next best thing is to fix the proportion and then have the best men within that proportion. This would save a good deal of worry to the members and a good deal of time to the Ministers. (*Cheers*).

Mr. E. Mayadas (Nominated, non-official) : I offer my congratulations to the Honourable Finance Member, Messrs. Ogilvie, and Ram Chandra and

their office staff for the work they have done in preparing the budget. I also offer my congratulations to the various services of the province and in particular the Police Department who have risked their lives and offer sympathy to the widows and orphans of members of the police force who gave their lives in fighting with dacoits.

The graphs in the 'Memorandum Explanatory of the Budget' for the year 1936-37 help considerably in understanding the details given in the budget. I agree with several of the remarks made by several of my predecessors but I won't repeat them. But I have a special reason to draw the attention of the honourable members of the Council to this book in pink cover called "Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936," to which the honourable member, who has just spoken, has made reference. In this Consolidated Statement there is a column called "Others." I recollect having made a request on a previous occasion that Government may kindly have a separate column for the Indian Christians as they have done in the case of Europeans and Anglo-Indians, Muslims, Hindus and Sikhs. I hope that Government will find it possible to do this in future. When I went through this book, I felt like crying, and even now, Sir, I feel like crying because very often a good cry gives great relief. May I point out, that in the Reserved Departments, out of 48,242 posts about $\frac{1}{4}$ th of the posts only are held by "others," which means that the Indian Christians do not hold more than $\frac{1}{4}$ th of the total posts—it may be less. The Indian Christians represent 2 per cent. of the population and if they might be considered entitled to 2 per cent. of the posts, then at present they have got only $\frac{1}{4}$ th of their share. In other words, $\frac{5}{6}$ th of the posts have gone in other directions. As to any weightage that these minority communities might have received, I beg to state that none has been given, in fact the weightage is a minus quantity. We are not in favour of communal representation in services. We stand for open competition, even if we do not get a single post. But we are compelled, to follow the wishes of the majority communities and we bow to their decision although unwillingly.

Figures are generally uninteresting and boring, but I hope, that this may move the members of the Government and members of the other communities to take some action in the matter. I hope that they may be led to examine and find out the reason why the Indian Christian community is so under-represented. I see that out of 48,242 posts we hold only 166, but if we take the entire posts of the Reserved Departments and the Transferred Departments, they are about 56,000 out of which the Indian Christian community has got less than half their share. I beg to draw the attention of the Government members to this aspect of the case and I hope that some suitable action will be taken in the matter.

In certain departments such as Medical and Education the Indian Christians where women teachers and nurses are concerned have done better, but that is because we offered our services when others were not keen on joining, but now that other communities are coming in the proportion of Indian Christians has begun to fall. I would respectfully urge on other communities to consider us their children. We are poor, we are weak and I would respectfully ask, are you not going to help us? Are you not going to

[Mr. E. Mayadas.]

allow us to occupy the posts when our members hold the minimum qualifications? If trained men are not available, are you willing to offer any facilities to us for training? Is it a fact that in the railway and in the post office posts are reserved and given only to Indian Christians? Even if that is not so, is the Punjab Government willing to keep some posts for Indian Christians? What does unemployment mean? Unemployment means a hungry stomach and a man who is hungry can do all kinds of things which will disturb the peace of society. I hope that no one from my community will turn a dacoit or a robber. But the hungry will do things which others will not do.

I will now quote a few figures and I hope to receive a patient hearing. In the Punjab Civil Service, out of 287 posts, on the executive side, 3 are held by "others". In the Police, among deputy superintendents of police, out of 55, we have nil. Inspectors, out of 141, 1; sub-inspectors, out of 820, 5; assistant sub-inspectors, out of 400, 2; head constables out of 3,050, 3; constables out of 17,764, 29. In the Public Works Department, Irrigation, Provincial Service, Punjab Engineering Service, out of 90, nil. Here I may say that last year an Indian Christian who had passed from Roorkee had applied. He had even passed the competitive examination for the Imperial Service and stood third on the list, but there were only two vacancies and so he was not taken but a man of such high qualifications even was not taken. Perhaps there were others with better qualifications. But I submit that when there was a member of this community with minimum qualifications, he should have been taken. I think here my community feels that it has a grievance.

Then in the Subordinate Engineering Service, out of 417, there is one, zilladars, out of 233, nil; candidate zilladars, out of 61, nil; head clerks and other clerks, out of 654, 5; draftsmen, out of 215, 2; patwaris, out of 2,971, 3; munshis 613, nil; signallers, 475, nil. In the Forest Department, forest rangers 62, nil; deputy rangers 35, nil; foresters 107, nil; forest guards 762, 2. Land Revenue Department tahsildars 120, 1; naib-tahsildars 189, nil; kanungos 778, nil; patwaris 9,270, 3. In the High Court, clerks 944, 6; bailiffs 801, nil. Punjab Civil Secretariat, total posts 227, and we get 2 though it is put down at 4 here by a printer's mistake. Office of Financial Commissioners, total posts 109 and we get one and that the post of a junior clerk, Jullundur division. Deputy Commissioners' offices, out of a total of 487, we get 3. In Commissioners' and Deputy Commissioners' offices, Lahore division, 638, 9; Rawalpindi division, 541, 6; Multan division, 686, 2. Then in the Transferred Departments, Ministry of Agriculture—agricultural assistants, 215, 1; mukaddams, 253, 2. Ministry of Education—subordinate educational service, Anglo-Vernacular section, 970, 9; Vernacular section 863, 1. Medical Department—sub-assistant surgeons, men, 556, 2; dispensers, male, 253, 2. Ministry of Local Self-Government: Department of Industries, 390, 9. Public Works Department, Hydro-Electric Branch, out of 446, we have 13; Registration out of 53, nil.

In some places where the number of posts that I have read out is large, they come under the lower paid staff and not in the higher paid ones. I do not say that members of my community are entirely blameless in the matter. But I do feel that the Government members are overworked.

and have not the time to look into this matter from our point of view. I ask, is it or is it not the duty of Government to see that one community is not left practically in the cold and are not made to feel that they are being neglected? I know some cases where members of my community had been worried and troubled and they have had to leave. I know it for a fact that there have been cases when their applications have been mislaid, delayed or torn up, by head clerks, &c. We have had to bear all this quietly and we will bear it quietly in future also and we will still try to serve and do the best as opportunity offers itself. But we cannot help now and then bringing these matters to your notice and pointing out that instead of getting a full share of the posts according to population basis and instead of being given weightage, five-sixths has been taken away from us. I beg that you will kindly consider this matter and try to do something to help us as you would treat your children when they are hungry or ill. We require extra nourishment and extra care. Are you going to give us this little attention and earn our gratitude?

As my time is up I will make mention of only one other matter and that is about the difficulty of the landowners in my neighbourhood in Ferozepore. I feel it my duty to bring it to your notice that they are finding it extremely difficult to pay the land revenue and, therefore, I beg that something should be done to afford them relief.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I will begin with a couplet from the political economy book of Shaikh Saadi of Shiraz—

چون دخلات نیست خو چ آهسته تر کن
که مع کوفت ملا حال سر و دے
اگر باران دے کوهستانی نہ مایوں
بسالی دجلہ و د خشک د دے

It means that when you have got less income, when you have got no increase in income, then you should be ready to curtail your expenditure very quickly because the boatmen sing that if rain does not fall on the hills the river Euphrates which is a mighty river will become a dry rivulet in a year. This applies to our budget which shows a deficit of 21½ lakhs in the revised estimates of the current year and for the next year there is a deficit of over 16 lakhs. Taking together these amounts they come to about 37 or 38 lakhs and on the top of it there will be before the end of the next year certainly some supplementary demands which may amount to not less than 30 or 40 lakhs as has been the experience in the past years. Now according to the speech of the Honourable Finance Member we are expecting a deficit of about 20 lakhs in the settlement of the Lyallpur district. Probably the settlement assessment will come into operation next year. Then there is about 7 lakhs less in the form of contribution which we used to get from the Government of India for the North-West Frontier and Delhi Provinces. There has been a deficit of 15 lakhs in stamps which is not likely to decrease but might go up because the conciliation boards have been in operation only for 6 months now, while they will be in operation for a full year next year. Then there is the apprehension in the minds of the sahu-kars that probably

[K. B. Malik Zaman Mehdi Khan.]

owing to economic depression they are not likely to get anything from their debtors. Then a very important item has not been very clearly stated and that relates to the increments of the Government salaried staff. It has not been mentioned what the amount will be. Probably it will be more than what it is during the current year and may amount to something like 12 or 15 lakhs. This is only an approximation. Taking all these figures together and also the new constitution and the elections to the new councils and so on, there is bound to be a deficit next year of not less than one crore or at least between 60 and 70 lakhs. So it is absolutely necessary that we should put our house in order before we hand over this so-called solvent estate to our successors. The Honourable Member said in his speech that it is very gratifying to see that at the time of handing over this estate it will not be in debt. But as I have quoted the couplet, in the beginning of my speech, how are we to balance the budget in future years? We had a total reserve or surplus of about 192 lakhs in 1934-35 and it came to 167 lakhs during the current year, and in the year 1936-37 it is going to be only 141 lakhs. So this surplus upon which we are priding ourselves will be exhausted in one or two years. What is going to happen after that? Nothing has been said as to what measures are going to be adopted for an increase in our receipts. So the condition of the province is a very disquieting one and there is no reason why the Government before it makes it over next year should not take some measures by which the income can be increased. Are there any resources which can be increased to the required extent? I think not. Much has been said about intensive cultivation or increase in the income of the agriculturist. But that is only a fiction as far as I understand it. The one great result of the Great War has been that every country in the world especially in Europe has been adopting a policy of self-sufficiency. And that policy is that every country should try to meet its own requirements from the produce of its own country and should not import articles from foreign countries. That is the policy of self-sufficiency. And on the top of it tariff walls have been erected in all countries. No country wants to buy goods from other countries. Supposing we try to increase agricultural produce in this country we are not likely to get any market for it. The chief products which can be exported and which have been exported from here in the past are wheat and cotton. The stock of wheat is even now in excess as compared with the consumption and Professor Gulshan Rai has calculated that wheat to the extent of six crores in value is lying without any demand for it. Similarly, cotton is not going outside the country at all. Last year we thought when a cloth mill or factory was established at Lyallpur that we would have very high prices but it was only for a part of the year. As has been said by Sardar Ujjal Singh, owing to the result of an Act passed in the United States, the prices of cotton rose to about Rs. 10 a maund. But this year those hopes have not been realised and the cotton prices were about Rs. 8-8-0 for some time only. They have been less than Rs. 7 a maund for American and less than Rs. 5 for desi cotton. There is no hope that our goods are likely to fetch any higher prices in the future. Probably there would be a glut of these articles in the future and we cannot thus depend upon any increase of income from agricultural sources. The only thing which can help us is a very serious curtailment in the salaries of all officials leaving aside those who are getting only Rs. 30 or 40 a month. As regards this, I think the

Government should appoint a committee consisting of officials and non-officials who should overhaul the whole financial condition of the province and propose measures for the balancing of the budget in future. I think that under the new constitution or in the next Council the salaries of Ministers are not likely to be what they are now. Why should not the Ministers take a step now to show their goodwill and sympathy with the people of the province by curtailing their own salaries? I doubt very much whether the future ministers will get more than Rs. 3,000 a month. That would be quite ample. If that is not possible for the present, Government should adopt a cut in the salaries, ten or fifteen per cent. as the case may be so as to balance the budget. Last year there was absolutely no justification for the restoration of the five per cent. cut. We were told last year that there was a surplus of Rs. 56,000. That has disappeared in the course of the year and we are now faced with a deficit of Rs. 21.75 lakhs. The same conditions are going to prevail for the next year also. The measures suggested by me just now should be adopted by the Finance Department, otherwise there seems to be no hope of running the reformed system of Government smoothly in the future. In several ways retrenchment can be carried out. For example, in the rates of the Public Works Department, in the reduction of officers in the Agricultural Department, reduction of officers in the Co-operative Department and so on. Take the case of the Forest Department. On the income side we have got only Rs. 19 lakhs while on the expenditure side, we have Rs. 22 lakhs. How can we go on in this way in departments which should in fact be revenue paying departments? Why not abolish some of the posts which seem to be unnecessary? Similarly in other departments. I would only say a few words in a general way because the details will be dealt with at a later stage of the budget debate.

I turn now to Education. Every Minister after the lapse of a year should render an account of his stewardship. We do not know what has been done for the last fifteen years or even five years. What increase has there been in the number of boys educated since the reforms were introduced last? (*An honourable member* : Look to the Administration Reports.) No one reads those reports. They are not received sometimes. (*Honourable Minister for Education* : The Council Library has them all.) That is true of all books. They are to be found in the Council Library. But that is no answer. As I said last year take the example of other countries, Persia, Afghanistan, Turkey and Egypt. During the last few years they have made wonderful progress. What has been done here? At the time when the reforms were introduced the percentage of literates in the population was only 9. I doubt whether there has been any increase now. Even if there has been it would only be on paper. Go to any village school or any school in the mufassil. You will see that the number on the rolls is very much greater than the actual strength present in the school. It is only a sort of paper business and does not show that there has been an increase actually in the number of literate persons. But the Honourable Minister is not to blame. He has simply to cut the coat according to the length of the cloth. He is not responsible for that. The whole income of the province is being consumed in salaries of the services, I mean much more than is actually necessary.

Then I come to the departments under the Honourable Minister for Agriculture such as co-operation. It has not been successful. Government

[K. B. Malik Zaman Mehdi Khan.]

might say that it is very successful because there are so many societies, the number is increasing and the deposits are growing, and that the number of members has increased from so many lakhs to so many. But what is the actual condition? Practically it is the big zamindars who appropriate all the sums which are deposited in these societies. They give the loans to certain of their tenants or other dependants without their knowing that they have incurred these debts. When the time for recovery comes these poor fellows without knowing that they are indebted are dragged before the arbitration tribunals and their lands are farmed out or other measures taken to recover the sums from them. (Mr. M. L. Darling: May I ask to what proportion of the seven hundred thousand members of the co-operative societies would this remark apply?) I think the honourable Financial Commissioner will be able to find it out himself by making enquiries because these are things which cannot be answered off-hand. I know it for certain because I have been in charge of districts and I can say that there have been persons who are resorting to these mal-practices. (Mr. M. L. Darling: Could the honourable member give us some idea?) It is very difficult. Roughly the percentage may be five, ten or fifteen. (Mr. M. L. Darling: May I ask the honourable member whether that is a guess or based upon any enquiry?) Based upon my actual experience of certain districts.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): While I do wish to pay a generous tribute of praise to the Finance Department, from the Honourable the Finance Member down to the humblest clerk, for the time and labour which they have devoted to the preparation of the budget, I cannot conceal from myself the fact that this budget is not indicative of any prosperity in the province. Not only that. But even the actual amount of deficit is no indication of the extent to which nation-building departments have been starved during the last three or four years. If the actual requirements of even the existing services were to be met to the full, the amount of deficit would be perhaps three times, perhaps four times. For the last three or four years no expansion or development worthy of the name has taken place. The Education Department, Agriculture Department, Veterinary Department, Co-operative Department, practically all the departments which serve the best interests of the general population, are being starved. I will take the example of the local bodies. Their resources are limited. And so far as district boards are concerned, they have gone to the fullest possible length to raise such revenue as was open to them under the law. Beyond and above that they have to depend in the future as they have had to depend in the past upon grants made by the local Government. I am acquainted with the exact condition of the district boards in the south-east Punjab. I know it for a fact that in order to make the two ends meet the district board of Rohtak has had to curtail the number of schools, to withhold annual increments, and to withhold grade promotions from its teachers. Several schools have had to be closed; proposals have been made to close down certain hospitals; roads have had to go to bits for lack of funds to maintain them in a proper state. That I am not speaking from imagination, will appear from the review of the Administration Report of the Punjab Public Works Department, Buildings and Roads Branch, for the year 1934-35. This report makes it plain that district boards during the

last four years earned, under the rules made by Government, a grant of Rs. 16 lakhs and 54 thousands. Even out of this grant, which was actually earned by these district boards under the rules in force, only Rs. 11,62,000 has been paid to the district boards in the form of grants. That is, nearly five lakhs which was due to the district boards has been withheld by the local Government. This is the state of things only in respect of one particular service. I may let the House know that this applies practically to all the services which are being maintained by district boards. I do not know whether municipal committees are in a better condition. But I have no grounds to suppose that district boards in the central, south-west or north-west, Punjab are in any way better than the district boards of the south-east Punjab. So in the way of communications, in the way of sanitation, in the way of education, in the way of medical relief, local bodies are being starved. Perhaps the House will be surprised to hear that in the Rohtak district alone over 100 primary schools are being housed in village *chaupals*. Over a hundred in a single district! And some of these schools have been housed in village *chaupals* for over twenty-five years. It is in this way that the budget was balanced last year, and it is in this way that the amount of the deficit has been kept down to Rs. 21 lakhs this year.

If surpluses were to be secured, it could be very easily done by closing 10 per cent. of hospitals, by closing down certain portions of roads and by withholding grants to local bodies. With a larger measure of such action, it would, I think, be possible to show a surplus of even 50 lakhs. But that would be no surplus, because it would be achieved by actually starving the nation-building departments for lack of funds. I have not sufficient time to go into details, but what I have already said in this connection ought to be sufficient to indicate the various means which have been adopted by Government to keep down the amount of their deficit or even to show a surplus. What fills me with alarm is the fact that the sources of revenue which are open to local Government are limited in number. Other sources are either not readily available, or they are not being tapped by Government in a proper manner. A committee was appointed 4 or 5 years ago, which suggested over 40 new sources of revenue. Out of these 40 sources of revenue, only 2 have been explored with effect, and the third is still under investigation. In fact, Government seems to be very much afraid of tapping these new sources of revenue, because those new sources of revenue will touch the pockets of a class which knows the tricks of agitation.

The chief sources of our receipts are irrigation and land revenue. Even in the present budget they account for an income of Rs. 876 lakhs. The total of our receipts falls short of even 10½ crores. So all the other sources of revenue yield appreciably less than 200 lakhs. Now, if you just examine the position with regard to land revenue and irrigation receipts, you will be disconcerted to find that in future they will not only fail to give larger returns but there are very good reasons to suppose that they will provide even smaller receipts. I will just draw the attention of the House to the fact that the general average proportion of net assets, which the local Government takes from the province as a whole is, I think, about 30 per cent. Under the Land Revenue Act, as amended in 1928, the maximum which the Government is entitled to take out of the net assets is 25 per cent. In a very large number of districts settlements will be due within the next three or four years. That

[R. B. Ch. Chhotu Ram.]

means a fairly substantial drop in your receipts from land revenue in the near future. Apart from the fact that even the present assessment in recently settled districts is much too high and will necessitate remissions every year, we cannot shut our eyes to the fact that in all the districts, except one or two, where old settlements are about to expire, you will be having a serious fall in land revenue receipts.

Now let us take the case of irrigation charges. I will compare irrigation rates which were in force in 1905-06 with those which were in force in 1931-32. I will again draw the attention of the House to the prices of the principal agricultural products which obtained in 1905-06 and in 1931-32, respectively. The prices of various agricultural products in 1905-06 were :—

				Rs. A. P.	
Gur	..	..	..	5 0 0	per maund.
Rice	..	..	..	2 4 0	Ditto.
Cotton (desi)	..	..	..	7 4 0	Ditto.
Wheat	..	..	..	2 8 0	Ditto.
Rapeseed	..	..	..	4 0 0	Ditto.
Bajra	..	..	..	3 4 0	Ditto.

In 1931-32, the corresponding rates were—

Gur	..	..	..	3 8 0	per maund.
Rice	..	..	..	1 9 0	Ditto.
Cotton (desi)	..	..	..	7 8 0	Ditto.
Wheat	..	..	..	1 14 0	Ditto.
Rapeseed	..	..	..	3 8 0	Ditto.
Bajra	..	..	..	1 10 0	Ditto.

Water rates in respect of various crops stood in the two years, respectively, as follows :—

In 1905-06—

Gur (sugarcane)	..	..	..	90	Annas per acre.
Rice	..	..	..	66	Ditto.
Cotton (desi)	..	..	..	40	Ditto.
Wheat	..	..	..	40	Ditto.
Rapeseed	..	..	..	40	Ditto.
Bajra	..	..	..	28	Ditto.

In 1931-32—

Gur (sugarcane)	..	..	..	192	Annas per acre.
Rice	..	..	..	120	Ditto.
Cotton (desi)	..	..	..	88	Ditto.
Wheat	..	..	..	84	Ditto.
Rapeseed	..	..	..	68	Ditto.
Bajra	..	..	..	52	Ditto.

Now, the drop, so far as prices of agricultural products are concerned, was 80 per cent. in the case of *gur* and 30·6 per cent. in the case of rice. There was an increase in the case of cotton of 3·5 per cent. There was a drop of 25 per cent. in the case of wheat, a drop of 12·5 per cent. in the case of rapeseed and a drop of 50 per cent. in the case of *Bajra*.

On the other hand water-rates increased by 113·3 per cent. in the case of sugarcane, by 81·8 per cent. in the case of rice, by 120 per cent. in the case

of cotton, by 110 per cent. in the case of wheat, by 70 per cent. in the case of repeseed and by 85·7 per cent. in the case of *Bajra*.

So, while in the case of the prices of agricultural products there has been a substantial drop, in the case of water-rates, there has been a tremendous rise. Nobody can suggest that, in justice, water-rates ought to be maintained even at the existing level; and if they cannot be maintained at their present level, then your receipts from irrigation—

The Honourable Nawab Muzaffar Khan : In what year ?

Rao Bahadur Chaudhri Chhotu Ram : I have mentioned the year quite distinctly. There has been a reduction of rates in the case of sugar-cane, wheat and cotton. On the whole, I think, there has been a reduction of about 6 per cent. in all. However, I have given the years of the rates quoted. We all know that a permanent remission of a slight proportion of water-rates in the case of certain crops has been allowed. It is easy to calculate the difference which this reduction makes. Anyway, having regard to the fact that prices were appreciably higher and water-rates were substantially lower in 1905-06 than they were in 1931-32, it cannot be said that even after making allowance for the recent remission, water-rates can be maintained, in justice, at their present level. So, I think, I have shown to the House that in respect of the two principal sources of revenue, Government ought to be very thankful, indeed, even if it escapes from suffering a loss which, if it accrues, will have a most unsettling effect upon its budget.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*) : Sir, it does not seem a proper thing to say with regard to the present budget that it has been very ably prepared, for, this budget has been prepared keeping in view the principles according to which the money-lenders act when they have to calculate the amount due from their debtors. There is a likelihood of a deficit of one crore in this budget and notwithstanding this, nothing material has been done for that portion of the population which pays nearly four-fifths of the whole revenue receipts. All the benefit goes either to the Government servants or some other people who are very few in numbers and then the benefit that goes to these later is not very much. In the beginning when the reforms were introduced it was shown that something will be done for the promotion of industries and education. Look at this budget and also look at the previous budgets and you will find that neither in this one nor in the previous ones have any large sums been earmarked for the purposes of education and industrialisation. As has been rightly observed by Chaudhri Chhotu Ram, even arrangements are not made for school buildings and boys have to read in *chaupals*. The public health is as poor as it was before. New hospitals are not being opened in rural areas and the rural population has been left to drift for themselves as best as they can in very adverse circumstances. The Retrenchment Committee which was appointed some four years ago recommended retrenchment in the expenses to the extent of 1½ crores and its recommendations were adopted in practice, but within two years the expenditure has again risen to the same level where it was before the retrenchment in the expenditure was made. At that time it was said that within three years more a saving of an equal amount will be made by a further cut in expenditure, but instead of doing anything in that direction, within two years of the application of the recommendations

[Pir Akbar Ali.]

of the Retrenchment Committee the expenses have risen to the same pitch as they were before the cut in the expenditure was applied. The Government have started some schemes for the benefit of the rural areas, but these schemes are nothing but luxuries provided for a few Government officers to keep them busy and get their pays. The Rural Reconstruction Department is an utterly useless department. A good part of the money spent on it directly or indirectly finds its way into foreign countries. After all what is the use of such things as broadcasting and cinemas and latrine-building schemes, which require Rs. 48,000, Rs. 58,000 and Rs. 10,000, respectively, to be expended? If you refer to page 30 of the Punjab Debates, Volume XXVII, you will find nearly one lakh of rupees earmarked for such schemes. It is all waste of money while the poor zamindars are starving and are going about almost naked.

Now I will take different departments and make a few submissions regarding them. First of all I take the Education Department. I would submit that it would be very very beneficial both from the point of view of students as well as authorities to change the medium of instruction. Nearly two-thirds of the total expenditure on education is spent on teaching English, which is very difficult for our boys to learn. After wasting their time and our money the result is that the students only get a smattering knowledge of the English language. What we do, so far as our knowledge of English is concerned, is translating our ideas which rise in our minds in our local languages into English. This means that we have only wasted time without learning this foreign language. This is useless waste of time, energy and money. As regards the judiciary, litigation has decreased, but the number of sub-judges has not been decreased. The Government's income from this source has decreased and the reasons are financial stringency and the increased stamp duties. It is very rare that a case is taken to an appellate court. People have not got money even to fight a case in a lower court. Thus six sub-judges have been found spare and they are employed for the supervision of the work of the process servers. Then, if a Government servant is due to retire he is given extension after extension. If instead of retaining him Government retires him, it would mean a saving, for if at the time when he is due to retire he is getting some Rs. 1,200 per month you can effect a saving of Rs. 800 per mensem by employing a new man in his place and giving him a start of Rs. 400. Governments are always for the benefit of the people. I do not say that our present Government is also for the benefit of the people. These members of Government have come from over the seas and they have their own interests. The burden of population on the

5 P. M.

land has increased in their own land so they have to find accommodation outside in other countries. But I would advise them to have mercy upon us, and help us in keeping us alive. If we die they will be deprived of the people who work and earn for them. I take the case of administration of justice. Courts are opened to afford facilities to the public to refer their cases to them and have them decided by them. But you have made litigation very expensive. In the United Provinces, if you require a copy, you have to pay 14 annas for 1,800 words, but here you have to pay Re. 1-2-0 for 203 words. Notwithstanding this, here in the Punjab the income from this source is not much. The Government

charges for all things connected with litigation. It charges Rs. 8 per hour for inspecting files. Then there is a shooting licence. In order to make the payment for it, one has to come here, and has to spend money on fare for his coming and going back. In addition to all these there is corruption rampant in all departments. This also is a heavy burden on the people. In the co-operative societies, although there is no corruption, still they cause too much trouble to the zamindars. They put the zamindars to a greater inconvenience than the sahkars do.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): First of all I wish to congratulate the Honourable Finance Member, who has really prepared a very interesting budget. It gives us a good insight into the past and the future income of this province. He seems to have worked very hard indeed, and he has tried his best to present a very bad situation in the best possible manner. I also wish to congratulate our old friend Mr. Ram Chandra, the Financial Secretary, not only because he is an old member of this Council but because he is the first Indian to hold this important post. He comes to this province after having won laurels in the Government of India, and we hope that with the passing of time he will present a more prosperous budget than he has given us this year. I regret, however, that I cannot share the hope which the Finance Member expressed in his speech that he will hand over to the next Government a solvent estate. The budget itself gives indication that the province is slowly going towards bankruptcy. I said this sometime ago, and I have absolutely no ground to change the opinion which I formed two or three years ago. First of all I agree entirely with my friend Rao Bahadur Chaudhri Chhotu Ram that the two main sources of our income, land revenue and irrigation, are not going to give the same amount of income which they are giving at present. There is a very serious depression in the province and has been for some years, and it is likely to continue for goodness only knows how long. Therefore, if the Government wishes to be fair and just, it is bound to cut down the land revenue and other charges which the peasants have to pay and I do hope that when the next Government comes it will start doing its work in a very sympathetic manner so far as the zamindars and people who live on land are concerned. This is a matter of which the Government has to take note, but when preparing the budget this side of the question has not been taken into consideration, otherwise the hopes that are expressed would not have been expressed. But I totally disagree with my friend Chaudhri Chhotu Ram that other sources of revenue are available at the present moment, for, people whether urban or rural are taxed to their highest capacity, and there is unfortunately no margin left for increasing our income either from urban sources or from rural sources. The honourable member knows very well that during the last ten or twelve years there has been a considerable increase in urban taxation. Taxation can only be increased if the capacity of the earner or producer to earn is increased. I do not find any indication in the province that there is going to be any increase in the earning capacity either of the earner or the rural population. As a matter of fact I find that one of the most serious problems which is confronting this province has not been tackled at all by the Punjab Government. That is the problem of giving employment to the unemployed, both educated and uneducated. We know that it is a very serious and a very dangerous

[Mr. Nanak Chand, Pandit.]

problem which requires to be solved at the earliest possible opportunity. Those who have had an occasion to come into contact with the unemployed belonging to the educated classes ought to know that there is such a serious problem that there is so much complaint, that there are so many young men going from door to door begging for employment of some kind, that some steps should have been taken by the Government to relieve their misery, but unfortunately the Government has not risen to the occasion. Governments of Germany, England, America are tackling this problem very boldly. They might succeed or they might fail in tackling their problem, but here no effort is made by the Government, not even a desire has been shown by the Government either in this budget or in the previous budgets to cope with this problem of unemployment, of both the educated and uneducated. If these young men could have been employed, there would have been a steady increase in the income of the province, but unfortunately the problem remains where it was some years ago and it is increasing day by day. It is time that the Government took note of the misery of these people and the various complaints of the distress that have been made. The problem should be solved at the earliest possible opportunity.

The Honourable Dr. Sir Gokul Chand Narang : You will please make some suggestions.

Mr. Nanak Chand Pandit : Since I have been asked to make suggestions, I should say that first of all there should be grant of land to educated people. Secondly, effort should be made for the opening of small industries costing not more than Rs. 5,000 or Rs. 10,000 in which young men can join. Unfortunately, there has been no desire on the part of Government to tackle this problem of industrial development of the province. Very late in the day, a Bill was presented to this House for aiding industries; but I do not know whether the Government is going to grant any money for the industrial development of the province. Thirdly, there should be a change in the curriculum of education. Vocational education should be spread in the province. Again, means should be adopted by the educational authorities to look to the good physique of our students so that they may be able to bear the burden of manual labour. This is not being done at present in our province. There are many more suggestions which I can place before the House but for the fact that the time at my disposal at present is very limited.

The next point to which I would draw the attention of the House is that there is a great dearth of education amongst women. The problem of female education, vocational or industrial, should also be tackled. Unfortunately for us, we have got in this province schools and colleges for women run on old lines. There must be considerable change in the curriculum of studies of our girls in schools. They must be taught such subjects in schools as would fit them for running their homes efficiently. They should be taught domestic economy and small industries which would keep them engaged during their leisure hours at home. The Honourable Minister for Education should call a committee to tackle this problem of education for our girls.

While talking on this subject I would like to say that I see no reason why education should be given through the medium of English and not

of Hindi or Urdu. The Honourable Minister for Education should carefully study the Report of Sapru Committee. He will find therefrom that our system of education requires change in the method of instruction. The present system leads to much waste and it is not really much of education at all.

Then again, the Honourable Finance Member has very rightly pointed out that the expense of police has been increasing unduly. That is a very grave problem. I expect, and I say this with very great trepidation, that this expense would go on increasing so long as the communities are not taught to trust one another. That cannot be done by the present system of Government, nor even by the system of Government which is going to be introduced shortly. The communal problem can be solved only by an entire change in the system of Government, by the complete abolition of the communal system of electorates. Otherwise all hopes of things getting better vanish into thin air.

Another important matter to which reference was made by my friend, Pir Akbar Ali, is the fact that civil litigation has greatly decreased. But it is not a matter of gratification that it has decreased, for the decrease is not due to the fact that people have begun to realise the benefits of mutual compromise or adjustment, but it is due to the fact that the cost of litigation has gone up very much. The stamp duty and court fees are so prohibitive that people are afraid of going to courts. Justice has become very costly, and even if justice is obtained at so much cost, people are not in a position to realise the fruits of justice got after so much expense. There is thus a denial of justice. If real justice should be administered then the court fees should be considerably reduced. It is a very sad feature that under the present system of Government justice has become so very costly.

I shall now turn to the question of salaries of Government officials. I say this, and I am sure the House will support me, that the Government took a wrong step in restoring the 10 per cent. cut, when the province was groaning under the depression, when the income of almost every earner went down and down. The Government should have continued the 10 per cent. cut and the servants of the Government, too, should have been contented with their salary less 10 per cent.

There are other matters about which I should have liked to say a few words, but my time is up and I have to conclude my speech; and I do this by urging upon the Government the necessity of tackling the unemployment problem. I do hope that Government will do something in this direction and that immediately.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): In rising to criticise the budget presented to us this year, I am struck at the optimistic tone adopted by the Honourable Finance Member at the sound condition of the finances of the province. He says that he is handing over to the future Government a thoroughly solvent estate, but looking at the figures of the budget, it will be evident that there is a deficit even this year, of about a crore of rupees. I will presently show how I arrive at that conclusion. According to the Honourable Finance Member's own words, the income from stamps will be 15 lakhs

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less than was anticipated. There is also a shortage of 11 lakhs owing to the stoppage of the export of *charas*. There will be a shortage of 20 lakhs owing to the resettlement of the Lyallpur district. In excise there will be a shortage of 7 lakhs. All these come to 58 lakhs. To this may be added 19 lakhs which is the deficit in the present year's budget. Honourable members may like to know how I arrive at this deficit of 19 lakhs. I may point out that although there is a surplus of 2,52,000 in the present budget, taking into account the deficit of previous years which we have to meet this year, we get a deficit of 19 lakhs. Adding this figure to the previous figure which I have mentioned the total comes to 72 lakhs. Again, at page 9 of the Honourable Finance Member's budget speech, it is said that from the receipts of sale of waste land an income of 36 lakhs is expected. I am sure the Honourable Member is very much mistaken in expecting so much receipts from this head. Only 5,000 acres of land are available for sale. This will not bring in so much as 36 lakhs during the present year of depression. At the most it can be expected to bring in only 17 lakhs and that too at the most optimistic estimate. There will thus be a difference of 19 lakhs between the estimate of the Honourable Finance Member under this head and the actual that can reasonably be expected. Adding this sum to the 72 lakhs we have already arrived at we get a figure of 91 lakhs. Again, in paragraph 3 of the Honourable Member's speech it, is said—

A mere glance at the figures is sufficient to justify the estimates of income under all heads, except possibly land revenue, irrigation, agriculture, civil works and the hydro-electric scheme.

Now, these are the main heads of revenue, and these are the items which bring about a decrease in revenue. Taking this fact into consideration, unless one is over optimistic, one knows that there will be a deficit of one crore of rupees this year. That is not a sound legacy which the Honourable Finance Member can take pride in handing over to his successor. (*An honourable member*: May I know what the honourable member means by deficit? There is nothing like a crore of rupees deficit in the budget.) If the Honourable Member will examine the figures carefully he will find that the future revenue will be one crore less than the present revenue. In that way I see nothing but trouble and misery for the next Government which is coming to take the place of the present government. The Government should therefore find some remedy for this state of affairs.

The best remedy for the Government was to have curtailed the expense. I say they have failed because they spent huge sums of money when the income was decreased beyond all expectations. Take this curtailment in the case of a house-owner, who does not see beforehand what is in store for him in the next year or the year after that when rents are decreasing and his income goes down. Yet with all this they are adding one department after another as if they are in a prosperous condition. I can tell them that this department which they have started is absolutely of no use at this time. A man should think of incurring a huge expenditure only when he is prosperous; but when he is going down, and if at all he is driven to start a new thing or a new venture, he must incur very little expenditure. With all this, there is in the speech of the Honourable Finance Member a paragraph which has perhaps startled everybody who has read it

carefully. He says¹—

When the wheat ripened it was to all appearance a fine crop, but after it had been harvested and thrashed out, it was discovered that the grain had shrivelled in the ear with the result that the harvest was a poor one.

What can one expect of a crop the development of the grains of which is retarded? One cannot get more than one-third of the expected produce. In spite of the fact that the prices of the shrivelled grain were very low, suspensions of land revenue to the extent of nearly 5 lakhs, remissions to the extent of 8 lakhs and special remissions of Rs. 11 lakhs were only granted due to the unsatisfactory condition of the rabi crop in 1935 and the low prices of the grains prevailing in the markets. A remission of Rs. 11 lakhs in an amount of Rs. 4 crores is nothing. It is only 1/36th of 4 crores of rupees. While the rabi crop was one-third you gave remission of only 1/36th. With these facts and figures, please do not say that the zamindar will be happy.

The Honourable Sir Donald Boyd : Sir, the honourable member has omitted from my speech the words "in several parts of the country". He is now speaking as if remission was given for the whole of the Punjab, which was clearly not the case.

Chaudhri Allah Dad Khan : I understand very well. In other parts of the province, the crop had failed altogether. If you want to contradict me in this respect, you can just take the figures of girdawari. I say that one-third was the total produce during the last year and it fetched only half the price of the better wheat. Anybody who has seen cannot, of course, stand in need of these figures or these estimates. I have seen with my own eyes in the case of produce of my lands that the crops did not yield more than one-third of what we originally estimated. I tell you, Sir, there is a custom in our part of the country that landowners generally make an estimate of the crop, and whatever estimate I made, I found that there was only one-third of the produce.

Now I take the Revenue Department itself. The condition of the Revenue Department as regards *benami* transactions is hopeless. Some time ago, I pointed out that if on investigation the tahsildars find that there is a *benami* transaction, they can report the matter to the Deputy Commissioner. I now make one suggestion which I hope the Financial Commissioner, Revenue, will consider, as he is a very keen observer of these things. He has already done some good to the zamindar in some transactions which were improperly sanctioned by the deputy commissioners. The zamindars are most grateful to him for this. He should issue a circular letter to the tahsildars that wherever they find a *benami* transaction, they should make full investigation into it and report the matter to the deputy commissioners for asking permission to review. If the deputy commissioner refuses sanction, let him send up that mutation with whatever report he likes—whether he agrees with the tahsildar or not—and forward it to the Financial Commissioner, and if the Financial Commissioner finds that there is a *benami* transaction, he can revise it under section 16 of the Land Revenue Act.

I must add my meed of praise for the Honourable Chief Justice of the Lahore High Court, who has been able to decrease the number of Judge,

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from 16 to 11 from the next year. The net saving due to the reduction of 5 judges, their staff, etc., will be more than Rs. 3 lakhs a year. That is a great achievement on the part of the Honourable Chief Justice of which any man should be proud. I would have showered greater praise on him, if I had known that efficiency has not been impaired. I invite his attention to one case which came to my notice. It is "Taj Muhammad versus Sharif-un-niza," review application which was decided on 10th October, 1935.

Mr. Nanak Chand Pandit : A point of order, Sir. The honourable member is reflecting on the working of the High Court Judges.

Mr. President : Reflections against the judges, in India and other parts of the British Empire, are out of order. The honourable member should withdraw his remarks.

Chaudhri Allah Dad Khan : I readily withdraw my remarks, Sir. I just now want to speak one or two words about the touring of officers. My honourable friend the member from Rohtak, with quite good intention, moved a resolution by which he meant that the district officers should be brought more in touch with the people of the far-off villages. That was in good faith indeed, but the road to hell is paved with good intentions. It has done more harm to the people than was expected from it. The district officers have made a rule that they go on all holidays to a place where there is a rest house and call people there from villages several miles away from this place. What is the use of that touring when the people have to come to the officers at great trouble and expense?

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (*Udu*) : I most heartily congratulate the Honourable the Finance Member on presenting so clear and lucid a budget before the House. With the help of his assistants, he has prepared a very satisfactory budget. Every year honourable members try to find fault with the budget. It is very easy to criticise something, but it is very difficult to do that thing with one's own hands. I would say without any exaggeration that the Honourable Finance Member and his colleagues have spared no pains in the preparation of this budget. I know that the honourable members of this House are very able and learned and they give expression to their views very cogently. But usually they do not express their views for the benefit of the people or the province. They have always some purpose of their own to serve. I do not believe that they have the interest of the community at heart.

Mr. President : Will the honourable member please withdraw his remarks about the members of this House? To impute bad motives to a member of this House is unparliamentary.

Khan Bahadur Captain Malik Muzaffar Khan : I am also a member of this House like others.

Mr. President : Order, order. The honourable member should withdraw his remarks.

Khan Bahadur Captain Malik Muzaffar Khan : I withdraw my words. I am not attacking anybody, nor do I question anybody's *bona fides*. I neither attack their ability nor their honesty.

جناب علی

فدیوان زمینداران تحصیل بھکر رعایا گورنمنٹ عالیہ کی کیمال ادگنارن

(۱) تحصیل ہذا کا بڑا بھاری رقبہ علاقہ کچھ بوجہ تبدیل رُخ و ریاء سندھ چند سالوں سے زیر آب ہو گیا ہے۔ اور جس کا اثر ضلع مظفر گڑھ کے مواصلات پر بھی ایسا ہوا ہے۔

(۲) بوقت طغیانی دریا تمام فصل کاشتہ زمینداران ضلع ہو جاتا ہے۔ اور غریب زمینداران کو فصل اٹھانے کا موقع نہیں ملتا ہے جس سے سالے سال کی کما فی صفت برباد ہو جاتی ہے۔ اور گورنمنٹ عالیہ کے مالیہ کی ادائیگی بغیر فروخت کرنے مویشی یا زیورات کے اور کوئی سبیل نہیں ہوتی ہے اور اب زیورات وغیرہ کچھ بھی نہیں رہا۔

(۳) جب تخمیزی کا وقت آتا ہے تو اس وقت رقبہ سیلاب زدہ ہوتا ہے جس کے خشک ہونے تک تخمیزی کا موسم گزر جاتا ہے۔ اور غریب زمینداران منہ دیکھتے دیکھتے رہ جاتے ہیں۔

(۴) صرف یہی کچھ کار قبہ تھا جو اساک بارش کی وجہ سے بوقت قحط سالی علاقہ قحط کی تحصیل بنا کے زمینداران کی پشت پناہ بنا ہوا تھا۔ جو ناقابل کاشت ہو چکا ہوا ہے۔

(۵) چونکہ ڈیرہ اسماعیل خان کی طرف بند پتھر شکم دریا میں باندھنے سے اور بھی پانی کا رُخ مشرقی طرف کنارہ دریا اندر رقبہ تحصیل بھکر ہو گیا ہے۔ اور جس نے چاہی رقبہ تمام علاقہ کو زیر آب کر کے غریب زمینداران کو برباد کر دیا ہوا ہے۔ اب نہ جائے رخن اور نہ پائے ماندن والی بات ہے۔

(۶) ہم غریب زمینداران جب اس امید پر کہ اس دفعہ طغیانی کم ہوگی یا دریا کا رُخ بدل جاوے گا یا سال رقبہ زیر صدمہ دریا کو واسطے کاشتکاری ہوں

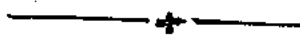
ونگاروں کے ذریعہ بلاگت کثیر تیار کرتے ہیں۔ اول تو موسم تخم ریزی گزر جاتا ہے۔ یا جزوی رقبہ پر تخم ریزی کی جاوے تو دریا چٹھ جانے کی وجہ سے سب برباد ہو جاتا ہے۔

(7) باوجود اس قدر تکلیف کے یہ غریب زمینداران اس مصیبت کا جانفشانی کے ساتھ مقابلہ کرتے رہے اور اس امید پر خاموش رہے کہ گورنمنٹ عالیہ یا افسران صاحبان مقامی اس آڑے وقت میں غریب زمینداران کی امداد فرما دیں گے۔ اور پہلے افسران صاحبان نے بھی محسوس کر کے اس طرف توجہ فرمائی۔ مگر کارگر نہ ہوئی۔ کیونکہ اگر وہ کابھی ایک بند باندھا بھی گیا لیکن وہ ٹوٹ گیا۔ اور زمینداران پھر اسی حالت میں رہے۔

(8) عام طور پر پہلے اس تحصیل میں اور خاص کر دیگر تحصیلات ضلع ندامی آبپاشی کے واسطے عملہ مقرر کیا جاتا تھا۔ مگر عرصہ سے یہ تحصیل اس فیاضی سے بھی محروم ہے۔ اور کوئی انتظام آبپاشی نہیں ہے۔ جس سے زمینداران اور گورنمنٹ عالیہ کا بڑا نقصان ہے۔

(9) اب عاجزانہ عرض ہے کہ موقوفہ اکڑو کا بنی یا جہاں گورنمنٹ عالیہ بمشورہ افسران صاحبان مقامی مناسب سمجھیں توبہ لاگت خرچ بند پھر بنایا جاوے تو ایسی صورت میں یہ رعایا سرکار رنج سکتی ہے۔ اور سرکار کا بھی فائدہ ہوگا۔

یہ درخواست چالیس پچاس آدمی تحصیل بھک کی طرف سے آئی ہے جو مختلف مواضعات کے رہنے والے ہیں۔ امید ہے کہ گورنمنٹ عالیہ ضرور اس پر غور فرما دیگی۔ ملک زمان ممدی خان صاحب روشنی ڈالیں گے +



I do not at all doubt their honesty and integrity. I withdraw my words. On this occasion I have thought it proper to ventilate the grievances of the people of my district, and I will put them before the Government. The Government knows that in the Mianwali district except Thal most of the area is *kacha*. The area of Bhakkar tahsil is within the range of the river. This fact often affects that area. Forty or fifty zamindars of Bhakkar tahsil came to me and asked me to present their grievances before Government. They gave me an application which contains their grievances. It reads as *vide opposite* :—

Sir, the inhabitants of the tahsil Bhakkar badly feel the need of a stony *bund*, which if constructed would prove useful both to the Government and the public. I hope Khan Bahadur Malik Zaman Mehdi Khan, who has been a sub-divisional officer of the place for some time, would throw some light on this important matter.

Khan Bahadur Malik Zaman Mehdi Khan : Move a cut with a view to bringing this matter to the notice of the Government and I will support it.

Khan Bahadur Captain Malik Muzaffar Khan : In the next place I would submit that the Government have established conciliation boards provisionally in four or five districts of the province. I thought that a similar board would be established in my district which is one of the poorest districts of the province, but it has been ignored. I, therefore, request that a conciliation board should be established in my district with a view to affording an opportunity to the zamindar debtors and their creditors to settle their accounts. Another request that I want to make before the Government is that the road between Khushab and Mianwali should be made pukka in order to avoid the wastage of public money on its frequent repairs. Last year also I pressed upon the Government the desirability of making this road pukka, but in vain. From Lahore to Khushab the road is metalled, but from Khushab to Mianwali it is *kucha*. Sometime back the Honourable Mr. Justice Currie went to Khushab by motor car but finding the road between Khushab and Mianwali unsuitable for motor traffic, he proceeded to Mianwali by train. It has been said that if this road which goes along the railway line is made pukka the Railway Department will suffer. If that is correct, why not treat similarly the Grand Trunk Road between Lahore and Peshawar? The road under reference is also useful from military point of view. If it is made pukka it will be useful both to the Government and the public. I would therefore request the Honourable Minister to do the needful. Besides no grant-in-aid for road building is being given to my district though it is entitled to its proportionate share. Lastly, though the Government granted remissions of *taqavi* loans to my district, and the distribution by the district authorities is fair, Bhakkar tahsil, which is by far the poorest, ~~deserves~~ further remissions. I hope the Government will see their way to accede to the four requests just made by me.

The Council then adjourned till 2 P.M. on Tuesday, 3rd March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 3rd March, 1936.

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

STARRED QUESTIONS AND ANSWERS.

REVENUE REMISSION, LYALLPUR DISTRICT.

***5293. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether there was any differentiation in the rate of revenue remission granted on account of the fall in prices with respect to *rabi* 1935 in the various Canal divisions of Lyallpur district ;
- (b) if the answer to part (a) is in the affirmative, the reasons for the differentiation ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Chiefly because the Canal divisions in question were settled at different periods on the bases of different commutation prices.

REVENUE REMISSION, LYALLPUR DISTRICT.

***5294. Mian Nurullah :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the local rate was not remitted along with the revenue remission in the Lyallpur district in *rabi* 1935 ;
- (b) if the answer to part (a) above is in the affirmative, why it was not remitted ;
- (c) whether the local rate was remitted during the previous harvests when remission of land revenue was granted in the Lyallpur district ;
- (d) if the answer to part (c) above is in the affirmative, why it was remitted ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to this question is not ready.

INCIDENCE OF LAND REVENUE.

***5295. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether the attention of the Government has been invited to an Urdu pamphlet entitled "Land Revenue and the new

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system of Assessment" written by Professor Brij Narain of the Sanatan Dharam College, Lahore ;

- (b) if the answer to (a) above is in the affirmative, how far it is true that if the costs of the cultivation do not fall in proportion to the fall in the prices of the agricultural commodities, the incidence of land revenue which the cultivator will have to pay will sometimes be more than 25 per cent. of the net assets ;
- (c) how far the chart given on page 50 of the pamphlet is correct ;
- (d) if the facts corroborate the chart in the book, whether the Government proposes to modify the new scheme of assessment ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) & (c) Government is not prepared to undertake a detailed examination of Professor Brij Narain's facts, figures and assumptions, as they appear to have little, if any, direct bearing upon the system of assessment, and in the absence of such an examination it is impossible to express any opinion of value.

(d) Does not arise.

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.

***5296. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether the Settlement Committee, Lyallpur district, Lyallpur, submitted certain objections to the Government against the new scheme of assessment proposed to be adopted in the Lyallpur district ;
- (b) if the answer to part (a) above is in the affirmative, what action has been taken on the committee's submission ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) The objections are receiving the careful attention of Government and were recently the subject of discussion between a deputation of the Settlement Committee, Lyallpur, and the Financial Commissioner, Development.

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.

***5297. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Settlement Committee, Lyallpur district, Lyallpur, passed a resolution declaring that the new scheme of assessment of land revenue commonly called the sliding scale system is not acceptable to the zamindars of the Lyallpur district unless and until certain defects of the scheme are removed ;
- (b) if the answer to (a) above is in the affirmative, what action has been taken on the resolution ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Attention is invited to the reply given to the honourable member's question No. *5296¹, part (b)

LAND REVENUE ASSESSMENT, LYALLPUR AND SHEIKHUPURA DISTRICTS.

***5298. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether Government has received a number of resolutions passed by the Settlement Committee, Lyallpur and Sheikhupura, pointing out certain defects in the system of land revenue assessment proposed to be adopted in the tract under settlement in the Lyallpur and Sheikhupura districts ;
- (b) if the answer to part (a) above is in the affirmative, what action has been taken to remedy the defects and make the scheme acceptable to the zamindars of Lyallpur and the area of Sheikhupura under settlement ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Attention is invited to the reply given to part (b) of the honourable member's question No. *5296¹.

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.,

***5299. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether Government has received the resolutions passed at a big zamindara conference held at Lyallpur on September 27, 28, and 29, 1935, regarding the new system of land revenue assessment proposed to be adopted in the Lyallpur district ;
- (b) what action has been taken or is proposed to be taken on these resolutions ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Attention is invited to the reply given to part (b) of question No. *5296¹.

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.

***5300. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether the attention of the Government has been drawn to a statement of Chaudhri Shah Muhammad, B.A., LL.B., Secretary, Zamindara League, and Settlement Committee, Lyallpur district, published in the *Tribune*, dated the 4th January, 1936, on "New Land Revenue Assessment" ;

¹ Prepage.

[Mian Nurullah.]

- (b) if the answer to part (a) above is in the affirmative, whether the indices given in the statement and worked out on the Rakh Branch commutation prices and the average market prices for 1910-12 are correct ;
- (c) if not, what are the correct indices worked out on the Rakh Branch commutation prices of the existing settlement and the average market prices at Lyallpur in 1910-12 ;
- (d) the amount of remission in the Lyallpur and Jaranwala tahsils of the Lyallpur district from the revenue demand of the Government under the existing settlement if the new system of assessment is introduced in the district and if in any year the general level of prices reach the level of Rakh Branch commutation prices of the existing settlement and the average market prices of 1910-12 ;
- (e) whether the percentage of rise and fall calculated on the Rakh Branch commutation prices of the existing settlement and on the average market prices of 1910-12 is correct ;
- (f) whether the facts and figures given in the statement are correct ; if so, how the Government justifies their claim that the new system of assessment is entirely in favour of the revenue payers ;
- (g) if the facts and figures given in the statement are incorrect, what are the correct facts and figures ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) and (e) No.

(f) The figures in the statement in question are not correct.

(c), (d) and (g) Correct figures are given in the statement A laid on the table. An explanatory note together with another statement B giving supplementary figures which the honourable member may find useful, is also attached.

Note explanatory of the figures in the attached statements.

It will appear from statement A that if in any year the general level of prices reaches the level of Rakh Branch commutation prices, Lyallpur and Jaranwala tahsils will get remission of 38 per cent., and 39 per cent. respectively, on the proposed maximum demand and of 18 per cent. and 22 per cent. on the existing demand. If the level of prices reaches the level of prices in 1910-12, the percentage of decrease on the maximum proposed demand will be 21 in both tahsils, while increase of the revenue demand over the existing demand will be 5 per cent. and 1 per cent., respectively.

It has been stated above that if the level of prices reaches the level of prices in 1910-12, the percentage of increase over the existing demand will be 5 per cent. in the case of Lyallpur tahsil and 1 per cent. in the case of Jaranwala tahsil. But it must not be forgotten that each of the two tahsils has been constituted as one whole assessment circle. Tahsils cut across existing assessment circles and are made up as follows :—

Lyallpur.—Whole of Jhang Branch circle I and parts of Rakh Branch, Jhang Branch II and Gugera Branch I circles.

Jaranwala.—Parts of Rakh Branch, Gugera Branch I, Gugera Branch II, Extensions and Proprietary Villages Circles.

The circle rates per acre matured in the existing settlement of various circles are shown in statement B. We have now of course one circle rate for the whole of Jaranwala tahsil and another circle rate for the whole of Lyallpur tahsil. Statement B also shows the percentage increase or decrease for each of the existing assessment circles in relation to the proposed tahsil

circle rates through operation of the sliding scale with reference to Rakh Branch commutation prices and prices prevailing in 1910-12. These percentages have been worked out to make quite clear fact that even if there is an increase of 5 per cent. over the existing demand in the case of Lyallpur tahsil if prices rise to the level of 1910-12, in the case of Jhang Branch circle I, which is a part of Lyallpur tahsil, there will be no increase at all, in the case of that part of Gugera Branch circle I, which is a part of Lyallpur tahsil, we will still be taking 3 per cent. less, while in the case of that portion of Rakh Branch circle which is in Lyallpur tahsil, we will be taking 7 per cent. more and in the case of that part of Jhang Branch circle II which is in Lyallpur tahsil, we will be taking 11 per cent. more than the present demand. As stated above the increase or decrease is with reference to the proposed circle rate of Rs. 6-4-6 for the whole tahsil. It is impossible to tell what the increase or decrease in percentage over the existing circle rate would have been had each component part been taken as a separate assessment circle and a circle rate worked out therefor.

In the case of the Rakh Branch circle the increase of 7 per cent. over the present demand is accounted for by the fact that the level of prices in 1910-12 is higher than the level of sanctioned commutation prices.

The same remarks apply *mutatis mutandis* to Jaranwala tahsil.

[Hon. Nawab Muzaffar Khan.]

Statement A.

1	2	INDEX FIGURE AS CALCULATED ON FIGURES IN PARAGRAPH 186 OF MR. DOBSON'S FINAL SETTLEMENT REPORT OF LOWER CHENAB COLONY.		PERCENTAGE OF THE REVENUE DEMAND TO BE REMITTED ACCORDING TO INDEX FIGURES IN		AMOUNT OF		AMOUNT TO BE RECOVERED ACCORDING TO THE SLIDING SCALE SYSTEM OF ASSESSMENT IF THE PRICES ARE THE SAME AS		INCREASE OR DECREASE OF THE REVENUE DEMAND OVER COLUMN 8 OF			
		3	4	Column 3.	Column 4.	Maximum revenue demand proposed.	Existing revenue demand (average of 5 years, 1928-29 to 1932-33).	Rakh Branch commutation prices.	Market prices, 1910-12.	Decrease.	Percentage.	Increase.	Percentage.
Tahsil.	Standard index figure according to yields and prices assumed in the assessment now proposed.	Rakh Branch commutation prices.	Average market prices, 1910-12.										
Jaranwala..	72,776	44,546	57,144	39	21	22,44,556	17,63,845	13,69,179	17,73,190	3,94,666	-23%	9,354	+1%
Lyallpur ..	73,760	45,892	58,424	38	21	25,08,571	18,95,819	15,55,314	19,81,771	3,40,505	-18%	65,952	+5%

Statement B.

Taluk.	Standard index figure assumed in the assessment now proposed.	INDEX FIGURE AS CALCULATED ON		PERCENTAGE OF THE REVENUE DEMAND TO BE REMITTED ACCORDING TO INDEX FIGURE IN.		Average revenue demand now proposed per acre matured.	8	REDUCED DEMAND ON ACCOUNT OF OPERATION OF SLIDING SCALE IF THE PRICES ARE THE SAME AS	PERCENTAGE INCREASE OR DECREASE OVER COLUMN 8 OF			
		Rakh Branch commission prices, 1910-12.	Average market prices, 1910-12.	Column 3.	Column 4.				Column 9.	Column 10.		
1	2	3	4	5	6	7	8	9	10	11	12	
Jaranwala..	72,776	44,646	57,144	30	21	Rs. A. P. 6 4 1	Rs. A. P. .. 4 10 0	Rs. A. P. 3 13 1 i.e., 61% of 6 4 1	Rs. A. P. 4 15 1 i.e., 79% of 6 4 1	-17%	7%	
							Gugera Branch I	5 1 9	61% of 6 4 1	79% of 6 4 1	-28%	-3%
							Gugera Branch II	4 13 4			-21%	2%
							Extensions	.. 4 7 4			-14%	11%
							Proprietary	.. 3 8 6			8%	40%
Lyalpur ..	72,760	45,682	58,424	38	21	6 4 6	Rs. A. P. .. 4 10 0	Rs. A. P. 3 14 4 i.e., 62% of 6 4 6	Rs. A. P. 4 15 5 i.e., 79% of 6 4 6	-16%	7%	
							Jhang Branch I	.. 4 15 3	62% of 6 4 6	79% of 6 4 6	-21%	NH
							Jhang Branch H	4 7 3	6 4 6	6 4 6	-13%	11%
							Gugera Branch I	5 1 9	6 4 6	6 4 6	-24%	-3%

LAND REVENUE AND WATER RATE.

***5301. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that in a canal irrigated area where there is fluctuating land revenue, if any part of land or a killa or field is not cultivated no land revenue and water rate is levied on such an uncultivated portion ;
- (b) if the answer to part (a) above is in the affirmative, whether it is a fact that the water channels constructed by zamindars to irrigate their fields are not cultivated, but Government charges land revenue and water rates on the area under these water channels ;
- (c) whether the Government charges land revenue and water rates on such water channels ; if so, why ?

The Honourable Nawab Muzaffar Khan : (a) Yes ;

(b) and (c). The construction of zamindari channels is at the discretion of the cultivator and as their number and position are liable to alteration to suit his needs, it is impracticable to classify these small parcels of land separately or to exempt them from assessment.

GOVERNMENT DUES ON UNCULTIVATED LAND.

***5302. Mian Nurullah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that before 1927 the zamindars were required by the Canal Department to construct a certain number of water channels to irrigate their fields under rule 9 (d) of the Canal and Drainage Act ;
- (b) if the answer to part (a) above is in the affirmative, whether the area under these water channels was ever cultivated ;
- (c) whether Government dues were levied on the area under such water channels ; if so, why ;
- (d) whether Government proposes to refund the amount so realised ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) Yes. Zamindars were required under rule 9 to construct their water-courses on certain principles, but in the great majority of cases the rule was neither complied with nor enforced.

(b) The position of these water-courses was liable to vary from crop to crop ; land occupied by them at the time could not be cultivated.

(c) Yes, because subsidiary water-courses were necessary to cultivation in any case and were included in the unit of area on which Government dues were calculated and assessed.

(d) No, for reasons given in reply to (c).

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.

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

- (a) the indices for the Lyallpur and Jaranwala tahsils for the year 1934-35 under the new scheme of assessment proposed to be introduced in the Lyallpur district ;
- (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 Nawab Muzaffar Khan : (a) Indices for the year 1934-35, on the basis of the prices current in 1933-34, were worked out by the settlement officer for the two tahsils in the abstract of the assessment proposals published by him under rule 19 of the Land Revenue Assessment Rules. The demand recoverable on this basis for 1934-35—if the new scheme were in force in that year, was also indicated in the abstracts¹. If the honourable member wishes to have the indices for 1935-36 on the basis of the prices current in 1934-35, they will be furnished to him as soon as the average prices current in 1934-35 have been ascertained from the approved *mandis* in the area under settlement.

(b) and (c) The figures cannot be furnished at present for the reason indicated in the reply to part (a) above, and also because the demand for *rabi* 1936 under the current settlement has not yet been calculated. The figures will be supplied to the honourable member as soon as available.

SETTLEMENT OPERATIONS, LYALLPUR DISTRICT.

***5304. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) the area of land in acres in Lyallpur and Jaranwala tahsils in the various classes of land revenue under the existing settlement ;
- (b) the area of land in acres in each of the above tahsils under the various classes of land revenue under the settlement operations now going on in the tahsils ?

The Honourable Nawab Muzaffar Khan : (a) and (b) Two statements, one for Jaranwala and the other for the Lyallpur tahsil, are laid on the table.

¹Placed in the library.

[Hon. Nawab Muzaffar Khan.]

Jaranwala Taluk.

Class.	Total No. of squares current settlement.	Total area current Settlement in acres.	Loss by differentiation.	Gain by differentiation.	Total area fresh classification.	Total No. of squares fresh classification.
Special Class Town Land (A) ..	Acres. ..	Acres. 82	Acres. ..	Acres. ..	Acres. 82	Acres. ..
		N. 5 J. 77			N. 5 J. 77	
Special Class Town Land (B) ..	44	754	98	70 Jhalleri.	726	42
					N. 656 J. 70	
Special Class at Ra. 8, for 648 I and 649 G. B. ..	102 4,149½	1,743 88,681	1,743 19,161	..	..	..
		N. 86,557 J. 2,024	N. 18,637 J. 524	N. 16,949 J. 129	N. 84,869 J. 1,629	3,792
II ..	2,680½	53,535	19,064	74,440	108,021	4,837
		N. 53,472 J. 63		N. 74,113 J. 327	N. 107,631 J. 390	
III-A ..	4,590	94,302	55,820	27,579	68,001	3,405
		N. 95,882 J. 440	N. 55,430 J. 390	N. 27,267 J. 312	N. 67,589 J. 362	

III-B	2,315½	43,618	25,100	18,315	36,733	2,007
				N. 18,193 J. 122	N. 36,611 J. 122	
IV-A ..	2,427	41,965	23,680	15,580	33,975	2,220
		N. 41,963 J. 2	N. 23,678 J. 2	N. 15,574 J. 16	N. 33,959 J. 16	
IV-B ..	404½	8,483	6,296	7,896	10,083	533
		N. 8,407 J. 76	N. 6,220 J. 76			
V-A ..	1,140	19,305	9,887	3,830	13,248	1,000½
		N. 19,246 J. 59		N. 3,814 J. 16	N. 13,173 J. 75	
V-B ..	145	2,285	1,443	1,075	1,917	164½
VI ..	222	3,668	3,080	289	877	129
Total	18,220	360,221	166,162	166,162	360,221	18,220
		N. 357,480 J. 2,741	N. 166,170 J. 992	N. 16,570 J. 992	N. 357,480 J. 2,741	

NOTE.—(i) N denotes Nahri and J, Jhallari. Figures are averages of areas actually assessed by the Canal Department in the quinquennium 1928-29 to 1932-33.

(ii) The marked rise in the area in Class II is due to an upward movement in Jaugli chaks, which form one-third of the total number of chaks in the tabeli.

[Hon. Nawab Muzaffar Khan.]

Ludhiana Tahsil.

Class.	Total No. of squares current Settle- ment.	Total area current Settlement.	Loss by differentiation.	Gain by differentiation.	Total area fresh classification.	Total No. of squares fresh classifica- tion.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Special Class Town Lands (A) ..	7	427	..	..	427	7
		N. 373 J. 54			N. 373 J. 54	
Special Class Town Lands (B) ..	..	..	..	2,744	2,744	110
I ..	4,981 1/4	101,528	15,461	34,276	120,343	5,583
II ..	3,043	61,771	27,855	46,836	80,752	3,849
		N. 61,534 J. 237	N. 27,789 J. 66	N. 46,806 J. 30	N. 80,551 J. 201	
III-A ..	3,824	74,006	36,955	43,750	81,401	4,268
		N. 82,978 J. 1,628	N. 36,885 J. 70	N. 43,095 J. 655	N. 79,188 J. 2,213	
III-B ..	3,024 1/4	55,114	33,397	23,108	44,825	2,327
		N. 54,961 J. 253	N. 33,348 J. 49	N. 23,000 J. 108	N. 44,513 J. 312	

IV-A	2,872	60,845	33,995	27,200	43,850	2,747
		N. 49,964 J. 691	N. 33,576 J. 419	N. 27,028 J. 172	N. 43,406 J. 444	
IV-B	4014	8,080	7,295	7,071	7,856	477
V-A	1,715	31,339	26,352	10,869	15,906	1,133
		N. 31,002 J. 337	N. 25,990 J. 362	N. 10,847 J. 22	N. 15,959 J. 47	
V-B	3294	5,181	4,287	1,148	2,042	144
		N. 5,025 J. 86	N. 4,287 J. 86		N. 1,956 J. 86	
VI	831	12,421	11,084	279	1,016	184
		N. 12,400 J. 21	N. 11,663 J. 21			
Total	20,829	401,162	197,231	197,281	401,162	20,829
		N. 397,805 J. 3,357	N. 196,294 J. 987	N. 196,294 J. 987	N. 397,805 J. 3,357	

ASSESSMENT OF LAND REVENUE, MONTGOMERY DISTRICT.

***5305. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) the various rates of land revenue fixed in that part of the Montgomery district where the new system of land revenue (sliding scale) has been introduced ;
- (b) the rates of revenue in the above tract before the new system was introduced ;
- (c) the yield assumed in the above tract in the settlement just concluded ;
- (d) the yield assumed in the previous settlement ;
- (e) the standard indices fixed under the new system in the above tract ;
- (f) the indices for the last 3 years calculated for purposes of remission under the new system ;
- (g) the estimated demand of the Government for each of the assessment circles under the new system ;
- (h) the percentage and the total amount of remission for each circle granted under the new system from the estimated demand and from the actual demand previous to the introduction of the new system ?

The Honourable Nawab Muzaffar Khan : (a) A statement is laid on the table.

(b) A flat rate of Rs. 2 per acre matured (canal irrigated) was in force throughout the area.

(c) A statement is laid on the table.

(d) A statement is laid on the table.

(e) The standard index figure is 2,915.

(f) The indices for the 3 years 1933-34 to 1935-36 are :—

1933-34 (<i>rabi</i> 1934)	..	..	2,093
1934-35	..	..	1,799
1935-36	..	..	2,312

(g) The figures will be supplied on receipt of a report from the local officers.

(h) The percentage of remission on the standard (theoretical) demand granted on the basis of the indices cited above was as under :—

	<i>Per cent.</i>		
1933-34 (<i>rabi</i> 1934)	30
1934-35	40
1935-36	20

The percentage of remission on the old demand and the total amount of remission will be intimated to the honourable member on receipt of a report from the local officers.

Rates of land revenue in force.

Taluk.	Circle.	Average Circle rate.	Village rates actually imposed.	
			Rs. A. P.	Rs. A. P.
Montgomery ..	Bet	3 1 0	1st class ..	3 8 0
			2nd class ..	3 0 0
			3rd class ..	2 0 0
	Ganji Bar	3 2 0	1st class ..	4 0 0
			2nd class ..	3 8 0
			3rd class ..	3 4 0
			4th class ..	2 8 0
			5th class ..	1 8 0
	Beas	3 0 0	1st class ..	3 8 0
			2nd class ..	3 4 0
			3rd class ..	2 8 0
			4th class ..	1 8 0
Okara ..	Bet	2 14 0	1st class ..	3 2 0
			2nd class ..	2 14 0
			3rd class ..	2 4 0
	Gugera Branch ..	3 3 0	1st class ..	3 12 0
			2nd class ..	3 4 0
			3rd class ..	2 8 0
			4th class ..	1 8 0
	Ganji Bar	3 8 0	1st class ..	4 0 0
			2nd class ..	3 12 0
			3rd class ..	3 8 0
			4th class ..	3 0 0
			5th class ..	2 0 0
	Beas	3 0 0	1st class ..	3 12 0
			2nd class ..	3 8 0
			3rd class ..	3 0 0
			4th class ..	2 0 0
			5th class ..	1 8 0

[Hon. Nawab Muzaffar Khan.]

Yields assumed in the current settlement.

	Rice.	Cotton.	Pulses.	Wheat.	Wheat straw.	Barley.	Gram.	Toria.	REMARKS.
	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	
<i>Okara.</i>									
Bet ..	20	5	5	11	14	10	7	5	Wheat and bhussa in the Bet circle, chahi 12 and 15 maunds. Sailab and abi 8 and 10 maunds, respectively.
Gugera Branch	23	5	5	12	16	10	8	6	
Ganji Bar ..	20	5	5	12	16	10	8	6	
Beas ..	20	4	5	11	14	10	7	5	Sailab gram in the Bet circle 6 maunds.
<i>Montgomery.</i>									
Bet ..	15	4	5	12	15	12	7	5	Abi and sailab wheat in the Bet circle 8 maunds with 10 maunds bhussa.
Ganji Bar ..	18	4	5	12	15	12	8	5	
Beas ..	18	4	5	13	16	13	8	5	

Yields in the previous settlement.

		Wheat.	Gram.	Cotton.	Rice.
		Mds.	Mds.	Mds.	Mds.
Gurgaon (Now Okara)	Chahi	10	..	5	14
	Chahi-Nahri	12	..	5	14
	Nahri	8	12	3	14
	Sailab	8	6	3	14
	Barani	5	6	2	..
Montgomery	Well irrigated	9	..	4½	..
	Other (chiefly sailab)	7	6	2½	..

LAND REVENUE ASSESSMENT, LYALLPUR DISTRICT.

***5306. Mian Nurullah :** Will the Honourable Revenue Member be pleased to give the following information from the records of the settlement that is now going on in the Lyallpur district :—

- (a) the average area per holding and per owner in the Lyallpur and Jaranwala tahsils ;
- (b) the number of cultivators and the average holdings in the above tahsils ;
- (c) the average holding of a peasant proprietor in the above tahsils ;
- (d) the number of cattle, plough and carts, etc., in the Jaranwala tahsil in 1935 ;
- (e) the number of debtors and the sums owed to *sahukars*, to agriculturists, to banks and to Government, respectively, in the above tahsils ;
- (f) the percentage of proprietors cultivating with their own hands by means of *kamman halli* and by other means ; in case of *kamman hallis*, the total amount which is paid to him including price of bread, clothes and grain, etc. ;
- (g) the area in acres for the two tahsils raised from 4th to 3rd, 3rd to 2nd, 2nd to 1st, from 1st to special class and reduced from 1st to 2nd, 2nd to 3rd, 3rd to 4th class ?

The Honourable Nawab Muzaffar Khan : (a) A statement is laid on the table. The average area per owner is not known, but only the average per holding. It should be remembered that a holding may include more than one owner and contrarywise that an owner may have an interest in more than one holding.

- (b) and (c) The information is not available.
- (d) A statement giving the required information is laid on the table.
- (e) No reliable information is available.
- (f) No figures are available. Wages of *kamman hallis* vary from chak to chak and indeed from proprietor to proprietor and they may be paid in kind or in cash or in both. Figures cannot therefore be given.
- (g) Attention is invited to the figures given in reply to the honourable member's question No. *5304.¹

Statement.

	TAHSIL.	
	Jaranwala.	Lyallpur.
Total number of holdings, i.e., <i>khudkashi</i> holdings and holdings cultivated by tenants	32,135	31,277
Total cultivated area in acres	350,122	358,890
Area per holding in acres	10.9	11.4
Holding of owners only	15,052	14,923
Total area per holding of owners in acres	23.26	23.9
Total <i>khudkashi</i> area in acres	167,534	206,868
<i>Khudkashi</i> area per holding of owners in acres	11.1	13.8

Khudkashi area is 48 per cent. of the total area in the case of Jaranwala tahsil, and 58 per cent. in the case of Lyallpur tahsil.

¹Pages 219—23 ante.

[Hon. Nawab Muzaffar Khan.]

Cattle Census, 1935.

1	2	3	4	5	6	7
Tahsil.	Bulls and bullocks.	Cows.	Buffalo bulls.	Buffalo cows.	Young stock of columns 2 to 5.	Goats and sheep.
Jaranwala Tahsil ..	41,910	13,762	6,204	51,047	71,705	68,377
Lyalpur Tahsil ..	44,031	16,279	6,487	53,384	75,381	73,630

1	8	9	10	11	12	13
Tahsil.	Horses and Ponies.	Mules.	Asses.	Camels.	Carts.	Ploughs.
Jaranwala Tahsil ..	5,716	231	6,410	1,650	8,119	20,534
Lyalpur Tahsil ..	5,799	376	5,176	1,078	8,903	28,177

GOVERNMENT DUES ON GHAIRMUMKIN AREAS.

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

(a) whether it is a fact that in some districts of the Punjab, the area under zamindari *khaals* (water channels) constructed by zamindars for irrigating their fields was shown in revenue papers as *ghairmumkin* and no land revenue and water rates were levied on such area ;

(b) the districts in which the above practice was in vogue ;

(c) the Government dues realizable on such area had it been not as shown ;

(d) whether the practice has now been ordered to be discontinued ;

(e) the reasons for discontinuing the practice ;

- (f) whether there is any area still in the Punjab where instructions were issued at settlement or afterwards for showing such area as *ghairmumkin* ;
- (g) the reasons for issuing such instructions ;
- (h) whether enquiries have been made in any district where area under water channels is shown as *ghairmumkin* to ascertain how many times the same watercourse was changed from one place to another ;
- (i) 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 Nawab Muzaffar Khan : I regret that the answer to this question is not ready.

GOVERNMENT DUES ON GHAIRMUMKIN AREAS.

***5308. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Zamindars Conference, Lyallpur, held in the last week of September, 1935, passed the following resolution :—

“ This conference demands of the Government to exclude the area of land under zamindari water channels from the payment of land revenue and water rates.”

- (b) if the answer to (a) above is in the affirmative, what action has been taken on the resolution ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Attention is invited to the reply given to parts (b) and (c) of the Honourable member's question No. *5301¹.

YIELD OF CROPS, LYALLPUR DISTRICT.

***5309. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state the average yield per acre of wheat, cotton, sugarcane (improved variety and *desi* separately), maize, *toria* and gram in the various tahsils of Lyallpur district for the last 10 years as ascertained by experiments conducted by the district staff ?

The Honourable Nawab Muzaffar Khan : A statement is laid on the table.

¹Page 218 ante.

[Hon. Nawab Muzaffar Khan.]

STATEMENT SHOWING AVERAGE YIELD PER ACRE IN SEERS OF WHEAT, GRAM AND TORIA AS ASCERTAINED BY CROP EXPERIMENTS CONDUCTED BY REVENUE DEPARTMENT IN LYALLPUR DISTRICT.

	LYALLPUR.			JARANWALA.			SAMUNDRI.			TORA-TAK SINGH.		
	Wheat.	Gram.	Toria.	Wheat.	Gram.	Toria.	Wheat.	Gram.	Toria.	Wheat.	Gram.	Toria.
1	2	3	4	5	6	7	8	9	10	11	12	13
1928-29	677	626	..	634	587	..	599	498	..	696	434	..
1929-30	702	626	316	557	571	394	549	408	307	557	391	255
1930-31	487	..	411	677	444	452	474	..	422	448	312	234
1931-32	498	..	400	589	..	333	490	382	..	..	..	251
1932-33	644	382	203	434	356	196	410	..	221	403	446	..
1933-34	491	486	345	513	456	373	546	387	320	512	438	360
1934-35	512	427	349	512	427	272	508	352	..	479	442	305

1. Crop experiments in Lyallpur district were not conducted by the district revenue authorities prior to 1928-29.
 2. The crop experiments were conducted on irrigated area only.

STATEMENT SHOWING AVERAGE YIELD PER ACRE IN SEEDS OF MAIZE, SUGARCANE (DESI AND IMPROVED VARIETIES) AND COTTON (DESI AND AMERICAN) AS ASCERTAINED BY CROP EXPERIMENTS CONDUCTED BY REVENUE DEPARTMENT IN VARIOUS TAHSILS OF THE LYALLPUR DISTRICT DURING THE YEARS 1929-30 TO 1934-35.

	LYALLPUR.						JARANWALA.					
	Sugarcane.			Cotton.			Sugarcane.			Cotton.		
	Maize.	Desi.	Improved.	Desi.	Improved.	American.	Maize.	Desi.	Improved.	Desi.	Improved.	American.
1	2	3	4	5	6	7	8	9	10	11		
1929-30	..	..	..	..	..	..	1,345	..	..	..	..	..
1930-31	582	1,260	..	40	80	720	1,560	..	71	88		
1931-32	316	1,200	..	117	43	459	1,040	..	42	..		
1932-33	467	1,030	..	59	..	..	..	..	37	52		
1933-34	509	1,053	1,138	87	81	510	1,172	1,382	92	81		
1934-35	622	1,294	1,116	69	74	700	1,068	1,324	62	69		

1. Crop experiments in Lyallpur district were not conducted by the district revenue authorities prior to 1929-30.
2. The crop experiments were conducted on irrigated area only.

YIELD OF CROPS, LYALLPUR DISTRICT.

*5310. **Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state the average yield per acre of wheat, cotton, sugarcane (both varieties separately), maize, toria and gram in the various tahsils of Lyallpur district for the last 10 years as ascertained by the Agricultural department through experiments conducted on the land of zamindars ?

The Honourable Nawab Muzaffar Khan : A statement is laid on the table :—

Statement showing the average yield in seers per acre of certain crops in the various tahsils of Lyallpur district for the last 10 years.

Year.	Wheat.	COTTON (GINNED).		Sugarcane.	Maize.	Toria.	Gram.
		American.	Desi.				

(1) LYALLPUR TAHASIL.

1925-26	595	..	92½
1926-27	..	..	..	1,100	..	..	448
1927-28	235	72	..	920	..	..	368
1928-29	580	..	..	1,260	660	..	..
1929-30	645½	84	117	1,480	684	360	..
1930-31	594½	101½	106½	1,050	..	376	490
1931-32	580	61½	47½	1,068	..	168	..
1932-33	620	68	..	..	..	..	476
1933-34	588½	82	114	1,495	..	291	456
1934-35	519½	74	75	840	..	400	384

(2) JARANWALA TAHASIL.

1925-26	..	..	..	..	..	..	..
1926-27	556	65½	..	..	710	364	..
1927-28	..	..	..	..	728	328	..
1928-29	580	80	..	..	..	212	430
1929-30	645½	77½	..	..	..	400	456
1930-31	566	66	..	..	..	293	362
1931-32	581	72	54	1,310	..	286	436
1932-33	663½	70	70	990	..	300	324
1933-34	572	88	104	1,100	..	348	520
1934-35	484	83	90	890	..	372	374

[Hon. Nawab Musaffar Khan.]

Year.	Wheat.	COTTON (GINNED).		Sugarcane.	Maize.	Toris.	Gram.
		American.	Desi.				

(3) TORA TER SINGH TAHSIL.

1925-26	..	546	..	..	1,550	1,040	251½	200
1926-27	..	..	..	..	..	..	..	..
1927-28	..	..	..	..	..	..	..	..
1928-29	..	..	..	..	..	..	..	..
1929-30	..	800	..	..	..	..	..	..
1930-31	..	605	56	75½	1,220	..	310	391
1931-32	..	592	52	46	..	..	304	288
1932-33	..	541	73	60	1,040	..	281	349
1933-34	..	524	65	112½	1,110	..	336	384
1934-35	..	626	91½	63	1,036	..	341½	..

(4) SAMUNDRI TAHSIL.

1925-26	..	..	..	..	..	..	..	..
1926-27	..	..	..	..	..	..	..	..
1927-28	..	..	..	..	..	..	..	..
1928-29	..	..	..	..	..	..	..	..
1929-30	..	572	..	..	..	..	..	480
1930-31	..	564	..	..	..	..	..	..
1931-32	..	..	..	..	1,280	..	..	..
1932-33	..	629½	..	..	..	..	..	372
1933-34	..	606	62	123	1,125	..	344	406
1934-35	..	696	..	..	1,055	..	349½	339

Notes.—1. Experiments were conducted on rabi crops only.

2. The results of experiments on sugarcane are not recorded separately by varieties.

3. Prior to rabi, 1930, crop experiments were conducted to a limited extent and therefore not in all tahsils of the Lyallpur district.

YIELD OF COTTON AND WHEAT IN LYALLPUR DISTRICT.

*5311. Mian Nurullah : Will the Honourable Revenue Member be pleased to state tahsilwise the yield of cotton (American and *desi* separately) and wheat in the Lyallpur district from the year 1928 to 1935 calculated for purposes of remission of revenue that was given in these years ?

The Honourable Nawab Muzaffar Khan : The honourable member presumably refers to the special remissions of land revenue which have been given in the Lyallpur district since 1931 on account of the fall in prices. For such remissions no special statements of yield for any crop have been prepared, the yields assumed being those accepted at settlement. As for remissions other than for the fall in prices, i.e., under the ordinary rules, wherever the question of yield is relevant, a general estimate is made in particular cases with reference to the yields assumed at settlement.

TIME-SCALE OF VETERINARY ASSISTANTS.

***5312. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the veterinary assistants are deprived of the time-scale, whereas clerks and even peons of the said departments are given the time-scale ;
- (b) if answer to (a) be in the affirmative, the reasons for this differential treatment ;
- (c) whether it is a fact that a deputation of veterinary assistants waited upon the Director, Veterinary Department ;
- (d) if so, the recommendations he made and the action taken by Government ;
- (e) whether it is a fact that veterinary assistants used to be promoted to higher grades and even to the posts of inspectors and superintendents in the past ;
- (f) now that the posts of inspectors have been abolished, what steps he proposes to take to redress their grievances in the matter ?

The Honourable Sardar Sir Jogendra Singh : I regret that the answer to this question is not ready.

ROAD ALONG BARI DOAB CANAL NEAR AMRITSAR.

***5313. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that on the Bari Doab Canal besides the inspection road there is another road running along the canal near Amritsar which has always been open to public traffic for the last many years ;
- (b) whether it is a fact that only recently the Superintending Engineer, Amritsar, has fixed an iron gate on that side of the bank near the bridge outside Chatiwind Gate, Amritsar, thereby closing the road to the public ;
- (c) whether it is a fact that this action of the Superintending Engineer has caused inconvenience and loss to those zamindars who had their lands near the canal bank and for whom this road was the only means of communication with the town of Amritsar ;

[S. S. Sardar Ujjal Singh.]

- (d) if so, whether he intends to consider the advisability of removing this public grievance by throwing the canal boundary road open to the public again as it has been for the last many years?

The Honourable Nawab Muzaffar Khan: It is regretted that the answer is not yet ready.

SUPERINTENDENTS, DEPUTY COMMISSIONER'S OFFICE, JHANG.

***5314. Sayad Mubarak Ali Shah:** Will the Honourable Revenue Member please state—

- (a) the total number of permanent hands posted as superintendents, Deputy Commissioner's office, Jhang, from 1924 to 1935;
 (b) their names and the respective communities to which they belonged;
 (c) if the proportion of non-Muslims has been very high throughout this period, the reasons for this disparity?

The Honourable Nawab Muzaffar Khan: (a) 6.

- | | | | |
|------------------------|----|----|------------|
| (b) (1) Mr. C. deMello | .. | .. | Christian. |
| (2) Lala Beli Ram | .. | .. | Hindu. |
| (3) Sardar Prem Singh | .. | .. | Sikh. |
| (4) Lala Sukhu Ram | .. | .. | Hindu. |
| (5) Lala Shadi Ram | .. | .. | Hindu. |
| (6) Lala Parma Nand | .. | .. | Hindu. |

(c) The attention of the honourable member is invited to reply (c) and (d) of question No. 1106¹.

DISTRICT COURT ESTABLISHMENT, JHANG DISTRICT.

***5315. Sayad Mubarak Ali Shah:** Will the Honourable Revenue Member please state—

- (a) the total number of clerks in the district court establishment of the Jhang district;
 (b) the communities to which they belong;
 (c) the amount of money drawn as the monthly pay by the members of each community;
 (d) the number of statutory agriculturists among them;
 (e) if the disparity between the communities of these be very great, what justification the Government has in this respect and what steps the Government intends to take in order to adjust the proportion of different communities in the establishment staff of Jhang district;
 (f) whether it is a fact that the Muslims form about 87 per cent. of the population of the Jhang district?

The Honourable Nawab Muzaffar Khan : (a) 23.

(b) Hindus 18
Muslims 10

Per mensem.

Ra.

(c) Hindus 780
Muslims 561

(d) 4.

(e) The honourable member is referred to the policy of Government which was stated by the Honourable Member, Finance, in a debate in the Legislative Council on the 19th July, 1927.

(f) Yes.

DISTRICT COURT ESTABLISHMENT, JHANG DISTRICT.

***5316. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) the number of clerks in the district court establishment of Jhang district to whom extension was given till 10th February, 1936 ;

(b) the name and community of each such clerk ;

(c) whether the policy of granting extension is to be continued in future ; if so, why ?

The Honourable Nawab Muzaffar Khan : (a) Four.

(b) (1) Lala Hari Chand Hindu.

(2) M. Ghulam Ali Muslim.

(3) Lala Hari Chand Hindu.

(4) Lala Ladha Ram Hindu.

(c) The honourable member is referred to Fundamental Rule 56 which regulates the grant of extensions.

WASIL BAQI-NAWIS, JHANG DISTRICT.

***5317. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that the *wasil baqi-nawis* of the three tahsils of the Jhang district are Hindus ;

(b) the names and respective periods of these *wasil baqi-nawises* for which they have been holding these posts ;

(c) whether it is a fact that under the rules a clerk is not to be allowed to remain in the tahsil staff if his pay exceeds Rs. 60 per month ;

(d) whether it is a fact that the pay of all these three clerks exceeds the fixed limit of salary ;

(e) the reasons for (a) and (d) above ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

- (b) (1) Lala Lakhmi Das, tahsil Jhang .. Since 25th May, 1932.
 (2) Lala Lachman Das, tahsil Chiniot .. Since 21st August, 1934.
 (3) Pandit Bhagwan Das, tahsil Shorkot .. Since 21st August, 1934.

(c) Yes.

(d) and (e) No, only the pay of No. (1) exceeds Rs. 60. His transfer is already under consideration.

READERS AND AHLMADS OF COURTS OF FIRST CLASS MAGISTRATES
AND REVENUE ASSISTANT, JHANG DISTRICT.

***5318. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

- (a) the names of the readers and ahlmads of all the courts of first class magistrates and revenue assistants in Jhang district ;
 (b) the period of their postings in their present capacity, along with their communities ;
 (c) if it is a fact that a very small number of Muslims has been taken in this line, the reasons for the treatment accorded to this community ;
 (d) what action Government intend to take to make up the difference in the proportion ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) and (b) A statement is laid on the table.

(c) and (d) Yes. The matter is already engaging attention.

Statement.

Name of official.	Designation.	Community.	Period of present post.
Bhagat Devi Das ..	Reader to G. A. I ..	Hindu ..	7 years.
P. Prabh Dial ..	Ahlmad to G. A. I ..	Do. ..	10 years.
Lala Ram Chand ..	Reader to G. A. II ..	Do. ..	9 years.
Lala Chinioti Ram ..	Ahlmad to G. A. II ..	Do. ..	About 7 years.
Lala Narain Das ..	Reader to Treasury Officer	Do. ..	1½ year.
Lala Wir Bhan ..	Ahlmad to Treasury Officer	Do. ..	1 year.
Lala Trilok Chand ..	Reader to Honorary Magistrate, I Class.	Do. ..	7½ years.
Lala Lachhman Das ..	Reader to Revenue Assistant.	Do. ..	8½ years.
M. Muhammad Ramzan ..	Ahlmad to Revenue Assistant.	Muslim ..	3½ years.

COLONY CLERK AND MOHARRIR MAL, JHANG DISTRICT.

***5319. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state the names of the present colony clerk and moharrir mal of the Jhang district and the periods for which they have held these posts in the Jhang district ?

The Honourable Nawab Muzaffar Khan :—

M. Mohammad Saeed, Colony Clerk, Sadar .. One year and 10 months.

Lala Ladha Ram, Muharrir Mal.. .. 8 years.

CIVIL JUDICIAL DEPARTMENT, JHANG DISTRICT.

***5320. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

(a) the total number of subordinate staff, viz. readers, ahlmads, bailiffs, process-servers, etc., in the civil judicatory of Jhang district ;

(b) the amount of money drawn as monthly pay, community-wise, by the members of the staff mentioned in (a) ;

(c) the total number of statutory agriculturists among these and the monthly pay drawn by that class ;

(d) the percentage of Muslim and non-Muslim population in Jhang district ?

The Honourable Sir Donald Boyd : The attention of honourable member is invited to the replies which I gave to two questions put by him on this same subject a few months ago, No. 1164¹ and No. *4689².

CLOSURES IN LOWER CHENAB CANAL, JHANG DIVISION.

***5321. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that there have been closures invariably after the sowing of the present *rabi* crops in the Lower Chenab Canal, Jhang division, this year ;

(b) whether those have adversely affected the present *rabi* crops ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) No. Such closures are not unusual and do not affect the crops.

BREACHES OF LOWER CHENAB CANAL, JHANG DIVISION.

***5322. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

(a) the number of breaches which took place in the Jhang division of the Lower Chenab Canal since the arrival of Lala Hakam Rai, Executive Engineer, Jhang ;

¹Volume XXVI, page 984.

²Volume XXVII, Appendix page iii.

(S. Mubarak Ali Shah.)

- (b) the number of such breaches reported to the police and the results of their investigations ;
- (c) the amount of *tawan* levied on the zamindars who were accused in such cases ;
- (d) the amount levied by the Executive Engineer during his stay in the division from which he was transferred to Jhang ?

The Honourable Nawab Muzaffar Khan : (a) 11.

(b) 7. The results of investigation by police in these cases are not yet known.

(c) The amount of *tawan* so far levied on the zamindars is Rs. 36-15-0.

(d) The information required is as below :—

				Rs.
<i>Rabi</i> 1931-32	..	..	..	2,217
<i>Kharif</i> 1932	..	..	..	1,934
<i>Rabi</i> 1932-33	..	..	..	5,371
<i>Kharif</i> 1933	..	..	..	614
<i>Rabi</i> 1933-34	..	..	..	1,704
<i>Kharif</i> 1934	..	..	..	1,838
<i>Rabi</i> 1934-35	..	..	..	103
<i>Kharif</i> 1935	..	..	..	<i>Nil.</i>
<i>Rabi</i> 1935-36	..	..	..	<i>Nil.</i>

BUDGET—GENERAL DISCUSSION.

Sardar Sahib Sardar Gurbachan Singh (Jullundur, Sikh, Rural) : I congratulate the Honourable Finance Member and his able Secretary for the labour and care they have taken in preparing this budget. Though the budget is a deficit one, yet it is hoped that the province would be handed over to the new Government in a solvent state. I am not an expert, but as a layman I wish to make a few observations. We know that the income has fallen a good deal and there is no likelihood of its increase in the near future. Therefore we must be very, very careful with our expenditure. Some of the speakers yesterday suggested some measures of economy. One of them suggested the reduction of pay of our provincial service men. I for one cannot support that suggestion because, as the proverb goes :

Man je maian Thanedar hovan te tere chettar kuttan.

Is it because these services are subject to our vote that we should reduce their pay while other services we cannot touch? Moreover, provincial service men are not very highly paid and any reduction in their pay will only lead to corruption. There are many avenues in which if the Government exercises strict control it can easily effect a good deal of saving. I would again say that the policy underlying this control should not be one of "Penny wise and pound foolish", but it should be *vice versa*. There are lakhs and lakhs of money spent in buying stores and other articles for the various departments, for example the Public Works, the Hydro-Electric, Irrigation, Medical and Agricultural, where strictest control can be applied. I mean that the heads of the departments should take particular interest

to see that all markets are tried, and that the articles are purchased from the market which gives the best value for the money. I have on one or two occasions before pointed out the difference between the prices that other Governments pay for their articles and those we pay here for similar ones. For example, in the United Provinces an ordinary 11,000 K. W. transformer is bought for Rs. 800 while our Government here pays nothing less than Rs. 6,000 to Rs. 7,000. Similarly, for 11,000 K. W. transmission line the United Provinces Government only pay Rs. 1,500, whereas we pay here Rs. 5,000. (*The Honourable Dr. Sir Gokul Chand Narang*: Have you ascertained that the transformers are of the same kind and capacity?) Last time, during the budget debate, there was a cut motion on the Hydro-Electric Department and I think if the Honourable Minister would care to read his own speech and subsequently my reply to him he would find the answer to his question.

The Honourable Dr. Sir Gokul Chand Narang: The honourable member says that in the United Provinces one transformer costs Rs. 800 and here the Hydro-Electric Department is so foolish that it spends Rs. 6,000 on a transformer. The difference is of several thousands. Has the honourable member ascertained that for the same transformer on which the United Provinces Government spends Rs. 800, the Hydro-Electric Department here spends Rs. 6,000? Can he give me one instance?

Sardar Sahib Sardar Gurbachan Singh: I am not an engineer and I cannot go into details. But surely I can supply the Honourable Minister with literature from the United Provinces Government relating to their new hydro-electric scheme. They are using this transformer and in the pamphlet the price is given as Rs. 800.

The Honourable Dr. Sir Gokul Chand Narang: You can have a horse for Rs. 25 and you can have a horse also for Rs. 5,000.

Sardar Sahib Sardar Gurbachan Singh: The United Provinces Government is not so foolish as to get cheap things which are not useful.

The Honourable Dr. Sir Gokul Chand Narang: A *tattu* of Rs. 25 is also very useful.

Sardar Sahib Sardar Gurbachan Singh: As I was saying I have nothing in particular to say about this department, but I am sure that the same state of affairs exists in practically all the departments.

Then again, agriculture and industry go hand in hand and we must do all we can to develop them and thus ultimately increase our income and tackle unemployment. I am sure that cheap electricity could play a great part in the development of agriculture and industry. But this could only be done if we reduce our cost of production and change our policy of utilising electricity for productive purposes instead of luxury purposes.

The other point I want to mention is about the rural uplift. We know how the money we get from the central Government is going to be spent, and one of the speakers yesterday termed it as luxury. In my opinion also this money should be spent to help people who have helped themselves, and in this connection I may point out that in my district, the work of consolidation of holdings has been done in a most praiseworthy manner.

[S. S. S. Gurbachan Singh.]

Mr. Brayne, who visited that area, was pleased to remark that he had spent all his time in doing rural uplift work, but he had never achieved such success. If only the high officials were to take the trouble of going to Phillaur tehsil, they would simply be astonished to see what those people had done for themselves. They have made broad straight roads from village to village and small service roads for their holdings. They have filled up village ponds where mosquitoes used to breed and ruin their health. They have built pacca bridges wherever their water courses crossed the roads. They have grown rose hedges along their fields near the roadside, so as to protect the crops from animals, and how pretty they must look when they are in blossom. I would like to request the Government to help such rural people and this is the time to metal their roads, tar them, give them cheap electricity and educate them in its uses, open cottage industries for them so as to keep them occupied and make them prosperous, which no doubt will be an ultimate gain to the Government. This will give a great impetus to other villages, in other districts to follow this lead.

Sir, in the end I think I will be failing in my duty if I do not mention here all the help that the officers of the Co-operative Department and their staff have given to those people, and the keen interest which the deputy commissioners have taken in this matter.

Professor W. Roberts (Nominated, non-official): I think the House should consider the two broad aspects of the conditions which the Government had before them in the preparation of this budget. In the first place the Government of India is conducting an enquiry into the financial relations between the provinces and the centre. Apart from that fact, looking back at the world condition in the last 6 years, we find ourselves in an acute economic depression at the present day. The conditions of this province in particular, as well as of most provinces in general, are such that it would be unwise on the part of the Honourable Finance Member to have produced a surplus budget, which would have concealed the real economic position in the province. The Honourable Finance Member has shown himself a true and wise friend of the Punjab in presenting this budget in accordance with the economic conditions as they are. I pay every tribute to his wisdom.

I should like to mention three points which, I consider, have not been given sufficient consideration. In the first place the budget reflects to some extent the economic depression of the province. I think, however, the condition of the farmer and the condition of the agriculturist, from whom 4/5ths of the revenue comes, is a good deal worse than this budget would indicate. I would like to draw attention particularly to the question of wheat. We are here a land-locked province and called upon to pay heavily for the carriage of wheat to ports. During this period there has been no alteration in freight charges for wheat. Government has reduced land revenue and water rates during the depression. The average freight on wheat from Lyallpur to Karachi represents 33 to 36 per cent. of the cost at Karachi. This is too high a proportion to be paid for carriage of wheat and this should be decreased. If we study the figures for the area of wheat sown during the last few years, we shall see that the area has either remained stationary or decreased as compared with what it was 6 or 7

years ago. In spite of the fact that the Sutlej Valley project is developing and there has been an extension of irrigation in the Lyallpur district, yet it is a sad reflection on the economic condition that the wheat area has actually remained stationary or has been decreasing. I feel very strongly that the Punjab Government should have continued to make much more stringent protests than they have done and more on the lines of what they were doing 2 or 3 years ago and make their protests such as to get some redress from this heavy burden; otherwise this province, which is after all the main wheat-growing province of India, will continue to suffer.

Another point I would like to touch upon is the question of extraordinary receipts. I see from the memorandum accompanying the budget that 2 crores of this has been used for replacement of loans or capital expenditure. I am not clear as to whether the remaining 7 crores out of the 9 crores collected in the last 10 years have been so used. I understand that 9 crores have been received during the last 10 years. It is not very clear to me, as I am sure to many members of this House, how far these 7 crores have been actually used in replacing capital expenditure or in constructive works. I do not consider a police *chauki* or a road as proper capital expenditure.

The other point I wish to make is with regard to the revision of pay of services. I understand scales of pay have been revised in the course of the last year, but this infant seems to be having a most painful birth. I am glad to note that the pay of two classes of service has been revised, but apparently not brought into operation yet, owing to some reference to the Government of India. I feel very strongly that the longer this matter is delayed, the more difficult it will be to carry out. There are two classes of Government servants which will be to some extent opposed to any reform—for there is one set of people with one scale of pay and another with 15 per cent. reduction—the longer we delay this reform the more difficult it will be to bring into effect the revised scales of pay at any future time.

One small point is with regard to strategic railways. In essence the Punjab is partly contributing to the up-keep of these railways. I do not know whether the local Government has represented this point of view to the Government of India, that these railways should be an all-India charge. The support and maintenance of these railways is not a provincial question: it should be regarded as an all-India charge.

The Honourable Sir Donald Boyd: May I ask the honourable member to elaborate that point a little, for I do not understand in what sense the local Government is responsible for the cost of strategic railways. Is there any item in our budget about it?

Professor W. Roberts: It is not in the budget itself. In connection with the present financial conditions, I think, it is an unfair charge. Money from the Punjab goes to pay fares and freights of these strategic railways. It goes from the province and is regarded as an ordinary income of the railway.

The Honourable Sir Donald Boyd: Surely any improvement in communications is in the interest of the province. We do not pay for them at all.

Professor W. Roberts : If, owing to inclusion of these strategic railways, the Punjab railways pay, say 2 per cent., whereas without them they may be paying 6 per cent., say, it is not likely the Government of India will give any freight concessions, unless the matter is looked at from a real business stand point.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): The honourable member from Amritsar yesterday stood up in his usually light-hearted manner and made at least one point that the present is the time for taking stock of the work that has been accomplished and giving some indication of the work that can be done in future. I am sorry he is not present here to-day. I agree with the member for Amritsar. Before we proceed, a glance at the economic position of the province may be of interest. We have now a population of nearly $2\frac{1}{2}$ crores and this population is increasing at the rate of 3 lakhs a year. Our total production was estimated in the year 1933-34 to be fifteen crore and seventy-three lakh maunds, and according to Mr. Barry's calculations, the food required by the province is 15 crore and 80 lakh maunds, leaving a surplus of 43 lakh maunds. This is the surplus from which live stock has to be fed, and all cash charges met. The slump in agricultural prices again, according to the Commercial Intelligence of the Government of India, shows that whereas in 1928-29 the value of our food products excluding tobacco, chillies, etc., was 76 crores, in 1933-34 it came down to 40 crores, and this is the condition in which the Punjab Government has been working since 1928-29. With the coming of the Sind Barrage, our market at Karachi is practically closed and rayon and other fibres are threatening to close the market for fine cotton fabrics.

The member from Amritsar said I did nothing for industry. I held only for a year the charge of industry during which period the Ministry in the Department of Industries initiated the foundation of a hosiery school at Ludhiana. It has given a new industry not only to Ludhiana, but the industry has established itself in other towns also. It has brought to the province new wealth which runs to many lakhs a year. My own conception of the hosiery industry was that both men and women trained at the hosiery school would go down to the villages, knitting machines would be supplied and the industry would become a village industry with a central finishing and marketing station. It may yet secure this position and may compete with China and Japan in the hosiery markets of the world. My second attempt in the Department of Industries was to set up a power weaving school at Shahdara. This scheme was to instruct educated young men in the art of weaving, who could establish looms in their own homes, using electric power and thus have an additional source of income. A beginning has been made by a few people in this direction, but possibilities of development are great. Shahdara Weaving Factory now combines both instruction and practice, and is a paying concern. The result of this pioneer effort is that a weaving factory has been established at Lyallpur and another is in the course of construction at Okara.

I persuaded Mr. Mahanarain to set up a vegetable oil factory by securing for him a site, as vegetable Ghee was pouring in from Holland. I am glad

to say that his factory is also prospering and Mr. Mahanarain has established another factory at Cawnpore and groundnut is now grown in Ludhiana and will feed this factory. We still export twenty-two and a quarter lakh maunds of oil seeds and import $5\frac{1}{2}$ lakh maunds vegetable oils. There is a wide scope for the establishment of an oil industry in the Punjab and I hope that the future will see that both cotton seeds and rapeseeds are crushed in the Punjab and refined oils exported, leaving behind the oil-cake as a food for land and cattle, and providing employment for the many.

It may interest the Council to know how difficult it is to disperse accepted opinion. When I took over agriculture, it was held that sugar could not be produced from the Punjab cane. I tried my best to convince the department and the Finance Department, that there was nothing wrong with the Punjab sugar-cane. The chemical analysis which was carried out at my instance proved it, but its accuracy was suspected. As a last resource, I persuaded the Finance Department to agree to send a few wagons of cane to Bihar and to get the actual results. It was done and the results were convincing. A number of sugar factories have grown up in the Punjab and have helped in raising the price of gur and providing a ready market for sugarcane. I am sorry that the Sonapat sugar factory has not been a success. The reason is that the capital required for this factory was not subscribed. It began its career by creating a large debt which absorbed almost the whole of its income. I still feel that the position of the factory is not irretrievable.

The biggest undertaking that I inherited was the hydro-electric scheme at Mandi. It was a difficult project and interesting from the point of view of its difficulties. I was anxious that the Punjab, which has no coal, should have electric power. The capital cost has been heavy, but if electricity is to become subservient to agriculture and industry, other cheaper generating stations should be linked on to the main system, such as the second stage of Mandi scheme, the Madhupur scheme which has very attractive features. Thanks to the enterprise of Sir William Stampe, the United Provinces has shown the way of rural electrification both from canal falls and thermal stations. I am sure my friend from Amritsar will admit that I was not idling in the year I was in charge of industry.

In the matter of agriculture, I started with an advantage. I knew what was wanted and could get my views accepted. I found in Mr. Milne, Mr. Stewart and the other officers of the department, a team who were ready to do their best for agriculture. In spite of phenomenal fall in prices, I need only repeat what His Excellency said in his convocation address at the University last December that at least ten crores had been added to the wealth of the province. I can confidently say that we can raise our average yield per acre of all our crops to the level of European countries, provided we can provide adequate irrigation facilities, proper manure and high yielding varieties of seed. The farmer will need both instruction and credit if he is to profit by scientific agriculture. I am sure honourable members must have noticed the growing interest in fruit growing and fruit products, which have been the feature of the last few years. In another decade Punjab may well become a centre of this valuable industry.

[Hon. Sardar Sir Jogendra Singh.]

In the Department of Co-operation we had to call a halt to the expansion of credit owing to depression in prices. We have 34,000 villages and about 17,000 rural credit societies, and the scope of development is enormous. It must not, however, be forgotten that the membership of these societies has risen to about 5,00,000 and working capital stands at 9½ crores. The societies' own capital is about Rs. 4,00 lakhs. Besides, there are 305 industrial societies with a working capital of about 6 lakhs, and 223 women thrift societies having 4,555 members and a capital of 2.81 lakhs. This movement needs greater encouragement and a larger staff. The most remarkable achievement of the department is consolidation of holdings. The Punjab owes deep debt of gratitude for starting it to Mr. Calvert. I recently paid a visit to a block of five villages near Phillaur, which Sardar Bishan Singh mentioned in his speech yesterday. I would invite the honourable members to visit the areas and see what consolidation means—well-laid-out farms, wells to irrigate them, well-laid paths, and manure pits, all adding to profits from agriculture.

In the Veterinary Department there has been a steady progress. The number of hospitals rose from 179 to 299; of stud bulls from 1,774 to 4,686; of horse fairs and cattle shows from 62 to 149; and of cases treated from 9 lakhs to 26 lakhs. We have yet to carry the recommendations of the Royal Commission, which require that only useful stock should be kept for which proper fodder can be found. The province carries about two crore and 17 lakh heads of live stock. The milk supply per day per head of population at present comes to half a pound and we need to raise it to at least 2 lbs. to provide proper nutrition. There is immense room for improvement so far as our cattle-breeding and allied industries are concerned. There is no reason why milk should not replace aerated waters in the schools and colleges and milk supply should not be doubled. At Lyallpur the yield has been increased from 5.6 lbs. in 1914-15 to 17.0 lbs. in 1935-36.

In the Excise Department my policy has been to promote temperance and at the same time to provide the normal demands of the people.

The road programme framed in 1926 is nearing completion. In 1925-26 there were 1,626.52 miles of metalled and 1,268.76 miles of unmetalled provincial roads, out of which only 24 miles were tarred. The maintenance cost during that year amounted to Rs. 27,69,581 for the metalled and Rs. 1,87,003 for the unmetalled roads. The total mileage of metalled roads has, to the end of the year under review, increased to 2,757.45 miles, out of which only 322 miles or 11.7 per cent. remained untarred, while the maintenance cost stood at Rs. 39,93,898. Deducting receipts from the Central Road Fund amounting to about Rs. 8 lakhs per annum and the yield from motor taxation which gives Rs. 6,38,315 (as against Rs. 1,97,585 in 1925-26) the net charge to provincial revenues comes to Rs. 25,55,583. It will be seen that while the mileage of metalled roads has increased by nearly 70 per cent., the maintenance cost has only increased by 44 per cent. Provided there is no abnormal increase in traffic, it is hoped that the maintenance cost per mile, which was Rs. 1,449 in the year under review, will be reduced to about Rs. 1,100 a mile within the near future.

It is with some diffidence that I wish to hazard a few suggestions as to the future. I have no desire to embarrass my successors, but it seems that there are some aspects of our economic needs which should be now fully considered if prosperity is to be won. We want money to circulate freely. The bank balances at present mean nothing so far as India's agricultural population is concerned. It means that at least 80 per cent. of our population is suffering from a chronic famine in money. There ought to be sufficient money in circulation to raise the wages and confer purchasing power. It may be possible to maintain a stable exchange by maintaining an exchange equalization fund to meet our foreign permanent obligations, but India should have its own measure of values in money. Then again, the burden from land will have to be shifted to commodities to lighten the direct burden on land. The province has done a great deal to provide irrigation facilities and electric power. It shall have now courageously to spend in developing industries, so that our raw material may find a ready market providing employment and creating purchasing power.

May I here pay a tribute to the British and Indian officers, both civil and military, who have served the Punjab to the best of their power ever since the Punjab passed under the British Crown. They have protected our frontiers and guaranteed peace. They have secured respect for law and order. They have set up a standard of honesty and efficiency which is our rich heritage. They initiated an educational policy, which is breaking the bonds and pointing the way to freedom of thought and action. The swarming colleges and schools promise an awakening which will in time weld all Punjabis into a nation. Education has already made a difference, but in the course of next 30 years will change the face of the Punjab. Those of us who saw Lahore, in fact any city in the Punjab thirty years ago, can bear witness to the expansion and improvements that have taken place.

The Punjab has a great future if we concentrate on agricultural and industrial development supported by a strong educational and rural reconstruction policy enlisting urban intelligence and capital in the interest of economic development. The Punjabis must refuse to be side-tracked into arid fields by new creeds which in the countries of their origin have withered at the root. The Punjab must learn from the consolidation of holdings, the meaning of consolidation of urban and rural interest and what is more, consolidation of hearts. The Punjab Council has a record of achievement of which it may well be proud.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): A Pathan and a Punjabi became friends. One day they happened to quarrel over a thing. The Pathan called his Punjabi friend "kushta zan." The Punjabi could not understand what the expression meant. So he retorted, "If 'kushta zan' is a good expression, it may apply to my mother as well as to yours; but if it is an abuse, may it apply to your mother as well as to your father." (*Laughter*). Sir, the budget has been presented in English while we people know only Urdu. It is, therefore, impossible for us to understand it. We are at a loss to understand why we are kept in the dark by presenting the budget in a language which we do not know. Therefore, my comment on this budget would be only this: if this is a good budget, it is a blessing for you as well as for us, but if, on the other hand, it is a bad budget it is a curse for you as

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well as for us. I shall, however, try to comment on those aspects of the budget about which I have been able to gather some knowledge with great difficulty. It is really a pity that although the Government has constituted this Council for us, the budget is not presented in our language. If you want to reduce your expenditure, you are welcome to do so; but I want to point out that it is no use effecting a saving out of the papers to be placed before the honourable members of the Council. I have given notices of so many cuts already and I intend to put forward more cut motions, and I am sure that I shall be able to point out the departments in the expenditure of which a saving can be made. But I would request that no saving should be made in the way in which it is being done. The Government should make available in Urdu all papers connected with the Council work because it is a language which all of us understand. I hope the Government will take steps to provide us with Urdu copies of the budget. You know that more than half of the members of the Council do not know English and even those who have some knowledge of the English language cannot deliver speeches in English. It is necessary, therefore, that all such members should get Council papers in Urdu. We cannot afford to employ English-knowing secretaries. I would request, therefore, that all Council papers should be supplied to us in Urdu and also the budget, so that we may be able to understand it before proceeding with its discussion.

Every time the Council meets there is a hue and cry about the low level of the prices of agricultural produce and the loss sustained by the zamindars in this connection. But so far the Government has given the zamindars no appreciable concession. Perhaps the Government is not aware of their sad plight, because these people have been paying the Government dues even if they had to dispose of their jewellery and cattle in order to get money for that purpose. Many zamindars have been paying their dues by begging or borrowing money from their well-to-do relatives. But the time is soon coming when the zamindars will have to go to the lock-up for not being able to pay the land revenue. This will perhaps open the eyes of the Government. It is necessary, therefore, that ways and means should be devised to give some sort of permanent relief to the zamindar and help him out of his difficulty which he is experiencing on account of the fall in prices.

I am at a loss to understand why the Government is unwilling to accede even to a most reasonable demand of the public. The Hindus, the Muslims, the Sikhs and all others made a unanimous demand that the Shahidganj affair should not be treated as a confidential matter. There are people who say that the mosque was demolished with the connivance of the Government. If it is true that the Government had no hand in the demolition of the mosque, why should it be afraid of holding an open enquiry and proving it once for all that it is not to blame.

There is another matter to which I want to invite your attention. When the Hydro-Electric Scheme was commenced it was estimated that only two and a half crores of rupees would be spent on it and the money was sanctioned. But actually much more has been spent on this scheme. The Government has not taken its officers to task and has not asked them to explain why their estimates proved to be so incorrect and why much more

money was actually spent. Moreover, the people from whose pockets the money came and who gave away money earned by the sweat of their brow to be spent on this scheme, have not been provided electric energy. If it is provided to them the rates charged are so high that it is impossible for them to utilize the energy for irrigation and other agricultural purposes. The Government should make the electric energy as cheap as possible so that the people from whose pockets money spent on this scheme came may be able to benefit by it.

Furthermore, unemployment is on the increase in our country. Although modern amenities like railways, telegraphs and post offices have been made available during the present regime the Government has not addressed itself to the task of increasing the income of the people. Full one hundred and fifty years have passed since the advent of the British, but the wages of the labourers in this country have not gone higher than six or seven pice a day. We all know that in the country of our rulers the daily wages of a labourer are one pound per day or at least six or seven rupees daily. If a labourer in this country is prepared to fill his belly even with wood and coal he cannot earn sufficient money to purchase wood and coal to fill his stomach. In the country of our rulers the state supplies all needs of the unemployed; they are given pensions, and medical aid is made available to them in their homes. If the Government is willing, it can give similar concessions to the unemployed of this country as well. After all we are as good subjects of His Majesty the King-Emperor as people living in that country are. If anything, our status as subjects is higher because we besides looking to the requirements of the King supply all needs of his people. If wages in England are higher, that is due to the sweat of our brow. So, if it is not thought proper to give us more than the people of England, we should at least be enabled to earn as much as they do.

Then, the Government does not pay any attention to the requirements of those people who are getting very low salaries. Patwaris and chaprasis working in tahsils get old and incapacitated in the service of the Government. But whereas people drawing thousands are given pensions, no pensions are allowed to these people. This is sheer injustice. A fat salaried person can make arrangements for suitable education of his children and can benefit from other amenities made available to him by the capital in his possession. Then, various societies are working for the benefit of the rich and affluent which look after all their requirements. But when people drawing twelve or sixteen rupees per mensem retire from service, they are not given any pension and no provision is made for their future maintenance. You can very well stop the pensions of fat salaried people. If they know that they will not be getting any pension and they will have to live on money saved during the time of service, they will learn to live economically and will make much saving out of the money now being squandered on luxuries like cosmetics and extravagant tea-parties. Fat salaried people are in a position to make provision for the future, but people getting very small salaries cannot do so. The Government, therefore, may stop the pensions of the former, but should certainly make some provision for the future life of the latter. Another fact deserving of the consideration of the Government and the honourable members of this House is that all the important work of the administration is done by those people who

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are given low salaries. For instance, all the papers in possession of the officers beginning from the revenue assistant right up to the Financial Commissioner are prepared by the humble patwari and these high officers are left with the task of making generalisations before the fireside in their cosy rooms. Patwaris work all day long in the scorching heat of the sun. But the pay given to them is so very small that they cannot make any arrangements for the proper education of their children. Sir, you can very well take the instance of the chaprasie who is your orderly. If he has to support six children besides his aged mother and a brother, how can he look after their needs properly? How can he secure proper medical aid for them, if necessary, or how can he arrange for the proper upbringing or education of his children? Just as I pointed out a few minutes ago he has not sufficient money to purchase even wood and charcoal to fill their bellies. The Government, I think, is in duty bound to make suitable arrangements for the maintenance of low-salaried servants when they retire from service.

There is yet another matter to which I want to draw the attention of the Government. Laws are in existence to check the illegal activities of sahu-kars or banking concerns. But there is another scourge which is causing untold misery to the indebted classes of the province. I am referring to Pathan money-lenders. These people take so much interest on money advanced as loans by them that even the Government and the dacoits can never think of demanding such exorbitant sums. (Laughter). These people charge two annas per rupee as interest and resort to all sorts of coercive methods for realising their dues. They do not stop even at giving their victims a sound thrashing even in their own homes. Then, they sell *chadars* worth hardly eight annas each for twelve annas and the poor are obliged to make purchases from them. If the Government were to make suitable arrangement for the maintenance of poor people, they would never fall into the clutches of these tyrants. I think these Pathans have assumed the rôle of yet another ruling power to crush the poor and helpless people. All day long you would see them roaming about on bicycles and carrying on loot among the poor. If you hold an enquiry, you will be surprised to know what high rates of interest these Pathans charge.

Now, I will come to the roads in my ilaqa. I have several times invited the attention of the Government to the condition of roads in my district while speaking on cut motions, but unfortunately the officers in whose hands God has vested the power of controlling our destinies pay no attention to this matter. When high officers like the deputy commissioner, Financial Commissioner or Revenue Member happen to tour the district, the roads are kept in a very good condition and these officers have no difficulty in travelling along them. I am not in the habit of praising those people who do not deserve any praise. I feel that our revered Financial Commissioner, Mr. Latifi, is a man of angelic disposition.

Shaikh Muhammad Sadiq: But he has no wings like angels. (Laughter).

Chaudhri Muhammad Abdul Rahman Khan: I am sure that if he makes a tour of my district, he will certainly give orders for the improvement of roads. The present condition of the roads is such that it is not

safe to travel by them. Not to speak of a man even an ass will not like to go along these roads. There are 200 miles of pucca roads in my district and 1,000 miles of kucha roads. As my time limit is over I shall resume my seat.

Mr. Ram Chandra (Secretary, Finance Department): On behalf of myself and my colleague in the Finance Department, I acknowledge with gratitude the appreciative references that have been made from all sides of the House. I, on my part, am not generally a believer in following the conventional procedure, but I can assure the honourable members that my gratitude is heartfelt and sincere. I am particularly grateful to those members who referred to me individually. I feel proud in coming back to this House and standing on this floor again after an absence of nearly 8 years, and I trust that I shall be the recipient of the same indulgence as used to be extended to me when I was a member of this House before.

I stand here to-day to meet just one or two points which were raised particularly by two members whose absence I am sorry to notice this afternoon. A charge was levied against the Government that the beneficent departments were being starved and my friend Rao Bahadur Chaudhri Chhotu Ram went to the extent of saying that Government had balanced the budget for this year by starving the beneficent departments. On this point I join issue with my honourable friends opposite and I hope I shall be able to prove conclusively that I am right, without the help of a blackboard, the necessity of which was felt by one of the honourable members the other day, when he was trying to show how the burden of the land revenue assessment system fell heavily on the zamindar. Taking first Rao Bahadur Chaudhri Chhotu Ram's assertion that Government balanced the budget for the year 1935-36 by starving the beneficent departments, I have only to refer to the figures in the budget. When the budget was prepared, the revised estimate for 1934-35 provided for an expenditure of 275 lakhs for the beneficent departments. Government did not decide to starve the beneficent departments; on the contrary they provided for an increased expenditure of 282 lakhs in 1935-36. The estimate as now revised is still higher. It is 287 lakhs; and what has the Government done for 1936-37? It has increased that figure. The provision for 1936-37 stands at 289 lakhs.

If the notes which I took of the discussion yesterday do not deceive me, I find that my friend Sardar Sahib Sardar Ujjal Singh, who, again, happens to be absent to-day, remarked that the expenditure on Police had risen in 1936-37 as compared with the expenditure in 1934-35. This is true and can be ascribed to what has been rightly called, "expensive luxury of communal agitation". Sardar Sahib Sardar Ujjal Singh then went on to say that the expenditure on beneficent departments in 1929-30 was 323 lakhs and in 1936-37, 289 lakhs. This, again, is true. But I must say that, in all fairness, for purposes of comparison the period for which figures are compared, must be the same in the two cases. If my honourable friend had taken the same years for the beneficent departments, namely 1934-35 and 1936-37, which he took for the Police, he would have found that there was an increase in the expenditure provided by Government on beneficent departments also. In 1934-35 the actual expenditure on

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beneficent departments was 272 lakhs which was 5 lakhs more than in 1933-34, and as I have already explained, it went up in the revised estimates of the current year to an increased figure of 287 lakhs, and for 1936-37 provision is made on a still higher scale. If honourable members will refer to the figures given at the foot of Graph No. 3 appended to my memorandum, they will find that the expenditure on beneficent departments has been steadily rising from 1932-33 onwards. Could any one in the face of these figures say that the beneficent departments are being starved? I took pains to explain in my memorandum that one of the most significant features of the Reforms that were inaugurated in the year 1921-22 was the importance that had been paid to the beneficent activities of the province, and that the remission by the Government of India of the contributions which they used to levy from the Punjab Government, helped the province in spending more money on nation-building departments. The expenditure—I am confining myself only to beneficent departments—rose from 170 lakhs in 1921-22 to 323 lakhs in 1929-30, that is to say, almost double. Owing to general economic depression which resulted in a deterioration of the financial condition of the province and which necessitated a decrease in the expenditure all round, it was found necessary to cut expenditure down to the bone. But the important point to notice is that as soon as there was a slight revival, Government realised their responsibility of spending more, particularly on those activities which related to the welfare of the people themselves. If honourable members will again turn to the figures to which I have referred, they will find that the expenditure on law and order, in which category I have included Administration of Justice, Jails and Police, has risen from 205 lakhs in 1932-33 to 208 lakhs in 1936-37, that is to say, an increase of only 3 lakhs or $1\frac{1}{2}$ per cent. Now, what is the picture on the other side? In the beneficent departments, the expenditure has increased from 257 lakhs in 1932-33 to 289 lakhs in 1936-37. This represents an increase to the extent of 32 lakhs, i.e. $12\frac{1}{2}$ per cent.

I now come, Sir, to the alleged starvation of district boards. The consolidated grant of Rs. 12,24,000 to district boards has remained unaltered. This figure was fixed several years ago and remains unchanged. The grant for the maintenance of 360 rural dispensaries which have been opened since 1925 and for the construction of which great credit is due to the Honourable Minister in charge of that portfolio, to all Honourable Ministers who have held that portfolio since the beginning of the Reforms, also remains constant. No change has been made this year. The figure is 780 thousand. Maintenance grants to district boards for vernacular education also remain at about Rs. 75 lakhs. In the face of these figures it could hardly be urged in reason that the fact that a hundred vernacular schools are housed in the district of Rohtak in *chaupals* is due to the starvation of district boards. The expenditure on the construction of school buildings falls to my mind in the same category as the expenditure on roads and civil works,—expenditure which must at all times reflect the financial position of the province. If the province is in a prosperous condition, expenditure on this account must be high. If the province is faced with financial stringency, this particular item of expenditure is one which can be cut down without doing much harm. An amount of Rs. 8,10,000 has,

however, been provided in the budget estimates for 1936-37 for grants in aid to district boards for maintenance and special repairs of roads. The question of spending on the roads in charge of district boards a further sum out of the road development fund is also under examination. As honourable members are aware, this fund is made up of an annual grant of 7½ to 8 lakhs a year made by the Government of India and to this fund the Panjab Government in 1935-36 restored an amount of 15 lakhs which during the lean years was diverted to repairs and maintenance. It is now proposed to examine whether a portion of the amount in this fund can be utilised for the repairs and maintenance of roads in charge of district boards. So far the money has only been utilised on the provincial roads.

I now come to grants to sanitary boards. It is true that when funds were plentiful, Government used to make large grants for sanitary purposes both in urban and in rural areas. When the province was faced with financial stringency, it was found necessary to cut down these grants. But here again, although in the budget a sum of Rs. 50,000 only has been provided for the next year for rural schemes, it must be remembered that a sum of about 2½ lakhs of rupees has been allotted from the Government of India grant for sanitary improvements, for water supply schemes and for other sanitary measures.

Having reviewed briefly what Government have done for the beneficent departments and for assisting district boards, it seems to me that it is rather difficult to believe that the nation-building departments are being starved. I would say that they are far from being starved. The nourishment is being given, but it must depend upon the spending capacity of the person who is to feed. I, in my own mind, am certain that the nourishment is there, that it is sufficient and that it does not lack in vitamins. (Applause).

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I must begin as usual with the acknowledgment of thanks to the Finance Department, both to the head and the staff, for a very vivid picture of our finances. It is indeed an accurate account of not only the usual three years, but a real forecast of our future constitution so far as its financial aspect is concerned. The picture is vivid no doubt, but by no means bright. It is rather dark and it tells a woeful tale. There is, however, one redeeming factor and that is we are in the same boat with other provinces in these days. The United Provinces has presented a deficit budget of 74 lakhs, Bengal, 41 lakhs, Bihar, 11 lakhs and the Central Provinces, 9 lakhs. It is only the Bombay Government which has a surplus and that too to the extent of Rs. 41,000 only. But that again is no satisfaction for us. If a man is suffering from a dangerous disease it is no satisfaction to him that another in his neighbourhood is also suffering from the same disease. It must be the same satisfaction as the proverbial old woman had, in Shaikh Saadi's "Gulistan". An old woman who had a hunchback was asked one day whether she wanted that she should be all right or that others also should become hunchbacks. She said that she would like that all people should become hunchbacks so that she might see them with the same angle of vision as they had been seeing her for so many years. So our satisfaction is the same as that hunchback woman had and no better than that. There is one difference, however, that we can fall back on our

[K. S. Ch. Bhasat Ali.]

surplus unlike other provinces. The Finance Member has very aptly compared himself with an agriculturist "whose life is a long drawn question between a crop and crop". In my opinion the analogy, however, can be carried further. The zamindar has been living during all these days on the sale of his ornaments and the day has arrived when the Finance Member also has to live on sale of his ornaments, because ornaments are a saving in the form of gold and silver while his surplus is a saving in the form of hard cash. This is no happy arrangement by any stretch of imagination. We were told that we had to end the year with a nominal surplus of 56,000, but unfortunately now we are told that our income is to fall short by 15 lakhs than the budgeted income and that we have to spend more by 6½ lakhs. Again, we have been told that we have to depend on four things as the prospective means of improving our finances. The first is a surplus, we are told, in the shape of income-tax from the Federal Government which is yet to be and which is not in existence yet. So we in a way are counting chickens before they are hatched. All these four things are, as the *Tribune* rightly calls them, "of a problematic nature". Again, the recent announcement of the Government of India that the limit of taxation is now to be Rs. 2,000 and not Rs. 1,000 is going to rob the central Government itself of a good deal of money. In these circumstances we do not think that we can have much out of that surplus. Again, a scheme is under examination, I learn, that the zamindar's income should be taxed on the same basis as income-tax in addition to the other dues such as abiana and land revenue which he pays already. This is neither desirable nor practicable.

The second head of income is the expected returns from the Hydro-Electric Scheme. This in itself is not going to be as people believe, much real source of revenue. We have spent no less than 8 crores of rupees on this scheme since its inauguration, it has been always a "White Elephant", and even if we get an income of a lakh or two after spending so much, I do not think we can count upon it as a real source of income. The next two items could be taken together. They are the Thal project and the Haveli project. Both are possibilities and as is mentioned in the budget speech, the first is yet under examination by the Secretary of State and about the second the Revenue Member said, the other day, his words are significant: "The Government is examining the scheme, but we want to proceed in the matter very cautiously and if after careful enquiry the scheme was found to be financially sound, the Government might take it in hand." So there are so many big "ifs," so far as that scheme is concerned. There will be a lot of expenditure, investment of capital, a lot of labour, a lot of time, before we can count upon an income of a single penny from the scheme. This reminds me of a very well-known *qita* in Persian—

روزها باید که تا یک پنبه دانه آب و گل
نآمدے زامله گردد یا شهیدے راغب

It requires days and days before a cotton seed with the help of water and earth can become a cloak for a hermit or a coffin for a martyr—

ساکھا باید کشیدن انتظارے شمار
تا کہ در جوف صدف باران شود در صدف

It requires waiting for years and years before a drop of water in the cell of a shell becomes a pearl—

قرنها باید که تا یک سنگ اصلی ز آفتاب
لعل گردد در بدخشال یا عقیق ادریس

It requires centuries before a piece of stone becomes a ruby or a diamond by the influence of the Sun's rays. In the same way it will require years of labour and a lot of investment and a lot of time before these two schemes can mature into things which can be counted as a source of revenue. The Honourable Finance Member has also mentioned some other items which will rob us of our income and one is the Lyallpur settlement and the other is the stamp duty. So it remains to be seen whether the favourable circumstances will truly outweigh the unfavourable or adverse circumstances.

Another thing to which I would like to make a reference is that the income from land revenue and abiana should not be taken as an elastic source of revenue. Who knows that between the day of the presentation of the budget and to-day, the general discussion of the budget, he might have been robbed of many lakhs on account of the hail storm and wind and rain and other things.

The next thing to which I will draw the attention of the House is that there are only two remedies. Either we should find out the means by which to increase our income or we should curtail our expenditure. So far as the former course is concerned, there are not very hopeful prospects before us. There is only one Bill so far and that is the Entertainments Duty Bill, which has been drafted in accordance with the suggestion of the Sources of Revenue Committee which was appointed in 1931. It is still hanging fire and we are told by the honourable member, Mr. Nanak Chand Pandit, that there is no scope for further taxing the income of the people. Our hope therefore is only in the curtailment of expenditure. We have been crying hoarse that ours is a top-heavy administration. We have always been crying that the scales of pay raging in our country are higher than in any other country in the world, but our cry has all along been a cry in the wilderness. Our music has failed to create that harmony which could attract the ears of our audience. But I will not be disappointed and would certainly repeat the cry because I am a believer in what Urfi said—

لوا را تلخ تر مے زن چو ذوق فغمه کم یابی عرفی
حدی را تیز تر مے خوا چو محمل را گران بینی

Play more harshly on your strings when you see that the people have no attraction for your music and call out "*hudi hudi*"—it is the cry for driving out the camel—more vehemently when you see that the burden on your camel is rather heavy. In a similar way I will go on pressing my point and emphasising that Government servants are the only people in these days who are piling up wealth; it is they whose pockets are filled with passbooks and cheque books of various banks, while the others, professionals and labourers, doctors, factory-owners and everybody else is starving. The average income of an Indian is said to be 8 pice per day and we should compare this with the income of an Indian who is now holding a job. What

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I wish to emphasise is that in the days when there is no prospect of a rise in the prices of the agricultural products in the future, when we see hard times ahead, it is high time for us to fall back upon the curtailment of our expenditure. The programmes of Austria and Russia have left nothing for us in any way to hope that there would be any increase in our income so far as agricultural products are concerned.

Next I would come to an important thing which the honourable member, Sardar Ujjal Singh, touched upon. As he said the fixing of the proportion of communities in Government service will minimise the chances of communal agitation. I think that that will not do because in the very act of fixing there will be bickering. In my humble opinion the only remedy for this evil is toleration, respect for the feelings of others. We should try to learn toleration, we should try to preach toleration, we should try to observe toleration. This is the first stepping stone towards unity or amalgamation, whatever it will be. I would request the communities that if they have no desire to amalgamate, they should at least unite. I mean that by unity we can keep our separate identities visible also; by amalgamation we lose our separate identity as the component parts of a compound. If we cannot amalgamate we should unite, we should be one and at the same time maintain our separate existence. If we want that people should respect our feelings so far as the religious places of worship are concerned, we should first have the greatest regard for their places of worship. We have no right to criticise a man because he worships a *peepal* tree or an idol or because he bows before a tomb. That is the relation of the individual with the God Almighty and we should leave them to decide among themselves and should not interfere. Nor should we allow such things to interfere with the relationship between communities. The communal wrangles are indeed an expensive luxury as they have been rightly called by the honourable the Finance Member.

The next thing which I want to discuss is the rural uplift work. We have a very good missionary in the person of Mr. Brayne, whom it is very difficult to replace. We have spent a lot of money out of the grants of the Government of India, but the scheme for rural uplift has also got its drawbacks, and I should have liked to criticise some of the items, if I had the time now.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): I only intend to reply to some of the points raised by some honourable members. But before I do so I must thank them for the moderate way in which they have dealt with the departments in my charge. The honourable member Khan Bahadur Sardar Habib Ullah, who, I am sorry to say, is absent from the House, just now has recently made a flying tour through many countries and I think he might well claim to have done Germany, Persia, Russia and several other European countries in the real American style. I do not know whether he has really had the opportunity to study educational affairs in those countries very seriously and calmly, but still he seems to have formed some ideas which it is difficult for him to get rid of. One of the suggestions he made was that Government should abolish the degree colleges, at least as many of them as possible, and that only those students should be allowed to go up for university education.

as were selected by a selection board constituted for that purpose. Wisely enough he did not mention the various percentages that should be claimed on that board by various communities. He should have realised that it is by the opening of these degree colleges and intermediate colleges in the mufassal that some of the backward classes and people are now beginning to benefit by the facilities for higher education which ought to be made available by the State for all persons concerned. The cry in the past used to be that Government was doing nothing for the zamindars, that all the colleges were concentrated in towns and that people living in towns alone were benefited by these colleges. Now that Government have opened colleges in the mufassal I am exceedingly surprised to find that a representative of the agriculturists themselves should get up on the floor of this House and suggest that Government should curtail these facilities which have been given to the rural people on account of the great pressure brought to bear upon Government by honourable members of this House. It may interest honourable members to know that recently we have raised four of the mufassal colleges, namely Ludhiana, Shahpur, Multan and Lyallpur to the degree-standard. There were as a whole 2,780 pupils reading in the mufassal colleges and the number of boys who passed in the B.A. from the four Government degree colleges is as follows: Ludhiana, 28, Shahpur, 14, Lyallpur, 56, Multan 88, a total of 131 students. You can rest assured that the vast majority of these students would have had no degree college education at all but for these colleges that Government have provided in the mufassal. I have toured all over the province and I have come across several very deserving and intelligent poor young men who are reading in these colleges and who would not have dreamt of coming to Lahore. The average cost of a boy in a Lahore college, at least the Government College, and some of the better colleges would be something like Rs. 70 to Rs. 100 a month. But I was told that in some of the boarding houses in the mufassal colleges the cost of feeding a boy was nothing more than about Rs. 6 or Rs. 7 per month and several boys were allowed to bring their own eatables from their homes to these boarding houses. I think honourable members ought to be pleased that these colleges have been opened in the mufassal and that sons of zamindars are now beginning to find their way into the various departments of Government and are likely to take an intelligent interest in the future administration of this province. Particularly in view of the coming reforms, is it necessary that our rural gentry and the sons of zamindars should be educated so that when we get our new legislatures and when they come up to Lahore for the Council meetings they do not insist on translation of the agenda into the three languages, namely Urdu, Hindi and Gurmukhi? The same honourable member suggested that there ought to be manual training for boys. About industrial education my friend on my left (The Honourable Minister for Industries) will be able to say something to the House, but as far as ordinary schools are concerned one thing that the department is doing is that it is trying its best to have agricultural farms opened in as many high schools in rural areas as possible, so that sons of zamindars may learn practical agriculture from these school farms and that these farms may also serve as distributors of good seed and good principles of husbandry. The honourable member from Kangra, Thakur Panoham Chand, made a valuable suggestion that the communal educational institutions were doing a great deal of harm to the

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country. I entirely and wholeheartedly agree with him and if all these communal schools were closed nothing could be better from the point of view of the province as a whole. But unfortunately the country is not prepared for it. Government spend about Rs. 12 lakhs a year by way of grants-in-aid to these communal institutions. But I have done one thing and that is that ever since I have been in charge of the Education Department I have not put a single communal school, whether Muslim, Hindu or Sikh on the grant-in-aid list. I could do only this much to prevent the spread of this poison, but whatever poison there is already, I am afraid cannot be removed without the consent of the people themselves. If we removed these communal schools from the grant-in-aid list there will be such a row in the country that I feel that it is best to go on spending these 12 lakhs of rupees a year till the country itself is prepared to do away with these centres of spreading communal poison throughout the province. This honourable member also, I was surprised to find, made some sort of suggestion that these mufassal colleges were not needed. I was surprised to hear it from him because when I went to Kangra on tour I had the pleasure of seeing the Intermediate College at Dharamsala which is the weakest college in the whole province, and I suggested to him that it ought to be closed, he was the first person to raise heaven and earth against that proposal. As a matter of fact that college was opened to supply the needs of a very backward tract which had rendered excellent services during the War and it is for that purpose that Government are continuing that institution. Otherwise on merits that college ought certainly to be closed, and if the honourable member who represents that district himself insists on the closure of an institution of that nature it will be very difficult for a minister like myself or for any of my successors to go on protecting that institution against the onslaughts of the Finance Department which has always been very severe in curtailing all unnecessary expenditure where we do not get full value for the money we spend. My honourable friend from Ferozepore sitting opposite to me (Pir Akbar Ali) protested against the expenditure of Rs. 10,000 on latrines. This money, as the honourable member will realise, is coming out of the Government of India's grant for rural uplift. This money is to be spent in the Gurdaspur district. In that district for some time we have been carrying on a severe campaign against guinea worm disease which is very prevalent throughout the villages of the district. It is a disease which is carried by human beings on their feet as they go home from the fields after answering the call of nature. One sick man can infect a whole village. I am glad to say that the Director of Public Health has worked out a scheme for coping with this disease in that district and it has worked wonders. One of the suggestions that he has made is to have these model bored-hole latrines, which will enable people to go to these places instead of going to the open fields whereby they have been infecting all the other inhabitants of the village, and I think this expenditure is absolutely justified by the results which have already been achieved and which we hope to achieve.

The honourable member also criticised the method of giving games licences for guns. I am particularly interested in these games licences, because I happen to be the president of the association which has been set up in the Punjab for protection of wild birds and wild animals.

Pir Akbar Ali : Nominated by whom ?

The Honourable Malik Sir Firoz Khan Noon : The organisation consists of those who pay subscriptions. You are welcome to pay money. There is no question of nomination. It is a non-official organisation. Government have no hand in the management of its affairs, nor do they nominate any office holders. Every man who holds a gun has to go to headquarters for getting his ordinary licence. The honourable member thinks that he has to make two journeys for two licences. He need not do so. He can get both licences by the one journey only.

My honourable friend from Hoshiarpur, who is not present here to-day, pointed out the need for greater education for girls. I agree with him that the girls' education in our province is not all that can be desired. I can assure him that the chief reason for this is the lack of funds and not negligence on the part of the Education Department. One thing that I have done in regard to girls' education is this. I have laid down as my policy that in future if there is any extra money to be spent on education, it will be spent on girls' education and not on boys' education, till we bring up the girls' education to a level which is more or less on a par with the education of boys. As honourable members are aware, in these days of depression much cannot be spent on girls' education. In spite of this, certain improvements have taken place in girls' education. I should like to point out to the members of this House that recently we have opened two intermediate colleges for women, one at Amritsar and the other at Lyallpur. If we had money, I am certain that we could open equally successful colleges for women in many other places in the Punjab. One main promising feature of girls' education in this province is that there is a great demand for providing schools for girls and parents are keen on educating their girls. Immediately a school for girls is opened, it is filled to the brim within a week or so. But there again it is the lack of funds which is preventing us from giving what the country is demanding.

In 1931-32 there were only 8 girls that passed the M.A. ; in 1935, 6 girls passed the same examination. In 1931-32 no girl passed the B.T. ; in 1935, 83 girls passed it. Again, in B.A. examination in 1931-32, 20 girls passed and in 1935, 91 girls passed it. Again, in F.A. examination in 1931-32, 97 girls passed and in 1935, 193 girls passed. Again, in Matriculation examination in 1931-32, 936 girls passed and last year 823 girls passed. Honourable members will realise that this is a considerable progress, though not as great a progress as we would all desire to achieve.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : The Council has to doubly congratulate the Honourable Finance Member once for the Knighthood recently conferred upon him by His Majesty and secondly for the able manner in which he has presented the budget before this House. We should also congratulate his able Secretary who had helped him in preparing this budget. But all the same it is a deficit budget and I think that some more labour might have been spent in not presenting to this Council a deficit budget. I have been a member of this Council since the Montford Reforms were introduced ; 15 budgets have been presented to this Council since, of which 9 have been deficit budgets. It is hardly complimentary to the Honourable Finance Member

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that ever since the new reforms came into force, 9 deficit budgets have been presented before this Council. It is stated in the memorandum that at the beginning of 1921-22 there was an opening balance of 66 lakhs. This province under the new scheme began with a balance of 66 lakhs and now out of 15 budgets we find that 9 budgets are deficit budgets and this year again there is a deficit budget.

The province is groaning under heavy taxation; no avenue has been left where this province has not been taxed during these years. There are the Court Fees Act, Stamp Act, Motor Taxation Act, Tobacco Tax, and the Land Revenue Act, a new tax on cinemas is also coming. There may be one or two more Acts of taxation which I might have forgotten. So there has been nothing but taxation and taxation ever since the Montford reforms.

In the earlier part of the history of the reforms we were told by the first Finance Member, Sir John Maynard, that when better days came this taxation would go. Those better days have never come and taxation is continually rising and rising. I do not know if anything else remains to be taxed; if there is, I am sure, it will be taxed. When you see that in spite of all these taxations we cannot call ourselves a rich province, it is a tale of great woe.

The Honourable Finance Member says that economic depression has been responsible for decrease in litigation and consequently shortage of revenue from court-fees. I think, that it is not only the economic depression, but it is the high rate of court-fees that is responsible for less income, as people do not file suits. Litigation in these days has become so expensive that people think twice before they file suits; and even if they succeed in getting decrees, further expenses on execution and corruption in courts are so much that people have decided not to file suits at all. These are the great reasons for the income under Court Fees Act having gone down and not depression. Also the new relief Acts prevent people from filing suits, because they know that they cannot realise any money. Therefore, the income under this head has gone down. If the Government continues to go on with the expenditure in this way and not curtail it in many directions, I do not know where we shall stop.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

I have come across a paper, handed to me by my honourable friend Khan Bahadur Sardar Habib Ullah on Punjab Politics. I do not agree with the views on the data in that paper, but in the end that paper says, and I should like to quote that portion which is very useful for the Finance Department—

There is, on account of changed financial and economic conditions in the Punjab, and for the matter of that in India and the world, a need for re-adjustment of economic fabric (of the province). It is a work of the most gigantic nature needing the best brains of the province. So far as the Punjab is concerned, bankruptcy stares it in the face. Its wealth lay in its agricultural produce of which the price has gone down tremendously. What is needed is a determined effort to evolve a scheme to meet the present-day requirements in the best interests of the province, crop planning, reforming the methods of marketing, developing cottage industries and encouraging suitable industries in the rural areas to utilise the raw material produced in the tract. There are many other pressing

needs. These call for whole-hearted and united efforts by those who are prepared to undertake the work of reconstruction and uplift; and work of this gigantic nature cannot be undertaken unless useless and meaningless bickerings between communities and classes are put away, at all events for the time being, and the work staring the province in the face taken up in all earnestness.

This would show that the financial position is far from satisfactory. Although the rest of the paper is not very sound, *Laughter*, this portion is very sound and I hope the Finance Department will take it into consideration.

I want to say one thing with regard to the Irrigation Department. This department has not tried to reduce its expenditure at all ever since the reformed scheme. If you look at the budget you will find that expenditure in this department is going up and up. The total demand is 2.19 lakhs.

4 P.M.

There are several details with which we can deal during the course of our debate, but one thing I can say is that in maintenance and repairs a good deal of saving can be effected. The amount under maintenance and repairs always amounts to something like 75 lakhs or so. Working in the canal colonies, I know how much money can be saved under that head if only the department takes a little more care. The second point is that a good deal of waste is taking place on the remodelling schemes. No one can say that we will be able to work an outlet for five or six years. One *rajbah* is not over and the second starts and the third and so on. It shows that too much money is given for this work, or else they have not got enough work and they must busy themselves in remodelling schemes every year. I submit that a saving can be effected under this head in that department.

Then another important department in which I would like to see a saving effected is the Police. My esteemed friend, the Honourable Finance Member in his speech says that a good deal of expense under the head Police is due to the increase in communal disturbances which take place from time to time and that people should not indulge in those disturbances. In one of my speeches in the last session I held Government responsible for these communal troubles. Why? Because Government is in the habit of favouring one community or the other. If they are fair and do even-handed justice to all the communities, there will be no communal jealousies and there will be no communal disturbances. It is only the Government that can save the people from going in for this luxury, as the Honourable Finance Member calls it.

Another thing is this that in this department, one can see that one community predominates completely. That is again another reason for most of the disturbances. There may be more members of another community in other departments, but why should this particular department—a very important executive department—be predominated by a particular community? That is another great reason for the communal disturbances. I do not say that they are responsible for starting the disturbances, but certainly some partiality is shown by them to their community. Therefore, if Government is only just in apportioning the appointments in this department equitably, then these disturbances will cease. So I consider that whatever the Finance Member has stated the responsibility for it lies with the Government to a great extent.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official), (*Urdu*): This is probably the last budget which has been presented to this Council. It can be rightly termed as a statement showing our achievements and failures during the 15 years' working of Montague-Chelmsford reforms. The Honourable Finance Member deserves our deep appreciation for the frank and straightforward manner in which he has reviewed the financial position of the province in his budget speech, though I am afraid I do not agree with his conclusions. The significant feature of his speech was its freedom from the jugglery of figures which is generally a normal feature of such financial statements. I take this opportunity to congratulate the Punjab Government on their popular selection of the new Finance Secretary. I am sure Mr. Ram Chandra, with his wide experience in the Imperial Secretariat will prove a great asset to the Finance Department. I offer him my sincere congratulations on his appointment as the first Indian Finance Secretary of the Punjab.

Now coming to the budget, I find that the rent of crown lands in colony areas, which are leased out for temporary cultivation, has been excluded from the category of extraordinary receipts and included in the ordinary revenue. I do not agree with the view expressed in the memorandum. It has been explained that technically this income does not fall under the category of extraordinary receipts, as it is not obtained at the sacrifice of definite assets. The fact that this income is a temporary source of revenue, which will cease as soon as the lands are sold, should not be lost sight of. We should therefore not depend on this temporary income as a permanent source of revenue in framing the budget. It would be more desirable to budget this income against the expenditure of capital and non-recurring nature.

In my opinion the financial prospects of the province are gloomy and disquieting. During the last 15 years the province has no doubt gained in political prestige, but a comparative improvement is not evident in the standard of living and general economic condition of the masses. In fact it has deteriorated. It would be ungrateful and incorrect to say that the present Government has done nothing for the betterment of the people, but there is still a great need for improvement and expansion in the beneficent and nation-building departments. With the local self-government becoming much more a reality in the near future than it used to be, the expenditure on these departments is bound to increase considerably. The people will expect a great deal more to be done in this direction from the future Government. The present Government will be handing over to its successors an efficient and elaborate machinery of Government which it will be very difficult to maintain and improve upon under the present condition of the provincial finances. It would have been more in fitness of things, that the present Government should have equipped its successors with sufficient means to work the reforms successfully. At present we are mainly dependent on two sources of revenue, namely land revenue and water rates, both of which have been tapped to the fullest extent and there seems to be no hope of retaining the present level of income from these sources, on account of the general economic depression and heavy fall in the price of agricultural produce. In fact we find signs of decay in these heads. Other major sources of our revenue, such as stamps and excise, are also

declining. There is, on account of changed financial and economic conditions in the Punjab, a need for re-adjustment of the economic fabric of the province. It is high time that we should explore other avenues of supplementing our income before we are faced with financial crises and a state of bankruptcy.

The policy of the Government has been to load one section of the population with the burden of taxation. Its capacity has been over-taxed and its resources exhausted. It would not be a wise policy "to kill the goose that lays the golden egg." The burden of taxation should be divided equitably between the various sections of the population. The fundamental principle of taxation should be to tax a person or a class in proportion to his or its standard of living and the amenities of life which he enjoys. One cannot reconcile with the idea that in rural areas a poor man living in a hut and possessing a few maunds of grain, a few earthen pots and a couple of date-leave mats, as his sole property should pay for his watch and ward, while a rich man of the town living in a palatial house, furnished with luxurious furniture and having safes full of money should be guarded free, from the provincial revenues, collected mainly from the poor tiller of the soil. The municipal committees used to share the cost of police utilized for watch and ward purposes in the municipal areas. In 1911 the Government of India suggested that the municipal committees should be relieved of this burden in order to enable them to spend more money on education and sanitation and sanctioned a contribution of Rs. 5,77,000 as compensation for this loss to the provincial revenues. This grant was, however, discontinued later. The municipal committees, and notified areas should be called upon to bear the expenses of police, employed for watch and ward purposes in the areas under their control. No contribution is paid by the North-Western Railway towards the cost of railway police, while other company-owned railways pay the cost of police employed on such railways. At present the North-Western Railway even charges hire for the accommodation which it provides for the police on railway premises, by the Punjab Government. The North-Western Railway should be called upon to pay for the cost of railway police.

The recommendations of the Punjab Sources of Revenue Committee should be given full effect to without any further delay. They contain certain useful suggestions which if adopted will bring sufficient income to the province, such as:—(1) imposition of death duties; (2) taxes on luxuries, e. g., silk, perfumes, toilet refinements, aerated water, pans, ice, gramophones, etc.; (3) tax on bicycles; (4) betting tax, and (5) surcharge on salt tax. Another way to meet the situation is to reduce the wastage in Government departments, as the money saved is money earned. In the term "wastage," I also include waste of time and labour. I will give a few examples as to how we can reduce the wastage and effect saving. I am afraid, I shall not be able to discuss the details as the time at my disposal is very short. For the present I shall deal with the general aspect of the question and leave the details for a later stage when the demands for grant come before the Council. The amount of office work in almost every department of the administration is very excessive and our administration can be correctly termed as office-ridden. In certain technical departments,

[K. B. Mian Mushtaq Ahmad Garmani.]

such as agriculture, the office work has so enormously increased that it seriously interferes with the outdoor activities of the officers and the staff and adversely affects the efficiency of the department. Not only can a substantial saving be effected by reducing it to a minimum, but the standard of efficiency also increased. An expert committee should be appointed to examine this question and suggest improvements. The percentage of the recoveries of fines in the Punjab is lower than in other provinces. Efforts should be made to improve the recoveries. The income from the jail manufactured goods is very low. Jail labour is employed on unproductive purposes and the earning per prisoner comes to about Re. 0-1-0 per day which is most unsatisfactory. The Indian Jails Committee and the Punjab Sources of Revenue Committee recommended the introduction of machinery for manufacturing goods. The former committee has dealt with every aspect of this question in detail in their report. If the jail industries are properly re-organised, I am sure, a considerable income can be obtained from them. The system of purchasing goods for jails and other Government departments also requires overhauling. A considerable sum can be saved by re-organising the system of purchases. I have sent a detailed report on these two subjects to the Home Secretary and suggested the appointment of a small committee to examine this question. I hope, I shall be able to place before the House detailed views on the subject at a later stage.

Full value is not being received of the money spent on primary education. The figures given in the report on the progress of education in the Punjab for the year 1934 reveal that 361,276 boys were admitted in the first class, while only 99,289 reached the 4th class. There is a great deal of leakage in 2nd and 3rd classes. The State provides for the education of all the students admitted in the first class, but a small proportion reaches the standard of literacy, while others fall out in the way. This causes a lot of wastage. Every effort should be made to check this leakage. It is correctly pointed out in the 10th quinquennial review of the Government of India that "The enrolment of class IV gives the clue to the position. Unless the enrolment of this class is steadily increased from year to year, no satisfaction can be felt in increasing the number of schools and pupils." I would suggest that the amount of educational grant given to local bodies should be determined on this basis. I must conclude now and reserve the remaining portion of my speech for some other occasion, as my time is up, but before I resume my seat, I wish to say just one thing with your permission. My honourable friend Rai Bahadur Lala Sewak Ram has suggested that the programme outlined in the pamphlet entitled "Punjab Politics by a Punjabee" should be followed to improve the economic condition of the province, though he does not agree with its other contents. His disagreement with the views expressed in the pamphlet does not matter as long as he is in agreement with its conclusions and the programme. It is gratifying to note that he and his friends approve of them and I hope they will co-operate in working out that programme.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (Urdu): Some honourable members have remarked during the discussion of this budget that in reality it is a deficit budget. I must confess that I cannot see eye to eye with them. I think it is not fair to describe this

budget as a deficit budget. By this time most of the provincial councils have seen their budgets and nearly all of them have the misfortune of seeing deficit budgets, for instance, deficit budgets have been presented to Bihar, Bengal and United Provinces councils. I think the root cause of these deficit budgets lies in the mistake of the Government of India in restoring the five per cent. cut in the salaries of the Government servants. If this cut had not been restored, I think, these councils would not have had the misfortune of seeing deficit budgets. Under these circumstances I feel obliged to thank the Honourable Finance Member who has safely steered the boat of the provincial finances through troubled waters. Next I think that his able Secretary, Mr. Ram Chandra, deserves congratulations for the nice work he has done for the Finance Department though I regret that he is not present in the House at this time.

The Honourable Dr. Sir Gokul Chand Narang : Your congratulations will be conveyed to him.

Shrimati Lekhwati Jain : Furthermore all the three Ministers deserve our thanks as also the Honourable the Revenue Member. These gentlemen have tried as far as possible to implement the suggestions put forward by the members of the Council last year. For instance, Rao Bahadur Chaudhri Chhotu Ram put forward the suggestions that the panchayat-officers should be re-instated. The Honourable Minister for Local Self-Government has carried out that suggestion into practice. The Honourable Minister for Education has published the report of the Primary Education Committee and in doing so he has met the demand of the public who were keen on having that report published. The Honourable Sir Donald Boyd has kindly agreed to try the system of providing copies which is now in vogue in the United Provinces. Now I want to draw the attention of the House to another important matter. The population of Bengal is 5 crores, its income is Rs. 12,48,25,000, and its expenditure is 18 crores. The population of the United Provinces is $4\frac{1}{2}$ crores, its income is Rs. 11,70,96,000, and its expenditure is Rs. 12,44,66,000. The population of Bihar is a little less than that of the Punjab, its income is Rs. 4,70,24,000, and its expenditure is Rs. 4,81,73,000. The population of the Punjab is $2\frac{1}{2}$ crores. Its income is Rs. 10 $\frac{1}{2}$ crores, but its expenditure is more than its income. Again, in Bengal the amount of tax realized from one man is rupee one, in the United Provinces it is Rs. 2 $\frac{1}{2}$, in Bihar it is Rs. 1 $\frac{1}{2}$, but in the Punjab it is more than Rs. 4 $\frac{1}{2}$ per head. But even then the condition of the people of this province is in no way better than that of the people of other provinces. When I look at the income and the expenditure of this province, I come to this conclusion that the condition of the Punjab is not good. The educational and administrative conditions of this province are not better than those of other provinces. I fail to understand why Rs. 4 are charged as tax per head in this province. I am constrained to remark that the Government of this province is very extravagant and it tries to make up its deficits by levying more taxes on the people. An honourable member has suggested that the Government should levy more taxes and that there are some taxes which were proposed by the Taxation Committee and which so far have not been carried out. He remarked that people have gramophones in their houses, and as gramophones are a sort of luxury, they should be taxed. I beg to submit that in

[Shrimati Lekhwati Jain.]

the cities the standard of living of people is very high and they can afford to indulge in these luxuries. Therefore, if my honourable friend's suggestion is accepted and if the tax is imposed on the gramophones, this measure will prove more troublesome to him and his friends who live in the cities than to anybody else. He lives in the cities and the inhabitants of cities are leading a very luxurious life. Therefore, if the tax is imposed, it will be imposed upon them. The zamindars are already groaning under the heavy burden of taxation. They have to pay a very large amount of money as tax. Now, their carts (*gaddas*) remain untaxed so far. If the Government is so cruel, and is bent on tormenting the villagers, it may tax their carts also. In the cities there are cycles and there are soda water drinks. If the Government cannot make up its deficit in any other way, it may impose a tax on these things. In that case perhaps there might be some surplus in the budget. The Honourable Finance Member is already a double Scotch man. Now you yourself are suggesting him to levy more taxes. He is already trying to add to the income of the province by levying taxes, but when you propose yourself and when he gets a hint from you he will at once impose further taxes on the people who are already heavily taxed. It will not cost him anything. He will say that the members have themselves suggested that the tax should be imposed. A time will come when the Government will impose a tax even on your loaves. I do not want to say more on this point, but I would ask the honourable members not to make such suggestions to the Honourable Finance Member.

Next, I would refer to a few other points. Some members have already referred to them. The Government is paying very heavy salaries to its servants. The Congress made a very great mistake when it said that the Indians also should be given as high pays as are given to the Europeans. These fat salaries attract the Europeans and they come to India from far off places to accept jobs. Their standard of living is very high. They keep ten or twelve servants and live like nawabs. So long as their pays are not reduced by at least 40 per cent. the condition of this province will not improve. It is these Government posts which make people fight with each other. These jobs lead to communal quarrels and bickerings. If these posts carry small salaries, people will not be attracted by them. They will take to trade and other professions. But now they think they should get into Government service which is full of ease and comfort. It brings them a big salary at the end of the month without much trouble. The result is that the Hindus, the Muslims, and the Sikhs, are constantly at loggerheads. It is, therefore, essential that the Government should reduce the scales of pay. When a Government servant retires, and goes to a court of ward or a state, he is offered a very small salary. By way of experiment, therefore, the Government should reduce the pays of Government servants and see whether they remain in service or they go away. I would, therefore, once again appeal to government to reduce the salaries of government servants, if it wants that there should be prosperity in this province. The Hindus are quarrelling about the Communal Award, the Sikhs, are quarrelling about the Kirpan, and the Muslims are agitating about the Shahidganj affair. They have no time to devote to the welfare of the province. Sir, I am sorry that my time is up.

The Honourable Nawab Muzaffar Khan (Revenue Member) (*Urdu*) : My honourable friend, Pir Akbar Ali, referred to the rural uplift work in the course of his speech. He observed that the money received from the Government of India was being spent very carelessly in this department. I think that my honourable friend is under some misapprehension. The fact is that before spending any money on this work a conference was held, which was presided over by His Excellency the Governor himself. The various heads of departments were invited to the conference; and some honourable members of this House, namely, Rao Bahadur Chaudhri Chhotu Ram, Khan Bahadur Nawab Chaudhri Fazl Ali, Khan Bahadur Nawab Muhammad Hayat Qureshi, Diwan Bahadur Raja Narendra Nath, Sardar Sahib Sardar Ujjal Singh and Sardar Sampuran Singh were also present. The heads of departments presented various schemes and only those approved by this conference were sanctioned.

Out of the Government of India grant for rural development Rs. 2,01,766 have been set apart for consolidation of holdings. Out of this amount Rs. 50,000 will be spent on consolidation of holdings by the revenue staff in the Sialkot, Gujrat and Rohtak districts, the balance being spent by the Co-operative Department in speeding up the work already being done in other districts. Rupees 9,000 will be spent on improvements such as sillage drains, repairing and roofing of percolation wells, etc. In the course of his speech another honourable member remarked that we should help those who are helping themselves. This is exactly what we are doing. We are spending this money in Gujrat district. There are *Dehat Sudhar* Committees in several villages of this district. The committees of 31 villages have agreed to contribute one-third of the cost of the works mentioned above in cash or by supplying labour and material. The District Board, Gujrat, will contribute one-third and the balance will be met from this grant of Rs. 9,000. My honourable friend from Ferozepore (Pir Akbar Ali) has objected to the bore-hole latrines. The Honourable Minister for Education, Sir Firoz Khan Noon, has already explained the need for these latrines in the Shakargarh tahsil of the Gurdaspur district and it is needless for me to say anything more about it.

Again, in some districts the supply of water was found to be very defective and the inhabitants were put to a great deal of inconvenience on that account. The women and children had to walk long distances in order to fetch drinking water. Water supply schemes have been sanctioned for villages in three districts—Kangra, Mianwali and Muzaffargarh. The House will agree with me that these schemes are very important and urgent.

Again, it is proposed to build veterinary hospitals at various places at a cost of about Rs. 60,000. Rupees 48,000 are proposed to be spent on broadcasting. My friend from Ferozepore does not seem to approve of this scheme. I think these broadcasting stations will not only be a source of education, but also of recreation and amusement for the villagers whose life at present is very dull. The scheme has been tried in the North-West Frontier Province and proved to be a great success. I myself had an occasion to hear the broadcasting done from the North-West Frontier Province station. The officers of the various departments come and deliver lectures about consolidation of holdings or methods of agriculture and thus give valuable

[The Hon. Nawab Muzaffar Khan.]

information to the zamindars. I am sure broadcasting will prove most helpful and useful to the zamindars. A sum of Rs. 15,000 has been allotted for fruit-growing.

With regard to the Rural Reconstruction Department, my friend, Sardar Habib Ullah, has made a very sound suggestion, that is, to have an advisory committee to advise the Commissioner of Rural Reconstruction. I think an advisory committee would certainly be very useful and Government would in all probability be prepared to accept this proposal.

Another honourable member has taken exception to the present method of obtaining copies of judgments. As I have already stated in reply to a Council question, the whole question will be considered by the Financial Commissioner and a representative of the Honourable Judges of the High Court as to how the hardships at present experienced by the litigant public in general and the zamindars in particular can be removed.

Pir Akbar Ali : While considering this matter they should also take into consideration the system of obtaining copies of judgments now in vogue in the Allahabad High Court.

The Honourable Nawab Muzaffar Khan : Yes they will do so. My honourable friend, Chaudhri Chhotu Ram, has suggested that rates of abiana should be reduced. The honourable member has served on the abiana committee and he knows that it was on the recommendation of that committee that a reduction in rates of abiana was made which has resulted in the reduction of about Rs. 35 lakhs annually. Similarly, a reduction of 25 per cent. has been made on the Mailai Canal for 3 years. This would show that Government have never hesitated to give relief to the zamindars whenever it was possible and wherever the circumstances permitted. With regard to land revenue I would say that from 1930 to 1935 remissions amounting to Rs. 1,77,00,000 have been given. It would, therefore, not be fair to say that Government have no sympathy for the zamindars. They have left no stone unturned in affording relief to them. The honourable member from Hoshiarpur (Muhammdan) in the course of his speech stated that Government is leaving a dead nation and a dead country. I think it is unfair to use such language and before using it one should see how far one is justified. I have no connection with other departments; but in regard to the Canal Department. I can point out to the House that the present Government is leaving behind a net-work of canals in the Punjab which is admittedly the best in the world. To harp on a deficit of 15 or 20 lakhs in the budget and to ignore these facts seems hardly fair.

At this stage Mr. President resumed the chair.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammdan, Rural) (Urdu) : Honourable members who have discussed the budget so far have regarded it absolutely unsatisfactory and have expressed little hope of improvement of the financial position of our province in the near future. It is now for us to see how our financial position can be improved. Should we make suggestions which are likely to be approved by the Government or should we suggest things which we feel honestly to be useful? If one is to take the latter course I would submit in the first instance that the present system of education is very much defective. The middle pass of the past

are more capable than the F.A. pass or even the graduates of to-day. Previously education was not as expensive as it is to-day. At present education is very expensive but the standard of education is very low. As the Punjabi proverb goes—

وہی کہے تو وہی کہے

You cannot expect a *kikar* tree to bear mangoes. The mediocres cannot give better account of themselves. In the next place I would object to the present system of recruitment to services. I submit that nepotism should be thoroughly discouraged and appointments should be made not on recommendations but purely on merit.

I will go a step further and suggest that in future no relative of the present employees of the Government should be taken in service and for all the vacancies that may occur only those candidates should be engaged none of whose relatives is already in the service of the Government. Such a step, if taken, will help to remove all evils from which we are suffering at present. In the first place, for instance, this course will go a long way to uplift the rural classes. How it will do that I shall explain presently. At the present moment there are few men belonging to the rural classes who are in service and, therefore, they are totally ignorant of what the Government servants can do and cannot do. If they know anything at all about their position as Government servants, they know that they wield great powers and consequently they are very much afraid of them as if they were semi-gods. This feeling coupled with their poverty compels them not to open their lips against these servants even though they may have any number of grievances against them. And then these people in the rural areas have come to believe that they can get even proper things done, by giving some illegal gratification to these servants of the Government and I think it is on account of that belief that corruption is so rampant in the services. If the rural classes have their own relatives in the service of the Government, they will soon come to know the real position of the Government servants and they will cease to fear them. They will know that it is no use bringing them and that they can have all rightful things done without paying illegal gratifications. It is, therefore, clear that if my suggestion is acted upon and the men from rural areas are given opportunities to come into Government service, corruption will altogether stop and the condition of the rural classes will improve very much.

Besides the uplift of the rural classes the Council or at least a majority of the members of the Council are very much anxious, as I have been able to gather from their speeches, to see that the cottage industries are started very soon. In my opinion this end can also be achieved if the recruitment to services is made according to the principle I am advocating. It will be seen that if the present employees of the Government come to believe that their sons and their relatives will not be able to get into Government service, they will naturally explore other avenues to find employment for them. They will think of industries as the easiest and the best source of making money and having sufficient wealth which they must have made while in service and influence to boot with the Government and its officers, they will not find it difficult to start industries. And when industries are started and developed much of the misery that we see to-day will be removed

[Ch. Ram Sarup.].

I think this is what the Council wants to accomplish. However I would like to know what else the Council wishes to see rectified and I am sure I will be able to explain how that end can be achieved by the adoption of this very principle regarding recruitment to services (*Laughter*). I am reminded of much talked of unemployment. I will say that even unemployment can be removed by acting upon this golden principle which I consider to be the panacea for all ills. In short this principle, if acted upon, will in time come to help to distribute the wealth of the province equally and when that is done there will remain no one to complain against any one.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural) (*Urdu*): The budget that has been presented to the Council obviously represents a normal state of affairs. Study the budget from one end to the other and you will find that the abnormal conditions of the province have not at all been taken into account. For example, this fact has been lost sight of in preparing this budget that there have been no rains throughout the year and that in consequence the water-supply in the canals have been much below the average. In making an estimate of the income no consideration has been paid to the fact that because of the paucity of rains and much less supply of water from the canals, the rabi crops will be below normal and land revenue will not yield as much income as it used to yield in ordinary years. There is a general complaint amongst the zamindars having lands on the Sutlej Valley and Sirhind canals that on account of a very scanty supply of water from these canals the produce from the rabi crops is going to be much less than usual. But, as I have said before, in making an estimate of the income of the province for the next financial year no account of this very important item has been taken. I am, therefore, inclined to think that the income shown in the budget has been over-estimated.

This is something about the income side of the budget. Another criticism that I would like to make is that no attempt has ever been made or is expected to be made by the Government to make permanent such departments as are most useful from the public point of view. I would particularly refer in this connection to the establishment of panchayats the presence of which would have removed much of the troubles from which the rural people suffer in seeking redress and remedy from the courts. I am aware that sometime ago panchayats were established temporarily, but it is also a fact that as soon as the income from the court-fees went down a little, steps were taken to abolish these panchayats. I shall be excused if I say that the present Government is not prepared to introduce any reform that is likely to benefit the people if in introducing that reform it suffers even a little loss. In brief the Government is not prepared to make even a small sacrifice to do good to the public. Its own interests are dearer to it than those of the people for whom it professedly exists. It may be said in reply to this criticism that panchayats have or are going to be established again, but it must be remembered that these are going to be established because under the circumstances the Government had no other choice. At any rate it is not going to re-establish these panchayats of its own accord. Therefore my criticism that the Government does not do anything good for the public even at a little sacrifice holds good. That is not a commendable attitude. The right attitude is that the Government should always be prepared to

introduce measures for the good of the general masses even if in doing so it may have to make some sacrifices. But, as I have said before, it is futile to expect that from this Government.

I am reminded of another instance in point. In my own district, that is, the Sialkot district, there used to flow what they call in slang a *barsati nala* called Dek Nala. It used to irrigate a large tract of land in that district. That *nala* is still in existence, but it has this characteristic that after a term of years it changes its course and gradually it changes its bed also. It is now flowing at a place which is at a distance of 7 or 8 miles from the place where it used to flow before. Now that tract of land which it used to irrigate some 7 or 8 years before is to all intents and purposes lying waste. The worst of it is that in all these 7 or 8 years there have been no rains in that part of the Sialkot district and this factor has added to the miseries of the people of that area. To avoid death by starvation most of these people have migrated to other parts of the Punjab and those who appear to be rooted to that place or who have such an attachment to that place that they cannot permanently leave it, have sent their cattle to other places to be taken care of by their more fortunate relatives. They themselves leave their homes say for two or three weeks in a month in order to earn their livelihood and come back to stay for the remaining portion of the month. It is thus that they are eking out their existence. The grievances of these people have been represented to the Government many a time and it has been requested that some way should be found out to enable these unfortunate people to make their living, but the Government has not been so far moved to do anything worth the name. In response to all these representations the Government has been able to do only this much that it once sent a revenue assistant to see things for himself. All that this officer did or could do to ameliorate the condition of the people of this area was that he asked all the residue of the population in that *ilaga* to come with their spades to dig a water-course from somewhere where the Dek Nala is flowing these days so that water may be made to flow in the direction of the *ilaga* in question. Whether that scheme failed or succeeded will not, I think, interest most of the members. But it shows and proves beyond doubt one thing and that is that Government always tries to have things done without any cost so far as possible. In short it spends money very hesitatingly when the advantage is expected to go to the people. I say this is an attitude which no Government worth the name should adopt. It is time that the Government changed its policy and ceased to take care of its own interests more than the interests of its subjects.

Then there is the question of corruption about which I also want to say a few words. Unfortunately this evil is rampant in acute form in the departments with which the zamindars are very much concerned. Take for instance the Irrigation Department. I can say without fear of contradiction that a greater portion of the income of the zamindars is given to the officers in the form of bribes. That is a heavier charge than that of abiana and land revenue taken together. Although in the courts there is corruption the Chief Justice has recently given particular attention to it and

5 P.M. now in the courts corruption has decreased to a great extent and it is hoped that soon it will be absolutely removed from that department. But in the Canal Department corruption is rampant and the employees of this department are not human beings

[Ch. Asadullah Khan.]

for they coerce people to give them bribes by adopting methods which are inhuman.

Another matter I want to bring out is that in the Hydro-Electric Department 8 annas per month is charged as meter rent and 5 annas per month as over-head charges. This means that 13 annas are charged in addition to the price of the current consumed in a month. A poor man who consumes electric current worth 8 annas a month has to pay 13 annas as meter rent and over-head charges. This is discouraging for the people to use electric current for lighting purposes. The Government should try to do something to reduce the meter rent and over-head charges.

Then there is the question of the reduction of expenditure. Time and again it has been emphasised that Government should reduce its expenditure on different departments but it has never seriously done anything to reduce its expenditure. The reduction, if any, has fallen on peons, chaprasis or sweepers who do not draw much as it is. A chaprasi drawing Rs. 14 a month is done away with and the head of the department counts that as a substantial reduction. The salaries of officers of higher grades are not touched at all.

The next point to which I would like to draw the attention of the Government is that in civilised societies the Government guards the interests of the people and vouchsafes their rights and liberties in return for which the people supply the Government with funds to carry on its functions. The Government gets the taxes all right but in return does not give the people their right to personal freedom. It is our common experience that whenever any one tries to give expression to his ideas whether on the stage or through the newspapers the Government does not allow him to avail himself of the right of freedom of speech, when his ideas are not the same as the Government would like him to entertain. In the case of those who express themselves on the stage they are sent to jail and in the case of the newspapers securities are demanded and if they have already been deposited those securities are confiscated. The Government in every possible way strangles the voice of the people. Whenever the press finds it impossible to agree with the Government's policy the Government represses it. Notwithstanding all this the Government claims that it has given perfect freedom so far as the right of platform and press is concerned.

Another point which requires notice is that generally Government servants of higher grades are recruited from foreign countries. On their retirement a good deal of the money of the province goes out of the province. If some restrictions were to be imposed upon those who in this way take a good deal of the money of the province out of the province, it would mean a lot of help to the people of this province. But the Government has never done anything to keep the money of the province within the province by imposing any restrictions on those who on their retirement leave the province and go to other countries and enjoy their pensions there. I would suggest that services should not be recruited from outside the province. Qualified men should be produced in the province. Our people have to go to foreign countries in order to get training for particular works. If they were to be trained here in our own Universities this would mean saving of that money which these people take to foreign countries in order to spend it there. I

take the example of engineers. In order to get engineering qualifications people go to foreign universities, which in effect means English universities. They remain there for some three or four years and during their stay there spend a good deal of money. After qualifying when they return they find that it is difficult to get any employment, for it depends upon the Government to take them into service or not. Therefore, it is very necessary that the Government should train men for such posts within the province. But unfortunately the Government does not care for the welfare of the people. It only cares for its own income. The following verse fits the situation very well:—

دہیا کو اپنی موج کی طغیانوں سے کلام
کشتی میں ہی پار ہو یا درمیان رہے

Government tries to give all facilities to its servants but never thinks of the poorer people. It seldom does anything for the good of the people, who pay most for the upkeep of the Government.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I have only a few words to say about one or two points which have been raised in connection with my departments. The first is the criticism levelled against the hydro-electric department. My honourable friend opposite was pleased to say that we were not mindful of the interests of agriculturists and that we were not providing electricity for agricultural purposes. There is a regular cut on this subject and I would therefore not go deep into the matter but simply say that that statement is not correct. Much has been done and much is going to be done for the agriculturists provided certain conditions are fulfilled which I shall discuss when the matter comes up.

Another matter which was touched was the rent of meters and so on and it was made out that the poor man could not use electricity when as much as eight annas was charged as meter rent and another five annas as overhead charges. Unless it is intended that electricity should be supplied free and revenue is not to be the consideration these are the lowest charges, and I believe they compare favourably with some private companies. That is all I want to say so far as the hydro-electric department is concerned.

Then industries was the other subject touched. A complaint was made and made very justly that nothing very great had been done for the development of industries in this province. I entirely admit the soundness of this complaint. But the Government of the Punjab is not responsible for this to any great extent, because I believe and I am sure honourable members will agree with me that it is impossible for any provincial government to develop industry to a very great extent. Gentlemen who criticise the Government about this matter for the moment lose sight of the fact that in a province, in fact, in a country like ours, industry cannot develop in the present circumstances unless there is protection and it is not possible for any provincial Government to grant protection. Unless therefore you get *swaraj* or at least fiscal *swaraj* you cannot develop industry to the extent you want unless the powers in the centre entirely change their policy and give protection to all kinds of industries in this country. They are bound by various conventions and various agreements not to give undue protection.

[The Hon. Dr. Sir Gokul Chand Narang.]

undue from the point of view of other countries, to Indian industries. Therefore it is really useless to criticise any provincial Government for the sad state of industries in any particular province. Barring that the only way of developing industry is a spirit of sacrifice on the part of the people themselves. If all of us become pucca *swadeshis* we can develop industry even in the present circumstances. That certainly involves a great deal of sacrifice. To the extent that that sacrifice has been made industry has been developed so also, to the extent to which protection has been afforded industry has been developed in this country. If you have not got the power of altering tariffs in the centre you have at least one thing in your power and that is that you should try best to satisfy all your needs by purchasing things which are made in your own country and if you want to encourage industry in your own province you should satisfy your needs by purchasing things made in your own province. This is what every one can do to a more or less extent if he is really sufficiently patriotic and is really interested in the development of industries and does not merely want to indulge in the pleasure of levelling criticism at others. (*An honourable member* : Cannot the Punjab Government do anything ?) I am coming to that. When these large principles are enunciated, I would point out what the Punjab Government within its limited scope and sphere has done for the development of industry in this province. I do not mean to say that it is anything very great. All that I claim is that the Punjab Government is not behind any other province in India. We are spending *per capita* more on the development of industry than any other province. In Bengal, the United Provinces, and I believe in Bombay also, though on that point I will speak subject to correction, they are spending the same amount as we are or very nearly the same amount so that what we spend as compared with the United Provinces and Bengal is cent per cent. more *per capita* than they are spending on the development of industry. (*An honourable member* : We are speaking of encouraging industry, not spending on it.) How can we encourage without spending ? Then so far as the Punjab is concerned during the last five years it will please you within a limited extent to know that the Department of Industries has been receiving much more income than it did before from the products of the various institutes of this department. For instance in 1930-31 when I assumed charge the receipts were Rs. 1,18,000. Now they are Rs. 8,69,160. That shows that the various industrial institutions run by the Industries Department are now being run much more efficiently than they used to be.

Then, again, during these last 5 years a number of useful institutions have been opened. For instance, we have opened Government Industrial School at Jullundur. Government Metal Works Institute in Sialkot, Industrial School for girls in Ambala, Government Industries School at Muzaffargarh and another at Jhelum and Tanning Institute at Jullundur. We have also established an industrial laboratory which did not exist before.

We have got established 4 additional travelling parties which go about in the province instructing people about weaving and other things concerning industry. We have opened classes for development of small industries in outlying districts of the province. Also something has been done with regard to oil industry in the province. We have appointed an oil expert and also

a marketing officer, who assists not only in the development of business but also helps industrialists in marketing their things. Besides this we have established several departments which assist people interested in industries. We give advice to those who want advice and the number of enquiries during the last few years about industrial matters has increased very much indeed, and we feel the need of additional staff to meet this demand. We have also got ready-made estimates for small scale industries which are open to any one who wants to set up a small scale industry. A number of pamphlets have been prepared for the guidance of people who want expert opinion about some industry for supplementing their information on industrial matters. We have started a library and I am sure, a large number of people utilise that library.

During the last 5 years, although before that, owing to financial stringency it was not possible to send out any scholar for technical training, we have been able to send out 3 scholars for technical training abroad. These are some of the things which the Punjab Government has been able to do during the last 5 years.

There is one thing to which I want to draw your particular attention and that is that before I assumed charge, we had some 23 or 24 schools in which education given was of a very rudimentary character. We have changed the whole system of education in those schools. We have converted them from craft schools into trade schools, so that after 3 or 4 years a scholar will have much better prospects to earn his living than he had under the old system. But as I have submitted these are not matters of which one can be very proud, but this is about the best that could be done.

We have passed the State Aid to Industries Act, and I believe in 2 or 3 days it is going to be enforced. If the future Government, when everything will be in your hands, wants to help industries, there is ample scope in this Act for assisting industries. I am particularly referring to one section in that Act and that is the guaranteeing by Government of a minimum return on capital of joint stock companies.

The manner in which industries can be developed is provision of capital, expert knowledge, trained workmen and a market. There is at present no market in India. You will be surprised when I say that and ask, why is there no market in India? India is a market for every other nation, but there is no market here for Indian goods. Indian manufacturers cannot stand competition against other countries and it is there that I made reference to the central Government. Unless we are given protection there is no market for us in this province or in any other province and it is only for certain articles that we have some scope in the market.

So far as expert knowledge is concerned, there is no lack of it. There are many people who are qualified in this respect but they are wandering about for lack of capital. Capitalists are shy, because they are not sure of any return on their investments and they are also not sure whether they would have trained labour. In all there are about 24 industrial schools and institutes which are supplying trained workmen. I have no doubt that in another 10 years or so, if these schools continue on these lines, and are further improved there would be no lack of trained labour in this province.

[The Hon. Dr. Sir Gokal Chand Narang.]

Then another question would be one of capital of course subject to protection. Now, capital would be forthcoming if the future Government is bold enough and is prepared to run risks and also the private investor is prepared to run risks. If the Government is prepared to run the risk to the same extent at least as the private investor is prepared, then there will be no lack of capital. People will be prepared to float companies. Government may guarantee at least 3 or 4 per cent. return on their investments. I believe it would be taking no real risk because unless people enter into these ventures and adventures with their eyes shut, there is no undue risk in floating these industrial ventures. If expert advice is taken before a definite scheme is started, there is no reason why it should not bring at least 3 or 4 per cent. return. The very fact that the Government would be guaranteeing 3 or 4 per cent. on capital investments will be a great inducement to the investing public.

I would not agree with my honourable friend Khan Bahadur Sardar Habib Ullah that only a small Act has been placed on the statute book, but nothing has been done. This Act has a great potentiality and if it is properly worked and sufficient courage is shown, this Act may prove the industrial salvation of this province. I do not want to say anything more. The scope of the Punjab Government is limited and within this limited scope the Punjab has done as much as, if not more than any other province of India has done. Beyond that it is really unreasonable to expect from Provincial Governments to do unless things radically change. (Applause).

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu): It is customary to prepare the budget every year. The Honourable the Finance Member and his subordinates prepare it with great trouble and labour and present it to the House. The honourable members according to their ability and wisdom make suggestions which they think useful, but their suggestions are seldom cared for. However, this time it is very surprising to note that some honourable members who have never opened their lips have also ventured to say that the British have come from 7,000 miles and are ruling this country. They have made these remarks in a very bold and independent manner. They used to call this government 'Mai Bap.' I think they have made these remarks for the sake of election propaganda.

Mr. President: The honourable member is ascribing motives to certain members of this House. He should please withdraw his words and proceed with his speech.

Lala Bhagat Ram: I have not mentioned any name.

Mr. President: Even then he has ascribed motives to some honourable members.

Lala Bhagat Ram: Very well, Sir, I withdraw my words. The government is just like a nurse who is entrusted with a sick man. She wants that the patient should live, but she does not want that the patient should recover from the disease and grow hale and hearty. The nurse wants that the patient should be given injections, but she does not want the patient to get out of the sick bed. The government is like the nurse. It gives us an education which fills us with a desire for liberty, but when the Indians

raise a hue and cry against foreign yoke and want to be independent, the government does not let them say anything. The government does not like that any propaganda for the *swadeshi* movement be done. Those people who tried to do this work in the past were put in prison. In this respect the Government does not do any work and does not allow Indians also to do anything. There are so many things which Government requires for its offices. Those things are got from abroad and government spends a great deal of money in this way. The same can be spent on Indian goods and this money can be saved from going outside. Very fine things are prepared at Ludhiana. Again, lakhs of rupees go out of this country to other countries in the form of pay and pensions and there is no way to get back that money. As we send raw materials outside, other countries regard India as a golden sparrow and want to capture it. If the Government would patronise home industry, and encourage the *swadeshi* movement, the raw material will not go out and will not induce other people to think of invading India. If the industry will develop, people will not run after government services. Now, the scales of pay and pensions are very high. They are increasing. It is extremely desirable to reduce these rates of pension. Under no circumstances should they increase.

People constantly complain of corruption in the various government departments. They say that Government officials are corrupt, but they themselves go and grease the palm of those officials. When the inquiry is held, nobody gives evidence against them.

In reply to the criticism about the Education Department the Honourable Minister was pleased to say and perhaps he meant to take pride in saying that the number of matriculate girls had gone up by 8 or 9 hundred this year. I think I will perhaps disappoint the Honourable Minister if I say that I give him no credit for this increase in the number of educated girls. I say what have educated young men done and achieved that we should hope that the educated girls will also be able to achieve. And if our educated young men have accomplished nothing by studying in these schools and colleges and have done no act of valour or in fact no act worthy of praise, we should not expect that these educated girls will do anything which will commend itself to us. No doubt for some 4 or 5 years to come these educated girls will be able to find employment in schools or even in offices as the Muslims were able to secure services for sometime after the introduction of communal proportions, but after that, I am sure, these girls will also begin to curse this present system of education. This system of education is spoiling our youth if I can say that. It has made our young men and girls, lovers of fashions and the result has been that the girls have ceased to take any interest in that sphere of life for which they were meant. They now shun kitchen work and other domestic duties. I wonder what will happen if this infection spreads everywhere. The honourable lady member (Shrimati Lekhwati Jain) has condemned the policy of the Congress saying that the Congress was wrong in declaring that the pay of Indians should be equal to that of Europeans. The Congress was very wrongly criticised. It is a wonder that Shrimati Lekhwati Jain has dared to criticise the Congress. She wants to assume the role of a dictator and nothing else. We should, therefore, cry a halt here and if possible should try to revise this present system of education.

[L. Bhagat Ram.]

I may be permitted to say a few words with regard to administration of jails in the province. From my personal experience of the jails which I have visited during the last year I can say that there are many defects in their administration which require to be removed at once. In the first place, arrangements should be made to give training in some industry to the inmates of these jails so that when they come out, they should be able to make an honest living. At present when no such arrangement exists in these jails and when fortunately decent food has begun to be supplied to the prisoners, those who come out of these jails after completing their sentence and cannot find any work to do in order to keep their body and soul together or find food after putting in more labour than they were accustomed to put in the jails, they very much like to go back to the jails again.

The result is that crimes instead of going down increase and the jails and the jail life have no deterrent effect on the criminals. One thing more that I would suggest in this connection is that *Maulvis*, *Pandits* and *Bhais* should be engaged to impart religious education to the inmates of the jails. In India religion achieves what all other measures fail to achieve. If a criminal is told that such and such an act is forbidden by religion, he will most likely not do that act again. The fear of punishment does not deter a criminal from doing an act of crime so much as the fear of incurring the displeasure of *Maulvis* and *Pandits*. Therefore, I would suggest that in these jails *Maulvis* and *Pandits* should be engaged to give religious education to the prisoners. Then to make the jails self-supporting the prisoners should be made to do that work which they had been doing outside the jails. It is no use asking the son of a zamindar in a jail to grind the mill or to ask a carpenter to waste his time on *muni*. Arrangements should be made in the jails to give work to every prisoner for which he is found to be best suited. If that is done you will be able to kill two birds with one stone. In the first place you will be giving training to the prisoners which will stand them in good stead outside the jails and in the second place you will make the jail's self-supporting. I hope that my suggestion will be given due weight.

In the end I would request the House and the Government to do something for the depressed classes as well. We hear so much about the grievances of the zamindars and no opportunity is missed to demand redress for their grievances. It is time that we should also attend to the needs of the people belonging to the depressed classes. You know that most of them are seen walking even in cold weather barefooted and many of them do not get enough to keep the wolf of hunger out of their doors. We should at least make some arrangement for them whereby they should be able to meet the barest necessities of life.

The Honourable Sir Donald Boyd (Finance Member): The honourable Finance Secretary, Mr. Ram Chandra, has already thanked the House for such kind things as they have said about the work of the Finance Department in preparing this budget. I personally would like to thank those members who have recognised that I have made an honest attempt to present a clear picture and a frank picture of the state of the finance of the province. Most members, I am glad to say, have credited me with frankness in the budget statement and for their appreciation of that quality I am grateful. To some extent I must express regret that the budget speech was

not prepared under more favourable circumstances. I had duties in Delhi on the 17th and 18th of February and had to write my speech before those dates. Also I had not had the advantage of seeing the budget memorandum prepared by the Finance Secretary. On my return from Delhi unfortunately I fell ill and was unable to do any more work on the budget speech. I must, therefore, ask the honourable members to forgive such short-comings as they have found in it. I forgot to remind the House of one very unusual item of expenditure which has been incurred and that is the contribution of one lakh to the Quetta Earthquake Relief Fund. That is something which I sincerely trust will not have to be repeated for half a century at least. Then there is one figure in the budget speech which needs correction. I have put the cost of the new Council Chamber at Rs. 17,50,000. That figure was taken from a calculation of the cost of the Reforms which was made, I think, four years ago. The present estimate of the cost of the new Council Chamber is about 10,25,000, without the addition of the Secretariat buildings.

The first point that has struck me about the general tone of this debate is the comparative absence of any real serious grievance. There are certain complaints which I will mention, but I have not been struck by any very serious grievance. In this budget debate where members may roam over the whole field of administration, no one has brought forward any very clear and pointed grievances. There have been many statements which are meant as criticism of Government and some of them have undoubtedly gone home, but a great many of them seem to be made for the sake of criticising. I do not mean to say that people are not ingenious in their statements, but I think they rather searched for ground for criticism. For instance, one recent speaker said that Government had abolished panchayats because panchayats would decide disputes privately and so affect Government's income from stamps. I cannot believe that he regarded his statement as a really correct explanation of Government's policy in the matter. Think for a second on what is the real cause of the drop in stamp duty. It is the fall in litigation not caused by resort to panchayats but caused, as I have said in my budget speech, mainly because there is little hope of realising much from decrees and also partly because the procedure of conciliation by boards is about to be instituted. If we had wanted to save our income from stamp duty we would have hardly started conciliation boards.

But perhaps the most prominent characteristic of the debate, I think, has been its somewhat gloomy character. Forecasts have been on the gloomy side, and the picture has been painted in somewhat dark colours. That of course is due to my own attempt to put the difficulties and the rocks ahead as clearly as possible and possibly I drew too dark a picture. One honourable member said that I was quite right to budget for a deficit in the present circumstances. Another honourable member suggested that it would have been a mistake to have a surplus while Sir Otto Niemeyer was considering how much of income-tax to give to each province. I should explain that the budget has not been framed with any express intention of bringing out a surplus or a deficit. The budget has to be prepared at such speed that it is very difficult indeed for the Finance Department to know exactly where they are going until they see the whole result. In this country we have the procedure on which I commented last year and on which the Finance Member of the Government of India has also commented twice.

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We introduce our budget before the financial year begins, which means that we have not accurate figures of the current year. We are then just a little in the dark, a little bit blind. It also means that we have to present our budget considerably earlier than they do in Britain and the budget has in consequence to be prepared in very great haste. The first edition of our budget showed that there was some chance of a surplus, a little money which we could spend on new expenditure. When the next edition came along it rather surprised me to find that we were heading for a deficit. There was not really time between the date when it became apparent that we were likely to have a deficit and the date when I had to write my budget speech: there was not really time to make a scientific adjustment of our expenditure so as to bring it within our probable income. But as I have said in my budget speech I propose after the budget session, when the Finance Department has a little more leisure to go into the figures of expenditure for the next year to see whether it is not possible to cut down expenditure and to bring it somewhat nearer our estimated income and to check any tendency to future growth of expenditure which may imperil the finances of the province. (*Hear, hear*). But for the present I should like to emphasise the fact that the budget has been made perfectly naturally in a straightforward way without aiming at any particular result.

Honourable members have spoken of this year's deficit as being 21½ lakhs. I have tried in my budget speech to make it clear that 15 lakhs out of these 21½ lakhs is merely a matter of accounting. Fifteen lakhs have been taken off the income or rather the revenue side and placed into the deposit side which comes under capital. That is to say, 15 lakhs of the deficit can be perfectly safely disregarded in considering what the real revenue position of the province is. We are left with a real deficit of 6½ lakhs, and as I have just reminded the House one lakh is due to a very exceptional contribution to the Quetta Earthquake Relief Fund. Therefore we come down to something like 5½ lakhs. We cannot be sure that this amount will not be wiped out before the financial year comes to an end. The last reports of realisation of revenue have been favourable; and if the realisation speeds up before the end of March, then we may find that we have no deficit at all this year. I cannot prophesy on this matter. That is why I have estimated for a deficit of 6½ lakhs plus an adjustment of 15 lakhs. This is so far with regard to the current year.

With regard to next year, as I have already said I am myself a little alarmed at the growth of expenditure. The same honourable member who talked of the abolition of panchayats in order to save our income also said that Government started on retrenchment by reducing a chaprasi here and a sweeper there in order to make some retrenchment. If honourable members will look at the revenue income of the province since the present constitution started, that is to say since 1921-22, they will see that our receipts reached the highest point in 1925-26 when it came to 11,39 lakhs and our expenditure reached its highest point in 1929-30 when it was 11,11 lakhs. Afterwards the expenditure came down rapidly till in 1932-33 it achieved its lowest limit of 9,91 lakhs; that is to say, a crore and a half was retrenched in those two years. It is not possible to retrench a crore and-a-half from the pay of chaprasia and sweepers. It must, therefore, be admitted by

everybody that real retrenchment was effected so long as the worst of the slump obtained.

Among the criticisms that have been made of the Government is the fact that the cut in pay has been restored. It has generally been the complaint that too much is spent upon the pay of Government servants. As the question of cut in pay has arisen, I think, I should remind the honourable members of what I believe the Retrenchment Committee itself, which was composed more than half at any rate of non-official members, had said on this subject. I believe they stated that a cut in pay was only justified in very exceptional circumstances. That is true. Government, above all institutions, must keep faith with its employees. I do not say that the pay of the future employees should not be reduced. That is entirely another matter. If the present rate of pay is high, there is very good reason for reducing the rate of pay. But having contracted to pay your servants a certain rate of pay, you can only be justified morally in breaking that contract and reducing their pay if the circumstances are of a very exceptional nature indeed. Now, for two years I think the 10 per cent. cut was put on. It was then reduced to 5 per cent. and we have had two years of surplus amounting to about 77 lakhs in this province. Would Government have been justified in continuing the cut with this surplus before them? I think most definitely that they would not have been justified in doing so and that they were bound to restore the cut in pay. With regard to the future, it was during last summer that Government settled fresh rates of pay for services in class I and class II. We have actually introduced new rates of pay at any rate in one service. But there are serious difficulties in the way. We find that another Government has been much less strict in its application of the new rates of pay than we propose to be. I shall give the honourable members an instance of what is in my mind. We are bound by rules that have the force of law not to alter the conditions of service of Government servants who were in service on the 31st March, 1926. We cannot touch their pay nor the conditions of their service. We are bound by statutory rules to maintain the pay and conditions of service of these servants. But our view is that when Government servants are promoted from one service to a higher service, it is exceptional promotion which they cannot justly claim and, therefore, if the rates of pay of the higher service are reduced before a Government servant is promoted to it, he can only claim the new reduced rates of pay. We find, however, that one other Government, the Government of India, have treated their servants differently, more liberally. I think before we apply the rules strictly, we must find out whether we are legally entitled to do so. That is at the present moment the reason for the delay in introducing the new rates of pay. But honourable members know that the 15 per cent. cut is applied to the pay of officials appointed after the 1st January, 1931. That 15 per cent. cut is temporary but will continue until the new rates of pay are brought into operation.

Now, with regard to the future financial prospects of the province we have had very laborious calculations. The very first speaker told us that we were going to lose 20 lakhs upon the Lyallpur settlement, 11 lakhs from imported charas, 7 lakhs contribution on account of excise from the Government of India, 15 lakhs in stamps, 5 lakhs in reforms and 12 lakhs increase owing to increment of salaries next year and 21 lakhs of deficit. I do not admit

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all these figures. I am prepared to admit a loss of 20 lakhs on account of the Lyallpur settlement. In fact that is my own figure. As for 11 lakhs from the restriction of import of charas, I may inform the House that we will not suffer this loss in 1936-37, because we have already got sufficient stock of charas for next year. What will happen later I do not know. I do not know whether the Government in Yarkand will continue this prohibition on export. I do not know whether it is not possible to replace the revenue from charas by something else. I have in my own mind at least one possible source of income which perhaps I had better not say anything about at present. It is possible that we may not lose this income at all, and even if we are to lose it, it is possible we may be able to replace it. The loss of 7 lakhs in excise I do admit. The loss of 15 lakhs under stamps is part of the deficit of 21 lakhs. So it goes out straight away. Reforms are certainly going to cost 5 lakhs. As regards the increments in salaries, I do not know where the honourable member got the figure 12 lakhs. The increments in salaries will certainly increase the cost of establishment, but the actual figures before me of previous years do not show any particular reason for expecting as large an increase as that. For instance in the year 1932-33, Rs. 4,66,50,000

6 P.M. were spent on pay of officers and establishment. In the next year it was Rs. 4,66,95,000, that is to say, an increase of Rs. 45,000. There were, however, other factors playing their part in the matter which I cannot discuss just now. As to the deficit, I have shown that it is estimated to be only 6½ lakhs in reality in 1935-36. It may be admitted you get a reduction of income of 38½ lakhs *plus* some increment, in salaries and pensions. Now, Sir, on the other side, what can we expect from the Hydro-Electric Scheme? According to the estimates for the next year, we expect 11 lakhs net from the Hydro-Electric Scheme. I am not talking about allowing for interest—that is another matter—but we expect 11 lakhs net, that is to say, the gross income will exceed the working expenses by 11 lakhs. In 1940-41 we expect 25 lakhs net allowing for an increase of 2 lakhs in interest charges. Why I do not take account of the existing interest is this. The capital sum on this scheme has been spent and we are paying interest on that capital every year. Every extension of the scheme which brings extra income is so much grist to our mill, because we have got to pay interest charges in any case on the capital expenditure that has been already incurred. Every increase in the net proceeds, that is to say after deducting working expenses from gross receipts, is so much extra income to Government and between next year and 1940-41 we expect to increase the net income from 11 to 25 or 26 lakhs, that is a very definite increase. You can call it 14 lakhs. The Haveli Project, if it is sanctioned, is calculated to bring in a net increase of 12-15 lakhs allowing for interest and working expenses. We are going to receive, I believe, 5-38 lakhs from the central Government for the pay of watch and ward staff of the police who are employed on railways. These three items amounting to 31½ lakhs will go far to balance Khan Bahadur Sardar Habib Ullah's sum of 38½ lakhs of losses. I really do not think that I have over-stated the case when I say that the province is perfectly solvent. It has got a very handsome balance, there is no doubt about that. I really believe that we are handing over a thoroughly solvent estate. At the present moment it is not at the top of its form because we all know that there is a world-wide depression still

continuing. The honourable Leader of the Opposition shakes his head. He said that we are bound to lose very soon on land revenue and irrigation. About land revenue he says that future settlements are going to bring us loss, but I think our forecast for the Lahore and Amritsar settlements according to the prices prevailing in 1933-34 would bring us 4 lakhs each or more.

Rao Bahadur Chaudhri Chhotu Ram : I made exception in respect of one or two districts.

The Honourable Sir Donald Boyd : The honourable the Leader of the Unionist Party complained that we are taking very little action on the recommendations of the Sources of Revenue Committee. He also told us that Government was taking action on two of the recommendations and was contemplating action on the third. I think that is not a correct statement. I have absolutely failed to understand the honourable member's statement because I have the document before me. I am able to tick off, I should think, about a dozen or fifteen items in which action has been taken. We hope, as soon as we have verified it to place upon the table a statement showing the action already taken. But I am sure, the Rao Bahadur will be greatly surprised if he sees it, that is to say, unless his memory is very bad. There is no doubt whatever that action has been taken on a very large number of items and there are very good reasons indeed for not taking action on the remaining items.

The only other criticism of the action of Government with which I need deal here is, I think, the general complaint that corruption is rife and that Government has not attempted seriously to put it down. Well I myself doubt whether in the higher provincial services, it is anything like as bad as it used to be when I was younger. With regard to the action taken to put it down, honourable members are aware that a statement was laid on the table showing the action taken in the different departments against corrupt officials in the past year and they will be pleased to know that the police, at any rate, have been very active indeed in punishing officials who have been found guilty of corruption and the punishment has been, in practically every case, dismissal. One of the many things that Government has done to stop corruption is to let the heads of departments know that the correct punishment for corruption is dismissal. Heads of departments are called upon to explain cases in which they have refrained from imposing the extreme penalty when they have detected a case of corruption. In the case of more senior officers, when the head of a department or a district officer is satisfied that there is something in the rumour about the reputation of a particular officer, he applies for a special enquiry which is, in a majority of cases, first made by a retired official who is known for his integrity and for his skill in investigation. The investigation is made and statements of witnesses, as far as possible, are recorded. Things have to be done confidentially at first. If this special enquiry shows that there is a strong *prima facie* case, then a commission is put on to try the charges—or at any rate departmental proceedings are taken. I do not think that members who have come across cases of such a nature, will accuse Government of being slack in trying to get rid of corrupt officials. It is quite true that corruption will only be eradicated by a general improvement in public opinion upon the subject. I think that members of this House may contribute very considerably to

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that improvement. I have myself been approached by members of this House who have complained bitterly of Government's laxity in putting down corruption, I have been approached by those very members, who have appealed to me, to drop proceedings and withdraw action against officials suspected of corruption. I say it is not right to do that, and to complain next day that Government is lax in stopping corruption. Members of this House should not go and ask heads of departments to stop proceedings against corrupt officials. (*An honourable member: Names please.*) I will not give any names. I know that members do not like doing it, but they do it under pressure. I appeal to them to resist that pressure. Let them start raising the moral tone of the province in regard to corruption and I can assure you that Government will do its best to stop it. (*Cheers.*)

The Council then adjourned till 2 P.M. on Tuesday, 10th March, 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 10th March, 1936.

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

STARRED QUESTIONS AND ANSWERS.

ATTESTATION OF POWER OF ATTORNEY BY MR. TEAL, MAGISTRATE.

***5323. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance please state—

- (a) whether Mr. F. H. Teal, section 80 magistrate, Lahore, has pronounced orders in the case *Crown versus Sardar Tara Singh*, etc., and if so, on what date;
- (b) whether it is a fact that after the orders were pronounced, Mr. Ajit Singh Johar, pleader, with Mr. Gian Singh, pleader, presented powers of attorney on behalf of the accused to Mr. F. H. Teal for attestation and Mr. Teal asked them to wait;
- (c) whether it is a fact that the pleaders referred to in part (b) waited for some time during which the accused were being handcuffed and repeated their request for the attestation of powers of attorney when the accused were being taken away from the court;
- (d) whether the powers of attorney were attested by the said Mr. F. H. Teal, magistrate, or not;
- (e) if the answer to part (d) be in the negative, the reason of Mr. Teal's taking such an action;
- (f) whether Government proposes to take any action in the matter?

The Honourable Sir Donald Boyd : (a) Yes, on 15th February, 1936.

(b) Blank powers of attorney were presented in the court of Mr. F. H. Teal by some Sikh gentlemen after the accused had been removed from the court room. Mr. Teal did not ask the gentlemen to wait.

(c) No.

(d) No.

(e) The powers of attorney presented to Mr. Teal for attestation were blank and did not bear the thumb-impressions of the accused.

(f) No.

PUBLICATION OF "DAILY SIYASAT," LAHORE.

***5324. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Finance kindly state—

- (a) whether a declaration for the publication of the daily *Siyasat*, Lahore, was filed by Sayad Inayat Shah, as editor, printer

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

and publisher of the paper, in the office of the District Magistrate, Lahore, on the 11th January, 1936 ;

- (b) whether that declaration has been accepted, and if so, on what date ;
- (c) whether the applicant made any verbal representation or whether he sent any written reminders or telegrams to expedite the matter ; if so, what action was taken on these reminders ;
- (d) whether any communication was made to the applicant in reply to his verbal and written requests up till the 15th of February, 1936 ;
- (e) why such delay occurs in the disposal of these petitions and whether the Government is prepared to adopt a procedure by which this delay can be avoided ?

The Honourable Sir Donald Boyd : (a) By " declaration " presumably the honourable member means the declaration required by section 5 of Act XXV of 1867. No such declaration was made. Sayad Inayat Shah on the 11th of January, 1936, applied to the District Magistrate, Lahore, stating that he wished to re-start the Urdu daily *Siyasat*, and was prepared to pay the security demanded by the Punjab Government in September 1935, and asked for the issue of orders as early as possible.

(b) Does not arise.

(c) On the 30th January, 1936, while the case was being considered by Government to which it had been referred by the District Magistrate, Lahore, Sayad Inayat Shah sent a telegram to the Chief Secretary asking for early orders.

(d) Yes. The orders of Government were conveyed to Sayad Inayat Shah by the District Magistrate, Lahore, in his letter No. 1846, dated the 18th February, 1936.

(e) Government does not admit that delay usually occurs in the disposal of such petitions or that there is any need for a change in the procedure. In this particular case the legal position had to be very carefully examined.

RECRUITMENT OF NAIB-TAHSILDAR FROM EX-MILITARY MEN FROM LAHORE AND AMRITSAR DISTRICTS.

***5325. Khwaja Muhammad Eusoof :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that in 1927 a circular letter was issued by Government to all the heads of departments competent to make appointments for the posts of tahsildars, naib-tahsildars, police and excise inspectors and sub-inspectors to the effect that there are certain obligations upon the Government on behalf of the ex-military men who served the Government during the Great War ;
- (b) whether it is a fact that on receipt of the above instructions the Commissioner, Lahore division, asked all the deputy commissioners of his division to recommend suitable ex-military men for appointment as naib-tahsildars ;

- (c) whether it is a fact that all the deputy commissioners of the division recommended certain suitable persons with personal war services for acceptance as naib-tahsildars ;
- (d) whether it is a fact that at the time of selection by the commissioner the cases of persons recommended from Lahore and Amritsar districts were kept pending on the ground that there were already sufficient candidates on the list from these districts while the cases of all the clerks recommended from all the other districts of the division were considered ;
- (e) whether the above objection resulted in the non-acceptance of men with personal war services from Lahore and Amritsar districts ;
- (f) whether it is a fact that none with personal war services has so far been accepted as a naib-tahsildar from Lahore and Amritsar districts while such men of all the other districts of the division have been selected ;
- (g) whether he will lay on the table a statement showing the following information in respect of the persons recommended from Lahore and Amritsar districts referred to in part (c) :—
 - (i) Names.
 - (ii) Qualifications.
 - (iii) Present post and pay.
 - (iv) Period of military services.
 - (v) Certificates held.
 - (vi) Posts for which recommended by the heads of departments after demobilization from the Army ;
- (h) whether this statement shows that the persons recommended from Lahore and Amritsar districts possess better qualifications than those selected from the other districts ;
- (i) whether the recruitment of naib-tahsildars is to be made now which had been stopped due to retrenchment ;
- (j) if the answer to part (i) is in affirmative, whether he proposes to ask the Commissioner, Lahore, to select persons recommended from Lahore and Amritsar districts irrespective of their age limit ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Yes.

(c) Yes, with the exception of the Deputy Commissioner, Lahore.

(d) No.

(e) Does not arise.

(f) The required information is not readily available.

(g) The required statement is laid on the table.

(h) No.

(i) Yes.

(j) No. It is not intended to interfere with the discretion of the Commissioner.

[Hon. Nawab Mazaffar Khan.]

Statement.

Name.	Qualifications and date of birth.	Present post and pay.	Period of Military services.	Certificates held.	Posts for which recommended by the Heads of Department after demobilization from Military.
1. Dyal Singh	Matric .. 6th March, 1904.	Clerk, Deputy Commissioner's Office, Amritsar. Pay Rs. 58, in the grade of Rs. 40—2—90.	From 5th July, 1917, to 29th March, 1918, 30th March, 1918, to 19th February, 1920 and 4th August, 1920, to 1st November, 1920.	Not available ..	Not available.
2. Jalal Din	Non-Matric .. August, 1901	Clerk, Deputy Commissioner's Office, Amritsar. Pay Rs. 49-8-0 in the grade of Rs. 30—70.	From 17th August, 1917, to 17th May, 1920.	Ditto ..	Ditto
3. Dhirt Ram	Non-Matric .. 4th June, 1896.	Clerk, Deputy Commissioner's Office, Amritsar. Pay Rs. 43-8-0 in the grade of Rs. 30—70.	From 24th October, 1916, to 27th October, 1920 and 22nd October, 1922, to 24th January, 1924.	Ditto ..	Ditto.
4. Hari Singh	Matric .. 15th March, 1901.	Not available ..	From 19th November, 1919, to 14th January, 1923.	Ditto ..	Ditto.

MUTATION OF LAND, TARAORI VILLAGE.

***5326. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state (after making enquiry, if necessary)—

- (a) whether he is aware that 128 bighas of land owned by one Harnam, a member of an agricultural tribe, of Taraori village, in the Karnal district, was entered to be mutated in favour of one Mangat Ram, a non-agriculturist in or about 1938 ;
- (b) whether he is aware that the deputy commissioner of Karnal refused sanction for alienation of the land and that, therefore, the mutation was rejected by him on the 17th March, 1938, or thereabout ;
- (c) whether he is aware that on an appeal having been filed from the order of the deputy commissioner the Commissioner, Ambala, gave the necessary sanction and ordered a mutation to be sanctioned in favour of Mangat Ram ;
- (d) what were the reasons for the order of the commissioner ;
- (e) what action the Government proposes to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) Yes, but Mangat Ram belongs to a notified agricultural tribe.

(b) Yes.

(c) Yes.

(d) The reasons regarding this mutation are recorded in the relevant orders, copies of which can be obtained in the usual way on the payment of the necessary fees. Government consider it against constitutional practice to supply such copies in reply to questions in this House.

(e) None.

AGE LIMIT FOR GIRLS APPEARING IN MIDDLE SCHOOL EXAMINATION.

***5327. Shrimati Lekhwati Jain :** With reference to his reply to question No. *3565¹ re age limit for girls appearing in middle school examination, will the Honourable Minister for Education please state—

- (a) whether he is aware that the existence of age limit is proving a great handicap to the furtherance² of higher education amongst girls ;
- (b) what steps Government proposes to take to remove the disability attached to female education ?

The Honourable Malik Sir Firoz Khan Noon : (a) The Department is not of the opinion that the existence of age limit is proving a handicap to the furtherance of higher education of girls but that on the contrary it safeguards their welfare. It may be mentioned for the information of the honourable member that the age limit is imposed in the case of only those girls who have not passed the fifth primary examination and are taking the Middle School examination as private candidates. No age limit has been imposed on girls appearing from recognised schools. This has been done with a view to discourage parents from withdrawing their girls from schools and subjecting them to undue strain in order that they

[Hon. Malik Sir Firoz Khan Noon.]

should pass the Middle School examination as early as possible. It is essential that the future mothers of the nation should be protected against unhealthy cramming and stunted growth. The principle underlying the imposition of the age limit on girls has been fully accepted by the Standing Education Committee of the Council.

(b) Does not arise.

MUNICIPAL GIRLS' HIGH SCHOOL, SIMLA.

***5328. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education please state—

- (a) whether the attention of Government has been drawn to a letter published in the *Hindustan Times* of the 31st October, 1935, under the caption "Municipal Girls' High School";
- (b) whether it is a fact that the Simla Municipality have already decided to house the proposed girls' school at Simla in a building on the Bararhi Road;
- (c) whether Government is aware that the building in question is in a very out-of-the-way and unfrequented locality and is thus most undesirable for a girls' school;
- (d) what action Government proposes to take to allay the public feeling as evinced in the letter published in the *Hindustan Times*?

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

(b) Government have no information.

(c) and (d) Do not arise. A report is, however, being called for from the Inspectress concerned.

SILVER JUBILEE CELEBRATIONS.

***5329. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state the names of those cities, towns and places in the province where according to the official information received the Silver Jubilee celebrations of His Majesty late King George V took place on a public scale in the first week of May, 1935?

Mr. F. H. Puckle (Chief Secretary) : The information in possession of Government is not altogether complete; but so far as is known, the occasion of the Jubilee of His late Majesty King George V was celebrated publicly in all places of any importance in the province.

MORCHAS BY SIKHS AND MUSLIMS.

***5330. Shrimati Lekhwati Jain :** Will the Honourable Finance member please state—

- (a) the total number of prosecuted and convicted persons in connection with the *kirpan morcha* by the Sikhs at Lahore and the *Shahidganj civil disobedience morcha* by the Muslims;
- (b) the extra cost incurred by the Government in combating these *morchas*;

- (c) the number of convicted or prosecuted persons of each community who apologised for their misbehaviour;
- (d) the highest and the least punishments awarded;
- (e) the further steps which Government proposes to take for preventing the recrudescence of these movements subversive of communal unity and amity?

The Honourable Sir Donald Boyd: (a) *Kirpan morcha*.—1,709 prosecuted; 1,709 convicted.

Muslim morcha.—398 prosecuted; 365 convicted.

(b) No extra staff was engaged in connection with the two *morchas*, but by diverting establishment from their normal duties they entailed extra expense, of an unascertained extent.

(c) None.

(d) Highest sentence: Six months' rigorous imprisonment, and on expiry to furnish a bond for three thousand rupees, or in default to undergo simple imprisonment for a year.

Lowest sentence: Simple imprisonment till the rising of the Court.

(e) To encourage by every possible means the maintenance of friendly relations between the communities; but if in spite of this such movements recur, to deal with them under the law.

Ods.

***5331. Shrimati Lekhwati Jain:** Will the Honourable Revenue Member please state—

- (a) in which districts of the province the Ods professing Muslim and Hindu faiths are included in the agricultural tribes under the Punjab Alienation of Land Act, XIII of 1900;
- (b) if the Hindu Ods are not so included, the reasons for making such distinction between Hindus and Muslims of the same tribe;
- (c) the total population of this tribe professing Hindu and Muslim faiths separately in the Punjab and their main occupation;
- (d) if the Hindu Ods follow the same profession as the Muslim Ods, whether Government proposes to consider their claim for being recognised as statutory agriculturists?

The Honourable Nawab Muzaffar Khan: (a) In the Multan district only. No distinction is made between Muslim and Hindu Ods.

(b) Does not arise.

(c) The honourable member is referred to the Census Report.

(d) Does not arise.

POSTS HELD BY SCHEDULED DEPRESSED CLASSES.

***5332. Shrimati Lekhwati Jain:** Will the Honourable Finance Member please state the number of posts of various grades held by the members of scheduled depressed classes in the districts of the Punjab separately other than the posts of mere scavenging or requiring manual labour?

The Honourable Sir Donald Boyd : I regret that I am unable to give the information asked for, as the time and labour involved in collecting it would be out of all proportion to its value.

ADULT READERS IN VERNACULARS.

***5333. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education be pleased to state—

- (a) whether suitable Adult Readers have appeared so far in Hindi, Punjabi, Urdu and Roman Urdu, respectively, under the auspices of the Punjab Text-book Committee ;
- (b) if not, whether Government intends to have these drawbacks removed ?

The Honourable Malik Sir Firoz Khan Noon : The attention of the honourable member is invited to the reply to her question No. *5272.¹ So far as is known no books in Roman Urdu are available.

DISTRICT INDUSTRIAL MUSEUMS.

***5334. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Government is aware that in the Bengal Presidency, district industrial museums are being established in selected places in order to stimulate marketing and consumption of local produce ;
- (b) if so, whether the Government proposes to have the same experiment tried in the Punjab ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The Punjab Government do not possess any definite information on the matter.

(b) Government have under consideration the question of expanding the activities of the Arts and Crafts Depot, Lahore, to help the art craft workers (i) in improving their designs and (ii) in the disposal of their goods.

PUBLIC WELLS.

***5335. Shrimati Lekhwati Jain :** Will the Honourable Finance Member be pleased to state—

- (a) whether Government is aware that the Bombay Government have recently got notice-boards put up in front of certain public wells owned by Government or local bodies in order to ensure equality of treatment to all classes of His Majesty's subjects depressed or non-depressed ;
- (b) if so, whether the Government proposes to have the same experiment tried in the Punjab ?

The Honourable Sir Donald Boyd : (a) Government have no information.

(b) Does not arise.

CONCILIATION BOARDS.

*5336. **Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state the local areas where conciliation boards have been set up, together with the names, tribes and residences of the chairmen and members of these boards?

The Honourable Sir Donald Boyd : A statement is laid on the table.

Statement.

Serial No.	Area in which the Board has jurisdiction.	Names of the President and members.	Tribe.	Residence.
		<i>President.</i>		
1	Amritsar district ..	Rai Sahib Lala Diwan Chand.	Khatris ..	Kunjab, Gujrat district (now settled at Amritsar).
		<i>Members.</i>		
		1. Sardar Hardit Singh.	Jat, Dhillon ..	Panjwar, tahsil Tarn Taran, Amritsar district.
		2. Ch. Ghulam Rasul.	Rajput ..	Fatehpur Rajputan, tahsil and district Amritsar.
		<i>President.</i>		
2	Jhang district ..	Khan Bahadur Mian Ghulam Rasul.	Thakim, Jat ..	Maghiana, Jhang district.
		<i>Members.</i>		
		1. Rai Bahadur Lala Girdhari Lal.	Khatris, Dhal. ..	Maghiana, Jhang district.
		2. Sayed Muhammad Husain Shah.	Sayad ..	Kot Ise Shah, tahsil and district Jhang.
		<i>President.</i>		
3	Panipat tahsil (Karnal district).	Khan Siddiq Ahmad Khan.	Pathan ..	Gumthala Rao, tahsil Kaithal, Karnal district.
		<i>Members.</i>		
		1. Lala Dip Chand	Mahajan ..	Alewah, tahsil Kaithal, Karnal district.
		2. Chaudhri Naurang Singh.	Ror ..	Ahar, tahsil Panipat, Karnal district.
		<i>President.</i>		
4	Garhshanker tahsil (Hoshiarpur district).	Rai Sahib Lala Shiva Shankar.	Vaish, Aggarwal	Hoshiarpur (originally Delhi).
		<i>Members.</i>		
		1. Subedar Major Manohar Singh.	Jat, Sikh ..	Mahilpur, tahsil Garhshanker, Hoshiarpur district.
		2. Chaudhri Ghulam Mustafa.	Muslim Rajput	Sarosa, tahsil Garhshanker, Hoshiarpur district.

CONCILIATION BOARDS.

***5337. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly place on the table of the Council a statement showing up to the 15th February, 1986, in respect of each conciliation board —

- (a) the number of applications made by debtors ;
- (b) the number of applications made by creditors ;
- (c) the number of applications dismissed without any amicable settlement ;
- (d) the number of applications finally disposed of by mutual agreement ;
- (e) the total amount comprised in the applications under (a), (b) and (c), respectively ;
- (f) the total amount for which amicable settlement was arrived at in respect of the applications under (a) and (b), respectively ;
- (g) the amount of stamp duty saved in respect of the applications under (a) and (b), respectively ?

The Honourable Sir Donald Boyd : A statement is laid on the table

Statement.

Name of Board.	Applications by debtors.	Applications by creditors.	Applications dismissed without any amicable settlement.	Applications finally disposed of by mutual agreement.	Total amount comprised in the applications under (a), (b) and (c).	Total amount for which amicable settlements were arrived at in respect of applications under (a) and (b).	Amount of stamp duty saved in respect of applications under (a) and (b).
					Rs. A. P.	Rs. A. P.	Rs. A. P.
Amritsar ..	397	138	87	38	(a) 4,38,348 8 8 (b) 62,892 2 3 (c) 47,305 9 6	(a) 26,284 14 0 (b) 4,922 2 0	(a) 25,409 14 0 (b) 3,071 12 0
Gurushanker ..	110	77	43	3	(a) 2,55,287 0 0 (b) 1,11,197 0 0 (c) 37,316 0 0	(a) 868 0 0 (b) 2,059 0 0	(a) 7,119 0 0 (b) 4,288 12 0
Jhang ..	1,135	123	Nil	42	(a) 58,09,528 2 5 (b) 1,84,421 7 0 (c) Nil	(a) 1,44,858 0 0 (b) Nil	Not ascertained.
Panipat ..	535	208	4	132	(a) 7,47,531 12 9 (b) 1,29,588 14 3 (c) 3,583 0 0	(a) 94,325 0 0 (b) 5,777 0 0	(a) 48,373 0 0 (b) 10,215 0 0

SUITS FOR RECOVERY OF DEBT, KARNAL DISTRICT.

***5338. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) the number of suits for the recovery of debt filed in the civil courts of the Karnal district (revenue) during the last twelve months in which the whole of interest was omitted in the claim by plaintiffs of their own accord ;
- (b) the number of suits in which plaintiffs omitted in their claims a portion exceeding (i) 25 per cent., (ii) exceeding 40 per cent. and (iii) exceeding 50 per cent. of the amount due on the dates of their suits ?

The Honourable Sir Donald Boyd : A statement is attached.

Statement.

Court.	(a). Number of suits for the recovery of debt filed during the last 12 months (i.e., from 1st March, 1935, to 29th February, 1936) in which the whole of the interest was omitted in the claim by the plaintiffs of their own accord.	(b). NUMBER OF SUITS IN WHICH THE PLAINTIFFS OMITTED IN THEIR CLAIMS A PORTION OF THE AMOUNT DUE ON THE DATES OF THEIR SUITS EXCEEDING THE PROPORTION INDICATED BELOW :—			REMARKS.
		(i) 25 per cent.	(ii) 40 per cent.	(iii) 50 per cent.	
Senior Subordinate Judge, Karnal.	9	1	1	..	The information given relates to cases filed during the last 12 months which are still pending. Complete information cannot be supplied as there is no such record available, and a very large number of cases instituted during this period have since been disposed of and consigned to the Record Room.
Subordinate Judge, I Class, Karnal.	41	8	4	7	
Additional Subordinate Judge, Karnal.	70	32	16	22	
Honorary Subordinate Judge, Karnal.	1	..	..	..
Subordinate Judge, III Class, Panipat.	72	32	6	..	
Subordinate Judge, III Class, Kaithal.	117	15	11	25	
Total ..	310	88	38	54	

GARNISHEE SUITS.

***5339. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state the number of what are known as garnishee suits filed in the civil courts of the province district-wise during the last twelve months and the amount of court-fees lost to public revenues in consequence of such suits ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

GARNISHEE SUITS.

***5340. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state whether his attention has been drawn to bogus decrees obtained, as a result of collusion between friends and relations, with a view to the decree-holder getting the benefit of garnishee proceedings and to the loss of stamp revenue occasioned thereby, and if so, what steps it is proposed to take to prevent this loss of revenue ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

IRRIGATION BY TUBE-WELLS.

***5341. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether any steps have been taken to introduce irrigation by tube-wells on the lines adopted in the United Provinces in order to release a portion of the water of the Western Jumna Canal for the irrigation of areas in the Hissar, Rohtak and Karnal districts which are not commanded at present ?

The Honourable Nawab Muzaffar Khan : Yes, to the extent that preliminary investigations are in progress to investigate the practical and economic aspect of tube-well irrigation where the sub-soil water is shown to be suitable and available in adequate quantity. One such scheme in a non-canal irrigated area is in progress under the Electricity Branch. Another, where it is proposed to replace canal irrigation with water from tube-wells, is under examination in the Irrigation Branch.

PANCHAYAT OFFICERS.

***5342. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly place on the table of the Council a statement showing the names, tribes and places of residence of the panchayat officers recently selected for appointment and the districts to which they have been posted ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to this question is not ready.

SHORTAGE OF RAIN IN CERTAIN DISTRICTS.

***5343. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether it is a fact that there has been

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shortage of rain, both monsoon and winter, in the districts of Hissar, Rohtak, Gurgaon and Karnal during the current agricultural year, with the result that both the last *kharif* and the present *rabi* (*barani*) have failed, wholly or partially, in some portions of all these districts and aggregate produce has been much below the average throughout; and if so, what relief it is proposed to give the areas affected in these districts?

The Honourable Nawab Muzaffar Khan: There was shortage of monsoon rain in parts of the Hissar, Rohtak and Gurgaon districts, but not in Karnal. The relief given in these districts in *kharif* 1935 is as follows:—

Statement.

District.					Amount suspended out of <i>kharif</i> demand.	Amount remitted out of suspended revenue.
					Rs.	Rs.
Hissar	..	..	..	..	93,027	70,143
Rohtak	..	..	..	..	22,483	25,626
Gurgaon	..	..	..	..	3,50,645	..
Karnal	..	..	..	..	4,690	..

Winter rains were insufficient, but it is believed that the recent rains have benefited the standing crops in some of the districts. Nothing definite can, however, be said till after the *girdawari* for *rabi* 1936 is over, when the local officers will take necessary action under the ordinary rules.

AGRICULTURAL PRODUCE.

***5344. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Minister for Agriculture kindly lay on the table of the Council a statement showing, in respect of the years 1932-33, 1933-34 and 1934-35, the estimated value of the total agricultural produce of the province so far as it can be known from the returns of produce and prices received by the Director of Land Records or otherwise?

The Honourable Sardar Sir Jogendra Singh: I can only give very rough figures. These include the cash value of fodder crops.

Year.					Approximate value in crores of rupees.
1932-33	..	..	..	..	68.3
1933-34	..	..	..	..	57.1
1934-35	..	..	..	..	61.8

CONSTABLES RECRUITED IN AMBALA DIVISION.

***5345. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Finance Member kindly state the number of constables recruited in the Ambala division community-wise during the last twelve months?

The Honourable Sir Donald Boyd : A statement is laid on the table—

FOOT CONSTABLES RECRUITED IN THE AMBALA DIVISION.

District.	Muslims.	Hindus.	Sikhs.	Christians.	Total.
Hissar	18	11	15	..	44
Rohtak	10	7	11	..	28
Gurgaon	3	17	19	..	39
Karnal	19	6	16	..	41
Ambala	21	20	15	..	56
Simla	8	6	7	1	22
Total ..	79	67	83	1	230

ASSISTANT SUB-INSPECTORS OF POLICE.

***5346. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly lay on the table of the Council a statement showing for the last three years the number of assistant sub-inspectors of police appointed by direct recruitment; the number of Hindus, Muslims and Sikhs among them and the number of statutory agriculturists under each of the three groups?

The Honourable Sir Donald Boyd : A statement is laid on the table—

NEW APPOINTMENTS IN THE RANK OF ASSISTANT SUB-INSPECTORS.

	Total Number appointed.	Muslims.		Hindus.		Sikhs.		Christians.	
		Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.	Agriculturist.	Non-agriculturist.
1933	20	10	1	..	3	5	1	..	..
1934	15	10*	..	1	1	3	..	..	..
1935	32	16	2	..	7	6	..	1	..
Total ..	67	36*	3	1	11	14	1	1	..

* Including one subsequently discharged.

DISTRICT BOARDS.

***5347. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state in respect of the district boards of Rohtak, Hissar, Gurgaon, Karnal and Ambala —

- (a) whether it is a fact that all expansion in education, sanitation, medical relief, communications and stock-breeding has come practically to a stand-still ;
- (b) whether it is a fact that the annual increments and grade promotions of teachers have had to be stopped off and on and this stoppage is still in force in some of them ;
- (c) the total annual grants earned by them in 1925, 1926, 1927, 1932, 1933, 1934 and 1935, respectively ;
- (d) their total income and expenditure in each of the years referred to in (c) ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Yes, so far as the districts of Ambala, Rohtak and Hissar are concerned. No, as regards the other two districts.

(b) The annual increments and grade promotions of teachers were never stopped by the district boards of Ambala and Gurgaon. The District Board of Hissar did so in 1933 and it has not yet been able to allow increments to the teachers. The District Board, Karnal, stopped the annual increments and grade promotions of teachers during the years 1929-30 to 1932-33, but in 1933-34 double increments were given and since then increments have regularly been allowed. The District Board, Rohtak, stopped the annual increments and grade promotions at the time of the preparation of the budget in February 1935, but later on they were allowed.

(c) and (d) Statements are laid on the table.

Statement showing total annual grants earned by District Board, Ambala.

	1925.	1926.	1927.	1928.	1929.	1930.	1931.
Education..	Rs. 1,23,669	Rs. 1,19,261	Rs. 1,50,102	Rs. 1,77,593	Rs. 1,70,073	Rs. 1,60,228	Rs. 1,75,873
Medical ..	..	6,867	42,050	16,374	16,375	16,375	16,375
Public Health	..	..	23,819	606	4,200	5,646	3,257
Veterinary and Stock- breeding ..	..	..	..	..	..	..	..
District Works	66,877	1,32,572	1,39,540	8,064	67,153	39,844	33,241

Statement showing the total income and expenditure of the District Board, Ambala.

	1925.	1926.	1927.	1928.	1929.	1930.	1931.
Income ..	Rs. 5,27,064	Rs. 6,04,142	Rs. 7,32,531	Rs. 5,25,213	Rs. 6,02,936	Rs. 5,70,882	Rs. 5,80,207
Expenditure	4,26,165	6,35,076	6,95,422	5,45,241	5,83,477	5,84,491	5,74,497

[Hon. Dr. Sir Gokul Chand Narang.]

Statement showing total annual grants earned by District Board, Hissar.

	1924-25.	1925-26.	1926-27.	1927-28.	1931-32.	1932-33.	1933-34.	1934-35.	1935-36 upto 31.1.1936.	REMARKS.
Total Government grants.	Ra. 1,45,972	Ra. 2,59,814	Ra. 3,61,454	Ra. 4,15,507	Ra. 3,15,939	Ra. 3,08,532	Ra. 2,89,437	Ra. 2,92,174	Ra. 2,78,185	These figures include consolidated grants and cent. per cent. grants received for the construction of school, veterinary and rural dispensary buildings.

Statement showing the total income and expenditure of the District Board, Hissar.

	1924-25.	1925-26.	1926-27.	1927-28.	1931-32.	1932-33.	1933-34.	1934-35.	1935-36 upto 31.1.1936.
Total income	Ra. 3,48,900	Ra. 5,80,540	Ra. 6,53,004	Ra. 7,13,898	Ra. 5,87,683	Ra. 5,84,041	Ra. 5,38,936	Ra. 5,89,623	Ra. 5,05,519
Total expenditure	.. 3,86,531	.. 4,88,315	.. 6,85,108	.. 7,51,909	.. 5,76,441	.. 5,76,170	.. 5,45,974	.. 5,51,815	.. 4,50,361

Statement showing total annual grants earned by District Board, Gurgaon.

	1925-26.	1926-27.	1927-28.	1932-33.	1933-34.	1934-35.	Revised budgeted estimates, 1935-36.
Unearmarked contributions from Gov. exchequer.	Rs. 71,400	Rs. 52,000	Rs. 67,000	Rs. 52,000	Rs. 52,000	Rs. 52,000	Rs. 52,000
Education ..	2,17,594	1,86,093	2,41,207	2,34,009	2,88,478	2,74,957	2,71,969
Medical ..	21,557	16,233	43,612	38,906	40,102	40,795	42,000
Public Health ..	12,206	30,049	14,865	262	284	800	360
Veterinary and Stock-breeding ..	19,000	19,127	25,000	7,500	..	..	..
District Works ..	63,467	20,900	3,573	5,692	9,555	10,648	12,600
Total ..	4,04,314	3,34,402	3,90,257	3,38,369	4,90,719	3,78,709	3,78,919

[Hon. Dr. Sir Gokul Chand Narang.]

Statement showing the total income and expenditure of the District Board, Gurgaon.

Year.					Income.	Expenditure.
					Rs.	Rs.
1925-26	..	..	..	..	7,01,074	6,84,298
1926-27	..	..	..	..	6,53,285	6,93,019
1927-28	..	..	..	..	7,62,915	7,66,425
1932-33	..	..	..	..	6,26,930	5,35,914
1933-34	..	..	..	..	5,58,491	6,77,701
1934-35	..	..	..	..	8,01,340	6,23,434
Revised Budget for 1935-36					6,38,465	7,37,062

Statement showing total annual grants earned by District Board, Karnal.

						Rs.
1924-25	..	..	..	..	..	1,63,241
1925-26	..	..	..	..	..	3,04,144
1926-27	..	..	..	..	..	3,68,413
1931-32	..	..	..	..	..	2,38,142
1932-33	..	..	..	..	..	2,59,675
1933-34	..	..	..	..	..	2,58,343
1934-35	..	..	..	..	..	2,66,802

Statement showing the total income and expenditure of the District Board, Karnal.

Year.					Income.	Expenditure.
					Rs.	Rs.
1924-25	..	..	..	..	4,87,574	4,92,173
1925-26	..	..	..	..	6,47,316	6,59,926
1926-27	..	..	..	..	7,16,355	7,83,497
1931-32	..	..	..	..	5,55,655	5,37,986
1932-33	..	..	..	..	5,27,867	5,41,098
1933-34	..	..	..	..	6,59,217	6,16,308
1934-35	..	..	..	..	6,39,009	6,12,269

Statement showing total annual grants earned by District Board, Rohtak.

Year.						Total Government grant. Rs.
1925-26	..	..	..	..	..	3,58,494
1926-27	..	..	..	..	..	5,02,376
1927-28	..	..	..	..	..	4,46,453
1931-32	..	..	..	..	..	3,86,048
1932-33	..	..	..	..	..	3,39,118
1933-34	..	..	..	..	..	3,39,998
1934-35	..	..	..	..	..	3,59,200

Statement showing the total income and expenditure of the District Board, Rohtak.

Year.						Total income. Rs.	Total Expenditure. Rs.
1925-26	..	..	..	..	..	6,90,941	6,86,781
1926-27	..	..	..	..	..	8,15,762	8,29,271
1927-28	..	..	..	..	..	8,41,054	8,57,874
1931-32	..	..	..	..	..	6,62,829	6,73,739
1932-33	..	..	..	..	..	6,71,797	6,72,993
1933-34	..	..	..	..	..	6,37,100	6,41,164
1934-35	..	..	..	..	..	7,72,635	6,87,172

SCHOOL FEES.

***5348. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly lay on the table of the Council a statement showing the scale of fees in force in the Punjab in high schools, arts colleges, medical colleges, medical schools and training colleges?

The Honourable Malik Sir Firoz Khan Noon : The information is laid on the table—

Statement showing scale of fees in—

(i) Central Training College, Lahore—

						Per mensem. Rs.
S. A. V.	..	..	..	..	..	15
B. T.	..	..	..	..	..	20

[Hon. Malik Sir Firoz Khan Noon.]

(iii) Government Arts Colleges—

(a) Government College, Lahore—

				Per mensem,		
				Rs.	A.	P.
Intermediate Classes	..	..	..	12	4	0
B. A. and B. Sc. Classes	..	..	..	15	8	0
I and II Year Honours School	..	..	..	16	8	0
M.A. and M.Sc. (Old Physics)	..	..	..	20	12	0
III Year Honours School	..	..	..	20	12	0
M.Sc. (Post Honours School)	..	..	..	25	12	0

(b) Other Government Arts Colleges including Lahore College for Women—

				Per mensem.		
				Rs.	A.	P.
Intermediate Classes	..	..	..	10		
B.A. and B.Sc. Classes	..	..	..	12		
M.A. and M. Sc. Classes	..	..	..	15		

An additional fee of Rs. 2 per mensem is levied from students taking an honours paper or papers in the B. A. examination.

A second tuition fee for the same month is not charged from a student migrating to a Government from a non-Government college affiliated to a recognised university.

In addition to the above, special fees at the following monthly rates are levied from student taking science subjects:—

				Per mensem.		
				Rs.	A.	P.
Intermediate Classes—						
Students taking Physics	..	..	..	0	12	0
Students taking Chemistry	..	..	..	0	12	0
Students taking Biology	..	..	..	1	0	0
B.A. and B.Sc. Classes—						
Students taking experimental Psychology	..	..	..	1	0	0
Students taking any other science subject	..	..	..	1	12	0
M.A. and M.Sc. Classes—						
Students taking experimental Psychology	..	..	..	1	12	0
Students taking any other science subject	{ I Year			2	8	0
	{ II Year			3	8	0

An entrance fee of not less than Rs. 4 is levied from each student on first admission to a post-matriculation class in a Government or aided institution except Government College, Lahore, and Government degree colleges in the mofussil where the rate of entrance fee is Rs. 10 and Rs. 5 respectively. Provided that students who seek admission to the intermediate class of a four year institution after passing the Matriculation and School Leaving Certificate Examination from the same institution are not required to pay a fresh admission fee. A student whose name is struck off the rolls as a disciplinary measure on account of absence, non-payment of fees, etc., or who himself withdraws his name, has to pay a fresh entrance fee at the usual rate on his re-admission.

(iii) Government High Schools—

The scale of monthly fees for pupils in Government and board anglo-vernacular schools for boys is as follows:—

Grade.		V and VI Classes.	VII, VIII and Special Classes.	IX and X Class.
		Rs. A. P.	Rs. A. P.	Rs. A. P.
Grade I	..	4 0 0	6 0 0	8 0 0
Grade II	..	2 0 0	3 0 0	4 0 0

An additional fee of annas 4 per mensem is levied from students taking science in the high classes.

Fees at these rates are also leviable from pupils studying English as an optional subject in board vernacular middle schools and from pupils in the ninth and tenth classes of Government intermediate colleges.

The scale of monthly fees for girl pupils in Government and board anglo-vernacular schools for girls are as follows :—

Grade.	IV Class.	V and VI Classes.	VII, VIII and Special Classes.	IX and X Classes.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Grade I ..	1 0 0	2 0 0	3 0 0	4 0 0
Grade II ..	0 8 0	1 0 0	1 8 0	2 0 0

Boys attending girls' schools pay tuition fees at the rates prescribed for boys' schools of similar status, no fees are charged if the school attended is situated in a compulsory area, and tuition fees at the rates noted below are charged if English is taught in the school from the 1st class :—

	Per mensem.
	Rs. A. P.
1st and 2nd classes	1 0 0
3rd and 4th classes	1 8 0

The following additional fees are also charged in Government and board anglo-vernacular schools for girls :—

(i) Science fee of annas 4 per mensem from each student taking science in high classes.

(ii) Kindergarten fee of annas 2 quarterly from each student in classes I, II and III.

An entrance fee of one rupee is charged on the first admission of a pupil to the secondary department of a Government, board or aided anglo-vernacular school or intermediate college. No entrance fee is charged on account of a pupil exempted from the payment of fees and half the prescribed entrance fee is charged for a pupil admitted at half rate.

A second entrance fee is payable when a pupil is admitted, on transfer, to a second school or to a high class of an intermediate college, except where the two institutions are under the same management.

A student whose name is struck off the rolls as a disciplinary measure on account of absence, non-payment of fees, etc., or who himself withdraws his name, pays a fresh entrance fee at the usual rate on his re-admission.

(iv) M.B. B.S. Class, King Edward Medical College.—

All regular students pay the following fees in advance each year in October or on such dates as fixed by the Principal.

	Rs.
<i>First Year.</i>	
Tuition fee	144
Dissection fee	15
Practical Histology (Normal)	15
Practical Physiological Chemistry	15
<i>Second Year.</i>	
Tuition fee	144
Dissection fee	15
Experimental Physiology	15
<i>Third Year.</i>	
Tuition fee	144
Practical Pharmacy	15
Morbid Histology	15
Bacteriology	15
Hematology and Parasitology	12

[Hon. Malik Sir Firoz Khan Noon.]

<i>Fourth Year.</i>						Rs.
Tuition fee	..	..	..	..	..	144
<i>Fifth Year.</i>						
Tuition fee	..	..	..	..	..	144

(e) L.S.M.F. Class, Medical School, Amritsar :—

All Punjab students and nominees of Indian States and North-West Frontier Province are required to pay in advance the following fees :—

						Rs.	A.	P.
Entrance fee on admission or readmission to the school						..	10	0 0
<i>First Year.</i>								
Tuition fee	..	..	..	..	..	60	0	0
Dissection fee	..	..	..	..	..	10	0	0
Practical Chemistry	..	..	..	..	..	10	0	0
Practical Physics fee	..	..	..	..	..	10	0	0
<i>Second Year.</i>								
Tuition fee	..	..	..	..	..	60	0	0
Dissection fee	..	..	..	..	..	10	0	0
Practical Pharmacy fee	..	..	..	..	..	10	0	0
Practical Physiology	..	..	..	..	..	10	0	0
<i>Third Year.</i>								
Tuition fee	..	..	..	..	..	60	0	0
Hospital fee	..	..	..	..	..	10	0	0
Post-mortem fee	..	..	..	..	..	5	0	0
Practical Pathology	..	..	..	..	..	10	0	0
Fee for a course of Vaccination	..	..	..	..	..	3	0	0
<i>Fourth Year.</i>								
Tuition fee	..	..	..	..	..	75	0	0
Hospital fee	..	..	..	..	..	20	0	0
Operation Surgery fee	..	..	..	..	..	10	0	0

PRICES OF AGRICULTURAL PRODUCTS, AMBALA.

*5349. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly lay on the table of the Council a statement showing for the years 1905-06 and 1932-33 respectively—

- the prices of the principal agricultural products of the Punjab at Ambala ;
- the pitch of water-rates per acre in respect of wheat, cotton, rice, sugarcane, barley, *jowar* and *bajra* on the Western Jumna Canal ;
- the scale of average wages for agricultural labour at Ambala ;
- the price of timber, iron, leather, salt, kerosine oil, *haldi* and *mirch* at Ambala ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (d) Statements giving the requisite information are laid on the table.

(c) 1905-06.—Three annas and six pies.

1932-33.—Six annas.

Statement showing the harvest prices per maund of the principal agricultural products at Ambala.

Years.	Rice (unhusked).	Wheat.	Maize.	Gram.	Rapeseed.	Sugar (raw).	Cotton (unginned).
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1905-06 ..	2 5 0	2 6 0	2 6 0	2 4 0	5 0 0	5 0 0	5 11 0
1932-33 ..	2 1 0	2 12 0	2 4 0	2 1 0	3 3 0	2 5 0	5 12 0

Statement showing the pitch of water-rates, per acre, in respect of crops noted below on the Western Jumna Canal.

Name of crop.	RATE PER ACRE.		Present rates since Rabi, 1933-34.
	1905-06.	1932-33.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Wheat	2 8 6	5 4 0	{ 4 4 0 per crop. 3 0 0 <i>Kharif</i> channels.
Cotton	2 8 0	5 8 0	4 8 0 Do.
Rice	4 2 0	7 8 0	6 8 0 Do.
Sugarcane	5 10 0	12 0 0	{ 11 0 0 Do. 9 0 0 <i>Kharif</i> channels.
Barley	2 8 0	5 4 0	5 4 0 Do.
Jowar	1 12 0	1 8 0	2 0 0
Bajra	1 12 0	3 4 0	3 4 0 Do.

[Hon. Nawab Muzaffar Khan.]

Statement showing the prices of timber, iron, leather, salt, Kerosine oil, haldi and mirch at Ambala.

—	Name of article.	1905-06.	1932-33.
I	<i>Timber—</i>		
	(1) Chir or chiel ..	Re. 0-12-0 per c.ft. ..	Re. 1 per c.ft.
	(2) Kail ..	Re. 0-14-0 per c.ft. ..	Re. 1-8-0 per c.ft.
	(3) Deodar ..	Re. 1-12-0 per c.ft. ..	Rs. 2 per c.ft.
	(4) Tun, shisham and sal	Re. 1 to Rs. 2 per c.ft. ..	Re. 1-8-0 to Rs. 2-8-0 per c.ft.
II	<i>Iron—</i>		
	Angle iron, round and square bars, flats, etc.	Rs. 4-8-0 to Rs. 5-8-0 per maund, according to qualities.	Rs. 6 to Rs. 6-8-0 per maund.
	Sheets ..	Rs. 7 to Rs. 8 per maund..	Rs. 7-4-0 to Rs. 9-8-0 per maund.
III	<i>Leather—</i>		
	Willow calf ..	Re. 1-4-0 per foot ..	Re. 1-4-0 per foot.
	Chrome ..	It was not available in the market at that time.	Re. 0-4-0 to Re. 0-6-0 per foot.
	China chrome ..	Ditto	Re. 0-5-0 to Re. 0-6-0 per foot.
	Cawnpore chrome ..	Ditto	Re. 0-6-0 to Re. 0-7-0 per foot.
	Cawnpore buffalo ..	Ditto	Re. 0-11-0 to Re. 0-12-0 per foot.
	Desi leather (dhauri) ..	Rs. 20 to Rs. 25 per maund	Rs. 25 to Rs. 31-8-0 per maund.
IV	<i>Salt</i> ..	Rs. 2-4-6 per maund ..	Rs. 2-8-0 to Rs. 2-9-0 per maund.
V	<i>Kerosine oil</i> ..	About Rs. 2 per drum (4 gallons).	Rs. 2-13-0 to Rs. 3-9-0 per drum (4 gallons).
VI	<i>Haldi</i> ..	Rs. 6 to Rs. 7 per maund..	Rs. 8 to Rs. 12 per maund.
VII	<i>Mirch</i> ..	Rs. 6 to Rs. 7 per maund..	Rs. 7 to Rs. 10 per maund.

EXPENDITURE UNDER NEW CONSTITUTION.

***5350. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the rough estimate of additional annual expenditure which the province will have to bear under the new constitution?

The Honourable Sir Donald Boyd : The honourable member is referred to the answer given to question No. *5088.¹ In addition, a Public Service Commission will have to be set up, which is estimated to cost about a lakh of rupees per annum.

COST OF SHAHIDGANJ TROUBLE.

***5351. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the approximate cost which was occasioned by the Shahidganj trouble?

The Honourable Sir Donald Boyd : The approximate amount was two lakhs and seventy-five thousand rupees. This does not include the cost of the troops employed.

INCOME FROM APPLICATION OF CERTAIN ACTS.

***5352. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the approximate estimate of income from—

- (a) the application of the Transfer of Property Act to urban areas ;
- (b) the enforcement of the Tobacco Vend Fees Act ; and
- (c) the enforcement of the Entertainments Duty Bill, when it becomes law ?

The Honourable Sir Donald Boyd : (a) Rupees three lakhs, approximately.

(b) Rupees 45,000.

(c) Rupees two lakhs, approximately.

**HIS MAJESTY'S ACKNOWLEDGMENT OF MESSAGE OF CON-
DOLENCE.**

Mr. President : Honourable members, I have received the following message from His Majesty the King :—

(The members rose in their places and received the message standing).

"Queen Mary and I have been much gratified to receive the Resolution passed by the Punjab Legislative Council on February 24th and are sincerely grateful for the message of sympathy it contains. I appreciate deeply the loyal assurances embodied in this Resolution."

DEMANDS FOR GRANTS, 1936-37.

The Honourable Sir Donald Boyd (Finance Member) : Sir, the demands on the order paper are all submitted to this House under the recommendation of His Excellency the Governor.

LAND REVENUE.

The Honourable Nawab Muzaffar Khan (Revenue Member): Sir
I move—

That a sum not exceeding Rs. 38,19,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Land Revenue.

Mr. President: Motion moved—

That a sum not exceeding Rs. 38,19,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Land Revenue.

Malikana.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): Sir, I beg to move—

That the grant be reduced by Rs. 100, with respect to the item of Rs. 35,550, B—Colonization Operations—Total Pay of Officers¹.

The object which I have in view in moving this cut is to draw the attention of the Government once more to a very serious anomaly. Malikana is being charged in various colony areas at varying rates. I understand that there are certain colony tracts in which malikana is charged only at a rate of one rupee per acre; there are others in which malikana is charged at a rate of Rs. 2 per acre. There is a third category where malikana is being charged at Rs. 3 per acre. And this is not the only anomaly. There is another anomaly which is of still more serious character. And that anomaly consists in this that while in certain colony areas malikana is charged only on the area sown and matured, there are certain other tracts in the colony areas in which malikana is charged at a rate of Rs. 3 per acre not only on the area sown and matured but on the whole area allotted. This is a subject which was discussed at considerable length during the budget session of 1934 and from the reply which was made to that debate by the Financial Commissioner, Development, the House felt assured that the proposal made by non-officials during the course of that discussion would be considered favourably by Government. I do not know exactly what action was taken by Government after that cut had been discussed and after the Financial Commissioner, Development, had made his reply. But I have received information to the effect that in the next harvest malikana was suspended, during the next following harvest it was suspended again, and during the third following harvest it was suspended once again. So the grantees could not know whether the excess was actually remitted, whether the proposal had been accepted, and then reconsidered or whether the Government had come to any definite conclusion at all on the subject or whether Government would restore malikana to the old scale or would lower the scale. The latest information which has been received by a number of members of this House is that at least in certain tracts malikana has been directed to be realised at a rate of Rs. 3 per acre on allotted area. This was admitted to be a serious anomaly by the Financial Commissioner, Development, in 1934. Having regard to the fact that even the representative of Government admitted, and admitted quite gracefully, that it was an anomaly,

¹To urge that malikana should be charged only on the area sown and matured at a uniform rate in all colony areas.

it is difficult to understand why this anomaly should be allowed to continue any longer. The object of this motion is quite clear and I hope Government will be able to accept the proposition that malikana should be charged at a uniform rate in all colony areas, not on the area allotted but on the area sown and matured.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 35,550, B—Colonization Operations—Total Pay of Officers.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban) : I rise to support the cut moved by my honourable friend. On the Lower Bari Doab Canal colony that anomaly to which the honourable member referred does not exist. The malikana is charged to the best of my knowledge on matured area. But before the last assessment the rate of malikana was uniform and it was Re. 1 per acre. Since the last settlement the malikana has been fixed at half the amount of land revenue. The result is that where the land revenue has been assessed at Rs. 4 or Rs. 5 per acre, the malikana has to be fixed at Rs. 2 to Rs. 2-8-0 per acre instead of Re. 1 which was charged before the last assessment. There was no justification for raising the rate of malikana, and Government without reasonable cause has raised malikana to a rate varying from Re. 1 to Rs. 3. This anomaly should certainly be done away with and a uniform rate of malikana should be applied in all colony areas, and the malikana should be charged on matured area and not on the gross area.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : I rise to support the motion now before the House and in doing so I would like to make one or two observations. Different rates of malikana are charged on different canals. No specific principle is being observed in levying these rates. The rates charged on the Lower Bari Doab and the Lower Jhelum canals are low as compared with those charged on the Nili Bar canals and Pir Mahal extensions. The reason why higher rates of malikana are charged in the Nili Bar and Pir Mahal extensions is that the prices of agricultural produce were very high at the time when these colonies came into existence. But now when the prices have considerably gone down and the poor zamindars cannot even afford to pay land revenue and abiana, the burden of malikana is becoming unbearable. The principle of charging malikana on allotted area is most objectionable. Sometimes the crops fail and the zamindars do not get anything out of them but they have still to pay malikana. I think in such circumstances and specially from reward grantees no such high rate of malikana should be charged. With these words I would request the Government to introduce uniform rates of malikana on all canals in the province.

Mr. M. L. Darling (Financial Commissioner, Development) : It is true that this question has been up for discussion before and the cut was passed on the ground that malikana was not uniform throughout the province. As a result of that motion being carried the whole question came under the review of Government and after very careful consideration of all the different aspects of what is a very complicated question it was decided to leave matters as they were, having regard to the fact that one or two remissions had already been made in the application of existing rates owing to the fall in prices.

[Mr. M. L. Darling.]

The question of malikana is a difficult one because it has never been actually defined what malikana exactly means. But generally speaking it may be taken as referring to the rent or part of the rent that Government charges for the land that it grants out on lease or on specific conditions. The amount that is charged has varied from time to time and from colony to colony, and no doubt this is because the colony policy of Government has grown up by degrees. It is true, as the mover of this motion said, that in some cases it is as little as Re. 1 per matured acre and in other cases as high as Rs. 3 per allotted acre. Actually in the earlier colonies the charge was levied as a certain percentage, in terms of annas, on the land revenue. For instance, the horse-breeding grantees in the Upper Jhelum Canal only pay 2 annas on the land revenue, whereas those who are not horse-breeding grantees in the colony pay Re. 1 per allotted acre. In the later colonies, that is to say, in the Nili Bar and the extensions of the Lower Chenab Colony and also in the Renala Lift area the rate is as high as Rs. 3 per allotted acre. This is no doubt because these colonies were established with their vast and complicated irrigation system at a time when the prices of labour and material were high, and interest charges too were high. The malikana represents part of the charge that Government is obliged to make for the enormous advantages conferred by these canals, and if the malikana were seriously reduced, that might very well throw out the whole financial balance of these projects. That is a point that this House should carefully consider before passing this motion. (*An honourable member*: What is the amount of malikana collected over the whole province?) I am unable to say what the total amount is. Actually, owing to the fall in prices, Government, realising that a malikana of Rs. 3 per allotted area pressed very heavily upon those who were cultivating in the Nili Bar, reduced the amount first of all to Rs. 3 per matured acre and then for three harvests to Rs. 1-8-0 per acre matured; and at present the position is that the only colonies in the Punjab where the rate is levied per allotted acre are the Upper Jhelum and the Chumian colonies. The latter is a very small area and is almost negligible in terms of the colonies of the province. In the case of the Upper Jhelum, as I have already said, the charge is only Re. 1 per allotted acre. In the Nili Bar, in the extensions of the Lower Chenab colony and also in the Renala Lift area, the present rate is only Rs. 3 per matured acre. And there is at present, I understand, no idea of changing that until the prices rise. Before this motion is passed I would ask the House to bear in mind that malikana is a form of rent and it will be difficult, if not impossible, to apply a uniform rate to the immensely varying conditions of the three million acres of which Government is the landlord. I cannot imagine any landlord of this province who owns land on a large scale agreeing to charge his rents at a uniform basis irrespective of the conditions under which that land had been brought under cultivation. And in fact any one who has studied the question of tenure in this province knows that rents vary very considerably even within the same area according as the land may be barani or nehri or shahi or a mixture of all those. In the same way I think it would be hardly reasonable to expect Government which is much the biggest landlord in this province to base its rents upon a uniform system, especially in view of the fact that this system has grown up under different conditions of time, place and prices, and even of settlers,

and has gradually become part of the revenue and financial system of the province. Further, one must remember that no one need accept the obligation of paying malikana unless he wishes to do so, for when land is offered by Government the conditions under which it offers it are always clearly stated and no one is obliged to enter into a contract with Government for it. Yet when a contract has been entered into, it seems to me reasonable that people should abide by their contracts. I think if this was a business question as between two private individuals few would dare to get up and suggest that the contracts should be modified, particularly when the number of contracts involved is very large as in this case; in fact it is legion. And further, one has to remember that any advantage given in regard to rent must be at some one else's expense. Generally speaking, in the popular mind it is supposed that these things can be given at the expense of Government, but in point of fact any concession of that kind must be given at the expense of others who live in this province. I would therefore ask this House to consider these different points very seriously before accepting this motion.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): I am somewhat surprised to hear what the honourable Financial Commissioner has been pleased to say in connection with the motion under consideration and I must say that I beg to differ from what he has said. He has invited the attention of the House to one or two principles and has said that the zamindars had entered into a sort of contract with the Government at the time grants of lands were made to them and had agreed to pay malikana at certain rates fixed at that time and that it is not proper on the part of the members on this side of the House to ask for the modification of the terms of the contract or to be more precise to ask for the reduction of those rates which they had agreed to pay. It is true that the zamindars or the grantees had agreed to pay malikana at certain rates and in ordinary times it would have been surely unjust on their part to make a demand that is now being made. But the times have changed and with it the general conditions have also changed. The zamindars are not now able to pay malikana at the original rates and this is what every one knows. It is for this reason alone that this demand is being made. You will remember that this demand was also made year before last and that the Council unanimously supported that demand. But it is a pity that the Government did not give effect to the unanimous recommendation of the Council. I may be permitted to say that it will not be proper on the part of the Government to reject this very simple and reasonable demand again and again. It should bear in mind while considering such matters that the zamindars have fallen on bad days and they are, therefore, unable to pay malikana at the original rates as I have already said. If the Government will take this patent fact into consideration, it will, I am sure, begin to see eye to eye with us. It will not then take shelter behind the fact that the zamindars had entered into a contract with it and, therefore, they were bound to continue to abide by the terms of that contract. You remember that when the German Government had expressed its inability to pay the huge amount of money which it had agreed to pay according to the treaty after the Great War, the British Government had also to say that the payment of the agreed amount should not be insisted upon simply

[K. B. Sardar Habib Ullah.]

for the reason that the German Government was not in a position to meet its liability. Similarly the zamindars being unable to pay malikana at the rates agreed upon should not be compelled to pay the stipulated pound of flesh. One thing more that should be borne in mind in this connection is that the rate of interest has gone down very much since the malikana rates were fixed and the malikana rates being in effect the interest on the amount to be paid by the grantees as price of the lands granted to them, it is only just that these rates should be reduced. I hope that after what I have said this plea will not be put forward that the zamindars had agreed to pay at certain rates and that they are even now bound to continue to pay at the same rates.

Another request that I would like to make, rather repeat, is that the malikana rates should be charged on the matured area and not on the allotted area as these are at present being charged in some of the colonies. It is really strange that these rates are not uniform inasmuch as in some of the colonies these rates are charged on the matured area and in others on the allotted area. If my memory serves me right I think the Honourable the Leader of the House assured the Council in his capacity as Financial Commissioner that the Government would look into the matter and see if it could accede to the wishes of the Council in this respect.

The Honourable Nawab Muzaffar Khan : Will the honourable member kindly refer me to the number and page of the volume of the Punjab Council Debates in which that passage occurs wherein this assurance was given to the Council ?

Khan Bahadur Sardar Habib Ullah : I am sorry I cannot lay my hand on that passage just now, but I do remember the Financial Commissioner did give such an assurance. Any way these different rates of malikana in different colonies cannot be justified. There is no earthly reason why in one colony malikana should be charged on the matured and in another colony it should be charged on the allotted area and in some others on the area sown. Justice and equity demand that this difference should be removed at once. As I have already said this request was made once before also and I hope that the Government will not reject it again as it did before.

It may be said, as it was said before by Mr. Calvert when he was here as Financial Commissioner, that this malikana rate and other charges on land are a sort of tax and must be paid by the zamindars. If this argument is advanced I will say that in that case land revenue, abiana and other rates should be assessed and charged on that very sound principle on which income-tax is assessed and charged. We shall welcome the introduction of that principle in the case of charges on land and I can assure the Government that we shall cease to make any complaint in respect of these charges in the future.

One thing more and I shall have done. The honourable Financial Commissioner was pleased to say that if the malikana rates were reduced in accordance with our request, the financial condition of the province will become very weak. He anticipates a huge loss in the revenues if these rates are reduced. But he has not told us the exact amount of loss and

he does not know what that amount will be. He has said all this probably to frighten us into silence, but my belief is that the amount of loss will not be so much as to cause any dislocation and, therefore, the Financial Commissioner need have no fears on that account. Before I sit down I will again request the Government not to reject this very simple and reasonable request this time again.

The Honourable Sir Donald Boyd : On a personal explanation, Sir. I cannot find in my speech any such statement as has been attributed to me by the honourable speaker. I do not remember ever giving an assurance that Government would consider the question of uniform rate of malikana on allotted or on matured areas.

The Honourable Nawab Muzaffar Khan (Revenue Member) : As we all know, malikana is only levied from the grantees of Government lands. It is not a general charge like land revenue. I myself am one of the grantees, and as a grantee naturally my sympathies are with the mover, but when I take the interest of the province as a whole, I do not consider myself justified in supporting this motion. You know that when these grants are made we ourselves approach Government, and secure recommendations through commissioners. The conditions governing such grants are known to everyone and are accepted by those who are fortunate enough to secure the grants. Land is given at comparatively low rates, instalments are fixed and everything is settled including the malikana. To accept the terms and then to come forward again at a later stage and say that they are not prepared to agree to those terms is hardly fair. This malikana is a charge more or less on the same lines as we land-holders levy rent from our own tenants. It is said that it is not uniform. No rent can be uniform.

Khan Bahadur Sardar Habib Ullah : It is not rent.

The Honourable Nawab Muzaffar Khan : It is rent and as long as you do not pay the price of the land, the malikana or in other words the rent has to be paid. It ceases when you pay the price of the land. You are tenant as long as you do not pay the price of the land. You will be an occupancy tenant after 5 years and as long as you do not pay the price, you will remain an occupancy tenant. Rents or malikanas cannot be uniform. There are always different rents for chahi, barani and nehri lands. They depend on the quality of soil, means of irrigation, etc.

It is clearly laid down in the Colony Manual that the charge is a rent. At the time of fixing the malikana the cost of each project is also taken into consideration. Some projects were constructed when materials and labour were cheap while others were not so fortunate. So you will observe that both the price and rents depend on the quality of the soil and various other factors. Then again there are different kinds of grants. In the case of my grant for instance, or in the case of grants received by various gentlemen of the Council who have received five or more squares, a higher rate is charged. The same rate is not charged from the peasant grantees because their grants are smaller. They have, therefore, to pay a little less. Conditions being different for different grants the prices and the malikana must vary and cannot be uniform.

There is just one point, however, regarding which I have full sympathy, with the mover. I mean whether malikana should be charged on matured

[Hon. Nawab Mazaffar Khan.]

or allotted area. In this matter too conditions in different colonies are different, for instance in the Lower Jhelum, Lower Bari Doab, Upper Chanab and Lower Burala extensions malikana is charged either on matured or sown area. In certain areas in Montgomery district and in the Sutlej Valley Project, it is on allotted area. This is a hardship and so far we have not insisted on this condition. We know the prices are low and the zamindars are hard hit. Government has not, therefore, insisted on the terms of the contract. As a matter of fact we have so far been taking into consideration the current prices and have been charging malikana on matured area and not allotted area even in the case of these grants. So I can assure the House that as long as prices are unfavourable, Government will be as considerate as it has been in the past. Beyond that it is not possible for me to go.

Rao Bahadur Chaudhri Chhotu Ram : I must confess that I was not prepared for the kind of reply that I have received from the Financial Commissioner, Development, or the Honourable Revenue Member, and I must give a reply to the line of argument which has been adopted by the representatives of official benches. Now, I will take up one by one the grounds on which my proposal has been opposed. The first of these grounds is that malikana was fixed with reference to varying conditions of soil, of irrigation, of the amount of capital spent on a canal and the rate of interest at which that capital was borrowed. That is one argument. I beg to submit that the rate of interest at present is far lower than it has been during my memory any way. Therefore if the fixation of the scale of malikana depends upon the varying rates of interest which obtain from time to time, it is only fair that Government should, of its own motion, and without any proposal being made by any member of this Council, reduce the rates in accordance with the fall in the rate of interest.

Mr. M. L. Darling : Have the rates of interest been reduced on the Sutlej Valley Project or do they stand as they were?

Rao Bahadur Chaudhri Chhotu Ram : A question has been put to me. I think it was for the Financial Commissioner to say definitely what he meant instead of putting the question to me. I am meeting his own argument as best I can. I have already made a reply to the argument that varying rates of interest justify varying rates of malikana at different times. I need hardly draw the attention of the House and the attention of Government benches to the fact that rates of interest have come down very very substantially.

Again, it was said that some lands may be barani, other lands may be chahi and yet another class of lands may be nehri and in respect of these various kinds of lands, a landlord will be justified in charging varying rates of malikana. I admit it. But so far as colony areas are concerned, there may be a difference in the quality of soil in one colony and another colony area, but so far as irrigation facilities are concerned, they are more or less the same. There is no question of land being barani here and chahi there and nehri there. All land is nehri. Whether the water-supply is the same in every part of colony areas is a different matter, but so far as the type of irrigation facilities which are available to the cultivators is concerned, there is no difference whatsoever. Therefore any variation based upon the presence, absence or kind of irrigation facilities does not come in at all.

Again, it was stated that nobody was compelled to take these lands, that everybody accepted the grant of these lands of his own free will, and that at the time when he accepted the grant he knew full well on what particular conditions he was accepting it. The argument comes to this that the Government desires, like an ordinary bania, to insist upon its pound of flesh.

The Honourable Sir Donald Boyd : Is it doing so ?

The Honourable Nawab Muzaffar Khan : Is Government insisting on its pound of flesh ?

Rao Bahadur Chaudhri Chhotu Ram : I do not understand what else the Financial Commissioner meant by saying that people took these lands on certain conditions.

The Honourable Nawab Muzaffar Khan : Yes, but we have been reducing the rates.

Rao Bahadur Chaudhri Chhotu Ram : What, then, was the use of putting forward that argument at all ? If you were not acting upon the principle which was enunciated by the Financial Commissioner, where was the use of putting forward that argument at all ? Was it used only to antagonise the people sitting on these benches ? Was it used to give gratuitous offence to this very submissive and docile class of people ? Why was that argument used ? Did it not mean that we were all a set of unreasonable people, that we accepted land on certain conditions, and that we now wanted to get out of those conditions ? If that was not the meaning, I do not understand the point of that argument at all. Anyway I am going to show that Government has been, in its turn, changing those conditions. In the Lower Bari Doab Canal the malikana was initially fixed at Re. 1 per acre ; it has now been raised to Rs. 2-8-0 per acre. Under what conditions of the contract has the Government done that except that you happen to have the whip hand, you are the stronger party, you can impose your will upon helpless people ?

The Honourable Nawab Muzaffar Khan : That is why we have been reducing it.

Rao Bahadur Chaudhri Chhotu Ram : Accept one definite attitude. Do not shift your ground. It is pathetic to see representatives of Government not adhering to any definite attitude in a vital matter of this kind. One representative of Government stands up and says, well, people should pay a particular rate because they are bound by their promise under the contract. Another representative of the Government stands up and says that Government has not been acting upon that principle. Please tell us on what principle Government has been acting or desires to act in future. If Government is prepared to accept the principle that rates of malikana have been varying, and ought to vary, in view of the actual circumstances that prevail at a particular time, that would be a very logical and reasonable attitude to take up and we can understand and appreciate that position. But we fail to understand or appreciate the position which the two sets of representatives of Government have taken up in this House. Anyway, I have already drawn the attention of the House to the fact that Government itself has not adhered to the terms of the contract on which land was given on the Lower Bari Doab Canal where it has raised malikana rates

[R. B. Chhotu Ram.]

from Re. 1 per acre to Rs. 2-8-0 per acre. So it cannot, even in logic, plead the terms of the contract against our demand.

Again, it was suggested by the Financial Commissioner that if this proposal is accepted and Government is asked to act upon this proposal and Government does as a matter of fact act upon this proposal the result would be that the provincial budget would be thrown out of balance. He does not know what the amount is or what the exact loss will be to Government if this proposal is acted upon, and yet he was pleased to say that the whole provincial budget would be thrown out of balance. The whole amount may be more than a lakh, the whole amount may be more than two lakhs or the whole amount may be fifty thousand for all that he knows. He does not know for a fact what the amount is, and yet he has the hardihood to say that the whole provincial budget will be thrown out of gear. That is an argument which could be understood if it had been advanced by a non-official member who has no access either to the budget or to the papers relating to malikana or colony administration, but a statement of that character coming from a responsible Government officer who has to deal with these questions from day to day was a surprise to me, and a very painful surprise indeed.

Another argument put forward was that if any concession is made in
3 P.M. this behalf it will have to be made at the expense of somebody else. Now, who is that somebody else? I analysed the figures of receipts a few days ago. Out of the total provincial receipts of 10,44 lakhs, 8,76 lakhs come out of the pocket of those who pay land revenue and abiana. Who, then, is the third party affected? The brunt of the proposal under discussion will fall upon those very persons who are responsible for such a heavy proportion of receipts and it is the representatives of the same section of the population who put forward the present proposal for consideration. Therefore it cannot be said that any concession that is to be made will have to be made at the expense of somebody else, because that somebody else in this province, fortunately or unfortunately, does not exist or exists only to a negligible extent.

Again, I beg to submit that even apart from the fact that provincial revenues are bound to suffer loss to the extent to which these rates are lowered you have to see that your rates are not the rates of an ordinary rack-renting landlord. Government is not a bania's shop, Government is not a private landlord. Government ought to set up before itself a higher standard of reasonableness, fair-mindedness and justice than that which would be applied to such a question by an ordinary private landlord.

In the circumstances to which attention has been drawn by various speakers I think it is only fair that the Government should reduce the present rate of Rs. 8 per acre in two directions. One direction is that malikana should be charged only in respect of areas sown and matured as is done in other colonies. This principle ought to be accepted in respect of the province as a whole. The other direction is that there should be one uniform rate throughout the province. If circumstances are really very materially different in one part as compared with the conditions prevailing in another, then one uniform dead level may not be applied. But there ought to be a

reasonable reduction in the amount of malikana which is charged. Rupees three per acre is much too high. Just imagine the rates of cotton prices to-day. They are barely Rs. 7 per maund. At the time when these grants were made and were accepted by the grantees, I think cotton was selling at something between Rs. 15 and Rs. 20 per maund. Similarly wheat has come down very much in price. Therefore Government ought to take a reasonable and sympathetic view of the matter and should not insist, like an ordinary greedy grasping bania or like a heartless landlord, upon his pound of flesh under the bond.

There is one more point to which I may draw the attention of Government. It has been stated that it is only in Chunian and Upper Jhelum Colonies where malikana is charged on allotted areas. The facts are different. These colonies pay malikana only on matured area. There is only a very small colony tract, namely, Pir Mahal extension, where malikana is charged on the whole allotted area. Therefore the general principle of levying malikana only on matured area should be applied to this tract also. I will draw the attention of the House to what was stated by Mr. (now Sir) Miles Irving in 1935. While pressing the view that what was being charged as malikana was rent, he had the reasonableness to look at the other side of the picture and to admit what was more in consonance with the dictates of justice and fair play. He said—

At the same time I am perfectly willing to admit that in practice this works out in bad years a real hardship. Consequently Government has already changed malikana or this portion of the rent, from allotted to matured area on the Lower Bari Doab and on the Nili Bar Colonies and has also reduced the rate, thereby sacrificing about 10½ lakhs in the last three years.

(Interruption). But that has not thrown the budget out of balance.

We must also remember that this land is the land of the people of the Punjab and the honourable member fully admitted that people of the Punjab have a right to expect the greatest reasonable return from it. On the other hand I am perfectly willing to admit that we must not rackrent the tenants. Therefore it should meet the honourable member if I say that Government is prepared to consider these rates in the Pir Mahal extensions which are at present rather anomalous. I think almost alone they are still charged on the allotted area, although remarkably enough we have not heard a single complaint from them. Still this anomaly will be considered by the Government.

Here is the statement made by the previous Revenue Member who was more sympathetic to the difficulties of the tenant class. I commend the spirit which underlies this statement to the attention of the Financial Commissioner and also to the chief representative of the Revenue Department, I mean the Revenue Member. The Government should not behave like banias or hard-hearted private landlords.

The Honourable Nawab Muzaffar Khan: I have just a few words to say on this motion. I was surprised and shocked to hear the words "shylock" and "bania" from my honourable friend Rao Bahadur Chaudhri Chhotu Ram. I may point out to my honourable friend that Government has never behaved in that spirit and my honourable friend himself has admitted it in the course of his own speech. Government has always been very generous. May I remind the House that during the last five years, that is from 1930 to 1935 this bania Government has remitted a sum of Rs. 1,77 lakhs in the matter of land revenue alone?

[Hon. Nawab Muzaffar Khan.]

I have already assured the House that reduction has been given in the past. Whenever we have seen that prices are unfavourable, we have reduced these malikanas very frequently as my honourable friend has admitted. But one never knows what the conditions in the future are likely to be. Prices may suddenly go up. Honourable members might have seen in the newspapers to-day that there are all sorts of rumours about the war. If there is a war prices may go up. There are various other contingencies which one has to take into consideration. I do not think it would be fair for me to bind down the hands of the future government. But I can assure the House that as long as prices are unfavourable Government will consider the question sympathetically as it has been doing in the past.

Sardar Sahib Sardar Ujjal Singh: What does the Honourable Member mean by "unfavourable prices"?

The Honourable Nawab Muzaffar Khan: I mean when prices are low. I undertake to give reductions as the Government has been doing in the past when prices were very low. Beyond that it would be unfair to go and bind down the hands of the Government to come.

Sardar Sahib Sardar Ujjal Singh: Was not malikana enhanced in the Lower Bari Doab Canal in spite of the prices being low?

Rao Bahadur Chaudhri Chhotu Ram: In view of the assurance of the Honourable Revenue Member I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Acreage Rates.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): I beg to move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 35,550, B.—Colonization Operations—Total Pay of Officers.¹

The object which I have in view in moving this cut is to urge the abolition of acreage rates. This is a subject which has been giving a good deal of anxiety to many people. But, unfortunately, I do not consider myself very well posted so far as the question of acreage rates is concerned. I would, therefore, content myself with making this motion and depend upon others to put forth more cogent arguments than I can. I do not feel on very safe ground on the question of acreage rates. My knowledge, in this respect, is deficient and incomplete. (*Cheers*).

Mr. President: Demand under consideration, motion moved—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 35,550, B.—Colonization Operations—Total Pay of Officers.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): A similar motion stands against my name too. I should like, therefore, to speak to this motion. Three questions were asked about this acreage rate in the Council and answers to all the three questions were received. I have been told that acreage rate is charged in new colonies for three things, for digging up water courses, for constructing culverts and for doing preliminary survey and demarcation. Those people who have ever gone to new colonies

¹To urge the abolition of acreage rates.

will bear me out that these things are never done by the Government. The Government contractor does a little bit of demarcation. He has to dig up the earth only an inch deep little caring that the level of the land is five feet high or five feet low. This is all the contractor has to do.

In March 1931 I invited the attention of the Financial Commissioner to this matter at the time of the discussion of the budget. I requested him to assure the zamindars of Ferozepore district at least that no acreage will be levied from them. And in fact that concession was given to the zamindars of Ferozepore but in the recent past the acreage has been restored. Recently I asked a question about this and I was told that the acreage had been restored because the conditions in the rural areas had improved. This is what I was told:

There has been an improvement in the prices of agricultural produce as compared with those current in *kharif*, 1930, when the recovery of acreage rate was suspended for the first time.

Now, let us examine how far this statement is based on correct information. On page 541 of Volume XXVII of the Punjab Debates rates of various agricultural commodities prevalent in several years have been given. We find that in January 1930 wheat was selling at the rate of Rs. 4-4-0 a maund, gur Rs. 5-9-0 a maund, toria Rs. 7-8-0 a maund and desi cotton at the rate of Rs. 6-12-0 per maund. But what was the rate of these commodities in January 1935? Here is what the Government report says about that—

					Per maund.		
					Rs. A. P.		
Wheat	..	..	..	..	2	5	0
Gur	..	..	..	..	4	4	0
Toria	..	..	..	..	4	4	0
Desi cotton	..	..	..	..	6	9	3

Can the Government justify the restoration of the acreage rate on the ground of improvement in the conditions? Never. The trouble is that the rates have gone down even to a lower level in 1936. In the statement of rates for various years the Government themselves have admitted that the ground on which they have taken their stand is slippery. How can they justify acreage rate then? The purpose for which it is said to be recovered cannot be proved. It has been urged on the side of the Government that the zamindars were not willing to carry out the construction of the water courses, etc. at their own expense. But this is wrong. The zamindars have never been consulted in this matter. After all Rs. 1-12-0 per acre is a very high rate. The Government is not justified in levying such a high rate. I dare say that the whole work of settlement can be carried out at this rate of expense per acre. It is extremely unjust and unfair that for a little bit of demarcation, the zamindar should be asked to pay so high a rate of acreage. The Government contractor has not made any water courses and the zamindars have not derived any benefit from them. The responsible officers of Government have not gone to the spot to verify whether any water channel has been dug up or not. In reply to my council questions I have been informed that acreage rate is charged in the new colonies for digging up water courses, for constructing culverts and for doing preliminary survey and demarcation. I know for certain that nothing

[Pir Akbar Ali.]

of the kind has been done for the zamindars. I am their representative, and it is my duty to represent them truly and put forward their complaints and grievances before the Government. If I had not received such answers, I might not have said anything, but when Government gives such answers, and I know that they are not true, as representative of the zamindars I feel it my duty to lodge a protest against an exorbitant levy which is demanded for those things which do not exist, and from which the zamindars do not get any benefit. I wish the Honourable Member for Revenue or the honourable Financial Commissioner had gone to the colonies to see whether these things have been carried out. Their subordinates have informed them that the zamindars have been supplied with water channels and they have accepted their statement as gospel truth. The result is that the poor zamindars are asked to pay a high rate of Rs. 1-12-0 per acre for nothing. If the contractors had dug up water courses and the zamindars had got water, there could be some justification for demanding this acreage but when these things have not been done, it is really very unfair to levy this high rate of acreage. To be frank, I smell a rat in the whole affair. It appears to me that the contractor and the officers had struck a bargain, and they wanted to make huge profits out of these things, but as their expectations have not been fulfilled, they are now trying to realize the whole amount from the poor zamindars. They are now called upon to pay Rs. 1-12-0 which is a very high rate. The zamindars are in a terrible fix.

Besides, culverts have not been dug up so far. If the patwaris have done any surveying or demarcation, it will help the girdawars. They will be able to do correct girdawari. So there again it will be the Government and its officials that will profit by it and not the zamindars. The Government should state the details of this levy, that is, how much is charged for demarcation, how much for digging up water channels and how much for constructing culverts. The Government has adopted a very funny attitude in this matter, and I am constrained to remark that it will make the Government very unpopular. In the year 1930-31 also I drew the attention of the government to this matter with respect to the Ferozepore district. As a result of my speech, at that time Government held an inquiry into the matter, and although it did not abolish the acreage, it at least suspended its recovery. Now again, the Government has taken into its head to levy this acreage. In this connection the Government has not incurred any expenditure and is unfairly asking the people to pay the acreage. It will be well advised to inquire into the matter and find out whether the complaints of the zamindars are just or not. In the Ferozepore district there was a court of ward, namely, the Mamdot Court of Ward. The Government approached the manager of the court and asked him to get these things carried out in his area. The manager had not to spend anything from his own pocket, so he got these things done. It was like the famous saying—

حلائی یی دوکان نذا حی اتده

Then the people of the neighbouring villages were told that it had not cost the court much to get these things done and were thus induced to allow *killabandi* operations carried out in their villages. I can say from my personal knowledge that the collector of the area went from place to place

to persuade the zamindars to get *killabandi* operations carried out in their lands. I say if such a thing can happen in the Ferozepore district, why can it not happen elsewhere? The contractors have not dug up any water channels; they have not constructed any culverts; they have done nothing but the zamindars are asked to pay Rs. 1-12-0 as acreage rate. The officers should have gone to the new colonies and seen things for themselves. They have entirely depended upon the reports of their subordinates who have given wrong and incorrect information. If the Government does not believe what I say it should send somebody with me and I will show him that my statements are true to the letter. There are several honourable members present here in whose colonies water courses might have been dug up and culverts constructed. They will agree with me that this rate of acreage is very exorbitant. I do not mean to say that the Government is entirely unsympathetic in this matter. In fact, the Government has provided facilities to the zamindars to make this payment in instalments. Unfortunately the Government is not aware of the real facts in this case, and it has been misinformed by its officials. I ask the Government that if it took a sympathetic view of this matter before, why it does not do so now and remit the acreage rate. Water courses have not been dug; culverts have not been constructed; but the Government is asking the poor zamindars to pay so high a rate as Rs. 1-12-0 as acreage. At the instance of the cunning patwari contractor, the zamindars affixed their thumb-impressions, but they did not know why they did so. They have been deceived and money has been fraudulently realized from them. I want to impress upon the Government that so long as it does not provide the zamindars with water channels and does not construct culverts where they are needed, it is extremely unfair on its part to demand any acreage rate from the zamindars.

With these words, Sir, I resume my seat.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I take this opportunity to make certain observations about this fund of acreage. This is the most misused fund of Government. I can say from my personal knowledge that as a matter of fact no courses are made in the newly colonised areas. Only small demarcations are made and the contractors are paid, but it is left to the agriculturists to actually make water-courses. Again I see a great anomaly in the conduct of Government in charging the agriculturist for demarcation of land when the revenue law provides that every agriculturist has a right to get his lands demarcated by the revenue authorities without payment of anything. Moreover the Government sell these lands. Government make grants of these lands and Government charge money for them. Why then should Government charge acreage from the people when it is the duty of the seller to demarcate the thing which he sells? When I want to sell a piece of land, the buyer, the purchaser has every right to ask me, show me what you are selling, tell me what you are going to give me and demarcate it. When Government is actually giving these lands to the people, what are they giving unless they have demarcated them? How can they sell anything unless they themselves know what they are passing on to the other people? It is only their duty as sellers, as grantors, to show to the people with whom they are dealing, to demarcate beforehand what they are giving. They must have the thing definitely demarcated and surveyed. So this charge of the Government from that

[S. Sampuran Singh.]

point of view also is wrong, especially as I have already submitted that it is the right of every agriculturist to have his land demarcated by the revenue authorities. In conclusion I have only to make this remark, that this money is not actually spent either for the good of the Government or for the good of the agriculturists. It is mostly paid to the contractors for having no work done and most probably—I do not know among how many—it is distributed. (*An honourable member*: "Who are they?") Contractors and engineers perhaps. For that reason also I think this levy of acreage rates should be stopped altogether.

Mr. M. L. Darling (Financial Commissioner, Development): This question of acreage rate is a very technical one. The honourable member from Ferozepore is correct in stating that the object of the charge is to supply the cultivator with the necessary water channels and culverts, for his land and also for doing the preliminary survey. In the case of Government land the charge is levied under the conditions under which Government grant the land. In the case of proprietary lands the charge is optional, that is to say it is open to the proprietor to accept the services of Government or to perform the work himself, and it is only in the first case that he has to pay the acreage rate. Neither in the case of the proprietary land nor in the case of the grantee land, does Government make a profit. It may be of interest to the House to know the history of this rate. It has been levied in one form or another from the days of the earliest colonies. For example it was levied in the case of Sidnai colonies before 1902 and later on when the Lower Jhelum Canal colony was made it was levied at the rate of Rs. 2 per matured acre both in the case of Government and proprietary land and this continued till the whole amount was liquidated; that is to say, it went on from harvest to harvest until the whole sum due had been calculated and paid. Then came the Colonies Committee which considered the whole question very carefully and they came to the conclusion that it would not be wise to interfere with the existing system by which the construction of village water courses was paid for by the zamindar concerned. They considered that the expenditure of public funds instead would be unjustifiable, and that the corollary would be that all water courses would become Government channels, to which there were obvious objections. Then came the Triple Canals Project, and in that case the rate fixed was 8 annas per matured acre, and it was levied till the whole cost incurred by Government had been recovered. That sounds a moderate charge but actually it worked out very unfairly, for this reason that those who got their lands in the earlier stages of the project had to go on paying till the whole charge had been recouped and therefore paid very much more than those who got their lands in the later stages. Accordingly when the Sutlej Valley Project matured, it was decided to change the system and impose a fixed rate of Rs. 3 per allotted acre, with the alternative of a charge of Rs. 4-4-0 per acre payable in eight instalments; Rs. 3 was a single payment, and the higher charge was due to the necessity of including interest. This was done in the case of both grantee and proprietary areas in the perennial area. There was some difference in the case of the non-perennial area in regard to proprietary lands, but I need not trouble the House with this. The House may be interested to know how the rate was calculated. It

was done in this way. It was estimated that the cost of survey and demarcation of water courses and culverts cost about Rs. 2-12-0 per acre. To this had to be added about 9 annas per acre on account of departmental charges. The total cost of construction therefore was Rs. 3-5-0 per acre, and to this finally had to be added interest charges at $6\frac{1}{2}$ per cent. for five years, making Rs. 4-24 per acre, that is to say round about Rs. 4-4-0, which is the charge payable if paid in instalments. That was the arrangement which came into force in 1929. But when prices fell, it was considered that it would not be fair to expect the colonists to pay acreage rate. I should perhaps explain that in the first two years no charge was levied at all and that therefore, when the charge first became leviable, prices had already fallen. Accordingly the whole charge was suspended until the end of 1934, and it was only from rabi 1935 that the charge came into operation. By 1935 the financial position of the expenditure which led to the charge was as follows. Up to the end of March 1938, 45 lakhs had been incurred upon making these culverts, channels, etc., and with interest calculated up to the end of 1934-35 the total charge came to 65 lakhs. By that date the only sum recovered was three lakhs; that is to say, about 62 lakhs remained recoverable on account of this work. It was felt that, if no attempts were made to recover this, the charge would soon be more than the cultivator could pay owing to interest, which was accumulating at the rate of $3\frac{1}{2}$ lakhs a year. It was for this reason that the charge came to be levied in rabi 1935. But one concession was made; instead of spreading the charge over eight half yearly instalments, that is four years, it was decided to give the cultivators the option of paying it in 14 half-yearly instalments; and at the same time nothing further was demanded on account of interest charges, though a longer period of payment was involved. That is the history of this charge. I cannot say, speaking for myself, that one feels any particular enthusiasm for a charge of this kind, but one has to remember that 62 lakhs are outstanding on account of the expenditure incurred, and one has further to remember that to forego a charge of this kind must tell upon the Sutlej Valley Project. And now I should like to make myself perfectly clear, which perhaps I failed to do when I was speaking on this point on the last occasion that if this charge is given up, I do not for a moment contend that it would throw the provincial finances out of gear—that is a point I am not competent to judge—but it might well upset the financial balance of the Sutlej Valley Project and that is the only point that I wish to make in this case, and it was the only point, though it seems I was not understood, that I wished to make before. At the same time I should like to say, if I may, that I was a little startled by the honourable mover suggesting in his reply that I was lacking in sympathy with the zamindar. I do not question the justice of that charge—it is not for me to say whether it was correct—but if I may, I would explain that my sympathies with the zamindar are such that I have to keep them very much in check lest they upset the balance which is required in dealing with a highly technical subject involving considerable expenditure to both Government and the province.

I should like to add that, when I first went through the Nili Bar in 1931, I was very much impressed by the difficulties of the colonists. That was exactly five years ago. On my return to Lahore I represented the posi-

[Mr. M. L. Darling.]

tion to certain officers of Government with, I believe, some effect upon what was consequently done. In this case, as I understand from the previous speakers, the gravamen of the charge against the acreage rate is not so much that it should be charged as that the work for which it is charged is not done. That is a point with which I am not departmentally concerned. But I think all on this side of the House would agree that, if it could be shown in any case that work for which payment was made had not been done, compensation should be given, and to this extent I can reply to the charge made that one, if not two, colonization officers have told me that, when cases were brought to their notice in which the work had not been properly done, they allowed a third harvest on which no Government dues were levied. As I have no doubt the House knows, a colonist does not pay any Government dues for the first two harvests he reaps, and as compensation in this case the colonization officers extended this to third harvest, which was I think a valuable concession. Whether that was done in a sufficient number of cases or not I am not in a position to say, but after all the motion before the House is that the acreage rate should be abolished and not that the work for which acreage rate is levied should be done. And on that motion I would say that, if this acreage rate is abolished, it must affect the financial balance of the Sutlej Valley scheme for the figures and the reasons given, since Rs. 60 lakhs are now outstanding on account of the work which is supposed to be covered by this rate.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : The motion before the House is that as the works have not been carried out, therefore, the charge for making culverts and digging channels is inequitable and, therefore, should be abolished. The answer of the honourable the Financial Commissioner is that because the finances of the Sutlej Valley Project would be unbalanced the acreage rate cannot be abolished. That does not seem to be a sound argument. It reminds me of a thief who goes to a wealthy person's house and robs something and tells him that he robbed because his budget had not balanced and that he came to the rich man's house to rob in order that his budget might be balanced. All this time the Government have been charging this rate but the work has not been done. Is there any justification then for the levy of this charge? Moreover, from the history of this charge which has been given by the Financial Commissioner it appears that the rate has not been uniform at all throughout the colonies and that it has varied in different colonies. I ask, is there any justification for levying a higher charge from some and lower from other colonies while the fact seems to be, as has been pointed out by some of the previous speakers that nothing seems to have been done on the spot though on paper the works have been shown as completed? Therefore it is not a good argument that because Rs. 60 lakhs would be lost to Government and that that would interfere with the balances of the Sutlej Valley Project, therefore this rate should be allowed to continue. If it is left to the zamindars themselves to dig their water courses or construct their culverts and nothing is done by the Irrigation Department the whole charge seems to be only on paper and it deserves to be abolished.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : I had no intention to speak on the

motion under consideration but for the remarks made by the honourable the Financial Commissioner. I will admit at once that it is not true that the water-courses were not at all constructed by the Canal Department. I know that Government money was spent all right towards the construction of these water-courses, but the fact of the matter is that the contractors who were entrusted with the construction of these water-courses and who were paid handsomely for their construction did not do their part of the duty. Therefore Government is not wrong in saying that it did spend money on the construction of these water-courses according to the designs prescribed. But this is so from the Government point of view. Zamindars are also right when they complain that these water-courses are not properly designed. The party that is to blame are the contractors as I have already said and to a certain extent the zamindars are also to blame. What actually happened was that the contractors did not design these water-courses properly and zamindars, who could bring this fact to the notice of the authorities and could have insisted on these water-courses being set right and to whom it was open to refuse to give certificates to the contractors for the execution of the works entrusted to the latter, gave certificates to the contractors to the effect that the work had been properly executed by them. This is why I say that the zamindars are also to blame to a certain extent. But let me assure the Government that the zamindars had no other choice but to give these certificates. They knew that if they approached the authorities to get these water-courses properly designed, they will have to remain without water at least for one crop and that is what the zamindars everywhere cannot afford to do. In any case the fact remains that the water-courses were not properly designed and the result is that the zamindars are suffering.

Now with regard to the acreage rates charged from the zamindars on the Sutlej Valley canals, I can say without any fear of contradiction that they are very exorbitant. You are perhaps aware that on the Lower Jhelum Canal and in fact in other old colonies these rates do not exceed Rs. 2 per acre, but here these rates are as high as Rs. 3 rather Rs. 4½ when we include interest on it. These rates are really very high and if one were to take into consideration this fact that at the time the water-courses in this colony were constructed, the labour and material required for their construction were much cheaper, one will have to say that these rates are very exorbitant and not justified at all. Justice demands that these rates should at least be brought down to the level of rates prevalent in some other colonies. In considering this question the Government should also bear in mind that the zamindars have to pay land revenue, abiana, malikana local rates and acreage rates and all these at once. Their liability is great and in these hard times they find it difficult, nay impossible, to meet it. It is, therefore, just and right that the burden of the zamindars should be reduced as much as possible and as a step towards that direction these acreage rates should be reduced as has been requested. With these few words I support the cut motion under discussion.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan, Landholders) (*Urdu*): I do not think I need say much on this subject now when some of the honourable members have already so ably put their case before the House.

4 P.M.

[K. B. Mian Ahmad Yar Khan Daulatana.]

I may, however, say that I endorse every word that the honourable and learned member from Ferozepore has said about this matter. I myself come from a place where this acreage rate is being charged and I can say on the strength of my personal knowledge that in these hard times and on account of the present prevailing cheap rates, it is neither just nor advisable to continue its collection. I am thoroughly convinced from what I know about this matter that expediency demands that this question should be fully examined and that till the result of that examination is known the levying of this rate should be postponed. It is impossible for the zamindars to pay this additional burden over and above the heavy rates of land revenue, water rates and other Government dues. This is bound to be the last straw to break the back of the zamindars of the Nili Bar who are groaning under the terribly heavy burden of taxation along with a poor supply of water.

Mr. T. B. Tate (Secretary, Public Works Department): One point which has been made by honourable member is that the rate should not be levied as the water-courses have not been constructed. That is hardly correct. There may be rare instances, or a few instances, where water-courses have not been designed to correct sections, and, as the Financial Commissioner has already pointed out, in such cases further concessions have been given to the cultivators concerned in the form of remission of Government dues at the third harvest. I think it would have been better if in the first place the cultivators who were not satisfied with the design and construction of the water-courses had reported the matter at once to the local canal officers so that any defect could have been remedied.

It was another honourable member, I think, who suggested that because the acreage rate on the Lower Jhelum Canal was only Rs. 2 an acre, therefore the same rate should be imposed on the Sutlej Valley canals. I would like to remind honourable members that the rate on the Sutlej Valley canals include construction of culverts and that excluding the cost of culverts it is only Rs. 1-10-0 an acre. I have not the figures before me but I strongly suspect that the rate of Rs. 2 on the Lower Jhelum Canal did not include the cost of the water-courses. (*Honourable Members*: It did). Anyhow the Financial Commissioner has given details of these charges and has made it clear that Government constructs these water-courses at a loss and not at a profit.

The Honourable Nawab Muzaffar Khan (Revenue Member): No earthly scheme can be perfect and I do not claim perfection for the scheme. Defects have been pointed out by honourable members and from my personal experience too I know that there is some truth in the allegations. I am grateful to the honourable members for the moderate way in which they have discussed this subject. Honourable members would, however, bear this in mind—as they themselves have generously and very frankly admitted—that Government has no hand in this matter. Money has gone out of the pocket of Government. As the honourable Financial Commissioner has pointed out, it is a question of about 60 lakhs of rupees and we cannot at this stage bind down the future Government. All I can say is that I will go into this matter very carefully and so will the honourable Financial Commissioner, Development, whose sympathies are

well known to you, and not only to you but to those outside the province and if there are any genuine grievances, an honest attempt will be made to redress them. (*Applause*).

Rao Bahadur Chaudhri Chhotu Ram : I will say a few words in reply. In my opening speech, which was extremely brief, I explained that I was not very well posted with respect to the question of acreage rates. During the course of the debate, those members who are better acquainted with acreage rates, have stated facts which are not very complimentary to Government. In this connection what I wish to draw to the attention of the representatives of the Government is that the zamindar on the whole has been a very docile type of a subject. I do not think the shearer will find a flock of meeker sheep. But let not the shearer take off the skin with the wool. The zamindar submits himself to any demand that is made upon him. He does not kick up a row. He is the highest taxed. Present days are the days of special hardship for zamindar class. Prices have gone down and yields from land naturally diminish as time goes on. There are so many dues which a zamindar has to pay that his request for concession should be treated with sympathy. He has to pay water-rates, he has to pay land revenue, he has to pay malikana, he has to pay acreage rates, he has to pay local cesses and local rates. The total of all these dues comes to a figure which leaves hardly any margin for even a bare sustenance to the cultivator. That is the reason why we put forth these demands. The Honourable Revenue Member has held out an assurance that he and the Financial Commissioner will go into the whole question very carefully and in a spirit of sympathy. But I desire to make another suggestion. Let this question be taken up before a meeting of the revenue committee or before a meeting of the standing committee on irrigation, where non-official members will also be represented and will have an opportunity of explaining their point of view. I have no desire to press this motion to a division in view of the assurance that has been held out. However, if this question is placed before the standing committee on irrigation or revenue for a careful consideration it would be very kind of Government.

Sardar Sahib Sardar Gurbachan Singh : Why not before both committees?

Rao Bahadur Chaudhri Chhotu Ram : Well, that is a matter which should be left to the Honourable Revenue Member. He can easily decide as to which would be the best course. It may be before a combined committee or before a meeting of the standing committee on irrigation or revenue alone. With these words I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mutation Fees.

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

That the grant be reduced by Rs. 10 with respect to the item of Rs. 73,900—Total Superintendence—5-D.—Land Revenue.¹

The object of this motion is to show how these mutation fees were fixed by a notification in 1909 issued by the then Lieutenant-Governor. In

¹To urge reduction of mutation fees to one half.

[Ch. Allah Dad Khan.]

1909 the old rates were, as much as about three times of the prevailing rates of commodities, if not more, and money was so abundant at that time that the zamindar could afford to pay as much amount of fee on mutation as was demanded. But now, the rates have fallen down so much that the zamindar finds it difficult to pay these rates. On account of this depression the zamindar does not venture to get mutations entered in his name. The only mutations are mutations of inheritance which are entered compulsorily and all other mutations have been very much reduced from what they were before. Before low prices began to reign, in order to give honourable members an idea of what they were, I will briefly state that for each entry transferred by a registered deed from one person to another or proprietary rights under the order or decree of the court or partition, the rate was 4 annas per proprietary holding. There are some holdings which are possibly less than one bigha, but the same rate is prevalent and 4 annas are charged for mutation fee per holding. The Honourable Revenue Member is himself a zamindar. He knows what a hardship it is on the zamindar. If you calculate the amount of court-fees, etc., I assume that it would come to many hundreds of rupees in a single circle of a patwari and for the whole tahsil it will be thousands of rupees. The rate of revenue was not heavy then as it is now-a-days and about which so much has been said from time to time in this Council. Then of course the zamindar might possibly pay mutation fees. But now that rate is altogether impossible. Land revenue has become very heavy and to this is added a heavy rate of mutation fee.

Now, take up a registered deed, or decree, or order of a court. When a transaction is registered there is indeed a further charge on it. When a court has passed a decree, what is the justification of making a further charge on it. The man has already paid stamp fee, court-fee, etc., in order to get his decree executed. This clearly shows that the Government levies this charge of fees unjustifiably. It is really very hard and hardly deserving of the Government to charge this fee from zamindars. What Government can do, after the amount is taken and the decree executed, is to simply certify the registration and make it a convention for future, only the patwari may check the entry. It will be a great benefit to the zamindar who is spending so much money on mutation fees, on court decrees, etc.

The Honourable Nawab Muzaffar Khan : Not in all cases.

Chaudhri Allah Dad Khan : Whether it is a decree or order of a court, in all cases the charge of mutation fees is 4 annas.

The Honourable Nawab Muzaffar Khan : What about other mutations ?

Chaudhri Allah Dad Khan : I will come to that later. This fee must be abolished altogether. I am making a moderate request that mutation fee should be reduced to one-half in view of the rates prevailing now-a-days and for justice, so that when a decree has been passed by a court, the man should not bother himself about mutation fee. Suppose I have got a decree in my possession. The patwari would ask that 4 annas should be paid for its mutation fee just like those priests who use to go to exploit people in temples or in mosques, etc. The Government is like a priest asking for its share from the zamindar. He has already paid its

share in the shape of court-fees, stamps and other charges. Now just see how unfair it is of Government to charge such fees !

Then, I come to inheritance. For inheritance the fee is Rs. 1-9-0 per Rs. 100 of land revenue. Now, this is also strange.

The Honourable Nawab Muzaffar Khan : Three pies per rupee.

Chaudhri Allah Dad Khan : Three pies per rupee means Rs. 1-9-0 per Rs. 100. The Honourable Revenue Member has given me another hint for another argument. I am thankful to him. Government is demanding *dachna* of one pice in the rupee of land revenue from the zamindar, as a poor Brahmin asks for a *dachna* from rich persons.

Now, if a man gets possession of the land of his deceased father, he always begs Government to enter the mutation in his name and the Government charges an amount of Rs. 1-9-0. I wonder why this thing had not been noted by the zamindars before this. Government has no right to take anything out of such inheritance. But on the other hand, when a man dies, leaving a house in a town, his son or grand-son takes possession of that house and nothing is paid by him to the Government. Why should a zamindar be made to pay the Government even when he only succeeds his father or grand-father. I, therefore, ask the Government that some justice should be done especially when the land revenue is so high.

There are many zamindars who own thousands of bighas of land and pay thousands of rupees as land revenue. I say that this is not a sympathetic attitude on the part of Government. If the zamindars have not clamoured much against the mutation fees, it only shows their forbearance and patience, and Government should be very careful not to overburden the already overburdened zamindars. Their back is about to be broken, in fact it has been broken many times and yet Government simply goes on exploiting them. Every inch of their flesh is overburdened by the Government, as I will point out in my speech on the next motion. If a zamindar gets land by sale or mortgage, then there is this very heavy fee to be paid by him, which amounts to Rs. 4-11-0 per hundred rupees of the land revenue. That I suppose comes to three pice per rupee. That exceeds even the rates of the priests. Even they do not charge so much. They perhaps charge only a pie per hundred rupees. If a man charges interest at the rate of three pice per rupee, then he is called a shylock and a very hard-hearted man. But what is Government doing in the garb of keeping its papers right and up-to-date? It is charging the zamindars heavily. If I purchase land from D and pay Rs. 100, why should Government also charge fees? If I do not register it, I do so at my own risk. As my honourable friend supported me in what I said the other day, Government is charging from the zamindars because it cannot pull on. Let Government bring forward some semblance of rule or some justification from here and there to justify its exploitation of the zamindars. The poor zamindars will quickly raise strong protests against this attitude of Government. Government has absolutely no justification for levying any fees whatsoever, but my motion is so moderate that I am only asking Government to lower these fees to one-half and that, of course, is asking for almost nothing.

The Honourable Nawab Muzaffar Khan : Why ask then?

Chaudhri Allah Dad Khan : Let the Revenue Member remit the whole thing then. I expect nothing from the Revenue Member. The ways of Government are such. I have simply asked for the reduction of one-half and I think this will be gracefully accepted by Government. Otherwise I have pointed out the danger of the zamindars coming to resent it—in fact they have already expressed their grievances—and that will produce a great deal of discontent especially at this time when they are unable to pay. I do not want to take up much of the time of the Council, though I would have liked to quote some authority to justify my remarks simply to make this earnest appeal to Government based on stern realities of facts: that they should consider this question very carefully and reduce the mutation fees to one-half.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Rs. 10 with respect to the item of Rs. 73,900—Total Superintendence—S.D.—Land Revenue.

Mr. A. Latifi (Financial Commissioner, Revenue): The “very stern” appeal which my honourable friend across the floor has made to the Government divides itself into two parts. In the first place, he has directed our attention to the rise in prices between 1909 and the present year. The price of wheat in 1909 was, indeed, very nearly Rs. 4 a maund.

Chaudhri Allah Dad Khan : It is now about Rs. 2, half the price of that time.

Mr. A. Latifi : The difference in prices, however, is no argument. The honourable member went on to suggest that Government is not justified in levying any fees for the maintenance of the land records. He thinks that the land records are maintained entirely in the interests of Government and that the zamindar has no interest in them. The view I would put to the House is that the land record system of the Punjab—I mean in the rural areas—is the envy not only of the whole of India, but even of the British Empire. There is no system anywhere in the Empire where titles in land are recorded so well by a system at once so cheap and so efficient. Compared to the value of the land alienated the fees levied are extremely low. The fees which the honourable mover has quoted are not a pice per rupee of the value of the land but a pice per rupee of the land revenue which is an extremely low rate. He asked why similar fees were not taken from the towns people on transfers of town lands. The reason of course is that no records of real property are maintained in the towns. The people of the towns would be only too pleased to have such a system which would, by recording their titles, enhance the value of their property.

The Honourable Nawab Muzaffar Khan (Revenue Member): I do not think I need take the time of the Council after the admirable manner in which Mr. Latifi has dealt with the question, but there is only just one point that I wish to take up, that is the mutation in cases of inheritance. My friend has admitted that the charges in that case are only one pice per rupee of land revenue with a minimum of five annas. I would request my friend to compare these charges with the death duties that are charged in other parts of the world. To call one pice a tax is almost a mockery. In England certain families in which deaths took place during the War were practically deprived of all that they had, but let it be said to their

credit that they put up with their death duties with good fortitude worthy of admiration of the whole world. To say that one pie is a large sum and that it should be abolished does not appeal to me at all. As the Financial Commissioner has stated, our rates are very low, and I do not think my friend will press this motion.

Chaudhri Allah Dad Khan: Not a single argument of mine has been met either by the Financial Commissioner or the Revenue Member. On the other hand the argument which they have advanced strengthens my case. For instance, the Financial Commissioner says that these land records are not maintained in any other part of the British Empire except India.

Mr. A. Latifi: I said that nowhere else in the Empire are titles in land recorded so efficiently.

Chaudhri Allah Dad Khan: Does he mean to say that the system in England is not working so well as in India? That is not the case. He said that the mutation is done in the interest of the zamindars. If that is so, the sooner Government does away with the system, the better. I am for abolishing the rates altogether, but if you do not abolish them altogether, the alternative is to lower them to one-half.

Then it was stated that the towns people are not charged because no records for their property are maintained. Those people have not suffered on that account. If their houses are not registered, have they ever lost them? Nobody has ever lost his property because it has not been entered by patwaris. I do not think it is in the interest of the zamindars as much as it is in the interest of Government. They exploit the zamindars and maintain records in perfect order in accordance with the demand of each successive settlement. My object was only to point out the hardship that the zamindars undergo, and as my purpose is served, I do not want to press the motion.

The motion was by leave withdrawn.

Fees for Inspection and Copying of Patwaris' records.¹

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

That the grant be reduced by Re. 1 with respect to the item of Rs. 73,000—Total Superintendence—S.D.—Land Revenue.

This is a question which has hit the poor zamindar very hard. Two years ago it was adopted in this Council and my learned friend Sir Miles Irving in his speech made a promise that he would consider it but probably he has had no time.

The Honourable Nawab Muzaffar Khan: Have you got that speech?

Chaudhri Allah Dad Khan: I can point it out. You can see the records for yourself. Therein you will find the promise that the question will be considered. He promised that the question would be considered and if possible the copying and inspection fees would be reduced. But nothing has so far been done. These fees are felt very heavily by the zamindars. Besides,

¹To urge reduction of fees to one-half for inspection and for copies of patwaris' records.

[Ch. Allah Dad Khan.]

these fees began to be levied only recently. The imposition of these fees have diminished the number of cases in courts, because the zamindars cannot find the money necessary for paying these fees in addition to court fees. I may observe that in certain cases these fees rise up to Rs. 70 and even Rs. 100. In utter despair the zamindars are giving up filing suits and are thus rendered unable to claim justice for themselves or claiming their rights. Perhaps some honourable members have no clear idea as to what these fees are. For their benefit I will quote a few figures. For taking *jamabandi* copies the rate is four annas per holding up to eight holdings and thereafter one anna per holding. In some partition cases—and there are hundreds of such cases—the copying fees alone mount up to a very big figure. So people prefer not to resort to courts with the result that a large number of them are deprived of their rights.

Again there is the inspection fee. The patwari prepares his own record and there is no agency to check the record. The patwari is left to his own sweet will and pleasure and if a person wants to inspect a record with a view to check its accuracy he has to pay a heavy fee. This is not fair. It is unreasonable to charge fee if a person wants to check whether the copy he has received on payment of copying fees is accurate as compared with the original. It is high time that there should be no inspection fee at all. I can quote any number of instances of high rates charged from the zamindars towards these charges, but I do not want to weary the House with these quotations. When the zamindars pay so much for the revenues of the province, for running the Government machinery, the Government should provide all reasonable facilities to the zamindars. The matter has been debated at length in this very Council last year and I am sure the Honourable Financial Commissioner has seen it. I do not therefore want to take up the time of the Council in going over the same ground this year. With these few remarks I commend my motion to the House.

Mr. President Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 73,900—Total Superintendence—S.D.—Land Revenue.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (*Urdu*): The Government gets only Rs. 1,25,000 from this item, but the zamindar has to pay as much as three lakhs. My observation tells me that the Government stands to lose under the present circumstances. The inspection fees being very high the zamindars cannot go up for justice. If a zamindar has to take a copy in order to institute a case for his *mustajri* the inspection fee and the money demanded by the patwari stand in his way. Therefore the Government loses in the long run. I may point out that we do not ask for the remission of the part of the fee taken by the patwari. What we want is that the Government should give up their part of the sum. A promise has already been held out to the zamindars in this respect. I request the Government to make good that promise. I would not make a lengthy speech on this subject because the learned leader of the Unionist Party intends to speak on this subject. He has more data in his possession and I hope that he will be able to convince the Government that our demand is just. It is just possible that the Government will argue that they cannot afford to give up such a big sum.

The Honourable Nawab Muzaffar Khan : Yes, that is the argument.

Pir Akbar Ali : As I have pointed out the Government stands to lose if the inspection fee is continued to be levied. I, therefore, support the motion which is now before the House.

Mr. President : As amendments 11, 15 and 16 cover the same ground, they will be discussed together and if the honourable members, in whose names they stand, so desire, they shall be moved and put to the vote of the House separately.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : An identical motion was discussed in this House during the budget session of 1934. The Revenue Member at that time considered this proposal as a very reasonable one and although he did not make what we would call a "whole promise," still he gave us an assurance which was accepted by the House as more or less a promise. He in so many words guarded himself against being considered to have given a full promise. I grant that. But the whole tone of his speech, the trend of the language used by him, was regarded by the House as an assurance of remission in respect of this particular item. I will just read the exact words he used in making a reply on that motion —

As regards the proposal now before the House, if the honourable member would withdraw his proposal for the total abolition of the fee and would confine it only to reverting to the previous *status quo* in which Government will get nothing and the patwaris will get their usual fee, I am in a position to make the promise that Government will consider the matter. The opinion of this House will be given weight to. That is only so far as I can promise, especially when my honourable friend, the Member for Finance, is not here for consultation.

I grant that the words actually used do not amount to an assurance of remission of the fee out and out. But as I said just now, the whole trend of the language and the spirit underlying the language used was, in substance though not in form, an assurance that this scale of fee would be reduced to the level at which it stood previous to 1932. Otherwise there would be no meaning in saying that if the mover of the motion withdrew the first portion of his motion the Government member would consider the rest of it. He thought that it would be unreasonable to expect Government to abolish the portion of the fees which really went to the patwari; but he felt that if the portion of the charges that went to the patwari were saved, he would consider the proposal favourably.

Another point to which I may draw the attention of the House is that the Revenue Member expressed his inability to go any further in his assurance, because the Finance Member was not present. This further fortifies me in the belief that if the Honourable Finance Member had been present in the House, he would have given a promise of remitting this amount altogether, i.e., the amount which went to the Government itself.

We were, all this time, under the impression, that these fees had been actually remitted. But, unfortunately, we find this item recurring in the present budget. It had also occurred in the budget for the last year, but as the Revenue Demand did not come up for actual consideration and discussion before the House, last year, we could not give expression to our

B. B. Ch. Chhotu Ram.]

views with respect to this question in the House. This year, fortunately the Revenue Demand is the first to come under discussion in the House and we are in a position to give expression to the views which we hold on this question. Sir, it will be readily granted that the zamindar is in a difficult economic position at present. The whole world is demanding a diminution of its burdens—whether they are in the shape of interest on debts or in the shape of taxes. The income tax payer puts forward the same plea, namely, that his income is going down and, therefore, the extra burden of taxation which had been placed upon him should be removed. I think the zamindar is the hardest-hit person in the world. Therefore, it would be only fair that his burden should be reduced. Let it be borne in mind that when we make the present motion, it is really not a motion for the reduction of any taxation, which the zamindar paid before 1932. This item of taxation had been doubled in 1932 only. Previously the scale of fees was half of that which prevails now and all that we desire is that the old level of fees in respect of the inspection of patwaris' record should be restored. This is a perfectly reasonable demand, and I hope Government will have no hesitation in acceding to it.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural): This demand of higher taxation was made from the zamindar who wanted a copy of a revenue record in the possession of a patwari, in the year 1932. Before March 1932, this tax was not put upon the public of the Punjab. In the budget presented in March 1932 this taxation was decidedly put into the budget without obtaining the permission of the Council to put this tax upon the public of the Punjab. Then, at the time of the discussion of the budget when different items came before the House, this question was agitated and the question was put before the Government whether the Government should consider the advisability of remitting this tax upon the people or not. Again, in 1934, when the demand was before the House the question was again agitated and the honourable the leader of the Unionist Party has clearly stated what views were expressed by the members then in charge of the Department. Now we find a demand again put up before the Council this year. I expected that this tax would be remitted. I expected it more likely, but again I am surprised to find that this tax remains the same. I think, that during the last four years this thing must have been brought to the notice of the Government twice at least and the decision of the Government must have been made and now I expected that the members of the Government would very kindly let the House know what decision the Government had arrived at. I take this taxation as a fresh taxation only two years old. The question would have been quite different, if the fees for the preparation of these copies were raised and the very person who used to get it before, were to receive that fee. Here, the Government, like a hungry bull, for its own sake, raised that fee and without seeing that the cost of preparation was greater, and without seeing any justification for the taxation, put that tax upon the poor public. This being a taxation, clear and simple, I would request the Government to make its position clear. What facts demand the levy of this taxation and the continuation of this tax and what is the object of the Government in not remitting this tax? I think the case was not clear to

so many members of this House formerly and I hope to clear it now for a moment.

Formerly the patwari charged fees for any copy of the revenue record in his possession. He charged fees at specific rates. These rates are contained in Financial Commissioners' Standing Order No. 15, clause 99. For each copy the patwari charged two annas per *khatauni* holding up to eight holdings, and for every holding in excess of eight, half an anna. In the year 1982 the Government doubled these rates and the doubled portion of it, i.e., as much as the patwari got already, was claimed by the Government. The Government imposed that tax under the pretext that a particular person would not go to court, would not seek any remedy from the Government and had to resort to the patwari for a copy. This tax was highly unjustifiable. Government can tax income, but Government should not tax the poor people. With these words, I say that Government whatsoever it gets for the preparation of the copies of revenue records, should remit the amount forthwith.

Mr. A. Latifi (Financial Commissioner, Revenue): Let me now reply to the last remark of the honourable member who has just addressed this House. He thinks that this tax is in theory unjustifiable and that Government has no right to levy any fees from a person who comes and inspects the records even though these records are maintained at the expense of Government, that is to say, of the community as a whole. I think, if the honourable member will ponder a little, he, as a lawyer, will realise that the position is untenable. If his argument is accepted, we would cut at the root of our right to levy fees, for example, for the inspection of the judicial records. Why should Government levy fees for the inspection of the land records? Why, but because these records are maintained at the expense of Government—that is to say—of the community as a whole—and individual persons wanting to take advantage of these records should, in justice, pay something in return. The second point raised was by Chaudhri Allah Dad Khan whose arguments are, I may say, always novel. I am glad to find that what has been said from these benches on the previous cut motion has touched him. When arguing on the last cut Chaudhri Allah Dad Khan urged that these land records were futile documents thrust upon the unwilling zamindar. Now he argues that the inspection fees are weighing so heavily on the litigant public that they are actually discouraged from inspecting these records—so much discouraged indeed that half the land suits have gone down, fifty per cent! I think he will realise that these two positions are inconsistent. As a matter of fact these land records are a great public convenience and it is but right that people who take special advantage of that convenience should pay something to Government.

Now remains the second and most important point raised in this debate, and that is not the heaviness of the charge, but the promise given by Sir Miles Irving that this matter would be very carefully examined. Well that promise has been fully implemented. We made a careful enquiry through the Director of Land Records from all the districts and the reports show that far from being a burden on the poor zamindars, the fee, if anything, has worked to their advantage. I will explain how. It is not correct, as my honourable friend surmises that in the old days no fees were charged. Fees were charged, but they were all retained by the patwaris and no record

[Mr. A. Latifi.]

was kept. In fact the authorities knew so little about the fees that the honourable mover who has experience of the Revenue Department did not even know of their existence. As a matter of fact the fees did exist.

Chaudhri Allah Dad Khan : They were nominal.

Mr. A. Latifi : No, they were half of those charged at present.

Rao Bahadur Chaudhri Chhotu Ram : Exactly so. They were not affected by *faslana*. If you pay *faslana* to the patwari, he will still charge these fees.

Mr. A. Latifi : As a matter of fact patwaris charged much more than they were really entitled to. But now that the fees are fixed, regular accounts have to be kept by the patwari and these accounts, in which Government is interested, are inspected and checked by the tahsildar. I myself, as Commissioner, insisted upon the tahsildars inspecting these accounts. Now the zamindars do not have to pay more than what is proper because they have come to know what the exact amount of the fee is.

Rao Bahadur Chaudhri Chhotu Ram : No one attests the entries.

Mr. A. Latifi : I am sure they were attested in the district where my honourable friend Khan Bahadur Malik Zaman Mehdi Khan was a Deputy Commissioner. However, what has happened is that the zamindar has come to know the exact scale of the fee, and the patwari is limited to that fee. In the old days the patwaris used to take a larger amount than the trifling fee he is now entitled to and the patwari naturally does not like this new system. Of course there is the question of the *faslana*. The fee was not charged from the people from whom *faslana* was realised. But the patwari does not take *faslana* from the poorer people.

Rao Bahadur Chaudhri Chhotu Ram : Everybody pays *faslana*.

The Honourable Nawab Muzaffar Khan : I do.

Mr. A. Latifi : However, that may be, I submit that the people who paid *faslana* were the big people, and it was the big people who did not pay these fees. It was the smaller people who paid the fees and they paid more than they should have paid under the rules. This is what the Director of Land Records has reported and my own enquiries confirm his report. The Director suggests that the system should be given a longer trial so as to enable him to give a considered opinion. It was on the basis of this report that the Government decided to leave matters as they were, until we could have further light. In view of these facts, the honourable mover will be well advised to let the matter rest at that and await the further enquiry to be made in due course.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : The Financial Commissioner said that the Director of Land Records made an enquiry into the matter and came to the conclusion

that sufficient time had not been allowed for the trial of this scheme. But I do not know whether he gave any arguments for doubling these fees. These fees are already fixed in the standing orders. So the only question is, why these fees were doubled. Was it simply to take revenue from the zamindar or the landowner? There seems to be in reality no justification for doubling these

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fees. The fees were already in existence and they used to go to the patwaris and nothing used to go to the coffers of the Government, while by doubling the fees a portion is taken by the Government and the rest goes to the patwaris. That is the position now. As regards the fact that the patwaris do not take anything from the zamindars from whom they used to take *faslana*, it is not so. The patwari takes *faslana* from everybody, whether rich or poor, so long as he finds that he can pay. That is even now in vogue. I remember a case myself. Everybody knows that the patwari has got more powers than even the Honourable Financial Commissioner and every zamindar knows it to his cost. I remember a case. A tahsildar who was on leave came to his village and the patwari asked him for a saddle. He said alright, because being a zamindar himself he could not refuse. But when he went back, having some 200 patwaris under him he forgot about his promise and his brother in the village wrote to him that patwari was pressing him for the saddle. In the meanwhile the patwari had made a note in the *khasra girdawari* for two harvests against the proprietor to the fact that the tenant paid no rent, because he regarded the land his own property. When the time for harvest came the brother of the tahsildar went to the thrashing floor and he wanted half of it. They were ready to come to blows. A suit was filed for rent. He got the decree no doubt because the entry was made for two harvests only, but when the case was decided the patwari said, "you have had to pay the amount which was the price of the saddle." So no zamindar can afford to displease the patwari. Everybody wants to win the favour of the patwari. Government takes Rs. 1,25,000 while it in no way lessens the burden of the zamindar. Therefore there is a strong case for the abolition of this surcharge, especially when prices are low and zamindars are hard pressed.

The Honourable Nawab Muzaffar Khan (Revenue Member): As Mr. Latifi has said just now, enquiries were made into this matter but the Director of Land Records was not quite definite in his opinion and he thinks that a further trial should be given to the system. This was in the year 1934. Two years have elapsed since then and enquiries will be made this year. It is not a question which we are going to put off for a long time. These enquiries will be made by the new Director. (*An Honourable Member*: The matter does not need any enquiry). The question does require examination and it will be examined this very year. (*Rao Bahadur Chaudhri Chhotu Ram*: It was examined in 1925).

Chaudhri Allah Dad Khan: I want to reply to one or two observations made by the Financial Commissioner. He said that these fees existed already and that the Government had done nothing. It has been pointed out that they have been doubled. Previous to that I do not think there was any charge by the patwari. So, does it mean that the patwari took as much as Rs. 72 from the zamindar? Even previously, were the people charged so much? Even if the amount came to this, the patwari could not dare charge it because he will be afraid that the zamindar will object. Again on a previous occasion I said that the people were not willing to pay for having such records and now the Financial Commissioner asks, why should the zamindar ask for copies? This is no argument. If you prepare the documents at the expense of the zamindar he should use it otherwise, as my honourable friend just now put it, he should go to the court and the court.

[Ch. Allah Dad Khan.]

can satisfy itself by calling for the records. Why should he be made to file a copy? He says, what is the harm if Government takes a share of this income, this "spoil" as he calls it? He means to say that he should take a share of the money wrested from the zamindar. Moreover when land revenue is paid by the zamindar, why should Government at all charge these further rates from him? He said that Government pays for the preparation of these records. I do not think Government pays it. Government pays nothing. Again when these are the servants of the people, why should Government take advantage and take a share from the patwaris? In the case of judicial records Government pays very heavily on account of pay of sub-judges, clerks, etc., but in the case of patwaris it pays nothing, not even for the ink, though it is supposed to supply it. So, what is the justification for taking this share from him? He is a servant of the people and must be busy doing their work. Government has no justification to have a share in the earnings of this man. If it wants to have a share then it must make him a Government servant and increase his pay. I, therefore, commend this motion for the acceptance of the House and I hope it will be carried.

The Honourable Nawab Muzaffar Khan : Considering the finances of the province, I cannot give any other undertaking than the one I have already given. Nobody knows the state of our finances better than the honourable members sitting opposite. It was in these circumstances that I said that I would consider the question on hearing from the Director of Land Records.

Mr. President : The question is :

That the grant be reduced by Re. 1 with respect to the item of Rs. 73,900—Total Superintendence—5-D—Land Revenue.

The Council divided : Ayes 30, Noes. 25.

AYES.

Afzal Haq, Chaudhri.	Muhammad Amin Khan, Khan
Ahmad Yar Khan Daulatana, Khan	Bahadur Malik.
Bahadur Mian.	Muhammad Hayat Qureshi, Khan
Akbar Ali, Pir.	Bahadur Nawab.
Allah Dad Khan, Chaudhri.	Muhammad Sadiq, Shaikh.
Bahadur Khan, Sardar.	Nathwa Singh, Chaudhri.
Bhagat Ram, Lala.	Nihal Chand Aggarwal, Lala.
Buta Singh, Sardar Bahadur Sardar.	Nurullah, Mian.
Chhotu Ram, Rao Bahadur, Chaudhri.	Pancham Chand, Thakur.
Faqir Husain Khan, Chaudhri.	Pandit, Mr. Nanak Chand.
Ghani, Mr. M. A.	Ramji Das, Lala.
Jawahar Singh Dhillon, Sardar.	Roberts, Professor W.
Jyoti Prasad, Lala.	Sampuran Singh, Sardar.
Mamraj Singh Chohan, Kanwar.	Sewak Ram, Rai Bahadur Lala.
Manohar Lal, Mr.	Ujjal Singh, Sardar Sahib Sardar.
Mubarak Ali Shah, Sayad.	Zaman Mehdi Khan, Khan Bahadur
Muhammad Abdul Rahman Khan, Chaudhri.	Malik.

NOES.

Askwith, Mr. A. V.	Labb Chand, Mehra, Rai Sahib Lala.
Beyd, The Honourable Sir Donald.	Latifi, Mr. A.
Bradford, Mr. W. G.	Mayadas, Mr. E.
Darling, Mr. M. L.	Mushtaq Akmad Gurmani, Khan
Fazl Ilahi, Khan Sahib Shaikh.	Bahadur Mian.
Firoz Khan Noon, The Honourable	Muzaffar Khan, The Honourable
Malik, Sir.	Nawab.
Gokul Chand Narang, The Honour-	Parkinson, Mr. J. E.
able Dr. Sir.	Puckle, Mr. F. H.
Grindal, Mr. A. D.	Rahman, Khan Bahadur Dr. K. A.
Gurbachan Singh, Sardar Sahib Sar-	Ram Chandra, Mr.
dar.	Salisbury, Mr. C. V.
Janmeja Singh, Captain Sardar	Shah Nawaz Khan, Nawab, Khan.
Bahadur Sardar.	Sheo Narain Singh, Sardar Bahadur
Jaswant Singh, Guru.	Sardar.
Jogendra Singh, The Honourable	Tate, Mr. T. B.
Sardar Sir.	

Grievances of Revenue Patwaris.

Mr. M. A. Ghani (Nominated non-official): I beg to move—

That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 24,24,530—5-D.—
Land Revenue, (ii) (a) District Charges, Patwaris' Establishment.¹

The object of my motion is to draw the kind attention of the Government to the various grievances of the revenue patwaris in this province. Their grievances are almost innumerable and if I were to talk of them one by one I could go on for hours and hours. But as that will exhaust the patience of the honourable members I shall confine myself to narrating only a few of them.

In the first place these revenue patwaris are regarded as village servants and not as Government servants. I fail to understand why, when they are treated to all intents and purposes as Government servants, they should be regarded as village servants. They are given all the duties of Government servants but they are not given the rights of Government servants. This is very strange indeed. As village servants also, they are not given the rights of village servants. Chaukidars, lambardars and zaildars are also village servants but in cases concerning them, a legal practitioner can appear but in the cases of patwaris no legal practitioner can appear. The patwaris are paid from the Government treasury as all Government servants are paid. They are liable to be transferred from one circle to another like other Government servants. They are fined, they are punished, they are treated like Government servants for all these purposes. But it is very strange that they are not given the benefits of being Government servants. Every Government servant is entitled to pension but these poor patwaris are not given any pension at all. After serving the Government for, say, thirty or thirty-five years, they are paid a paltry sum of Rs. 200 or Rs. 250 as "Inam" and then they are asked to go away. This is the reward which the Government gives them after thirty years of service. On my agitation

¹To draw the attention of Government to the grievances of Revenue Patwaris.

[Mr. M. A. Ghani.]

they were given the benefit of provident fund. But what sort of provident fund was given to them? One anna in the rupee was cut from their salaries and that very anna was paid back to them of course with interest. The Government does not add anything to the cut made in the salary for the fund. Railway employees have also got the benefit of a provident fund, but in their case the railway adds an equal amount of money to that contributed by the servants from the salaries. The money thus becomes double, and interest and compound interest is added on the top of that. Thus at the end of say twenty or twenty-five years of service every railway employee gets about Rs. 4,000 or Rs. 5,000. But here no patwari can get more than Rs. 300 or Rs. 400 at the most on account of his provident fund. So this provident fund is a mere eyewash and it is no help to the patwaris. It is not worth the name. Then they have to work from morning till evening and often, I have got personal knowledge of it, they have got to work at night also. They are not allowed even the holidays which are allowed to other Government servants. The Muslims are allowed the Muslim holidays, the Sikhs are allowed the Sikh holidays, the Hindus are allowed the Hindu holidays. These holidays are not allowed to the patwaris. Then their leave rules are so stringent that no patwari can get leave for more than a fortnight in a year and if he were to be in need of more leave than that, it is given without pay. Strange as it might seem to you the patwaris are ordered to keep their wives and children with them in their circle. This is a thing which I cannot understand. No Government servant is compelled in this way to keep his wife and children with him in the place where he is posted. (*An honourable member*: Does he not want to keep them with him?) Some there may be who may not like to keep them and I ask, why should they be compelled to keep them with them? (*An honourable member*: Why do you object to that?) The objection is that the wife may like to go and live with her father or her brother but if she goes away, the patwari will be taken to task and fined for that. Then the patwari is not allowed to leave his circle without the permission of the *girdawar* even on a holiday. All Government servants are allowed to go wherever they like without any leave whatsoever on a holiday (*Honourable members*: No) except perhaps in the case of a few administrative officers who might be in charge of districts or tahsils. In every September, the patwaris collect at the headquarters of the tahsil. No arrangement is made there for their stay or for their doing work. Honourable members might have seen the patwaris working on the roadside of tahsil headquarters in the dust and storm and heat without any shelter. The Government provides houses, furniture, electric fans and other facilities for its servants to work, but these poor men, these poor servants of Government are not allowed even this much of facility that they should be given at least a place to sit and work. Then no allowance is paid to the patwaris for this compulsory visit to the tahsil headquarters for a fortnight. When other Government servants go out they are paid travelling and daily allowances but the patwari is not paid a single penny for his stay at the tahsil headquarters for a fortnight. Some travelling allowance is paid to them but that is only on paper. So many patwaris have complained to me that whenever they have to go to the tahsil headquarters they send their bills but they are rejected on one ground or another. All other Government servants are paid their travelling

allowances when they have to go on Government work but this poor man is not paid anything. Then no house rent is paid to the patwaris. Government servants in Lahore are given quarters, nice bungalows and some are even paid rents for their quarters. But these men who get no more than Rs. 20 a month are not paid any house rent. (*An honourable member*: Do they pay any rent?) Yes, they do. Even in the villages rents are now demanded.

The Honourable Nawab Muzaffar Khan: From no one.

Mr. M. A. Ghani: It may be in certain areas. But in great many cases this is not the case. Further no *patwarkhanas* are built by the Government. The patwari has to get a house from somebody in the circle and keep his registers and other office records there. He pays the rent for that *patwarkhana*. This is a very genuine grievance which these patwaris have got.

Now, the patwari does not get any stationery allowance. Every Government servant gets stationery which is often wasted. But this poor man has to spend from his own pocket for his pen, pencil, blotting paper and other things.

Next, I would draw your attention to the heavy work which a patwari has to do. I have the honour of being a son of a patwari. (*Cheers*). I share this honour with the Honourable occupant of the Chair of this House. So many other big officers of the Government including a Judge of the High Court, are sons of patwaris. I know from my personal experience that patwaris have to do a lot of work. They are never free. They do not know what leisure means. They work from morn till dead of night, writing, writing and writing on those *khaki* papers with *kalam* and *dwat*.

Then, again for some years a rule has been made by the honourable Financial Commissioner that no patwari should be posted within 5 miles of his home. I have never been able to understand the expediency and necessity of this rule or the circumstances on which this rule is based. There is no hard and fast rule that any Government servant should not be posted at his own place. There are so many Government servants who are posted at places where their homes are. But this poor man is not allowed to be posted within 5 miles of his home.

Now, I come to the question of their salaries. A patwari used to get Rs. 5, but then his salary was raised to Rs. 9, Rs. 10 and Rs. 11. He was getting this amount of salary when I pressed the Government to increase it. This was when I was practising at Hoshiarpur. I was lucky enough to persuade the Government to raise their salaries, first from Rs. 9, Rs. 10 and Rs. 11 to Rs. 15, Rs. 18 and Rs. 20 and then to Rs. 20, 23 and Rs. 26. An officiating patwari gets only Rs. 15. Now, I draw your particular attention to the fact whether it is fair to pay a servant Rs. 15 a month or Rs. 20 a month? Even a poor cooly would be able to earn more than 8 annas a day. But the patwari, who does such an important work of the Government is only paid Rs. 15 for the whole month. This means 8 annas a day. This is very hard indeed. It is true that a first class patwari gets Rs. 26, but even for the status of a first class patwari that salary is not sufficient. A patwari becomes first class after serving the Government for about 15 or 20 years.

[Mr. M. A. Ghani.]

By that time he gets so many children and grand-children. His family increases by that time. He has to support this big family with Rs. 26. I do not say that the Government has not done anything for patwaris. I pay tribute to the Government for having done something for them. But I may tell the Government that there is still room for improvement in this respect. Patwari is a very important servant of the Government. In this House so many times it has been said that the major part of the land revenue comes from zamindars. It is due to this poor patwari that Government gets so much land revenue. More than 75 per cent. of the land revenue is due to the pains and troubles of the patwari.

So, I would urge upon Government that if my allegations are not correct an enquiry may be made in this respect. If the Government thinks that a committee for the purpose of making an enquiry would entail lot of expense, let one special officer be appointed to make an enquiry as regards the grievances of this poor patwari.

Reference was made that these patwaris get *faslana* so they are not entitled to the redress of their grievances. I may tell honourable members that it is not the revenue patwari who gets *faslana*, but it is the canal patwari who gets *faslana*. (An honourable member: Both). If that is so, it is all the more reason that their salaries should be increased. By paying them so low salaries Government teaches them to be corrupt. They are paid only Rs. 15. What else should they do? Whenever they find a chance to get money they get it. That is the reason why I always urge upon Government to raise their salaries. Government should pay at least a living wage to them or some such salary as might be enough for their needs and their bare necessities. I would urge that in view of the importance of these servants and in view of their general grievances, Government may be kind enough to hold an enquiry and to see whether these grievances are genuine or not. With these words I move this motion.

Mr. President: Demand under consideration, motion moved is—

That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 24,24,530—5-D—Land Revenue (ii) (a) District Charges, Patwaris' Establishment.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): I have listened with great interest to the speech which has just been delivered. I have every sympathy with the motion which has been moved. I had occasion to preside over 3 conferences of patwaris and I am now fully aware of the grievances from which this very important class of officials suffer. I have not been able to understand why Government, in the case of the patwari, is so very harsh. It is quite clear that they have grievances. I do not think that any enquiry is necessary. I know that no kind of office accommodation is given to the patwari. I do not see any Government servant working without any office or without getting some sort of rent from Government for the building in which he keeps his official records, etc.

The Honourable Nawab Muzaffar Khan: There are *patwarkhanas* everywhere.

Mr. Nanak Chand Pandit: It is not altogether true. In a few cases there are *patwarkhanas*. But the general rule is that a patwari has no *patwarkhana*. There may be certain exceptions. The fact of the matter

is that in a vast majority of cases, the patwari gets no *patwarkhana*. He is to carry on his work in a building which is either lent to him by a zamindar or by somebody else or he pays the rent from his own pocket.

The Honourable Nawab Muzaffar Khan : See page 86 of the Budget.

Mr. Nanak Chand Pandit : There are few *patwarkhanas* but not in a vast majority of cases. There are, I understand, more than 18 thousand patwaris in the whole of the Punjab. Is the Honourable Member for Revenue prepared to state that there are 18 thousand *patwarkhanas* in the Punjab given to these patwaris?

The Honourable Nawab Muzaffar Khan : There are *patwarkhanas* belonging to zamindars.

Mr. Nanak Chand Pandit : There are absolutely none. In a very large number of cases no *patwarkhanas* exist. Can the Honourable Revenue Member satisfy me that 18 thousand *patwarkhanas* exist or some rent is given to patwaris? If he can, I shall be satisfied. My information was gathered when I presided over 3 different conferences of patwaris—one was held at Hoshiarpur, the other was held in Jullundur and one at Amritsar and the fourth was held in Lahore only recently. It was brought to my notice that in a majority of cases there are no *patwarkhanas* and also no rent is allowed to patwaris in lieu thereof. I think it is a sad state of affairs if a Government official is required to carry on his duty in a building and paying the rent for the same from his own pocket. This is my first point.

Will the Honourable Revenue Member contradict me when I say that some time ago there were 4 annas fixed for stationery to patwaris, and even these 4 annas were never given to them? I cannot understand how this Government official manages to carry on with his official work. He has to buy from his own pocket pencil, pen, ink, paper, etc. This point was also brought to our notice in the last conference. Is he in a position to challenge the statement which I am making that some time ago Government meant to give 4 annas per month for the purchase of stationery to patwaris, and now this has been withdrawn? This is the second point I want to submit for the consideration of the Honourable Revenue Member. The third point is that he is not given any furniture such as a table, or a desk or a chair, or even a box in which to keep his papers. Are these things not absolutely essential for a patwari? I entirely fail to understand how a functionary of Government can do without stationery and furniture. Some of the honourable members laugh. The urban members do not understand. Patwaris tell me that some time the cattle eat up their *jamabandis* (laughter). That is one thing. They have made a very serious grievance of this matter. Sometimes they have found that the papers which they have purchased have been spoilt by cats and dogs. That is what they told me, because they say they have no boxes to keep them in. It is really a very shameful thing. It is not a laughable matter at all. Government should take a serious notice of this thing.

Honourable members sometimes laugh and sometimes they ridicule the patwari. They say, we do not want to give him anything because he pinches a large sum of money out of the pockets of the zamindars. Is the argument seriously urged by this Council that because some of the patwaris disgrace

[Mr. Nanak Chand Pandit.]

themselves by taking money from the zamindars, they should not be supplied with furniture? Is that not tantamount to sanctioning bribery and corruption amongst these officials? It would be a very sad state of affairs if the honourable members think like that and are a party to this corruption and mischief, if they do not uphold the patwaris' grievances in this respect. It is undoubtedly true that these officials are the hardest worked of all. I saw their *roznamchas* when I was dealing with cases in a district. They have to keep a record of all the accidents that take place in the village. If two men fight, they have to note down that such and such men had a fight. Then the patwari has to work as the policeman. If a criminal or a man of doubtful character or a terrorist visits the village, then the patwari has to make a record of it, that such and such a man of doubtful character visited the village, and his officer has to see whether the patwari has done his duty in that respect or not. Not only this, he has to prepare the revenue records, the mutation, the field numbers and other matters of similar kind. He has to work as a C. I. D. man in the village. He has to prepare census report. He has to prepare cattle census. All these duties are given to this wretched patwari for an emolument of Rs. 20 or Rs. 23 per month, and who after a hard work of 30 years or so gets no provident fund and no pension. That is perhaps the only official who is treated in this bad way. I submit that the patwaris have really made out a very strong case for the consideration of Government.

I would not be a party to any allegations made by honourable members that because these patwaris, at least some of them, take bribes, their grievances should not be redressed. I know there are patwaris and patwaris, and I know a good many cases where patwaris were really honest and absolutely above board and without any fault. It would be unfair to say that even honest patwaris should be punished because there are other patwaris who are dishonest and who do their work in an underhand manner. That would be no argument at all. I would submit that the Honourable Revenue Member should take into consideration the various grievances of the patwaris who are honest and useful members of the Government machinery, and he should take early steps to remedy these grievances.

A patwari has to go to the tahsil in the month of September and he gets nothing for it. He has to take on his head a load of *khassra girdawaris* because he has no *chaukidar* to carry it for him and *begar* has been done away with. (An honourable member: That is an exaggeration). It is a fact that these patwaris have to carry on their own heads their *bastas*.

There is one other matter and that is a very serious cause of complaint by various people. Some patwaris manage to get their residences or their houses to live in from members of the proprietary body. The result is that the patwaris are under the thumb of those men. I have got personal experience of the village in which I live — Kathgarh, where patwaris very often live in a particular house and they are obliged to those in whose houses they live. Therefore it is essential that an enquiry should be made, though I do not think that any committee is required to go into these facts. These facts are well known and every member should make an effort to remedy these defects.

Chaudhri Allah Dad Khan (Ambala division, South-East, Muhammadan, Rural) : I rise to give my humble support to this motion. The honourable mover of the motion has put forward a large number of grievances, but the main grievance of the patwari is with respect to pay. Remove that and all the other grievances will vanish. If you raise his pay and provide a comfortable living for him then of course all the grievances will fade away. There are three grades of pay of the patwari, viz., Rs. 20, Rs. 23, and Rs. 26 a month. It is not a pay on which a man can decently live. For this reason he has to try and pinch the poor villager and his low pay is a reaction on the poor villagers. They have to supply the wants of the patwari which cannot be met by his pay. That of course gives rise to the much abused *faslana*. What else can he do? He cannot starve, he cannot allow his wife and children to starve, so he has to take to methods which are not very honest. Some patwaris have now given up *faslana* and they are making great efforts to make the two ends meet, and of course they are living very badly. They have to wear dirty clothes because they cannot afford clean clothes. I remember personally the remarks of a Commissioner of Ambala a few years ago when he told me that such and such a naib-tahsildar wore dirty clothes like a patwari (*laughter*). It has become proverbial that a patwari wears dirty clothes. So the main question is the question of pay.

Another thing is that these patwaris are taken from village to village by revenue officers. They wander about like peripatetic philosophers and have to carry on their shoulders papers from village to village. The tahsildar goes on tour. He marks as many mutations as he can, then he goes to another village and takes the patwari with him, for writing orders on them. There he marks some more mutations, which he cannot dispose of. Then he asks the patwari to accompany him to the next village. So the poor patwari has to wander about without any fixed abode. His villagers go to see him with a view to having their mutations done but they look for him in vain for he does not return for several days. I draw the attention of the Revenue Member to this point and request him to see to it that these patwaris are not taken from village to village. I hope my friend from Sheikhpura will endorse my remarks. I do not say that this is always the case but very often this is the case. I would suggest to the Financial Commissioner that he should issue orders that no patwari should be taken out of his circle under any pretence, and if he is taken out of his circle, the matter should be reported to the Deputy Commissioner.

The next point is the question of leave. There should be a real relaxation of rules about their leave. The situation at present is that these poor patwaris are not allowed any leave whatsoever. They have to work on holidays, they have to work on Sundays and they have to work during Christmas. They are not allowed to leave their villages at all. But these patwaris are very smart men. As they cannot be suppressed that way, they take what is called French leave. They should be allowed leave as much as other Government servants are. They should be allowed to go on holidays. Then the public will know what is a working day and what is a holiday, and they will know when to expect the patwari in the village and when not. They will not then have to return home, as they do at present

[Ch. Allah Dad Khan.]

when they go to him to have their mutations entered and do not find him in the village. At present what happens is that if a zamindar not finding the patwari in his village files a complaint that he cannot find the patwari whenever he tries to see him, that complaint is simply filed by the tahsildar. The word 'file' is more abused in connection with these papers than any other, and generally the reaction of this is on the zamindar.

There are, of course, other grievances too. I will now take up the question of pension. It is quite clear that the patwari's pay is not at all sufficient while he is in harness. What will he do when he is out of work? There is no provision for the future, because it is impossible for him to save anything out of his pay. Government allows patwaris to go on working up to the age of 60 or 70, while other Government servants are made to retire at 55 years of age. This is again a mistake. This practice of keeping them in service produces unemployment. I see patwaris in service even at the age of 70. They cannot see but they go on working. Of course, they get the neighbouring patwari to do their work. Why not enforce rules strictly, make them retire earlier and make provision for old age in the shape of pension or provident fund? This will be possible when they are made Government servants. What is the use of making them village servants, an antideluvian practice? This was the practice at the time of the Mughals. The condition of the patwari is very pitiable after his retirement. Had Victor Hugo been alive he could have written a most pathetic novel on the condition of the patwari like *Les Misérables*, after he had retired. He would have written a novel more pathetic and exciting than he had ever written. But, as I have said, Government is not so much to blame as the matter has not been sufficiently brought to their notice in the past. With these words I support the motion.

The Council then adjourned till 2 P. M. on Wednesday, 11th March 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Wednesday, 11th March, 1936.

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

STARRED QUESTIONS AND ANSWERS.

I PROVINCIAL DIVISION, P. W. D., LAHORE.

***5353. Khan Sahib Chaudhri Riasat Ali:** Will the Honourable Minister for Agriculture please state—

- (a) the time for which Rai Sahib Lala Kundan Lal held charge of the I Provincial division, Public Works Department, Lahore;
- (b) the number of road inspectors retrenched during this period;
- (c) the reasons for this retrenchment;
- (d) the persons employed in place of the people turned out of service;
- (e) the reasons for appointing these junior men in place of retrenched senior men?

The Honourable Sardar Sir Jogendra Singh: (a) Rai Sahib Lala Kundan Lal, Executive Engineer, held charge of the Lahore I Provincial division from 20th April, 1933, to 13th August, 1934, and from 15th January, 1935, to 25th September, 1935.

(b) 5.

(c) Reduction in the number of men required owing to increase in length of charge mileage with completion of surface treatment of roads.

(d) None at the time. One new man was employed some months later owing to requirements.

(e) The services of the men selected for being brought under reduction were unsatisfactory.

KABULI MONEY-LENDERS.

***5354. Shrimati Lekhwati Jain:** Will the Honourable Finance Member be pleased to state—

- (a) the number of outside Kabuli money-lenders carrying on their business according to the last census in the various villages and towns of the Punjab;
- (b) the number of decrees obtained by them through various judicial courts within the last two years in various parts of the province for the realization of their debts;

[Sh. Lekhwati Jain.]

- (c) if the resort of outside Kabuli money-lenders to Government judicial courts has been in very few cases throughout the Punjab, what their methods have been in general for the recovery of their amounts as inquired into by the police superintendents and the deputy commissioners?

The Honourable Sir Donald Boyd : (a) The information is not given in the Census Report.

(b) and (c) I regret that I am unable to give the desired information, as the time and labour involved in collecting it would be out of all proportion to its value.

MURDERS OF SIKHS DURING SHAHIDGUNJ AGITATION.

***5355. Sardar Arjan Singh :** Will the Honourable Finance Member kindly state—

- (a) the number and names of Sikhs murdered in connection with Shahidganj affair since 7th July, 1935, with the respective dates;
- (b) the names of persons charged with the murders of Sikhs referred to in part (a);
- (c) whether any proceedings have been taken against the alleged perpetrators of these offences, and if so, with what result?

The Honourable Sir Donald Boyd : (a), (b) and (c). A statement giving the names of Sikhs alleged to have been murdered in connection with the Shahidganj affair and also the other information asked for by the honourable member is laid on the table.

Statement relating to the murders of Sikhs during the Shahidgaj agitation.

Serial No.	Name of the deceased.	Name of the accused.	Date of alleged murder.	Result.	REMARKS.
1	Ganda Singh, son of Sadhu Singh, of village Mulkote, Police Station Parki, District Lahore.	1. Muhammad Rafiq, son of Ghulam, Kashmiri, of Mochi Gate, Lahore. 2. The Gulabias Tor Muhammad, son of Sultan Muhammad, Rajput, Nawabdar, now of Qila Gujjar Singh, Lahore.	8th July, 1935, 10-45 A.M.	1. 10 years' rigorous imprisonment. 2. Acquitted.	Decided on 3rd August, 1935.
2	Harman Singh, Constable, No. 331, Railway Police, Lahore.	1. Muhammad Ishar, son of Muhammad Hussain Gakh- sar of Salamatpura, Police Station Mahawan, District Lahore. 2. Sher Zaman, son of Jaisal Khan, Pathan, of Police Station Dange Gul, Dis- trict Hazara, now of Qila Gujjar Singh, Lahore.	8th July, 1935, 1 P.M.	1. Sentenced to death .. 2. Three years' rigorous im- prisonment, under sec- tion 225, Indian Penal Code.	Decided on 20th August, 1935.
3	Bishan Singh ..	Hassan Muhammad, son of Muhammad Baksh, Tarikan, of Haveli Pathranwali, Lahore.	23rd October, 1935	Sentenced to death ..	Decided on 23rd December, 1935.
4	Kartar Singh ..	Hassan Muhammad, alias Hasea.	1st December, 1935	Ditto.	
5	Bera Jivan Singh ..	Lal Din, alias Lahu, son of Mahtab Ali Musalli, Purana Qila, Rawalpindi.	26th November, 1935	Pending.	
6	Puran Singh ..	..	1st December, 1935	Under investigation.	
7	Tara Singh ..	..	1st December, 1935	Untraced on 8th February, 1936.	

REMISSION IN HOSHIARPUR DISTRICT.

***5356. Sardar Arjan Singh :** Will the Honourable Revenue Member please state—

- the total amount of remission in land revenue in Hoshiarpur district since *kharif* 1932 in each harvest ;
- whether Hoshiarpur district being a *barani* district has suffered most on account of there being practically no rains in 1935 ;
- if so, whether the Government intends to grant a special remission in land revenue in the district ?

The Honourable Nawab Muzaffar Khan : (a) A statement is laid on the table.

(b) Hoshiarpur is a *barani* district but the condition of the crops was good in spite of late rains.

(c) Does not arise.

Remissions of land revenue in the Hoshiarpur district since Kharif 1932.

Harvest.	AMOUNT OF LAND REVENUE REMITTED.	
	Out of the current demand.	Out of suspended revenue.
	Rs.	Rs.
<i>Kharif</i> , 1932 .. .. .	..	17,126
<i>Rabi</i> , 1933	6,539	..
<i>Kharif</i> , 1933	4,144	..
<i>Rabi</i> , 1934	4,579	..
<i>Kharif</i> , 1934	965	..
Total	16,227	17,126

DEBTORS' PROTECTION BILL.

***5357. Sardar Arjan Singh :** Will the Honourable Finance Member be pleased to state the fate of the Debtors' Protection Bill passed by the Punjab Legislative Council in November, 1935 ; at what stage it is and what the Government proposes to do in the matter ?

The Honourable Sir Donald Boyd : I hope to be able to make an announcement during the present session.

RESTORATION OF SHAH CHIRAGH MOSQUE.

***5358. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state whether it is a fact that the Shah Chiragh mosque, which according to Government statement was to be restored to the Muslims early in January, has not been restored yet ; if so, why ?

The Honourable Sir Donald Boyd : The honourable member is referred to the reply given to the short notice question¹ asked by Khan Bahadur Mian Ahmad Yar Khan Daulatana on this subject on the 2nd March.

SUICIDES.

***5359. Chaudhri Afzal Haq:** Will the Honourable Member for Finance be pleased to state—

- (a) the number of persons in the province who committed suicide on account of unemployment or poverty;
- (b) the number of those who attempted to commit suicide on account of unemployment or poverty;
- (c) the number of those who gave notice to Government officers that either they should be given some job or they would commit suicide?

The Honourable Sir Donald Boyd: (a) and (b) The honourable member is asked to refer to the reply given to Council question *4436,¹ asked by Chaudhri Muhammad Abdul Rahman Khan, a copy of which is enclosed.

(c) The information is not readily available and the labour of procuring it would be out of proportion to the result.

COMMITTEE RE SHAHIDGANJ AFFAIR.

***5360. Chaudhri Afzal Haq:** Will the Honourable Member for Finance be pleased to state—

- (a) whether it has been brought to the notice of Government that the All-India Muslim League and the All-India Jamiat-Ulema, Cawnpore, adopted resolutions calling upon the Government to appoint an independent enquiry committee to go into the whole Shahidganj affair;
- (b) whether Government is considering the matter;
- (c) whether the Punjab Government approached the Government of India to appoint an enquiry committee?

The Honourable Sir Donald Boyd: (a) Yes.

(b) No.

(c) No.

DEMOLITION OF SHAHIDGANJ MOSQUE.

***5361. Chaudhri Afzal Haq:** Will the Honourable Member for Finance be pleased to state—

- (a) whether Government is aware that Maulana Syed Habib in a public meeting stated that a police officer told him that he had informed the Government at 4 P.M. on the 7th of July that the Shahidganj mosque would be demolished that night;
- (b) whether the Government made any departmental enquiries as to the truth of the statement;
- (c) the result of the enquiries?

The Honourable Sir Donald Boyd: (a) Yes.

(b) and (c) There is no truth in the statement.

Chaudhri Afzal Haq: Was any enquiry made?

The Honourable Sir Donald Boyd: Yes.

¹Appendix to volume XXVI, pages xlii—xlii.

Chaudhri Afzal Haq : Was it a departmental enquiry ?

The Honourable Sir Donald Boyd : Yes.

Chaudhri Afzal Haq : Will the honourable member please say who was the officer who held the enquiry ?

The Honourable Sir Donald Boyd : I can give no names whatever.

FALL IN WATER LEVEL AND LAND PRODUCE IN HOSHIARPUR DISTRICT.

***5362. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it has been brought to the notice of Government that on account of droughts during the last four years, the land produce has become less and less every year in the Hoshiarpur district ;
- (b) whether it is a fact that the water level in the Hoshiarpur district is going down every year ;
- (c) whether Government gave any help to the zamindars of the districts, and whether Government is proposing to remedy the fall in the water level ?

The Honourable Nawab Muzaffar Khan : (a) A statement showing the rainfall in Hoshiarpur from 1924-25 to 1934-35 is laid on the table. The figures in the statement do not bear out the contention that the last four years were years of drought, nor are Government aware of any marked decrease in the produce of the land during these years.

(b) As compared with the last settlement, the water level has gone down by 8 feet.

(c) The figures of remissions of land revenue granted in the district from 1932-33 to 1934-35 are being collected and will be furnished to the honourable member in reply to Council question No. *53561.

Watbandi is being enforced to remedy the fall in the water level. The results of observations of depths of selected wells in *watbandi* areas show that the scheme is proving useful and the fall in spring level shows signs of being arrested.

Statement showing the total rainfall in Hoshiarpur from 1924-25 to 1934-35.

Year.						Rainfall in inches.
1924-25	..	..	..	..	..	22.94
1925-26	..	..	..	..	..	40.45
1926-27	..	..	..	..	..	30.92
1927-28	..	..	..	..	..	28.08
1928-29	..	..	..	..	..	22.18
1929-30	..	..	..	..	..	29.15
1930-31	..	..	..	..	..	29.78
1931-32	..	..	..	..	..	30.10
1932-33	..	..	..	..	..	39.71
1933-34	..	..	..	..	..	44.64
1934-35	..	..	..	..	..	26.84

NOTE.—The figures are for the year from 1st June to 31st May following.

BUNDS IN VILLAGE NALLOIAN.

***5363. Chaudhri Afzal Hag :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Municipal Committee, Hoshiarpur, erected bunds in village Nalloian ;
- (b) whether the site of the bunds was acquired by the municipality ;
- (c) whether the zamindars of village Nalloian made a representation to the deputy commissioner against the illegal erection of the bunds ;
- (d) what action Government have taken in the matter ?

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

(b) No.

(c) Yes.

(d) The Deputy Commissioner asked the Committee to report why bunds had been constructed on private land without the consent of the owners. The Committee explained that the owners had not objected when a bund was constructed before. The Committee is now taking steps to acquire the land under the bund.

MUNICIPAL COMMITTEE, JAGADHRI.

***5364. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government please state—

- (a) the number of elected and nominated seats, communitywise, in the Municipal Committee, Jagadhri, Ambala district ;
- (b) whether it is a fact that no Muslims (who are in a minority in the district) are nominated to the said committee, while Hindus, (who are in a majority in the district) get their extra share by nomination also ; if so, why ;
- (c) whether it is also a fact that one nominated seat goes to the Christian community, whose numerical strength is simply negligible ;
- (d) the guiding principle underlying nominations to the local bodies, and whether that has been applied in the case of Jagadhri Municipal Committee ;
- (e) whether it is also a fact that previously two Muslims used to be nominated to the said committee ;
- (f) whether the Government have received representations from the Muslims of Jagadhri to this effect ;
- (g) what Government proposes to do in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The Muslim voters have to elect 2 members and the non-Muslims 4. The number of appointed members is 2 but these seats have not been allotted communitywise.

(b) Yes, because on the mean of population and voting strength the Muslims are entitled to no more than two seats out of a total of eight seats.

(c) Yes.

(d) The general principle is that Muslims and non-Muslims should be represented in proportion to the mean of their population and voting strength.

[Hon. Dr. Sir Gokul Chand Narang.]

(e) Two Muslims were appointed in 1916 when the total number of members was 9 and when no Muslim had been elected. Information regarding the period 1916—1923 is not easily available. During the period after 1923 no Muslim has been appointed to the Committee.

(f) None has been traced.

(g) Nothing.

INCREMENT OF MUNICIPAL MEDICAL OFFICER OF HEALTH, RAWALPINDI.

***5365. Khwaja Muhammad Eusoo:** Will the Honourable Minister for Education please state—

(a) whether it is a fact that the increment of the Municipal Medical Officer of Health, Rawalpindi, has been stopped for the last few years;

(b) if so, why?

The Honourable Malik Sir Firoz Khan Noon: (a) The Municipal Medical Officer of Health, Rawalpindi, has informed the Director of Public Health, Punjab, that increments in his pay due since the 19th September, 1930, have not yet been sanctioned by the Municipal Committee.

(b) Further enquiry is being made from the Municipal Committee.

WATERLOGGING IN SHEIKHUPURA AND SIALKOT DISTRICTS.

***5366. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Member for Revenue be pleased to state—

(a) the area of land which is waterlogged (including *sem* and *thur*) in the districts of Sheikhupura and Sialkot;

(b) whether Government is aware that in some cases a very large area of the village lands is waterlogged and the villages are being deserted;

(c) whether Government proposes to compensate the owners of waterlogged areas by giving them other lands in exchange;

(d) what steps Government has taken or proposes to take to help the owners of the waterlogged areas?

The Honourable Nawab Muzaffar Khan: (a) The area of land affected by *sem* and *thur* according to the results of the last *kharif girdawari* in the two districts is as below:

District.	Number of villages surveyed.	CULTIVATED.		UNCULTIVATED.		TOTAL DAMAGED BY		Total of both kinds.
		Damaged by		Damaged by				
		Sem.	Thur.	Sem.	Thur.	Sem.	Thur.	
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1. Sheikhupura.	356	727	13,082	2,412	74,007	3,139	87,089	90,228
2. Sialkot ..	19	25	..	1,073	..	1,098	..	1,098

(b) Government does not know of any village which has been completely deserted on account of waterlogging. In the Sialkot district however some complete villages affected by waterlogging were acquired by Government by an exchange of land which was given to the sufferers of the waterlogged area in the Nili Bar Colony. Thus out of 1,098 acres damaged by *sem* 701 acres have become the property of Government and only 397 acres of *sem*-affected land remain with the people of that district.

In the Sheikhpura district a similar offer of exchange was made by Government to certain villages but as the response towards its acceptance was not found to be encouraging, the scheme was dropped.

(c) and (d) Government do not admit any legal liability to provide compensation to those who have suffered from waterlogging, but they have been anxiously considering the question of providing relief for such sufferers as far as possible and have consequently materially helped the sufferers in several ways. Thus in the Sheikhpura district 692 rectangles of land were granted to the sufferers from waterlogging in the Nili Bar Colony in 1929 and 1930. Besides this 1,148 and 1,624 acres of land are being leased out from year to year to the waterlogged villages on the Lower and Upper Chenab Colonies respectively at a nominal rent of Re. 1 per acre matured in addition to land revenue and cesses. The Irrigation Department is also fast completing the scheme of introducing seepage drains in the district in order to help the owners of the waterlogged area.

In the Sialkot district also Government gave 650 rectangles of land in the Nili Bar Colony by way of relief to the owners of the waterlogged area. Here again the evil is being adequately met by the construction of drains by the Irrigation Department.

Apart from the above, individual cases of hardship are enquired into and relief granted in the form of leases of land on temporary cultivation or by exchange with Government land wherever possible.

NEW SCALE OF SALARIES OF ALL PROVINCIAL SERVICES.

***5367. Sardar Arjan Singh :** Will the Honourable Member for Finance please state whether a new scale of salaries of all the provincial services has been sanctioned by the Government ; if so, whether he will lay it on the table of the Council ?

The Honourable Sir Donald Boyd : Government hope to announce shortly revised scales of pay for new entrants. Final decision has not yet been reached.

SIKHS IN SUBORDINATE EDUCATIONAL SERVICE.

***5368. Sardar Arjan Singh :** Will the Honourable Minister for Education please state—

- (a) the number of posts in the subordinate educational service, Anglo-vernacular section, filled by direct recruitment in 1982, 1983, 1984 and 1985, respectively ;
- (b) the number of posts referred to in (a) which went to the Sikhs ;
- (c) the number of posts out of the share of Sikhs which went to statutory Sikh agriculturists ?

The Honourable Malik Sir Firoz Khan Noon : For information for the years 1932 to 1934 the honourable member is referred to the answer given to Council question No. *4229¹ asked by Rao Bahadur Chaudhri Chhotu Ram during the budget session of the Council held in March, 1935.

Information for the year 1935 is given below :—

- (a) 26.
- (b) 5.
- (c) 2.

GOVERNMENT INTERMEDIATE COLLEGE, HOSHIARPUR.

***5369. Sardar Arjan Singh :** Will the Honourable Minister for Education kindly state—

- (a) since when the question of raising the Hoshiarpur Government Intermediate College to the status of a degree college has been before the Government ;
- (b) whether the University Enquiry Committee have examined the question, if so, whether the Government will lay on the table the text of their report, if any ;
- (c) how many Government intermediate colleges have been raised to the status of a degree college during the last three years ;
- (d) whether Government is prepared to raise the Hoshiarpur Government Intermediate College to a degree college ; if so, when ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (d) The honourable member is referred to the answer to parts (a) and (d) of the starred question No. 3907² asked by him in 1934.

- (b) No.
- (c) Four.

ALIENATION OF LAND, JULLUNDUR DIVISION.

***5370. Sardar Arjan Singh :** Will the Honourable Member for Revenue please state the number of cases in which the deputy commissioners of various districts of the Jullundur division have given sanction for the alienation of lands belonging to the statutory agriculturists to be sold to non-agriculturists during the years 1934 and 1935, and in how many cases the sale was allowed for payment of land revenue dues ?

The Honourable Nawab Muzaffar Khan : —

Kangra ..	..	..	13
Hoshiarpur ..	..	..	24
Jullundur ..	..	..	1,721
Ludbiana ..	..	..	616
Ferozepore ..	..	..	12

No sale was sanctioned for payment of land revenue.

¹Volume XXVI, page 450.

²Volume XXV, page 730.

COPYING DEPARTMENT IN BATALA.

***5371. Chaudhri Asadullah Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether Government is aware of the fact that litigants at Batala feel considerable difficulty in obtaining certified copies of judgments, orders or other documents in English on the files of various courts in Batala, Gurdaspur district, as such copies can be had only from Gurdaspur ;
- (b) whether in view of this Government is considering the establishment of a copying department in Batala ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The matter is under consideration.

FORMS OF SUMMON IN COURTS.

***5372. Chaudhri Asadullah Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether Government is aware that there is a general grievance in the province that the present forms of summons now in vogue in courts are couched in language which is discourteous and unduly offensive inasmuch as the form of address is *tum* ;
- (b) whether Government proposes to change the present form of address into a respectable form of address ?

The Honourable Sir Donald Boyd : (a) and (b) Government are not aware of any general grievance. The present form of address is suitable for an order of the nature of a summons and implies no disrespect for the person to whom it is addressed. Under the existing rules civil courts have discretion to substitute a letter for a summons in the case of persons of distinction.

ACCOUNTS OF MUNICIPAL COMMITTEE, RAHON.

***5373. Chaudhri Asadullah Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that Mr. W. Jackson, Cantonment Magistrate, Jullundur, made an inquiry into the accounts of the Municipal Committee, Rahon, district Jullundur, in the end of November 1935 ;
- (b) the result of the said enquiry?

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

(b) The report made by Mr. Jackson is being considered.

PERMISSION TO OPEN PRINTING PRESSES IN GURDASPUR.

***5374. Chaudhri Asadullah Khan :** Will the Honourable Member for Finance kindly state—

(a) whether it is a fact that the following gentlemen—

- (1) Mr. Azim Ullah of Faiz Ullah Chak, district Gurdaspur ;
- (2) Mr. M. Fazal Hahi of Qadian, district Gurdaspur ;

[Ch. Asadullah Khan.]

(3) Mr. B. Siraj-ud-Din of Qadian, district Gurdaspur ;
and

(4) Chaudhri Din Muhammad of Qaidan, district Gurdaspur,
applied to the Deputy Commissioner, Gurdaspur, on
15th June, 1935, for permission to open printing
presses ;

(b) whether it is a fact that the permission above referred to has
not yet been given to them by the said Deputy Commissioner ;

(c) if the answers to (a) and (b) above be in the affirmative, the reasons
for not giving the permission ?

The Honourable Sir Donald Boyd : (a) Nos. 2, 3 and 4 applied on
15th June and No. 1 on 15th July.

(b) Yes.

(c) Permission has not been withheld. Chaudhri Din Muhammad
was required to furnish security of Rs. 500 and has not yet done so. Messrs.
Azim Ullah, Fazal Ilahi and B. Siraj-ud-Din were asked to appear before
the District Magistrate to put in their declarations and have not yet done so.

PERMISSION TO OPEN PRINTING PRESSES IN GURDASPUR.

***5375. Chaudhri Asadullah Khan :** Will the Honourable Member
for Finance kindly state—

(a) whether it is a fact that the following gentlemen—

(1) Mr. B. Muhammad Bashir of Qadian, district Gurdaspur ;

(2) Mr. Mubarik Beg of Kalanaur, district Gurdaspur ;

(3) Mr. Fiaz Muhammad of Dera Baba Nanak, district Gurdas-
pur, and

(4) Sh. Abdul Rashid of Batala, district Gurdaspur ;

applied to the Deputy Commissioner, Gurdaspur, on 20th June
1935, for permission to open printing presses ;

(b) whether it is a fact that the said permission has not so far been
given ;

(c) if the answers to (a) and (b) above be in the affirmative, the reasons
for withholding permission ?

The Honourable Sir Donald Boyd : (a) Nos. 1, 3 and 4 applied
on 19th June and No. 2 on 20th June, 1935.

(b) Yes.

(c) Permission has not been withheld. Mr. Faiz Mohammad was
required to furnish security of Rs. 500 and has not yet done so. Mr. Mu-
hammad Bashir, Mr. Mubarik Beg and Shaikh Abdur Rashid were asked
to appear before the District Magistrate and put in their declarations and
have not yet done so.

SECURITY FROM THE "PUNJAB", AMRITSAR.

*5376. **Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that S. Gurbax Singh Naurang of Amritsar submitted an application in the court of the District Magistrate, Amritsar, in October 1935, to obtain permission for printing and publishing a purely literary journal, the "Punjab";
- (b) if so, whether he will lay a copy of the application on the table;
- (c) whether the application referred to above has been disposed of by the District Magistrate, Amritsar;
- (d) if so, on which date, and what the District Magistrate's order was;
- (e) the reason for delay in disposing of this application;
- (f) whether the application in question was sent to the Superintendents of Police, Montgomery and Amritsar and the Director of Information Bureau, for report;
- (g) if so, whether those reports were in favour of or against the applicant;
- (h) whether S. Gurbax Singh Naurang, is editing, printing and publishing any other journal in Punjabi from Amritsar;
- (i) whether it is a fact that he has been editing various papers in Punjabi since 1923;
- (j) whether he has given any opportunity to the Government for demanding security for any of his papers;
- (k) if answer to part (j) above be in the negative, why a security for the sum of Rs. 1,000 is demanded by the District Magistrate, Amritsar, from the applicant for a purely literary journal;
- (l) whether Government is prepared to revise the order of the District Magistrate?

The Honourable Sir Donald Boyd : (a) Yes: on the 26th September, 1935.

(b) A copy of the application is laid on the table.

(c) Yes.

(d) Yes on the 20th January, 1936, the District Magistrate, Amritsar, required S. Gurbax Singh Naurang to deposit a security of Rs. 1,000 within 10 days from the date of declaration under section 7(1) of the Indian Press (Emergency Powers) Act, XXIII of 1931.

(e) Preliminary confidential enquiries had to be made by the District Magistrate.

(f) and (g) It is not in the public interest to disclose the information asked for.

(h) and (i) Yes.

(j) Yes; he was required by the District Magistrate, Amritsar, in 1930 to deposit security under the Indian Press Ordinance II of 1930 in respect of his paper the *Fateh*.

(k) Does not arise.

(l) No.

[Hon. Sir Donald Boyd.]

Copy of an application dated nil, by Gurbax Singh Naurang, Editor, Printer, and Publisher of "The Punjabi Punch", Hall Bazar, Amritsar, to the Deputy Commissioner, Amritsar.

The petition prayeth as under—

- (1) That he has been the Editor, Printer and Publisher of many Punjabi journals, for the last 12 years, and he is a Printer and Publisher of the "Punjabi Punch", a humorous paper.
- (2) During these years, there has never been a single occasion on which he might have been convicted, searched, or warred regarding any of his articles, as all his capacities he had been fully aware of his responsibilities.
- (3) Now he intends to start a Punjabi monthly magazine the "Purjab" the object of which shall be the publication of purely literary and social articles.
- (4) The petitioner therefore prays for permission to start the "Punjab".

PIECE-WORKERS, GOVERNMENT PRINTING PRESS, LAHORE.

***5377. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of piece-workers in the Punjab Government Printing Press, Lahore, on the 31st December 1935 ;
- (b) (i) how many of them are temporary, and (ii) how many are permanent ;
- (c) how many of those mentioned in (b) (i) have put in :—
 - (i) from 5 to 10 years service ;
 - (ii) from 10 to 15 years service ;
 - (iii) from 15 to 20 years service ;
 - (iv) from 20 to 25 years service ;
 - (v) from 25 to 30 years service ; and
 - (vi) above 30 years of service ;
- (d) the reasons for keeping them temporary for so long a time ;
- (e) whether it is contemplated to make permanent those temporary piece-workers who have put in more than 10 years' service in the Press ?

The Honourable Nawab Muzaffar Khan : (a) 222.

(b) (i) 117.

(ii) 105.

(c) (i) 48.

(ii) 18.

(iii) 3.

(iv) and (v) Nil.

(vi) 1.

(d) Temporary employees are transferred to permanent establishment as vacancies occur.

(e) This point will be examined.

AUDIT OF ACCOUNTS OF THE GOVERNMENT PRINTING PRESS, LAHORE.

5378. Mr. M. A. Ghani: Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the annual audit of the accounts of the Punjab Government Printing Press, Lahore, used to be done by the special press account auditors from the office of the Controller of Stationery and Printing, Government of India, New Delhi;
- (b) whether it is a fact that the above system has been now discontinued and the audit of the press is done by the auditor attached to the office of the Examiner of Local Fund Accounts, Lahore;
- (c) whether he is aware that an audit of a press account is highly technical and can be efficiently done by those auditors only who have been specially trained in this behalf;
- (d) whether the Local Fund auditors mentioned in (b) have any special qualification for auditing a press account;
- (e) the reasons for entrusting the audit of the press to the examiner mentioned in (b)?

The Honourable Sir Donald Boyd: I regret that the answer to this question is not yet ready.

CONDUCT OF POLICE TOWARDS THE PUBLIC.

***5379. Mr. M. A. Ghani:** Will the Honourable Member for Finance be pleased to state—

- (a) whether he is aware that the Deputy Inspector-General of Police, Bengal, recently issued a circular calling upon the officers and ranks of the police in the Bengal Presidency to be very polite to the public and regard themselves as their humble servants and not as their masters;
- (b) whether any circular similar to the one mentioned in (a) has been issued or is contemplated to be issued to the police in this province?

The Honourable Sir Donald Boyd: (a) No.

(b) Rule 144 (1) of the Punjab Police Rules requires every officer of police to act with courtesy on all occasions. It is not proposed to issue any new instructions.

DEBT CONCILIATION BOARDS.

***5380. Mr. M. A. Ghani:** Will the Honourable Member for Finance be pleased to state—

- (a) the names of the districts in this province in which Debt Conciliation Boards under the Punjab Relief of Indebtedness Act, 1934, have been constituted as on the 31st December, 1935;
- (b) the names of the chairmen and members of each of the boards and the date or dates of their appointment;
- (c) the number of cases referred to each of them and the amount of money involved in them;

[Mr. M. A. Ghani.]

(d) the number of cases settled and the amount of money involved in them;

(e) the reasons for not constituting the boards in the districts other than those mentioned in (a) ?

■ The Honourable Sir Donald Boyd : (a) to (d) A statement is laid on the table.

(e) It is intended to establish a fifth board in the near future, in one of the districts of the Rawalpindi division. The present Boards have been constituted as an experimental measure. When the result of the experiment is known, Government will consider whether Boards should be constituted in other districts also.

Statement.

District.	Names of the Chairman and Members.	Date of appointment.	Cases referred.	Amount involved.			Cases settled.	Amount involved.	
				Rs.	A.	P.		Rs.	
Amritsar ..	<i>Chairman.</i>								
	Rai Sahib Lala Diwan Chand.	11-9-35	583	5,48,546	4	3	135	31,207	
	<i>Members.</i>								
	1. Sardar Hardit Singh.	11-9-35	..	..			..	..
Jhang ..	2. Chaudhri Ghulam Rasul.	11-9-35	..	..			..	..
	<i>Chairman.</i>								
	Khan Bahadur Mian Ghulam Rasul.	14-9-35	1,522	64,57,782	0	5	53	1,57,250	
	<i>Members.</i>								
	1. Rai Bahadur Lala Girdhari Lal.	14-9-35	..	..			..	..
	2. Saiyyid Muhammad Husain Shah.	14-9-35	..	..			..	..
Karnal (Panipat tahsil).	<i>Chairman.</i>								
	Khan Saddiq Ahmad Khan.	21-10-35	738	8,77,120	11	0	123	2,44,284	
	<i>Members.</i>								
	1. Lala Dip Chand	21-10-35	..	..			..	..
	2. Chaudhri Naurang Singh.	21-10-35	..	..			..	..

District.	Names of the Chairman and Members.	Date of appointment.	Cases referred.	Amount involved.	Cases settled.	Amount involved.
	<i>Chairman.</i>			Rs. A. P.		Rs.
Hoshiarpur (Garhahankar tahsil).	Raj Sahib Lala Shiva Shankar.	1-10-35	200	4,06,397 0 0	51	52,960
	<i>Members.</i>					
	1. Subedar Major Manohar Singh.	1-10-35	..	..	..	..
	2. Chaudhri Ghulam Mustafa Khan.	1-10-35	..	..	..	..

ASSOCIATIONS AND UNIONS OF GOVERNMENT SERVANTS RECOGNISED BY GOVERNMENT.

***5381. Mr. M. A. Ghani:** With reference to the answer given to question No. *4730¹ put by me on the 29th October, 1935, will the Honourable Member for Finance be pleased to lay on the table a statement showing—

- the names of the associations or unions of Government servants recognised by the Government in this province;
- the class or classes of the servants represented by the associations or unions;
- the date or dates of the formation of those associations or unions and of their recognition?

Mr. F. H. Puckle (Chief Secretary): The information asked for is laid on the table. No unions of Government servants have been recognised by Government so far.

Statement showing the names, etc., of the associations of Government servants in the Punjab which have been given official recognition.

Serial No.	Name of Association.	Class of Government servants represented by the Association.	Date of recognition of the Association.
1	The Punjab Branch of the Indian Police Association.	Members of the Indian Police..	1922.
2	The Punjab Provincial Police Association.	Members of the Provincial Police	1928.
3	Punjab Educational Service (Class II), (Men's Branch), Association.	Members of the Punjab Educational Service (Class II), (Men's Branch).	1924.

[Mr. F. H. Puckle.]

Serial No.	Name of Association.	Class of Government servants represented by the Association.	Date of recognition of the Association.
4	Punjab Subordinate Educational Service (Men's Branch), Association.	Members of the Subordinate Educational Service (Men's Branch).	1924.
5	Civil Engineers' Association ..	European Engineer Officers of the I. S. E.	Not known; but originally recognised by the Government of India, Department of Industries and Labour.
6	India Recruited Engineers' Association.	India Recruited Engineer Officers of the I. S. E.	
7	All-India Specialists' Association.	Specialist Engineer Officers whose status is equivalent to that of the I. S. E.	
8	Engineering Subordinates' Association.	Overseers in the Punjab, Public Works Department, Buildings and Roads and Irrigation Branches.	1924.
9	The Punjab Service of Engineers' Association, Irrigation Branch, Punjab.	The Punjab Service of Engineers, Irrigation Branch, Punjab.	1935.
10	The Canal Superior Revenue Association.	Deputy Collector, Zilladars and Naib-Zilladars.	1923.
11	The Engineering Subordinates' Association.	Overseers and Upper and Lower Subordinates Residue.	1924.
12	The Punjab Irrigation Munshis' Association.	Munshis	1923
13	The Canal Patwaris' Association	Patwaris and Mirabs ..	1923.
14	The Punjab Irrigation Branch Clerks' Association (Provincial).	Clerks of the Provincial and Circle Scales, Irrigation Branch.	1922.
15	The Punjab Irrigation Branch Draftsmen Association.	Draftsmen Establishment, Irrigation Branch.	1931.
16	The Punjab Canal Signallers' Association.	Signallers Establishment, Irrigation Branch.	1934.
17	The Canal Gauge Readers' Association.	Gauge Readers, Irrigation Branch.	1926.
18	The Punjab Civil Service Association (Judicial Branch).	Members of the Punjab Judicial Service.	1928.
19	The Punjab Civil Service Association (Executive Branch).	Members of the Punjab Civil Service (Executive Branch).	1928.
20	The Punjab Secretariat Association.	Ministerial Government servants employed in the Secretariats of the Government of the Punjab.	1930.

Serial No.	Name of Association.	Class of Government servants represented by the Association.	Date of recognition of the Association.
21	The Punjab Government Clerical Services Association.	All Ministerial Government servants save those employed in the Secretariats of the Government of the Punjab.	1932.
22	The Chauburji Gardens Estate Tenants' Association.	All tenants holding leases in the Chauburji Gardens Estate other than contractors, shopkeepers and staff of the Public Works Department employed on the Estate.	1935.
23	The Provincial Civil Medical Service Association.	Civil Assistant Surgeons ..	Not known.
24	The Punjab Branch of the All-India Medical Licentiates' Association.	Civil Sub-Assistant Surgeons ..	
25	The Punjab Tahsildars' Association.	Tahsildars and Naib-Tahsildars	1929.
26	Punjab Co-operative Inspectors' Association.	Inspectors of Co-operative Societies.	1929.
27	The Punjab Co-operative Service Association.	Officers of the Punjab Co-operative Service.	1929.
28	The Punjab Co-operative Subordinate Offices Clerical Establishment Association.	Clerks serving in the decentralized officers of the Co-operative Department.	1932.
29	All-India Association of Indian Officers of the Indian Agricultural Service.	Indian Officers of the Indian Agricultural Service.	1926.
30	Central Association of European Officers of the Indian Agricultural Service.	European Officers of the Indian Agricultural Service.	1923.
31	Provincial Agricultural Service Association.	Officers of the Provincial Agricultural Service.	1922.
32	Punjab Agricultural Assistants' Association.	Agricultural Assistants employed in the Punjab Agricultural Department.	1922.
33	Punjab Agriculture Mukaddams' Associations.	Mukaddams in the Punjab Agriculture Department.	1923.
34	Indian Veterinary Service Association.	Officers of the Indian Veterinary Service.	1923.
35	Punjab Veterinary Service Association.	Officers of the Punjab Veterinary Service.	1929.
36	Punjab Subordinate Veterinary Service Association.	Members of the Subordinate Veterinary Service.	1925.

MEDICAL PRACTITIONERS WITH GERMAN DEGREES.

***5382. Mr. M. A. Ghani:** With reference to the answer given to the first supplementary question to question No. *4538¹ put on the 21st October, 1935, will the Honourable Minister for Education be now pleased to state—

- (a) the number of medical practitioners with German medical degrees practising in this province;
- (b) their names, and
- (c) the place at which they are practising?

The Honourable Malik Sir Firoz Khan Noon: (a) There are five medical practitioners with German medical degrees practising in this province.

(b) Their names are—

- (1) Dr. Basheshar Lal Kapur, M. D. (Berlin).
- (2) Dr. Mela Ram Sonek, M. D. (Berlin).
- (3) Dr. Mohammad Nawaz Chaudhri, M. D. (Munich).
- (4) Dr. S. Kopeliwitch, M. D. (Berlin).
- (5) Dr. Pleuner.

(c) Excepting Dr. Mela Ram Sonek, who is practising at Baghbanpura, all are practising in Lahore.

SHORT NOTICE QUESTION AND ANSWER.

LOAN TO BAHAWALPUR DURBAR.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Will the Honourable Finance Member kindly state—

- (a) whether his attention has been drawn to the article entitled "Hindus in Bahawalpur" published in the 'Daily Herald' of 28th February, 1936, alleging—

"The Bahawalpur Durbar owes a huge sum to the Punjab and the Hindus, who pay most of the taxes in the Punjab, are being taxed to-day on account of this debt;"

- (b) whether it is a fact that the Punjab Government has advanced any loan to the Bahawalpur Durbar;
- (c) the amount of such debt;
- (d) why this debt has not been shown in the budget estimates for 1936-37;
- (e) whether the Punjab Government is imposing any tax on the Hindu population of the Punjab on account of this debt;
- (f) if the answer to (b) and (c) above be in the negative, what action Government proposes to take to disabuse the public mind of the impression created by the article mentioned in (a) above?

The Honourable Sir Donald Boyd: (a) Yes.

(b) No.

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

(f) The reply to this question should have the desired effect.

DEMANDS FOR GRANTS.

LAND REVENUE—(concluded).

Grievances of Revenue Patwaris.

Mr. President : The Council will now resume discussion on the reduction motion relating to grievances of revenue patwaris.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : I rise to support the cut moved by my honourable friend, Mr. M. A. Ghani. The patwari is called the mother of the Revenue Department, as he does most of the work. But his condition is like the Punjabi saying : *ان مائے دیں مایہ کی* that is, the mother is starving, but the son is wealthy and leading a grand life. The poor patwari has to do a great deal of work, but he is given a very small pay. He is not provided with any *patwarkhana*.

Mr. President : The honourable member is repeating the arguments advanced by other honourable members.

Chaudhri Muhammad Abdul Rahman Khan : The patwari has a good deal of work to do. The Government does not supply him with any *patwarkhana*.

Mr. President : This also has been stated already.

Chaudhri Muhammad Abdul Rahman Khan : He spends the prime of his life in government service, but at the time of retirement government does not give him any pension or gratuity. At that time he cannot do any other work on account of old age. I would, therefore, request that his pay should be increased, and he should be provided with a *patwarkhana*.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*) : This subject was first discussed in 1927 in connection with a motion moved by my honourable friend Pandit Nanak Chand. It was then impressed upon the Government that the pay of the patwari was very meagre and that it should be increased. At that time it was not believed that this matter would again be discussed on the floor of this House. Dealing with this question, two points were made with regard to the patwari. One party called him the blackened slave and the other party which took the cudgels on his behalf said that his condition was pitiable and that his pay should be increased. On behalf of the Government Mr. King, the then Financial Commissioner, stated that the pay of the patwari was not merely Rs. 20 a month. In fact, the allowances which he got together with his pay came to about thirty or thirty-two rupees a month. Whatever the case may be, it is a fact that the patwari has not got a *patwarkhana*. If the Government does not provide him with a *patwarkhana*, there are only two courses open to him. Either he should spend money from his own pocket on hiring one or he should be at the mercy of the people for providing it to him free. If he spends money from his own pocket, he will starve because he can scarcely make both ends meet with his small and scanty pay after paying the rent of the *patwarkhana*. If he gets his *patwarkhana* free from somebody he will naturally have to show him unnecessary favours. Therefore, the Government should at least provide the patwaris with *patwarkhanas*. What is the intention of Government actually in this matter? Does it want that the patwari should spend two or three rupees from his own pocket for

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the hiring of a *patwarkhana* or does it want that the people should provide him with a *patwarkhana* or are we to understand that the zamindars themselves make arrangements for a *patwarkhana*? The attitude of Government in this matter is quite unintelligible. The Government puts forward a lame excuse that the patwari can easily get a *patwarkhana* and that he has not to spend anything for it. I beg to submit that the more he becomes intimate with people and the more he increases his relationship with them, the more he will have to oblige people and show unnecessary favours to them. It has been often observed that where a patwari usually sits and where he keeps his papers and records he becomes very intimate with the owner of that house and then tries to show him all kinds of favours. In every department Government tries to see that its officials do not side with one party or the other, but in the village the patwari is given a free hand and is allowed to make friends with people and show favours to them.

Again, the Government has started the scheme of provident fund for the benefit of the patwaris. It has been approved by the Government of India and even by the Secretary of State. In the evening of his life when the patwari retires from his service he gets his provident fund which he has accumulated by paying one anna every month to Government. But the provident fund which he receives is an amount which he has himself contributed by getting deduction made every month from his pay. But what does the Government offer him? In all other departments, Government can threaten an officer in his old days that if he does not work properly, he will not get his pension or he will forfeit his gratuity. But in the case of the patwari the Government cannot give any threat. In his case the government has no sword with which it can threaten him. So long as the Government does not make any addition to the fund of the patwari it cannot in any way threaten him.

The Honourable Nawab Muzaffar Khan: Government do add to this fund.

Chaudhri Afzal Haq: If that is so, I will withdraw at least one of my objections. I would, therefore, once again urge upon the Government to consider seriously the advisability of providing *patwarkhanas* to the patwaris. There are many villages where there are no *patwarkhanas*. I lend my whole-hearted support to this motion and trust that Government will pay full attention to the question of supplying *patwarkhanas* to the patwaris.

Mr. E. Mayadas (Nominated non-official): One of the grievances of the patwaris I wish to make mention of is that their work is too much. I live in a village, I am a lambardar of a village and for 40 years I have had to deal with patwaris and my impression of them is that they have got far more work than they can easily manage and I think it is time that Government should consider the advisability of increasing the number of patwaris. This will serve two purposes. It will go to lessen their work and it will at the same time provide work for some persons who are unemployed at the present time. In places where there are no *patwarkhanas* it will not be easy to build and maintain them, but perhaps a small house rent would suffice because in villages a building suitable for a patwari can be had on a very

small rent. I would also request the Government to consider the advisability of having another grade for patwaris carrying a little higher pay than the present maximum. I offer these two suggestions in connection with this cut motion.

Mr. A. Latifi (Financial Commissioner, Revenue): Allow me, Sir, in the first place to associate myself with all the good that honourable members have said about the useful public servant whom we are now discussing. It may perhaps be an exaggeration to call him a "peripatetic philosopher," and it may also be going too far to call him a "fostering mother" as some members have done. But at the same time it would be ungracious on my part, as head of the department, to deny that the patwari is one of the most useful of our Government servants. We could not neglect his legitimate interests. I am sure, however, that after the honourable members have heard me they will agree that the patwari's grievances that have been detailed are in greater part imaginary, and to a certain extent very trivial. In fact, I am driven to the conclusion that the honourable mover of this motion has gone for his facts not to the very useful publications which we have been issuing from time to time regarding patwaris and their work, but to the memories of his childhood,—to a time when he must have been playing about his father's house and helping the village goats to destroy the papers which his father painfully prepared. For example, I am sure that what he said about the patwari lacking even a box or an almirah for keeping his records is based on memories of thirty or forty years ago. Because, paragraph 8-62 of the Land Records Manual provides that a tin-cased strong box or almirah shall be supplied to each patwari for his records and the charge in connection with this item will be included in the ordinary patwari contingent bills. No patwari should now, therefore, allow his records to be destroyed by goats or by his little children. Further, much was made of the fact that the patwari is not supplied with furniture at Government expense. I think most honourable members who come from villages will admit that it is really quite unnecessary to supply the patwari with tables on which he should complete his documents or chairs on which he should sit. The patwari like other munshis of his class prefers to sit on the floor, and it is better that things be allowed to remain as they are without burdening the finances of the country with the cost of patwaris' furniture. The question of furniture brings me to a more serious grievance,—that of *patwarkhanas*. And on this matter the honourable gentleman from Hoshiarpur charged on us with the horns of a dilemma. I think his argument is that either the patwari is not entitled to a free house or he is; if he is not then give him nothing; if he is entitled to a free house, why are you giving *patwarkhanas* to some people and not to others? The reply to this is what a practical man would put before the horns of a dilemma, namely the plea of practical considerations. Government are doing what they can. They realise the necessities of the case but really even the necessities of the case are not as serious as the honourable member would make out. Members have admitted that houses can be hired in villages at an extremely small rent—at such a very small rent that it is not difficult for him to find a house for himself. But as a matter of fact the difficulties in connection with finding a house have been taken into consideration in fixing the salary of the patwaris just as they have been taken into consideration in fixing the salaries of other Government

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servants who are not provided with houses. I am prepared to admit that the difficulties of a patwari are great in certain cases and these exceptional cases are already provided for. Paragraph 3·57 (iii) of the Land Records Manual lays down—

“Government has now accepted a policy of adding slowly year by year to the number of patwarkhanas (at the rate of about 20 patwarkhanas each year in each division), preference being given to those cases where it is difficult or expensive for a patwari to get a residence and office in his own circle.”

In pursuance of this policy we have spent Rs. 15,000 in 1930-31. In the following three years because of the agricultural depression and financial stringency, the amounts decreased to Rs. 8,000, Rs. 6,000 and Rs. 4,000. But again in 1934-35 the amount spent was very nearly Rs. 15,000.

Another grievance of rather a minor kind is that the patwari is denied the right enjoyed by many citizens of the Punjab, of “keeping the feasts of all the creeds and keeping the fasts of none.” The grievance is that Hindu patwaris are allowed only the Hindu holidays, Muslims only Muslim holidays; and that Hindu patwaris are not allowed Muslim holidays and Muslim patwaris, Hindu holidays. Government fully recognise the importance of holidays but the same kind of holidays cannot be given to every class of Government servants. For example, the police constable working in the villages cannot have the same sort of holidays as, say, a civil court judge who can be let off on fixed days. But the case of the patwaris is not really as bad as the honourable member thinks. For example, every patwari can have the hola mohalla, he can have the holi and so on. (*An honourable member*: Every day is a holiday for him. He has got no fixed hours). Perhaps it would be an exaggeration to say that. I will say in fairness that the patwari is hard-worked. But on the other hand, he is not as badly treated as regards holidays as the honourable member thinks. The grievance is not really very much.

Other minor grievances were also put forward. One is that the patwari is compelled to live with his family. I do not suppose the honourable member was really serious in thinking that this salutary privilege is a grievance. Surely it is desirable that the patwari should settle down with his family in the village where he has to work. Another grievance is that a patwari is not allowed to be employed near his own home. That, again, is not a real grievance. We have not heard tahsildars or naib-tahsildars complaining that they are not allowed to be employed near their own homes. It is a very reasonable rule laid down by the Financial Commissioners, not with the object of harassing a deserving set of public servants but purely in the public interest, i.e., in order to enable the patwaris to do their work more efficiently and to save them from temptation. The rule which prohibits the employment of a patwari near his home without the sanction of the Commissioner, was made in order to save him from the temptation of taking “French leave,” as the honourable member from Ambala called it. Another grievance—I am adopting the system of climax, going from small ones gradually up to the more serious grievances—is that the patwari is liable to be called to headquarters without being paid travelling allowance. That again, I fancy, is a reminiscence of the honourable member’s childhood days because the rule has long since been changed. Paragraph 3·40 of the Land

Records Manual runs as follows :—

“ Travelling allowance is admissible to patwaris for journeys by rail at the rates prescribed for Government servants of grade XII in rule 2·15 of the Travelling Allowance Rules.

This is with regard to journeys on transfer. Then—

“ For journeys on duty to and from the tahsil or district headquarters they draw travelling allowance for road journeys and halt allowance while detained there at the rates prescribed for Government servants of grade XII in rule 2·15 of the Travelling Allowance Rules, but patwaris whose headquarters are not more than eight miles distant from tahsil or district headquarters will draw daily allowance for the journey there, and not mileage.”

(An honourable member : How much is that allowance ?) It is that prescribed for Government servants of grade XII in rule 2·15 of the Travelling Allowance Rules. I am sorry I do not carry these rules in my head. Anyway the patwaris are given travelling allowance just like the corresponding class of full fledged Government servants. Then there is the grievance that Government does not provide residences for patwaris at their district headquarters. Now Government does provide residences for special reasons, say, for honourable members of this Council, but Government cannot provide residences for every class of Government servants who may be called at headquarters. They have to make their own arrangements. This, I hope the honourable member will admit, is no serious grievance.

Then we come to the question of pensions. We are told that not only have patwaris no pensions but they are not given anything from the public funds towards a provident fund. In the first place, the mere fact that a particular class of Government servant has no pension but only a provident fund is no grievance. It is indeed a very moot question whether a provident fund is not a better thing for a Government servant than a pension. The honourable member who, I am glad to observe, nods approvingly, knows that in the Railway Department, for example, the provident fund is the rule and it is very much appreciated for the reason that a provident fund does not die with the holder as a pension does. So it is no grievance to say that patwaris have a provident fund and not a pension. But honourable members seem to be under a very serious misapprehension as to the nature of the patwaris' provident fund. I will prove this by quoting from the Land Records Manual. There is a set of rules—Rule 12 (Patwaris' Special Provident Fund Rules), of Appendix C to Chapter III of the Land Records Manual runs as follows :—

“ Except in the case referred to in rule 14 every patwari joining the Provident Fund or, in the event of his death, his heirs shall be entitled to receive from Government an amount equal and in addition to that due to him under rule 11.....”

So, the Government pays the same amount as a patwari himself puts into provident fund. This is surely satisfactory !

Now, lastly, I come to the root of the question, that is, the salary of the patwari. Here I am glad to find that the honourable mover is more in agreement with the position of the Government than some of the other speakers, who said that the salary of the patwari was so inadequate that he was driven to under-hand methods for eking it out. We are told that if only we raise the patwari's salary, all would be well. Now, the honourable mover admits that much has been done in the way of improving patwaris' salaries. If he stands by the principle which he suggested, when he was speaking on another motion a few days ago, he will find that the patwari is not really

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badly off. A few days back when he was suggesting that the minimum salaries of Government servants should be fixed at Rs. 80 he suggested that the salaries should not merely include the pay proper but also allowances. He went so far as to ask that even travelling allowance, which is really only meant to cover actual expenses, should be counted. Apart from travelling allowance, a patwari gets various other allowances. He gets a portion of the mutation fees. I wonder whether the honourable member from Ambala, who a short while ago pressed that mutation fees should be reduced by one-half, realised that patwaris get $\frac{3}{5}$ th of these mutation fees. When he was pressing for a reduction in mutation fees, he was really pressing to reduce the emoluments of these deserving public servants whose cause he now professes to champion.

Again, patwaris get the fees for copies and inspection of records, which were discussed only yesterday with such warmth. These fees are fairly considerable, and are not paid ordinarily to other Government servants who give copies of Government records to people. Some members have complained that the poor patwari does not even get a stationery allowance, and has to use his own ink, pen, paper, etc. Well, the patwari's stationery is not very costly. If some portion of his copying fees is devoted towards paper, ink, etc., I do not think there is any hardship.

Then he also gets certain other emoluments by way of rewards and honours. Patwaris work for various departments of Government and even in their own department they are rewarded for their good work. These rewards gather up to a fair amount. The conclusion is that while it is true that the patwari is hard-worked, it is equally true that he is paid not inadequately. The competition for appointments as patwaris shows that the post is a coveted one among the class to whom it appeals.

The Honourable Nawab Muzaffar Khan (Revenue Member): Patwaris, as pointed out by Mr. Latifi, are the most deserving class of public servants and I acknowledge with thanks the appreciative references that have been made regarding their usefulness by some of the members of this house. Apart from their other work I am particularly grateful to the patwaris in the preparation of the electoral rolls for the provincial and the central legislatures. They have thus practically laid the foundation of the reforms because genuineness of the elections depends on the correctness of the electoral rolls. Those who are aware of the condition of the electoral rolls in rural areas, and have had an occasion to compare them with the rolls in the urban areas, know how very correctly that work has been done. They do not only prepare the rolls but also help in the printing of these rolls and later on they perform arduous duties at the time of polling.

Whatever was possible has been done to improve their lot in the past. Their grievance about provident fund has been removed and Government gives an amount equal to that subscribed by a patwari. As regards office accommodation, everything possible has been done. Even during the current year a sum of Rs. 50,000 has been set apart for the purpose. But I hope the House will realise that in the present financial conditions of the province we cannot do much more at the present stage. If at any future date funds permit, we may be able to do something more in this direction and also remove other grievances which happen to be genuine.

Mr. M. A. Ghani (Nominated, non-official): I am grateful to the Honourable Revenue Member for saying that he is very sympathetic towards this class of servants and that he is prepared to do everything possible for them. But I was extremely sorry when I heard the speech of the honourable Financial Commissioner. He referred to my childhood. I think he meant that my knowledge about the grievances of the patwaris was obsolete. In this the honourable Financial Commissioner is extremely mistaken. My knowledge about the grievances of the patwaris dates back from 1919 up to yesterday when I moved this motion. The learned Financial Commissioner said that most of the grievances of the patwaris were imaginary or they were trivial. But he has admitted that at least in the matter of house rent, the grievance is genuine. I am sorry he did not say a word as regards the redress of this grievance. All that he said was that if funds would permit, Government would consider the question of giving them house-rent. I am extremely sorry to hear that. I say, with due apologies to the honourable Financial Commissioner, that he must be talking of the days when he was an Assistant Commissioner when he said that patwaris could get free houses. Those days have gone when people used to give their houses free to patwaris. In those days the condition of the zamindar was very good. But now the zamindars are very hard hit on account of depression. On account of the poverty of the zamindars, they are not in a position to provide free houses to patwaris. (*An honourable member*: Ask the honourable members who come from villages).

The number of honourable members of this House is not more than 100 and even if all these members are prepared to give free quarters to the patwaris, it will not solve the problem. 3 P. M. The patwaris are 18,000 in this province. (*An honourable member*: That shows what the general condition is). The general condition of the zamindars has often been stated in this House by the honourable Leader of my Party and the honourable members who sit on this side.

The Honourable Nawab Muzaffar Khan: I know this much that we take no rent in my village and in three or four other villages. (*An honourable member*: Then the patwari must be paying in some other way).

Mr. M. A. Ghani: Even if we admit that the zamindars do give free quarters to patwaris, that means that the zamindar is demoralising himself and demoralising the patwari by receiving certain favours from him.

Then it was stated by the honourable Financial Commissioner that the house-rent is included in his salary. This was a very strange proposition which was laid down by the Financial Commissioner. No other class of Government servant is treated like this.

Then the honourable Financial Commissioner said that the Government was spending Rs. 15,000 per year on *patwarikhana*s. He stated that the two years in which Rs. 15,000 had been spent were the years 1930-31 and 1934-35 and Rs. 8,000 or so in the years between them. That means that Government has spent, say, about Rs. 50,000 on *patwarikhana*s. Now, a *patwarikhana* might cost at least Rs. 500. It is a matter for arithmetical calculation how many years it would take for the Government to make the *patwarikhana*s for the patwaris. (*An honourable member*: 99 years).

The Honourable Nawab Muzaffar Khan : We provided Rs. 25,000 last year and we have provided Rs. 25,000 this year. That means Rs. 50,000.

Mr. M. A. Ghani : Then it was stated that I was wrong in saying that the patwaris were not paid their travelling allowances when they are called to the headquarters of a tahsil or district. I never said that there was no rule for travelling allowance. My grievance was that travelling allowance was never paid to them. Hundreds and thousands of patwaris have complained to me personally that the travelling allowance bill is taken, but it remains with the qanungo and it is never paid.

Mr. A. Latifi : Will the honourable member give me one or two cases so that I may make enquiries ?

Mr. M. A. Ghani : It was stated that the provident fund of the patwaris was much better than pensions and the Financial Commissioner mentioned the case of railway employees. I shall be quite satisfied if the Financial Commissioner would give the same sort of provident fund to the patwaris as the railway employees get from the Railway Department. The grievance was that the addition by the Government to the provident fund was very inadequate. It is stated that one anna in the rupee is deducted from the salary of the patwari every month and one anna is added by the Government. Just consider the pay of the patwari which is Rs. 20. That means that Rs. 2-8-0 is credited to the patwari as provident fund every month. In one year the amount comes to Rs. 30. (*An honourable member :* Add compound interest to it.) It will come to, say, not more than Rs. 32 even then. After 30 years' service he will get not more than Rs. 600 or 700. That is all. (*An honourable member :* He will get about Rs. 1,500.) No. It is a question for the consideration of Government whether it is fair to pay Rs. 600 or Rs. 1,000 after a service of 20 or 25 years. What can a man do with Rs. 1,000 after he retires ? He cannot invest it in any business, he cannot start any shop, he cannot build a house. The thing is that Government often expresses lip sympathy on the floor of this House but really does not want to do anything for the patwaris and that is a grievance which the patwari has. In view of the fact that the Honourable Revenue Member has promised to look into the grievances of the patwaris (*The Honourable Nawab Muzaffar Khan :* Genuine grievances)—I am prepared to convince you about the genuineness of the grievances, and if the Honourable Member would give me time I am prepared to discuss the whole thing with him in his office and come to a reasonable settlement with him (*The Honourable Nawab Muzaffar Khan :* No question of settlement). In view of this I would not like to press this motion and I would like to withdraw it.

The motion was by leave withdrawn.

— — —
*Fee for preparation of produce statements and five yearly abstracts
of yield.*

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhamadan, Rural) : I beg to move—

That the total grant be reduced by Rs. 14,000.¹

¹To urge that the copying fee for the preparation of produce statements and five yearly abstracts of yield be abolished.

This, I submit is a new tax most ingeniously imposed by the Punjab Government without first obtaining the permission of this House. On page 30 of the Budget we find on the income side of Land Revenue—Miscellaneous an item No. 16 "Copying fee for the preparation of produce statements and 5 yearly abstracts of yield." I have not yet been able to find out what this tax is, how it has been realised in the past year and how Government proposes to realise it in the coming year. The budget estimate for the coming year is Rs. 14,000 and the actual revised estimate in the past year ending 31st March, 1936, is Rs. 8,000. The budget shows that this tax was not realised in the year 1935-36, was not even estimated at the time of the budget and it was not realised at all in the year 1934-35. This is a fresh taxation imposed on the public under a peculiar pretext, the nature of which I have not yet been able to realise. When first the copying fee for the records in possession of patwaris was raised, that was also done in this very way and I object to the validity of this way of taxing the public. For every taxation which the public has to pay the permission of the House must be obtained, and not silently put in the budget. It must come in the form of an enactment and that enactment before it is placed before the House must obtain the previous sanction of the Governor-General in Council. The Government of India Act explicitly prohibits any fresh taxation being imposed on the public without the assent of the Governor-General. I take it that the tax was not imposed before this year. I fail to understand the mentality of Government which is going on imposing taxes after taxes in this way upon the poor public living in this province, 'poor zamindars' as my friends have been pleased to call them. I searched for an explanation of this tax in the explanatory notes given by the Finance Department this year, but I fail to find any explanation as to what its nature is and how Government proposes to realise it. I shall be much obliged if any member of Government will please throw some light on this.

Next, I question the validity of this tax. In the budget speech the Honourable Finance Member was pleased to remark that he had already imposed some taxes this year, such as the fees under Transfer of Property Act and that he had in mind the imposition of some more taxes though he did not make himself clear what more tax he proposed to impose. There is already a Bill before the House for taxing entertainments. This idea of going on taxing people without limit is highly objectionable. With these remarks I commend my motion to the House with the hope that the Government member will make it clear what this tax is.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Rs. 14,000.

Mr. A. Latifi (Financial Commissioner, Revenue): I as well as my colleagues on this side of the House are very grateful indeed to the honourable member for bringing this apparent grievance before the House. I am quite sure that in the light of what I will say he will recognise that his fears are altogether unfounded. As a matter of fact this is not a tax at all. It is neither a tax nor is it anything new. If you will permit me, Sir, I will read out a letter dated 17th July, 1935, which explains the whole position—

"According to the existing practice, produce statements (naksha paidawar) required in connection with the disposal of rent cases and five yearly abstracts of yields prepared in cases relating to temporary alienation of land in satisfaction of a

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decree of a civil court, were not prepared by the same officials in all districts. The rates of fees charged were fixed in some courts by the courts concerned and in others by the tahsildar under whose supervision such statements were prepared. This confusion was due to the fact that no instruction had so far been issued to govern the rates of fees to be charged for the preparation of these statements. Nor was it laid down anywhere who are to prepare them. In view of this Government considered that a uniform procedure should be adopted in all districts and it was in view of making this practice uniform and regularising the proceedings and in fact limiting the fees that could be charged that these instructions are issued."

So far as these documents relate to headquarters courts, they are to be prepared by the naib sadr qanungo of the district and those which relate to the courts of tahsildars and naib-tahsildars and assistant collectors, are to be prepared by the qanungo of the tahsil concerned. Certain rates of fees are now prescribed. Formerly the rates of fees were not prescribed and they depended entirely on the idiosyncracies of the tahsildars or of the courts concerned, who had same discretion in the matter as in regard to appointing commissions. They could fix Rs. 5 or Rs. 500 as the remuneration in any case. We have now fixed a reasonable rate of fees. (*An honourable member* : What are the rates ?) For fields from 1 to 50 it is one rupee altogether and above fifty it is six pies per field. Formerly these fees were not taken by Government. They were taken by the officer who prepared the documents. Government now consider that as these officials are the servants of Government and as they use Government records and work during the hours for which they are paid salaries by Government these fees should be credited to the Government treasury, and half only of what is realized should be given to the officers concerned. I think honourable members will agree that there is nothing unreasonable about these charges and that really we have only regularised a system which already existed. I hope in the light of these remarks the honourable member will be satisfied that the liberties of the people are safe.

Kanwar Mamraj Singh Chohan : In the light of the remarks of the Financial Commissioner, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Cattle tax in Kangra district.

Thakur Pancham Chand (Kangra, non-Muhammadan, Rural) : I move—

That the total grant be reduced by Rs. 12,000.¹

It was in 1916 that the sheep and goats of the zamindars in the Kangra district were taxed with a view to reduce the number. This tax is known as cattle tax and is distinct from the grazing tax or *tirni* paid by the nomadic tribes, that is, the Gadis coming from Chamba and Mandi. These people have been given grazing runs in the district of Kangra by the Government. I have nothing to do with the grazing tax paid by that nomadic tribe. I am concerned only with the cattle tax imposed on sheep and goats of the zamindars of the district of Kangra, why it was imposed and how far it was justified.

¹To urge the abolition of cattle tax in the Kangra district.

It was after 70 years of the annexation of the Punjab that on the reports of the Forest Department it was found that there was denudation, erosion and the destruction of forests and shamlats in the low hills throughout the province and that there was a decrease in the rainfall and that floods were due to this destruction of forests. Whether it was due to excessive grazing or to the cutting of trees indiscriminately, the forests were disappearing and some action must be taken by the Government for the regeneration of the forests in the province. The report also pointed out that the tract where denudation was worse included the Ambala and the Hoshiarpur districts, the Salt Range including the Peshawar division and the districts of Rawalpindi, Jhelum and Bannu. The range is very heterogeneous and varies from the high altitude tracts of Hazara, Murree and Kahuta tahsils of the Rawalpindi district with their heavy rainfall to the low hills of the Jhelum and Bannu districts with a low rainfall. It is in the latter tract that denudation and erosion have done their worst, while the heavy grazing incidents in the upper hills is causing an increasing amount of erosion every year. That was throughout the province. But in 1916 only the district of Kangra was selected for cattle tax. Why? Because the people were poor and submissive and not agitators, like the people of other districts, and also fought hard in the Great War; and so their services must be amply rewarded by the Government. But Government could not afford to displease the people of other districts even though erosion was going on throughout the province and though the cattle tax should, therefore, in fairness have been imposed throughout the province. As you may observe from the reports that erosion is the worst in the Ambala, Hoshiarpur, Rawalpindi and other districts. Yet no action has been taken in respect to these districts.

The question of imposing cattle tax was brought up in 1913 and the Financial Commissioner proposed the levy of this tax under the Land Revenue Act. I will show the House presently how far it was justified under the Land Revenue Act. The amount paid to-day is two annas per goat and nine pies per sheep and is applied to the animals under the shamat forest land instead of being imposed in the forest area. That shows that goats and sheep do not graze in reserve forests but only in shamat forests which belong to the people of the district. I have stated that the imposition of this tax is under the Land Revenue Act. I may draw the attention of honourable members to section 3 (2) of the Land Revenue Act so that the House may judge for itself how far the tax can be imposed under this Act. If the section does not cover this tax, then certainly the inference is that the tax has no sanction behind it. Section 3 reads—

“ In this Act, unless there is something repugnant in the subject or context—

- (1) “ estate ” means any area—
 - (a) for which separate record-of-rights has been made; or
 - (b) which has been separately assessed to land revenue or would have been so assessed if the land revenue had not been released, compounded for or redeemed; or
 - (c) which the Local Government may, by general rule or special order, declare to be an estate;
- (2) “ land-owner ” does not include a tenant or an assignee of land revenue, but does include a person to whom a holding has been transferred, or an estate or holding has been let in farm under this Act for the recovery of an arrear of land revenue or of a sum recoverable as such an arrear, and every other person not hereinbefore in this clause mentioned who is in possession of an estate or any share or portion thereof, or in the enjoyment of any part of the profits of an estate.”

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The tax is said to have been imposed under the provisions of this section.

There are four classes of forests in the Kangra district, namely, reserves, unclassified forests, demarcated protected forests and undemarcated forests. So far as my knowledge goes no grazing is done by zamindars on these forests except the unclassified forests or shamlat forests. Further, the waste land belongs to the people and the trees, whether growing wild or planted by Government belong to the state with the reservation of the rights of use belonging by custom to the landholders, that is to say, the right to cut wood and grass and remove them.

I may point out to honourable members that damage has undoubtedly been done in the district of Kangra by the Government by the heavy felling of trees to increase the income and by the nomadic tribes who come from outside by their excessive grazing of their cattle and to whom these rights have been given by Government. What an irony of fate? For the mistakes committed by others we, the zamindars of Kangra, are made responsible. I shall prove my contention shortly. At page 4 of Mr. Holland's Report on Denudation and Erosion in the Punjab it is said—

"In the Siwalik Hills the destruction of the forests was due in the first instance to the increase of cultivation in the plains below, to the cultivation of the friable hill slopes, to the firewood demand of cantonments such as Hoshiarpur, Jhampur, Budhipind, and Jullundur and to the construction of the Sind-Punjab-Delhi Railway and the Sirhind Canal. Hundreds of acres were sold with the right of digging up the roots of trees, and it is reported that during the construction of the Sirhind Canal between two and three hundred boat-loads of firewood were daily taken across the Sutlej to Rupar."

I will also read a statement made by the Deputy Commissioner before the Punjab Erosion Committee. He says—

"Between 1925-28 the forest people were selling trees to traders, that is only cheehl trees. There is not the slightest doubt that the forest people have been selling trees from this district during the last 7 or 8 years. I do not know if the Forest Department has done anything towards regeneration. In 1926-27 the Forest Department sent an officer to a village with the intention of selling timber from that forest to Kangra Valley Railway or Hydro-Electric Department, but that officer found that cartage was impossible and that sleepers could not be removed. Five or 6 years afterwards another officer was sent. He said that the welfare of the future of the Hydro-Electric scheme depended on the regulation of water in Uhl, which was absolutely necessary to preserve the forest in the catchment area. He said that nobody should be allowed to cut trees, except on payment of Re. 1 as fee, but that Re. 0-14-0 would be refunded if the tree was cut with a saw and not an axe. I went to the spot and protested, and on studying the file found that the Forest Department had actually intended 4 years ago, to cut down the trees and sell sleepers."

All that I point out is this, that in the district of Kangra the Forest Department played a havoc and the poor zamindar is being taxed under the plea that he is destroying the forest. The reason why the zamindars of Kangra keep sheep and goats is for religious and domestic purposes and also for agricultural purposes. It has been admitted by the officials that they do not keep these animals for the sake of trade or for profit. Those from Mandi and Chamba keep them for the sake of trade and derive benefit from them. Again, in that district the holdings are small and the people poor and incidence of land tax is very high and every year they take two crops from the same land in which case manure is a necessity and the manure of sheep and goats is very useful. It is for this reason that they keep these animals. If you

want to deprive the people of their food by the imposition of the tax I have no objection. In face of the report of Mr. Holland, in face of the report of the Deputy Commissioner of Kangra, and in face of the fact that the forests have been cut down by the Government and grazing is done by nomadic tribes, the plea that harm is done by the sheep and goats of the zamindars falls to the ground. Surely with the opening of railways throughout the province and the construction of huge and numerous buildings, the forests have been sold by the Government itself to increase its income. But there is none in the province to question the Government nor to put the blame on the shoulders of the Government. But the whole blame has been ascribed to the zamindars of the district of Kangra. From the very beginning this tax has been most unpopular in the district. In 1927 the Government was kind enough to give an undertaking that the whole question of Kangra cattle tax would be reconsidered after some years and in 1931 an Erosion Committee was appointed and that committee issued some questions so far as that district is concerned. They were as follows :—

"Is the diminution in numbers in the last two or three years due to the cattle tax or to a decrease in the areas of the grazing grounds ?

Is the grazing incidence to-day heavier than it was before the cattle tax was imposed ? If it is not heavier, is it still heavier than the grazing grounds and forests can bear without deterioration ?

If the existing tax is continued, is it likely to result in a further decrease in the number of animals ?

Have the forest and village grazing grounds improved during the last 15 years ?

If no improvement is apparent, what additional or alternative measure do you recommend ?

Is the damage done by the nomadic flocks more destructive than that done by local flocks ?

If the damage by nomadic flocks is more destructive than that of local flocks, do you recommend that the former flocks should be taxed more heavily than the latter ?"

The evidence of the Deputy Commissioner, Kangra, and of jagirdars and zamindars and pleaders was taken and I will read it out in brief. The Deputy Commissioner, Kangra, replied that there has been no appreciable decrease in the areas of grazing grounds which are mainly forests in this district. The decrease is about 80 acres a year due to the grant of Nautors. This decrease is negligible when compared to 830,002 acres of forest lands. He further said—

"So far as the cattle tax is concerned, the incidence to-day is much lighter than in 1916, but it is heavier than what the grazing ground can bear without deterioration.

The number of sheep and goats of zamindars has decreased. It can be presumed that if the cattle tax is continued the number of sheep and goats owned by the zamindars will steadily decrease. The number of sheep and goats owned by Gadis has not decreased."

I am taking only the important sentences. The deputy commissioner further said that no improvement is apparent and suggested that tax on sheep be remitted altogether, the animal being harmless and useful, but tax on the goats of the Gadis and zamindars be increased 100 per cent. The evidence of the jagirdars and zamindars and pleaders was to the effect that the number of grazing grounds and the quality of vegetation has not decreased to any appreciable extent, that Gadis and the Forest Department were responsible for deterioration of the forest, that the Forest Department should stop the selling of valuable trees and also start new plantation and

[Th. Pancham Chand.]

that if unclassified forests are handed over to the civil authorities and the public is taken into confidence there could be great improvement. Similarly the Deputy Commissioner, Kangra, also said—

"If unclassified forests were handed over to the civil department, there could be the possibility of inducing the zamindars to agree to closures. If you have 20 years' closure, so that one portion of the forest is closed for 10 years, its next turn will come after 40 years, and by that time the portion that is open for use will be spoilt. Goats do not eat grass and the scheme of cutting grass by people would not help. Whatever you do I suggest that the interference on the part of Rakha, guard and patwari should be limited, and the system should be made as simple as possible. Forest Department say that goats are doing too much damage, and they should be reduced in number. I consider that they do not supply us with milk, but they supply us meat, and if we could induce the zamindars to eating sheep, the problem will be solved..... The incidence per cultivated square mile is between 900 and 1,000. Very few big owners pay land revenue from the produce of their land. Others pay out of their cottage industry and some pay from their pensions. Most of the land revenue is paid by those people who are employed in Lahore. The incidence on the cultivated soil is very heavy."

Then, the Committee having regard to the evidence came to the following conclusions :—

It appears that the cattle tax cannot be altered until the end of the present settlement.

This was good for the district of Kangra from one point. It was imposed under the Land Revenue Act and till the settlement took place there could be no increase.

"The committee agree that no tax should be levied in the 1,405 tikkas which have no forest land (ban sirkar), or own no forest rights in the forest of any other tikkas and the Committee agree that the tax on village sheep should be everywhere remitted. In the case of Gaddi flocks the Committee do not think it profitable to pursue the question whether the rights are now being exercised by the successors of the original right-holders."

As pointed out in the beginning the Government gave certain rights to these Gadis and now the committee do not think it profitable to go into the question. Most of them have died and it is not known whether their descendants are going to forests to graze their sheep and goats. People may be simply going there and Government does not like this idea. On this point also I will read one paragraph from Mr. Holland's book—

"The Gaddi flocks are at present welcomed for the manure they provide for the fields and the revenue obtained from grazing fees, but as their presence can only lead to the destruction of the vegetation which is wanted for local animals it is a short-sighted policy to admit them. The question of the exclusion of the Gaddis was discussed many years ago, but it was decided to retain them on account of the revenue derived. The question should now be faced whether it is worth while destroying the forests and shamiat, now barely sufficient for local needs, in order to obtain a small revenue which must finally vanish along with the vegetation."

So, it is these Gadis and the Forest Department itself that have played a havoc in the Kangra district. They have destroyed the forest and not the zamindars who always graze their animals on their own lands and do not send them to the forests. I do not know whether these recommendations have been given effect to or not by the Government. If so I am thankful, if not I would request the Government to give effect to them as early as possible. There is only an income of Rs. 12,000 on account of this cattle tax and you must earn the gratitude of the people of the Kangra district and not drive them to agitation. I do not deny, rather I concede that the fer-

tility and prosperity of the province depend on the forests. But what are the ways ? Why impose the cattle tax in the Kangra district and not in other districts ? What are the methods employed by other countries to preserve their forests ? They have not imposed tax like our Government. Look at the United States, France and Germany. They have confidence in the public and I may tell you what they have done. I may also tell you that the British nation unfortunately did not know anything about forests when they came and annexed the Punjab. They cut the forests indiscriminately, and it was only later that they realised the effect of what they were doing. They damaged the forests and the welfare of the people. In France the law clearly recognised reafforestation as obligatory public work. It provided for the reservation of grazing grounds whose degradation was not far enough advanced to justify expropriation ; and the boundaries were established by decree. As I have suggested before the Committee I suggest here also that the enclosed forests should be handed over to the civil department and committees formed and public taken into confidence and there must be propaganda to educate the people that the forests are for the people and the people are for the forests and that if you increase the number of sheep and goats they will destroy the forests and in the long run you will suffer. That kind of education must be given to the people and through the civil department we can save the forests and not by taxing the people of the Kangra district. The number is not going to be reduced by taxing at the rate of 2 annas and 4 annas per head. The Government can well afford to lose this income of Rs. 12,000. I want to point out another thing. Before the annexation of the Punjab, in the Sikh regime it has been admitted by these reports that the condition of the forests was very good and the incidence was higher. The forests are now in a very bad condition, and that is for the reason given by Mr. Holland and not on account of excessive grazing. So far as this district is concerned, I am not convinced that the bad condition is due to excessive grazing. There is no decrease in rainfall so far as Kangra is concerned and for what takes place in the western districts that district has nothing to do. If any district has anything to do with the floods it is Rawalpindi or some other district. If you think that this taxation is essential for the people of the province, I have no objection to it but let it be imposed on the whole province. But if I have been able to convince the Government that in fact the deforestation is due to the heavy felling of trees and flocks of the nomadic tribes there is a strong case made out for Kangra and the tax must be remitted. For these reasons, I move my motion.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Rs. 12,000.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : The proposal which has been put forward by the honourable member representing the Kangra district seems to be a very reasonable one. It is a trifling sum of Rs. 10,000 or Rs. 12,000 a year, and I think the inexpensive mode of obliging the district of Kangra which has been suggested by the honourable member ought to be welcomed by the Government. Any way there should be no difficulty about accommodating the honourable member in this matter.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (Urdu) : I rise to lend my whole-hearted support to this motion.

[Kanwar Mamraj Singh Chohan.]

In other districts also people keep animals and send them to various districts of the province. For instance, the district of Hissar sends excellent bulls to other districts worth lakhs of rupees. The zamindars of that place thus make a great deal of money but no tax is imposed on the bulls of that place and no money is realized from the zamindars. Similarly, from the Montgomery district excellent varieties of cows and bulls go out but no tax is imposed on them. From the Dera Ghazi Khan and Lyallpur districts cattle and horses worth lakhs of rupees go out but no tax is charged on them. In all other districts the zamindars get milk and ghee for consumption. They take these things and enjoy an excellent state of health. But in the Kangra district there are no cows, no buffaloes, and no horses. The zamindars of that place have no milk or ghee to enjoy. Their only food is meat and for that they have to depend on their sheep. The people of the Kangra district are very good and well behaved. They do not kick up any rows and they do not start any agitations. They have not done so in the past. The Government can always depend on them. Their sheep do not give them any milk or ghee. They can only use them for their food. To impose a tax on them is, therefore, to deprive the zamindars of the Kangra district of their food. The amount of the tax is very small and the Government does not get much benefit out of it. The tax which the Government charges in this connection is absolutely unfair, improper, and illegal. With these words, I support this motion and very strongly request the Government to abolish this tax.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): I was waiting to hear if any honourable member of Government would say something in reply to the case which has been made out by the honourable member from Kangra. But as I heard a few voices that the question be put, I thought I must get up and lend my support to this very reasonable demand which has been made by the honourable member from Kangra. From what we have heard this tax has not to any appreciable extent achieved the ostensible object of those who had proposed it in the first instance. This tax has not by itself prevented deforestation. If that is so, I submit that this tax should be abolished forthwith. Apart from the fact that it does not bring much revenue it is most unfair that the poor people of Kangra should be treated in such a differential manner. If, as has been pointed out, this tax is necessary in the interests of preserving our forests, it is equally necessary for Rawalpindi, for Hoshiarpur, for Ambala and it is absolutely unjust that Kangra alone should be selected for this unfair treatment. Again, the incidence of the tax in this case falls, as has been pointed out, upon the poorest section of the people of this province. There has been for some time past a persistent demand for encouraging the subsidiary industries for the benefit of agriculturists, whereby an agriculturist can supplement his income. The keeping of goats and sheep in the district of Kangra is a subsidiary occupation and means of livelihood for the agriculturists and this, I submit, is by no means a desirable form of taxation. Extracts have been read from the official statements that a large portion of the people of Kangra have to depend for payment of land revenue on such subsidiary occupations. And to penalise such subsidiary occupations is highly undesirable and uncalled for. I whole-heartedly support the motion.

Mr. M. L. Darling (Financial Commissioner, Development): I wish from my heart that I could recommend Government to accept this motion and abolish the tax. It is certainly a case in which all one's sympathies go out to the mover. It is true that Kangra is a poor district, that the holdings are small, that the people live very near the margin of subsistence and are dependent to a large extent upon the income they can get from their cattle, their sheep and their goats. And in addition there is always the unpleasantness of having to pay a tax. All the arguments, therefore, would appear to be on the side of the honourable mover, and I am inclined to think that all the arguments are on his side, with, however, one exception. And that exception is the question of the welfare of the district. There is a further exception to which I shall come presently with which the welfare of the district is bound up.

The honourable mover has given the House the main facts of the case and I need only supplement them very briefly. As he truly remarked, the tax goes back to 1915 and was reviewed by Government in 1927 when a committee was appointed as the result of a debate in this House. Following the unanimous report of that committee, it was subsequently decided that the matter should be again reviewed after three years, as the committee felt that they had not sufficient data upon which to form any definite conclusions. In 1932 the Punjab Erosion Committee was appointed and to it were appointed six members of this House. Their report is a vital factor in this case, and contains most of what is to be said in favour of this tax. They quote the report made by Mr. L. B. Holland in 1927 in regard to the district of Kangra:

The low hills of Gurdaspur and Kangra have barely enough fodder to support the local cattle and goats; every tree which these animals will eat, and there are very few they refuse, is lopped to the very top to supplement the scanty grass. Here in addition to local animals, every winter nomad sheep and goats from the high hills are let loose on these districts not merely in thousands but in hundreds of thousands. Last year (i.e., in 1931) over three lakhs of sheep and goats wandered over the Kangra district and between fifty and seventy thousands over the Shahpur Kandi tract in Gurdaspur.

And here they refer to the districts they considered, one of which was Kangra:

In every district denudation of the soil, disappearance of the tree growth, deterioration of the grasses and the subsequent erosion is slow and so insidious that it is to the untrained eye scarcely noticeable.

That is from the report made by Mr. L. B. Holland in 1927 and endorsed by the committee in 1932. The position then, it is clear, is a very serious one for the Kangra district, and it was for that reason and for that reason alone, namely to conserve the resources which are of vital importance to this district, that this tax was imposed. And it is really a question whether it should be called a tax, for the Government derives not one pie of benefit from it. The whole proceeds are paid to the district board for the purpose of improving the general amenities of the district by way of roads, dispensaries, hospitals and so forth. Thus, what the cultivator pays goes back to him in the form of advantages which one hopes that he appreciates.

The question was, I think, asked by one speaker—what effect the tax had. That of course is the crucial question, and it is upon the answer to it that the fate of this tax must ultimately depend. In dealing with large tracts of forests, which necessarily grow slowly, the effects of grazing on them

[Mr. M. L. Darling.]

cannot be seen at once, and so a considerable period of time is needed before the effects of a tax of this kind can be properly judged. And it was for this reason that the committee appointed in 1927 recommended that the position should be reviewed in 1930. I have looked up the figures for goats and sheep, who are the main offenders, for 1935 and have compared them with those for 1930. And I am glad to say that for the district as a whole they show a reduction of 7 per cent., from 611,000 the decrease has been to 566,000. The reduction is 7 per cent., in both cases. That is not perhaps as big a reduction as one could have hoped but it is something to have reduced the number of sheep and goats which were rapidly increasing before by even seven per cent. The Punjab Erosion Committee made certain recommendations in regard to the Kangra district. Of these the Honourable Member for Revenue will inform the House. But now I should like the House, before deciding whether to support the motion, to consider a further aspect of this question, that it is not only the welfare of Kangra that is at stake, but in a sense it is hardly an exaggeration to say that the welfare of the whole province is at stake. It does not require a great stretch of imagination to realise that if the hills that look down upon the plains of the Punjab were absolutely bare, the Punjab would be a totally different place to live in. That is what we are threatened with if nothing is done to check the processes that are at work at present. I do not say that any of us will live to see that awful day, but the time will surely come, so far as we can judge from the reports on the subject, when the hills of this province may be reduced to comparative barrenness if no check is put upon the denudation of their forests and of the erosion that is going on at the present moment. One honourable member, I think, stated, unless I misunderstood him, that in other countries measures of this kind were not being taken. I will again quote from Mr. Holland's report to show what effect failure to take measures may have. In his report he states :

The destruction of forests in Spain has in spite of the richness of the soil retarded and prevented its development as an agricultural and consequently civilized country. The Tyrol lost in one century a third of its cultivated land by the destruction of forests; sterile pastures were created in the countries of Osnabruck and West Holstein by the destruction of forests made over to the free management of village communities—

the very position we have in Kangra—

Forests together with cultivation are still lost year by year in the south of Russia and Hungary and the devastation of forests in the Bavarian highlands ruined first vinegrowing, the agriculture and finally grazing itself.

These are ominous words for us in the Punjab who depend as I say to a very large extent upon the condition of our hills. The Erosion Committee even raised the question whether our whole water supply may not be affected in time if nothing is done to check the devastation that is going on now, not simply in the single district of Kangra but in at least ten other districts of the province. To quote their report again :

The committee agree that the destruction of the vegetation in the low hills threatens to increase the volume of the floods during the rains.

If it goes beyond a certain point we would be putting our whole canal system in jeopardy. Mr. Holland, in his report, I quote from memory, mentions the case of a French Forest Officer, who visited the Punjab and who, after seeing the damage that was being done by the denudation of

the forests exclaimed, " if this were France, we should not be talking but we shall be acting." In my opinion --this is only my personal opinion-- the time has come to do something. And when the case reached me the other day I took immediate steps to get into touch with the Chief Conservator of Forests and we were very soon in agreement that the case should be referred to the Government and their attention drawn to the seriousness of the matter. And I think I can assure the House that the matter is now receiving the most serious attention of Government not in respect of Kangra only but in respect of other districts too which are suffering, and in respect of the general welfare of the province.

In view of this perhaps the honourable mover may consider it fit to withdraw the motion because, if this matter is receiving the consideration of Government in terms of the whole province, it would surely be premature to abolish a tax which is part of the very slender defences which Government have until now been able to erect against this ever-increasing evil. (*Cheers*).

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I rise to lend my support to this motion, because I have

4 P. M. spent off and on about 6 years in the Kangra district—first in connection with the earthquake relief in 1905, then during settlement operation and twice as the Deputy Commissioner of Kangra. Last time, that I was deputy commissioner, was in 1924. I very well recollect that during these years—from 1905 to 1924, about 20 years ago—there has not been much difference on account of denudation of forests. Conditions are practically the same as they were in 1905. The honourable Financial Commissioner has stated that the whole question is under consideration of the Government and that it would be premature to take action in the case of Kangra. The circumstances in Kangra are different from other places—plain or mountainous.

In the first place people are very poor and sheep and goats form part of their subsistence. They take their meat and also they use their wool for blankets. Sheep is not a damaging animal. It does no damage to any trees. It is only the goat which does any appreciable damage to the trees. I think the Chief Conservator of Forests will admit that sheep does not do any damage to trees at all.

Then there are three kinds of forests. One reserved forests into which no cattle or sheep can go. Then there are unreserved forests which are used to be under the control of the deputy commissioner and the third is practically shamilat ground. Now this tax is imposed upon the sheep and goats of the people. I say they do not even cross the reserved and unreserved forests. The chief damage is done by the sheep and goats of Gadis and Gadis cannot be prevented on account of immemorial custom. People welcome them because they bring with them their sheep and goats which bring with them manure which is very much appreciated and prized by the people. Therefore they give shelter not only to their goats and sheep but also provide the Gadis with food. Moreover the amount raised by Government only amounts to a pin-prick. It does not bring any substantial amount of money to the coffers of the Government. The imposition of this tax will not prevent denudation of forests and, as I have said, sheep and goats of the people do not do any appreciable damage to the forests. It is not

[K. B. Malik Zaman Mehdi Khan.]

worthwhile to create any sort of agitation among people, because from what I saw during the settlement operations, there was an amount of agitation among the people on account of the imposition of this very unwelcome tax. There were two reasons for it. One was the separation of *chil* trees which belonged to the Government and to the people. Second was the imposition of this tax on sheep and goats there. It was in 1915 when I was there when this tax was imposed for the first time. I think Government can accommodate the people without any prejudice to their own interest by the abolition of this tax. I, therefore, support it.

The Honourable Nawab Muzaffar Khan (Revenue Member): Talking of the people of Kangra, I myself am half-Kangrite. I have been going to Kangra since my childhood in the Palampur tahsil and go there very frequently now. This motion has, therefore, my deepest sympathy.

The sole object of the tax is to prevent the destruction and denudation of the forests. It is not a source of profit at all. Money that has been earned on this account has been handed over to the district board to be spent on schools, roads and hospitals. The House will remember that a committee sat in 1931 consisting of six non-official members of this House in order to consider this question as well as other questions which related to other districts. The names of those members are Rai Bahadur Lala Mohan Lal, who belonged to that district, Khan Bahadur Sardar Habib Ullah, Mr. Nanak Chand Pandit, Khan Bahadur Nawab Chaudhri Fazl Ali, Sardar Sampuran Singh and Chaudhri Muhammad Yasin Khan. All these members considered the pros and cons of the whole problem and made the following recommendations:—

Firstly that the cattle tax cannot be altered until the end of the present settlement.

No action was called for on this recommendation. The term of the present settlement expires in different tahsils on different dates between the years 1942 and 1948.

Secondly that the committee agree that no tax should be levied in the 1,405 *tikkas* which have no forest land (*ban sikkar*), or own no forest rights in the forests of any other *tikkas*.

Government has remitted cattle tax in 1,780 *tikkas* instead of 1,405 *tikkas*.

Thirdly that the committee agree that the tax on village sheep should be everywhere remitted.

To this the Government could not agree.

Fourthly that in the case of *Gaddi* flocks the committee do not think it profitable to pursue the question whether the rights are now being exercised by the successors of the original right-holders.

No action was called for on this.

Fifthly that the tax on the *Gaddi* goats should be raised 100 per cent. by a sliding scale.

On this Government agreed to enhance the tax by 50 per cent. only by a sliding scale.

Sixthly that the tax on *Gaddi* sheep should be remitted.

Government did not agree to this.

Seventhly that no animal below the age of three months should be taxed.

Government accepted this recommendation.

Eightly that the money collected on account of *Simi* dues in the Kangra district by the civil authorities should be placed at the disposal of the district board to be spent on veterinary and other improvements.

This, as I have already pointed out, has been done. In view of the fact that majority of these recommendations have been accepted by Government, I hope the honourable member will not press his motion to a division.

Mr. President : Question is—

That the total grant be reduced by Rs. 12,000.

The Council divided : Ayes 25, Noes 30.

AYES.

Afzal Haq, Chaudhri.	Muhammad Hayat Qureshi, Khan Bahadur Nawab.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Mukand Lal Puri, Rai Bahadur Mr.
Allah Dad Khan, Chaudhri.	Narendra Nath, Diwan Bahadur Raja.
Bhagat Ram, Lala.	Nathwa Singh, Chaudhri.
Buta Singh, Sardar Bahadur Sardar.	Nihal Chand Aggarwal, Lala.
Chhotu Ram, Rao Bahadur Chaudhri.	Nurullah, Mian.
Faqir Husain Khan, Chaudhri.	Pancham Chand, Thakur.
Habib Ullah, Khan Bahadur Sardar.	Pandit, Mr. Nanak Chand.
Jawahar Singh Dhillon, Sardar.	Ramji Das, Lala.
Jyoti Prasad, Lala.	Ram Sarup, Chaudhri.
Labh Singh, Mr.	Sewak Ram, Rai Bahadur Lala.
Mamraj Singh Chohan, Kanwar.	Zaman Mehdi Khan, Khan Bahadur Malik.
Muhammad Abdul Rahman Khan, Chaudhri.	

NOES.

Askwith, Mr. A. V.	Mohindar Singh, Sardar.
Bahadur Khan, Sardar.	Mubarak Ali Shah, Sayad.
Boyd, The Honourable Sir Donald.	Muhammad Eusooif, Khwaja.
Bradford, Mr. W. G.	Muhammad Hasan, Khan Sahib.
Darling, Mr. M. L.	Makhdum Shaikh.
Fazl Ilahi, Khan Sahib Shaikh.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Firoz Khan Noon, The Honourable Malik Sir.	Muzaffar Khan, Khan Bahadur Captain Malik.
Gokul Chand Narang, The Honourable Dr. Sir.	Muzaffar Khan, The Honourable Nawab.
Grindal, Mr. A. D.	Parkinson, Mr. J. E.
Gurbachan Singh, Sardar Sahib Sardar.	Puckle, Mr. F. H.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Rahman, Khan Bahadur Dr. K. A.
Jogendra Singh, The Honourable Sardar Sir.	Ram Chandra., Mr.
Latifi, Mr. A.	Salisbury, Mr. C. V.
Malak, Mr. Muhammad Din.	Shah Nawaz Khan, Nawab Khan.
Mayadas, Mr. E.	Sheo Narain Singh, Sardar Bahadur Sardar.
	Tate, Mr. T. B.

Reduction of land revenue for rabi 1936.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : I beg to move :—

That the total grant be reduced by Rs. 1.¹

I have moved this cut to urge a reasonable reduction in the land revenue for rabi 1936. Only in those tracts where the crops have not grown as normally as they are expected to grow, concessions may be given to the zamindars in the land revenue for rabi 1936. Many a time in this House motions have been brought forward demanding reductions sometimes to the extent of one-half, sometimes to the extent of one-third and sometimes to the extent of two-thirds. I have left it to the discretion of the Government to grant any measure of reduction according to the needs of an effected area. Forecast report for this year shows that in some districts crops have been damaged by the excessive cold and in some by the late sowing. Although at present some rain has fallen in almost all districts hailstones have also fallen along with it. Consequently we cannot expect much good from this rain. As such it is necessary that some concessions should be given to the zamindars in the land revenue. This year Jhelum has been flooded to a very great extent. All the crops in the low lands in the near vicinity of the river have been swept away by the flood. Only crops on land which was higher in level have escaped from the river water and that also to the extent that they have not been absolutely washed away but have remained standing. The yield from such crops will be below expectation. I draw the pointed attention of the Government to this area where the Jhelum flood has damaged the crops.

According to the general rule in those areas where the assessment of land revenue is fluctuating remissions are granted but where it is fixed no remissions are given. In the latter case remissions are granted only as a matter of urgency.

The next thing to which I want to draw the attention is the prevailing low prices. At present wheat sells in markets at Rs. 2-3-0 per maund while in the villages it does not fetch more than Rs. 2. By the time the rabi crop becomes ready for harvesting its price will have become even less than this. The zamindars find it difficult to pay their land revenue for rabi but for the kharif crops like sugarcane, grams and toria zamindars do not feel so much difficulty in paying the Government demands, for they can sell these crops and afterwards make the payment. Zamindar keeps the grain which grows in rabi for his private consumption, and only sells it when there is a surplus. In addition Kungi has also appeared in some areas. In view of all that I have submitted I cannot say to what extent Government will have to give remissions but I urge that according to the need of the different areas land revenue for rabi may be reduced reasonably.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Rs. 1.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : If rains had not fallen this time the rabi crops would have been damaged a great deal but on account of the fact that rains fell late we can generally say that the crop is not good enough. In the districts

¹To urge reasonable reduction in the land revenue for rabi 1936.

of Jullundur, Ludhiana and Hoshiarpur, in all the barani areas on account of late rainfall the crops have been dried up. It is also quite possible that on account of the present rainfall the zamindars might get back the cultivation cost, otherwise there was no hope of even getting back the cultivation cost. On account of the scarcity of rain the previous rabi was also not so good as normally it used to be. The yield was very small. At that time questions were asked in the Council and the Government also admitted the fact that the yield was not so good. But the Government did not give any concessions in land revenue. The present rabi is also bad because the recent hailstones have damaged it. There is also a fear that if crops grow abundantly Kungi will appear and destroy it.

The girdawari will take place shortly and it is feared that no real estimate of the produce could be made. It would be better if the girdawari is postponed for some time in order that some estimate about the real produce could be made. Some years ago, I had shown wheat to the honourable members at Simla during a Council session. That was the wheat which had been affected by Kungi. Such wheat has little starch in it. If Kungi appeared again it would damage the crops a good deal. In addition to this people have started speculation and the price of wheat per maund is about Rs. 1-12-0 or Rs. 2. If the wheat were to be imported from some other provinces naturally the price will still go down. As such it is very necessary that remissions should be granted to the zamindars during this rabi. Zamindars are very hardworking but they are not given any help or encouragement. The price of wheat is Rs. 1-8-0 and the land revenue is fixed beforehand. This will also cause a good deal of damage to the zamindars' condition. On account of the previous bad harvest at present fodder is imported from outside the province. This shows the actual state of affairs. I request the Government that they should reduce the land revenue in proportion to the reduction in the prices of different commodities.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): I rise to lend my support to the motion under consideration. There is no doubt that the circumstances which have necessitated the present demand of the zamindars were not under the control of either the zamindars or the Government. There was very little water in the rivers and, therefore, sufficient water was not available in the canals at the time of sowing the crops. A little amount of water which was available at the time of sowing the crops dwindled away after some time. And the result was that at least in the Ferozepore district 20 rather 50 per cent. of the land is *kore*. Where there are some crops standing the zamindars do not expect much yield from them. It is estimated that the yield per acre will be hardly more than one maund. Under these circumstances the zamindar will not get any benefit of his labour, nay even his seed will not be returned to him. I do not mean to say that the Government is to blame for this state of affairs. But I want to impress upon them that the zamindar will not be able to pay land revenue and abiana under the present circumstances. This is the condition of those areas which received one watering from canals. We know that the rules of the canal department do not allow for much concession. Therefore we request the Government to represent our case to the department. It is at the instance of the Government that the canal department can be made to yield to the demands of the zamindars.

[Pir Akbar Ali.]

So far as the barani areas are concerned, they have had no rains. They had a little rain when all the crops had withered away on account of the draught, therefore, it was of no use. No doubt recently some rain fell but it was accompanied by a severe hailstorm. The hailstones ruined the crops entirely within one mile of the area under their influence. Therefore the small good which was expected from these belated rains was frustrated by the severe hailstorm. In the district of Ferozepore the area beyond Jalalabad was entirely under the influence of the hailstorm and sustained great loss. So, I would request the Government to come to the aid of the zamindars by giving them the concession asked for by this motion. Concession in abiana should be given in canal irrigated areas because it is a well known fact that a crop should get at least three waterings in order to give the canal department a right to levy abiana and in this case many crops have not received even a single watering. In barani areas a concession in land revenue should be given. With these words, I lend my whole-hearted support to the motion now before the House.

Sayad Mubarak Ali Shah (Jhang, Muhammadan, Rural) (Urdu) : I come from Jhang, a district situated next to Shahpur and Lyallpur ; so being in the neighbourhood of these two districts it has also suffered the same fate. I should say that it has suffered rather more in one respect which I shall explain later on. The history of the present rabi crop is a very shocking one. In the beginning nature was too miserly to provide sufficient water in the Jhelum and the Chenab rivers to supply adequate amount of water to the canals which take their origin from these two rivers. I mean the Lower Jhelum and Lower Chenab canals. We the Jhang people take water for our lands from these two systems of canals. Even that insufficient supply of water came later and the cultivator could not put in as much labour in preparing the lands for the rabi. As soon as the sowing of the present rabi crop was over the canal authorities put in a programme of long and consecutive closures which work to the great disadvantage of the young crops ; so much so, that when I came to Lahore to attend the Council Session on 18th I saw many crop fields on my way which had not got the first watering. So this honourable House can well imagine the condition of the crops.

Then all at once the forces of nature woke up, and at first it seemed that the rains would make good the loss suffered by the Jhang crops and the zamindars were rather jubilant over it ; but they did not know that even this "*Rehmat*" as they call the rain, was to be accompanied by "*Zehmat*". And during these rains came the hailstorm generally all over the Haqa which I am speaking of. The result of this has been most unfortunate for the poor zamindars and most of the crop has been greatly damaged by this calamity. This is a very long tale of suffering of the poor zamindars, and they have hardly pulled themselves up in order to complain of these troubles to the officials concerned ; the cold wave and chill visited the crops and that also destroyed the crops which had remained after all these visitations of calamities.

So far I have been relating the sorrows and troubles of the zamindars of the Haqas which are irrigated by the canals. Now I turn to the tracts which are always at the mercy of the two great rivers, i. e. the Jhelum and

the Chenab. As the honourable House is aware these two rivers flow through the length of Jhang district and meet within this district and flow together in the Shorkot tahsil. As I have said before at first there was not much water in these rivers and the "Sailab" was very small. So the zamindars could sow these crops—wheat and grain—under very adverse circumstances; and the result was that most of the seeds did not germinate. But whatever crop came out of the hard and dried soil was not satisfactory. The zamindars prayed for rain, and when it came, it came in such abundance that the rivers were as much flooded as they do in *Sawan* and *Harh*, the usual rainy season. The result was that nearly almost all the crop in the *Kachas* and the low-lands on either banks of these two great rivers have been destroyed and it is the moral duty of the Government to give a generous remission on these crops to keep the poor zamindars living.

There was a general complaint in my *Ilaqa* that the officials concerned did not visit the destroyed crop in time and they came later, when it was very difficult for them to form an opinion about it, and report to the Government for remission. Therefore through you, Sir, I request the Honourable Member for Revenue—the Nawab Sahib who I am proud to say has got great regard for the Jhang district—to issue orders to the canal officials and the revenue officials to inspect the damaged crop very soon.

I again request the Government to be kind to us the poor and loyal subjects and help us in our suffering in giving us generous remission in the Government dues in the present rabi crop. With this I strongly support the motion and resume my seat.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammdan, Rural): It seems that every part of the province has suffered in varying degrees in the produce of kharif and the fear is that the rabi will be equally disappointing. I unfortunately come from a part of the province where the land settlement proceeds on the basis of fixed land revenue. There are tracts where land revenue is on a fluctuating basis and there it becomes easier for the Government to grant such relief as is called for by the circumstances of a particular harvest or a particular year. But in those of the parts province where settlement is based on fixed revenue, rules of land revenue are not sufficiently elastic to allow for relief in circumstances which would justify relief being given in portions which are under a fluctuating system of land revenue. I have positive knowledge about Rohtak and Hissar. Rohtak has suffered very badly indeed and Hissar has suffered worse. Kharif failed and in some portions of these districts it failed to such an extent that even the supply of fodder was not sufficient for six months. I have seen with my own eyes people cutting tender branches of trees in order to feed their cattle. Kharif having failed it becomes doubly difficult for the zamindars of these parts to view with equanimity what is coming on in respect of the next rabi. In some parts of the Rohtak district rabi sowing is on an extensive scale. Where the kharif failed we had rain in the end of September and beginning of October and therefore very large areas were placed under rabi. Unfortunately winter rains again failed and, therefore, people who had spent a good deal on seed do not expect a return which would compensate them even for the money they spent on the purchase of seed. So far as irrigated portions are concerned, they are generally speaking below the average. In certain parts they are quite up to the mark but gene-

[R. B. Chhotu Ram.]

rally speaking they are below the average because water supply is not adequate in the canals. So far as winter rains are concerned, we did not get them in time and the rainfall which has occurred in so many parts of the province towards the end of winter has not come to Rohtak or Hissar. Therefore these two districts are in a very unfortunate condition. Gurgaon, I understand, is not so bad. (*The Honourable Nawab Muzaffar Khan*: Have you not had these recent rains?) No, except a drizzle here and there which will not do any good to the crops. Therefore I submit that the south-eastern districts are more or less in the same condition as the districts in the Multan or Rawalpindi divisions and as the whole tract in the south-eastern portion of the Punjab is under fixed settlement of land revenue, the rules regulating relief should be either relaxed, or it should be treated as a case of emergency. Unless the rules which regulate relief under emergent circumstances are made applicable to these tracts, they will not have the relief which seems to be necessary under the existing agricultural conditions. I, therefore, lend my support to the motion which has been made by my friend on my left.

Chaudhri Afzal Haq (*Hoshiarpur-cum-Ludhiana, Muhammadan, Rural*) (*Urdu*): I am sorry that I have to oppose this cut motion. The reason is obvious. When honourable members of this House demand a reduction in the land revenue for kharif one can very well draw this conclusion that they admit that for rabi of this year or for other crops we stand in need of no remissions. Therefore, it is on a matter of principle that I oppose this motion. The question is whether it is a fact that if the zamindar gets some remission in the land revenue demand for rabi, as is proposed in the cut motion, he will be able to pay his dues for kharif. My point is that as a matter of fact there is no crop for which the zamindar is able to pay his dues to the Government. This is a great mistake which we commit; we ask for petty concessions here and there. In this way the attention of the members is diverted from the need of permanent and effective relief to the zamindars. The question is, if the Government agrees to remit a portion of the land revenue out of the rabi demand, will it permanently solve our difficulty? Our concern as representatives of the people should be to see that something is done to give them permanent relief. We should face the real issue and put it before the Government. Personally I think that asking for remission for this crop now and for another crop thereafter only weakens our case.

When I sit among my relatives and see their sad plight I begin to wonder if it is possible for a true representative of the people to come to this Council and to co-operate with a Government which is bent upon levying so high a rate of land revenue. Apart from political issues there are very vital economic issues which deserve our consideration. There are many districts which produce corn in excess of their requirements. But there are some where the production is not in proportion to the population. Districts of Hoshiarpur and Sialkot come under this category. The common view in the province is this that our production outweighs the population. But I want to point out that there are many districts where the production is not sufficient to meet the requirements of the population. Moreover, the circumstances now prevailing are such that even if production had been in

proportion to the population it would have been impossible for the people to make their both ends meet. The Government should look into the matter carefully. I want to tell them once for all that it is on account of the political pressure put by them that the zamindars are made to pay the Government demands. Otherwise they are not in a position to pay. Apart from their incapacity to pay land revenue they have no capacity left even to keep their body and soul together.

Once an official of the rural uplift department went to a village in the Hoshiarpur district and asked the zamindars to cut down their expenditure. An old zamindar gave him a very suitable reply. He said that the zamindars have so much curtailed their expenditure that they have now only a loin cloth left to cover their bodies. What more reduction can they make in their expenditure? This is not a solitary example. If a Government official or an unofficial member will go to a village he will find that 50 per cent. of the villagers are unable to cover their bodies. If 50 per cent. is an exaggeration, at least 25 per cent. are unable to cover their bodies. Under these circumstances the Government wants that the people should go on paying the land revenue and they should not make any hue and cry. The people of my district called me and asked me to impress upon the Government that the economic condition of the zamindars has become so miserable that they are unable to pay any land revenue now. It is very easy to make these remarks on the floor of this House, but to say these things in public is both difficult and dangerous. My own condition is not better than that of the zamindars, but I, however, am pulling on and making my ends meet. I have said that 25 per cent. of villagers are unable to cover their bodies. There is no exaggeration in this statement. In fact, I can easily and confidently say that the number of such people is much larger. The demand of the zamindar members, therefore, is quite fair and legitimate that the land revenue of the kharif crop should be reduced. They are making this request only in respect of one crop and that too very respectfully and meekly that if the Government thinks fit it should reduce the land revenue. Now the elections are drawing near. Previously, it was very easy to secure votes. A member could say that he has done this and he has done that and therefore people should give him votes, but now the day of reckoning has come. We are faced with the Doomsday. A man who is fluent, sweet tongued, and eloquent can easily win the confidence of the people and get votes from them. The Doomsday is for those who have to run the future Government. What is the state of affairs now? The zamindar is like a patient now. The Government started an institution — the Co-operative Department — to help him. But when a patient has lost all blood and is completely emaciated, no amount of medicine will benefit him. The Government started co-operative societies but the condition of the zamindars is so bad that no help can be of any use to them. If we carefully consider the situation, we will come to realize the economic condition of the zamindars. Under such circumstances it is useless to put forward such motions and resolutions. The Government itself should feel for the zamindars and sympathize with them in their miserable plight. Any man who possesses even a spark of conscience can go to a village and see the conditions prevailing there. He will come to believe that even in econo-

[Ch. Afzal Haq.]

mic matters it is not possible to see eye to eye with the Government and give it any co-operation, not to speak of political matters which relate to the liberty of this country. How can those people pay any land revenue who are unable to get even their meals? With regard to the Hoshiarpur district, Government has itself admitted that land holding there is uneconomic, that the lands of 80 per cent. people are uneconomic. Even then the Government goes on taking land revenue from them. What can be a more dangerous state of affairs than that? There was a time when the zamindars could sell their property, lands, and ornaments, to pay the land revenue.

But now they cannot even do that. There are now only two courses open to them. Either they should leave this country and go somewhere else or they should get into Government service. But the various departments of Government are already overcrowded and they cannot even get into service. They have grown old in agricultural pursuits and they cannot do any other work now. Even if they run after Government service they cannot get it. But no Government can provide services to 100 per cent. of its population. In future Government will have to face another serious problem. The influence of Government will very much decrease in future. The Government will be run by people who will be in close touch with the masses and will freely mix with them. It will not be run by people who will sit in their bungalows and make merry.

The Honourable Nawab Muzaffar Khan : Will there be honest propaganda then?

Chaudhri Afzal Haq : If the Honourable Member for Revenue will give a satisfactory reply to these things, which I have stated I will gladly convey his message to the zamindars. If he can assure me that the economic condition of the zamindars will improve after five or six months, I will keep quiet. The object of this cut is not to put the Government in any awkward position. The truth is that the zamindars are in an extremely miserable plight and they are altogether unable to pay the land revenue. If, however, they are willing to pay the land revenue today, it is because they are afraid of the Government, its power and its laws. But when this power will disappear, and people will not be afraid of anything, there will be confusion and disorder in the country.

Chaudhri Faqir Hussain Khan (Amritsar, Muhammadan, Rural) (Urdu) : Several honourable members have already spoken on this subject, and they have very ably discussed the various aspects of this question. However, I should like to say a few words with regard to my own district. In the Amritsar district there are three tahsils, Amritsar, Ajnala, and Tarn Taran. In these tahsils there are two kinds of areas, barani and nehri. The Ajnala tahsil is barani and the other two are nehri. As the rains have been very late this time, no crops were sown in the barani area. The rain has been of no use to those fields where no crop was sown before. Therefore, so far as those crops are concerned, the question of land revenue does not arise at all. In fact, fairness demands that there should be total remission in respect of that area. In the nehri areas crops were sown by slightly watering the fields but there was no water in the canals and therefore these areas were not properly irrigated. The water has come now at

the time of the rains and these fields were watered only ten or twelve days ago. Now, you can very well imagine the condition of these crops. I, therefore, most respectfully request that an inquiry be held in regard to the Amritsar district in order to know how far remission is needed and how far it should be given. Probably, the Government thinks, that the land revenue was paid in the past and now also as usual it will be paid. It may be so, and surely it will be paid, but the question is under what circumstances the land revenue was paid in the past and under what circumstances it will be paid now. I once again request the Government to institute an inquiry in respect of the Amritsar district. It will find that there are not 20 per cent. zamindars who pay land revenue from their own pockets. The truth is that they used to mortgage their land and then pay the land revenue. Formerly, they could get loans but now they cannot even get loans. In order to pay the land revenue they used to sell their land or get some money from their relations, but they are unable to do so now. Moreover, in my opinion, there are not 5 per cent. zamindars who pay land revenue from the profits of their agricultural produce. The water tax itself is sufficiently heavy and besides that they have to pay the land revenue. The condition of the crops at this time is so bad that it is impossible to pay any land revenue from them. God forbid, if the condition of the zamindars goes on deteriorating like this, a day will come when he will be able neither to sell his land nor to pay his land revenue. I, therefore, appeal to the Government to take a very sympathetic view of the situation and institute an inquiry into the conditions prevailing in my district. With these words, I lend my whole-hearted support to this motion.

Mr. A. Latifi (Financial Commissioner, Revenue): I have very little to say on this matter because the Honourable the Revenue Member will follow me and make a further statement. To begin with, I should like to remove the misunderstanding of the honourable member who moved this cut. He seemed to think that the rules did not provide for any relief in regard to extraordinary calamities in areas under fixed assessment. This is not correct because paragraph 564 of the Land Administration Manual runs:

Under the head extraordinary calamity fall such calamities as hailstorms and locusts. These are accidents which the Settlement Officer could not foresee or take account of when fixing the assessment of an estate. The assets are suddenly reduced by a cause which the husbandman is powerless to control. He has no means of recouping such losses, which are as likely to affect rich irrigated crops raised by a large outlay of money and labour as the cheap millets and pulses grown on roughly-tilled lands, of which the yield is normally insecure. In the case of a total and irrecoverable loss of which no account was taken in the arrangement made at settlement between the supreme landlord, the state and the landholders, it is but right that Government should forego its claim.

Again, paragraph 565 of the Manual lays down:

Fortunately hailstorms move in narrow, well-defined lines and the damage done by locusts is also likely to affect some holdings more than others. Relief therefore is as a rule required not for a whole estate, but only for particular holdings.

Similarly with regard to heavy floods:

Heavy floods which destroy crops on lands not usually subject to destructive inundation may be classed as "extraordinary" calamities.

I have quoted these instructions in order to assure the honourable member that calamities of the nature which he indicates are well provided for and the rules are carefully administered.

Khan Bahadur Nawab Muhammad Hayat Qureshi: Will the honourable Financial Commissioner please give an instance on the point?

Mr. A. Latifi: Should I give an instance of Government affording relief to zamindars in connection with damage done by floods? If so, I would say that liberal remissions have been granted to the zamindars in the Gurgaon district from time to time. Similarly remissions have been granted to the zamindars in the Mianwali and Rohtak districts under the ordinary rules, that is to say, quite irrespective of the fall in agricultural prices. But I should imagine that the honourable member is referring chiefly to remissions in view of the fall in agricultural prices. With regard to that I can assure him that revenue officers are on the *qui vive* and are carefully watching the situation. What is usually done is that about the end of April reports are called for as regards the current prices. These prices are compared with the commutation prices as fixed at settlement, and wherever it is found that the prices are lower than they were at settlement further detailed statements are called from the district officers. These statements are very carefully considered by both the Financial Commissioners as well as by Government who decide what revenue is to be remitted in terms of annas to the rupee. Honourable members may rest assured that Government will continue to deal with the situation with the same care and liberality as heretofore.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): There is a large number of low irrigated areas in the Punjab, but there is no irrigated land worth the name. In the Ambala district there is hardly any area which is irrigated and if there is, that does not extend beyond a few acres in the whole of the district. This year the failure of rain has done a great damage to the crop. Crops have been withered when this last rain came. If there is a crop it is on a very small scale. A poet has said—

دیکھنا وہ کر پ آئے ہیں کس کس کو
جب کہ اذن عام میرے اتوں آئے کو ہیں

The crop was almost dead and the rain has not done very great benefit to the standing crops. The honourable Financial Commissioner has now given reasons for which remission is given. I want to take up these two reasons which he has advanced. He said that there are rules already for remissions in the case of extraordinarily withered crops. This is extraordinary. It was ordinary when the rain came but came very late. Crops withered, not all of a sudden but by slow degrees. The falling of rain took away the life of crops by degrees, but for this I do not see there is any rule.

We know what the attitude of the officers is in the Canal Department towards giving kharaba. We also know the attitude of the officers in the Revenue Department and here the method of giving kharaba is very defective. Only a few of the fields are inspected by the inspecting officer and others remain unchecked. If there are one thousand fields in a village only 10 are inspected by the inspecting officers and generally this work is done by patwaris, girdawars, naib-tahsildars or revenue assistants but occasionally by the collector. So under these conditions it is not possible to appreciate the real state of things as they exist. I do not see that any department brings the real state of things to light. The usual practice at present of checking the conditions of fields is so defective that it can be of no use whatsoever.

It is not of any real advantage for kharaba. In any case, I do not see that any measure of giving relief for the low prices of commodities is adopted. We have, of course, been told that the prices at settlements are taken into account and compared with the prices ruling to-day. But this is done practically by the staff of the deputy commissioners, who will never pay any particular attention to it. I can give an example of a case in the Ambala district. In the Ambala district both last year and the year before, remissions were given in a tahsil where remissions were not wanted, but they were not given in the tahsil where they were required.

The Honourable Nawab Muzaffar Khan : Why did they not return the remission ?

Chaudhri Allah Dad Khan : Now the Honourable Revenue Member made an objection. I ask him to go and check the figures for at least 10 districts of the whole Punjab. Has any big officer inspected or checked the results of the deputy commissioner ? I challenge the Honourable Revenue Member and the Financial Commissioner if it is so ? What is the use of the rules ? They merely know how to please Government. There was a commissioner who was asked to give some remissions. He said "No, no, do not talk of remission, Government will surely take me to task." These are the conditions. What is the use of our sitting here in this House ? What is the use of rules and regulations which are never followed or observed ? No proper remission is granted to zamindars. The conditions of zamindars are such that they require a sympathetic treatment. Zamindars pay an exorbitant rate of land revenue. There ought to be some remission ; otherwise what is the use of these rules ? I do not think that these rules are meant for giving remissions, but they are simply an eye-wash to show that the Government is sympathetic, whereas there is no real sympathy. They have always been negligent and indifferent to the zamindars. I have many times urged that the conditions of zamindars should be kept in view by the authorities and that it is time that they should give up that habit of negligence and indifference to zamindars.

The Honourable Sir Donald Boyd : Sir, in rule 59 of the Manual of Business and Procedure, it is laid down that a member while speaking shall not utter defamatory words. Now, the honourable member, who is speaking, has been using words which are defamatory to the members of the Government.

Chaudhri Allah Dad Khan : What are those words which are defamatory ?

The Honourable Sir Donald Boyd : The honourable member said that the rules for granting remissions of land revenue are simply eye-wash. That is defamatory. Then he talked about Government and Government officers as being negligent and indifferent to zamindars. That seems to be clearly defamatory.

Chaudhri Allah Dad Khan : It is surprising that this objection is coming from the Leader of the House. These words are thousand times used in Parliament and in the Legislative Assembly. These words are not un-parliamentary.

Mr. President : To call a particular officer of Government 'negligent' or 'indifferent' in the performance of his duties, may be defamatory. But

[Mr. President.]

I do not think that a general remark, made by the honourable member from Ambala, that in certain matters Government officers have been 'negligent' and 'indifferent', without naming any particular officer, is defamatory. If such a remark were held to be defamatory, the members of this Council will not be able to exercise their privilege of criticising the official acts of Government officers.

Mr. F. H. Puckle : Does it mean that what is sauce for the goose is not sauce for the gander ?

Mr. President : The honourable member is right ; but the nominal cuts are moved with the object of criticising Government and its officers and ventilating the grievances of the public. Can this be done without pointing out or stating the defects of the officers concerned ? Is not a member of this Council entitled to say that the servants of the State have acted negligently or indifferently in performing certain duties ? For example, if crops are damaged by hail-stones and the officers, whose duty it is to inspect the damage and recommend the allowance of *kharaba* or the remission of land revenue, do not perform their duty carefully and attentively, cannot a member of this Council say on the floor of the House that the officers concerned acted negligently or indifferently ? If it is defamatory to say so, there can be no criticism or ventilation of the grievances of the public. I may add, however, that only the public conduct of officers can be discussed or criticised and that too in parliamentary language.

The Honourable Sir Donald Boyd : When you say that officers who inspected crops damaged by hail were negligent and indifferent to the interests of the people, does it not resolve itself to personal defamation of a very serious kind ? To say that Government intentionally issues rules merely for the sake of eye-wash, is that not a libel ?

Chaudhri Allah Dad Khan : I never said intentionally.

The Honourable Sir Donald Boyd : May we have the actual words of the member ?

Mr. President : It is every day stated in the grounds of appeals that the lower court has acted wrongly or illegally. Is it not more defamatory to say that a Judge has acted wrongly or illegally than to say that an officer of Government has acted negligently or indifferently ?

The Honourable Dr. Sir Gokul Chand Narang : There you question the Judge's knowledge of law. You do not question his motive. But when you call a man negligent and indifferent you have made an attack on his character.

Mr. President : Is negligence always intentional ? In my opinion it is not. If a person omits to do something, which he would not have omitted to do, if he had acted carefully, he may be said to have acted negligently.

Rai Bahadur Mr. Mukand Lal Puri : Is criticism of officers of Government not permissible in this House ?

Mr. President : If the intention of the speaker was that whatever was done by officers was done deliberately and intentionally, then the words

used by him might be defamatory. But, as I understood him, such intention was absent. All he meant to say was that officers had been careless in performing certain duties.

The Honourable Sir Donald Boyd : I submit that some members have got into the habit of making wild, irresponsible allegations.

Rai Bahadur Mr. Mukand Lal Puri : Sir, cannot we criticise the officers of Government ?

Mr. President : Certainly. But you cannot attribute motives to the officers of Government except by a substantive motion, so that Government may be in a position to meet the criticism or charges made against its officers.

Chaudhri Afzal Haq : We must consider whether the words used were used against an individual or against Government as a whole.

The Honourable Sir Donald Boyd : Might we have the actual words of the member ?

Chaudhri Afzal Haq : Sir, the Honourable Finance Member says that some members of the House are in the habit of using defamatory language against Government officers. I must point out that in the present case that allegation is not correct. If the Honourable Finance Member can quote some other examples, he may do so. But in the present case the words used were used against the Government as a whole and not against any officer of Government and they cannot be covered by the expression "defamation."

The Honourable Sir Donald Boyd : Where is that doctrine obtained ? If you say that a Board of Directors are all rascals are you not defaming them ? To say that Government issues rules merely as an eye-wash is defamatory.

Chaudhri Allah Dad Khan : We have every right to use those words against Government. Your predecessor allowed me to use such words.

Mr. President : Let us put an end to the matter. I would request the honourable members to exercise their privileges as members of this House without using offensive or unparliamentary language.

Chaudhri Allah Dad Khan : I have already stated that when rules have been framed they have to be observed. Let me hope that the officers of Government in the district will rise to the occasion and as there is no motive behind giving remission to the people proportionate to the fall in prices, they should now retrieve their mistake made in the past from which they have already suffered. With these words I support the motion.

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu) : With regard to this motion I may at once say that Government is not in a position to say definitely at present as to what is going to be the condition of the rabi crops for which remission is being sought. I may, however, say that we are even more anxious about this matter than the honourable members appear to be and it will be no exaggeration if I say that in the past our eyes have constantly been on the sky looking for the clouds and for timely rains. There are different conditions in different districts. During my tour in January I visited some of the districts in order to see for myself

[The Hon. Nawab Muzaffar Khan.]

the condition of the crops. I am prepared to admit that owing to the scarcity of rains and consequently short supply of water from the canals, the condition of the crops in some of these districts that I visited was not very satisfactory. For instance in parts of the Lyallpur district the condition of the crops was bad but in Rawalpindi and in my own district it was better. Again in Dera Ghazi Khan district the crops did not appear to be very hopeful, but in Muzaffargarh district these crops were expected to yield normal produce as my friend Khan Bahadur Mian Mushtaq Ahmad Gurmani who was with me at the time will bear me out. It is due to the special efforts of the officers of the Irrigation Department and other officers concerned that the condition of the crops in the Muzaffargarh district is so satisfactory. I cannot, therefore, agree that the condition of the crops generally is bad. It is too early yet to judge the crops. We had excellent rains recently and I am sure it must have done considerable good to the rabi crop. In the circumstances the best course will be to wait and see the result of girdawari which is yet to take place. Unless girdawari has taken place and completed no one can say definitely as to whether it will be necessary or not necessary to grant any remission in land revenue. I can say this much that if after girdawari it is found necessary to grant remission, the Government will not hesitate to consider the case favourably. Honourable members are aware that Government has never before failed to give relief to the zamindars whenever it has been necessary to give that relief. It was stated by an honourable member that remissions are not given in areas under permanent assessment. This is contrary to facts. Remissions have been given in the past and there is no reason to suppose that the Government will not help the zamindars in the case of rabi crops this year if it is found necessary to render that help. But, as I have said, we should wait and see the result of girdawari before any step is taken in the direction. In fact we cannot take any step unless we are in possession of all the facts.

As regards Kungi it is premature to say anything at present. The House is perhaps aware that last year it was after the girdawari and when the wheat had reached maturity that it was discovered that the crop had suffered from Kungi in some districts. Government at once gave generous remissions—although it was not strictly in accordance with the rules, because it is always difficult to correctly judge the damage after girdawari. Therefore the honourable members may rest assured that everything desired will be done this year also if, of course, found necessary.

Rao Bahadur Chaudhri Chhotu Ram said that whenever reductions in the land revenue are requested Government always remind the House that they have a contract. This again is contrary to facts. Government have never insisted on realising their full demand according to the terms of the contract. Whenever there was an occasion to give relief, remissions have been freely given in the past years on account of the fall in prices. Did Government then insist on the terms of settlement? Since the abnormal fall in prices—every district sends a statement showing the prevailing rates which are compared with the commutation prices and suitable remission is given. We will follow the same procedure in the case of the next rabi. I hope there would be no occasion to do so but if such necessity did arise Government would be as generous as it has been in the past.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Urdu): I would like to make a few submissions with regard to what the honourable the Financial Commissioner has said. He said that in case there is a calamity like the hailstones, etc., land revenue is reduced. I do not agree with the Financial Commissioner in that remark. In my own district remissions were granted to the canal irrigated areas but to those areas where the land revenue is fixed no such concessions were given. In both these areas settlement operations were carried out at the same time and the same rates of land revenue were assessed. But remissions were granted only to one part and not to the other. (*An honourable member:* In which years was this done?) In the last two or three years. I draw your attention to it. In view of what the Honourable the Revenue Member has said I beg leave of the House to withdraw this motion.

The motion was by leave withdrawn.

Charging of land revenue on fruit orchards twice a year.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I move—

That the total grant be reduced by Re. 1.¹

My object in moving the amendment is to bring this anomaly to the notice of the Government that in some parts of the province the proprietors of fruit orchards are charged land revenue twice a year and in others once. It should be charged only once. In this connection I need make only a few observations. For the first five years ordinarily the plants do not bear any fruits. When I say this I refer to citrus trees. As for other types of fruit trees, they do not bear fruit until they are 15 or 20 years old. It is, therefore, very hard that the fruit growers should have to pay land revenue when they are practically getting no fruits from their plants. The second observation I wish to make is that in the Lyallpur district in the Lyallpur division land revenue is charged twice a year on fruit orchards, while in the same district on the Burala Branch it is charged only once. In the same way in the Shahpur district on the Jhelum Canal land revenue is charged only once. There is no reason why in the same district and in the same province these different principles should be applied. As a matter of fact the real thing is that in some of the divisions the divisional officers of the Irrigation Department started levying land revenue twice and when afterwards it was brought to their notice they did not like to do justice to the people and so continued the old practice. Now, it is time when people are specially hard hit, that this rule, which as a matter of fact is not a rule but only a practice based on wrong notions, should be cancelled.

Mr. President Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

Mr. A. Latifi (Financial Commissioner, Revenue): I am afraid I have not been able to understand the grievance of the honourable member. In the first place he has objected to the method of assessing land revenue on fruit orchards. He says that for the first five years plants do not bear fruits and land revenue should not, therefore, be levied for that period. His second grievance apparently is that in certain areas land revenue is

¹To bring the anomaly to the notice of the Government that in some parts of the province the proprietors of fruit orchards are charged land revenue twice a year and in others once. It should be charged only once.

[Mr. A. Latifi.]

levied once a year and in others twice a year. (*Sardar Sampuran Singh* : You have understood me correctly.) These two questions are distinct. In the first place land revenue is really levied only once a year. It is only a question of instalments which are fixed by the settlement officer at the time of settlement. He then decides whether land revenue is to be paid in one instalment or in two instalments every year.

Sardar Sampuran Singh : I pay twice exactly the same amount. It is not a question of instalments. I am actually charged twice a year.

Mr. A. Latifi : Then it comes to this that the honourable member objects to the rates.

Sardar Sampuran Singh : No, I do not object to the rate. The rate is the same whether it is on the Burala Branch or the Lyallpur division. My contention is that in the same district and on the same canal they are charging differently, charging once in one area and twice in another.

Mr. A. Latifi : After all it may be like this. Leave aside orchards for the present. Suppose it is a question of assessing wheat. It may be that in any particular area the assessment of wheat is Rs. 2 for a particular year. In another place it may be Re. 1. In the first area the Rs. 2 may be paid in two instalments of Re. 1 each.

Sardar Sampuran Singh : I fear I have not been understood. My point is that I pay Rs. 10 twice a year, once for kharif and once for rabi, whereas in the same district on the Burala Branch the orchards are assessed at Rs. 10 and the landlords pay only once that sum of Rs. 10 whereas it comes to this that I have to pay Rs. 20.

Mr. A. Latifi : I am very grateful to the honourable member for telling me what he exactly means. It is really the amount that he objects to, because legally land revenue can only be levied once a year. It may be levied in two instalments or any number of instalments. If the honourable member says that he has to pay Rs. 10 twice a year, it amounts to this that his land revenue has been assessed at Rs. 20 per year and is recovered in two instalments.

Sardar Sampuran Singh : No. I am assessed Rs. 10.

Mr. A. Latifi : With regard to this question I may say that the position was fully examined under the orders of Government and the instructions issued are as follows :—

After a careful consideration of the whole position set out in the replies received to the Circular letter Government have come to the conclusion that no general orders can be issued on the subject. But if in any area the method of assessment is so onerous or unjust as to require alteration before the next settlement, the case should be stated before the Commissioner and orders of Government will be taken.

The honourable member's argument was directed merely to the case of the Lyallpur district whereas the motion is directed against the assessment of orchards all over the province. The assessment of orchards is based on the settlement and if there is anything unjust about the assessment surely the matter can be set right at the next settlement.

Sardar Sampuran Singh : I have no objection to the assessment,

Mr. A. Latifi : I am afraid I do not then understand what the honourable member's objection is!

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu) : I do not wish this motion to be talked out, but as there is only a short time left I intervene at this stage to say only a few words. Sardar Sampuran Singh has not been quite clear. Does he mean to say that the settlement officer at the time of settlement fixed say Rs. 10 per acre as land revenue for gardens for the whole year and that now instead of being charged once a year is charged twice a year, i.e., instead of charging Rs. 10, Rs. 20 are being recovered?

Sardar Sampuran Singh : This is what is exactly done.

The Honourable Nawab Muzaffar Khan : Are Rs. 10 fixed as revenue for the year?

Sardar Sampuran Singh : Yes, for the year.

The Honourable Nawab Muzaffar Khan : If in some districts this anomaly does exist then name those districts and inquiries will be made and the grievance removed.

Sardar Sampuran Singh : In view of the Revenue Member's remarks, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 38,19,599 be granted to the Governor in Council to defray the charges that will come in course of payment for year ending the 31st of March, 1937, in respect of Land Revenue.

The motion was carried.

The Council then adjourned till 2 P. M. on Thursday, 12th March, 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 12th March, 1936.

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

STARRED QUESTIONS AND ANSWERS.

MEDICAL PRACTITIONERS WITH GERMAN DEGREES.

***5383. Mr. M. A. Ghani :** With reference to the answer given to the second supplementary question to question *4538¹ put on the 21st October, 1935, will the Honourable Minister for Education be now pleased to state the reasons why the Government have not taken any action in cancelling the registration of the medical practitioners with German degrees practising in this province ?

The Honourable Malik Sir Firoz Khan Noon : The registration of certain medical practitioners with German Degrees was permitted by Government on the recommendations of the Punjab Medical Council under a statutory authority. Their registration cannot therefore be cancelled under the present law, except for misconduct.

COMMISSIONERS FOR RECORDING EVIDENCE.

***5384. Mr. M. A. Ghani :** Will the Honourable Member for Finance be pleased to state—

- (a) the names of the present panel of commissioners for recording evidence appointed under Chapter 10 (B) of volume 1 of the Rules and Orders of the High Court of Judicature at Lahore together with their academic qualifications and experience at the Bar or in the judicial line ;
- (b) on whose recommendation they are appointed and who appoints them ;
- (c) when they are appointed and for what period ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table. Information as to the experience at the Bar or in the judicial line possessed by the gentlemen in this list is not immediately available.

(b) They are appointed by the District Judge, subject to the limit fixed by the High Court for each district.

(c) Appointments are for a period of three years in the first instance. After this period a fresh list is prepared by the District Judge, but there is no objection to the re-appointment of commissioners who have proved satisfactory.

[Hon. Sir Donald Boyd.]

*Provincial Statement of Local Commissioners.**Hissar.*

- (1) Lala Tansukh Rai.
- (2) B. Mukand Lal, B.A., LL.B.
- (3) Lala Ugar Sain, B.A., LL.B.
- (4) Chaudhri Sardar Ahmad, B.A., LL.B.

Gurgaon.

- (1) Lala Sri Ram Bhargava, B.A., LL.B.
- (2) Chaudhri Raghu Nath Singh, B.A., LL.B.
- (3) Mr. Abdur Rehman Khan, B.A., LL.B.
- (4) Pandit Kunj Lal, B.A., LL.B.

Karnal.

- (1) Lala Ratan Lal, Pleader.
- (2) Lala Bhagwant Sarup, B.A., LL.B., Pleader.
- (3) Lala Jyoti Parshad, M.A., LL.B., Pleader.
- (4) Lala Romesh Chander Bekas, B.A., LL.B., Pleader.
- (5) Pandit Sita Ram Sharma, B.A., LL.B.
- (6) Pandit Lachhu Singh, Advocate.

Rohtak.

- (1) Chaudhri Bhola Singh, B.A., LL.B.
- (2) Lieutenant Chaudhri Bhup Singh, B.A., LL.B., Pleader.
- (3) Lala Devi Dayal.
- (4) Lala Changi Ram.
- (5) Lala Ram Jivan Gupta.
- (6) Shaikh Abdul Aziz.

Ambala.

- (1) Lala Beni Parshad.
- (2) S. Sardar Ali.
- (3) Chaudhri Muhammad Aslam.
- (4) Lala Banarsi Dass Garg.
- (5) Khan Sahib Shaikh Nazir Muhammad, Pleader.
- (6) Lala Joti Parshad, Advocate.
- (7) Lala Devi Dayal, M.A., LL.B., Pleader.

Simla.

- (1) Lala Kaushi Ram, Pleader.
- (2) Lala Amar Chand, Pleader.
- (3) Lala Harish Chander Ghalib.
- (4) Mr. R. S. Bhasin, Pleader.

Hoshiarpur.

- (1) Chaudhri Aziz Bakhsh Zia.
- (2) Lala Tara Chand Rewal.
- (3) Lala Shadi Lal Jain.
- (4) Lala Abnash Chander, Pleader.
- (5) Shaikh Iqbal Muhammad, Pleader.
- (6) Lala Shive Saran Dass, Pleader.
- (7) Thakar Abhaya Singh, Pleader.
- (8) Lala Sansar Chand, Pleader.

Kangra.

- (1) Pandit Rattan Nath Awasthi.
- (2) S. Pritam Singh.
- (3) Lala Prabh Dayal.
- (4) Lala Khushi Lal Sud.
- (5) Lala Dwarka Dass Aggarwal.
- (6) Lala Manga Ram.

Jullundur.

- (1) Khan Iftakhar -ud-Din Ahmad, Pleader.
- (2) S. Saroop Singh, B.A., LL.B., Pleader.
- (3) Mr. P. L. Sondhi, Barrister-at-Law.
- (4) Chaudhri Abdul Hamid Khan, Pleader.
- (5) Lala Dina Nath Mehra, Pleader.

Ludhiana.

- (1) Agha Ziaham Hussain, B.A., LL.B., Pleader.
- (2) Pandit Madan Mohan Agnihotri, Pleader.
- (3) Lala Vijay Kumar, B.A., LL.B., Pleader.
- (4) S. Narsingh Dass, M.A., LL.B., Pleader.
- (5) Pandit Chet Ram.
- (6) Pandit Charanji Lal.

Ferozepore.

- (1) Lala Rattan Lal Kapur.
- (2) Lala Ratti Ram.
- (3) P. P. Khosla, Esquire.
- (4) Lala Shanti Sarup, B.A., LL.B., Pleader.
- (5) Shaikh Zahur Ahmad, B.A., LL.B., Pleader.
- (6) Lala Nathu Ram, B.A., LL.B., Pleader.
- (7) S. Chanan Singh, B.A., LL.B., Pleader.
- (8) Lala Babu Ram Jain, B.A., LL.B., Pleader.
- (9) Lala Des Raj Sahgal, B.A., LL.B., Pleader.

Lahore.

- (1) Mir Ghulam Yazdani, retired Sub-Judge.
- (2) Mr. Fazl-ur-Rahman Khan, retired Sub-Judge.
- (3) Shaikh Niaz Ali, Advocate.
- (4) Mr. Parkash Chand Mahajan, B.A., LL.B., Advocate.
- (5) Haji Rahmat Ilahi, retired Sub-Judge.
- (6) Bawa Kanshi Ram, retired Sub-Judge.
- (7) Chaudhri Muhammad Rafiq, Pleader, Kasur.
- (8) Mr. Shamsheer Bahadur.

Amritsar.

- (1) Khwaja Ghulam Hussain.
- (2) S. Tej Indar Singh, B.A., LL.B., Pleader.
- (3) S. Attar Singh.
- (4) Lala Lakhpat Rai, Basal, Pleader.

Gurdaspur.

- (1) Malik Abdul Aziz.
- (2) Mr. Gurdayal Singh, Pleader.
- (3) Pandit Amir Chand, Pleader.
- (4) Mehta Madan Gopal, Pleader.
- (5) Lala Hans Raj Aggarwal, Advocate.

Sialkot.

- (1) Mr. Jangi Lal Jain.
- (2) Mr. Sundar Singh Nayyar, Pleader.
- (3) Lala Bakhshi Ram Bhatia, M.A., LL.B., Pleader.
- (4) Mr. Hidayat Ali, Pleader.

Gujranwala.

- (1) Lala Sagar Chand, Pleader.
- (2) Lala Charanjit Lal, Advocate.
- (3) Mr. Muhammad Shafi, Pleader.
- (4) Chaudhri Abdul Qadir.

Gujrat.

- (1) Mr. Harbans Lal, Suri.
- (2) Mr. B. Z. Kaikau, Pleader.
- (3) Lala Bishambar Nath.
- (4) Lala Harbans Rai, Pleader.

Shahpur at Sardodha.

- (1) Lala Phiraya Lal Kapur, Pleader.
- (2) Malik Dayal Ram.
- (3) S. Madan Singh, Pleader.
- (4) Shaikh Khuda Bakhsh, Advocate.

Jhang.

- (1) Lala Chandar Parkash, Sapra.
- (2) Lala Gokal Chand, Pleader.
- (3) Shaikh Gul Muhammad.
- (4) Lala Shanti Lal Dhall, Pleader.

[Hon. Sir Donald Boyd.]

Jhelum.

- (1) Mr. Bashir Ali.
- (2) Mr. B. S. Chhiber, Pleader.
- (3) Lala Kishan Chand, Pleader.

Rawalpindi.

- (1) Lala Harbans Lal Bali.
- (2) Bawa Surrindar Singh Bedi, Pleader.
- (3) Sayed Nazim Ali Shah, Pleader.
- (4) Mr. D. N. Bakhshi, Pleader.
- (5) Mr. Khem Raj, Bhagat.

Attock.

- (1) Sardar Ram Singh.
- (2) Rai Sahib Lala Kidar Nath, B.A., LL.B., Advocate.
- (3) Shaikh Mushtaq Hussain, Munir, B.A., LL.B.
- (4) Lala Balmokand, B.A., LL.B., Pleader.

Mianwali.

- (1) Malik Maula Bakhsh, Pleader.
- (2) Lala Wazir Chand.
- (3) Lala Dyal Chand, Pleader.
- (4) Lala Harkishen Lal, Pleader.

Montgomery.

- (1) Lala Irvind Lal, Pleader.
- (2) Lala Darya Datta.
- (3) Bhai Sundar Singh, Pleader.
- (4) M. Badr Din.

Lyalpur.

- (1) Lala Har Bhagwan, M.A., LL.B., Advocate.
- (2) Chaudhri Inait Ullah Khan, Pleader.
- (3) S. Dalip Singh, B.A., LL.B., Pleader.
- (4) Chaudhri Kul Bhushan, Pleader.

Sheikhpura.

- (1) Lala Amar Nath, Pleader.
- (2) Gosain Bhawani Dass.
- (3) Chaudhri Hamid Ullah Khan.
- (4) Bhai Gurbachan Singh.

Muzaffargarh.

- (1) Lala Ram Lal, Pleader.
- (2) Lala Man Mohan Rai, Pleader.
- (3) Mr. Qadir Bakhsh.
- (4) M. Ghulam Muhammad, Advocate.
- (5) Lala Sobh Raj.
- (6) Lala Girdhari Lal, Pleader.

Multan.

- (1) Lala Narinjan Datt.
- (2) Hakim Ghulam Mustafa.
- (3) Mr. Arthur Rao, Pleader.
- (4) Lala Tek Chand Bagai, Pleader.

Dera Ghazi Khan.

- (1) M. Aziz Muhammad, Pleader.
- (2) M. Muhammad Ayub.
- (3) Lala Kundan Lal, Pleader.
- (4) Lala Madan Mohan Bhagat, Pleader.

ADMINISTRATION OF LABOUR SUBJECTS.

***5385. Mr. M. A. Ghani :** With reference to the answer given to question No. *4549¹ put by me on the 21st October, 1935, will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that the Royal Commission on labour in India, at page 69 of their Report, made a definite recommendation that the labour subjects should not be entrusted to the Director of Industries and that the Chief Inspector of Factories and his staff should not be subordinated to him ;
- (b) if so, what action has been taken or is proposed to be taken on that recommendation ;
- (c) if answer to (b) be in the negative, the reasons for not taking any action ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) None.

(c) The present arrangement was considered satisfactory.

REDUCTION OF COURT FEES AND STAMP DUTIES.

***5386. Mr. M. A. Ghani :** With reference to the answer to question No. *4555² put by me on the 21st October, 1935, will the Honourable Member for Finance be now pleased to state—

- (a) the action taken by Government on the representations made by the different Bar Associations in this province to the Honourable Justice Sir Douglas Young, Kt., Chief Judge of the High Court of Judicature at Lahore, as regards the reduction of court-fees and stamp duties ;
- (b) if the answer to (a) be in the negative, the reasons for not taking any action ?

The Honourable Sir Donald Boyd : (a) and (b) The representations are still under consideration.

SEATING ARRANGEMENTS IN COURTS FOR LITIGANTS.

***5387. Mr. M. A. Ghani :** With reference to the answer to question No. *4556³ put by me on the 21st October, 1935, will the Honourable Member for Finance be now pleased to state—

- (a) the names of the districts in which seating arrangements (i) inside and (ii) outside the courts are provided for the litigants and their witnesses ;
- (b) the nature of those arrangements ;
- (c) whether the seating arrangements are provided in the district courts at Lahore ;
- (d) if answer to (c) be in the negative, the reasons for not providing the arrangements at Lahore ?

¹Volume XXVII, page 24.

²Volume XXVII, page 27.

³Volume XXVII, pages 27-28.

The Honourable Sir Donald Boyd : (a) and (b) I do not think that I can usefully amplify the reply given to the honourable member's earlier question. To collect detailed information regarding every one of the courts in the province would entail an expenditure of time and money out of all proportion to the results to be secured.

(c) Yes.

(d) Does not arise.

NON-OFFICIAL VISITORS FOR THE INSPECTION OF GOVERNMENT DEPARTMENTS AND INSTITUTIONS.

***5388. Mr. M. A. Ghani :** With reference to the answer to question No. *4558¹ put by me on the 21st October, 1935, will the Honourable Member for Finance be pleased to state—

(a) on whose recommendation the various non-official visitors are appointed to each of the institutions mentioned in the answer ;

(b) who appoints them and for what period ;

(c) the date or dates by which the recommendations are due to be received by the appointing authority and the date or dates on which the visitors are appointed to each of the institutions ;

(d) whether any remuneration or fee is paid to the visitors and if so, how much ?

The Honourable Sir Donald Boyd : So far as the jails of the province are concerned the honourable member will find the answers to his question in paragraphs 50 and 51 of the Punjab Jail Manual. The visitors appointed for the Lahore jails also serve as visitors for the Borstal Institution. Non-official jail visitors receive no remuneration for their work as such.

If the honourable member desires information regarding the other institutions mentioned in the reply to his question *4558¹ it is suggested that he should put a separate question to the Minister.

ADMISSION TO LAW COLLEGE.

***5389. Mr. M. A. Ghani :** With reference to the answer to question No. *4559,² will the Honourable Minister for Education be now pleased to state whether the graduates mentioned in part (a) of the question referred to above are eligible to be admitted in the LL.B. class of the Law College, Lahore, and if not, the reasons for their not being so admitted ?

The Honourable Malik Sir Firoz Khan Noon : Such graduates are eligible for admission to the LL.B. Class after passing the F. E. L.

Pir Akbar Ali : Why were they at all admitted to the F. E. L. Class ?

The Honourable Malik Sir Firoz Khan Noon : I cannot answer that question like this. It requires notice.

¹Volume XXVII, page 28.

²Volume XXVII, pages 28-29.

HIGH COURT CALENDAR.

***5390. Mr. M. A. Ghani :** With reference to the answer to question No. *4560¹ put by me on the 21st October, 1935, will the Honourable Member for Revenue be pleased to state the reasons for not publishing the list of the local holidays in the different districts of the province in the calendar itself?

The Honourable Nawab Muzaffar Khan : Because at the time when the High Court Calendar is published, early in October, dates for local holidays in districts have frequently not been fixed. Government will, however, consult the Honourable Judges of the High Court on this matter.

MATERNITY BENEFITS TO WOMEN WORKERS.

***5391. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that the Royal Commission on Labour in India made a unanimous recommendation as regards the necessity of providing maternity benefits to the women workers in the perennial factories of this country ;
- (b) whether he is aware that in the Bombay and Madras Presidencies and in the Central Provinces, the maternity benefits are provided and that the Bengal Government are taking legislation in hand to provide the benefits ;
- (c) whether it is contemplated to provide similar benefits to the women workers in this province ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Yes.

(c) No. The number of women employed in perennial factories is small and was considered that while the proposed legislation would benefit very few women, the effect of this might well be adverse to women as a whole in that the number of women able to obtain permanent employment would probably as a result be seriously curtailed.

INSULTING REMARKS ABOUT THE HOLY PROPHET IN GOVERNMENT GIRLS SCHOOL, JHANG MAGHIANA.

***5392. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) whether an article entitled " Insult of the Holy Prophet of Islam, in the Jhang-Maghiana Government Girls' School," published in the ' *Inqilab* ' newspaper of Lahore, on page 4, of 18th February, 1936, has come under the notice of Government ;
- (b) whether it is a fact that the Muslims have threatened to withdraw or have actually withdrawn their girls from the school due to the insulting remarks made about the Holy Prophet of Islam ;
- (c) what action Government intends to take against the school mistress responsible for the insulting remarks ?

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

(b) This threat was made but the head mistress explained things to some of the parents of the girls and no girls were withdrawn. The situation is calm.

(c) The teacher has since been transferred.

SCHOOL TEXT BOOKS.

***5393. Chaudhri Afzal Haq :** Will the Honourable Minister for Education kindly lay on the table a copy of the scheme and the recommendations made in order to overcome the influence exercised by the official and non-official persons in the matter of the use of books in schools which are prescribed by the Punjab Text Book Committee as referred to in reply to question No. *4318¹ (b) and (c)?

The Honourable Malik Sir Firoz Khan Noon : The scheme is discussed in the Report of the Punjab Text Book Enquiry Committee, which is in the Press. A copy of the report will be supplied to each honourable member of the Council.

GRADES OF ANGLO-VERNACULAR TEACHERS.

***5394. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether the Education Department has revised the present grades of anglo-vernacular teachers ;

(b) if the reply to (a) is in the affirmative, what are the revised grades ;

(c) if the reply to (a) is in the negative, when Government proposes to revise the present grades ?

The Honourable Malik Sir Firoz Khan Noon : (a) No. The grades of new entrants in Government service are, however, subjected to a 15 per cent. cut under the standing orders of the Punjab Government.

(b) Does not arise.

(c) The proposal is under consideration by the Punjab Government.

ELECTION UNDER NEW THE CONSTITUTION.

***5395. Chaudhri Afzal Haq :** With reference to question No.* 4841² asked on the 18th March, 1935, will the Honourable Member for Revenue be pleased to state—

(a) whether Government is now in a position to say when the general election under the new constitution will take place ;

(b) if the reply is in the affirmative, the date of the general election under the new constitution ?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) Does not arise.

¹Volume XXVI, page 608.

²Volume XXVI, page 619.

EDUCATION DEPARTMENT.

***5396. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to—

- (a) state the total number of (i) S. A.-Vs., and (ii) B. Ts. community-wise who have been given permanent posts in the province from April, 1935, up to date ;
- (b) lay on the table a list of teachers with their qualifications who have been permanently appointed or given temporary chances, and the duration of their appointments in the Lahore division ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

BAGHBANPURA-CUM BHOGI WAL MUNICIPALITY.

***5397. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to—

- (a) lay on the table a list of complaints against the administration of Baghbanpura-cum-Bhogiwal Municipality enquired into by the Deputy Commissioner for the last 8 years, together with the final reports thereon ;
- (b) state whether the Government proposes to suspend the Baghbanpura-cum-Bhogiwal Municipality ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The honourable member has not specified the nature and sources of complaints. If he means complaints of all kinds from all persons, whether official or non-official which have been made against the administration of the Baghbanpura-cum-Bhogiwal Municipal Committee during the last eight years, the collection of the information regarding the complaints and the reports made thereon will involve an expenditure of time and labour which will not be justified by the value of the information so elicited.

(b) The question of suspension has not yet arisen, as no recommendations have so far been received from the local officers.

HIGH AND MIDDLE SCHOOLS.

***5398. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Government is considering to open some new high and middle schools in the province ;
- (b) (i) if so, their number ;
- (ii) the names of districts, with the number of high and middle schools already existing therein and the population of the districts respectively ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, if he means girls' schools.

(b) (i) Six—in Gujrat, Dharamsala and Kasur and three other places yet to be decided upon.

(ii) The honourable member is advised to consult the list of secondary schools (Indian) recognised by the Punjab Education Department and the Census Reports.

ADMISSIONS TO CENTRAL TRAINING COLLEGE.

***5399. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state communitywise the total number of S. A.-V. and B. T. students admitted in the Central Training College, Lahore, during each of the last 5 years ?

The Honourable Malik Sir Firoz Khan Noon : A statement containing the required information is laid on the Council table.

	1930-31.		1931-32.		1932-33.		1933-34.		1934-35.	
	B.T.	S.A.V.	B.T.	S.A.V.	B.T.	S.A.V.	B.T.	S.A.V.	B.T.	S.A.V.
Muhammadans ..	21	35	23	46	18	37	28	36	27	28
Hindus ..	20	40	24	42	20	40	31	32	27	29
Sikhs ..	7	19	11	20	9	15	11	17	8	13
Christians ..	7	2	4	2	7	4	1	2	2	..
Parsi ..	..	..	..	..	1	..	..	..	..	..
Jew ..	..	..	..	..	1	..	..	..	..	..
Total ..	55	96	62	110	56	96	71	87	64	70
	151		172		152		158		134	

EMPLOYMENTS OF FRESH GRADUATES IN SCHOOLS.

***5400. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that nine months' teaching experience in some recognised school is essential for a candidate to be admitted in the Central Training College, Lahore ;
- whether it is a fact that untrained teachers are not generally accepted in recognised schools according to the instructions of the Education Department ;
- what provisions the Education Department has made to facilitate the employment of fresh graduates in the recognized schools ?

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

(b) The Education Department has not issued any instructions debarring the employment of untrained teachers in recognised schools, although before granting permanent recognition to a school, the department insists that the entire staff should be trained.

(c) Attention of the honourable member is drawn to Article 69 (e) of the Punjab Education Code, XI Edition.

S. A. V. CLASSES IN THE CENTRAL TRAINING COLLEGE, LAHORE.

***5401. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state whether it is proposed to close the S. A.-V. classes in the Central Training College, Lahore ?

The Honourable Malik Sir Firoz Khan Noon : No.

SEDUCTION OF BOYS BY TEACHERS.

***5402. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state the number of seduction of boys by teachers for the last five years, with the punishment given to them ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

DEBT OF AGRICULTURISTS IN HOSHIARPUR DISTRICT.

***5403. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state the total amount of debt of agriculturists in the Hoshiarpur district ?

The Honourable Nawab Muzaffar Khan : The information is not available and the labour involved in collecting it would be out of all proportion to the apparent advantages to be gained from it.

REVENUE OF THE FISHERIES DEPARTMENT.

***5404. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the revenue of the Fisheries Department since its amalgamation with the Agricultural Department ;
- (b) the expenditure on the administration and research sides since the amalgamation ?

The Honourable Sardar Sir Jogendra Singh : The honourable member is referred to the reply given to question No. *3683¹ on the 25th October 1934.

PRINTING PRESS UNDER EDUCATION DEPARTMENT.

***5405. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is a proposal to set up a Government Printing Press in this province under the Education Department which will publish the books, etc., used in the schools, and do the work which is done by private printing presses now-a-days ;
- (b) the actual scheme before the Government ;
- (c) whether posts in this publishing department will be filled by teachers in the Government schools ?

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

(b) and (c) Do not arise.

ARREARS OF LAND REVENUE, HOSHIARPUR DISTRICT.

***5406. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether he is aware of the fact that in order to pay land revenue arrears defaulting zamindars, belonging to Hoshiarpur district, have been compelled either to sell, lease or mortgage their holdings in a large number of cases ;
- (b) the total number of sales, mortgages or leases of agricultural holdings which have taken place in the Hoshiarpur district for meeting the land revenue and other Government demands during the current financial year ;
- (c) the total amount of arrears of land revenue relating to proprietary holdings in the Hoshiarpur district for the last four crops ;
- (d) what relief in land revenue demands, if any, is proposed to be given to owners of proprietary holdings of the Hoshiarpur district ?

The Honourable Nawab Muzaffar Khan : (a) No such case has come to the notice of Government.

- (b) Does not arise.
- (c) There are no arrears outstanding.
- (d) None.

TAX ON CINEMA TICKETS.

***5407. Chaudhri Afzal Haq :** With reference to the reply to the question No. *3718¹ asked on the 25th October 1934, will the Honourable Finance Member kindly state whether the Government has calculated and taken steps to ascertain the approximate income which would result from the imposition of an entertainment tax on cinema tickets and to ascertain the number of cinema houses in the towns of Lahore, Amritsar, Multan, Sialkot, Rawalpindi, Jullundur, Ludhiana, Ferozepore and Ambala and the average attendance at each of these houses ?

The Honourable Sir Donald Boyd : With regard to approximate income, the attention of the honourable member is invited to the reply given to part (c) of question No. *5352².

A statement showing the number of cinema houses in each town mentioned is laid on the table. Complete and reliable information regarding the average attendance is not available.

Serial No.	Town.				Number of Cinema houses.
1	Ambala	..	..	..	4
2	Jullundur	..	..	..	4
3	Ludhiana	..	..	..	2
4	Ferozepur	..	..	..	2
5	Lahore	..	..	..	17
6	Amritsar	..	..	..	3
7	Sialkot	..	..	..	4
8	Rawalpindi	..	..	..	9
9	Multan	..	..	..	4

(but three functioning).

¹Volume XXV, page 566.

²Page 311, ante.

TAXATION ON TOBACCO.

***5408. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state the total amount of revenue raised by the municipalities and notified area committees by taxation on tobacco or its preparation since 1934-35 ?

The Honourable Sir Donald Boyd : Presumably the question refers to vend fees on the sale of tobacco levied under the Punjab Tobacco Vend Fees Act of 1934. If so, no such tax is levied by either Municipal Committees or Notified Area Committees. Government levy a vend fee of Rs. 2 per annum. The Act came into force on the 16th April, 1935 and the total revenue realized up to the end of January 1936, is Rs. 44,892.

ALIENATION OF LAND.

***5409. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state what area of land in the province passed out of the hands of agriculturists and went to non-agriculturists during the last 3 years ?

The Honourable Nawab Muzaffar Khan : The statement is laid on the table.

Statement showing sales, mortgages and redemptions of land during the last three years.

Year.	SALES.		MORTGAGES.		REDEMPTIONS.	
	By agri- culturists.	To agri- culturists.	By agri- culturists.	To agri- culturists.	By agri- culturists.	From agri- culturists.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1932-33 ..	142,513	145,746	357,743	273,008	110,557	136,674
1933-34 ..	143,455	142,324	323,463	238,049	102,911	139,603
1934-35 ..	137,411	168,388	332,100	234,724	139,370	137,724
Total ..	443,379	456,458	1,013,306	745,781	352,146	414,201

NET GAIN OR LOSS TO AGRICULTURISTS.

				Acres.
Sales	..	..	..	+13,079
Mortgages	..	..	..	-267,525
Redemptions	..	..	..	-62,055

STUDENTS VISITING CINEMAS.

***5410. Chaudhri Afzal Haq :** With reference to the reply to question No. 1015¹ asked on the 25th October, 1934, will the Honourable Minister for Education be pleased to state—

- what restrictions Government has placed on the visits of students to the cinemas ;
- whether the University has considered the institution of a proctorial system ; if so, with what results ?

The Honourable Malik Sir Firoz Khan Noon : (a) A rule has been framed that every student should be in his residence by 9-30 p.m. in winter and 10 p.m. in summer or hold a signed permit from his Superintendent or guardian, as the case may be, giving his registered number and stating the object of his absence. Provided that no student should be in any public place of entertainment or refreshment after 9-30 p.m.

(b) The University has constituted a Proctorial Board. Ten colleges are participating in the same. Every college has nominated one Proctor from the College. The University has laid down certain rules regarding Proctors and the conduct of students outside the college walls, a copy of which is laid on the table. Steps are being taken to declare certain cafes and cinemas out of bounds for University students. The Proctorial Board has requested the Vice-Chancellor to co-operate with them in getting the right of entry to places of amusements and restaurants for the Proctors so that adequate supervision can be maintained.

Rules regarding Proctors and the conduct of Students outside the College walls.

1. Each college will appoint a Proctor and one or two Pro-proctors as required, whose main function will consist in observing the behaviour of University students outside the college walls and reporting improper conduct and breaches of University and college rules to the Vice-Chancellor who will report the matter to the Principal concerned.

2. The names of Proctors and if necessary Pro-proctors will be notified by the University and each will be supplied by the University with a proctorial badge for use when required.

3. All students of affiliated colleges must give correctly their names and registered number to any Proctor or Pro-proctor on demand.

4. All students must wear some mark distinguishing their college, e.g., blazer-tie, etc., or else carry card of identity, and that this should be compulsory after lighting up time.

5. Every student should be in his residence by 9-30 p.m. in winter and 10 p.m. in summer or hold a signed permit from his superintendent or guardian, as the case may be, giving his registered number and stating the object of his absence provided that no student should be in any public place of entertainment or refreshment after 9-30 p.m.

6. No student should be in any place or at any show that has been placed out of bounds by the University or college authorities.

7. Parents and guardians of students resident in Lahore who are not in hostels should be invited to co-operate with the colleges by enforcing the same rule.

Note.—The Pro-proctor or Pro-proctors, if and when appointed in a college, should for all proctorial purposes act directly under the Proctor of that college.

COUNTERFEIT COIN MAKERS.

***5411. Chaudhri Afzal Haq :** Will the Honourable Finance Member kindly state how many counterfeit coin makers were arrested and in what districts, during the last two years ?

The Honourable Sir Donald Boyd : A statement is laid on the table showing the number of persons arrested in the various districts of the province during 1934 and 1935 on charges relating to counterfeit coin. The figures in this statement include arrests for delivering or fraudulently possessing counterfeit coin, and arrests for other cognate offences, as well as arrests for actual counterfeiting.

Persons arrested in the various districts of the Punjab during the years 1934 and 1935, for offences relating to coin.

District.	NUMBER OF PERSONS ARRESTED.	
	1934.	1935.
Hissar	3	8
Rohtak	3	7
Gurgaon	4	1
Karnal .. .. .	..	4
Ambala	2	..
Simla .. .. .	..	..
Hoshiarpur	3	..
Jullundur	1	1
Ludhiana	2	1
Kangra	4	..
Ferozepore	16	8
Lahore	21	7
Amritsar	9	10
Gurdaspur .. .. .	..	..
Sialkot .. .. .	..	3
Gujranwala	9	3
Sheikhpura	2	3
Montgomery	10	4
Lyallpur	2	5
Jhang	10	..
Multan	48	8
Muzaffargarh	2	8
Dera Ghazi Khan	3	2
Gujrat	7	..
Shahpur	5	10
Jhelum	13	1
Rawalpindi	2	7
Attock .. .. .	..	3
Mianwali	8	2

DEMANDS FOR GRANTS.

EXCISE.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I move—

That a sum not exceeding Rs. 10,88,200 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 Excise.

Mr. President : Motion moved—

That a sum not exceeding Rs. 10,88,200 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 Excise.

Statutory Hindu Agriculturists in the Excise Department.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : I beg to move—

That the total grant be reduced by Rs. 100.¹

It is my unpleasant duty to draw the attention of the various heads of departments and various Members and Ministers to the inadequate share of Government employment which goes to Hindu agriculturists. I perform the same ceremony to-day. It is a mere ceremony because I know my cry has proved a cry in the wilderness. (*Honourable Members from Government Benches :* No, no). I feel that the claims of Hindu zamindars are being neglected all round because they are not sufficiently organised, they are weak and there is no sanction behind any claims that may be put forward by them or by anybody on their behalf. There are in all 69 Hindus in the Excise Department who are serving as sub-inspectors or inspectors. Out of these 69, only 16 that is, about 23 per cent. are Hindu agriculturists. Nobody can really suggest that Hindu zamindars are unable to produce a sufficient number of candidates who possess the necessary qualifications. There is no lack of educated young men even in the ranks of Hindu zamindars and graduates or under-graduates or men of whatever other qualifications may be prescribed for the posts will be forthcoming if there is the least inclination on the part of the representatives of Government to listen to the complaints which I have been repeating from my place here year after year. I am beginning to feel weary on the subject although I believe in the policy of hammering and hammering until the lock breaks open. I therefore put forward again my plea on behalf of that neglected portion of the Punjab population, namely, the statutory Hindu agriculturists whom I represent. I hope the Government will look into the matter and take some effective steps to do justice to this section of the population.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Rs. 100.

Mr. A. Latifi (Financial Commissioner, Revenue) : As head of the Excise Department it is my function, to carry out the policy of Government in regard to the recruitment of the services in my department and in that capacity I am very grateful to the honourable mover of this cut for the opportunity he has given me for removing his misapprehensions

¹To invite attention to the meagre representation of statutory Hindu agriculturists in the department.

in regard to the present position. I am sure it will be a source of gratification to the honourable member to realise that his is really not a voice in the wilderness and that the efforts he has been making in this direction, year in and year out, have, so far as my department is concerned, borne good fruit. Before proceeding further, it may perhaps be useful, in view of this and other similar cuts to be moved, if I remind honourable members of the principles on which recruitments to all the public services, under the Punjab Government, are made and I can do no better than reiterate, though it has been reiterated dozen or perhaps even hundreds of times before, the classic dictum of Sir Geoffrey de Montmorency made on the floor of this House on 19th July, 1927. These principles are as follows:—

- (1) Always to keep the supreme need for efficiency in view, that is efficiency in the fullest sense;
- (2) As education progresses and spreads, to continue to raise, as far as may be practicable, the minimum educational requirements of the various posts.
- (3) To employ the element of competition as the test wherever the best interests of a service render it possible.
- (4) In all cases so to conduct recruitment as to avoid any undue preponderance of any one class in the public service to the exclusion of the reasonable claims of other classes of the community.

The obvious corollary to the last named principle is that any undue preponderance of any combination of classes or communities in the public services to the exclusion of the reasonable claims of any one class or community is also to be avoided. Apart from this, Government have not fixed any percentage of the communities as such. But they have done so for the class of "zamindars" in the Excise as in some other departments. For them the percentage fixed by the well known resolution of 1919 was 50 — half and half in the Excise Department. Here I may remind honourable members of the well known definition of the term "zamindar" which includes hereditary proprietors or tenure holders of agricultural land, mainly dependent thereon, and residing in rural areas as well as actual cultivators of such land. It also includes the sons of persons specifically included in the definition. So the "zamindars" to whom this 50 per cent. share is guaranteed includes not merely statutory agriculturists but also zamindars in a somewhat wider sense.

Taking first the case of zamindars the honourable member will observe that in January 1936, fifty per cent. of the appointments in the Excise Department were actually held by members of notified agricultural tribes, which is excluding those who come within the definition of zamindars. So the number of "zamindars" must be rather more than 50 per cent.

Now I turn to the case of Hindu zamindars whose cause the honourable member has been championing as distinct from the other zamindars. From statistics I find, the honourable mover will correct me if I am wrong, that the total population of Hindus in the Punjab is 86 lakhs and out of them 20 lakhs or 23 per cent. are statutory agriculturists. Now the share which the Hindu agriculturists actually have as compared with Hindus generally in the Excise Department is 23·2 per cent; that is to say, they have ·2 per cent more as compared with Hindus than what they are entitled to in view of their population. I do not therefore, see how any cause for complaint arises. In the first place the number of zamindars

[Mr. A. Latif.]

is adequate as compared with non-zamindars and secondly as amongst zamindars, the number of Hindus is not inadequate as compared with other Hindus. I hope that in the light of this explanation the honourable member will no longer think that he has been crying in the wilderness.

Rai Bahadur Mr. Mukand Lal Pari (Punjab Industries): I had no intention of taking part in this discussion, but after hearing the facts and figures given by the honourable Financial Commissioner, it is necessary to utter a word of warning in the matter of appointments, (*interruption*) warning to the members of this Council and also to the Government. These cuts have a habit of advancing individual claims and I am making these observations because in answer to a question which was put by me with respect to the representation of statutory agriculturist tribes in the Ambala division in the executive side of the service, it transpired that for the last few years all the nominations to the ranks of tahsildars and extra assistant commissioners which have been made from the Ambala division have been made from the Rohtak district and from the Jats of the Rohtak district, i. e., from the district and the caste to which the mover of this motion belongs (*Rao Bahadur Chaudhri Chhotu Ram*: Is that relevant?) It is the duty of the House to see that claims of large number of other tribes and other districts are not disregarded. The Government should see that in making appointments they are not unduly influenced in ignoring the claim of merit and efficiency by reason of these cuts which are, as experience shows, put forward to advance individuals. From this side of the House we have often stated and I take this opportunity of repeating on behalf of the Hindu party that we would like the statutory agriculturists amongst the Hindus to get an adequate share of the appointments in the State. But let such motions not be used as an opportunity for advancing individual claims because as my honourable friend from Ambala, Kanwar Mamraj Singh, a leading Rajput and leading member of our party brought it to my notice, the advancement of the interests of Hindu statutory agricultural tribes in the Ambala district has so far been synonymous with conferring undue favours upon the Jats of the Rohtak district to the entire exclusion of other members of the statutory agricultural tribes. I am very glad that in the Excise Department at any rate, this new caste, this statutory caste, based on birth, the creation of British Government, this new caste which has been created like the castes of Manu, the caste of statutory agricultural tribe, is properly represented, because I find from the statement issued by the Punjab Government that 50 per cent. of the posts are held by the members of the statutory agricultural tribes, and it is well known that the statutory agricultural tribes do not form 50 per cent. of the population of the province. If a further division is to be recognized, that is, Hindu statutory agriculturists and Muslim statutory agriculturists, the statement of the honourable Financial Commissioner shows that Hindu statutory agriculturists have also got a share which is more than their share in the population. If such divisions and sub-divisions are to be recognized, and more appointments are to be given to Hindu statutory agricultural tribes, the Government should realise that amongst the Hindu statutory agricultural tribes quite a large proportion consists of non-Jats, Rajputs, Ahirs, Sainis and others and a large proportion of them consist of persons

not belonging to the Rohtak district. The honourable Financial Commissioner should consider the claims of persons belonging not only to the Rohtak district and not only of the Jats of that district but of other castes also and of other agricultural tribes of other districts and should see that they also get their fair share.

Rao Bahadur Chaudhri Chhotu Ram : I am really amazed at the figures of population which have been quoted by the Financial Commissioner. I do not know who is responsible for the preparation of these figures. I was on the Franchise Committee. I served on that committee off and on for more than a year. In the Franchise Committee we were told not once, not twice, but, perhaps, scores of times that the Hindu population was a little less than 70 lakhs. How it has managed to jump up to 86 lakhs I fail to understand. Again, it is entirely wrong to suggest that the population of statutory Hindu agriculturists is only 20 lakhs. A million of the population is made up of Hindu Jats alone, and another 8 lakhs of Hindu Rajputs. I refuse to believe that the remaining statutory agricultural tribes are responsible only for contributing two lakhs because I know for a fact that Gour Brahmins alone are in the neighbourhood of 4 lakhs. There are so many other tribes such as Gujars, Ahirs, Sainis, Bishnois, Malis, Tagas, Mohyals, etc., who are statutory agricultural tribes. Therefore I question the figures which have been quoted by the Financial Commissioner on the floor of this House, and I would make a request to him to scrutinise these figures and take some action against the gentlemen who have prepared them for him.

Again, the Financial Commissioner has placed the statutory Hindu agriculturists on the one side and the rest of the Hindu population on the other. Is it fair that the proportion which is due to classes other than Khatri, Auroras, Mahajans, Suds and the like should go only to these four or five classes? Why should the share of Chamars and Churas and other depressed or artisan classes go to Khatri and Auroras alone. They have nothing in common with the commercial classes. They have a good deal in common with Rajputs, Jats, Ahirs, and Gujars. I refuse to accept the soundness of the principle that the share of agriculturists who are not statutory should go to Khatri, etc. This share should go to statutory agriculturists in preference to Khatri and Auroras who suck their blood just as much as they do that of agricultural tribes. Therefore the share of these four or five classes should be clearly restricted to a definite maximum. Let the rest go where it likes. I shall have no complaint to make then. However, I will insist on refusing to accept the soundness of the principle that the whole share which does not fall to the statutory agriculturists on the basis of their numerical strength should go only to these four or five classes.

The case of tahsildars has been brought in. In spite of every single appointment during the last three, four or five years having gone to statutory Hindu agriculturists, look at the number of these God-forsaken classes in the ranks of tahsildars. There are 41 Hindu tahsildars. Out of these 41, only 10 are statutory agriculturists. This means that previous to this period of four or five years practically all the tahsildars were non-agriculturists.

Mr. President : Reference to tahsildars is not relevant to the motion before the House.

Rao Bahadur Chaudhri Chhotu Ram : When the honourable member spoke referring to tahsildars I drew the Chair's attention that such reference would be irrelevant and as you, Sir, did not take any action, I am now simply replying to the argument which has already been allowed to be advanced.

Mr. President : Reference to tahsildars was irrelevant, no doubt, but attention of the Chair was invited to it after the irregularity had been committed.

Rao Bahadur Chaudhri Chhotu Ram : The honourable member did mention tahsildars and I do not see why if an irrelevant matter is allowed to be introduced in the first instance, the reply to it should be disallowed.

Mr. President : It was not with the permission of the Chair that the irrelevant matter was introduced. An irrelevancy can be detected only after a speech is made and at that stage all that the Chair can do is to ask the speaker to be relevant and speak to the motion. Can it do more than this? If one member introduces irrelevant matter, can the honourable member point out any rule or standing order under which the Chair can do more than warn the member not to speak irrelevantly?

Sardar Sampuran Singh : The honourable member, Mr. Mukand Lal Puri, gave the reference to tahsildars as an instance and the question is whether the honourable member, Chaudhri Chhotu Ram, has any right to repudiate that instance. If that was really cited as an instance it cannot be held irrelevant and it can certainly be demolished in reply.

Mr. President : The honourable member for Rohtak admits that Mr. Puri's reference to tahsildars was irrelevant and yet claims a right of reply to the irrelevancy. A reply to an irrelevant speech cannot be but irrelevant. Therefore, it is too much on the part of the Rao Bahadur to request or expect the Chair to permit an irrelevant speech.

Shaikh Muhammad Sadiq : It was perfectly right for the honourable member, Mr. Puri, to say that they were making such fuss about the jobs. Every debate has its ramifications and I respectfully suggest that the honourable member, Mr. Puri, was not absolutely irrelevant.

Rao Bahadur Chaudhri Chhotu Ram : The honourable member was allowed even to go down to districts and tribes of Hindu agriculturists in respect of the recruitment of tahsildars. If I am not allowed the right of reply to that criticism, I beg your permission to leave the House.

(The honourable member then left the Chamber).

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I need say only one word, that so far as the census figures are concerned they cannot be suspected or doubted. They can be verified by any honourable member if he chooses to look into the census report. So far as the recruitment by communities to the services is concerned, that again can be discovered easily in the civil list. The Financial Commissioner has clearly established that the rights of the zamindars have been adequately protected and the claims of the Hindu zamindars have been adequately met. Under these conditions, I hope that the honourable

member — I am sorry he is not here — would look at the question fairly and squarely. I am sure if he had been here he would have withdrawn the motion.

Mr. President: The question is—

That the total grant be reduced by Rs. 100.

The motion was lost.

Muslim representation in the Excise Department.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I beg to move—

That the total grant be reduced by Re. 1.¹

My object is to draw the attention of Government to the under-representation of Muslims in the Excise Department. It is all very well for the classes which have appropriated all these jobs to themselves to say that it is very inconvenient and inadvisable to bring in communal questions, but the whole policy of Government is simply governed by communal considerations. Even in the highest service, in the Indian Civil Service I mean, certain posts have been allotted to certain communities, and if certain per cent. belonging to those communities does not come out successful in the tests, there are reservations made to redress communal inequalities.

Out of 160 inspectors and sub-inspectors there are 64 Hindus, 25 Sikhs and the rest are Muslims. So the percentage of Muslims comes to nearly 38 per cent. This is under-representation of the Muslims in this department. The argument is always put forward that no efficient Muslims are forthcoming. I can bring in hundreds of persons who are as efficient as anybody else, if Government is in need of so many Government servants. I wish simply to bring this to the notice of the Honourable Minister for Agriculture so that he may bear in mind the legitimate claims of the Muslims when fresh recruitments take place.

Mr. President: Motion moved—

That the total grant be reduced by Re. 1.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to support the demand under consideration. Whatever criticism there may be about communal representation, it has been accepted by the members of the Government and the Government of India has already issued a notification about the representation of the Muslims to the extent of 33 per cent. in the all-India services. According to that principle in the Punjab the representation ought to be according to the population of Muslims. But in this department, Muslims are only 38 or 39 per cent. That is an achievement of which the Honourable Minister for Agriculture may be proud. He has been holding the reins of this department for the last 11 years and I think he is responsible for this under-representation of the Muslims in this department. I have told on previous occasions that I am not interested in communal matters, but the principle having been accepted, I must support this motion. Even if the Hindus were

¹To draw attention to the under-representation of Muslims in the services of the Excise Department.

[Ch. Allah Dad Khan.]

under-represented, I would have risen to their support. But it happens that this matter relates to the Muslim community which I have the honour of representing in this House. If the Muslims are under-represented it is a matter for which, I think, the Honourable Minister must deserve a very severe condemnation of this House. He has never risen to the occasion when the Muslim community, which forms 56 per cent. of the population of the province, is under-represented. He should have thought about it before and now he is not only committed a simple mistake but he has committed a grave blunder. So, this cut has been moved; otherwise there was no necessity of this sort of censure against the Honourable Minister.

Not only do the Muslims form 56 per cent., but the agricultural population of the Muslims is more than 50 per cent. in the province and they pay a great portion of the land revenue also.

The Honourable Sardar Sir Jogendra Singh : What is the proportion of the agriculturist zamindars of the Muslim community ?

Chaudhri Allah Dad Khan : I mean to say that zamindars are not even represented according to the population, who contribute the largest share of the land revenue. There may or may not be an agreement of opinion on the question that efforts should be made, but I think as long as the Honourable Minister for Agriculture is in charge of this department we cannot expect any improvement. Even in other departments under him the condition is not much better. So, I cannot expect that any improvement will be affected during the time when the Honourable Minister remains in charge of this department. Muslims are very loyal subjects of His Majesty the King Emperor. Their rights should not be ignored in that way. It is laid down by the Government of India in their notification that recruitment to the services must be according to the population of the community; otherwise I should not have pressed it. I should have depended upon other factors to get some due representation of the Muslims. But now when the Government has recognised that principle there is no question about Muslims being under-represented in this important service of the Excise Department. It is a department which I think should be composed more of Muslims than non-Muslims and that too, for this reason that other people who get less pay have also before them the amenities of the Excise Department in the form of drink and other things; while the Muslims very much hate drinking, as my honourable friend, who is on my right, has already pointed out. Therefore, Muslims should be employed in large numbers in the department.

As to efficiency in this department, I may cite here the instance of a certain excise inspector who went to a contractor — I mean the licensee — for getting some liquor. He was drunk. He handed over a note of Rs. 100 instead of Rs. 10 and got a bottle — I think it was a bottle of whisky — and the price of that bottle was Rs. 7-8-0. He got back for the balance Rs. 2-8 from the contractor, who was also drunk, and the inspector went away and enjoyed the drink. In the morning of the following day he found that his hundred rupees note was missing. Now, when these officers cannot take care of their own things, how can they

be expected to take care of the interests of the department? So this department is going from bad to worse. I say this department is going to dogs.

If you go into the villages in the district which I have the honour to represent, you will find that illicit distillation is going on. Inspectors and sub-inspectors, who belong to other communities, do not place much ban on this illicit distillation. They remain drunk during the nights and people go on distilling and distilling. Therefore, an increase in the element of Muslims in this department in order to safeguard this department is very necessary. If that is not done, what is the use of Government showing favour to other communities at the cost of Muslims and sacrificing the principle which the Government of India has accepted and which the Parliament has accepted? It is also laid down in the Government of India Act that not only a certain proportion of communities should be represented in services, but also in future legislatures. When this principle is so much accepted — and there is no escape from it — why should not this principle be followed in this department? With these few words I lend my humble support to the motion under consideration.

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

(Urdu): If you look at this department you will find something very interesting. The Sikhs as a community are over represented and for this I would not blame the Honourable Minister in charge of this department but would rather say that he has done well under the existing conditions especially when no communal representation has been fixed for recruitment to this department. When one is in a position to favour his own community he ought to do it. In 1927 Sir Geoffrey deMontmorency announced the policy of the Government with regard to recruitment to the services in the reserved departments, but said nothing about the departments under the charge of the Honourable Ministers as to whether or not any communal representation would be maintained in the services of these departments. The Council, therefore, cannot say whether the Honourable Minister has done justice in this department. We are at a loss to understand why Government while fixing communal representation for some of their departments did not consider it advisable to fix communal proportion for all the departments. Most of the questions that have been asked in this House since the advent of the reforms under which this Council was constituted, related to communal matters and in consequence of these communal questions the Government undertook to prepare this consolidated statement every year. This statement was prepared for the first time in 1926. If we analyse the results arrived at in this connection we would at once say that Government does not deserve any credit. The Government has not been able to do justice in any single department of its own for the last ten years. If one community has over-representation in the Police Department, the other has monopolised the services of the Excise Department and so on. All the three communities have over-representation in one or other department. This shows that communal questions in this House have not in the least improved the situation. Our position is worse than before. The Government looks satisfied at our communal bickerings and it is only a few minutes ago when we were quarrelling the Government Members were laughing at us. It is really

[Ch. Afzal Haq.]

disgraceful for us to give an opportunity to Government to laugh at us. After the expiry of the last ten years the Government ought to have published a statement along with this consolidated statement showing that in such and such a department such and such community was under-represented and that it has since attained its proper representation. But they have not done so. It is, therefore, clear that Government have not been able to hold the scales even between the various communities for the last ten years. It has become a habit with us to consider all matters from purely communal point of view and therefore we have not been able to ask the Government why they have fixed communal representation only for the reserved departments.

Mr. A. Latifi : Will the honourable member please give authority for saying that that statement was only for the reserved departments? I have read it and I cannot find it.

Chaudhri Afzal Haq : Will you allow the honourable member to read it?

The Honourable Sardar Sir Jogendra Singh : I do not think it is necessary to read out the report. The honourable member must remember that in all the replies to communal questions which any Minister has given that reply has been very freely quoted.

Chaudhri Afzal Haq : I am glad to learn that the statement of Government's policy referred to above applies to all departments of Government. But my point remains still to be answered. I ask, what has the Honourable Minister done in this particular department? Has he tried to do justice pure and simple? This department is not very old.

The Honourable Sardar Sir Jogendra Singh : I think the honourable member is wrong. That is an old department.

Chaudhri Afzal Haq : That may be old, but you made appointments in the department in 1926-27.

The Honourable Sardar Sir Jogendra Singh : No, you cannot be sure about that.

Chaudhri Afzal Haq : But you were holding this portfolio in 1926 or 1927, and since then you have not been able to do justice between the various communities.

It is now more than 10 years when the Government made an announcement of its policy with regard to communal proportions in services, but after a lapse of all these years the position remains almost the same not only in the Excise Department but in almost all other departments of the Government. I would like the Honourable Minister concerned to explain the reasons why efforts have not been made to give effect to that policy and why it is that the proportion of Muhammadans in the Excise Department is still very much below the proportion fixed for them.

The Honourable Sardar Sir Jogendra Singh : Will the honourable member kindly read that statement in which the policy of the Government regarding recruitment to services was explained?

Chaudhri Afzal Haq : I have not got that statement with me at present. However, everyone here in the Council knows what that statement was and in the light of that statement it is not very difficult to see that the Government as a whole has done nothing or practically nothing to give effect to that policy. If Muslims alone had been an aggrieved community, I might have asked them to keep quiet. But the fact of the matter is that every community appears to have been treated unfairly. If Muslims are under-represented in one department the Hindus and the Sikhs have not been given their due share in other departments. Therefore it is not wrong to say that the Cabinet as a whole have not recognised their duty in the matter of services. I would have gone further and used the same expression about the members of the Cabinet that was used yesterday, but I fear that I may not raise a storm of objections and hence I refrain from making use of that expression again. However, I must say once again that the Government has miserably failed to carry out the policy laid down by itself in the matter of recruitment to services. From 1927 when the declaration of that policy was made up to the year 1936 little has been done to set matters right although, as we are all aware, three-fourths of the time of the Council has always been spent on ventilating the grievances of this or that community with regard to its under-representation in this or that service of the Government. Sometimes we hear the members cry out that Hindus in the Police Department are very few and sometimes a cry is heard from other benches saying that the number of Muslims in the Excise Department is not adequate and sometimes we hear them saying that sufficient number of Muslims has not been taken in the Education Department. If after all these cries the position remains almost the same as it was before 1927, it is clear that we have been wasting our time or at least much of our time. It appears to me that the Government and the members of the Cabinet have been enjoying these discussions over the communal proportions as a sort of *tamasha*. I am now convinced that they will never recognise their duty in this matter and it is for this reason that I have ceased to take any very great interest since 1930. I am of opinion that it is more or less useless to bring forward such cut motions and I, therefore, do not consider it worth while to lend my support to the motion under discussion. What I would suggest is that all sections of the House and all the members belonging to different communities should meet somewhere outside this Chamber and chalk out a plan or policy with regard to this matter. They should all combine to come to some decision in the matter of recruitment to services and when they have done so, they should compel at least their Ministers to act according to that decision (*An Honourable Minister : Do it, do it.*) That, I think, will be the best course for us to pursue in this matter. It will be no use wasting our time like this. I, therefore, oppose this cut.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : I do not agree with the last portion of my friend, Chaudhri Afzal Haq's remarks in opposing the cut which asks the Government to remove the anomaly and look after the interest of Musalmans. There is no harm in asking Government to appoint more Muhammadans, there being an under-representation of Muhammadans in a particular department. There is nothing wrong in asking Government to safeguard the rights of one's own community. For some time Government has been much pressed by the Muslim members

[Sh. Muhammad Sadiq.]

of this House to allot posts according to population, but somehow or other Government has always brought forward in answer the bogey of efficiency. You say you must keep efficiency in mind. I say it is mere mockery. There are efficient Musalmans, there are efficient Hindus and there are efficient Sikhs and there are large numbers of unemployed B.As., M.As. and LL.Bs. So I am sure this question of efficiency does not arise at all. Are these men not fit to hold offices? I am afraid there are more of these than we can employ. There is no dearth of efficient Muslims. For the last seven or eight years there have not been enough number of Europeans coming forward for the I.C.S.

Mr. President : The honourable member is not relevant.

Shaikh Muhammad Sadiq : I was only giving that as an illustration and I have every right to do so, because this question of efficiency has been raised at least half a dozen times in the Council. I am just giving an instance that whenever it suits their purpose, Government forget the question of efficiency. When enough European I.C.S.'s were not forthcoming, what did the Government do? They said as enough Europeans are not coming forward, so in future instead of having them through the competitive examination, we will fill the posts in some other way. And what is that way?—nomination. I do not mean to make disparaging remarks, but I just wish to point out to Government that in the I.C.S. which is the cream of services in the world when Government found that the European element was not sufficient, they did not give much importance to the question of efficiency. There are only two methods of appointment; one is competition and the other nomination. So, in this case where the question of nomination. You can fix some minimum qualifications for a post, say M.A. or B.A., LL.B. or any other qualification, and then make appointments on population basis, or some other method which is agreed upon by everybody. But fix some definite proportion. What actually happens is this that the Hindus say that they are not enough in a particular department then Dr. Narang begins to fill the jobs with Hindus, similarly other Ministers try to fill with persons of their communities, thereby causing dissatisfaction all round. Then where is the policy of efficiency there? My Hindu friends very often talk of efficiency, yet even in the case of reserved subjects where the question of prestige of the police is important, a deputation of prominent Hindus waited on Government that there were not enough Hindus in the police stationed at Lahore during recent trouble and at once hundreds of Hindu policemen were brought to Lahore in a short time, as if the Musalman sub-inspectors or head constables would not arrest a Musalman. In the face of it how can we say that Hindus and Muslims do not want communal allotment of posts? In this country we have not only communalism, but racialism also. Why blame Hindus and Muslims alone? Hindus and Muslims do want representation according to population basis. It is not the question who pays more revenue, you cannot say because a sweeper does not pay any revenue; he has no right to be represented. You cannot say that because Rai Bahadur Lala Ram Saran pays thousands of rupees as revenue, therefore he should have more votes. In this democracy, one man one vote, whether he pays any revenue or not, similarly

posts should go according to proportion of population; The present Government is going to last for one more year so I would request them to make use of that year in settling this acute problem. We cannot say that it is their intention to set one community against another, far be it from me to say that, but the fact remains that the communities are quarrelling amongst themselves for posts.

I say the Muslims feel that they are under-represented in the services; they have been crying this for years now. The Sikhs may also complain that they are also under-represented in certain services. Some people think that Sikhs are over-represented in certain services and blame the Minister of Agriculture for this. Perhaps he is absolutely innocent of these allegations. Many of these appointments are made by the Financial Commissioner. No doubt my Hindu brethren are very clever and always manage to get as many posts for themselves as possible in fact more than their share. It is a fact that the Hindus are over-represented in the services. I do not blame them even for that, they being clever in securing the majority of jobs. My contention is that the Muslims should have their proper share in the services. I do not mean to say that the Muslims should have a share in excess of their just rights. I only want a proper share for them, not one post more from the share of the Hindus or Sikhs, we want just our rightful demands accepted. This question of share in services should be settled once for all, because more mischief has been wrought in this country by the wrangle for a share in the services on communal basis than by anything else. Once the proportion of various communities in the services is fixed, all these quarrels will cease and our province can work very smoothly and happily. I can give an illustration as to how this can be achieved. When I became a member of the Municipal Committee of Amritsar, the Hindus complained that more Muslim gullies were paved than the Hindu gullies. Similarly when the question of electric lighting came every community complained that their kuchas were not lighted. So, I proposed that every community should have a proportion in these amenities. This was agreed to. The result was that 40 per cent. funds were allotted to the Hindu locality and kuchas were paved and lighted with electricity and similarly 40 per cent. of the Muslim locality was paved and lighted with electricity. From that day the communal bickerings have ceased in the Amritsar municipality. Similarly we settled other contentious matters. You will observe even from the Government reports that there is less communal tension in the Amritsar Municipality than in any other municipality. The Government can well take a leaf from the book of that municipality. If the Government had adopted this course some five or ten years ago, we would not be in the position in which we are now. These communal bickerings in the matter of services is a disgrace to our province and the sooner we settle the matter once for all the better.

Very often the question of efficiency is put up when we raise the question of share for all communities in the services. After all, what is this efficiency? A person does not become more efficient simply because he happens to get a few more marks in the competitive examination than another. I know of a friend of mine who was successful in the I.C.S. examination and he told me that he never read a newspaper during the last five years. You can very well imagine the degree of general knowledge that he

[**Sir Muhammad Sadiq:**]

must possess. Is that efficiency? Of course competitive examinations are useful, but one should not make a fetish of these examinations. Whenever there is any post of a clerk vacant, you get hundreds of applications from B.A.'s and M.A.'s and LL.B.'s. Is it contended that these are unfit for the post, that they are inefficient? It is high time that this question of services is settled soon. Punjab problems are already very bad and the service problem in our province is worse. It is, therefore, essential that the three Ministers should put their heads together and evolve a solution which will solve this communal share in services once for all. I do not propose to ask the Honourable Members in charge of the reserved half to take any part in the solution of the problem because I am sure they will accept the approved arrangement. My appeal is to the three Ministers to find out a solution. If any community is to be given weightage, my Muslim friends will not object to that. They will be prepared to make a sacrifice in this respect if Musalmans are treated in the same way in other provinces, but they will not accept less than 50 per cent. In conclusion I urge that the time has come when the Government should make up the Muslim deficiency in all departments where they are deficient in numbers.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): This question of representation of various communities in the services is really a bit ticklish and I am afraid I cannot abuse the Honourable Ministers with the same vehemence with which my honourable friend has just now abused them. The reason is this. Unless we decide the point ourselves, it is very difficult for them to gather courage to come to any decision on this vexed question, because if they come to any decision, we may not agree to that afterwards.

For some time talks have been going on—I should not say for some time, but for some years—and I know particularly the Honourable Minister in charge of the department about which this cut has been proposed, had more or less settled this question both with the members of his community and other ministers, and a definite formula was drawn up. But, most probably, other communities did not agree to that proposal and consequently that was not eventually put before the House. No doubt we blame both the Government and the Ministers, this afternoon, but we should not forget that it is our duty as well, to make a definite formula and ask them to act upon that. We all seem to agree to do that but we always lack the courage when taking action in such matters, and, I think, what we should really do is, that we should decide these proportions and ask our Ministers to act on them and I do not think that they will have any objection to their acting upon that principle.

The Honourable Dr. Sir Gokul Chand Narang: No objection.

Sardar Sampuran Singh: Certain reflections have been made on the Government in this connection, but I would say that the same reflections, to a certain extent, apply to the leaders of the various communities. These small matters sometimes create big differences in communities and people who want to exploit those differences for their own ends, do not like that people should come to any definite decision on this matter so that the opportunity of their exploitation should not also disappear with it. If we really decide that we should not give opportunity either to members of the

Government or to such public men as I have already mentioned, to exploit such differences, and if we once make up our minds on that, I am sure the decision will not be very difficult to make.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban *(Punjab)*): I associate myself with all that Shaikh Sahib has said. But it has been suggested that 40 per cent. of the services may be given to the Muslims, 40 per cent. to the Hindus and 20 per cent. to the Sikhs. But I am very sorry to say that no one thought of the untouchables. If they had suggested that 35 per cent. of the services should go to the Muslims, 35 per cent. to the Hindus and 20 per cent. to Sikhs and the remaining to the untouchables then it would have helped us also. But no one thinks of us, untouchables.

Mr. A. Latifi (Financial Commissioner, Revenue): I am afraid the honourable member from Hoshiarpur did not do me the compliment of hearing what I said on the previous cut on which this House voted. At the beginning of the few remarks that I made before, I quoted the classical dictum of Sir Geoffrey deMontmorency in this House regarding the representation of various communities in the services, and I said that the principles there laid down applied to all services under the Punjab Government including this department.

Chaudhri Afzal Haq: But the Honourable Dr. Sir Gokul Chand Narang did not agree.

The Honourable Dr. Sir Gokul Chand Narang: Agree to what?

Chaudhri Afzal Haq: To the proportion of services.

The Honourable Dr. Sir Gokul Chand Narang: Who told you?

Chaudhri Afzal Haq: I have heard you.

Mr. A. Latifi: In making that statement, I had the full approval of the Honourable Minister in charge of this department.

The Honourable Dr. Sir Gokul Chand Narang: I do not know what the honourable member was talking about me.

Chaudhri Afzal Haq: You did not agree with the statement of Sir Geoffrey deMontmorency.

The Honourable Dr. Sir Gokul Chand Narang: I have quoted it a dozen times in replying to Council questions.

Chaudhri Afzal Haq: I am sorry.

Mr. A. Latifi: I am glad the honourable member is satisfied on this point. I have made that statement with the full approval of the Honourable Minister in charge of this department. Sir Geoffrey deMontmorency concluded his speech of the 19th July, 1927, with the remark—

"The formula represents the present policy of Government and it represents the policy which the Government will stick to until there has been a widespread change in the composition of what we may call educated classes throughout the province."

There is another misapprehension, under which some honourable members have laboured, which I must clear, and that is the extent of the responsibility of the Honourable Minister apart of course from his constitutional responsibility for the Excise Department. Under the Rules

[Mr. A. Latifi.]

that have been issued under the Excise Act, the Financial Commissioner is the final statutory authority that makes all these appointments. I can assure the honourable members that while I have been Financial Commissioner, the Honourable Minister in charge of this department has never interfered in any way prejudicial to one community or the other as such. (*Hear, hear.*) Any responsibility that exists in this regard, must rest, therefore, only on me, the present head of the department. Now, what is the present position? The representation of Muslims in the year 1933 was only 37 per cent., but since then it has risen and it is now 39½ per cent. Honourable members must realise that no revolutionary changes can be effected in matters of recruitment. The progress of any community towards what is regarded as its reasonable share must necessarily be slow and this has perforce to be so in the Excise Department where recruitment is as a matter of practice made not by the Financial Commissioner but by the commissioners of the divisions and so no drastic alteration in the existing system is possible, even if it were desirable. I have no doubt that one reason why suitable Muslims have not in the past—I am not referring to the present—been forthcoming in adequate numbers to join the Excise Department, is perhaps that alluded to by the honourable member who represents the Ambala rural Muslims, namely, that Muslims, as a rule, do not like anything that has to do with liquor. I remember myself that when I was Commissioner of Ambala, I persuaded a young Muslim of a good family, but of reduced circumstances, to accept an appointment in the Excise Department. The young man who had a widowed mother to support, went home to get his mother's consent. He came back and said that he was sorry he could not take the appointment because his mother said that if he accepted it, she would never see his face again. I do not commend this feeling, but there has been this sort of feeling in the past. It may be this is one of the reasons why an adequate number of Muslims was not recruited in the past. There has been misconception among some sections of the public that the Excise Department exists in order to promote the drinking of liquor. It is of course nothing of the kind. We are as much workers in the cause of temperance as any of the non-official temperance organisations. However, I can assure the honourable members that there is no difficulty now in obtaining suitable Muslim recruits for the department and the reasonable claims of the community will be duly borne in mind.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): I entirely agree with this cut motion. I am sorry to note that although the Government frames rules and regulations it does not act upon them. I shall be able perhaps to illustrate my point by telling you a story and quoting a proverb. The story is that a marriage party was to be entertained at a house. The host entrusted the work of making chapatis to a woman whom he thought to be honest and experienced. But she began to steal the flour balls (*peras*). In the same manner at first we thought that our Ministers were honest gentlemen. We expected justice from them. But all the quarrels among the communities and all the disorder which we see in the country has been brought about by these people. The proverb *چون دہان چو* applies too correctly in their

case. Every Minister tries to benefit his own community. Thirteen or fourteen years have passed since the inception of this Council. During this time if our responsible men had thought it fit to settle our quarrels they would have been settled long ago. But who cares?

The Musalmans complain that they have not been given their due share in services, but nobody pays any attention to their complaint. All that is said is this that such complaints give rise to communal quarrels. Chaudhri Afzal Haq himself has felt that Musalmans have not been given their due share in services; but he has refrained from lending his support to this motion in order to save himself from the criticism that he too participates in such quarrels, although it is not a crime to say that Musalmans are under-represented in services, and they should be given their due share. The people who dominate the services are anxious to maintain their domination, and the rights of Musalmans are being trampled under foot. If the Government had not framed any rules about the representation of various communities in services it was another thing, but when the rules are there it is necessary that the Musalmans should be given their due share in accordance with those rules. Perhaps the Government wants that the Muslims, the Hindus and the Sikhs should continue to fight among themselves, so that it may be able to continue its dominant position. We know that only if the Government had cared to end these quarrels they would have come to an end long ago. All the high posts are in the hands of the Governor himself. All the papers are sent to him by his secretaries. So, if the Government had wished it could have given Musalmans their due share at least in high posts.

Musalmans have a particular grievance against the Sikhs. Where the Sikhs are in a majority they tell the Muslims not to quarrel. But in the Jullundur district board where they pay more land revenue than others and the seats are allocated in accordance with the land revenue paying capacity of the constituents they are clamouring for 80 per cent. seats. But in Kapurthala where they stand to lose if the same principle is applied they have put forward a demand on entirely different basis. They are demanding separate electorates there as they stand to lose if the other principle is applied to them.

Our Ministers have tried to benefit their own communities. The Sikh and the Hindu Ministers have been especially active. But the Muslim Ministers have done nothing. Perhaps their weakness or good-naturedness has stood in their way. Let us examine the case of our four Ministers; Malik Sir Firoz Khan Noon has a Sikh as a Personal Assistant and a Hindu as an orderly. Sardar Sahib has a Sikh Personal Assistant and all his orderlies are Hindus. And the learned Doctor's case need not be mentioned. His personal assistant is a Mahasha and his orderly is also a Hindu. Besides this all other people in his office are Hindus. The Nawab Sahib has Hindu orderlies because his good-naturedness cannot differentiate between members of different communities. Muslim officers attach importance to work only and not to the communities of the employees. But the Sikh and Hindu Ministers have gone to the extreme. In spite of all this we are prepared to recognise and praise any act of justice done by the non-Muslim Ministers. For instance, Sardar Sahib has appointed Khan Bahadur Maulvi Fateh Din as Director of Agriculture. He is a just officer and I would

[Sh. Muhammad Abdul Rahman Khan.]
ask the Government to produce men like him if they want to run the administration smoothly. The Maulvi Sahib is a man who is liked by Hindus, Muslims and Sikhs alike; such people are a blessing both for the ruler and the ruled. Sir, I intend to move many cuts to draw the attention of the Government to this subject, therefore, I do not want to say anything more on this motion. I will only request that the Musalmans should be given their due share in the services.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): The question of representation of various communities in service is a big and vexed question. It has a history behind it. Just as it has been remarked I do not think I should go into that long history, but I might say that this question of services came to the forefront about 20 years ago. Previous to that as a matter of fact these services were monopolised by certain classes of people who had got far higher education and who had access to it. But since then education has made rapid strides and those so-called backward communities have come into their own and therefore they legitimately claim their due share in the services. I think it is due to the Government that out of this chaos they should evolve some order and make some arrangement by which the services are so recruited that there will be no predominance of any single community to the exclusion of the legitimate and reasonable rights of other communities. But unfortunately so far no proportions have been fixed and this question of proportion creates much difficulty and is responsible for so much wastage of the time of the Council as remarked by certain members. Time has now gone when there used to be the excuse put forward that efficient people were not forthcoming. Educated people are now forthcoming and this has been stated by many previous speakers. People with requisite qualifications can be had now from almost all the communities. There is one point to which I wish to draw the attention of the House. My friend from Hoshiarpur was accusing the Government. I do not know what he meant. But he said that it is the Government who is responsible for creating all this trouble. They allowed the Sikh Minister to do what he liked in his sphere and similarly the Hindu and Muslim Ministers. If by Government he meant the reserved side, that is, the Finance and the Revenue Members, I think we members should have been the first to object to any interference from the reserved side with the policies of the Ministers. That was perhaps what the Government could have done and should have done—non-interference—they should have adopted the policy of as little interference with our Ministers as possible. Therefore when the principle has been laid down that all communities should have a fair representation in the services the only thing that remains to be done is, there should be an agreed formula which should be agreed to not only by the three Ministers but by all the representatives in this House, Hindus, Muslims and Sikhs and they should adhere to that formula. As has been stated by Sardar Sampuran Singh, that agreed formula was prepared but unfortunately it fell through because certain members had not agreed to what the Ministers were doing in the interests of the province.

Another point is this. I do not think that I should take the speech of Chaudhri Muhammad Abdul Rahman Khan seriously. Perhaps he never studied the figures and he never applied his mind to the figures. He

stated that in the Excise Department there is over-representation of Sikhs. I think if he had cared to read these figures, he would have found that the representation of Sikhs is only 15.4 per cent. and that is below the claim that the Sikhs have been making from time to time and he forgot that as a matter of fact in the all-India services the share of Muslims has been fixed at 33 per cent. Similarly if a little weightage is given to the Sikhs I think he would never have made that statement, particularly when the honourable Financial Commissioner had stated that whatever has been done in this department it was he who was responsible in the matter of these appointments and if the Minister had anything to do it was very little. I believe that Chaudhri Muhammad Abdul Rahman Khan did not follow the speech of the Financial Commissioner and therefore he made his speech in that strain. I may, however, assure honourable members that I have not got up now to oppose any just grievances which the Muslims may have in any department where they are under-represented.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I was a little surprised when the honourable member from Sheikhpura moved this cut motion. He himself has been in the Excise Department. He has been a Deputy Commissioner and he knows what the practice is. The honourable Financial Commissioner, Revenue, has clearly stated the position, that so far as appointments are concerned, the Minister has no hand, but I do not want to disown my final responsibility. The fact is, that not even the Financial Commissioner, Revenue, makes these appointments. They are made by the commissioners and deputy commissioners. Therefore I am a little surprised that responsible members of this House should cultivate the habit of accusing Ministers without ascertaining facts. It does not matter if an ignorant man makes these accusations. But when a well-informed responsible politician goes out of his way to make these criticisms it is natural to be surprised. Regarding Chaudhri Muhammad Abdul Rahman Khan's criticism I can be content by quoting a line from Tulsī Das :

قاسی برا نہ مانے جو گزار کہ جائے
جیسے گھر کا زدہ بڑا بہلا وہ جائے

(Honourable members : Translate it.) I do not think any one in the House does not understand it and it is not therefore necessary for me to translate it.

I will now deal with the points raised in the debate. The honourable member from Hoshiarpur stated that the whole Excise Department was re-organised in 1926. I wish he had ascertained the facts before he made this statement. In 1926 there were 162 officers in the Excise Department. To-day the number is still 162. So the idea of re-organisation which existed in his imagination had no relation with the actual facts. In 1926 the representation of the Muslims was 37 per cent.; it is 39.5 per cent. to-day. I have been accused of recruiting Sikhs largely and penalising the Muslims, but it is the Sikhs who have cause for complaint and not the Muslims. The Sikh representation in 1926 in this department was 18.5 per cent. and it has been reduced now to 15.4 per cent. Therefore, now those who accuse the Minister of not having been fair to the other communities had better search their hearts and see whether their criticism was fair and justified and if it.

[Hon. Sardar Sir Jogendra Singh.]

was not fair and justified I hope they will not indulge in such criticism again. (Hear, hear.) Then, again, Chaudhri Allah Dad Khan talked in his usual manner of the rights of Muslims. He almost said :

اور ۴ چارے مسلمان کو نقطہ وعدہ دور

Now, regarding the proportion to be fixed in the services, so far Government has fixed no proportion, and the declaration made some years ago by the then Honourable Finance Member still holds the field. Sardar Sampuran Singh has told you and most of the members are aware that attempts have been made from time to time to fix this proportion by agreement, and yet the very members of the Council who get up and press the claims of their communities refuse seriously to arrive at the real solution of the problem by fixing these proportions by agreement. The real solution lies in fixing a communal proportion for future recruitment. Now if the honourable members are really serious that this problem should once for all be settled, what is there to prevent them from passing a resolution, fixing these proportions? The responsibility, if any, rests on the members of the Council who somehow have got into the habit of indulging in cheap criticism. They would be serving the larger interests of the community by settling this communal question once for all. Now that I have shown that the facts on which this cut was based have no foundation, from the fairness of the honourable member who moved this cut I can reasonably expect that he will not press it.

Mr. President : May I request the Honourable Member to explain what he meant by the word *gaurar*.

Honourable Members : A rustic.

Mr. President : Is it a proper word to use?

The Honourable Sardar Sir Jogendra Singh : Even I am a rustic; there is nothing wrong with the word rustic.

Khan Bahadur Malik Zaman Mehdi Khan : I do not want to press the motion to a division. My only object was to invite the attention of Government to the under-representation of the Muslims. I am sorry to hear from the Honourable

Minister that I made any remarks imputing motives to him. (*Honourable Minister for Agriculture :* I never said you did.) My speech was very short and to the point and I said absolutely nothing of the kind. As has been admitted by the Financial Commissioner in reality he is responsible for this under-representation, but I realise that the gentleman who is now occupying the post has been in it for only a few months or at any rate there has been an interruption in his tenure of the office. The Honourable Minister for Agriculture said that during the last ten years there has been absolutely no opportunity for the recruitment of Muslims, but can he say also that during these ten years there has been no death, no retirement in the cadre of these sub-inspectors or inspectors? Surely there must have been some vacancies and these must have been filled up in order to make up the deficiency of Muslims from the Muslim community. The number is the same, the cadre remains at the same strength, but there must have been during these years some vacancies. The Financial Commissioner also said that Muslims were generally disinclined to come to the Excise Department on

account of their religious or family sentiment. He must be aware and probably he has been long enough in the Punjab now to know that the chief avenue of employment at present is the Government service and that there are no other avenues open to the educated classes. This fetish of efficiency or religious sentiment is out of question now-a-days. I can, if Government want to employ Muslims in the Department and if there are vacancies give them within ten days five hundred applicants. I can get them any number. If there is any sentiment at all it will be easily overcome by the force of present financial circumstances. That is therefore no argument at all. The only thing is that some of his predecessors in office have not been sticking to the orders passed by Government and Financial Commissioners and the Ministers in charge of the Department have been remiss in the performance of their duties in this respect though the Minister, I see, is not personally responsible. It was anyhow the duty of the Minister to see that the proportion of representation of the different classes in the recruitment of candidates was observed. The rule that there should be no preponderance in the recruitment of any one class has been observed more in the breach than in its observance. However, as I said at the beginning I have absolutely no mind to press the motion to division. I hope sufficient has been said to shake the whole department or to bring it home to them that there is this under-representation of Muslims. I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Abolition of Excise Superintendents or their Assistants.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*U'du*) : I beg to move :—

That the total grant be reduced by Re. 1.¹

Sir, my sole object in moving this cut is to suggest some economy. The budget which has been presented to us this time is a deficit budget to some extent. It is, therefore, the duty of the honorable members of this House to suggest some ways by which the expenditure of the province can be reduced and the deficiency in the budget made up. I have brought forward this cut to show how economy can be effected. If the Government officials find that there are certain items of expenditure which are not absolutely necessary, they can easily reduce them and effect economy in the expenditure. The appointments of excise superintendents have been recently made permanent. First they were temporary.

Rai Bahadur Mr. Mukand Lal Puri : Are the men in question Hindus or Musalmans ?

Khan Bahadur Nawab Muhammad Hayat Qureshi : One of them is a Hindu and the other is a Mussalman. I have not moved this cut in order to harm a Hindu or a Mussalman. I have deliberately included both of them, so that it may not be understood that I want to get the post of a Hindu abolished. I have never acted in this spirit before. I have moved this cut on account of the deficit budget and with a view to effecting economy in our expenditure. I think these officers are not at all required. The Excise Department in each district works under the supervision of the Deputy Commissioner who controls the excise sub-inspectors and inspectors.

¹To urge the abolition of Excise Superintendents or their Assistants.

[K. B. Nawab Muhammad Hayat Qureshi.]

I strongly urge that this staff should be abolished and the necessary saving should be made unless the honourable Financial Commissioner can give specific reasons for their continuance.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I appreciate greatly the honourable member's desire for economy. Economy is always good. But I am sure, I will be able to give the honourable member figures, proving that the cost of excise administration here is lower than that of our larger neighbouring province, the United Provinces. In the United Provinces the salary of the excise staff runs to Rs. 5,80,981 and the income is Rs. 1,82,13,362. The expenditure is 4.4 per cent. of the income. In the Punjab the revenue is Rs. 1,02,07,027 and the charges on establishment, Rs. 3,29,580. That comes to 3.2 per cent. In the United Provinces there is a wholetime Excise Commissioner who is an I. C. S. officer. In the Punjab before these two posts were created the work was carried on by four Extra Assistant Commissioners as excise assistants and it was with a view to efficiency and economy that this system was modified. My own opinion has been and in future this Council will have to give serious attention to it, that the Excise Department should be as efficient as possible. The Excise Department is responsible for collecting excise revenue on other articles also such as the duty on sugar, matches, and tobacco. It is by securing a strong and efficient staff that we can safeguard the revenue which the province can receive through this department. If the honourable member will give me a little more attention I think he will agree with me, that in the interests of revenue and in the interests of economy it is not only necessary to keep the present establishment but he may find that in future it may be necessary to strengthen the establishment. The department not only deals with excise on liquor and opium but also with the excise duty on tobacco, sugar and matches. And if we are going to have any relief in the matter of land revenue, there is a possibility that these excises will continue to grow. The two assistants and the two superintendents have to control and supervise the excise subordinate staff of the districts. The deputy commissioners, as honourable members know, are very busy and have little time to look into excise matter. Honourable members who say that the deputy commissioner can be entrusted with this department may as well urge that because the deputy commissioner is there, the superintendent of police need not be there. There is sitting on the opposite side (*referring to Khan Bahadur Malik Zamam Mehdi Khan*) a member who has been a deputy commissioner, and the honourable member may ask him, how much time he was able to give to excise work. Perhaps as long as he was a deputy commissioner, he had an excise assistant, who was looking after excise duties. Now that we have taken away the excise assistant and put the superintendents they are carrying on the same work with greater efficiency. I will be able to show the improvements they have been able to make. In 1930-31 the number of working stills that were captured was 176. In 1935-36 this number has risen to 291. The number of offenders convicted for the offence of illicit distillation in 1930-31 was 335, now it is 1,077. It is a general complaint that illicit dis-

tillation is growing and unless we have a trained staff, how is it possible to check this evil? The honourable member, if he looks into the matter, will agree with me that it is not possible to accept his motion at present, and it is not possible to consider his recommendation. But in the light of the experience of the last ten years my own opinion is that we should have really an excise commissioner and a stronger staff. It will more than repay the additional expenditure.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural): The arguments, which the Honourable Minister for Agriculture has advanced, do not hold water. He says that the retention of these officers is necessary for the efficient working of the department. These officers have been in existence for a number of years and illicit distillation has still been increasing from year to year. What is the use of continuing something which does not check the growth of illicit distillation?

من حزب المعرب دلت به نداه

When the superintendents are sitting at Lahore how can they stop illicit distillation in villages? They have very rare occasions to visit villages. They cannot tour throughout the whole of the Punjab. I think, that they are carrying on their work sitting indoor here in their offices. There are two assistants and not one. This work can be performed by one. If illicit distillation is to be stopped, the men on the spot should be increased and not the men at the headquarters. The increased staff at Lahore cannot stop illicit distillation in the Attock district. Is it utterly impossible to dispense with the services of these officers? Some time ago I pointed out in this very House that a certain gentleman had been here for a number of years and that instead of checking illicit distillation, his existence had increased it. If the inspectors and sub-inspectors are being increased, they will be more able to stop it than these highly paid officers at Lahore. In my opinion this illicit distillation is going on in a very secret manner. Even villagers cannot find it. How can men sitting in Lahore know it? They can do nothing. They can only put inspectors and sub-inspectors to do more work. This can be done by the Financial Commissioner. What is the use of throwing this burden of expenses on the shoulders of the province? Then the Honourable Minister for Agriculture says that they have been working for a number of years and that they have gained experience. I understand that we have gained nothing by their existence for about 7 or 8 years. If these officers, who have been in the department for about 7 or 8 years, have not been able to decrease illicit distillation, then what is the use of continuing them? Whatever advice or suggestion is made by the non-official members, is not seriously taken by the Members of the Government. They should profit by the experience of the members of this House. The honourable mover of the motion is a man, who knows more about it than the Honourable Minister for Agriculture or the Financial Commissioner and they should take his advice. If the Honourable Minister wants to know more than I do, about illicit distillation, he should live in a village. I have been living in a village for the last 48 years and know the conditions fully well. So, I say that if you want that illicit distillation should be stopped, then the

[Ch. Allab Dad Khan.]

posts of these big officers should be abolished and in their place the number of inspectors and sub-inspectors should be increased. With these words I support the motion.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural): From my experience I know some of the work these superintendents do. I believe that they are working directly under the Financial Commissioner, Revenue. They have got a duty to check various shops and to see the workings of the inspectors and sub-inspectors in the Excise Department from one place to another place. I can say that these superintendents sitting at Lahore, on information, can go out from one end of the Punjab to the other in a day and inspect the shops there and see the workings there. The service that the department gets out of them is that they have been able to catch some cases by this time. I know for certain that a check has been put but the district staff may not supply the information to the superintendents about some cases and would not bring them to light. That is my complaint. Now, I suggest that the Financial Commissioner be pleased to check their workings for which they are meant. These superintendents are intended to supervise the working of the department and the working of the department should be taken to mean how these inspectors and sub-inspectors work in the department. Superintendents should keep a check upon their workings and see whether inspectors or sub-inspectors do their duties properly or not. It should not be their duty to go to a particular shop and try to find out any fault with the shopkeeper, rather it should be a check upon the workings of the inspectors whether they carry on their work properly or not. It is my experience that illicit distillation of liquor is going on, with the connivance and knowledge of the officers of the department and if any member of Government wishes to know the truth of this statement he will have to accompany me to where illicit distillation goes on. The Government does not wish or does not care to know the reasons which lead the people of the Punjab to this illicit distillation. I can say that it is increasing day by day and the cases that are brought to the notice of Government, 50 per cent. of them are absolutely false because they are brought by those persons who want to bring into trouble the other party with the connivance of the Excise Department as well as of the Police Department. If proper steps to stop distillation are to be taken, I would suggest that Government should insist on the superintendents discharging their proper duties, that is, exercise of proper control over inspectors and sub-inspectors of the department. The Government should chalk out a programme and see that these superintendents follow that programme and also see whether they have inspected a particular shop rightly or not, whether they have increased illicit distillation or they have stopped it.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): The mover of this motion has not made out that the posts of superintendents or assistant superintendents is a sinecure or that there is no work for them. His main reason for this motion is that of economy. I should like to point out that if that is the main object of his motion, then economy can be much better effected by reduction in the number of inspectors and sub-inspectors and not in the reduction in the staff at the centre, whose business is to co-

ordinate and supervise the subordinate establishment of the department in the interests of the department. I just asked for information as to who is the present superintendent—I do not care for personalities—I find that he is not a Hindu but he is an efficient and a very good worker. But the other inspectors do not like these appointments and hence the outcry against these two posts. These two posts are really the most useful posts in the Excise Department, because they are not only necessary in the interest of co-ordinating and supervising the subordinate officers of the department but are doing other useful work, which can only be supervised and controlled from the centre.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): I should like merely to say one word. I would not have got up to take part in this debate but for certain wrong things that have been said about the duties of these superintendents of the Excise Department. I am glad to find that Rai Bahadur Mr. Mukand Lal Puri has some practical experience of the Excise Department. He thinks probably that the only link between the Financial Commissioner and the subordinate excise district staff is the superintendent. He is, I think, mistaken there. There is the deputy commissioner and the commissioner and also the revenue assistant. One of the two men at headquarters will be quite able to do any useful work. It has been said by the Honourable Minister for Agriculture that since these two persons have been appointed there has been very much increase in the number of captures of illicit distillation. But probably he does not know how these captures are effected by these superintendents or their assistants. When they go to a district they take the inspector or sub-inspector with them, ask them the place where they suspect any illicit distillation to be going on and with their help they find that their visit has not been useless. So, to take a more correct view of this, the chief work is done by those inspectors or sub-inspectors. So it is very essential that the number of their appointments should be increased out of all proportion to the cost which you are incurring on their appointments. You are having 2 or 3 superintendents. I think it is useless. Instead of these 2 or 3 superintendents at headquarters, increase the number of inspectors and sub-inspectors. It will benefit the department as well as the people. In each district there is a revenue assistant who is also called an excise officer. He goes round and checks the shops. The diaries of these gentlemen are submitted to him, he peruses them very carefully, makes remarks and submits them to the deputy commissioner. The whole thing is controlled very well. But I have noticed in the course of my own official experience that superintendents have been instrumental in fomenting little jealousies amongst the staff. These appointments are absolutely useless.

Mr. A. Latifi (Financial Commissioner, Revenue): I have only a few remarks to make. I am sorry to have to differ from what the honourable member for Sheikhupura had to say with regard to the utility of the excise superintendents. I may say that I was inclined to the same view when I was myself a deputy commissioner, and I did not very much modify my view until I became Financial Commissioner and could see their working from a higher angle of vision. Ordinarily these superintendents

[Mr. A. Latif.]

are not popular with the deputy commissioners. First of all, the superintendents have to go round and co-ordinate the work of the district officials, then they have to supervise the work of the excise inspectors. They look at things from rather a different point of view and bring information direct to the notice of the Financial Commissioner and as such they are not very popular. But as for their usefulness there can be no doubt. The Honourable Minister has for example, quoted certain figures showing how convictions have risen from 335 in 1930-31 to 1,037 in the year 1934-35. It is true that these superintendents do not go to the villages and catch the distillers with their own hands; they take the police with them. (*An honourable member* : Has there not been an addition to the staff in some districts, for instance in Ferozepore, Lyallpur and Lahore?) I am not quite sure. For aught I know there has actually been a reduction of staff. But we do have somebody whose special business it is to go round the districts and see that the police give the necessary help to the district excise staff.

The Honourable Minister has shown how favourably the staff at headquarters in this province compares with the staff in the United Provinces. We spend 3.2 per cent. while the United Provinces spends 4.4 per cent. It is true that the United Provinces has more districts than the Punjab, but honourable members will agree that the problems in the Punjab are not less difficult than in the United Provinces. We have to deal with a more difficult class of people in the Punjab. So far as the headquarters staff is concerned you should not deprive the Financial Commissioner of the staff that is needed by him to carry on his duties. The Excise Assistant, for example, is absolutely necessary at present.

There was formerly an excise commissioner and a distillery expert, whose place the excise assistant has taken as a measure of economy. I think the staff is the minimum that you can expect. You have got to look at all this from the business point of view. Excise brings in a revenue of one crore and you have got to have a staff adequate to deal with such a big business. I will not discuss whether the business is a good one or a bad one, but the business is there. If this one crore goes, where are you going to find the money unless you further tax the zamindar?

I would further inform you that the excise superintendent does not merely sit at headquarters. As a measure of economy we made him Superintendent of the Lahore division in addition. He goes and supervises the work of officers of the division, quite apart from the supervision work of the other districts. Besides that, recently we have had various additions to his duties, for example, the Matches Excise Duty Act, 1934, the Sugar Excise Duty Act and now we have the Tobacco Vend Fee Act, all this legislation has thrown additional work on the excise staff. Honourable members will be pleased to know that we took the opportunity of making the Government of India pay us one-third of the cost of the excise assistant. I hope in the light of these facts the honourable member will withdraw his motion.

(*At this stage Mr. President left the chair and Mr. Deputy President occupied it.*)

Khan Bahadur Nawab Muhammad Hayat Qureshi : I want to withdraw my motion.

The motion was, by leave, withdrawn.

Excise policy and stoppage of illicit distillation.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : I beg to move—

That the total grant be reduced by Re. 1.¹

My object in moving this cut is to point out to Government that great injustice is being done to people in the name of stopping the illicit distillation in villages. It is very difficult to catch people red-handed, and the result is, that to show their work, the subordinate excise officers try to concoct cases ; and when sometimes they get information about genuine cases and go to the spot and discover illicit liquor either in the fields or in the houses of the people, which are not in the exclusive possession of the owners, it becomes extremely difficult to prove the case judicially. The result is that a good deal of false evidence is fabricated and sometimes quite innocent persons are sent to jail. For example, if there is a bad boy in the house and he has acquired somehow or other a bottle of illicit liquor, it is the owner of the house who is presumed to be in possession of the liquor, sometimes it is the father, sometimes it is the grandfather who is tried for that offence and sent to jail. As a matter of fact the poor fellow might have had no knowledge whatsoever of the presence of the illicit liquor in his house, and to prove these there are always witnesses ready to come forward to give evidence in the court that they actually saw such and such a man carrying this illicit liquor or that they actually saw him distilling it while nothing of the sort had actually happened within their knowledge. In that wrong kind of zeal a great deal of injustice is being done in the countryside. It is certainly very wrong that these responsible employees of Government should collude with low characters of villages and concoct that kind of evidence to bring innocent people to trouble. Sometime ago the policy of Government in this respect was still more strict. I remember several lambardars in villages having been dismissed from their jobs simply because it was thought that they did not give information to the officers in time. The law requires that unless a person is actually proved to be guilty, he should not be punished. But under the presence of this law of Excise Act so many innocent people who do not know even that anything of the sort is going on in their villages are punished simply on suspicion. Therefore I would submit that this kind of policy of Government is not only doing great injustice to people but is very detrimental to the morals of the people and is bringing Government a bad reputation amongst the common people.

I would like to make one or two more observations. Under the Local Option Act it is provided that if a municipal committee or a district board after having taken a referendum of the people of that place decide that a liquor shop should not be allowed to remain in a certain vicinity that shop shall be removed. According to these provisions the Municipal Committee

¹To press on the Government that their excise policy in the province is wrong, and to bring to their notice that great injustice is being done to innocent people in measures adopted to stop illicit distillation of spirits.

[S. Sampuran Singh.]

of Sadhaura in the Ambala district took referendum and decided that a certain liquor shop should not be allowed to remain in that town. But the excise authorities instead of removing the shop placed it just outside the boundary of the Municipal Committee. That may not be inconsistent with the wording of the Act, but it is certainly against the spirit of that Act and such evasion of the law should not be allowed by Government.

In the end I have to say that for some years past Government has been giving some grants for doing propaganda work for temperance, but for the last few years that policy has not only been discontinued but in the case perhaps of Amritsar that grant has altogether been stopped and in the case of Lahore perhaps that has been halved. I think, propagation of the idea of temperance in the province is a very laudable object and such grants should have been encouraged and not abolished altogether as has been done in this province.

Mr. Deputy President : Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadian, Rural). (*Urdu*) : I will make only a few submissions. The increased income from excise shows that our people have become more addicted to drink. Now-a-days drinking has become a fashion and no party is regarded successful until there is arrangement for drink. (*An honourable member :* How is that relevant to the motion under consideration ?)

Mr. Deputy President : Will the honourable member please speak to the motion now before the House ?

Lala Bhagat Ram : I will say only a few words. All the religions regard drinking a vice but still people do indulge in drinking. This shows that there is a lack of preaching against drinking. Government should help temperance societies so that they may preach temperance to the people. By this our morals as well as our physical health will improve. With these words I support the motion now before the House.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadian, Rural) : It is hardly necessary for me to repeat the points raised by the honourable mover of the cut motion. But there is one fact which should be brought home most strongly and that relates to the grant of aid to temperance associations. I have already stated on the floor of the House that illicit distillation is increasing in the villages and that one method of stopping it is by preaching to the people in the villages that they should abstain from this drink evil. This is being done by the temperance associations. I should like to know from the Honourable Minister whether he has earmarked any sum as a contribution to these societies which are certainly proving more useful in discouraging the evil than all the excise staff put together. These societies have been doing their level best for a long time to stop illicit distillation and had it not been for the efforts of these societies there would have been an increase in the number of cases of illicit distillation. When they are doing so much useful work I do not see why the Government should not give financial help to them. The Government need not be afraid that its revenue will fall if these societies are encouraged. Because those who are already addicted to the evil will

continue to drink in spite of all the preachings of these societies. Only those who have just begun the practice will give up the drinking habit as a result of the preaching.

As to the question of the dismissal of a lambardar in connection with a case of illicit distillation, I ask, is it proper to dismiss a person on mere suspicion? These lambardars generally give more attention to their duties in connection with the Revenue Department than with the Excise Department. To dismiss him simply because he did not bring to the notice of Government a case of illicit distillation is most unfair. These distillations are carried on most secretly and in very many cases the lambardars do not come to know of them. Therefore dismissal on mere suspicion is surely wrong. In cases of suspicion of this sort a regular investigation should be made, there should be a regular inquiry held and if there is evidence of the guilt of the lambardar, then only should he be dismissed. Very often lambardars are ignorant of the illicit distillations and to dismiss them on mere suspicion that they are hiding the truth is quite wrong on the face of it. Of course, if there is a clear case against a lambardar he can be dismissed. Otherwise not. With these words I lend my support to the motion.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban), (*Urdu*): The local officers of the Excise Department often do things which are against the interests of the public. I want to make a few submissions with regard to it to the Hon'ble Minister for Agriculture. An honourable member informed us how in Sadhaura referendum was resorted to and how it was unanimously carried that the liquor shop in the town should be closed and how the excise officers allowed it to be opened at a short distance away from the town. I have visited the place and I am in a position to inform the House about the details of this matter. It was in 1930 that the municipality passed a resolution that the shop should be closed. For four years continuously the resolution remained pending with the Deputy Commissioner and he did not approve it. In 1934 a question in this connection was put in the budget session of the Council and the answer was that a referendum could be taken. In the same year the referendum was taken and accordingly the liquor shop was closed. But the authorities allowed a shop to be opened in the near vicinity which has caused the people the same difficulty which they experienced when the shop was in the village. In the November Session in answer to question No. 1220 the Hon'ble Minister said that the new shop was at a distance of 340 yards from the town but I found that it was not at a distance of 340 yards but only at a distance of 340 feet from the town. I request the Hon'ble Minister to do something in this behalf otherwise the Local Option Act is quite a useless measure.

Another matter to which I would like to draw the attention of the Government is that this time 42 more liquor contracts have been auctioned. Many municipalities remonstrated against it but no heed was paid and the new contracts were given. Instead of trying to remove this evil Government is trying to spread it by granting new contracts. I request the Government to help temperance societies so that they may continue the work of preaching against this evil. With these few words I support the motion now before the House.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural), (Urdu) : I rise to support this cut motion. Every one knows that the evil of selling illicit liquor in bottles of licit liquor is rampant in the province. Sometimes water is mixed with illicit liquor and it is disposed of as licit liquor. But the Government has made no enquiry into this matter. If it had done so, it would have come across many strange revelations. It was the duty of the Government to make an enquiry and find out the causes which make the villagers bold enough to break the excise rules and induce them even to court imprisonment for doing so. Under the present circumstances the villagers are in the bad habit of using and manufacturing illicit liquor. If the Government is desirous of increasing its income or maintaining its income at the present level it should address itself to the task of curbing illicit distillation of liquor in the province. It is a fact that hundreds of bottles of illicit liquor are sold in the countryside. Then the evil is not a new one. It has been going on for a considerable time. But the Government is not taking proper action to remedy it. There is yet another evil which is equally rampant in the Excise Department. In many cases smaller bottles of liquor are filled than is required under rules. For instance in place of 8 chatak bottles 5 chatak bottles are filled. Or only 5 chataks of liquor is filled where 8 chataks should be filled. If the Government goes into this question carefully it will be able to remedy all these evils and then it will be able to effect an increase in the income of the department. The Government should devise effective means to check illicit distillation of liquor. It should find out why the public does not co-operate with the Government in checking this evil. It is a fact that illicit distillation takes place in the presence of so many people, but nobody comes forward to report the matter to the authorities. The Government should take steps to secure the co-operation of the people in this respect, because this evil cannot be checked without the active co-operation of the public. The Government should make it known to every individual of society that illicit distillation is harmful both to the state and the people.

Then there is a complaint about the liquor shop of Sadhaura. The Government has ordered the removal of the liquor shop from the municipal limits of Sadhaura to the district board although the district board authorities have not been consulted on that point. The Government should first decide for whose benefit the liquor shop has been maintained. If it is maintained for the benefit of the citizens of Sadhaura it should be brought into the municipal limits of Sadhaura. Otherwise there is no sense in keeping a shop at a distance of two miles from the city. If a census of people making purchases at the shop is taken it will transpire that the majority of them come from the city. My point is this that if the liquor shop is maintained for the city it should be brought within city limits. If, on the other hand, the Government is of the opinion that no liquor shop is required for Sadhaura it can well be closed down. We will have no objection. Our objection is to the liquor being allowed to be sold in an open place. It should be confined to the four walls of a place in the city. With these words I support the motion under consideration.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan Rural), (Urdu) : The evil of drink has been discussed many a time in this House before. The attention of the

Government has been invited to the fact many a time that the evil of drink is responsible for the spread of immorality in the country, so much so that all the dacoities, thefts and murders which are committed in this country are the necessary consequences of this evil. Then, various diseases like the ailments of the liver and tuberculosis are the result of drinking. The Government has always been telling us that if liquor shops are closed down illicit distillation of liquor will increase. But in reality it is these liquor shops which are the breeding grounds of the evil of drink; people learn to drink on account of the presence of these liquor shops. And when they become confirmed drunkards and squander away all their property on liquor they begin to distil illicit liquor. I would, therefore, submit that it is the liquor shops opened by the Government which spread the evil of illicit distillation. If you close down all your liquor shops, all the people addicted to drink will die out within a space of ten years and the evil will be terminated for ever. Further, when so many liquor shops are there it is very difficult to trace out the cases of illicit distillation. When a person is drunk one cannot say whether he has taken licit or illicit liquor. If you close down the liquor shops, you will be able to arrest all those who indulge in drinking even within the four walls of their houses.

It is really a pity that in spite of the fact that the Government lays claim to the moral uplift of the people it does not stop augmenting its revenues by opening liquor shops and spreading immorality. If you do not check this evil I am afraid all the money which is being spent on checking immorality, murders and dacoities will be wasted. There can be no peace in the country if liquor is continued to be sold in the streets of our cities and towns. I would request the Honourable Finance Member to go through the figures showing the number of dacoity, murder and gambling cases. If he does so, he will know how these evils are closely linked up with the evil of drink.

This is how many good people contract the evil habit of dinking. When their elders pass away and much property falls into their hands, they come under the influence of bad characters who inculcate in them the bad habit of drinking. In this way they squander away all their property. The use of intoxicants impairs their power of understanding and they do not stop at selling their wives and daughters in order to get money for buying liquor. Many of them lose the sense of knowing a wife from a daughter. If steps are not taken to check the evil of drink all the money which is now being spent on education and on other useful purposes will be wasted. The Government lays claim to improve the moral condition of the people but if they do not check the sale of liquor this claim will fall to the ground. Further, it is also a matter for consideration that more money goes out of India for importing foreign liquors than the Government gets out of the duty imposed on the sale of liquor. I need hardly point out the ruinous effects of the evil of drink on the families, the members of which are addicted to this bad habit. It has been seen many a time that the bread winner of the family is heavily drunk in the liquor shop while his wife and children are starving in their house. It is really deplorable that the Government has opened four or five liquor shops in a city or town. So, the people can easily buy liquor wherever they go. The evil of drink has assumed such alarming proportions that even some honourable members of this House do not

[Ch. Muhammad Abdul Rahman Khan.]

mind attending the Council meeting while drunk. Our people have fallen into the evil habit of drinking wine. Government alone can check this evil. But, unfortunately, the Government of this country is in the hands of the English people who are extremely fond of wine. There are only two or three per cent. Englishmen who do not take wine. I have often gone to parties and dinners, and I have found that wine is very profusely used by these people. If we go to hotels, even in their porches we find bottles of wine of various colours.

Mr. Deputy President : Will the honourable member please speak to the motion? The question of the Englishmen is not under discussion.

The Honourable Sardar Sir Jogendra Singh : The honourable mover has my sympathy so far as his motion is concerned. No one can be more anxious than the Government that innocence should never suffer and every precaution that is possible, is taken to see that the guilty is brought to book and the innocent is rewarded.

Chaudhri Muhammad Abdul Rahman Khan : Therefore, Sir, I would say that if the Government really wants to show any sympathy with the people, it should immediately prohibit the sale of wine and close all shops which spread the drink evil. With these words, I strongly support this cut and hope that Government will pay full attention to this matter.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I think the honourable member will be satisfied if I describe to him what directions the Government has given in this matter. It is clearly laid down in section 2-68 of the Punjab Excise Manual, Volume III, that "when an excise official goes to make an arrest or a search in a definite place, he should always ask a police officer to accompany him unless the delay involved is likely to defeat the ends of justice". It is further laid down clearly that "if the station house officer is present at the investigation, he will naturally conduct it". In most of the cases, investigation is carried on by the police agency and cases are sent to court only if the police agency is satisfied that the cases are genuine. Instructions have also been given to the excise staff in section 4-5 of the Punjab Excise Manual, Volume II, that "excise officers should be careful to prosecute only cases of a definite offence against the excise law. Technical and trivial transgressions should be dealt with departmentally or under section 80 of the Excise Act". Very clear instructions have been laid down in sections 4-11 and 4-12 of the Excise Manual, Volume III, that "it is the business of the investigating officer to distinguish between the true and false cases". It is further pointed out in section 4-14 of the Excise Manual, Volume III, that "in the great majority of cases the investigating officer, if he uses honest intelligence can discover whether a case is true or false and can give real reasons for his opinion. The points which turn the scale in a criminal court are often very small, and if the case is genuine, the more information there is the more likely the case is to succeed. Moreover, a careful and intelligent investigation on the spot which enables an officer to distinguish a false case from a true one enables him also to eliminate the false cases instead of sending them all up to take their chances". The honourable mover will see that the instructions on the point are clear and definite, and if there

are any false cases or concocted cases, it is not only that the excise staff fails, but part of the failure can also be attributed to the public. In all criminal cases, what is desirable is that the public opinion should grow and public should earnestly co-operate in detecting crime and helping the investigation. If co-operation were forthcoming, I have hardly any doubt that concoction of cases would cease. The complaint which the honourable member has put before the House is not altogether without foundation. I can assure him that every effort is made to purge the department of any unfair dealings. Success can only be achieved by active co-operation of the public. So far as the cut itself is concerned, I think I have explained the position, but the discussion has wandered from the immediate point, in many other directions and as these points may not be raised in the cuts that follow, I should like to deal with them at the present stage. Chaudhri Muhammad Abdul Rahman Khan, who has just sat down and who kindly whispered that if I wanted to indulge in drink, I could do so secretly, also said that this evil had been promoted by the advent of the British people. This is not correct. Any one, who is familiar with the Vedas, knows that drink was known even in the Vedic times and even in Arabia the drink habit was so prevalent, when the Prophet came, that he had to prohibit it. Any student of Islamic history knows that in most of the Muslim countries the evil was well known. So it cannot be said that the drink habit was introduced by the British. Human nature somehow has always sought ways of forgetfulness and it has found that intoxication can produce a state of exhilaration and as long as that desire remains, it is impossible to eradicate drink. A couplet of Ghalib says—

مے سے غرض نشاط ہے کسی رو سیاه کو
اک گونہ ہے خردی جمع دن رات چاہئے

I must plead guilty to the charge which Shrimati Lekhwati Jain has brought regarding the shop at Sadhaura. It has been my endeavour throughout to promote temperance and to restrict the opening of new shops as far as possible. My honourable colleague sitting here will tell you that almost every year we have a discussion as to the opening of new shops. He stands on a firm ground, when he says, that it is better to secure some revenue by providing licit liquor than help the retail sale of illicit liquor. This argument I have so far found no strong reason to contest. At Sadhaura, it is true that a resolution was passed and it is also true that the shop has only been shifted, may be 30 or 400 feet from the town. But I can assure the lady member that it has now been decided to shift the shop to another place. I am sure that Government does respect the principles of local option, wherever possible, and wherever the verdict is clear and straightforward. I am very glad that several members have put in a strong plea for the promotion of temperance. I have always held that every endeavour should be made by bringing to the notice of the people the benefits of temperance. I freely acknowledge the service the temperance societies have rendered. I have always tried to help these societies. I used to make small grants to these societies from the reward grant which was placed at the disposal of the Excise Department. The Accountant-General has now discovered that it is not possible to make any grants from this head to temperance societies and on account of financial stringency it has not

[Hon. Sardar Sir Jogendra Singh.]

been possible to make a separate grant to help these societies. But what the honourable members, have said, I shall keep in mind, and I will place the matter before the Finance Department for their favourable consideration. For the last ten years I have been in control of this department, I wish it had been possible for me to serve the province with the wine of tolerance, good-will and unity. That is what we need so that we may really forget self-interest in the larger interests of the province and the wine of patriotism may awaken in the minds of the people the desire to serve and make the province a better place for the people to live in.

Sardar Sampuran Singh : I am quite satisfied with the reply of the Honourable Minister so far as Sadhaura question is concerned and also about the grants to the temperance societies. But I am not quite satisfied as to the question of false cases against people. He has very aptly remarked that honest co-operation of the public is required to remove these difficulties. I think that is to a very great extent true; but as the circumstances to-day are, it is very difficult for honest people to co-operate with the officials who are actually dealing with these cases. They do not like honest people to come near them. They want that only those people should come near them who can help them in getting money by corrupt means or are ready to be witnesses in the court when they want to adduce false evidence in their cases. Those who live in the district know that there is a large class of petty parasites who live on these reward grants of money which are made by the department, and they are always hovering round the offices of the excise inspectors and excise sub-inspectors and they make their living on this money and their business is nothing else except sometimes to place liquor in the houses of innocent people and sometimes to go with the excise staff and give false evidence in the court. Under these circumstances, I would say that it is very difficult for honest people to co-operate with the subordinate officers and as regards the instructions issued, perhaps they are very old, they have been existing for some years in the Excise Manual and they have not been acted upon. Therefore my object in moving this cut was not only to learn that these instructions were already in the Manual but that Government should make some serious effort to stop this kind of corruption which is going on in the name of law and order. As far as the making of that serious effort is concerned, I am afraid I have received no satisfactory reply from the Government side. Unless that is forthcoming I am afraid I am not in a position to withdraw this motion.

The Honourable Sardar Sir Jogendra Singh : I may tell the honourable member that the Government is taking every possible measure that can be taken to put down this evil. Recently we have appointed two deputy superintendents of police to check the evil and, what is more, I can promise the honourable member that if he wishes to make any suggestions in the standing committee for excise, they will receive Government's very best attention. I am sure the honourable member will agree that Government is as anxious as he is that the department should work in an honest and a straightforward manner. I am sure he will agree that the department does a great deal to prevent illicit distillation. Kanwar Mamraj Singh gave the best possible reason that if you have a subordinate staff, you

must have a superior staff to supervise them and to see that they do their duty properly. If the honourable member at any time in future can offer suggestions for improvement, I will be very glad to consider them. In view of this assurance, I am sure the honourable member will not press his cut.

The motion was by leave withdrawn.

Policy of Government in regard to growing of poppy.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural): I move:

That the total grant be reduced by Rs. 1¹

I move this for the simple reason that I want to obtain some information from the Government in regard to the policy followed in the past with respect to the growing of the poppy plant. This crop in the past has been a very valuable one to the growers and has been bringing great income to them. But unfortunately the Government has deprived them the right of growing this and has restricted its growing to a very few districts and even in those districts my knowledge is that opium is not allowed to be taken from the poppy. Only poppy as such is allowed to be grown and sold in the market. I wish the Government member concerned will give me information on the following points—

In what districts is poppy grown? For how many years has it been growing there? Whether Government intends to allow other districts to grow it or not? What is the income that the zamindars of the district in which it is grown derive from it and what other districts has the Government in view in which it will be allowed to be grown?

Another thing is the case of the Simla district. It is a bit different. In the Hill States poppy is grown by the permission of the rulers of the States concerned and by the permission of the Government. The case of the Simla district, the portion which is under the British Government, is different. The people there grow their poppy as their neighbours do. They get full benefit; they extract opium from it and the Government is the purchaser of the opium. The rumour is that Government intends to change this policy with respect to those areas also. It is to obtain information from the Government on this point and to know what its intentions are, I have moved this cut. Government should take into consideration the poverty of those people and the fact that they have nothing else for their subsistence. I shall be much obliged to the Government if they can kindly give me this information.

Mr. Deputy President: Demand under consideration, motion moved—

That the total grant be reduced by Rs. 1.

Mr. A. Latifi (Financial Commissioner, Revenue): I wish that with reference to certain portions at least of his speech the honourable member had resorted to the device of asking a Council question rather than moving a cut because I could then have given him rather more detailed and accurate information than I can do at such short notice. At the same

¹To elicit information as to the policy of Government with respect to growing of poppy in Simla and other districts.

[Mr. A. Latifi.]

time I am grateful to him for agitating this question because it enables Government to remove possible misunderstandings. In the first place, let me remind the honourable member that under our constitution, that is to say, under the Devolution Rules, "the control of cultivation and manufacture of opium and sale of opium for export" are a central subject in which the local Government have no powers except those of a mere agent. Again, the Government of India to whom these powers have been given are also not a free agent in this matter. India as a whole is a member of the League of Nations and also a member of the International Labour Conference. In view of their treaty obligations the Government of India are bound to restrict the cultivation of opium to the smallest possible limits. But while carrying out this policy the Local Government have been mindful of existing rights and have tried as far as possible to cause as little disturbance to vested interests as possible. The position, therefore, is that under the rules of the Government of India the cultivation of the poppy plant was allowed—I am only talking of British territory because we are not concerned with the Indian States—for the production of opium in the Kot Khai tahsil of the Simla district and the Kulu sub-division of the Kangra district. In pursuance of the policy of the Government of India, the Punjab Government has prohibited the sowing of poppy even in these areas with effect from the 1st of April, 1936. But the Punjab Government have not been unmindful of the interests of the poor people who were, as the honourable member pointed out, to a certain extent dependent on this particular crop, for eking out their resources. By way of compensation, therefore, they have ordered that with effect from the 1st of October 1936 till the next settlement the zamindars of the Seraj and other areas of the Kulu sub-division where poppy is at present cultivated should be given a uniform remission of two annas in the rupee of land revenue, the raises of Rupri and of Shangri being compensated at the same time for the diminution of their jagirs. This it is anticipated will mean a loss of Rs. 6,786 per annum. Again the zamindars of the Kot Khai sub-tahsil will be given a remission of Rs. 2,400 of land revenue annually to be distributed uniformly in the sub-tahsil. These decisions were arrived at after a very careful enquiry on the spot by various high officials of Government who considered this to be a fair compensation. Apart from these two areas the cultivation of the poppy plant is now allowed for the production of *post* only—not for the production of opium—in the Jullundur district and in the Hoshiarpur tahsil of the Hoshiarpur district. This will continue for the present. As to the future it is not for us to decide. It is a matter for the Central Government, but I have no doubt that all orders will be issued with due consideration of vested rights. As I have said in the course of my remarks before, this Government and this Council are not concerned with the rights and duties of the Simla Hill States in this regard. That is a matter between them and the Central Government and will no doubt be settled in accordance with what is right and proper. (Kanwar Mamraj Singh Chohan: Has the Government any information about the cultivation prevailing in Nahan Stetes?) This Government knows nothing about the Government of India's intentions in regard to the other Indian States including the Nahan State.

The motion was by leave withdrawn.

Price of bottled liquor.

Sardar Jawahar Singh Dhillon (Lahore, Sikh, Rural): I move—

That the total grant be reduced by Re. 1.¹

My object is to urge that the price of the bottled country liquor should be reduced. For, that will check illicit distillation. We have heard to-day a lot in this House about the growth of illicit distillation in the province, about the numerous cases in which innocent persons, have been entangled and how informers, highly paid by excise officers, sometimes import liquor into the houses of their enemies. The only way to discourage any illicit distillation is to decrease the price of country bottled liquor. It will also help in getting more excise revenue, I mean the reduction in the price of bottled country liquor. The Honourable Minister in charge of this department will recollect that this question was discussed in a meeting of the Public Accounts Committee where he showed us a graph and we discussed the question at length and found out that when the price was increased the excise revenue fell down and the Government came to the conclusion that if the price was decreased the revenue tended to increase. I urge that there is still room for reduction of the price and such a reduction will yield larger revenue. Besides, it will check illicit distillation and consequently the expenses of the department will diminish. From the budget estimates I find that many thousands of rupees are paid to the informers and it has been pointed out by my honourable friend, Sardar Sampuran Singh, that there are some informers who have no work except to act as informers and to earn their livelihood by that means. The bottled country liquor is now sold at nearly Re. 1 by illicit distillers. The price fixed, I am told, is Re. 1-12-0 for licit liquor. This price can be conveniently reduced to Re. 1-8-0. The difference between the sale price of illicit liquor and that of licit should be small. If this difference is less, illicit distillation will to a great extent be stopped. Reduction of price is one way in which this reform can be effected. From the point of view of the decrease in expenditure and increase in revenue, I trust that Government will accept the motion.

Mr. Deputy President: Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (*Urdu*): I rise to support the motion under consideration. It now appears to be useless to press the Government to adopt a policy of total prohibition. We have been told times without number that total prohibition is the goal that the Government has set before itself, but nothing appears to have been done to reach that goal so far. If the Government had been really anxious to remove this evil of drinking, it ought to have spent all the income from the Excise Department on measures calculated to stop this evil. But as we all know that income is being spent in other ways. I need hardly say that it is very easy to catch hold of persons who are addicted to this bad habit of drinking. In fact such persons cannot evade being detected because when they are drunk, they become a source of nuisance to the public. They generally indulge in things which the public in general do not like. Therefore if the Government were really anxious to discourage

¹To urge the reduction of the price of bottled liquor.

[Kanwar Mamraj Singh Chohan.]

people from taking to this bad habit, it could easily bring to book such persons who drink and cause nuisance to the public. The public will also be ready to help the Government in getting such persons arrested and in seeing that such persons receive condign punishment. But as I have said Government does not appear to be in earnest to stop this evil of drinking and to reach that goal of total prohibition which it says it has set before itself. I am inclined to think that this is only a plea to get income and to fill the coffers of the Government. In the circumstances, it is better that we should press the Government to arrange to supply liquor of good quality and at a cheaper rate.

It will perhaps interest the Council if I say that the country liquor that is being supplied and that is being sold to the public or to such members of the public who are addicted to this bad habit of drinking, is of very inferior quality. And because of its inferior quality many of its devotees fall a prey to diabetes or to gout. If the Government must continue to pursue its present excise policy and if the policy of total prohibition does not find favour with it, it should at least take care that the liquor that it sells to the public does not spoil their health. That I think we can reasonably demand. I am sure that on this demand being met most of the people who now resort to illicit distillation of liquor will be persuaded to use liquor supplied by the Government through the contractors. So far as this present policy is being pursued, I will not object to liquor shops being opened by the Government at places where there are no shops already, because I think that that course will also help to stop the illicit distillation of liquor. I take this opportunity to make another request here and that is that the price of the country liquor should also be reduced very much. At present a bottle of country liquor is selling at Rs. 1-12-0. Within the limits of municipal committees even a higher price is charged and I understand that the licensees in such areas are permitted to charge any price they choose to charge. For the same bottle of country liquor a man in mufassil will pay only Rs. 1-12-0 but in towns and within the limits of the municipalities the contractors charge Rs. 2-6-0. So far as my information goes such a bottle of liquor does not cost more than 6 annas in the distillery and I am further told that contractors in the mofassils have to pay only one rupee for each such bottle including all the freight and other charges. I should think that the contractors in the towns must be getting it even at a cheaper rate because they have not to pay many extra charges. But in spite of that these contractors are allowed to charge as much as Rs. 1-12-0 in the mofussil and Rs. 2-6-0 and even more within the limits of municipal committees. That is too much to expect the public to pay and for such an inferior stuff. This price of country liquor will appear to be very exorbitant when we compare it with the price of liquor that a man gets and can get by resorting to illicit distillation. I understand that to such persons it does not cost more than 2 annas to get one bottle of liquor. Now when you supply such an inferior stuff and at such an exorbitant price, it is no wonder if people resort to illicit distillation in spite of the vigilance of the excise staff. The best way to stop illicit distillation of liquor is to arrange to supply better quality and at a much cheaper rate. If that is done, I am sure that most of the people will hesitate to resort to illicit distillation. I know that the Government has a sort of monopoly

in this matter and I can also see that it is to attract many contractors that they are allowed to charge any price for country liquor, but it is certainly a bad policy to sacrifice the interests of many for the sake of a few persons. I suggest that some English wine should be fixed as standard in order to fix the price of country liquor and, if necessary, the advice of an expert may be obtained in order to fix a reasonable price for country liquor. In my opinion its price should not be fixed more than 8 annas per bottle. I can assure the Government that by doing so its income from the Excise Department will not go down. There will be a greater demand in that case and as I have already said I will not object to more shops being opened if we can thereby stop illicit distillation of liquor. I hope that in the light of what I have said the Government will not hesitate to do the needful in the matter. With these words, I support the motion moved by the honourable member from Lahore.

(At this stage Mr. President resumed the chair.)

Chaudhri Allah Dad Khan (Ambala Division, North-East Muhammadan, Rural): I rise to support the motion under consideration. My eyes have been opened wide by my honourable friend from Ambala. Really it is very reprehensible that the Government should charge Rs. 3 per bottle which is worth 2 annas. The Government is making an abominable mistake, in the first place, by supplying an inferior quality of wine to people who have fallen into this foolish habit of drinking. On the other hand, Government is making money in two ways. In the first place, it charges a duty when it is in distilleries and again when it is sold to contractors on high rates. Is it worthwhile to charge so much for this useless wine? I think the facts put down by my honourable friend are correct. I have no doubt he is an expert in these matters. *(Laughter)*. I have no doubt about the experience of my honourable friend. Government should not make so much money out of this wine business. If the Honourable Minister for Agriculture does not satisfy me that this is not the case, I at least will never vote for the supplies of his department. I have now come to know that country liquor should be sold at a cheaper rate. When it is sold at such high prices, why should not people resort to illicit distillation in the villages? Government is encouraging those people. To pay or spend Rs. 3 per bottle for this country wine is something too much for the villagers. They cannot afford it. So they do not report illicit distillations to the Government.

I am grateful to my honourable friend who has brought these things to light. This sort of distillation is spoiling the morals of zamindars. Government should supply them a superior kind of wine, distilled by factories and distilled by superior stuff. But this country wine is a poor stuff. Perhaps *gur* is put under the earth and kept there for several days and then it is used. I do not know the real process. Perhaps my friend from Ambala knows it. This inferior wine is ruining the energies of zamindars and they cannot work in fields. They are failing in their agricultural pursuits. It is nothing but poison and I think that Government realises that strong and able-bodied men have been spoiled and they cannot follow their pursuits of agriculture. Therefore, I suggest to the Government that they should decrease the value of this country liquor to 3 or 4 annas. *(An honourable member: Its actual cost is 6 annas)*. Well, if it costs only 6 annas to Government, then, of course, they can fix the price at 8 annas instead of Rs. 8

[Ch. Allah Dad Khan.]

per bottle. So much profit was not earned by anybody in India up to this time. Government is earning 20 times more than the actual price, that is, 2,000 per cent. profit. It is a most profitable business that the Government is carrying on. I think Government should not do so. Even the *banias* do not charge so much interest. Government is like *banias*. They should save their good name by giving up this practice altogether. Revenue from excise and illicit distillation is about one-fourth of the land revenue. Government cannot stop this illicit distillation so long as they do not reduce the price of country liquor. With these words I support the motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): There is a point which I should like you to consider. The cut was to urge the reduction of bottled country liquor, and the discussion has, on the other hand, turned on lowering the prices of liquor. I think honourable members will be satisfied when I tell them that still head duty has been reduced since 1927-28 when it stood at Rs. 10 per L. P. gallon to Rs. 6.25 per L. P. gallon. In 1933-34 prices were reduced from Rs. 2-8-0 to Rs. 1-12-0 per bottle. Perhaps honourable members would like to know the loss of revenue that has occurred. In 1927-28, revenue was Rs. 60,56,071. In 1933-34 revenue fell down to Rs. 40,17,755. I am sure honourable members will not press Government to continue to lose its revenue from this source from Rs. 60 to 40 lakhs. A great deal has been said as to the price at which illicit liquor is sold. I am not aware at what price it is sold. But it is the first time that I have heard the honourable member from Ambala professing ignorance of anything.

At this stage the Council adjourned till 2-30 P.M. on Friday, 13th March, 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 18th March, 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.

VOTERS UNDER LOCAL OPTION ACT.

***5412. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether for purposes of a referendum under the Local Option Act a new list of voters is prepared, or the old lists of voters prepared for the local bodies are utilised for the purpose of referendum ;
- (b) if the old lists prepared for the local bodies are utilized, whether they are revised with a view to bring them up-to-date ;
- (c) if they are not revised, whether any allowance is made for the persons who have died or who have left the jurisdiction of the local body in question since the preparation of such list, in calculating the 66 per cent. required under the Act ;
- (d) whether it is a fact that the use of the old lists containing the names of a large number of persons, who are dead, and of those who have left the jurisdiction of the local body, entails the necessity of obtaining in fact a much higher percentage for the purposes of the success of the referendum than is laid down under the Act ;
- (e) whether he proposes to take steps to ensure that referendum is taken on properly corrected lists ?

The Honourable Sardar Sir Jogendra Singh : (a), (b), (c) and (d) Attention of the honourable member is invited to Order 4 of the Punjab Referendum Orders contained in Chapter 20 of the Punjab Excise Manual, Volume II, a copy of which is laid on the table.

- (e) No. The existing rule is working satisfactorily.

Order 4 of the Punjab Referendum Orders.

All persons included in the list of persons entitled to vote in the last previous election of the members of the local body shall be entitled to vote for or against the confirmation of the resolution.

REFERENDUM UNDER LOCAL OPTION ACT.

***5413. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether only one day is allowed for taking referendum of voters under the Local Option Act and whether he is aware that it is a common grievance that this time is not sufficient for all the voters to record their votes in cases where the number of voters is 2,000 or more ;
- (b) whether the Honourable Minister proposes to allow more time for voting ?

The Honourable Sardar Sir Jogendra Singh : (a) No. We are giving from 2 to 3 days.

(b) Does not arise.

OPENING OF LIQUOR SHOPS.

***5414. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that whenever a local body has been successful in getting a liquor shop closed within its limits, the Excise Department has opened another shop outside the boundary of the local body, but not at any great distance from it ;

(b) if so, the number of places where such shops have been opened within a distance of two furlongs of the prohibited area ?

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

(b) Does not arise.

COURT-FEE AND STAMP INCOME.

***5415. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Finance be pleased to state—

(a) whether it is a fact that the Government had issued a certain circular letter to the sub-judges of the province asking them to state the reasons for decrease in the court-fee and stamp income of the Punjab Government ;

(b) if so, whether Government will lay on the table the opinions of the judges or other gentlemen concerned received in this connection ;

(c) the action which Government proposes to take in the matter ?

The Honourable Sir Donald Boyd : (a) The Government made enquiry from the High Court, not from sub-judges direct.

(b) A copy of letter No. 898-A/IX-A. 2, dated 25th January, 1936, from the Registrar, High Court, is laid upon the table.

(c) The Government have not yet decided upon any action.

Copy of a letter No. 898-A/IX-A 2, dated 25th January, 1936, from the the Registrar, High Court, Lahore, to the Assistant Secretary to the Financial Commissioners, Punjab.

Subject.—CAUSES OF DECREASE IN REVENUE UNDER HEAD "VII—STAMPS" FOR THE YEAR 1935-36.

WITH reference to the correspondence ending with your letter No. 58-St., dated the 13th January, 1936, I am directed to say that enquiries made from the District and Sessions Judges show that the main causes of abnormal fall in civil litigation are as under :—

- (1) General economic depression and fall in prices.
- (2) Enforcement of the Punjab Regulations of Accounts Act, 1930 and the Punjab Relief of Indebtedness Act, 1934.
- (3) Introduction of the Punjab Debtors Protection Bill in the Council.
- (4) Facilities under which the debtors can get adjudication orders under section 10 of the Provincial Insolvency Act.
- (5) Setting up of the Conciliation Boards in certain districts.

- (6) Greater restriction of courts in enforcing the penalties prescribed by the Stamp Act.
- (7) Extension of the co-operative credit societies all over the province and awards made by them without the intervention of civil courts.

GRIEVANCES OF SHOPKEEPERS, JHANG DISTRICT.

***5416. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that in connection with the grievances of the shopkeepers regarding colony shop sites of Jhang district, the Secretary, Punjab Traders Association, Lyallpur, interviewed the Honourable Revenue Member, Punjab, at Simla on 27th June, 1935, and placed before him the whole situation ;
- (b) whether it is a fact that he promised to enquire into the grievances ;
- (c) if so, whether he has done so and whether he has taken any steps to remedy those grievances ?

The Honourable Nawab Muzaffar Khan : (a) and (b) Yes.

(c) Yes. In view of considerable concessions granted from time to time to this class, it was not considered necessary to direct any more enquiries.

CHAWK SHOP SITES, JHANG DISTRICT.

***5417. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that before 1935 in the district of Jhang owing to certain errors in the official record eight shop sites in each village were considered as *chawk* shop sites, for which price at the rate of Rs. 25 per *marla* and the rent at Rs. 2 per *marla* per year were demanded ;
- (b) whether it is a fact that in 1935 after an enquiry the Government reduced the number of *chawk* shop sites from 8 to 4 and their prices from Rs. 25 per *marla* to Rs. 15 per *marla* and the rent for those shop sites from Rs. 2 per *marla* to Re. 1 per *marla* per year ;
- (c) whether it is a fact that the shopkeepers had offered the prices for these " out of *chawk* shop sites " at the rate of Rs. 15 per *marla* in 1933 but the authorities had refused to accept that amount and charged rent of those " outside the *chawk* shop sites " at Rs. 2 per *marla* instead of Re. 1 per *marla* ;
- (d) whether it is a fact that after the Government had admitted the above-mentioned error in the record, the shopkeepers requested the Government that as they had not paid the cost price of these " outside the *chawk* shop sites " at the rate of Rs. 25 per *marla* because of the errors in the Government record, the rents standing against them from 1926 to 1935 be remitted and the cost price at Rs. 15 per *marla* according to the Government's demand be charged ;

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

- (e) what action Government took on these representations ;
- (f) whether it is a fact that the rent of these "outside the *chawk* shop sites" which is still outstanding against some of the shopkeepers for any of the years from 1926 to 1935 is being charged at the rate of Rs. 2 per *marla* or was charged at the rate of Rs. 2 per *marla* for 1926 to 1935, after 1935, when the error has been discovered and ordered to be rectified ;
- (g) whether Government proposes to take steps to return the excess money of Re. 1 per *marla* charged as rent for these outside the *chawk* shop sites from 1926 to 1935 ; if not, for what reasons ?

The Honourable Nawab Muzaffar Khan : I regret that the reply to this question is not ready.

MALBA KHATA ON SHOP SITES IN MONTGOMERY AND MULTAN.

***5418. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the shopkeepers residing in the colonies of Montgomery and Multan districts pay rent for their respective shop sites to the Government ;
- (b) whether it is a fact that besides this rent the *lambardars* charge at the rate of Rs. 36 per shop site annually as *malba khata* from them ; if so, how this money is spent by the *lambardars* ;
- (c) whether it is a fact that those shopkeepers who fail to pay the rents during a certain period are charged double the rent ; if so, under what rules ;
- (d) whether it is necessary for a shopkeeper of those colonies to pay *malba khata* to the *lambardars* and whether it is approved by the Government ?

The Honourable Nawab Muzaffar Khan : (a) Yes, but only those shopkeepers who have taken sites in colony chaks.

(b) Under section 35 of the Colonization of Government Lands (Punjab) Act V of 1912, a village cess commonly known as *malba* is leviable under the orders of the Collector, on the proprietors, tenants and inhabitants of the village, if the majority of the tenants and owners apply for the levy of the cess. This cess has been levied in most of the chaks of the Lower Bari Doab Canal Colony and in some chaks of the Nili Bar Colony at the rates agreed upon by the owners and tenants themselves. In the case of some big sites in the Lower Bari Doab Canal Colony it amounts to Rs. 36 per annum. It is used for common village purposes.

(c) They are liable to be charged double rent under the conditions of their tenancy.

(d) The levy of the cess is approved by the Collector and after this approval it is necessary for a shopkeeper to pay it if he is assessed to it, but, as already stated, the cess is levied at the request of the majority of tenants and owners in the village.

REMOVAL OF SHOPKEEPERS IN VILLAGES.

***5419. Rai Bahadur Mr. Mukand Lal Puri ;** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that zamindars in the colonies are authorised to move the Government that a certain shopkeeper be removed from their village ; if so, under what circumstances such an application is entertained and the terms on which such orders are passed ;
- (b) how many such applications were received in Montgomery and Multan districts during the last three years, and how many shopkeepers were ordered to remove their shops from such villages ;
- (c) whether it is a fact that the shopkeepers in such cases requested the authorities that the zamindars had given the application to deprive the shopkeeper from his just debts due from the zamindars ; if so, in how many cases ?

The Honourable Nawab Muzaffar Khan : (a) Yes, under clause 11 of the statement of conditions governing the allotment of shop sites in colony villages published with Punjab Government notification No. 887-C., dated the 1st March, 1938.

(b) Thirty-one such applications were received in the Montgomery district, and six shopkeepers were ordered to remove their shops. Twenty-one applications were received in the Multan district, and five shopkeepers were ordered to remove their shops.

(c) In five cases in Montgomery district, and in four cases in the Multan district.

PRELIMINARY SURVEY AND DEMARCATIONS.

***5420. Pir Akbar Ali ;** With reference to the answer to question No. 11701, will the Honourable Revenue Member kindly state—

- (a) under whose authority preliminary survey and demarcations are done ;
- (b) whether it is a fact that preliminary survey is done under orders of the Government of India ?

The Honourable Nawab Muzaffar Khan : (a) Surveys for construction of water-courses are carried out under the authority of the Punjab Government in the Public Works Department, Irrigation Branch.

(b) Does not arise.

HONORARY CIVIL JUDGES, FEROZEPORE.

***5421. Pir Akbar Ali :** Will the Honourable Finance Member please state—

- (a) the number of honorary civil judges at Ferozepore (the headquarters of the district) ;

[Pir Akbar Ali.]

- (b) whether any complaints were made against any of them before the inspecting judges of the High Court during the last two years ; if so, with what result ;
- (c) whether it is a fact that civil cases of the *ilaga* or *thana* of which the honorary civil judge is a resident, are also sent to him ;
- (d) whether it is a fact that one of the sub-judges, who is also an honorary magistrate works only two days in the week ?

The Honourable Sir Donald Boyd : (a) One.

(b) No complaints were made.

(c) Yes.

(d) Yes.

ASSISTANT JAILORS, RESIDENTS OF FEROZEPORE DISTRICT.

***5422. Pir Akbar Ali :** Will the Honourable Finance Member please state the number of assistant jailors who are residents of the Ferozepore district ?

The Honourable Sir Donald Boyd : The honourable member doubtless refers to the cadre of assistant superintendents that has now replaced the old class of assistant jailors. There is one resident of the Ferozepore district in the cadre.

MUSLIM AGRICULTURIST RESIDENTS OF FEROZEPORE DISTRICT IN SUBORDINATE EDUCATIONAL SERVICE.

***5423. Pir Akbar Ali :** Will the Honourable Minister for Education be pleased to state how many Muslim agriculturist residents of the Ferozepore district have been appointed in subordinate educational service during the last 7 years ?

The Honourable Malik Sir Firoz Khan Noon : One Muslim agriculturist whose place of birth is given in the Subordinate Educational Service list (Men's Branch) as Ferozepore district was appointed in 1932.

EXECUTION OF DECREES IN FEROZEPORE DISTRICT.

***5424. Pir Akbar Ali :** Will the Honourable Finance Member kindly state with reference to the Ferozepore 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 reports of resistance alleged to have been offered to the executing agency of civil courts by judgment-debtors in 1932, 1933, 1934 and 1935 and after the enforcement of the said Act ;
- (d) the number of instances referred to in (c) in which criminal prosecutions were started and the results of those as (i) compromise, (ii) acquittal, and (iii) conviction ;

- (e) the number of cases in which bullocks belonging to agriculturist judgment-debtors were attached, how many out of them were released on objection and how long after attachment ;
- (f) the number of cases in which houses belonging to agriculturist judgment-debtors have been attached or sold in execution of decrees after the enforcement of the said Act (Relief of Indebtedness Act) ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

BAR ROOMS IN TAHSIL HEADQUARTERS, FEROZEPUR DISTRICT.

***5425. Pir Akbar Ali :** Will the Honourable Revenue Member be pleased to state whether it is a fact that there is no bar room in the headquarters of any tahsil of the Ferozepur district ; if so, whether the Government proposes to provide such bar rooms where they are wanted ?

The Honourable Nawab Muzaffar Khan : The honourable member's attention is invited to the answer given to Council question No. *4815¹ asked by Mr. M. A. Ghani during the last session of the Council.

INSOLVENCY CASES IN FEROZEPUR DISTRICT.

***5426. Pir Akbar Ali :** Will the Honourable Finance Member please state the number of insolvency cases in the Ferozepur district in which bullocks and houses belonging to an agriculturist insolvent have been sold by the official receiver during each of the last 3 years ?

The Honourable Sir Donald Boyd :

		Cases in which bullocks were sold.	Cases in which houses were sold.
1933	.. .. .	8	20
1934	.. .. .	3	16
1935	.. .. .	4	5

The Official Receiver has reported that in all these cases one house and two bullocks have been released to the agriculturist insolvent.

PUBLICATION OF THE *Siyasat*, LAHORE.

***5427. Pir Akbar Ali :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that on the 11th January last a declaration for the publication of the Daily *Siyasat*, Lahore, was filed by S. Inayat Shah, as editor, printer and publisher of the paper, in the office of the District Magistrate, Lahore ;
- (b) whether any reply regarding the above application was given to the said applicant, if so, when, if not, why not ;
- (c) whether any reminder was given regarding the above application ;
- (d) how many Muslim Urdu daily papers are issued from Lahore at present ?

The Honourable Sir Donald Boyd : (a), (b) and (c) The honourable member is referred to the reply given by me to question No. *5324.¹

(d) 7.

SIKH AND MUSLIM JATHAS.

***5428. Pir Akbar Ali :** Will the Honourable Finance Member kindly state—

- (i) (a) the number of *jathas* taken out by Sikhs in connection with the Kirpan *Morcha* from 1st January, 1936, to 15th February, 1936, in violation of law ;
- (b) the number of men who composed the said *jathas* ;
- (c) whether they were tried under any offence ; if so, under what offence ;
- (d) the sentence awarded to each of the persons mentioned in (b) ;
- (e) the name of the magistrate who tried them ;
- (f) whether the Sikh *jathas* continued till the order against kirpan was withdrawn by the authorities ;
- (ii) (a) the number of the *jathas* taken out by Muslims in connection with the Shahidganj mosque, from 1st January, 1936 to 15th February, 1936, in violation of law ;
- (b) the number of men who composed the said *jathas* ;
- (c) whether they were tried under any offence, if so, under what offence ;
- (d) the sentence awarded to each of the persons mentioned in (b) ;
- (e) the name of the magistrate who tried them ;
- (f) whether Government has enquired that the Muslim *jathas* also will stop, if the Muslims are allowed to offer their prayers in the Shahidganj mosque ; if not, why not ?

The Honourable Sir Donald Boyd : (i) (a) 244.

(b) 1,708.

(c) Under Sections 143/188, I. P. C.

(d) 806 persons sentenced to simple imprisonment till 4-30 P. M. on the day of trial ;

1,395 sentenced to simple imprisonment till the rising of the Court.

1 person sentenced to ten days' rigorous imprisonment.

1 person sentenced to one month's rigorous imprisonment.

(e) It is not the practice of Government to give names.

(f) The Sikh *jathas* continued till the order expired. It was never withdrawn.

¹Pages 285-286, *ante*.

- (ii) (a) 48.
 (b) 864 persons.
 (c) Under Sections 107/151, Criminal Procedure Code, and Section 151, Indian Penal Code.
 (d) A statement showing the information asked for is laid on the table.
 (e) As in part (i).
 (f) The Muslim *jathas* have since stopped.

Statement.

NUMBER OF PERSONS WHO WERE ORDERED TO EXECUTE A BOND ONLY FOR A PERIOD OF					NUMBER OF PERSONS ORDERED TO EXECUTE BOND, WITH ONE SURETY FOR A PERIOD OF		NUMBER OF PERSONS WHO WERE IMPRISONED AND BOUND DOWN UNDER SECTION 106, C. P. C.		Released after due admonition under section 562 (1) (a), C. P. C.
3 days.	4 days.	5 days.	10 days.	One year.	Six months.	One year.	3 months.	Six months.	
11	79	10	35	113	2	70	4	10	2
									1. Total number persons tried 364
									2. Total number convicted according to this statement 226
									3. Total number of persons discharged 28

MUSLIM LEADERS EXTERNEE IN CONNECTION WITH SHAHIDGANJ AGITATION.

*5429. **Pir Akbar Ali:** Will the Honourable Finance Member kindly state—

(a) the names of the Muslim leaders externed in connection with the Shahidganj mosque agitation and not yet released;

(b) when Government proposes to release them?

The Honourable S'r Donald Boyd: (a) and (b) All internment orders issued in connection with the Shahidganj mosque agitation were cancelled by Government on the 24th February, 1936.

GOVERNMENT GIRLS' HIGH SCHOOLS.

***5430. Pir Akbar Ali :** Will the Honourable Minister for Education kindly state—

- (a) how many Government girls' high schools there are in the province;
- (b) what steps Government has so far taken to encourage female education by opening Government girls' high schools at the headquarters of each district in the province;
- (c) whether he will lay a statement showing—
 - (i) the names of the head mistresses of each Government girls' high school;
 - (ii) their qualifications, and whether they are trained or not;
- (d) whether it is a fact that there is a paucity of Muslim head mistresses in Government girls' high schools in the province; if so, what steps have so far been taken by the Government to make up the deficiency?

The Honourable Malik Sir Firoz Khan Noon : (a) 22.

(b) Out of 29 districts only three, viz., Gujrat, Kangra and Simla have no Government schools for girls. All the rest have either a Government high or a Government middle school. It is now proposed, subject to funds being available, to open during 1936-37, Government high schools at Gujrat and Dharmasala and a Government Anglo-Vernacular middle school at Kasur, each with a Junior Vernacular unit attached. There are private girls' schools in Simla.

(c) and (d) If the honourable member will intimate to the Director of Public Instruction the names of Muslim women properly qualified who are willing to take up service, the Department will consider their claims at the earliest opportunity possible.

CARRYING OF KIRPANS BY SIKHS.

***5431. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Finance Member be pleased to state —

- (a) whether the Sikhs defied the District Magistrate, Lahore's order under Section 144, Criminal Procedure Code, relating to the carrying of *kirpans*, etc., in the month of January, 1936;
- (b) if so, (i) the total number of persons arrested as a result thereof, (ii) the number convicted, (iii) the punishment inflicted for the same?

The Honourable Sir D. J. Boyd : (a) Yes;

(b) (i) 1,709;

(ii) 1,709;

(iii) The sentences imposed varied from simple imprisonment till the rising of the court to one month's rigorous imprisonment with a fine of Rs. 50 or in default a further month's rigorous imprisonment.

PROCESSIONS BY MUSLIMS.

***5432. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether the Muslims defied the order of the District Magistrate, Lahore, under Section 144, Criminal Procedure Code, in regard to processions, etc., in the month of February, 1936 ;
- (b) if so, (i) the total number of persons arrested, (ii) the number convicted, and (iii) the punishment inflicted for the same ;
- (c) whether the same punishment was awarded in the case of both the Sikhs and Muslims or whether any distinction was made?

The Honourable Sir Donald Boyd : (a) No. The order referred to expired on the 31st January, 1936.

(b) and (c) Do not arise.

PUBLICATION OF SIYASAT.

***5433. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Finance Member be pleased to state—

- (a) since when the daily *Siyasat*, Lahore, originally began publication ;
- (b) whether Sayed Inayat Shah, the editor, printer and publisher filed his declaration for the publication or republication of the daily *Siyasat*, Lahore on 11th January, 1936 ;
- (c) if so, the cause of delay in the disposal of the case ;
- (d) whether fresh enquiries are necessary in the case of old papers especially when the editor, printer and publisher are the same ;
- (e) whether it is a fact that the Government promised to use the Press Act with moderation, when it was being enacted?

The Honourable Sir Donald Boyd : (a) June, 1919.

(b), (c) and (d) The honourable member is referred to the reply given by me to question No. *5324.¹

(e) The Punjab Government have no knowledge of any such promise but they have so used the Act.

ADMISSIONS INTO GOVERNMENT AND MEDICAL COLLEGES, LAHORE.

***5434. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether in the time of one of his predecessors, the Punjab Government laid it down as a principle that of the total admissions into the Government and Medical Colleges at Lahore, at least 40 per cent. should be reserved for the Muslim students ;
- (b) if so, whether that percentage is still being strictly observed?

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

¹Pages 285-296 ante.

COMMUTATION PRICES, LYALLPUR SETTLEMENT.

***5435. Khan Bahadur Malik Zaman Mehdi Khan:** Will the Honourable Member for Revenue refer to question No. *5116¹ and be pleased to state—

- (a) the price of wheat and cotton (*desi* and American separately) for each year of the 20 years selected for the purpose of commutation prices for the coming Lyallpur settlement ;
- (b) the reasons for adopting a yield of 30 maunds *gur* per acre and 6½ maunds each per acre for *desi* and American cotton as compared with 25 maunds for *gur* and 5, 6, 5½, 5 and 4 maunds for cotton (whether American or *desi*) at the last settlement ;
- (c) whether the statistics show that land in the Lyallpur district has become more fertile or productive now than what it was at the last settlement ;
- (d) whether the law of diminishing returns is inoperative in the case of Lyallpur district lands ;
- (e) what justification there is for adopting the commutation prices given in reply to question No. *5116¹ referred to above in the face of low prices that have prevailed for the last six or seven years ;
- (f) whether the official forecast shows that the prices of agricultural produce are likely to rise in the coming 20 or 30 years in spite of the policy of ' self-sufficiency ' adopted by every country in the world after the Great War ?

The Honourable Nawab Muzaffar Khan : (a) A statement showing the *mandi* prices of the 20 years (1913-14 to 1932-33) is laid on the table.

(b) The reasons are given in the abstracts of the Jaranwala and Lyallpur tahsil assessment reports (*copies laid on the table for ready reference).

(c) Please see the reply to (b) above. The assumption of higher yields is not based on a presumption of higher fertility or greater production, except to some extent in the case of sugarcane, the cultivation of which has benefited by the introduction of improved varieties. In the case of cotton, the higher yield is based upon the fresh information gained since last settlement.

(d) The honourable member is referred to the reply given to his council question No. *5182³.

(e), and (f) The justification for the prices assumed was fully explained in the *communiqué* issued by Government in connection with the Lyallpur settlement and the sliding scale system of assessment. No one can forecast the future course of prices and it is for that reason that the sliding scale is being introduced.

¹Volume XXVII, page 882.

²Placed in the library.

³Pages 43-4 *ante*.

Statement showing prices of wheat for each year of the 20 years (from 1913-14 to 1932-33) obtained from various mandis in the tract under Settlement.

Year.	WHEAT.						
	Lyallpur.	Jaranwala.	Toba Tek Singh.	Taudhianwala.	Gojra.	Chak Jhumra.	Sangla.
1913-14	52	51	52	..	57	52	..
1914-15	61	59	59	58	62	57	..
1915-16	52	48	47	40	51	51	50
1916-17	61	57	60	55	56	57	59
1917-18	68	58	64	55	62	63	62
1918-19	92	88	89	95	90	89	90
1919-20	74	71	72	88	72	74	84
1920-21	106	101	104	101	102	89	83
1921-22	92	90	89	86	86	87	87
1922-23	63	61	65	56	70	61	62
1923-24	65	71	62	62	66	65	62
1924-25	84	82	85	87	84	81	95
1925-26	68	82	76	74	74	74	74
1926-27	75	71	73	73	69	71	72
1927-28	71	70	68	69	69	70	68
1928-29	66	65	61	66	65	62	65
1929-30	49	49	48	44	48	47	46
1930-31	23	24	23	22	23	23	22
1931-32	36	35	33	33	34	35	34
1932-33	44	44	41	42	42	44	41

Statement showing prices of cotton (Desi and American) for each year of the 20 years (from 1918-14 to 1982-83) obtained from various mandis in the tract under Settlement.

Year.	COTTON DESI.						COTTON AMERICAN.							
	Lyall- pur.	Jaran- wala.	Toba Tek Singh.	Tand- lian- wala.	Gojra.	Chak Jhumra.	Sangla.	Lyall- pur.	Jaran- wala.	Toba Tek Singh.	Tand- lian- wala.	Gojra.	Chak Jhumra.	Sangla.
1913-14	122	109	129	..	120	..	..	131	119	..	..	..	106	..
1914-15	70	60	77	..	72	..	..	108	81	..	..	..	142	..
1915-16	123	123	130	112	124	114	125	158	148	141	129	..	137	149
1916-17	172	161	184	168	170	154	162	215	206	193	197	..	200	202
1917-18	244	263	237	256	294	231	245	301	307	304	305	..	297	300
1918-19	268	268	289	254	292	266	285	335	320	328	331	..	327	323
1919-20	241	261	293	231	310	254	228	317	325	300	324	..	318	306
1920-21	121	127	110	127	153	162	111	177	178	117	169	..	186	164
1921-22	200	214	201	221	220	228	212	204	219	208	217	..	227	219
1922-23	217	240	190	213	257	224	212	309	300	269	301	..	271	272
1923-24	302	321	319	310	329	310	319	389	375	386	352	..	384	374
1924-25	231	240	232	229	244	231	228	282	260	260	267	..	252	253
1925-26	170	178	194	161	191	186	187	214	218	219	207	..	206	209
1926-27	144	142	137	..	146	139	150	169	162	144	147	..	153	151
1927-28	202	194	209	202	217	210	216	228	240	234	236	..	237	234
1928-29	175	169	181	186	183	174	160	225	224	220	211	..	210	195
1929-30	120	120	121	118	115	128	121	183	167	177	165	..	178	168
1930-31	83	73	77	..	86	83	80	102	97	84	92	..	98	102
1931-32	111	114	123	121	121	113	109	133	134	128	128	..	129	128
1932-33	90	96	105	..	102	98	94	106	110	109	109	..	108	106

AGITATION AGAINST HEAD MASTER, MUNICIPAL BOARD SCHOOL, PATTOKI.

***5436. Lala Chetan Anand:** Will the Honourable Minister for Education please state—

- (a) whether he is aware of the agitation against the Head Master, M. B. School, Pattoki;
- (b) whether the matter was enquired into;
- (c) whether the Young Men's Sikh Association (the complainants) were asked to produce their proof in the matter;
- (c) whether the statements of the boy (who was thrashed), his father, or any of the staff member were recorded;
- (e) if no, why not; and whether he is prepared to do so now;
- (f) whether it is a fact that a deputation consisting of a municipal commissioner and others waited upon the District Inspector on 8th January, 1936, at Pattoki, and asked him to enquire into the allegations, and that he denied that he was holding an enquiry;
- (g) taking in view the Circular No. 799-C. M., dated the 1st March, 1926, whether he proposes to transfer the present head-master?

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

(b) No formal enquiry was held but inspecting officers have carefully examined the complaints and are satisfied that the agitation against the Head Master, Municipal Board School, Pattoki, was entirely baseless. This was also the opinion of the respectable citizens of the town.

(c), (d) and (e) The inspecting officers did not consider it necessary to waste time unnecessarily. The Inspector of Schools is satisfied that the complaint is baseless.

(f) No.

(g) No.

TEMPLE SITES IN OLD ANARKALI, LAHORE.

***5437. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Finance Member be pleased to state—

- (a) whether he is aware that there were two Hindu *mandirs* (temples) in the residential quarters of the Old Anarkali Police Kotwali, of which the only remnants now are two big *bohar* and *pipal* trees and a well;
- (b) whether it is a fact that an enquiry was made at the request of the Hindu residents of Risala Bazar including Bhagat Ishwar Das Sahib, late Advocate, High Court, Lahore, into the existence of these two temples, by the then Personal Assistant to the Deputy Commissioner, Lahore, and a report was made that they existed on three *kanals* and odd *marlas* of land as shown in the first settlement papers and the said report is to be found with the *nazul* papers;
- (c) whether he will lay that report on the table of the Council;

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

- (d) in case the two temples are found to have existed on the land now being used as residential quarters attached to the Old Anarkali Kotwali, whether the Government proposes to consider the question of paying adequate compensation, so that new temples may be put up for the use of the Hindu inhabitants on the adjoining ground of "The Palms" or other land in the neighbourhood?

The Honourable Sir Donald Boyd : (a) and (b) An application was made to the Deputy Commissioner, Lahore, in March 1925 by Bhagat Ishwar Das, Pleader, and certain other persons claiming that one Hindu shrine (not two) had formerly existed on a part of the sites of the Old Anarkali Police Station. An inquiry was made under the Deputy Commissioner's orders, and the petitioners were found to have no case.

(c) The Government are not prepared to lay a copy of the Personal Assistant's report on the table.

(d) Does not arise.

PURCHASE OF QUININE.

***5438. Rai Bahadur Mr. Mukand Lal Puri :** Will the Honourable Minister for Education be pleased to state--

- (a) whether it is a fact that the Commissioner of Rural Reconstruction purchased a large quantity of Howards quinine for distribution and sale in the rural areas; if so, the quantity, rate of purchase and the value of the same;
- (b) whether it is a fact that the Government of India held a large stock of about 150,000 lbs. of quinine and offered to sell the same to the Local Government at a reduced rate;
- (c) if so, the reason why Howards quinine was purchased when the stock of quinine was available in India;
- (d) whether Government has received any communication from the Indian Chamber of Commerce, Lahore, inviting attention to this fact; if so, whether Government will place the communication and the reply on the table?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, 8,560,000 three grain tablets of quinine bisulphate were purchased in April, 1934, from Messrs. Howards and Sons, London, at Rs. 8-15-0 per thousand tablets. The total cost of the drug was Rs. 76,505.

(b) and (c) Yes but the reduced rates were quoted by the Government of India after the Punjab Government had placed the order with Howards and Sons. We asked the Government of India to quote us the price of quinine tablets in April, 1933, and they quoted the price at Rs. 9-7-0 per one thousand three grain tablets, but Howards had offered to sell the quinine at Rs. 8-15-0 per thousand three grain tablets. The Punjab Government placed the order with Howards and Sons. The Government of India quotation of Rs. 8-8-0 was received on the 20th of June when the order had already been placed with Howards and Sons.

(d) Yes, copies of letter No. 1-6-143/4, dated the 8th June, 1935, from the Honorary Secretary, Indian Chamber of Commerce, Lahore, and of the reply sent thereto by the Inspector-General of Civil Hospitals, Punjab, are laid on the table.

Copy of a letter No. 1-6-143/4, dated the 8th June, 1935, from the Honorary Secretary, Indian Chamber of Commerce, Lahore, to the Secretary, Development Department, Simla.

Subject:—PURCHASE OF QUININE FOR THE DEPARTMENT OF RURAL RECONSTRUCTION.

My Committee understand that large quantity of Howards quinine is being imported by the Commissioner of Rural Reconstruction each year either for sale or distribution in the rural area of the Punjab in order to combat Malaria. No doubt the distribution of quinine is desirable as the consumption of quinine is 3½ grs. per head in India against 16 grs. in Italy and 24 grs. in Greece, but my Committee takes serious objection to the importation of quinine from a foreign country when a large quantity of surplus stock of quinine say, about 150,000 lbs. is held by the Government of India. My Committee also understand that the Government of India offered to sell the stock to the Local Government at a reduced price and they fail to understand why the Punjab Government is importing Howards quinine instead of taking advantage of the offer of the Government of India.

My Committee consider the question of quinine as an important one from tax-payers point of view and, therefore, they shall be glad to know the correct basis of the policy of the Punjab Government in this respect.

Copy of a letter No. 965-Q., dated the 11th July, 1935, from the Inspector-General of Civil Hospitals, Punjab, to the Honorary Secretary, Indian Chamber of Commerce, 74, Nisbet Road, Lahore.

REFERENCE your letter No. 1-6-143/4, dated the 8th June, 1935, addressed to the Secretary, Development Department, Simla, which has been transferred to this office for disposal. The Punjab Government are still obtaining their supply of quinine from the Director, Botanical Survey of India. It was only last year that three grain quinine tablets were purchased from Messrs. Howards and Sons, England, for sale in rural areas of the Punjab. The tablets were known as the "Taptor" brand. The Punjab Government have, however, since decided not to buy any more quinine tablets from foreign countries.

The Punjab Government cannot, however, avail themselves of the concession of reduced rate which the Government of India are prepared to grant, as the conditions imposed for the purchase of quinine cannot be fulfilled.

WATERLOGGING IN TAHSILS HAFIZABAD AND WAZIRABAD.

***5439. Khan Sahib Chaudhri Riasat Ali:** Will the Honourable Member for Revenue please state—

- the names of villages affected by *sem* (waterlogging) in tahsils Hafizabad and Wazirabad in lieu of which grants of land were given by Government in 1917;
- whether the land was given in tahsils Sharqpur and Shahdara;
- whether the lands in the original villages were irrigated by perennial canals;
- whether the colony land granted was irrigated by *kharif* channels;
- whether some of the grantees have left this land;
- if so, the reasons for that;
- whether the land granted has also been affected by *sem*;
- if so, to what extent;
- whether some land was given again after 1917 for the same reasons to the people of other villages of the two above-mentioned tahsils;

[K. S. Ch. Riasat Ali.]

- (j) if so, the colony where it was given ;
- (k) whether some of the grantees of this latter grant also left the land ;
- (l) if so, the reasons for the same ;
- (m) whether the Government is prepared to take any action in the matter to compensate the poor zamindars thus adversely affected ?

The Honourable Nawab Muzaffar Khan : I regret that the reply to this question is not ready.

DRAIN BETWEEN VILLAGES KOT HARA—NAQQI CHATHA AND
SAIDULLAHPUR.

***5440. Khan Sahib Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state—

- (a) whether he is aware that there is a natural drainage or a sort of low land in the shape of a drain between the villages Kot Hara—Naqqi Chatha and Saidullahpur of the Gujranwala district ;
- (b) whether the inhabitants of this *sem*-stricken *Naga* applied to the executive engineer, the deputy commissioner, the commissioner, the superintending engineer and the Chief Engineer in 1929 to transform this drain into a regular channel leading up to Suknen Nala which falls into the river Chenab ;
- (c) whether it is a fact that by digging a channel up to the length of 6 or 7 inches this water can be conveyed to Suknen Nala and thence to the river ;
- (d) whether a survey was also made for the purpose ;
- (e) if so, the reasons for which this plan was abandoned ;
- (f) whether it is a fact that such a plan could save about 10,000 acres of land of the surrounding village ;
- (g) whether the people also applied for the supply of canal water from Wanike Rajbah to enable them to reclaim the land from *sem* ;
- (h) if so, the reasons for which this supply was refused ?

The Honourable Nawab Muzaffar Khan : (a) The villages mentioned are situated below the Dhaya and are in low-lying land.

(b) Reference was made by the inhabitants to the Irrigation Branch in connection with the draining of this area.

(c) No. Though it is a fact that the area would derive some benefit from a drain, the depth of digging of which would be some 2 feet.

(d) Yes.

(e) The drain was not constructed because the area to be served is outside the irrigation boundary of the canal and because the construction and maintenance of this drain are well within the capabilities of the owners of the lands.

(f) No. The area cannot be kept drained as it is riverain land and subject to river spills.

(g) Applications were received in November 1932 from Naqqi Chatta village Kot Hara, Umrao Khurd, Kot Bakhsh and Kotli Daim in 1933 from Thatta Panah, and in 1936 from Kot Hara and Kot Nawan.

(h) The area lies outside the irrigation boundaries of the Lower Chenab Canal; much of it is subject to river spills and is unsuitable for canal irrigation.

NULLAH NEAR MARIHALA CHATHA VILLAGE.

***5441. Khan Sahib Chaudhri Riasat Ali:** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the extra supply of water of the Lower Chenab Canal has been let loose in the shape of a Nullah near Marihala Chathia village (tahsil Wazirabad);
- (b) whether it is a fact that this water has devastated many villages in the neighbourhood;
- (c) whether the area of the village Kot Bakhsh has also been damaged by this Nullah;
- (d) if so, the total area washed away since the year 1925;
- (e) whether it is a fact that this water can be drained into the river Chenab by the construction of a regular channel;
- (f) whether Government is prepared to take any action in the matter to save the poor zamindars of the *ilaga* from the ravages of the above-mentioned Nullah?

The Honourable Nawab Muzaffar Khan: (a) It is a fact that the Chenawan escape-offtaking in mile 8 of the Lower Chenab Canal passes near Mandiala village.

(b) No.

(c) Enquiry has elicited the information that a branch of the river, into which the escape discharges, has eroded its bank near Kot Bakhsh village, and that the site of this erosion is 12 miles below where the escape channel joins the Nala.

(d) Government has no records on this subject.

(e) The escape already delivers its supply into a branch of the river Chenab.

(f) No. Government can accept no responsibility for erosion in a riverain area no less than 12 miles below Government works.

DEBT CONCILIATION BOARDS.

***5442. Khan Sahib Chaudhri Riasat Ali:** Will the Honourable Finance Member please state—

- (a) the names of the districts where the Conciliation Boards under the Punjab Relief of Indebtedness Act have been established;
- (b) the personnel of the Boards, with their emoluments;
- (c) the jurisdiction of each Board;

[K. S. Ch. Riasat Ali.]

- (d) the number of applications instituted so far before these Boards by the creditors and debtors, respectively ;
- (e) the number of cases in which an agreement has been actually reached ;
- (f) the value of the stamps realised on the applications so far ;
- (g) the dates on which the various Boards were established ;
- (h) the maximum and minimum debts for which an agreement has been sought in these areas, respectively ;
- (i) whether the Government intends to establish more Boards in the year 1936 ;
- (j) if so, the names of the places selected for the purpose ?

The Honourable Sir Donald Boyd : (a), (e), (g), (i) and (j). The honourable member is asked to refer to the reply given to question *5380,¹ put by Mr. M. A. Ghani. The emoluments of the chairmen and members are governed by rule 3 of the Punjab Debt Conciliation Rules, 1935.

(f) and (h) A statement is laid on the table.

Name of Board.	Value of stamps.	VALUE OF DEBTS COVERED BY THE APPLICATIONS.	
		Maximum.	Minimum.
	Rs. A. P.	Rs.	Rs. A. P.
Amritsar	224 8 0	9,984	23 10 0
Jhang	517 8 0	9,916	190 0 0
Panipat	238 8 0	9,208	11 0 0
Gerhshankar	80 0 0	9,185	45 0 0

SHORT NOTICE QUESTION AND ANSWER.

PLAGUE IN SARGODHA.

Rai Bahadur Mr. Mukand Lal Puri : Will the Honourable Minister for Education kindly state—

- (a) whether he is aware that plague has broken out in the town of Sargodha ;
- (b) whether Government intends to supplement the local efforts for disinfecting the town by assistance from Provincial resources and establishment ;
- (c) whether it is a fact that Sargodha is visited by plague very often at a particular season of the year ;
- (d) whether Government intends to enquire into the special causes of recrudescence of plague, with a view to take effective measures to save this growing town, which is the headquarters of a district and of Lower Jhelum Canal Colony, from ravages of this disease ?

The Honourable Malik Sir Firoz Khan Noon : (a) 9 cases with 5 deaths have occurred in the town since the 25th of February, 1936, in a restricted area (Block No. 2, Guru Bazaar).

(b) The Assistant Director of Public Health has visited Sargodha and it is reported that effective preventive measures are already being taken to control the spread of infection. Nine thousand, five hundred and sixteen inoculations against plague have been performed so far. No fresh cases have been reported after the 6th of March 1936.

Any application for a grant-in-aid by the local body should necessity arise, will be favourably considered by the Government.

(c) No. During the last 10 years only one death from plague was reported in Sargodha town in the year 1926 and one death in 1934. Twenty-four cases and 19 deaths occurred in 1935 during the months of April and May.

(d) In view of the facts stated in (c), no special inquiry is necessary. I should like to say one thing more, in the province as a whole the filth in our towns and the dust are so abominable and intolerable that I feel surprised how we manage to live. The time has arrived when we must realise that the modern amenities of life must be provided for the people living in towns; but that cannot be done unless a house-tax is introduced in our cities. At present there seems to be no house tax at all in our cities except in one or two hill stations. Take the condition of Lahore, the premier city of the province. Some of the quarters there are so bad that it is impossible to stand there even for half an hour on account of the stink emanating from the gutters and yet the public seems to be satisfied with this condition and have raised no voice against this state of affairs. The municipality has been refusing every year to impose a house tax by which the sanitation of the city can be improved. So long as house tax is not imposed it is impossible to improve the sanitary condition of our towns. I am coming to the conclusion that since the municipalities refuse to impose house tax, the time has arrived when the Punjab Government should impose the tax in most of the bigger towns and collect it like land revenue and then hand it over to the municipalities to be spent under certain conditions on the sanitation of the towns. Excepting that there seems to be no other alternative.

Diwan Bahadur Raja Narendra Nath : If the general condition of the Punjab towns is dirty, why is it that this particular area alone is liable to this visitation of plague while all the other towns are free? From the Honourable Minister's answer it appears that plague has visited this place in 1926, 1934 and 1935.

The Honourable Malik Sir Firoz Khan Noon : Plague is a disease which can be kept down by constant and severe de-ratting, that is killing of rats. I know of a case, for instance two years ago there was plague in the Sialkot district in villages bordering the Gujranwala district. The Gujranwala district authorities de-ratted all the villages along their boundary line while the Sialkot authorities did not do so. Consequently while there was plague on the borders of the Sialkot district there was no plague in the Gujranwala district which was adjacent to it. If plague must be kept down, de-ratting must be carried on and that can only be done if there

[Hon. Malik Sir Firoz Khan Noon.]

are funds and there is the co-operation of the people. In most of the towns like Sargodha the houses are not what may be called rat-proof nor do people take the trouble to keep down the rat population. Whenever plague breaks out the health staff take action to de-rat the place and the plague disappears. But if the people adopt healthy habits and keep down the rat population during the following years there would be no plague at all. What unfortunately is the case is that the public want everything to be done by the Government officers. If the public would co-operate with the Government officers and keep down the rat population, I am certain that plague can be kept away from the province.

Diwan Bahadur Raja Narendra Nath : I hope the Honourable Minister is not going to wait till the imposition of the House tax before taking up the work of rat destruction.

The Honourable Malik Sir Firoz Khan Noon : That destruction is even now being carried on in Sargodha. But the difficulty is that once plague has been suppressed the filthy habits of the people bring back that disease.

Diwan Bahadur Raja Narendra Nath : The filthy habits are common to the whole province and not peculiar to this town alone.

The Honourable Malik Sir Firoz Khan Noon : And that is why plague is almost endemic in certain districts, e.g., Gujrat, Gurdaspur and possibly Ambala. It is kept down only with the efforts of the Public Health Department.

DEMANDS FOR GRANTS.

EXCISE—(Concl'd).

Price of bottled liquor.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I was on the point of concluding my remarks last evening when the Council adjourned. I have got only one or two facts to mention. A great deal of stress was laid on the cheapness of illicit liquor. I have obtained figures on the subject. Liquor from the distillery is issued at Rs. 1-1-6 for I. P. gallon, that is, at Re. 0-2-4 per bottle of 20 U. P. The total taxation on this comes to about Rs. 10½ per gallon. Therefore it will be realised that so far as the cost of manufactured liquor is concerned it is very very low and it is the duty which the Government imposes for revenue purposes which raises the price of liquor. It is not at this stage necessary for me to go into the merits as to the collection of revenue on liquor, but in a province like ours where the only other main sources of revenue are land tax and water rate, it is clear that any source of revenue which makes a substantial addition to our revenues should be safeguarded. There can be no doubt that excise duty in the Panjab brings over a crore of rupees to the coffers of Government.

Thakur Pancham Chand (Kangra, non-Muhammadian, Rural) (*Urdu*) : The purpose underlying the cut now before the House is to reduce the price of the countrymade liquor. I think the purpose of the cut ought to have been absolute removal of this evil of drink. This vice is so prevalent

that neither the Government nor public opinion is strong enough to check it. In 1921 I used to preach against the vice of drinking and at that time I did not know that even the high caste people who were expected to be good men fell a victim to this evil. It was only in 1930 that I came to know that even good and respectable men drink. When a man who was very respectable otherwise came to me and told me that he had discarded the habit of drinking, I was under the impression that only menials drink. But actual experience shows that it is the civilised society that drinks more wine and spends a good deal on it. The menials only drink cheap liquors. When I came to this Council as a member I found that in dinners as well as in parties wines were served and these parties were not regarded successful if wine was not served. I may mention here that the wine which was served yesterday was of an inferior quality. (Laughter). It is impossible to uproot this evil and as such there is no reason why Government should forego its revenue to the extent of Rs. 40,000. In America the policy of total prohibition was enforced but the result was a colossal failure. In my opinion the best thing would be to reduce the price of liquor. At present illicit distillation goes on because liquor is very dear. People take the risk of making illicit liquor simply because they cannot afford to buy the costly liquor and therefore, even knowing that in case they are caught they will have to go to jail they take the risk of illicit distillation. If the price of the liquor is reduced the purchase will increase resulting in an increase in the Government revenue. Some of the honourable members suggested that this year as an experiment the price of liquor may be reduced. I think in the next year a large quantity of liquor would be consumed, and consequently a large sum of revenue will come into the coffers of the Government. (An honourable member: Why will the consumption of liquor grow in the next year?) On account of the coming elections. (Laughter).

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (Urdu): I had no mind to speak on this motion but after listening to two speeches yesterday and one speech to-day I feel that I must say a few words with regard to this cut. An honourable member while supporting this cut remarked that if the price of liquor is reduced its sale will increase and consequently the revenue of Government will also increase. I think liquor is a poison and the number of drunkards should not be increased by cheapening this poison. Once one gets this bad habit it becomes impossible for him to get rid of it. If the price of liquor is reduced it will result in the increase of those people who take liquor. The zamindars who are poor and at present cannot afford to drink will by its cheapness be tempted to drink it. As such it is necessary that its price should not be reduced. If a bottle of liquor is sold for two annas or six annas every poor zamindar and labourer will be able to purchase it. Now the price of liquor is prohibitive; if it is lowered to the extent proposed in the motion under consideration

many people will be tempted to take to drinking. As the honourable member has explained a person who takes to drinking once can never leave this bad habit. So, if liquor is made cheap poor people will begin to drink and then they will not be able to give up this bad habit. The result will be that they will become indolent and incapacitated. They will not be

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[Sh. Lekhwati Jain.]

able to work well and if they ever get out of their homes to work they will not be able to earn more than two annas or so which money they will surely spend on liquor. I think such proposals should not be made in this Council. After all what is liquor? Is it water of life or nectar or what? Why should you make all these efforts to make it cheap? I was surprised at the attitude of an honourable member yesterday. He said that he was astonished to hear from another honourable member that the Government charged three rupees for a commodity which was worth only as many annas. I can perfectly understand why such a price is charged for liquor. The Government does not want to encourage drinking, so they have fixed a prohibitive price for it. But I have not been able to understand why the honourable member is desirous of making it cheap and available for the use of poor and innocent people. Surely he does not want that innocent people should taste this nasty drug. It is not like milk or honey that anybody should make efforts to make it available for the poor and for the innocent people. I hope that no member will rise to support this cut but there will be more members who will strongly oppose it and will not let it be carried.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadian, Rural) (*Urdu*): I too had no intention of participating in this debate but as Shrimatiji changed her mind I also changed mine (*laughter*). I concede that drinking is a bad habit but making liquor available at cheap rates will not have the effect of encouraging people to drink. Everybody knows that even when liquor is made cheap only those people will purchase it who are already in the habit of drinking. Some good will however result from making liquor cheap. Those people who are already in the habit of drinking and who, as the Shrimatiji is pleased to admit cannot leave this habit, will not have to spend more for it. This will be a help to these poor people. But if Shrimatiji is so very opposed to the evil of drink she should oppose it outside this Council. If she does so she will oblige us.

Shrimati Lekhwati Jain: I gave lectures against this bad habit. I went to the length of picketting liquor shops.

Chaudhri Ram Sarup: She has said that the poor people will be incapacitated by this bad habit, and poor zamindars will be the greatest sufferers if liquor is made cheap. But poor zamindars are not involved in this question. They cannot afford to drink. At the present time only those people drink who have sufficient money.

Shrimati Lekhwati Jain: Then do not bother your head for the sake of those people who have sufficient money.

Chaudhri Ram Sarup: Perhaps she wants that people should be heavily taxed so that the Government treasury should remain full. I do not think that such were her views in the past. Perhaps she is making progress now. I want to emphasise once again, that if liquor is made cheaper it will be a help to the poor people who will be able to make some saving. Moreover, it is a *desi* commodity the Government should have no objection in making it cheap. With these words I resume my seat.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhupura, Sikh, Rural): I rise to support the motion under consideration. I think the honourable members and specially the lady member of this House, are not aware of the state of affairs in the villages. Go to any village and you will come across, even during the day time, groups of boys of immature age, collected together and enjoying this raw and crude sort of liquor which can be had in the villages at Re. 1 per bottle or, I should say, at certain places even at Re. 0-8-0 per bottle. The times have gone when the young people of the villages used to collect in the evenings and have *kabaddi* matches or wrestling tournaments. The only thing which these people now do is that they collect together and I should not say enjoy, but indulge in this very very bad practice of drinking this crude illicit liquor which severely affects their health. I would give a note of warning that if the Government does not take into consideration the situation to which I am drawing their attention, the time will come when the people in the countryside, at any rate, a majority of them, will lose their health and their good traits of character. And what is all this due to? To my mind the answer is very obvious and clear; there is this habit of drinking which nobody can deny; and because the people cannot buy licit liquor at a reasonable price, they resort to illicit distillation. So, I would appeal to the Government to take timely action in the matter. I think some sort of collective responsibility should be fixed, village *panchayats* should be held responsible. They should be told that if any illicit distillation is carried on in their jurisdiction, they will be held responsible and the lambardars and zaildars should be warned that they would be liable to dismissal if they fail to detect and report cases of illicit distillation. The Government on its part, should do propaganda by means of posters, radio and such like other methods. These methods should be taken in hand at once so that this evil might be combated. We should not stop at that. Everybody is aware that lambardars, sufaidposhes and zaildars are required to attend on the first day of every month at the headquarters. I think that this opportunity should be availed of and the tahsildars and other responsible officials should try to impress upon those village headmen that they should not indulge nor should they allow others to indulge in illicit distillation and drinking of illicit liquor, otherwise very severe punishment would be meted out to them. Advantage should be taken of the district durbars and other durbars which are periodically held under the chairmanship of commissioners, financial commissioners and others to bring home this fact to the people. I think at such times certain propaganda should be made and speeches delivered. I wholeheartedly support the motion under consideration, because this is the time when the price of this bottled liquor should be reduced so that the people who wish to drink, may not have to spend more and in this way the general licence which is being given to them, as it were, to prepare and drink illicit liquor, should be withheld.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu): I think we are spending too much of our time over this question. I should, therefore, take only a few minutes. I want to point out that owing to the high prices of liquor poor people drink crude, *desi* liquor which has a very bad effect on their health. In old times the hakims

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and vairs manufactured wines out of very healthy stuff and they were given to patients. They did them very great good. Even now superior wines come from foreign countries and people who drink them have red, healthy complexion. The Government should take steps to ensure that wines distilled under their control are kept free from all sorts of impurities. If possible, they should be distilled out of healthy stuff. The hakims and vairs of our country should be encouraged to distil superior wines which may be administered to the patients profitably. Their indiscriminate use can, however, be discouraged. In this way we will be setting up another useful industry in this country and much money which goes into the pockets of foreigners will remain in this country.

So far as total prohibition in this country is concerned, the proposal cannot materialise. The habit of drink is so common. It is a fact that in many villages in my *ilaga* people indulge in illicit distillation of liquor. Illicit wine is sold at the rate of twelve annas a bottle. Many officials of the Government are also in the habit of conniving at such distillation. They themselves like to take liquor illicitly distilled. The cases that are started against some people for illicit distillation are mostly false. I think that a policy of total prohibition will not work well. All that we can do is to ensure distillation of pure liquors.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I want to make one or two observations with respect to the cut under discussion. It is conceded, that the evil is growing, that it is on the increase, and that most of the crime in the province is directly or indirectly traceable to this pernicious habit amongst the people. Various palliatives have been suggested from time to time to remedy this evil. The first is that there should be restriction on the opening of new shops. Well, fortunately or unfortunately the Government have not been able to place restrictions to an extent to which it is desirable, on the opening of new shops. In spite of their best efforts, we are told that the number this year has increased. Then the second way to deal with this question is fixation of prices just as it is proposed in this cut. On the one hand there are members who are of the opinion that reduction in prices might do some good. There is the other view that prices should be prohibitive and that would put a salutary check on the growing menace of this evil habit. The third is that every effort should be made to see that the administration is properly worked and that there is every effort on the part of the Government to prohibit illicit distillation. To my mind all these different steps have been taken by the Government from time to time, but we are where we were. Therefore my submission is that members of this House should give their opinion regarding the policy which should be followed so far as the excise department is concerned. I am personally of the opinion that the time has come when the Punjab should set an example and efforts should be made to see that the Punjab goes dry and that the Punjabis become teetotallers. This question bristles with difficulties and, therefore, under the circumstances I suggest that this question might be examined either by Government or by a committee or by the Secretary or by the Financial Commissioners, so that they might evolve some scheme and see whether it is not feasible to have total prohibition in this province.

Sardar Jawahar Singh Dhillon (Lahore, Sikh, Rural) (Urdu) : In the course of her speech Shrimati Lekhwati Jain raised a question which I should like to answer. She asks why I have brought forward this cut to lower the price of liquor. I quite agree with her that the taking of wine should be totally prohibited, but my object in moving this cut is to save innocent people from embarrassment and torture. How can that be done? Now, the bottled country liquor is selling in the cities at a very high price. Government has fixed a high price for the bottle in order to increase its revenue from excise. The result is that a number of contractors come and make bids and the licence is given to the highest bidder. Thus, both the Government and the contractor make a great deal of money, but poor people find it impossible to buy these bottles and so they take to illicit distillation. Now, in Lahore in the month of April two more liquor shops will be opened one in Mozang and the other in Qila Gujar Singh. As these shops are a source of income to the Government it does not want to close them. If the Government does not want to stop the sale of wine altogether and if it does not want to close these shops, it should at least lower the price of bottled country liquor. My object in moving this cut is not to encourage the evil habit of drinking, but my sole purpose is to prevent people from taking to illicit distillation. Now, when the police raids some place in a village three or four persons are arrested. Of them two or three bribe the police and get off with impunity. The fourth man who is usually innocent is arrested and chattered by the police. Thus, more often than not, innocent persons are punished and persecuted and those who are really guilty escape scot free. Therefore, if the Government will reduce the price of licit liquor, it would lead to a reduction in the manufacture of illicit liquor and stop corruption. Thus, innocent people will be saved from persecution at the hands of the police. Moreover, the Rural Reconstruction Department has been given a great deal of money for rural reconstruction work. I think the rural department should preach to people in the villages not to take wine. Out of the grant given to this department for propaganda work, some money should be given to temperance societies. Formerly, Government used to give some grant to them, but of late it has stopped it. These societies must be given some money out of the fund of the Rural Reconstruction Department, so that they may join hands with this department and do useful work in putting down this evil.

With these words I resume my seat.

The Honourable Sardar Sir Jogendra Singh Now I will confine myself purely to the motion before the House which aims at the reduction of the retail price of liquor. I think I will be able to satisfy honourable members that since 1927-28 a consistent effort has been made to reduce the price of liquor. For instance in Ambala division in 1927-28 the price was Rs. 2-4-0 per qt. and it is now Re. 1-12-0 in rural areas. In the Jullundur division it was Rs. 2-6-0 and it is now in urban areas Rs. 2. In the Lahore division, it was Rs. 2-6-0 and it is now in urban areas Rs. 2. In the Rawalpindi division it was Rs. 2-8-0 and it is now Rs. 2. In the Multan division it was Rs. 2-8-0 and it is now Rs. 2-4-0. Perhaps there is not much sale there. But there is one aspect of the problem and I hope honourable members will pay serious attention to it. Whereas in 1927-28 the income from excise on liquor was Rs. 60,56,071. The consumption

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of liquor fell down from 388,000 gallons in 1927-28 to 376,000 gallons in 1934-35 ; by lowering the price, the province has lost in revenue the difference between Rs. 60,56,071 and Rs. 45,87,006, i.e., a loss of Rs. 14,69,065. On the other hand it has made no effect so far as the consumption of liquor is concerned. Cheapening the liquor undoubtedly means increasing its consumption. So far as I understand it, the policy of this House was to promote temperance and not to cheapen liquor. The honourable member, Sardar Buta Singh, made a remark which I have not been able to follow, as to how cheapening the price of liquor is going to help in the improvement of character. It is true that illicit distillation has an adverse effect on character and I value his two valuable suggestions. I shall consider these carefully. One is the formation of better living societies to help in preventing illicit distillation. I also value the suggestion of Sardar Jawahar Singh Dhillon that we might start temperance societies from the rural reconstruction fund. These are the directions in which I can certainly help the cause of temperance, but I am sure honourable members will hold that cheapening the price of liquor would neither be conducive to temperance nor would it secure the revenue which the province badly needs ; it would serve neither the material nor the moral purpose. Taking all these factors into consideration, I am sure the honourable mover will not press his motion to a vote.

The motion was by leave withdrawn.

Total Prohibition.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) : I beg to move—

That the total grant be reduced by Rs. 1.¹

Mr. President : My objection to this motion is that it amounts to only one thing that the excise law be repealed. That is a discussion of a matter which involves legislation. If the honourable members wish to have the excise law repealed, that is a different thing.

Chaudhri Afzal Haq : Some years ago it has been decided by you that total prohibition means that if we tax liquor, time will come when there will be revenue no doubt but no consumption. That is, some day will come for that if the present policy is pursued. Even in that case total prohibition will be a fact and it is to achieve that end and consistently with the law in force that I move this cut.

(Urdu) : In dealing with this question we have to bear in mind the important point raised by the Chair. That is really a very important one and that is the policy of Government in this case. If the policy of Government is to make as much revenue as possible by means of the Excise Act then I am afraid it has not understood the spirit of legislation or the spirit of the Council. A legislation which is not passed with the consent of the people and does not enjoy the backing and support of the people is no legislation at all. A law which is passed for the people and is meant for the people must be passed with the consent of the people. So far as the present policy of Government is concerned, it has kept in view only one aspect of the question.

¹To urge upon the Government the total prohibition of liquor.

and that is to make as much revenue as possible by taxing the people. I would submit that the Government has completely ignored the moral aspect of the question. The most reasonable attitude would be that the Government should make material profit from a legislation, and the people also should benefit by that. In 1924, the Government declared that it wanted to bring down the consumption of liquor, but little has been done so far. In 1921-22 the Indian National Congress declared that one of its aims was to stop the consumption of liquor in this country. The Government also made a declaration saying that it too wanted to put an end to the use of liquor in India. I admit that in order to achieve that end Government did make certain laws, but it made them pretty reluctantly. The Government announced that if the majority of the inhabitants of a particular area desired that they did not want the sale of liquor in their locality, its sale in that area would be prohibited. The Local Option Act was meant for dealing with the evil of drinking but the local officers have been acting in a manner that tend to defeat the real object of this enactment. They do not respect the wishes of the people in this respect. An honourable member has just referred to a liquor shop being removed out of the municipal limits of Sadhaura and to its being located again at a place in its vicinity. Look at the mentality of the district officers who want to increase revenue under this head but are unmindful of the real public welfare. We gave powers to Government not simply to increase its revenue but also to take steps to check this evil of drinking. It is at present concerned with the increase in revenue but not with the improvement of the public morale. This policy of Government which is due to our weakness is open to serious objection. The Honourable Sardar Sahib has always advocated the cause of temperance but he has not so far achieved any good results. As a matter of fact no nation with intemperate habits can ever make any progress. I am surprised that the Government feels greatly perturbed at a loss of say ten or five lakhs even if it may be due to the fact that the purchasing capacity of the people has decreased but it shows very little concern at the increase in the use of liquor.

Khan Bahadur Sardar Habib Ullah : Has it increased ?

Chaudhri Afzal Haq : Yes, it is on the increase. If one liquor shop is closed at a particular place two shops are opened at another place. This is how the district officers are working at present. You talk of other countries with which our country stands no comparison, for there the people though not so strongly against drinking as we are, may at any moment rise to the occasion and ask the Government to stop this evil. The governments in other countries are always prepared to respect the wishes of the people even if they have to resort to force. But in our country though public opinion is strongly against drinking the Government is not prepared to stop it. The mentality of Indians in this matter is altogether different from the mentality of the people in other countries. But in spite of that no appreciable success has so far been achieved in this connection. I have referred several times to the speech of Mr. Lloyd George delivered in 1914. He remarked in his speech that the English were not fighting Germany or Turkey but they were up against the use of liquor, the greatest evil in the world. Though they were handicapped on account of the peculiar circumstances of their country, they realised the injurious effects of drinking and often took steps in the

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 right direction. But here the case is different. We are strongly against drinking but our officers do not take steps to check this evil. I do not want to attack the *bona fides* of the local officers but I am constrained to remark that their mentality is responsible for the state of affairs now obtaining in the country. You want peace in the country. You want that people should not commit crimes. But if you read the diaries of the police officers you will find that almost every dacoit and every murderer drinks before the actual commission of the intended offence. I am sure if drinking is stopped very few people would dare to commit these heinous crimes. In America the policy of total prohibition was, though for a short time, introduced with success. During the period the policy was in force the jail population considerably decreased and the lot of the labourers improved so much so that everyone of them could purchase a motor car for his personal use. And if later on the policy of total prohibition was abandoned it was due to political reasons. A political party not so much opposed to drinking came into power and gave up the policy of total prohibition. The object was to convert wine shops and taverns into centres of propaganda for elections. In fact these places play great part in elections. The latest elections in America were in fact a fight between the capitalists and the labourers in which the former succeeded. This is how and under what circumstances the policy of total prohibition was given up in that country. Now turning to our own country I would submit that the policy now adopted by Government is most objectionable. We allowed the Government to collect revenue under this head on the one hand and to take steps steadily to stop this evil on the other. But they are working this department on business principles. They are concerned with collecting revenue rather than with rooting out this evil. And the result is what we are seeing now. There is a conspicuous increase in the illicit distillation. Previously illicit distillation was very rare but now this offence is being committed in almost every village. You have increased the staff but you have not been able to check this evil. The law as it exists now is working to our destruction. You may increase your revenue but along with it you ought to have taken steps to wipe out this evil. In the end I will request the Honourable Minister for Agriculture to let me know the reasons why this evil of drinking has not been put an end to although the Government has been getting such a huge amount of revenue under this head professedly to put an end to this evil. I may say and say with all the force at my command that the present excise policy of Government is against the best interests of this country.

Mr. President: Demand under consideration, motion moved—

That the total grant be reduced by Rs. 1.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): At the very outset I want to make one observation and that is that this is such a delicate subject that we should not hesitate to discuss it with an open mind. It should not be held that those who are in favour of this motion are so to say, heroes of this age, and those who oppose it, are to be condemned for all time. I have the greatest sympathy with the mover of this motion and I am at one with him that taking illicit or licit liquor is very injurious and has a very bad effect. It is a vice of the worst type no doubt. But what I want to suggest is that to pass such a motion is impossible as

well as impracticable. I feel that this is a thing which is rather out of place, so far as the discussion is concerned, in this House. It is a thing which is more fit for public platform and for places which are meant for social reforms. We should have such debates in organisations like the temperance society, established, both under the influence of Anjuman-i-Himait-i-Islam, and Hindu Sabha, or Arya Samaj or such other social and political bodies. It is very difficult for Government to eradicate this evil with one stroke of the pen. Such things cannot be cured by legislation or by issuing an order from the Governor in Council. These are the things which can be only cured by improvement from within. Unless public opinion is educated, unless people feel that in case of indulgence they will be boycotted socially and politically by their neighbours, by their relatives, by their parents and by their friends, it is impossible to eradicate this evil. Let there be one thousand shops of liquor; if people know that this is a bad thing and if they feel that they should shun this thing, they will never care to buy or even to look at the shop where this liquor is sold. It is the social reforms which are required and not an order, as I have said, from the Governor or a piece of legislation. I said the same thing at the time of the consideration of the honourable Mr. Nanak Chand Pandit's Bill, which aimed a blow at an evil of the worst type. Prostitution in the sense of its ordinary dictionary meaning, I should say, has not been eradicated totally in spite of the fact that that Bill is there. Then again, I not only oppose such evils or the continuance of such evils but regret to say that they are necessary evils for some of the members of the public. People of different shades of opinion and different sorts of character do exist, and since they do exist, it is better that they should be left alone rather than be checked wholesale by Government and trouble invited. Human nature is bound to rebel, and the more limitations you go on imposing on their liberties, the more they will persist in these bad habits.

Another thing which I want to point out, though it has been taken very lightly by the honourable mover, is the financial aspect of the question. We cannot ignore, as we have already been told by the Honourable Minister for Agriculture, that the Excise brings in something like one crore of rupees of revenue. In these days, when we are told that we are going to lose 15 lakhs from stamps, 27 lakhs from the settlement of the Lyallpur district, 7½ lakhs from duties on export of *charas* from Yarkand, and when we are having such bad days, I do not think we can very safely lose this item as a source of revenue.

Another thing which I want to place before you is that people of all sorts of moral defects do exist, and so long as they do exist, it is practically impossible for the Government to be a puritan Government and to issue an order which will penalise henceforth anybody who takes drinks or sells liquor. There are people of course, though I do not think, as I have said, that I praise them, who believe in the Urdu couplet—

زاهد شراب پیئے دے مسجد میں بیٹکر یا وہ جگہ بنا کہ جہان پر خدا نہیں

I do not say that it is a good thing, but there are people who are of this opinion, living in this world. We cannot have legislation for all sorts of people. We should not be led astray on mere sentimental grounds on a question of finance.

[K. S. Ch. Riasat Ali.]

Then it has been said that drinking leads to commission of many offences and crimes. That is quite true, I agree. But this commission does not distinguish between illicit liquor or licit liquor. So far as this discussion is concerned, I think it is not limited to the taking of liquor from licensed shops. If the sale of licit liquor is not properly controlled by the Government it will lead to distillation of illicit liquor the use of which might equally lead to commission of offences.

One thing more that the honourable member has remarked is that in 1921-22 the Government definitely laid down as its policy that they would discourage the sale of liquor in the country shops. I may assure him, though it is not my job, that as late as February 1935, the Government announced the same policy. If you read the Annual Excise Administration Report, published in the *Punjab Government Gazette*, dated 15th February, 1935, you will find that the policy is clear and the Government, I think, has not lagged behind so far as its duty in this matter is concerned. The words are—

Government will carefully watch the effect of opening new shops in rural areas and wherever a demand exists will not hesitate to meet it provided they are satisfied that the sale of licit liquor will not put undue temptation in the way of persons who would otherwise not drink liquor. Government cannot, however, accept a policy of strewing the countryside with liquor shops regardless of the injurious effect of drink and drug habit on the welfare of village communities.

Sir, with these words I submit that it is impossible for me to support the motion under consideration.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I congratulate the honourable mover of this cut, for the courage he has shown in the general discussion of this all-important subject. I give my whole-hearted support. It is undoubtedly true that if the policy of prohibition is carried out, the province is going to suffer a loss of about one crore of rupees. That undoubtedly is a serious drawback. But nobody can justify the income which is drawn from such a questionable source. There was a time when opium duty was imposed on China. The conscience of civilised world revolted against that sort of imposition on the whole people. Therefore, on the same ground it is the duty of the Government, if it wants to make people better and stronger in every way, that it should adopt means and methods for improving the morals of the people. I want that there should be complete prohibition. Some time ago I read a report by Mr. King, when he was occupying one of official benches as Financial Commissioner. It was stated in that report that in the Punjab the consumption of liquor for the whole year is equal to the consumption of liquor in England for half a day. That is, the Punjab consumes during the whole year so much liquor which is equal to the liquor consumed in England in half a day. That means that the problem is of a very limited character and can be easily tackled. There are people in the province who are not very much addicted to these drinks. Their number is very small and I entirely fail to see why Government should not try to belittle or put down this evil which exists, undoubtedly, in a very limited degree. In India, both according to the Hindu religion as well as the Muslim religion wine is not allowed. (*An honourable member* : And also according to the Sikh religion.) Well, it is the principle of that community to resort to these drinks more largely than the other two.

communities. They are warriors, they go to the army and that is the reason why they are taken to this sort of habit in larger numbers than other communities. (An honourable member: Their religion allows it.) Second: would be Hindus and lastly the Muslims. I am not afraid of stating facts which are known to me. This evil, which is condemned by all the three communities, should be put down by the Government. Now, my honourable friend Khan Sahib Chaudhri Riasat Ali said that the Government should not impose such kind of legislation on the people. My submission is that only the other day we carried with the help of this Council a very good Act, that is the Suppression of Immoral Traffic Act, though I cannot place it on the same footing, as an act of prohibition. Government should take into consideration the sentiments of the people whether they are due to social organisations or teachings of religions. Somebody said that there are communities whose religion sanctions the taking of wine. I see no such society in any community, either Hindus, Muslims or Sikhs, whose religion sanctions the use of wine. (An honourable member: What about Christians?) I do not know about Christianity. Then it is said that there are temperance societies, Hindu Sabha, Arya Samaj, Anjuman-i-Himait-i-Islam and other organisations of the same nature, who can do this work. I am afraid that if you place temptation in the way of people in all places—I find that is going on in cinemas, hotels, etc.—you cannot, by teaching or lecturing put an effective check on people who resort to these evils. Therefore, it is essential that Government should revise its policy. A promise was made in this Council that Government will try to check this evil as far as possible. But on the other hand we had an announcement here and outside that the Government, in order to meet the demands of the people, will have shops opened in rural areas and in other areas. That sort of thing, I submit, Government should not tolerate. Therefore, with these words I give my whole-hearted support to the motion moved.

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban) (Punjab): I will not make a lengthy speech. In the religion of Muslims wine is prohibited. In the Hindu religion it is also prohibited. The Sikh religion also prohibits it. But in practice Sikhs, Muslims and Hindus all indulge in drink. The real thing is this—

مکے کئے تے اقان دتھیاں کنگا لٹے تے پانی
چ تلے نہا اوتھ چلیاں مکے اقی جانی

All our representatives are in reality representatives of their own interests and they quarrel with one another for the sake of their respective interests. They do not want to do anything really good and beneficial to the public at large—

اے برہم انت برہم تویت کڈن دھرتے
اک ہندو اک مسلمان سکھ نام بھی دھرتے
قال بل کے چوڑے سا اے سن مکھاٹی لڑے

In Malikwal, district Montgomery, there is no illicit distillation. The reason is that the inhabitants of this village are Muhammadans and they do not allow anybody to distil illicitly. In the same way in other villages of Muslims illicit distillation does not take place. In the villages of Sikhs

[Ch. Bansi Lal.]

illicit distillation is made on a large scale. We people also some time make illicit distillation. I also know how wine is distilled. It is prepared from Kikar tree bark, gur and wheat. It is distilled in the same way as *arq*. The price of illicitly distilled wine is two annas per bottle and the Government can charge six annas per bottle provided it stops the system of giving contracts. And if by that the revenue of the Government decreases it can increase the value of the currency notes. For example it can increase the value of a note of Rs. 5 by Rs. 1½ that is to Rs. 6-8-0. In this way it can make up for its loss in the revenue. Orally all say that drinking is bad but in practice all drink and I think all should drink. There is no harm in it.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Mubamadan, Rural) (*Urdu*): I rise to support the cut moved by my honourable friend, Chaudhri Afzal Haq. I had no intention to speak to-day as I have already made a speech on the subject now under consideration, but after listening to the speech of the honourable member, Chaudhri Riasat Ali, I cannot help speaking. I was really shocked to hear how a Muslim can get up and say against the injunction of God, His Holy Prophet and the Holy Book

that the vice of drink may be allowed to flourish unchecked. According to Islam wine is the mother of all evils. Other vices spring from this vice. It was really very very disappointing to hear a Muslim member saying that the vice may be allowed to continue. In order to improve the morals of the people and also in the interests of peace and tranquillity it is necessary that this vice must be checked altogether. The punishment for drinking should be very very severe so that no one may have the courage to drink. After taking wine one gets intoxicated and cruel. Enquire from the Police Department how dacoits before going out for dacoity take wine and then how in the condition of intoxication which the liquor brings they cruelly and mercilessly beat and kill people and loot them. If you give liquor to a very good man even he after drinking will become a very bad type of humanity. If liquor of Rs. 5 is sold, out of it Government gets Re. 1. This means that in order to get Re. 1 Government makes the people spend Rs. 5. Government is like a father to its subjects. No father would like to make his son spend Rs. 5 in order that he may be able to get Re. 1. It is always the desire of a father that his son may become even greater than himself. As such Government should try to stop this evil instead of spreading it. Government spends very little on stopping this evil. In Amritsar there is a temperance society. It preaches against drinking. Government has stopped its grant. I would request the Government to restore the grant of this society and also of other similar societies if there are any. In India every year 70 crores are spent on liquors, 25 crores on smoking and 6 crores on other intoxicants. This means that 101 crores are spent yearly on such evils. If the Government proposes to enforce the policy of total prohibition I can assure it that the loss that it will incur in its revenue on account of it will be cheerfully made up by the people. They would readily contribute towards it if only the Government undertakes to enforce the policy of total prohibition. By this their financial condition will become sound and their poverty will be removed. The Muhammadans may be awarded such punishments as are prescribed by the Muslim law to those Muslims who indulge in this vice and also they

may be allowed to take all measures recommended by the Islamic law to prohibit drinking. If this is done this evil will be soon eradicated from amongst the Muslims. Even the European countries are at present feeling the evils that spring from the vice of drink. America introduced a policy of total prohibition and if it failed it was due to the fact that the party that was not in favour of total prohibition had come into power and it removed all restrictions on drinking. With these words I whole-heartedly support this cut and request the Government to accept it.

Mr. F. H. Puckle (Chief Secretary) : I had not intended, to speak at all and I do not propose to put what might be called the Government side of this debate. But I have been immensely struck by one very amusing feature of a rather amusing debate, that is that the word 'America' has not been mentioned, at least, if it has, I have not heard it. If we want to learn how to farm, how to improve our industries, how to engage in business, we go to those who have had experience. There is one country to which you can go for the experience of trying to make the people sober by order and that is the United States of America. It was tried there and it was given a fair trial, a long trial, and there is no instance in history of such a colossal failure as that experiment was. It was a most crashing failure and it would in the same way be a most crashing failure in the Punjab to-day.

Now I want to appeal to those members, who press this motion, on an altogether different ground. I want to appeal to them on the basis of the creed of liberalism. I belong by tradition and by choice to that school of politics which produced the Liberal Party in England. It is a party which is now dying because this is an age of intolerance and so the Liberal Party is being succeeded by two parties, the Tory Party and the Socialist Party. Which of the two parties is the greater bully I do not know. They are both of them inclined to abandon persuasion in favour of force. I being a member of the Liberal Party still hold that a man's conscience is his proper guide. There are many people in this country whose conscience does not smite them if they take a glass of country liquor or even of foreign liquor and I do not believe that it will be doing any good to him to make the sale of intoxicants illegal. Of course, the real motive behind this motion is a very natural one. I suppose there is no sensation which a human being can experience so pleasant as being able to stand up and denounce the sins of others. You will never find that the pulpits of any creed are empty. You have only to put up a pulpit : at once the preacher comes up to denounce the acts of others. I am certain that my honourable friend, the member for Hoshiarpur, I notice he is not now in the Chamber, I mean Mr. Nanak Chand Pandit, enjoyed every moment of his speech. He enjoyed denouncing us who occasionally drink. It is a very very old theme, and a very natural one, to compound for sins you are inclined to by damning those you have no mind to. (Cheers).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to give my support to this commendable motion which the honourable member has put forward. I know both by experience and by theory that the Government will never accept this motion. Already a bit of the mind of Government has been given by the Chief Secretary. But there is nothing which can prevent the Government from making every effort at total prohibition. The question is no doubt beset with a

[Ch. Allah Dad Khan.]

many difficulties, but there is nothing to despair of, if the Government will only make an earnest effort. I am sure it will succeed. During the War England which is so much addicted to this habit of drink went almost dry for a considerable period. Almost all people gave up drink and the money saved was spent for the War. It may be contended that this course was adopted as a measure of emergency. If in a country in which drinking habit is so rife the attempt to stop it succeeded, never mind if it was an emergency measure, in India it must succeed very well even without an emergency, because the evil is not so wide-spread here. The other point which the Chief Secretary made out is this. There are many foreigners fond of drink and it is difficult to impose any restriction on them. I may point out that this evil was brought to India by the foreigners. Before that this evil habit was scarcely known and the Moghul kings imposed heavy penalties for the offence of drink. It is only the foreigners who brought this evil into India and they know now that this evil is eating into the vitals of the people in this country. We want a race of strong yeomen to cultivate our lands, be ready to fight for our country and do many other things. But this drink habit makes them weaklings unfit for any useful work. It is very late in the day to be pointing out the evils of drink on the health of the people. I remember an occasion when the Financial Commissioner who is sitting opposite to me lectured on the evils of drink. While so doing he explained, 'Look, here are a number of insects; and I pour wine into it and all of them are killed.' He illustrated his point by an experiment. When it killed the insects, can it not kill the germs of life. A poet has summed up the evils of drink in a verse in a way in which no amount of expatiation can do. He says:—

انور میں یہ مہ پانی کی چڑیو ندیں
اب جب تہ کچھ گئی ہے تلوار بن گئی ہے

which means that giving of drink to a person is as much as putting a sword on his neck with full pressure. Of course there will be shortage of revenue if the Government were to put an end to this evil habit. But this loss can be made up in some other way. The other day the Finance Member pointed out that there was a deficit of only 21 lakhs whereas I pointed out that it was a deficit of one crore. His estimate was correct in his own way and mine too was correct in my own way.

Mr. President: Will the honourable member please speak to the motion before the House?

Chaudhri Allah Dad Khan: I am speaking to the motion. I want to explain to the House that the loss of revenue to Government by adopting the policy underlying this motion will not be very serious and that the budget can still be balanced as the deficit of one crore is not admitted by the Finance Member.

Another ground on which this motion may be opposed is, that even if the Punjab Government were to adopt this policy the neighbouring Governments may not do so. That is a different matter. The actions of other Governments are not our concern. It is our duty to put our own house in order and ensure the health and happiness of our people who are entrusted to the care of the Punjab Government.

Again, the argument advanced by the honourable member for Gairanwala, I see that he is not present in the Council now, the argument put forward by him against this motion really supports the motion. He said that Government cannot stop the evil by legislation but that there ought to be some propaganda done in connection with this. But without the help of Government nothing can be done. No measure will be successful if the Government is not directly or indirectly interested in promoting it. Therefore the Government should take an active part in stopping this bad habit. What does the Persian proverb say? It says—

در کار خیر حادث هیچ استغفار نیست

If a thing is good, you must not worry about the difficulties of overcoming the obstacles in the way of achieving that good. After all the difficulties are not insurmountable. As the Chief Secretary said just now we may take the example of America. I dare say that the habit of drink has decreased a good deal in America since prohibition was introduced. Though America did not go absolutely dry, still surely it succeeded in reducing the consumption of liquor. If America which was greatly addicted to drink has been able to achieve this much by prohibition, India where the evil is not so deep-rooted as in America or Europe must succeed completely. The evil in India is still in its initial stage and it can very easily be rooted out by the methods adopted by America. But what has the Punjab Government done? It has not made any attempt to stop the evil. If we take a serious view of things we will find that the Punjab Government stands to blame for not having made any attempt to adopt total prohibition as its goal. It has not even provided money for grant to the temperance society which is doing a very noble work. That shows the indifference and apathy of the Punjab Government in this respect.

That shows the mind of the Government. I think the Government should not remain indifferent in this respect. Everybody, who has experience of the villagers, knows how those people, who drink wine at night, commit excesses which it will not be decent to enumerate in this House. Is it proper that these men should waste a substantial part of their time, money and energy in drinking? The evil is so wide-spread that even some officials under this very Government drink wine during the day. What duties can such officers perform? They do not perform any duties well. I do not refer to any particular officer or any particular man at Lahore—I make this general statement that there are some men and I know of a man who, if he does not drink, cannot carry on his duties and if he does not take liquor for two or three hours, he says silly things to the people around him. He is a very high official of the Government. I do not know if they are safe people to be kept in service. The Government should do something to get rid of such people. Let them go home. Why should you let the public duty suffer? Can he perform his duties rightly? Such an officer will give his decisions according to the mood in which he is at the time.

I think my honourable friend Kanwar Mamraj Singh would have supported me on this point who knows this very well. I have never indulged in drink at all, but I know the people who indulge in this. I say, "Is it proper for Government to encourage the habit of drinking?" They

[Ch. Allah Dad Khan.]

should discourage this evil the abstention of which is of so great importance to the welfare of the people. I think the Government should willingly accept this motion. I do not say that they should forthwith abolish the Excise Department, I do not say that they should at once dismiss all the staff. No, nothing of the sort. They should, at the beginning, make an attempt to try to understand that the revenue which they get from it is a revenue from an extremely dirty source. Does the Government mean to make money out of this dirty source? It should not make money out of this bad bargain. This money from the liquor business defiles and pollutes the very life of the Government and I think I am not going to raise much discussion over the question of the principle which prohibits wine altogether. As my honourable friend, Chaudhri Bansi Lal has said, even if a man follows no religion, he should not touch the money that comes from this evil thing. It defiles the soul, the very spirit, the body and the mind. It is a sin to use money out of the revenue obtained from liquor. I do not want to discourage the Government, but I think they are playing a very dirty game. I would not touch money realised from the revenue on drinks. The other day I was at Ambala and just happened to see the Deputy Commissioner of that district. The auction of liquor shops was, by chance, going on that day. The Deputy Commissioner enquired if I was interested in the bids for those shops and if I had arrived there for that purpose. I told him frankly that I did not touch liquor at all. I cannot touch it and have never touched it in all my life nor even smelt it. What the Government and the Honourable Minister can do is not to touch the money which comes from this dirty business. They should not put up budget for the Excise in the next Council. If they agree to this request of mine, I am sure they will be doing a real service to the country. The Europeans have brought liquor in India and they are the people who can now educate the people with regard to the abstention of this evil habit. No amount of propaganda can prevent the public from the evil habit into which they have gone so deeply.

Dr. (Mrs.) M. C. Shave : Why do you say that the Europeans have introduced this liquor in India? That is not true.

Chaudhri Allah Dad Khan : This is my information. The honourable lady member may refute it when her turn to speak comes. If the honourable lady had read history, she would have found that the Mughals gave very heavy punishment to the drunkards. They would not spare the men who came drunk before them. In some cases men were exiled or beheaded. Nobody can say that the Mughals encouraged drink. When these historical facts are known, who can say that the evil of drink was prevalent in India before the Europeans came? Anyhow, I do not blame the Europeans as it was their habit and they never thought that the evil would be so bad. The sooner this evil is removed from this country, the better.

Sardar Arjan Singh : I move—

That the question be now put.

Chaudhri Allah Dad Khan : Sir, I find that some members are impatient. Therefore with a few words more, I will close my speech. If the Government discontinues this department, it may be urged that there

will be unemployment because so many inspectors and sub-inspectors will be thrown out of employment. This question can be easily solved. Those inspectors and sub-inspectors may be employed on the prevention of illicit distillation of liquors. Nobody should manufacture illicit liquors and this staff may be appointed to see that no illicit distillation is carried on in the villages and to enforce the policy of total prohibition.

As for revenue, it is a serious matter. There is no doubt the income of the Excise Department would be depleted, but I think there are many ways in which income of the department can be increased. People who drink, as a habit, can be taxed. This tax will bring as much money as the Punjab Government gets at present. Only very rich people will then persist in drinks. When the tax is directly levied on their heads, they will leave it, they will give it up, while with the vigilance of inspectors and sub-inspectors no illicit distillation will go on in the villages. This is one way out of the difficulty. If the Government is afraid that if this is done, there will be a strong agitation, I assure them that people who drink, will not oppose this, because they cannot help themselves, though in very trying circumstances, they drink by force of habit. This habit can be cured only under compulsion. Drinkers will not give up the habit voluntarily. A point can be raised by some people that only propaganda can stop the habit of drink, but I feel that the propagandists will not be able to use compulsion and this evil habit can be eradicated only by the use of compulsion. I have given all the main points to the Government for making efforts to stop the habit of drinking in this country and I think every endeavour will be made to accede to the wishes of this House. With these words, I lend my wholehearted support to the motion under consideration.

Sardar Bahadur Sardar Buta Singh : I move—

That the question be now put.

Dr. (Mrs.) M. C. Shave (Nominated, non-Official): I have listened to the speech of the honourable member who has just sat down with considerable interest. He is a master of—shall we call it mis-statement? I have heard many speeches made by him and resented his arguments and implications. He has made a definite statement to-day which I resent strongly. He says alcohol was introduced into India by Europeans. The manufacture and use of alcohol date very far back in the history of mankind and the East was well on its way in the manufacture and use of intoxicating liquors before it was thought of in the West. He suggests that Europeans are drunken and do not know how to control themselves. He forgets that temperance means the wise use of alcohol and does not signify total abstinence. America tried prohibition and found it was impossible by legislation to make people sober. Put anything out of mankind's reach and it inevitably becomes more desirable than ever and much more evil inevitably results. So America found and so the Punjab will find if it went dry. The horror and loathing expressed by my honourable friend were so overdone and exaggerated that it was impossible to resist the impression that it was an attitude and an attitude both self-righteous and hypocritical.

Mr. President : May I know how many gentlemen wish to speak?

(Three members stood up).

Mr. President : The question is—

That the question be now put.

The motion was carried.

(The Honourable Sardar Sir Jogendra Singh rose to speak).

Mr. President : The Honourable Minister is not entitled to reply unless the mover of the cut makes a reply.

Rai Bahadur Mr. Mukand Lal Pari : It will be desirable if the Honourable Minister is permitted to speak because he will be able to place the views of the Government on the various points raised in the debate.

Mr. President : The proviso to paragraph 66 of the Punjab Constitutional Manual, Volume II, 3rd Edition, is :—" Provided that the President may allow any member any right of reply which he may have under the Standing Orders." Now, under the Standing Orders, the mover of a motion has a right of reply and if he exercises that right, the Government Member can give a reply but not otherwise. Does the mover of the motion wish to give a reply ?

Chaudhri Afzal Haq : I think it would be better that I reply after the Government Member speaks on the subject. The Government side has not been heard so far.

Mr. President : Then the honourable member does not wish to give a reply.

The Honourable Sir Donald Boyd : Does it not deprive Government of the right of reply ? A motion of closure may be sprung upon the House at any time.

Mr. President : That is the reason why I asked the honourable members, who wished to speak, to rise. But the Government Member did not rise. Had he stood up I would not have put the closure motion to the House.

The Honourable Sir Donald Boyd : The Minister wants to speak on a motion for a cut in the budget to discuss a matter which is very important.

Mr. President : Will the Honourable the Leader of the House please read sub-clause (3) of paragraph 64 of the Punjab Constitutional Manual, Volume II, 3rd Edition ? It says :—" A member who has moved a motion may speak again by way of reply." It is his option, he may or may not speak. The sub-clause proceeds to say : " If the motion is moved by a non-official member, the member of the Government to whose department the matter relates shall have the right of speaking (whether he has previously spoken in the debate or not) after the mover has replied." So, his right of reply depends on the exercise of the right of reply by the mover of the motion. If the mover of the motion does not give a reply, the Honourable Minister cannot reply. May I further draw the attention of the Honourable Member to sub-clause (3) of paragraph 66 of the Punjab Constitutional Manual, Volume II, 3rd edition. It says :—" Where a motion is made under paragraph (1), or a request is made under paragraph (2), the motion, and, if it is carried, the question, or, as the case may be, the question, shall be put without amendment or debate.

"Provided that the President may allow any member any right of reply which he may have under the standing orders."

This shows that after a closure motion is carried, the question should be put without any further debate or discussion; but that the President, in the exercise of his discretion, may allow the mover to exercise his right of reply and if he does exercise that right, the Government member also shall be entitled to reply; but not otherwise. I have no objection to the mover of the motion making a reply, and if he replies I shall certainly allow the Government member to speak, but if the mover does not exercise his right of reply, then under sub-clause (3) of Article 64, the Government member has no right of reply.

The Honourable Sir Donald Boyd: I am not talking about rights at all. But is it proper that when a motion is moved and a long speech made in its support, that motion cutting the excise budget should be put to the vote when the Minister in charge has had no chance to reply?

Mr. President: So many members have spoken on the motion. Even the Chief Secretary made a speech. If the Government Member concerned did not take part in debate or did not rise before the closure motion was put, the fault is not of the Chair or of the House.

The Honourable Sir Donald Boyd: That is quite true. But the Member or the Minister in charge wants to answer all the arguments put forward and waits as long as he can before rising to make a speech.

Mr. President: Sorry! I cannot go beyond our rules. I shall be glad to know if my interpretation is wrong.

The Honourable Sir Donald Boyd: I accept your interpretation. But I understand the matter is in your discretion.

Mr. President: If the matter was in my discretion I would have been only too glad to allow the Government Member to speak. But, under the Standing Orders in force, the Government Member can reply only if the mover of the motion gives a reply and as the mover of the motion has refused to exercise his right of reply, I am unable to allow the Government Member to give any reply.

The question is:

That the total grant be reduced by Re. 1.

The Council divided: Ayes 17, Noes 48.

AYES.

Abdul Ghani, Shaikh.
Afzal Haq, Chaudhri.
Akbar Ali, Pir.
Allah Dad Khan, Chaudhri.
Bahadur Khan, Sardar.
Chetan Anand, Lala.
Faqr Hussain Khan, Chaudhri.
Ghani, Mr. M. A.
Habib Ullah, Khan Bahadur Sardar.
Lekhwati Jain, Shrimati.

Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Hayat Qureshi, Khan
Bahadur Nawab.
Muhammad Raza Shah Gilani,
Makhdumzada Sayad.
Muhammad Yasin Khan, Chaudhri.
Noor Ahmad Khan, Khan Sahib
Mian.
Pandit, Mr. Nanak Chand.

Zaman Mehdi Khan, Khan Bahadur, Malik.

NOES.

Ahmad Yar Khan, Daulatana, Khan Bahadur Mian.	Latifi, Mr. A.
Arjan Singh, Sardar.	Manohar Lal, Mr.
Askwith, Mr. A. V.	Muhammad Amin Khan, Khan Bahadur Malik.
Bansi Lal, Chaudhri.	Muhammad Hasan, Khan Sahib Makhdum Shaikh.
Boyd, The Honourable Sir Donald.	Mukand Lal Puri, Rai Bahadur Mr.
Bradford, Mr. W. G.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Buta Singh, Sardar Bahadur Sardar.	Muzaffar Khan, The Honourable Nawab.
Chhotu Ram, Rao Bahadur Chaudhri.	Nathwa Singh, Chaudhri.
Darling, Mr. M. L.	Nihal Chand Aggarwal, Lala.
Fazl Ilahi, Khan Sahib Shaikh.	Parkinson, Mr. J. F.
Firoz Khan Noon, The Honourable Malik Sir.	Puckle, Mr. F. H.
Gokul Chand Narang, The Honourable Dr. Sir.	Rahman, Khan Bahadur Dr. K. A.
Gopal Das, Rai Sahib Lala.	Ram Chandra, Mr.
Grindal, Mr. A. D.	Ramji Das, Lala.
Gurbachan Singh, Sardar Sahib Sardar.	Ram Sarup, Chaudhri.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Riasat Ali, Khan Sahib Chaudhri.
Jawahar Singh Dhillon, Sardar.	Roberts, Professor W.
Jogendra Singh, The Honourable Sardar Sir.	Salisbury, Mr. C. V.
Jyoti Prasad, Lala.	Sewak Ram, Rai Bahadur Lala.
Labh Chand Mehra, Rai Sahib Lala.	Shah Nawaz Khan, Nawab Khan.
	Shave, Dr. (Mrs.) M. C.
	Tate, Mr. T. B.
	Ujjal Singh, Sardar Sahib Sardar.

Mr. President : The question is :

That a sum not exceeding Rs. 10,88,200 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 Excise.

The motion was carried.

STAMPS.

The Honourable Sir Donald Boyd (Finance Member): I beg to move :

That a sum not exceeding Rs. 56,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stamps.

Mr. President : Motion moved—

That a sum not exceeding Rs. 56,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stamps.

Garnishee Proceedings.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): I beg to move:

That the total grant be reduced by Rs. 100.¹

The object of this motion has been described in the notice itself. What I wish to draw the attention of the Government to is the serious leakage of revenue which is taking place on account of the abuse of what are known as garnishee proceedings. So far as the legitimate use of garnishee proceedings is concerned, nobody can have any objection. But what is actually happening is that collusive decrees are being allowed by people who do not owe a single penny to the supposed creditor in order to cheat Government of its revenue. What happens is this. Suppose I have a certain number of people who owe me money, say Rs. 10,000. I do not like to pay a single penny by way of court-fees. Therefore I ask a friend or relation of mine to file an award instead of a suit against me for Rs. 10,000. We collude with each other and ask somebody to be an arbitrator between us. He gives a decree according to the terms which are settled beforehand

between me and my friend or relation. The arbitrator gives an award to the effect that Chhotu Ram should pay Rs. 10,000 by instalments of Rs. 500 six monthly or annually, and that failure to pay the first instalment in so many days or so many months will mean that the decree will become payable at once. That award is presented in court and the court is bound under the law as it stands to issue a decree in accordance with the award. So this collusive arrangement gets the sanction of the court in the shape of a decree. Then the friend or relation with whom I entered into this conspiracy gets all the debts owed to me by others attached in execution of that collusive decree. That is happening in the Rohtak district, at any rate, on a very large scale (*An honourable member*: Is not the fee paid on Rs. 10,000, the original amount of the suit?) No. He pays nothing. There is no suit, but the arbitrator gives an award out of court. If a suit were brought it would necessitate the payment of court-fees and there would be no leakage of public revenue. It may surprise the honourable member, but I may inform him that a case went up to the High Court in which the senior sub-judge when he came to know that the decree was a collusive one declined to issue orders in execution unless the full court-fee was paid. (*An honourable member*: How much stamp fee is paid on the certification of the decree by the court?) I think that fee is Rs. 5 or Rs. 10, I do not remember the exact amount. The man who holds a collusive decree goes to court and asks the court to execute that decree against the debtors who are in fact my debtors. The court takes proceedings in execution without the payment of any court-fees. It is treated as an ordinary application for execution. A notice is, of course, issued to the debtors that such and such a decree-holder wants his decree to be executed against you, if you have any objection, place those objections before the court. If objections are made an enquiry is held but no court-fee is paid at all beyond the ordinary court-fee leviable on an application for execution. That is the view of the High Court and

¹To draw attention to collusive decrees by arbitration with a view to defrauding Government of stamp revenue by resort to garnishee proceedings.

[R. B. Ch. Chhotu Ram.]

the High Court has recently—only about a couple of months ago—given a ruling that no court-fees can be demanded.

(At this stage Mr. President left the chair and it was occupied by Mr. Deputy President.)

The Honourable Sir Donald Boyd: May I ask the honourable mover to be kind enough to explain it all once more? I am not an expert lawyer and I have not caught it quite where the garnishee procedure comes in.

Rao Bahadur Chhauthri Chhotu Ram: What happens is this. Suppose *A* is the creditor. A certain number of persons owe him money. *A* wants to realise that money but he is not willing to pay the court-fees which would under the ordinary law be leviable. The device which he adopts in order to avoid the payment of court-fee is this. He gets hold of *B* who is usually a friend or a relation. He asks *B* to go with him to a petition-writer, and refer a dispute which really does not exist, an imaginary dispute, to arbitration. *A* and *B* between themselves agree on the appointment of *C* as an arbitrator in reference to the settlement of a dispute which has no existence in fact. That arbitrator, again a friend, gives his decision in accordance with the terms which have already been settled between *A* and *B*. It is all out of court. When the arbitrator's decision has been given that decision is presented before a court and the court is under the law bound to give a decree in accordance with the decision of the arbitrator. That at once becomes a decree of the court. On the basis of that decree, the collusive decreeholder comes into court and asks for orders of execution to be issued against the persons who owed money to *A*. In execution the debts which were really owing to *A* are by order of the court attached just as if they were items of property belonging to a judgment-debtor. Of course, the debtors are given notice, and are called upon to put forward their objections, if any. They can come forward and say there is no debt owing from them to that person. Then an enquiry is held and a decision is given. What I wish to draw the attention of the House to is that such decrees are absolutely collusive, not based on any genuine claim. No court-fee is paid on them, and perhaps on payment of just Re. 1 execution is sought on the basis of a collusive decree. In this way leakage of public revenue is taking place from day to day in the Rohtak district and also in the Karnal district. So far as the Rohtak district is concerned this leakage is taking place on a very large scale. As a matter of fact no creditor now comes into court to file a suit against his real debtors. This device of bogus arbitration and garnishee proceedings is almost invariably being resorted to. And I think some steps should be taken to see that the advantage of garnishee proceedings is not allowed to be taken by means of such questionable tactics. If there were a real debt owed by one to another person and there were arbitration and so on, there could be no objection. But under the circumstances explained by me the garnishee procedure should not be allowed.

Mr. Deputy President: Demand under consideration, motion moved—

That the total grant be reduced by Rs. 100.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural): I wish to oppose this cut and for very good reasons. The law of arbitration to which the honourable mover appears to refer is contained in Schedule 2 of the Civil Procedure Code. *A* and *B* who have a dispute refer the matter of dispute to an arbitrator and instead of the court deciding the differences, they ask an arbitrator to do it. And the arbitrator is not chosen by one party but by both the parties. The deed of arbitration is written out, the agreement to refer the dispute to arbitration is reduced to writing. That arbitrator looks into the dealings between the parties and gives his award. The award is then taken to court and the court legally passes an order upon it certifying that to be a decree of that court. I see no objection to this. It is legally provided for and I think this House should not agree to any proposal which means to bind the public to go to court. The person who arbitrates is a man who is trusted by both the parties and the court even welcomes arbitration in all cases even if the court-fee has been actually paid and the case is pending before the court. The apprehension which Chaudhri Sahib appears to have is this, that *B* having got a collusive decree against *A* wants to attach the debts which several persons owe to *A*. But where is the harm in that? If even then *B* wants to proceed against the debtors and any debtor refuses to acknowledge the liability, *B* will have to go to court and get a decree. If the debt which is owed to *A* by, say, *X*, *Y*, *Z* is attached and *X*, *Y* and *Z* refuse to acknowledge their liability, he has no other remedy but to go to court, pay the court-fee and then ask the court to pronounce whether the debt is real or not. If *X*, *Y* and *Z* admit their liability it is all the better for the public to settle their disputes out of court. We need not sympathise with any provision of law which forces any party to go to court. We should encourage people deciding the disputes between them outside the court. Chaudhri Sahib himself must have known several cases in which a creditor often asks big zamindars to have a panchayat to settle the disputes between him and the zamindars. Where the people realise the true value of a panchayat and want to settle disputes not on the legal rights of parties but on the social status in which the parties stand at a particular time, whatsoever the debt owed may be, we should encourage it in all ways. The panchayat looks into the position of the debtor and sees how much he can afford to repay and arbitrates accordingly. The position of the present law is very satisfactory and I think no change is required at all.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): This cut has been put forward to warn the Government against certain leakage of revenue that is alleged to have taken place in Rohtak district. That I take to be the object of this cut. Now, the leakage of revenue can only take place if certain people do not pay court-fee which, under the law, they should pay. The court-fee is prescribed by the Court-fees Act, which provides different methods of levying court-fees in varying rates for various processes by which the assistance of courts is sought. The Court-fees Act provides different rates, for different kinds of suits. Court-fee for adjudication of suits is different from court-fee levied on adjudication of applications and in other miscellaneous matters. If you only want assistance of courts by way of execution, different rate is provided. If you

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do not want the assistance of courts in adjudication of suits, and you settle your dispute yourself, but you want merely the assistance of courts for giving effect to the settlement, a separate set of court-fee is provided for. A scale of court-fee is provided for all applications under the Civil Procedure Code, Schedule II, and also under the Indian Arbitration Act. The policy of entire civilised law is to encourage people to settle their disputes at home and to discourage the resort to courts, and, therefore, the Indian law along with the English law and along with the laws of other civilised countries, encourages prospective suitors to resort to arbitration. Therefore, if people come forward with an award, which has been given outside the court, they do not seek the assistance of the court for adjudication of any suit on merit, and the court is saved the time and trouble of receiving plaint, summoning defendants, receiving written statements, striking issues, recording evidence, keeping of records pending the suit and then deciding it one way or the other. Therefore if people come to it with an award, it naturally does not charge the same amount of court-fee which it charges if people ask for adjudication of a complicated suit. Therefore, if people go to a court with an award there is no leakage of revenue because the time of the court is not required for adjudication of a lengthy suit, and the court is only asked to register an award, for which the fee prescribed by the Court-fees Act is duly paid. If the court is not required to decide the dispute, the Court-fees Act provides for payment of a different rate which is duly charged. For instance, whenever an agreement to refer a dispute to arbitration is executed, a stamp has to be affixed on it, and then there is a stamp to be affixed on the application put in court for giving effect to the award. Again, when an award is given, a definite amount of duty has to be paid, and a stamp affixed on it. There is no leakage of revenue in the procedure relating to arbitration detailed by the mover, because the court has been saved the trouble of adjudicating upon a suit, and the applicant pays court-fee prescribed by the Court-fees Act for the various processes for which he requires assistance of the courts. He does not pay the court-fee for suits, because the court does not adjudicate upon "a suit". Again, court-fee is levied on execution of decrees. Supposing a decree is brought from the Jammu court, i.e., a foreign court, for execution in the Punjab. It may be worth Rs. 10,000. Well, it will be executed here on payment of ordinary court-fee, in no case higher than that ordinarily paid on the execution of decrees from the Punjab.

If Rao Bahadur Chaudhri Chhotu Ram means to create difficulties in the procedure relating to arbitration by requiring courts to decide whether arbitration is 'bona fide' or not, this will practically nullify the entire commercial arbitration. (*Honourable members*: No, no). Chambers of Commerce at Karachi and Bombay have usually a clause in all the contracts which are entered into between importers and up-country merchants, for instance at Amritsar, Lahore, Campbellpur, etc., that in case of a dispute between the two parties, the matter will be referred for the decision of a member of the chamber, whose decision will be final. So an up-country merchant is compelled to refer that dispute to one member of the chamber who gives an award in a very short time, in two minutes sometimes.

Rao Bahadur Chaudhri Chhotu Ram : A real dispute.

Rai Bahadur Mr. Mukand Lal Puri : Yes, I will deal with that point presently. Similarly, in the case of banks there are pro-notes and bonds written in favour of the bank on which the money is due. The defendant is not in a position to pay. What he wants is the reduction in the rate of interest and presses for instalments. An arbitrator is appointed who decides that point with the result that the parties agree to it. This only shows that the arbitrator is giving a decision which is fair and equitable, and which the parties, therefore, readily accept and the award is nonetheless an award simply because parties agree to it. Nothing should be done which would in any way interfere with these commercial arbitrations or decrease the growing habit of resort to arbitration. So far as decision of the claim by arbitration is concerned, there is no leakage of revenue because when courts are moved to do, they charge court-fee on it according to the provisions of the Court-fees Act.

The House is no doubt aware that the law on the subject of arbitration is contained in the Indian Arbitration Act and under the Indian Arbitration Act an award can be executed without its being made a rule of court. Unlike the procedure under schedule II of Civil Procedure, an award under the Arbitration Act, without any further assistance from the court, is executable. It may be asked, why is an award allowed to be executed without payment of court-fee? The reason amongst others is that the time and ability of the court is not worked for adjudication. When no trouble is given to court for adjudication, why should the state expect any court-fee? The only thing which is necessary for adjudication by arbitration is that there should be some dispute, and any difference of opinion, howsoever trivial, is enough to give jurisdiction for arbitration. Supposing Rs. 5,000 have been borrowed under a pro-note for three years. Well, on the due date the amount is not paid. Then there is a dispute.

Rao Bahadur Chaudhri Chhotu Ram : Supposing no money has been advanced.

Rai Bahadur Mr. Mukand Lal Puri : Then in that case we are not dealing with decrees by arbitration, but we are dealing with fraud. It has nothing to do with revenue. Supposing I bring a suit in a court and pay court-fee on Rs. 10,000 and the defendant confesses judgment when nothing is really due from him. The court will be bound to pass a decree, which would be executable by all the processes of execution as a decree based on good consideration. A collusive and fraudulent decree may equally be passed by consent before a court as before an arbitrator and the fact that decree is collusive or genuine is irrelevant to the leakage of revenue. This matter of collusive and fraudulent decrees is provided in the Indian Penal Code. It is an offence. Such persons are liable to be punished by criminal law. This has nothing to do with the leakage of revenue. As a matter of fact all modern States encourage people to avoid resorting to courts, if they can settle their disputes by arbitration or by compromises brought about by friends or arbitrators and nothing will, I hope, be done which would discourage this wholesome method of settlement of disputes. I say that no case has been made out for any leakage of revenue, whatever other grievance, or evil there might be, in the procedure adopted by some persons in Rohtak.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : The question is not so simple as it first appeared to be. There is a provision in the law that if parties agree they can refer a matter in dispute to an arbitration, and the arbitrator, if he so agrees, can give an award and that award if presented in a court the court would pass a decree. It would be rather very difficult to amend this very salutary principle of the law. What I would suggest is that if the legal advisers of the Government go into the question, they will find as a matter of fact, that questionable decrees are being obtained in a very large number of cases in the way indicated and it is time that they should take proceedings in the matter. It would be best if they introduce some such words "*bona fide* awards between parties out of court" or something to that effect. In this way they can easily safeguard all this. That of course concerns the Government and its revenue. It would be best for the Government to go into it and see how far it affects their revenues. They might take a hint from it.

The other question is that in these days debtors are very hard pressed and we are here for voicing and for ameliorating their conditions. If the creditor knows that he has to go to a court and pay a court-fee before he can obtain a decree, that might be a very good check upon his harassing the debtor in courts in these days. How does it affect the debtors and the zamindar section of this House and the Unionist Party—I am also one of them—especially a large number of members of that party? I may point out to the Government and the House that, as a matter of fact, it may or may not affect the revenues of the Government, but anyhow decrees are being obtained collusively. It is the duty of the Government and of the law to stop all that. It affects certain sections of the population who want to be defended. It should be our duty and policy to defend those persons, I mean the debtors, who are very hard pressed in these days by merely putting execution applications in the names of collusive judgment-debtors, say, 10, 20, 30 or 50. The original debtor who owes debts without paying any court-fee can be rounded up and the execution proceedings can be had against him, with the result that property and everything can be attached and sold in execution of decrees. Actually as a matter of fact no proper suit is lodged and no proper court-fee is paid. Here there is a very, I should submit, clear defect in the law as is being administered in this province and it behoves the Government to be active and be doing something.

Rai Sahib Lala Labh Chand Mehra (Nominated, non-official) (Urdu) : Almost every point of importance has been made out by my honourable friend Rai Bahadur Mr. Mukand Lal Puri about this cut. I want only to make a few observations. Arbitration plays a very important part in trade. All the disputes that arise in connection with the business which is done between Amritsar and cities like Calcutta and Bombay and even foreign countries are settled by arbitration. If arbitration is discouraged in one way or another the result will be that there will be more litigation in this country than we see at present and we will not be able to do any business in the foreign market and no firm from Calcutta or Bombay will be willing to do business with us as arbitration clause is an essential term of their contract.

My honourable friend from Sargodha has pointed out that the present system has an adverse effect on the interests of the debtor. I do not think that it adversely affects the debtor at all. If arbitration is resorted to, it is done with the common consent of the debtor and the creditor and the debtor cannot accept an award which adversely affects his interest. If any fraud is perpetrated in this connection and decree of a fictitious debt is obtained by the consent of the debtor even then it cannot affect the interests of the debtor. Some creditor only will be the loser. When the creditor and the debtor come to an understanding and then they approach the court, if at this stage the question of the agreement being *bona fide* or not is raised, it will be nothing short of a great mistake because it will lengthen the proceedings, which will discourage arbitrations and increase litigation. Any proposal which puts a hitch in the way of arbitration will be detrimental to the interest of the province. So, if the policy of the Government is to discourage litigation rather than encourage it, it should not agree to the proposal put forward in this motion.

As regards the question of evading court-fee revenue, if a man wants to perpetrate a fraud his paying eleven per cent. court-fee will not stop it, nor the payment of court-fee will turn a fraudulent award into a just award. On the other hand, if court-fee is charged on arbitration awards, it will stop this wholesome system. Then, as my honourable friend, the member for industries, has pointed out, there is the Indian Penal Code to deal with frauds. The honourable mover, therefore, should have no worries on that score. With these words I oppose the motion moved by Rao Bahadur Chaudhri Chhotu Ram.

The Honourable Sir Donald Boyd (Finance Member): I am in a slightly difficult position because I believe, with all due respect to the House and I think the honourable mover of the motion will agree with me, that everything that has been said so far has been beside the point and irrelevant. I understand that the intention of the mover of the motion is to call the attention of Government to the debtors involved in garnishee procedure, not to the debtors involved in arbitration. It is the garnishee procedure that he finds dangerous and if it is being used commonly, then it is very dangerous indeed and I personally think that it is necessary to make an inquiry with a view to ascertain to what extent this procedure is being used, and if it is being used to any very serious extent in the manner indicated by the Rao Bahadur, then I think we will have to consider legislation in order to stop it. The legislation would, I think, take the form of amending the Court-fees Act so as to put a substantial court-fee upon an attempt to get disputes decided that may be very real disputes indeed and which have never been referred to arbitration. (*An honourable member*: Garnishee suits are never referred to arbitration.) I should describe what I consider to be the motion before the House. The motion I understand is that A and B put their heads together and decide to get their decrees decided by arbitration. They get an arbitrator and he says B owes A Rs. 10,000. A does not care too hoots about B. What he is after is to help B to realise debts from X, Y, Z and by getting this decree which he gets at a cost of Rs. 10 only by filing an arbitration award, A is able to execute proceedings against X, Y, Z under cover of B who may have real disputes with X, Y, Z.

[Hon. Sir Donald Boyd.]

These disputes are decided in execution proceedings and they are decided for nothing or next to nothing. I understand Re. 1 is all that is paid for all these disputes. They may be very serious disputes indeed and they get the adjudication of a court of justice upon these suits for a sum of Re. 1. If this is at all the procedure, it is a very dangerous procedure indeed and I entirely agree with the mover of the motion that we must be on our guard against it. Subject to what may be said in this debate, I propose to make inquiries as to the extent of this evil and as to whether it costs only Re. 1 or not to get these subsidiary suits decided and if necessary to move this House later on to amend the Court-fees Act so as to put a stop to this serious evasion of revenue.

But on the subject of arbitration itself—I am not quite sure whether I am now in order in talking about arbitration. We all agree that arbitration if it is genuine is a good thing. But it may cost Government a good deal. We have found out that in two districts alone in one or two years Government has lost over two lakhs of rupees in court-fees because of this resort to arbitration procedure. Whether it was genuine or not I cannot say. The honourable mover, I understand, is of opinion that it was not genuine. Obviously it is an outcome of the present economic depression when creditors are unwilling to spend a single penny more than they must. Therefore they look round for methods of getting decrees cheaply and at the same time it may to some extent suit the debtors also because it means that out of the amount that the creditor is able to save from court-fees he is in a position to afford to let off a few hundreds to his debtor and he says: I will take no interest from you and let you pay by easy instalments but if you fail to pay the instalments regularly then the whole amount of the decree will be realised. There are inducements for both parties to resort to this procedure and, therefore, it has become very common indeed. But all kinds of tricks may be played upon the debtor, he may be deceived as to the amount settled in the award though I doubt whether that is common. But at any rate the procedure has induced debtors to let decrees be passed against them and I understand that members of the House sitting on the opposite benches do not approve of this procedure because it means that creditors are not likely to resort to the courts for regular suits when they can get their decrees settled by this arbitration. This is one more nail in the coffin of the debtor classes. However, arbitration in itself, we all admit, is a most desirable thing. It is desirable that people should not resort to the courts. We have heard a great deal about the evils of drink and one member even made the Utopian proposal that we should have prohibition in the Punjab. If we have any prohibition we should have prohibition against litigation. In that case I think the Punjab will be relieved of a very serious incubus. In the Sialkot Settlement I found that a very large number of mortgages started with a civil suit and the result was that ancestral land was mortgaged to the hilt. We all agree that anything that tends to stop unnecessary litigation is of benefit. At the same time I have pointed out the dangers in this arbitration procedure and also the serious loss of revenue to Government. But to get back to garnishee procedure, unless the further course of this debate shows that our fears are entirely unfounded, I think we will have to make an inquiry and possibly resort to legislation later on.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (*Urdu*): I rise to lend my support to the motion which has been moved by Rao Bahadur Chaudhri Chhotu Ram. The reason why I want to support this cut is that the collusive decrees by arbitration have completely ruined the sahukars. The Chaudhri Sahib is a lawyer himself. He knows full well how the debtors play tricks upon the sahukars. For instance, a debtor possesses a house. The debtor obtains a decree against him for one thousand rupees. Now in execution of the decree if the house of the debtor is sold by auction, the creditor will be able to get his one thousand rupees. But the clever debtor plays a trick on the creditor. He comes to an understanding with a relation of his who gets a pronote written in his favour for four thousand rupees. This transaction is quite false. The debtor's relation presents that pronote in the court and fraudulently obtains a decree against the debtor for four thousand rupees. Now, the house of the debtor is auctioned. Previously, the sahukar could get his full amount of one thousand rupees, but now as there is another decree of four thousand rupees against the debtor, the sahukar gets only three annas in a rupee. In order to get a decree of four thousand rupees, one has to spend only ten rupees in all, Rs. 7-8-0 on stamp, one rupee on application, and the remainder on writing and paper, &c. The man who had spent all the necessary amount and had obtained a decree for one thousand rupees, simply gets three annas in a rupee, but the man who holds a false decree gets the remaining money. In this way the sahukar is deceived and put to a considerable loss. The Chaudhri Sahib has brought forward this cut thinking that the debtors are in great trouble and suffering. But the truth is that the sahukars suffer greater loss than the debtors. Probably, the Chaudhri Sahib does not like that the debtor should settle his money disputes with the creditor by means of an arbitrator. But, as I think, that this motion will help the sahukars, I lend my support to it, and hope that the House will pass it unanimously.

(At this stage Mr. President resumed the Chair.)

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (*Urdu*): I will not take more than two minutes. Although the lady member has touched her nose, still she has done so in a round about way. However, I am glad that she has at least touched her nose. It is immaterial how she has lent her support to this motion but we are satisfied that she has supported it. We do not bother who gains, the sahukar or the debtor. We wanted her support, and I am glad to say that she has supported this motion. As it is a useful motion, I lend my whole-hearted support to it and wish that it be passed.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (*Urdu*): Shrimati Ji has taken the cudgels on behalf of the zamindars, but she has completely forgotten the *beoparis* whom she really represents. A case of this kind might have come to her notice, but she has lost sight of this fact that if this cut is carried the *beoparis* will have to spend thousands of rupees on court-fee if they have to file suits against a number of debtors. I fail to understand why now Shrimati Ji is always supporting the cause of the Government. When the question of increasing the price of liquor was being discussed, she sided with the Government and now when the question of increasing the court-fee is concerned she is again supporting

[Lala Bhagat Ram.]

the Government. Under the present circumstances and under the law as it at present stands, the debtors also stand to gain because the creditors can seek settlement of the money disputes by resorting to arbitration and without paying any court-fee. But if the creditors will have to spend money on court fee, etc., that also will have to be paid eventually by the debtors. Therefore, if the creditors resort to garnishee proceedings, it will be good both for the creditors and the debtors. With these words, I oppose this cut and suggest that the present system of settlement by arbitration should continue.

Rao Bahadur Chaudhri Chhotu Ram : There are just two or three points which require being cleared up. Kanwar Mamraj Singh has either failed to understand the exact position or he has opposed the motion for the mere love of opposition. About Mr. Mukand Lal Puri also I would say the same. Because in the case of a collusive decree there is a definite dishonest attempt on the part of a person to cheat the State of the revenue which is due to it. (*An honourable member :* Who is to decide whether the decree is collusive or not ?) I do not think anybody with the responsibility and position of Mr. Mukand Lal Puri will say or do anything to overlook any such dishonest attempt. I think I have failed to make my position clear. Therefore I would clear up the position as far as I can, once again.

My motion has absolutely nothing to do with the abrogation of arbitration proceedings. In respect of genuine real subsisting claims there is absolutely no reason why parties should not come to a settlement out of court, nor is there any reason why after such a settlement has been reached the courts should not implement that settlement. But where there is no genuine real claim subsisting between the parties and where one person enters into a conspiracy with another to allow a bogus decree to be passed against him with a view to enabling that other person to seek execution in respect of that bogus decree that means a definite attempt to cheat the Government of the revenue which is due to it. (*Rao Bahadur Mr. Mukand Lal Puri :* He should be prosecuted for the collusive decree.) If the law allows it I do not mind his being prosecuted.

Another point about which there seems to be some confusion in the mind of Mr. Mukand Lal Puri is that according to him the person who seeks the aid of a court in executing his bogus decree does not seek the help of the court in adjudicating upon his claim. He is wrong there. With the exception that no court-fee is paid in respect of the amounts which are due by individual garnishees, there is no other difference in the procedure. The debts which are attached in execution of that bogus decree are actually adjudicated upon. Notice is given to the debtors and they are called upon to object to the claim. They come to court and put forward their objections. Issues are struck, evidence is taken and then a regular decision is come to on those issues. So, with the exception that in consequence of this bogus decree a person avoids paying court-fees there is no other difference whatsoever.

Now, the debtor suffers in two ways. One is that if a creditor on account of being unable or unwilling to pay the amount of court-fees which are due in respect of his claims fails to bring a suit in the court or brings a suit for a lower amount than would ordinarily be due to him, the debtor is a definite

gainer, but he suffers to that extent if the present practice is not stopped. That is one disadvantage that is suffered by the debtor. Another disadvantage which is suffered by the debtor is that the decision of these claims takes place in an entirely different atmosphere to the atmosphere which would prevail if a regular suit were brought on the basis of those claims. Now the view which a court takes at present of these issues and evidence is that of an executing court. (*An honourable member* : If the courts act like that they have been acting wrongly.) That is another point. I am not, at present, concerned with the courts acting rightly or wrongly. What I submit is that the court brings to bear upon the decision of these claims during garnishee proceedings the mentality of an executing court. Although half a dozen claims may have to be decided, all the proceedings will amount to proceedings in execution, and that too in pursuance of a single application. An application for execution proceedings counts for less than a regular suit, and when a court has actually to decide as many as five claims in the course of a single application for execution, it does not, and quite naturally, bring to bear upon the decision of the claim the mentality which ought to be there. That is the second disadvantage which a debtor suffers.

Members who have not had actual experience of garnishee proceedings are amazed at the results which I have stated at some length. I admit there is nothing in the Civil Procedure Code sanctioning these proceedings. But the High Court has power to make certain rules and in 1932 the High Court made a rule which allowed these garnishee proceedings to be had in the manner described by me. Even a slight change in these rules will improve matters. If in that rule it is inserted that garnishee proceedings will be allowed only in respect of genuine decrees, it will solve the main difficulty. At present the debtor is not in a position to raise an objection that a decree between A and B is a bogus one. The difficulty relating to garnishee proceedings has arisen not on account of any provision in the Civil Procedure Code but on account of this rule framed by the High Court in exercise of certain powers which have been conferred upon it either by the Letters Patent or by the Civil Procedure Code.

Mr. A. Latifi : Will the honourable member please explain why it is not possible for a judgment-debtor to object to the collusive character of the decree ?

Rao Bahadur Chaudhri Chhotu Ram : This plea has been raised, but the courts have not allowed it. They have disallowed it. As, however, the Honourable Finance Member has given a sympathetic reply, there is no use my pressing this motion to a division. I accordingly beg leave to withdraw it.

The motion was by leave withdrawn.

Reduction of court-fee.

Mr. M. A. Ghani : In view of the fact that the Honourable Finance Member assured me yesterday in reply to a question put by me that the question of reduction of court-fees was under the consideration of Government, I do not wish to move the motion,¹ which stands in my name.

¹That the total grant be reduced by Re. 1.

Stamp duty on money suits.

Lala Jyoti Prasad (South-East Towns, non-Muhammadan, Urban)
(Urdu): I beg to move —

That the total grant be reduced by Re. 1.¹

My object in moving this cut is to urge upon the Government the advisability of reducing stamp duty on money suits. It is highly difficult to seek justice from civil courts in these days. One has to incur a lot of expenditure both on the institution of a suit and on the execution of a decree. Many a creditor instituted suits and obtained decrees and remarked that it would have been much better if they had not instituted suits at all. They rather preferred settlement by arbitration. Their view is perfectly correct. One item under which the plaintiff has to incur heavy expenditure is that of court-fees. The court-fees were enhanced in 1925.

At this stage the Council adjourned till 2 P.M. on Monday, 16th March, 1936.

¹To ask the Government to bring about reduction in stamp duty on money suits.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 16th March, 1936.

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

OATH OF OFFICE.

✓ *Mr. J. D. H. Bedford (Chief Engineer, P. W. D. Irrigation) was sworn in.*

STARRED QUESTIONS AND ANSWERS.

IRRIGATION SECRETARIAT AND MOVE TO SIMLA.

***5443. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that certain superintendents, assistants, 1st grade and 2nd grade clerks of the Punjab Irrigation Secretariat enjoy complete monopoly in the matter of spending summers at Simla ;

(b) if reply to above be in the affirmative, whether it is intended to allow others also to enjoy this privilege by turns ?

The Honourable Nawab Muzaffar Khan : (a) A few superintendents, assistants and clerks have been taken to Simla continuously in the past.

(b) Yes, so far as it is in the interest of the public service to do so.

MUSLIMS IN IRRIGATION SECRETARIAT.

***5444. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that out of the 3 superintendents and 10 assistants working in the three Establishment sections of the Punjab Irrigation Secretariat there is only one Muslim assistant who was only lately promoted to that grade ;

(b) if so, what measures he proposes to take to remove the paucity of Muslims in these ranks ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Honourable member's attention is invited to the reply to question No.* 4186.¹

Mr. Muhammad Din Malak : What was that reply ?

The Honourable Nawab Muzaffar Khan : The reply was that it is very difficult to see that the communal proportion in different sections or branches is equal. We have to take the question as a whole.

Mr. Muhammad Din Malak : During the last 3 or 4 years, you have not been able to put in into that particular branch 2 or 3 Muslims. I think the Irrigation Branch might have seen its way to put at least one or two Muslims in that branch.

The Honourable Nawab Muzaffar Khan : It is very difficult to keep the communal proportion equal in each branch. Take the Punjab Civil Secretariat for instance. You will find that Muslims preponderate in the Press Branch, while other communities preponderate in other branches of the Secretariat. We have to take the question as a whole, otherwise it is difficult for us to see that in each branch the communal proportion is equal.

Mr. Muhammad Din Malak : I hope the Government will recognise that the Establishment Branch of the Punjab Irrigation Secretariat is the most important branch, and I hope that Government will do something to remove the paucity of Muslims in that branch.

The Honourable Nawab Muzaffar Khan : We will see to it as far as possible.

PROMOTION OF CLERKS IN IRRIGATION SECRETARIAT.

***5445. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that in 1933 in the Punjab Irrigation Secretariat a 2nd grade clerk who had been substantively promoted to the 1st grade on selection basis by the Secretary, Irrigation Branch, was reverted under orders of the Honourable Member for Revenue as it was laid down as a principle that inasmuch as duties performed by the 1st grade and 2nd grade clerks are identical, promotions from 2nd to 1st grade should ordinarily be made strictly in accordance with the seniority list and not by selection ;
- (b) whether it is a fact that since then five 2nd grade clerks have been promoted to the 1st grade accordingly ;
- (c) whether it is a fact that recently out of the 3 promotions of 2nd grade clerks to the 1st grade, only one promotion has been made in accordance with the seniority principle while in the case of the other two promotions, the principle of selection has been observed ;
- (d) if the replies to (a), (b) and (c) above be in the affirmative, the reasons which induced the Secretary, Irrigation Branch, to depart from the principle of observing seniority in two out of the three cases of promotion ?

The Honourable Nawab Muzaffar Khan : (a) The honourable member has been misinformed. No such principle was laid down.

(b), (c) and (d) Do not arise.

COMMUNAL REPRESENTATION IN IRRIGATION SECRETARIAT.

***5446. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

- (a) whether a percentage for various communities for clerical service in the Punjab Irrigation Secretariat was ever fixed; if so, when this percentage was fixed and what this percentage was;
- (b) whether it is a fact that the percentage of different communities in the Punjab Irrigation Secretariat was fixed as follows :—

					Per cent.
Muslims	..	..	..	..	40
Hindus	..	..	..	..	80
Christians	..	..	..	..	20
Sikhs	..	..	..	..	10

- (c) whether it is a fact that before the retirement of Lala Bua Ditta, assistant, M. Abdul Majid, superintendent, Lala Jagat Ram, superintendent, and M. Abdul Haq, assistant, and before the new recruitment in the Punjab Irrigation Secretariat, the percentage of different communities was as follows :—

	Total Number employed.		Percentage.	Whether less or more than the fixed ratio.
Muslims	..	40	38.1% instead of 40%	2 less than the fixed ratio.
Christians	..	19	18.1% instead of 20%	2 less than the fixed ratio.
Sikhs	..	10	9.5% instead of 10%	$\frac{1}{2}$ less than the fixed ratio.
Hindus	..	86	34.3% instead of 30%	$4\frac{1}{2}$ more than the fixed ratio.

- (d) whether it is a fact that out of the 3 new appointments (junior grade) in the Punjab Irrigation Secretariat, one Hindu clerk has also been offered an appointment though the percentage of Hindus even after the retirement of Lala Jagat Ram, superintendent, and Lala Bua Ditta, assistant, would still be in excess of the fixed ratio by 2.4 per cent.;
- (e) if replies to (a), (b), (c) and (d) above be in the affirmative, what steps Government proposes to take to safeguard the interests of the Muslim community?

The Honourable Nawab Muzaffar Khan : (a) Yes, in 1929 the following percentages were fixed as a basis for recruitment :—

					Per cent.
Christians	..	..	..	..	20
Muslims	..	..	..	..	40
Hindus ..	..	..	..	..	30
Sikhs ..	..	..	..	..	10

(b) Yes.

(c) Yes.

(d) Yes.

(e) The interests of all communities are safeguarded by recruitment in accordance with the percentage fixed for each community, irrespective of any excess or deficiency in the actual numbers at present employed.

WHEAT SEED.

***5447. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Minister for Agriculture be pleased to state—

(a) what quantity of wheat seed was sold to or distributed among the zamindars for *rabi*, 1936, and at what rate per maund in the province ;

(b) the market price of wheat at that time ;

(c) whether all this seed was supplied by the Government agricultural farms or was purchased from private individuals or private agricultural farms such as Convillepur Farm at Montgomery, the figures to be given separately for each, and also the price at which it was purchased ?

The Honourable Sardar Sir Jogendra Singh : (a) (i) The Department of Agriculture distributed 140,262 maunds of wheat seed to zamindars in the province during *rabi*, 1935-36. This quantity does not include seed purchased for supply to certain deputy commissioners as shown below :—

(1) 1,000 maunds to Deputy Commissioner, Jhang, for a court of wards estate in that district.

(2) 6,250 maunds to Deputy Commissioners, Ambala and Gurgaon, for distribution as *tagari*.

(a) (ii) The seed was sold at rates ranging between Rs. 2 and Rs. 3-10-0 per maund in the plains and from Rs. 3-4-0 to Rs. 4-8-6 per maund in the hills depending upon the local market rates at time of sale and the type of wheat.

(b) The market rate at sowing time varied from Re. 1-15-0 to Rs. 3-8-0 per maund at different centres in the plains and from Rs. 3 to Rs. 4-8-0 in the hills.

(c) The seed was purchased from different sources at different rates according to the quality, type and situation of the wheat,—*vide* details given below :—

	Maunds.	Rate.
(1) From Agricultural Department's farms ..	20,888	Rs. 2 to 3 per maund.
(2) Grantee farms such as Convillepur, British Cotton Growing Association, Khanewal, etc. ..	19,690	Rs. 2-1-3 to Rs. 2-8-8 per maund.
(3) Other farms and private individuals ..	99,684	Rs. 2-1-0 to Rs. 2-14-6 per maund.

The purchase prices given above do not include incidental expenses, such as the cost of transport to distribution centres, godown charges, filling of bags, etc., etc.

NUMBER OF STUDENTS.

***5448. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Minister for Education be pleased to give the following figures (i) prior to the introduction of reforms ; (ii) as they stand at present :—

- (a) the total number of students in primary schools of all sorts ;
- (b) the total number of students in secondary schools ;
- (c) the total number of students in colleges ?

The Honourable Malik Sir Firoz Khan Noon : (a), (b) and (c).

On.	NUMBER OF SCHOLARS IN		
	Primary schools.	Secondary schools.	Colleges.
31st March, 1920	274,250	178,631	6,132
31st March, 1935	469,642	631,117	16,664

RECRUITMENT OF ZILLADARS.

***5449. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Member for Revenue be pleased to state regarding the recruitment of zilladars in the Irrigation Department ;

- (a) the total number of zilladar candidates selected during the last 10 years in each canal division by communities, i.e., how many were Sikhs, Hindus and Muslims ;
- (b) of these how many belonged to notified agricultural tribes ;

[K. B. Malik Zaman Mehdi Khan.]

(c) whether Government orders regarding the recruitment of a certain proportion of members of agricultural tribes were observed in recruiting these candidates ;

(d) if not, why not ;

(e) in recruiting such candidates, whether preference is given to the sons or relations of canal employees ; if so, why ?

The Honourable Nawab Muzaffar Khan : (a) Candidates are not selected by canal divisions and their number by divisions cannot, therefore, be given. There was no recruitment of candidate zilladars from 1928 to 1928. The figures for the years 1929—35 are as follows :—

Hindus	..	..	..	..	..	49
Sikhs	..	..	..	..	..	37
Muslims	..	..	..	..	..	85
Total						171

out of whom 119 are agriculturists.

(b) The information is not available.

(c) Yes.

(d) Does not arise.

(e) Other things being equal preference is given to the sons and relatives (not far removed) of sufficiently meritorious canal employees, just as is done in other departments of Government.

Khan Bahadur Malik Zaman Mehdi Khan : Do you mean that no preference is shown to sons of the employees of the Canal Department ?

The Honourable Nawab Muzaffar Khan : It is shown as in other departments.

Mian Nurullah : Is there any percentage fixed for the relatives of the canal officers ?

The Honourable Nawab Muzaffar Khan : I am not aware of any percentage fixed for the relatives.

LOWER BARI DOAB CANAL.

***5450. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that it has not been possible to send a full supply of water into the Lower Bari Doab Canal without increased heading up at Balloki for the last three years ;

(b) whether it is a fact that this heading up has caused much apprehension regarding the safety of the structure of the headworks and that water has to be pounded on the downstream side of the weir to counteract the heading up above the weir ;

(c) whether it is also a fact that in the sixth mile of the canal, an obstruction was constructed in the year 1932 or 1933 and that since the construction of this obstacle the water levels show a rise in the canal followed by the necessity of heading up in the river ;

- (d) the cost of this obstruction, both the original cost and the cost of subsequent work ;
- (e) whether it is a fact that the obstruction has increased the difficulty in the matter of feeding the canal ;
- (f) what steps the local Government proposes to take in the matter to restore greater safety to the barrage.

The Honourable Nawab Muzaffar Khan : (a) Increased heading up above the weir has been necessary during the past two years, but except for a week in October, 1985, the canal has always received its correct share of the available river supply.

(b) No. Due to the necessity of this increased heading up, the question of the safety of the barrage has been under examination and as a precautionary measure an earthen *bund* was constructed below the weir to remove any possible danger to the work.

(c) A meter flume was constructed at R. D. 27,700 in December, 1988, for the purpose of accurate measurement of supplies entering the canal, and this has to some extent led to a rise of supply levels in the canal followed by the necessity of increased heading up in the river to feed the canal.

(d) Total cost is about Rs. 50,000.

(e) In view of replies to parts (a), (b) and (c) does not arise.

(f) The construction of a small subsidiary weir on the downstream side of Balloki Weir is shortly to be started and will be completed before the monsoon. The crest of the meter flume has also been lowered to some extent. These works will render the Balloki Weir as safe and stable as formerly, and there should be no future trouble in feeding the Lower Bari Doab Canal when the barrage is closed off.

WARABANDI.

***5451. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) the rules for framing a *warabandi* under section 68 of the Canal Act ;
- (b) whether the *nikal* is always to go to the last person or whether every shareholder has some right in the *nikal* ;
- (c) whether in a *sufedposhi* village the turn of each holding is to be fixed separately, i.e., *khatewar* or *murabewar* ;
- (d) whether it is proposed to frame the *warabandi* 'sufedposhwar' in every *sufedposhi* village ;
- (e) whether it is a fact that in some cases a 'murabewar' *warabandi* is framed against the wish of the shareholders ;
- (f) whether a person having five or six squares should not have his turn together one after the other ;
- (g) whether it is necessary for an owner to use his turn of water in the square for which it is allotted ;
- (h) whether any action can be taken against a person who uses his water of one square into another square ?

The Honourable Nawab Muzaffar Khan : (a) The attention of the honourable member is invited to the instructions in appendix E of the Revenue Manual.

(b) *Warabandi* is required to be fixed in such a way that lead and *nikal* are distributed as evenly as possible amongst the various shareholders on the watercourse.

(c), (d) and (e) Whether the *warabandi* is to be fixed "khatewar" or "murabewar" depends on the wishes of the majority, subject to the interests of the minority being safeguarded.

(f) Yes, if such can be arranged without adversely affecting the other shareholders in the *chak* in the matter of "lead" and "nikal."

(g) No, unless the sanctioned *warabandi* is interfered with.

(h) Yes, if sanctioned *warabandi* is interfered with and there is a complaint from any of the shareholders on the watercourse.

RETRENCHMENT OF WORKERS, NORTH-WESTERN RAILWAY, MOGHAL-PURA WORKSHOPS.

***5452. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

(a) whether the Punjab Government was consulted by the North-Western Railway administration as regards the retrenchment of the workers of the North-Western Railway Moghalpura Workshops ;

(b) whether any steps have been taken by the Government to relieve the unemployment which was caused by the retrenchment of these workers ;

(c) if answer to (b) be in the negative, the reasons for not taking any steps ?

The Honourable Nawab Muzaffar Khan : (a) The Punjab Government were informed in 1931 and 1932 when retrenchment on a considerable scale took place in the North-Western Railway.

(b) and (c) Punjab Government cannot make arrangements for the employment of persons discharged by an organisation over which it has no control.

Mr. M. A. Ghani : What action was taken by the Government on the information received by them as regards the retrenchment of the workers of the North-Western Railway ?

The Honourable Nawab Muzaffar Khan : No action was taken.

Mr. M. A. Ghani : If some information was received by the Punjab Government, why did it not take action on that information ?

The Honourable Nawab Muzaffar Khan : On that information it was not necessary for the Punjab Government to take any action because we have no control on the North-Western Railway.

Mr. M. A. Ghani : Is it not a fact that the unemployment in the workers increases owing to their retrenchment on the North-Western Railway ?

The Honourable Nawab Muzaffar Khan : Naturally it does.

Mr. M. A. Ghani : What action has the Punjab Government taken ?

The Honourable Nawab Muzaffar Khan : I have already replied to the question.

HACKNEY CARRIAGE SUB-COMMITTEE, MUNICIPAL COMMITTEE, LAHORE.

***5453. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that soon after the appointment of the Executive Officer, Lahore Municipal Committee, the Hackney Carriage Sub-committee of the committee was abolished ;
- (b) whether it is a fact that the sub-committee has now been restored ;
- (c) the circumstances under which it was —
 - (i) abolished,
 - (ii) restored ?

The Honourable Dr. Sir Gokul Chand Narang : The sub-committee was not abolished but it ceased to function as the Executive Officer believed that the duties of this sub-committee had been transferred to him after his appointment. On the point being referred to Government, the Executive Officer was informed that the powers of the sub-committee had not been transferred to him and that it should be allowed to work as before.

Mr. M. A. Ghani : Under what circumstances this sub-committee ceased to function ?

The Honourable Dr. Sir Gokul Chand Narang : I have told you.

Mr. M. A. Ghani : No, you have not.

The Honourable Dr. Sir Gokul Chand Narang : I cannot tell you anything further. It requires notice.

Mr. M. A. Ghani : Is it not a fact that the Executive Officer usurped the functions of that sub-committee illegally and if so, what action has been taken by the Government against him ?

Mr. President : The honourable member wants the Honourable Minister to express an opinion on a point of law, i.e., interpretation of law, which I cannot allow.

Mr. M. A. Ghani : Was this point referred to the Legal Remembrancer by the Honourable Minister and is it a fact, that the Municipality of Lahore protested against the action of the Executive Officer in usurping the functions of the sub-committee ?

The Honourable Dr. Sir Gokul Chand Narang : I do not know.

Mr. M. A. Ghani : Is it contemplated to make an enquiry into the matter ?

The Honourable Dr. Sir Gokul Chand Narang : If notice of a question is given, I may enquire.

Mr. M. A. Ghani : I have given the notice now.

The Honourable Dr. Sir Gokul Chand Narang : As the matter is settled, I do not consider it necessary.

SHAH CHIRAG MOSQUE, LAHORE.

***5454. Mr. M. A. Ghani :** Will the Honourable Member for Finance be pleased to state—

(a) whether his attention has been drawn to the article entitled "*Masjid Shah Chirag kab milegi*" which appeared as a leaderette on page 3 of the daily *Inqilab*, Lahore, of the 23rd February, 1936 ;

(b) if so, what action has been taken by the Government on it ;

(c) if answer to (b) be in the negative, the reasons for not taking any action as regards the complaint mentioned therein ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) The honourable member is referred to the reply given to the short notice question¹ asked by Khan Bahadur Mian Ahmad Yar Khan Daulatana on this subject on the 2nd March.

RELEASE OF MAULANA ZAFAR ALI KHAN.

***5455. Mr. M. A. Ghani :** Will the Honourable Member for Finance be pleased to state—

(a) whether his attention has been drawn to the article entitled "*Maulana Zafar Ali Khan ke musaib*," which appeared as a leaderette on page 3 of the daily *Inqilab*, Lahore, of the 23rd February, 1936 ;

(b) if so, what action has been taken on it ;

(c) if answer to (b) be in the negative, the reasons for not taking any action as regards the complaint made therein ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) No action was considered necessary on the *Inqilab* article. A subsistence allowance of Rs. 120 a month was sanctioned for M. Zafar Ali from the date of his internment at Karamabad which he refused to draw. He was released from internment on the 24th February, 1936.

Mr. M. A. Ghani : May I know on what basis this paltry sum of Rs. 120 a month was fixed as allowance for M. Zafar Ali ?

The Honourable Sir Donald Boyd : On the basis of suitability.

Mr. M. A. Ghani : May I know, Sir, whether the Government took into consideration the status and the position of M. Zafar Ali ?

The Honourable Sir Donald Boyd : Yes.

Mr. M. A. Ghani : Is it not a fact that it was stated in the article, mentioned in starred question No. 5455, that this sum was far too less than the ordinary expenses of the Maulana ?

The Honourable Sir Donald Boyd : I have not got a copy of the article with me.

Mr. M. A. Ghani : I sent a copy of the article with my question. I do not know whether the Secretary passed that on to you.

The Honourable Sir Donald Boyd : The honourable member can read the article as well as I can.

SUPPLY OF CANAL WATER TO GARDENS, AT BHIWANI.

***5456. Shrimati Lekhwati Jain :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the canal authorities assured the Garden Owners' Association, Bhiwani, in the past, that the supply of canal water would be regular and copious ;
- (b) whether it a fact that in spite of these assurances the supply of canal water to these gardens at Bhiwani is most irregular, inadequate and unsatisfactory ;
- (c) the total number of days of the water supply to the gardens at Bhiwani during the months of November and December, 1935, and January and February, 1936 ;
- (d) whether it is a fact that *abiana* at full rates is charged from all these garden-owners irrespective of the nature of crops, area of land irrigated and the supply of water ;
- (e) whether it is a fact that the Executive Engineer, Canal, Rohtak division, has so far paid no attention to the grievances and complaints from the garden-owners at Bhiwani ;
- (f) what he proposes to do in the matter ?

The Honourable Nawab Muzaffar Khan : (a) No preferential treatment was or could have been promised to the Garden Owners' Association, Bhiwani.

(b) River supplies have been very low during this period. The municipal watercourse at Bhiwani has received its proper share of the supply available.

(c) November	..	..	..	..	7 days.
December	..	..	..	..	5 "
January	..	..	..	..	5 "
February	..	..	..	..	6 "

(d) No assessment is made strictly in accordance with rules and sanctioned schedule of rates.

(e) No.

(f) A great deal has been done by the present Executive Engineer and is still being done to improve the supply in the Bhiwani distributary.

RECOVERY OF WATERCOURSE FEES BY MUNICIPAL COMMITTEE, BHIWANI.

***5457. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to—

(i) place on the Council table—

(a) a statement showing the total expenses incurred on the law suits by the Municipal Committee, Bhiwani, in connection with the recovery of what is known as the municipal watercourse fees during the years 1931 to 1935 ;

(b) the actual amount recovered by these suits during the years 1931 to 1935 ;

(ii) state :—

(a) whether it is a fact that the sum spent in litigation was earmarked for the repairs and maintenance of the said watercourse ;

(b) if so, what action he proposes to take in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (i) A statement giving the required information is laid on the table.

(ii) (a) No.

(b) Does not arise.

Statement.

(a) Year.					Total expenses incurred on the law suits by the Bhiwani Municipal Committee in connection with the recovery of municipal watercourse fees.		
					Rs.	A.	P.
1931	..	..	..	..	95	10	3
1932	..	..	..	..	105	10	6
1933	..	..	..	..	..	..	..
1934	..	..	..	..	123	11	6
1935	..	..	..	..	83	3	0
Total				..	408	4	0

(b) Year.					Actual amount recovered by these suits up to date.		
					Rs.	A.	P.
1931	..	..	..	..	238	3	6
1932	..	..	..	..	51	0	0
1933	..	..	..	..	..	..	..
1934	..	..	..	..	218	9	6
1935	..	..	..	..	69	7	0
Total				..	577	9	0

SHAH CHIRAG MOSQUE.

***5458. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that in the Press *communiqué* issued on 18th July, 1935, Government stated that the Shah Chirag Mosque will be handed over to the Muslim community before 1st January, 1936 ;
- (b) if so, why the possession has not so far been given to the Muslims ;
- (c) when Government proposes to hand over the mosque to the Muslim community ?

The Honourable Sir Donald Boyd : The honourable member is referred to the reply given to the short notice question¹ asked by Khan Bahadur Mian Ahmad Yar Khan Daulatana on this subject on the 2nd March.

BHAKRA DAM.

***5459. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether the Durbar of the Bilaspur State has been addressed regarding the construction of the Bhakra Dam ?

The Honourable Nawab Muzaffar Khan : Agent to the Governor-General, Punjab States, has been recently addressed to ascertain the views of the Bilaspur Durbar with regard to the compensation for the dam site in the Bilaspur State.

INCOME OF DISTRICT BOARD, JHANG.

***5460. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Local Self-Government please state—

- (a) the total income of the District Board, Jhang, each year during the years 1933-34, 1934-35 and 1935-36 ;
- (b) the income of the board derived from the zamindars of the Jhang district on account of local rates, etc., during this period ;
- (c) the income of the said board from the *haisiyat* tax ;
- (d) the income received in the shape of grants from Government ;
- (e) the income from sources other than those mentioned in (a), (b), (c) and (d) ?

The Honourable Dr. Sir Gokul Chand Narang : A statement giving the required information is laid on the table. It is not known what the honourable member means by the use of the word "etc." in part (b) of the question and hence the income accruing to the board from "local rate" only has been given.

[Hon. Dr. Sir Gokul Chand Narang.]

Statement.

1	2	3	4	5	6				7	
Name of the District Board.	Year.	Total income.	Income from local rate.	Income from Haisiyat tax.	INCOME IN THE SHAPE OF GRANTS FROM GOVERNMENT.				Income from sources other than those mentioned in columns 4, 5 and 6.	
					Unear-marked grants.	Educa-tion.	Medi-cal.	Public Health.		District works.
Jhang	1933-34	..	Rs. 1,59,377	Rs. 32,215	Rs. 25,000	Rs. 2,21,690	Rs. 28,437	Rs. 228	Rs. 6,969	Rs. 76,596
Do.	1934-35	..	Rs. 1,56,000	Rs. 30,000	Rs. 25,000	Rs. 2,33,550	Rs. 28,437	Rs. 231	Rs. 4,882	Rs. 72,301
Do	1935-36	..	Rs. 1,55,950	Rs. 30,000	Rs. 25,000	Rs. 2,37,587	Rs. 28,437	Rs. 240	Rs. 29,857	Rs. 62,966

NOTE 1.—The figures for 1934-35 are not actuals and are based on the revised budget estimate for that year.

NOTE 2.—The year 1935-36 is not yet complete and the figures given are the budget estimates.

GIRLS' HIGH SCHOOL, JHANG MAGHIANA.

***5461. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the total number of students in the Girls' High School at Jhang-Maghiana at present ;
- (b) their number communitywise ;
- (c) the number of scholarships and concessions in school fees at present granted to the students of each community along with the amount of money paid or remitted to the students of each community (Muslims or non-Muslims) in the shape of these scholarships or fee concessions ;
- (d) the number of students along with the amount of scholarships or concessions (if any) being paid to the students belonging to the statutory agricultural tribes of Jhang district ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

GIRLS' HIGH SCHOOL, JHANG MAGHIANA.

***5462 Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the total number of schoolmistresses attached to the Girls' High School, Jhang-Maghiana ;
- (b) how many of the members of the staff are Muslims and how many non-Muslims ;
- (c) the names and community of the head mistresses who have been so far in charge of the said school since its opening ;
- (d) the number of mistresses who belong to the statutory agricultural tribes ?

The Honourable Malik Sir Firoz Khan Noon : (a) 18.

(b) 7 Muslims, 6 non-Muslims.

(c) Two Indian Christians. This serves the honourable member's purpose and there seems no need to give names.

(d) Four.

GIRLS' HIGH SCHOOL, JHANG MAGHIANA.

***5463. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the number of students who have passed their matriculation examination from the Girls' High School, Jhang-Maghiana, yearly since the school has been established ;
- (b) their number communitywise ;
- (c) the number of such students who belong to the statutory agricultural tribes ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

PROVINCIALISATION OF CIVIL HOSPITAL, JHANG.

***5464. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the number of provincialised hospitals in this province ;
- (b) the number of provincialised hospitals in the Jhang district ;
- (c) whether the hospital at Jhang is not a provincialised one and whether this question has been brought to the notice of Government by the local authorities several times ;
- (d) whether Government intends to provincialise it ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (a) Forty-seven.

(b) Nil.

(c) No, the civil hospital at Jhang is not a provincialised institution. The Civil Surgeon of Jhang has twice recommended the provincialisation of this hospital.

(d) Owing to financial stringency the programme for the provincialisation of hospitals has been suspended and there is no likelihood of the civil hospital at Jhang being provincialised in the near future.

CIVIL HOSPITAL, JHANG.

***5465. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the total number of employees, such as assistant surgeons, sub-assistant surgeons, compounders, lady doctors and female attendants at present attached to the Civil Hospital, Jhang ;
- (b) their number communitywise (Muslims and non-Muslims) along with the amount and proportion of money drawn by members of these communities monthly in the shape of salaries ;
- (c) if the number of Muslim employees attached to the said hospital be very small as compared with that of the non-Muslims, what justification Government has for this disparity, and what steps Government intends to take in order to remove this disparity ; if not, why not ?

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

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

(c) With the exception of the assistant surgeon who is a Government servant, all the remaining servants in this hospital are the employees of the Municipal Committee, Jhang, and Government is not concerned with their appointment.

*Statement showing the staff of the Civil Hospital, Jhang,
communitywise.*

Name of post.	Muslim.	Hindu.	Sikh.	Chris- tian.	Pay per month.	Pro- portion.
					Rs.	Per cent.
CIVIL HOSPITAL, MALE SECTION.						
1. Assistant surgeon	..	1	..	..	450	100
2. Dispensers ..	..	3	..	..	150	100
3. Ward servants ..	1	2	..	..	42	33
4. Mali ..	1	..	..	..	14	100
5. Bhishti ..	1	..	..	..	14	100
6. Cook ..	..	1	..	..	14	100
7. Chaukidar ..	1	..	..	..	14	100
8. Sweepers ..	..	2	..	..	22	100
9. Dhobi ..	1	..	..	..	14	100
CIVIL HOSPITAL, FEMALE SECTION.						
10. Female sub-as- sistant surgeon.	..	..	1	..	104	100
11. Female dispenser	..	..	..	1	35	100
12. Dai ..	..	..	1	..	25	100
13. Female ward ser- vant.	..	1	..	..	12	100
14. Sweepress ..	1	..	..	..	9	100

STAFF OF PUBLIC WORKS DEPARTMENT, LYALLPUR DIVISION.

***5486. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture please state—

- (a) the total number of provincial and senior subordinate posts, viz., executive engineers, sub-divisional officers, overseers, sub-overseers, and clerks, respectively, in the Lyallpur division of the Public Works Department, Buildings and Roads ;
- (b) the number of these posts held by the Muslims and non-Muslims, respectively ;
- (c) if the Muslim representation in the posts mentioned in (a) be much less than that of non-Muslims, what reasons there are for this monopoly of posts by non-Muslims in this division, and what steps Government intends to take in order to remove this monopoly ; if not, why not ?

The Honourable Sardar Sir Jogendra Singh : (a) In November, 1925, in reply to council questions Nos. 1961 to 1975 the Finance Member informed the House that Government could not undertake to collect statistics in regard to the representation of various communities in the public services other than the preparation of an annual census of all persons in permanent employment of the local Government on the 1st January each year. That census report is available to all members.

(b) The honourable member is referred to this report.

(c) The policy of the Government is as defined by the Honourable Finance Member on 19th July, 1927.

PUBLIC WORKS GIVEN ON CONTRACT, LYALLPUR DIVISION.

***5467. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture please state—

(a) the total number of works given as contracts in the Lyallpur division of the Public Works Department, Buildings and Roads, during the last two years, along with the total amount of money for which these works were given on contract ;

(b) how many and for what amounts these contracts were given to —

(i) Muslim contractors ;

(ii) non-Muslim contractors ;

(iii) members of the statutory agricultural tribes ?

The Honourable Sardar Sir Jogendra Singh :

	Rs.
(a) 65	8,86,700
(b) (i) 16 to Muslims	75,500
(ii) 49 to non-Muslims	7,61,200
(iii) It is regretted that the information is not available.	

PUBLIC WORKS CONTRACTORS, LYALLPUR DIVISION.

***5468. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture please state—

(a) the total number of contractors on the approved list of the Lyallpur division of the Public Works Department, Buildings and Roads ;

(b) how many of these contractors are Muslims and how many non-Muslims ;

(c) how many of these contractors are members of the statutory agricultural tribes ?

The Honourable Sardar Sir Jogendra Singh : (a) 293.

(b) Muslims	76
Non-Muslims	217

(c) It is regretted that this information is not available.

EMPLOYEES IN THE OFFICE OF EXECUTIVE ENGINEER, JHANG DIVISION.

***5469. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) the total number of employees working at present in the office of the Executive Engineer, Jhang division, of the Lower Chenab Canal, drawing more than Rs. 20 per mensem ;
- (b) their numbers communitywise, i.e., Muslims and non-Muslims ;
- (c) how many of them belong to the statutory agricultural tribes ;
- (d) if the proportion of Muslims as well as members of the statutory tribe be very small, what steps, if any, Government intends to take to improve their representation in the said office ?

The Honourable Nawab Muzaffar Khan : (a) 21 (17 permanent, 4 temporary).

(b) Muslims 8 (6 permanent, 2 temporary).

Non-Muslims 13 (11 permanent, 2 temporary).

(c) Four (3 permanent, 1 temporary).

(d) None. The establishment being partly provincial and partly on circle cadres it is not possible to maintain the exact proportion community-wise in any particular office.

CLOSURE OF LOWER CHENAB CANAL.

***5470. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) the total number of days for which the Lower Chenab Canal was closed since 1st November last till 15th February, 1936 ;
- (b) for how many days the channels in the Jhang division were closed during the period mentioned in (a) ?

The Honourable Nawab Muzaffar Khan : (a) The Lower Chenab Canal main line was closed for 12 days (4 days in December, 1935, and 8 days in January, 1936), between November 1, 1935, and February 15, 1936.

(b) The channels in Jhang division were closed for 34 days during the period mentioned in (a).

The periods of closure, noted above, are not mutually comparable by reason of the need to distribute the low main line supply, in rotation, to the several off taking branch channels.

TAQAVI.

***5471. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) the total amount of money in respect of *taqavi* written off in this province during the last two years ;
- (b) the amount of such money by districts during the said period ?

The Honourable Nawab Muzaffar Khan : (a) and (b) A statement is laid on the table.

Statement showing the total amount of money in respect of taqavi written off in the Province during the last two years and the amount of such money by districts during the said period.

District.	1933-34.		1934-35.	
	Principal.	Interest.	Principal.	Interest.
	Rs.	Rs.	Rs.	Rs.
Hissar	11,092	348	34,765	1,043
Rahtak	335	15	1,601	101
Gurgaon	1,74,209	6,083	93,543	3,206
Karnal	1,340	40	..	..
Ambala	1,870	1,108	2,981	97
Sheikhpura .. ..	..	..	14,482	3,499
Jhelum	38,530	1,472	45,583	4,419
Rawalpindi	1,862	145	..	..
Attock	4,423	76	..	..
Mianwali	86,386	3,614	51,683	3,588
Multan	276	14	..	..
Muzaffargarh	67,000	4,620	32,750	1,174
Dera Ghazi Khan	60,000	3,509	1,00,000	6,776
Total	4,47,323	21,054	3,77,388	23,993
	4,68,377		4,01,381	

ZILLADARS.

***5472. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- the total number of zilladars in the Irrigation Department in the province ;
- the number of zilladars who belong to the statutory agricultural tribes ;
- the number of members of the statutory agricultural tribes from Jhang district who are working as zilladars in the Irrigation Department ;
- if the representation of the class mentioned in (c) be very meagre in this cadre, what steps, if any, Government intends to take to increase their proportion ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The information will be found on page 4 of the Consolidated Statement showing the proportionate representation of the various communities serving in different departments of the Punjab Government as it stood on the 1st January, 1936.

(c) Two.

(d) It is not for Government to take steps to improve the representation of statutory agriculturists of the Jhang district, but for qualified men therefrom to come forward and seek employment, when their claims will be considered.

RETRENCHED STAFF OF MULTAN AGRICULTURAL CIRCLE.

***5473. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture please lay on the table a statement showing—

- (a) the number of assistants, clerks, and *muqaddams*, retrenched in 1932 as a consequence of the abolition of Multan agricultural circle ;
- (b) the name of each such official together with an account of his service as recorded in his character roll ;
- (c) which of them have since been re-employed or recompensated by the grant of two squares of land each ;
- (d) the names of those who have not so far been re-employed or recompensated and the reasons for the same ;
- (e) what Government proposes to do in the matter of re-employing those who were retrenched in this connection ?

The Honourable Sardar Sir Jogendra Singh : (a) Four clerks only were retrenched in 1932 on account of abolition of the Multan Circle.

(b) Bhai Sohan Singh, M. Abdul Rahim, Lala Tirath Ram and Pandit Jaswant Rai.

It is not in the public interest to publish accounts of services of Government servants as recorded in their character rolls, which are documents of a confidential nature.

(c) The following two clerks were re-employed :—

- (1) Lala Tirath Ram who was only a probationer, was re-employed in short vacancies on two occasions, but as his work was not satisfactory it is not intended to re-employ him again.
- (2) Pandit Jaswant Rai was re-employed, but was dismissed from service on account of misappropriation of Government money, etc.

(d) Bhai Sohan Singh was due to retire on 15th December, 1934, so the question of his re-employment does not arise.

M. Abdul Rahim's record of service was not satisfactory. It is not intended to re-employ him.

(e) As stated above, Government do not intend to re-employ any of the above clerks.

TEACHING STAFF, GOVERNMENT INTERMEDIATE COLLEGE, JHANG.

*5474. Sayad Mubarak Ali Shah : Will the Honourable Minister for Education please state—

- the total number of present teaching staff of the Jhang Government Intermediate College ;
- their number communitywise ;
- how many of them belong to the statutory agricultural tribes ?

The Honourable Malik Sir Firoz Khan Noon : (a) 16.

(b) Hindus	8
Muslims	7
Sikh	1

(c) 4.

STUDENTS, GOVERNMENT INTERMEDIATE COLLEGE, JHANG.

*5475. Sayad Mubarak Ali Shah : Will the Honourable Minister for Education please state—

- the total number of students studying at present at the Jhang Government Intermediate College ;
- the number of Muslims and non-Muslims among them ;
- the number of those students who belong to the statutory agricultural tribes of the district ?

The Honourable Malik Sir Firoz Khan Noon : (a) 256.

(b) Muslims	68
Non-Muslims	198

(c) 86.

SCHOLARSHIPS AND CONCESSIONS IN FEE, GOVERNMENT INTERMEDIATE COLLEGE, JHANG.

*5476. Sayad Mubarak Ali Shah : Will the Honourable Minister for Education please state—

- the total number of scholarships and concessions in college fee along with the total amount of money allowed at present to the students of the Government Intermediate College, Jhang ;
- the number of such scholarships and fee concessions and amount of money allowed to (i) Muslims and (ii) non-Muslims ;
- the number of such scholarships and concessions, along with the amount of money that these carry, allowed to students who are members of the statutory agricultural tribes of Jhang district ?

The Honourable Malik Sir Firoz Khan Noon : (a) :—

Total number of scholarships held in the College	..	..	8
Total amount paid per month in scholarships, Rs.	117		
Number of full fee concessions in the College	..	Poverty	14
Number of half fee concessions	..	Poverty	25
Number of half fee concessions	..	Brother	19
Number of half fee concessions	..	Library work	2
Number of half fee concessions	..	Teacher's son	4
		Total	64

Total paid per month in fee concessions, Rs. 201

(b) :—

Total number of scholarships held by Muslims	3
Total number of scholarships held by non-Muslims	5
Total amount paid per month in scholarships to Muslims Rs.	35
Total amount paid per month in scholarships to non-Muslims Rs.	82

NOTE.—All the scholarships held by non-Muslims are open scholarships. The scholarships held by Muslims are closed ones—One from Lyallpur District Board and two from the Baloch Fund.

Number of fee concessions held by Muslims—

			Amount.
			Rs.
Full fee concessions	..	Poverty	7 28
Half fee concessions	..	Poverty	5 10
Half fee concessions	..	Poverty	6 30

INTERMEDIATE CLASSES.

Half fee concessions	..	Library work	1 5
Half fee concessions	..	Brother	3 19
Half fee concessions	..	Teacher's son	3 6
Total			25 91

Number of fee concessions held by non-Muslims—

Full fee concessions	..	Poverty	7 28
Half fee concessions	..	Poverty	9 18
Half fee concessions	..	Poverty	5 25

INTERMEDIATE CLASSES.

Half fee concessions	..	Library work	1 5
Half fee concessions	..	Brother	16 32
Half fee concessions	..	Teacher's son	1 2
Total			39 110

(c) :—

Number of scholarships held by students who are members of the statutory agricultural tribes of the Jhang district	..	2
Amount paid, Rs.	..	20
Number of fee concessions held by students who are members of the statutory agricultural tribes of the Jhang district	..	7
Amount paid Rs.	..	31

SIKHS IN DIRECTOR OF PUBLIC INSTRUCTION'S OFFICE.

*5477. Sardar Jawahar Singh Dhillon: Will the Honourable Minister for Education please state—

(a) the number of posts held by Sikhs in the following grades in the Director of Public Instruction's office :—

- (i) head assistants ;
- (ii) assistants ;
- (iii) senior clerks ;
- (iv) junior clerks ;

(b) whether it is a fact that the representation of Sikh community, especially in (i), (ii), and (iii) is almost nil and in case of junior clerks also very inadequate ;

[S. Jawahar Singh Dhillon.]

- (c) the number of posts referred to in (a) that were filled during the last 8 years by promotion or by direct recruitment and how many of them were given to Sikhs ;
 (d) whether it is a fact that there are at present some vacancies in the senior and junior clerks' grade ;
 (e) how Government propose to fill these vacancies ?

The Honourable Malik Sir Firoz Khan Noon : (a) :—

(i) Head assistants	Nil
(ii) Assistant	1
(iii) Senior clerks	2
(iv) Junior clerks	4

(b) No.

(c) From 1st January, 1928, to 31st December, 1935, 29 posts have been filled. One Sikh was appointed.

(d) Yes.

(e) The posts will be filled at the discretion of Director of Public Instruction, who will keep in view the policy of Government as explained on July 19, 1927.

ADMISSION TO CENTRAL TRAINING COLLEGE, LAHORE.

***5478. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education kindly—

(i) lay on the table a statement giving the number of students who applied for admission to S. A.-V. and B.T. classes of Central Training College, Lahore, in 1935 ;

(ii) state—

- (a) how many were admitted in each class ;
 (b) how many were agriculturists out of those who got admission ;
 (c) how many out of the admitted had been guaranteed posts (after their qualifying in the respective examination) ;
 (d) how many out of those whose applications were refused for admission had been guaranteed posts ;
 (e) whether Government is prepared to issue instructions to the Education Department to give preference to those applicants who are already in permanent service over those who are not holding permanent service ?

The Honourable Malik Sir Firoz Khan Noon : (i) 394.

(ii) (a) B. T. Class	58 ; S. A.-V. class	91
(b) B. T. class	17 ; S. A.-V. class	48

(c) and (d) All who were guaranteed employment after training by the managements of private schools and were suitably qualified were admitted.

(e) Those already employed in schools in permanent vacancies are given preference in the matter of admissions.

DEMANDS FOR GRANTS.

STAMPS—(concluded.)

Stamp Duty on money suits.

Mr. President : The Council will now resume discussion on the motion of Lala Jyoti Prasad relating to Stamp duty on money suits. The question is:

That the total grant be reduced by Re. 1.

The motion was lost.

Mr. President : The question is :

That a sum not exceeding Rs. 56,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stamps.

The motion was carried.

FORESTS.

The Honourable Nawab Muzaffar Khan (Revenue Member): I move :

That a sum not exceeding Rs. 16,28,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Forests.

Mr. President : Motion moved—

That a sum not exceeding Rs. 16,28,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Forests.

Communal representation in the Forest Department.

Mr. E. Mayadas (Nominated, non-official): I beg to move :

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,22,200—Pay of Establishment.¹

My object is to point out that there are no Indian Christians working as forest rangers, deputy rangers or foresters, and to urge that when next recruitment takes place some Indian Christians might be recruited for these posts and opportunity be given them for receiving necessary training. This is a department in which some technical experience is required and I do not know whether at present there are any Indian Christians who have this technical experience but if we were given the opportunity and timely notice, then we can prepare our candidates.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,22,200—Pay of Establishment.

¹To point out that there are no Indian Christians working as forest rangers, deputy rangers or foresters, and to urge that when next recruitment takes place some Indian Christians might be recruited for these posts and opportunity be given them for receiving necessary training.

[Mr. President.]

I may say that items Nos. 1 to 13¹ relate to the same matter and may be discussed together.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): Whenever the time for consideration of the budget comes this chronic disease crops up, that is, communal representation, but we have to see as to who is responsible for the wastage of so much time of the Council on the question of communal representation. In reality Government as well as its ministers are responsible for all this trouble. If they realise their responsibility in the matter and take into consideration the proportion of various communities in the service there will be no need for any speeches or the wasting of the time of the Council.

The Honourable Nawab Muzaffar Khan: Why not bring forward a resolution? That will be considered.

Khan Bahadur Malik Zaman Mehdi Khan: You have your responsibilities also.

The Honourable Nawab Muzaffar Khan: This question was raised in 1927 also.

Khan Bahadur Malik Zaman Mehdi Khan: As you were answering some questions you were giving figures; where did you get them from? From the consolidated statement which has been furnished to us by the Government I find that there are in the provincial service 28 posts out of which only 4 are held by Muslims, 11 by Hindus and 8 by Sikhs. In the cadre of foresters there are 107 posts out of whom only 37 are held by the Muslims and the rest by other communities. In the case of deputy rangers there are 35 posts and only 14 are held by Muslims. There are 761 forest guards of whom only 313 are held by Muslims. The total number of posts in the Forest Department is 1,114 of which only 441 are held by Muslims. These figures speak for themselves and clearly indicate that the representation of communities in the service is not in proportion to the population. I hope Government will take into consideration, whenever there is a chance in the future for recruitment, when people die or retire, these facts and see that the various communities are properly represented in services.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to support the point made by my honourable friend from Sheikhupura. As I have already submitted the Government have accepted the principle of communal representation in services. Therefore an effort should have been made to make the number of Muslims in the

12-9. That the grant be reduced by Rs. 1 with respect to the item of Rs. 7,10,400—Total C.—Establishment.

REMARKS.—To draw attention to the grossly inadequate representation of Muslims in the provincial services, the subordinate services and clerical establishment of the Forest Department.

10-12. That the total grant be reduced by Rs. 100.

REMARKS.—To draw attention to the meagre representation of statutory Hindu agriculturists in the department.

13. That the total grant be reduced by Rs. 1.

REMARKS.—To bring to notice the meagre representation of Sikhs among deputy rangers, foresters, guards and clerks.

services proportionate to their population. It is strange that in this department which has been in charge of a Muslim Revenue Member for more than 11 years, the Muslim representation is hopelessly inadequate. The honourable member who preceded me has given the number of Muslims in the various branches of the service. The total number is 1,114 of which only 441 are held by Muslims. That represents a percentage of 39. The other day I drew the attention of the Council to the fact that a certain Honourable Minister had succeeded in making the Muslims' share come down to 39 per cent. from 56 per cent. But it is here a Muslim who has not risen to the necessities of the occasion and has not made any attempt to increase the share of the Muslims. Unless their number is raised from this low percentage to the extent they claim, the Muslims will not be content with the working of this department. I do not know what explanation the Honourable Revenue Member will offer, but what I think is that whatever be that explanation, the fact is that we feel that at this rate it is not possible to see any wholesome principle accepted by the Government at least in the services. Otherwise the percentage of the Muslims should not be so low as it is now. The Forest Department is worked under peculiar circumstances. Here a good deal of hardihood and pluck are required on the part of the officers to carry on their duties. But strange enough, the Muslims who possess those qualities, who generally are very fearless and enterprising are not taken in sufficient numbers even in this department. What then can be expected in other departments which require qualities other than energy, boldness, pluck and push? For instance, how can we expect that the deficiency here in Muslim strength will be made up in the judicial service? I do not think the Government can justify this small number of Muslims in a department for serving which the Muslims are naturally fit and their character and ability are quite commensurate with the service requirements. In other departments whenever the question of proper representation of Muslims is raised that much abused word, efficiency, is brought in. Are Muslims not efficient even for the Forest service where much of literary ability is not needed, where only qualities like energy, pluck, push and fearlessness are necessary? If you take people who are sickly and weaklings and who are pusillanimous from the very nature of their constitution, what good service can they render in the department? The result of such an appointment is that such people never go out but simply enjoy themselves at the district headquarters while illicit grass cutting and illicit felling of trees go on freely. Every officer of Government knows it that the Forest Department is not satisfactorily working. The reason simply is this that proper men are not selected. Possibly it may be urged that literary qualifications are also looked to. But even if literary qualifications are needed the Muslims are not wanting in that direction. Much of literary qualification, however, is not of much use in this department. Here an able body, strong physique is what is required and even if the Muslim is not so well educated as the members of other communities, he should be preferred for the Forest Department at least, a department in which bodily strength and physique play a great part.

With these words I lend my support to the honourable member who has urged for greater representation of Muslims in the department.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I had no intention to speak on this motion and I thought that after the honourable member, Mr. Maydas, had spoken, the House would keep quiet over it. But unfortunately certain statements have been made by the previous speaker and the honourable member who preceded him. That require to be examined. It is essential that we should not keep quiet on this motion lest our silence should be misunderstood. We should state very clearly what the members on this side of the House feel on this important point. Throughout, the position of the honourable members who sit on these benches has been that public services in any country under any Government should be filled purely on considerations of merit. Merit alone should be the test. I do not in the least mean to say that merit is the monopoly of either the Hindus, the Muslims or the Sikhs or any other single community, but public services should be filled on the tests of merit alone without bringing in any question of communal representation. The honourable member who just sat down told us that so far as the Forest services are concerned there must be no reason why his community should not have a larger share than members of other communities. One plea that he put forward was that the members belonging to his community were healthier, stronger and in every way better fitted to do the job of the Forest Department than members of the other communities. If that were the case and I take it that that is the case so far as he is concerned, the Government should lay down as a test that a person who does certain physical feats should have the right to get into this service. No plea on the ground of communalism, on the ground of religion should be put forward but it may be made a rule that persons who jump high or who jump longer, persons who have got greater weight, persons who are tall, are the persons who would be required for the Forest service. Undoubtedly there are some services in which these qualities should be taken into account, but that would be no ground for accepting this principle of communal representation. Some time ago while I made a speech here I said that members of the Hindu community or other minority communities are not afraid if the Government were to prescribe a test that only men who come up to a certain weight or strength would be taken for the service because it would then be open to the people to reach that standard and that would be an open test; but the moment you lay down that service in a particular department should go to particular members of a particular community you are importing into the question communal considerations which this House should not accept. That has been always our ground and if I understood the last speaker correctly I understood him to say that he wants these posts to be given on the test of physical fitness,—physical merit. Then there is no question of Hindu, Sikh or Muslim.

The second point that I would urge upon the attention of Government and the pointed attention of honourable members who have preceded me is this : Should there be a formula adopted for all services or should there not be? We have always maintained that there should be a common formula applicable without exception to all services, whether it is the police, jails or forests. The Hindus are quite prepared to have a common formula to be followed by the heads of departments, by Ministers and Government officials concerned, that they should in future recruit to the services on a

particular formula which shall be applied without exception to all communities. That would be a very good thing. Let it be a formula based on physical fitness or literary fitness or fitness of any other kind. Personally I have always been against this communal formulae. I do not believe in them. I believe, just as Sir Geoffrey deMontmorency said some time ago in this very House, that we cannot possibly accept this communal formula in this way because there are communities which have up to this time been silent and not vocal but which may assert their claims in the future.

If we distribute posts on a communal basis, then how are we going to have room for those communities which have not so far become vocal? It was in 1928, I think, when an honourable member sitting on the benches opposite moved a cut on a similar ground. He then stated that he wanted for his community 56 per cent. of the posts. The honourable member Chaudhri Allah Dad Khan now says that he wants for his community a share of the services on a population basis. I say with a full sense of responsibility that if that formula is to be enunciated by the Government, let it be applied throughout the length and breadth of India and let there be no consideration between province and province, but let that be applied to all minorities whether they be Hindu, Sikh or Muslim or any other. All of them should be treated in the same way if services are going to be filled on a basis proportionate to the population. We shall be quite prepared to accept such a formula if it were to apply to the whole of India. But it is wrong to say that in the United Provinces a certain formula should be applied and a different formula should be followed in the Punjab. These are claims which should not be tolerated in this House. Here I wish to pay a tribute to the honourable the Chief Justice who has been going from one place to another stating very forcibly that communalism in services is the worst thing that a country could have. The honourable member here referred to the judicial service. It was also stated by Sir Geoffrey deMontmorency that if people were to be recruited to public services on the ground of communalism, on the ground of their religion, then those people are bound to think communally and would not realise that they are public servants, but that they are servants of the community and naturally communal bias would be imported into public service and that would be a dreadful thing indeed. It is service to the state that should be kept in the forefront, and any test, whether it be physical fitness or character fitness, should all be looked at without importing any communal consideration, without allowing any communal bias to operate. The people would otherwise suffer all kinds of tyranny, all kinds of injustice for communalism is such a dreadful thing. We have always dreaded it but in spite of our repeated protests, Government have been giving way from time to time to these communal considerations, and all the services in the Punjab are filled on a communal basis though not on the strict basis of 40, 50 or 56 per cent. There is not the least doubt that communalism is being imported, has been imported into services. If you have any trouble in the Punjab it is due to this communalism. Sometimes I have seen that whenever an official is hauled up for bribery or corruption all sorts of communal defences are put up. If a Hindu is taken hold of he usually says: it is the work of a Muhammadan that I am thus charged, and it is the same case when a Muslim or a Sikh is taken hold of. And these communal defences are sometimes accepted and sometimes they are not. You will thus see that the poison of communalism is eating into the vitals of our services.

[Mr. Nanak Chand Pandit.]

It is time that Government adopted those considerations which are adopted in all modern countries for filling public posts.

I would, therefore, say this. In the first place, our position is that all recruitment should be by a test, whether it is physical, spiritual or intellectual or a combination of all the three. In the second place, if there is to be application of a communal formula, let that communal formula be applied to all services alike. It should not be that a few gentlemen get up here and say that Muhammadans are fewer in number in this department or that than other communities and so on and so forth, and then that department should start taking in more Muhammadans or Hindus or Sikhs as the case may be, because a certain demand had been made. There must, on the contrary, be a common formula applied to all the posts under Government irrespective of the fact that the Minister in charge of the concerned department is a Hindu, Sikh or a Muslim, or a European from outside. Then the third point is this that if that formula takes note of the population basis, then let that population basis be accepted as the policy of the Government for all provinces alike. It would be quite acceptable to us in that case alone. We do not want one kind of formula for the Punjab, another for the United Provinces and a third for Bengal, and yet another for Bihar.

These are the three considerations which I wish very respectfully to place before the Government and the Government should not go on yielding to the clamour of communalism. It was said that the Honourable Member in charge of this department and those who have preceded him were Muslims and yet they had not given 56 per cent. of posts to the Muslim community thereby to show themselves deserving of the high posts which they had occupied. If they have not done so I give them high praise because they have not turned out people already in service because the only way in which they could have carried out this demand was by turning out a few men who were already there and to import other men to make up the deficiency of the particular community. Not having done so they have given proof that they are not prepared to accept the irresponsible demands which are made from time to time on the floor of this House.

With these words I would very strongly oppose the motion but would respectfully urge upon the Council that all members should sit down together and evolve a common formula which should be applicable to all the services alike.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural), (Urdu): The learned Pandit has enunciated all sorts of formulas but I want to impress upon another formula to which he has not referred.

I want to draw the attention of the Government particularly to one point, that is, the representation of Hindu zamindars in the provincial forest service. There are 11 Hindus in this service. Only two of them are statutory agriculturists. Coming to the subordinate service there are only nine Hindu zamindars among forest rangers as against 13 non-zamindars. Then, I want to draw the attention of the Honourable Revenue Member to a very important matter. Recently two men applied for the posts of forest rangers. They were informed by the office that no recruitment was likely to take place in the near future and their applications were

sent back to them with that remark. People in the office did this in order to destroy any proof of the applications having been received. After some time fresh recruitment took place and the previous applications were not considered as they were not in the office. I want to point out that so long as the representation of zamindars in proportion to non-zamindars is not maintained at a reasonable level even in the Government offices, such things will continue to happen and the applications of zamindar candidates will continue to be treated like this. I can substantiate my allegations by putting forward the applications for your perusal and you will see for yourself that the people in the office informed those candidates that there were no vacancies and that no recruitment was to take place in the near future. I hope that the Honourable Revenue Member will take suitable steps to prevent such things in future.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural), (Urdu) : A reference to the speech of Sir Geoffrey deMontmorency has been made over and over again, and in reality it is this very speech which has given rise to so many quarrels. It was felt at that time that some communities were not adequately represented in services. In 1927 Sir Geoffrey pointed out that although some communities had a smaller population they had more representation in services on account of their ability and greater number of qualified men coming from among them. However, on the 19th July resolution it was laid down that in future services were to be given on the basis of population of various communities. Yesterday, the learned Financial Commissioner referred to this resolution. My complaint is this, that the Government has not placed before itself a definite policy or it is not willing to define its policy once for all with respect to services. My greatest allegation against the Government is this that by its neglect it has not so far defined its policy about services and if I am not pulled up for using an unparliamentary expression I would say that the Government has not defined its policy intentionally. This House has been the scene of many unseemly skirmishes for the last sixteen years or so. Not a single day passes without having seen some quarrel over communal representation on the floor of this House. If there had been a responsible Government in this country we would have asked this question : why is it that nothing has been done so far to end these quarrels ? But under the present circumstances who dare ask this question and even if such a question is put who would care to give an answer ? The Government accuses me of unnecessarily blaming them. I want to impress upon them that I feel honestly that I am justified in blaming them. Unfortunately the honourable Financial Commissioner is not present here otherwise I would have asked him this question. If you go through the entire proceedings of the reformed Council can you point out any improvement ? You find Hindus, Sikhs, Muhammadans, everybody complaining. Not a single person seems to be contented with the policy of the Government. Such a state of affairs has been continuing ever since the reformed Council came into being in 1920-21.

The Honourable Dr. Sir Gokul Chand Narang : Did not such a state of affairs exist before that time as well ?

Chaudhri Afzal Haq : Such a state of affairs might have been in existence before also, but when you introduced the element of responsibility

[Ch. Afzal Haq.]

into the Government why did not the Government feel its responsibility? Can any honourable member, Hindu, Muslim, Sikh, agriculturist or non-agriculturist, say that by going through the proceedings of the reformed Council ever since its inception one can come to this conclusion that the Government has ever felt its responsibility?

Mr. President : The honourable member is discussing how the reforms have been working in the Punjab.

Chaudhri Afzal Haq : You have been pleased to introduce all sorts of formulas. I am only referring to those formulas, and the desirability of making good the inadequacy of various communities in Government departments. How is that irrelevant?

Mr. President : I have no objection to a general discussion provided that it is not repeated on other demands.

Chaudhri Afzal Haq : I want to point out that even if the Government examines the conditions of this department it will be observed that that department too is open to the same objections on a matter of principle. If the Government considers the state of affairs in one department, it can soon reform all other departments as well. I put this question to you, Sir. Are you not a witness of this fact that every year and at every time this question becomes the bone of contention and the same cry is raised in regard to every department under the control of the Government? You are justified to ask me and for the matter of that every other member of the Council, why quarrel about the representation of communities in services? Why not put an end to it? I think you may as well put the same question to the Government and enquire why all the four hours of the Council work every day are allowed to be wasted on such questions and why the Government does not take suitable action to remedy this evil. If nothing is done to improve the state of affairs permanently we will be justified to infer that it is the intention of the Government never to end the quarrels which rage round this troublesome question.

The Honourable Nawab Muzaffar Khan : This is the second time that the honourable member has tried to attack the intentions of the Government. It is, I think, hardly fair. It is the honourable members themselves who have been fighting and not the Government.

Chaudhri Afzal Haq : I want to point out that if the Government is willing to settle this dispute once for all it can come to an end.

Mr. President : I cannot allow two gentlemen to speak at the same time; nor can I allow a dialogue between them.

Chaudhri Afzal Haq : We have waited for a sufficiently long time to see the end of these quarrels? Will it take the Government as many years as Noah lived to remedy the present state of affairs?

In the course of his speech my honourable friend Pandit Nanak Chand very clearly stated that the Hindus are not at all opposed to the fair and just demands of any community in the matter of representation in Government services. If in any department the Muslims are poorly represented, their number should be increased. The Sikhs, too, have supported this view.

Time and again the attention of Government has been drawn to this important question on the floor of this House, but Government has paid no heed to our requests. The time has come when the Government should seriously consider this matter and regulate the representation of various communities in Government service. The Government should invite the leaders of various parties and ask their opinion with regard to this matter and settle this question once for all.

The Honourable Nawab Muzaffar Khan : You should also do something.

Chaudhri Afzal Haq : Why does not the Government want to do anything ?

The Honourable Nawab Muzaffar Khan : Well, if you arrive at any decision, we shall welcome it.

Chaudhri Afzal Haq : However, I would say that in the matter of representation Government should give every community its due share and try to be fair to every class. The Sikhs have also said that justice should be done to every community. Now, the only question is how the representation of various classes should be regulated. About twelve or fourteen years ago the Government declared that in Government services every community shall have a proper share of representation, but, unfortunately, since that time actually very little has been done so far in this connection. Now the new Council is about to come. The work of the present Government is drawing to a close and the work of the unofficial *bloc* is going to begin. It is, therefore, proper that before going away the present Government should do this work with its own hands. In this matter the Government cannot lay the blame at our door or justifiably accuse us of anything. We have done our duty. With these words, I resume my seat.

Sardar Sahib Sardar Gurbachan Singh (Jullundur, Sikh, Rural) :

3 P.M.

The Sikhs are very poorly represented in this department. In the consolidated statement supplied to us you will see that the Sikh deputy rangers form only 2.9 per cent., foresters 5.6 per cent., guards 4.6 per cent. and clerks 5 per cent. Taking all the superior establishment, Sikhs are only 6 per cent. But if the inferior establishment is also taken into consideration the percentage goes down still further. The policy stated in this House by Sir Geoffrey de Montmorency in 1927 has not been carried out by this department as far as the Sikhs are concerned. The attention of Government was also drawn in 1923 to the meagre representation of the Sikhs in this department but nothing has been done so far. I think this is mostly due to the fact that there is no representation of the Sikhs in the headquarters office. Any number of Sikh graduates are available to fill these posts and I hope Government will take the necessary action as early as possible.

Professor W. Roberts (Nominated, non-official) : I had not intended to speak on this question, but it seems to me that the time of the House is being wasted in each community discussing its own share in the services, and it is very disheartening for anybody who wishes to see the country progressing that time should be wasted in a matter of this kind. I want to suggest that with a reasonable attitude it should be possible to arrive at some regular formula and I suggest that a committee be formed of various com-

[Prof. W. Roberts.]

munities and that committee can decide what the proportion of each community is going to be and what the rate of putting things right is going to be. For example, if it is now decided that Musalmans should have 40 or 50 per cent. and there is only 20 per cent. of them at present in the services, the rate at which the proportions will be corrected should be laid down by rule. Personally I think it will be quite wrong to stop recruitment of Hindus altogether, it will be wrong for the present generation of Hindu young men who have been educated in the hope of getting some posts, to be kept out of service, and the rate at which the correct figure should be arrived at can be decided in that committee. I am quite sure that this province is capable of putting this matter on a more sound basis than it is at present.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries) : I join the last speaker in deploring the prevalent and growing tendency in the matter of wasting the time of this House in discussing these communal proportions. If it is possible to fathom the mind of the Punjab Government, one may say that it has not so far subscribed to the view of any definite percentages for communities although its practice in some places is to the contrary. The Financial Commissioner the other day pointed out that some principles were laid down by Sir Geoffrey deMontmorency; speaking on behalf of the Punjab Government he enunciated certain principles which the Punjab Government follows in the recruitment of public services and amongst others, the Punjab Government subscribes to the view of not giving undue preponderance to any one community to the exclusion of the others. The Punjab Government has not so far accepted the principle of any definite percentages in services. Howsoever one might like to fix the percentages with a view to end these unfortunate discussions, one is really faced with the difficulty of fixing these percentages without detriment to efficiency, justice and fairness. Supposing a definite percentage is fixed for the various departments by the Government with respect to representation of the various communities, the three major communities or the four communities—Hindus, Musalmans, Sikhs and Christians. A further question would arise as to what percentage of the Musalmans' share or of the Hindus' share be further divided between the statutory agricultural tribes and the non-statutory agricultural tribes. (*An honourable member* : There is no such question amongst the Muhammadans). My honourable friend says there is no such question among the Muslims. There is that feeling, although it is not voiced by the Muslims in this House because by manipulation, franchise and constituencies this House represents mainly the statutory agricultural tribes amongst Muslims, and Muslims of the non-statutory tribes are not adequately represented.

I read a very learned article by one of the leading Muslims of this province, Shaikh Abdul Ghani, now sitting on the front bench of the Unionist Party. I have only to refer my honourable friend the member for Lahore (Rural) to that article to show that a considerable amount of feeling exists on that subject, although that feeling is not adequately voiced by the Muslims of this House, which is dominated by members of agricultural tribes. Then, again, if you fix the number of statutory agriculturists amongst various communities, the question naturally arises, how are you to divide the shares of the various classes of the statutory agricultural tribes? Will you not

have to fix the proportion of Jats, Rajputs and various others tribes who constitute the statutory agriculturists? As I pointed out the other day, there is a considerable feeling among the Hindus and the Sikhs that certain castes are having more share than the others. If you get over these difficulties of division and sub-divisions a further question arises, "Are you or are you not going to recognise claims of localities which have so far been excluded"?

Mr. President : May I request the honourable member to confine his speech to the motion under discussion?

Rai Bahadur Mr. Mukand Lal Puri : I accept your ruling, Sir, and I shall confine my speech precisely to the limits which you have been pleased to lay down. I am definitely opposing the two motions which have been proposed before the House. I wish to show the impracticability and unfairness of both those proposals. If a definite proportion is laid down for the Muslim community, then an objection would legitimately be raised that the entire share of the Muslim community is being taken away, as it is at present being monopolised by the Muslims of Lahore, Amritsar, Ludhiana and Jullundur. The high percentage which is claimed by the Punjab Muslims is due to their large share in the populations of Muslims in the Campbellpur, Mianwali, Dera Ghazi Khan and Muzaffargarh districts, and other western districts of the province. If anybody analysed the number of appointments made from the Muslims to the various services, it will be found that the persons on whose behalf this claim is being made are not being represented at all in the services and that the entire share in service is being monopolised by the Muslims of certain districts to the entire exclusion of areas which are predominantly Muslim. If it is desirable to end the present controversy by fixing any definite rules, the utmost length to which one can go in accepting the communal principle is the basis which the Punjab Government have already laid down that is, ordinarily all appointments should be filled by competition taking care that no one particular community is allowed to have any undue preponderance. Otherwise, if you fix definite percentages now, what about the claims which may hereafter be made on behalf of communities, clans and areas which are not now vocal? What about the depressed classes? The depressed classes may claim a certain percentage. Supposing that the tailors of the Punjab who are a very considerable community organised themselves and claimed a share of the Government service. Therefore I say that the services should always be recruited by the best persons available in the province. The profession of any faith or the accident of birth in a particular caste or community should not be recognised by the State as the criterion for recruitment to the services. You can fix certain standards of efficiency of health, strength, character, or literary attainments. Any standard may be fixed, I do not mind. Only it should not take into consideration the claims on grounds of professing a certain faith. I am opposed to both the motions that have been placed before the House.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : A perusal of the various motions tabled here would show that the Christians complain, the Sikhs complain, the Musalmans complain, agriculturist Hindus complain, but all these complaints are against the urban Hindus. You can very well imagine my learned friend, the member for Industries (Rai

[Sh. Abdul Ghani.]

Bahadur Mr. Mukand Lal Puri) having real grievance when he gets up and says 'How are you going to set up high ideals before you, you should all be nationalists with very broad ideas and views'? It is all very well to shed crocodile tears. I think the House has sufficiently discussed this motion. I would once more request the Honourable Member in charge of the Department to pay special attention to this matter and to see that there is no undue preponderance of the urban Hindu community in all the various grades in the services. I also request him to take effective measures towards this end so that next year when we meet for discussing the budget we may not find this undue preponderance of the urban Hindus and we may not be put to the necessity of listening to such sermons and lectures as we are being put to to-day.

The Honourable Nawab Muzaffar Khan (Revenue Member): I have been a member of this honourable House for the last ten years and it is not once or twice, but several times that this question has come up before the House. The policy of the Government as the House already knows has been laid down in the memorable speech of Sir Geoffrey de Montmorency. Every department has since then been trying to follow that policy. Wherever there is any deficiency of any community, or there is a preponderance of one community or another, attempts have been made to make up that deficiency. Perhaps the House needs being reminded about that policy. For their sake I shall read out extracts. The policy is—

- (1) always to keep the supreme need for efficiency in view, that is, efficiency in the fullest sense;
- (2) as education progresses and spreads, to continue to raise so far as may be practicable the minimum educational requirements of various posts;
- (3) to employ the element of competition as the test wherever the best interest of a service render it possible; and
- (4) in all cases so to conduct recruitment as to avoid any undue preponderance of any one class in the public services to the exclusion of the reasonable claims of other classes of the community.

The first speaker, Mr. Mayadas has a very genuine grievance as far as the Christians are concerned. The Indian Christians are a very deserving community. Their population in the province is about 3,92,000. They have proved very useful members of the public services and the standard of honesty and efficiency among them is very high. Their claims will be duly considered when recruitments are made in the future. (*Hear, hear*). The next claim has been made on behalf of the Muslims in the province. Their grievance also is genuine. I must admit that the number of Muslims in the services is very scanty indeed. Keeping efficiency in view the Muslims are as much eligible for recruitment to this department as any other community. But the difficulty throughout has been that there has been no recruitment in this department, because during the years when conditions as to rate, etc., were better the department was overstaffed. I have got with me figures which will satisfy the honourable members on the point. Take the provincial service first. In 1927 the total number of posts was 35 of which seven were filled by Muslims, that is 20 per cent. In 1928 this number was reduced to 33, that is, instead of there being fresh recruitment the total cadre was reduced. Similarly in 1929 the number went down again to 32. In 1930 again it went down to 31 and in 1931 to 30. In 1933 the number of posts was 23 and in 1934 the number of posts remained the same. From

these figures it is clear that there were no vacancies to be filled by new recruitment. I do not know how the department happened to be overstaffed, but the fact remains that so far as the provincial services are concerned, the department has been badly overstaffed and as things stand at present we cannot recruit for either the provincial service or the Indian Forest Service. I have full sympathy with my Muslim brethren but they will realise that they cannot be recruited to this department unless vacancies occur.

I now take up the subordinate service. The statement now in my hand which has been prepared, very carefully, I believe, by the Chief Conservator of Forests, shows that in the year 1927 the total number of posts was 1,136 with 470 Muslims. In 1928 the total number went up to 1,161 and with this increase the number of Muslims also went up to 480. In the year 1929 the total number of posts came down to 1,156 but the number of Muslims went up to 489 because of the vacancies in the cadre. Since then there has been a continuous decrease in the staff. In 1930 the number of posts was 1,145 which contained 485 Muslims. In 1931 it was 1,121 and Muslims were 464. In 1932 it came down to 1,079 and the number of Muslims also came down to 450. In 1933 it was 1,027 and the number of Muslims 433. In 1934 the total number of posts was 986 with 421 Muslims. In 1935 it was 996 which included 426 Muslims and during the year 1936 it is 966, while the number of Muslims appointed to these posts is only 398. So, here too, you will observe that there has been a continuous decrease in recruitment.

Shaikh Muhammad Sadiq : What has been the proportion of the Muhammadans in the decreased recruitment ?

The Honourable Nawab Muzaffar Khan : I am getting a statement regarding recruitment. This shows, that there has been reduction and when there is reduction, the chances of recruitment are naturally small.

Chaudhri Afzal Haq : May I ask whether there was any recruitment or not ?

The Honourable Nawab Muzaffar Khan : As regards clerical establishment the figures are as follows :—In the year 1927 the total number of posts was 140 and out of these 52 were Muslims, i.e., a percentage of 37·1. In 1928 this number went up to 148 and the number of Muslims rose to 56. In 1929 the number of posts rose to 152 including 60 Muslims. In 1930 the total number of posts was reduced to 150 with 58 Muslims. In 1931 the total number was 147 and the number of Muslims was 57. In 1932 the total number was 144 while there were 54 Muslims. In 1933 there were 139 posts which included 51 Muslims. In 1934 out of 136 posts 50 were filled by Muslims. In 1935 the total number of posts was 137 which included 51 Muslims. In the year 1936 the total number of posts is 125 and there are 44 Muslims, i.e., a percentage of 35·2.

Shaikh Muhammad Sadiq : Did the number decrease in recruitment or elsewhere ?

The Honourable Nawab Muzaffar Khan : In recruitment Government went on reducing the total number of posts. Consequently there was little or no recruitment.

Khan Bahadur Malik Zaman Mehdi Khan : Are you sure that there was no recruitment during all these years ?

The Honourable Nawab Muzaffar Khan : There is a separate statement which would show recruitments but it will be observed that there has been continuous decrease in the number of appointments.

As regards the Hindu agriculturists, I do not think they have got any cause for complaint in this matter. In provincial services there are 2 Hindu agriculturists out of the total number of 11 Hindu posts, i.e., 18·18 per cent. There are 9 forest rangers who are Hindu agriculturists out of a total number of 22 Hindu posts, i.e., 40·9 per cent. In the case of deputy rangers there are 16 Hindu agriculturists out of a total number of 20 posts, i.e., 80 per cent. In the case of 107 foresters the percentage of Hindus belonging to agricultural tribes is 71·87 as amongst the Hindus, while their percentage in the total number of posts is 59·8. In the case of forest guards it is again 79·12 per cent. So, I do not think that the Hindu agriculturists have got any cause for complaint.

Chaudhri Ram Sarup : What about chaukidars ?

The Honourable Nawab Muzaffar Khan : The question is of rangers, deputy rangers, and foresters and not of chaukidars.

I now come to the actual recruitment from 1926 to 1934, 11 Muslim forest rangers have been recruited as against 2 Sikhs and 6 Hindus. Nine Muslim deputy rangers have been recruited as against 1 Sikh and 6 Hindus. Thirty Muslim foresters have been recruited as against 36 Hindus and 2 Sikhs. It is clear that the department has been trying to make up the deficiency.

Shaikh Muhammad Sadiq : You did not try enough.

The Honourable Nawab Muzaffar Khan : In the clerical establishment, 14 Muslims have been recruited as against 14 Hindus and 4 Sikhs. I cannot promise that any specific percentage will be fixed. It is really for the House to decide what percentages should be fixed, but as far as possible, we will try to arrive at a certain percentage much higher than at present. In the case of the Secretariat of the Irrigation Department Mian Sir Fazl-i-Husain fixed a percentage of 40 for the Muslims. It is very difficult for Government to fix these percentages. It is for this House to lay down a certain formula. Government would welcome any such decision which the communities may arrive at among themselves. Personally, I think, Government will be only too glad if a settlement, in this respect, is arrived at by the members of this House. In the meantime, we will try to follow the policy laid down by Sir Geoffrey deMontmorency. I admit quite frankly that there is a deficiency and paucity of Muslims in the department and we will try to make it up.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : I rise to support this motion. I am sorry to observe that whenever the question of communal representation in services is raised in the Council, the members of the Hindu community, which is known to have a monopoly of these services, get up and oppose it. It is said and said with a loud voice that Hindus, Muslims and Sikhs are alike the sons of our motherland and if this is so, there is no reason on earth why we

Muslims should not get our due share of the joint property that belongs to the motherland. All the members of the Council very well know that the property of a father, who has more than one son, is divided on his death amongst his sons according to the due share of each of them and you also know that if in any case such a property is not divided according as it should have been divided, a dispute arises which never comes to an end. It is settled only after each one of the claimants gets his due share. Similar is the case of these services which are a sort of joint property of all of us Punjabis and for the matter of that Indians. And I may say that unless and until this joint property is divided amongst the members of the different communities according to the due share of each, this dispute that is so often raised on the floor of this House will never come to an end. We shall continue to quarrel as we are quarrelling now over this question unless we make up our mind to face this question in a manner in which it should be faced. Every time this question of communal representation is raised, efforts are made to silence us by saying that suitable Muhammadans with proper qualifications are not available.

The Honourable Nawab Muzaffar Khan : Who said so and when did he say so?

Chaudhri Muhammad Abdul Rahman Khan : Then, why is it that in the matter of these services the rights of Muhammadans are ignored? We know that the head clerks of many of the Government offices are members of the community which, as I have already said, has a monopoly of the services and we also know that these head clerks manage to handle things in a manner by which it becomes almost impossible for the members of any other community to get into these offices. These clerks, so to say, do things according as it pleases them to do. But I will say that all this is happening simply because the higher authorities do not pay proper attention to this matter. We have been crying and crying hoarse over this matter for the last ten or twelve years. The Government has also formulated a policy in this matter, but in spite of all this there has been no appreciable change in the position so far as the question of communal representation in services is concerned. I will say again that the reason of all this is that the officers concerned do not deal sternly and do not care to remove our complaints in this matter.

But why should the Government take notice of this thing in a manner in which it should take. It wants to enjoy the *tamasha* that we stage here and outside the Council and it can only continue to enjoy it if it pays no heed to what we say. The Honourable Ministers and some other honourable members of the Council, who have ever happened to go to Indian States on the occasion of coronation ceremonies or similar other important occasions, will be aware that on such occasions an elephant is let loose to provide entertainment for the guests. With that elephant four strong bodied youngmen are also sent into the arena. They come into the arena having rubbed oil on their body and armed with whips. When the elephant and these young men come face to face, one of the young men according to the arrangement settled beforehand is made to strike the elephant with the whip in his hands with all his force. Thereupon the elephant furious with rage runs after that youngman to catch hold of him and to punish him for his sin. When the elephant is about to overcome that youngmen, the next man

[Ch. Muhammad Abdul Rahman Khan.]

in his turn strikes the elephant with the whip in his hands in order to divert the attention of the elephant to himself. Then the third young man takes the turn and then the fourth and in this way the *tamasha* goes on till it is brought to an end by order. In the same manner the Government has let loose the elephant of communalism and communal quarrels amongst us and has thereby thrown us in a *chutia-chakkar* (arena of confusion).

The Honourable Nawab Muzaffar Khan : May I draw your attention, Sir, to the very objectionable word used by the honourable member ?

Mr. President : The honourable member should withdraw the word to which exception has been taken.

Chaudhri Muhammad Abdul Rahman Khan : I have certainly no hesitation in withdrawing the word to which exception has been taken, but I may be allowed to say that my meaning has been misunderstood. What I meant to say was that the Government by its present policy has thrown us into a confusion and has made a fool of us. I will go further and say that in order to achieve its end the Government does not care to do things in the right manner. It manages to bring into existence circumstances under which we continue to quarrel and are constantly at loggerheads with one another. If the Government will not care to act according to the principle laid down by itself in the matter of services and will not instruct its officers to see that that principle is rigidly acted upon, these quarrels will continue to create unpleasantness in the province. We are not quarrelsome by nature and I may assure the Government that if we quarrel at all it is because we do not get our proper share in these services. I am here reminded of a verse by Ghalib the famous poet and that is as follows :—

عشقی نے غالب نکما کر دیا ورنہ ہم بھی آدمی تو کلم کے

If Ghalib had been living to-day, he would certainly have changed this verse like this—

عام نے غالب نکما کر دیا ورنہ ہم بھی آدمی تو کلم کے

The Government is giving us such an education and has framed such laws for our country that we cannot help quarrelling among ourselves. I will again stress the point that so long as various communities are not given their due share in Government services our quarrels will not come to an end. All our disputes and quarrels will continue so long as the Government does not modify its present policy of making invidious distinction between various communities in the matter of distribution of loaves and fishes of services. It is idle to argue now that Musalman candidates possessing adequate qualifications are not available. At the present time agricultural labourers and people capable of whitewashing our houses may not be available in sufficient numbers but you can have graduates and double graduates in any number. Under these circumstances it is necessary that all communities should be given their due share in services, in accordance with the rules framed by the Government. We want to bring this quarrel about services to an end once for all, so that the precious time of this Council should not continue to be wasted like this in discussing this question over and over again. We want the Government to make up the deficiency of all communities in the Government departments in accordance with

their due share fixed in proportion to their population. If they do that all complaints in this matter will cease to be made.

Shaikh Muhammad Sadiq (Amritsar city Muhammadan, Urban) : It is very unfortunate that on the floor of the House we have often approached this communal question which should be avoided. But unfortunately it is pursuing the people of this country so much that it is much better to decide definitely once for all facing it squarely and straight. My friend knows that the Muslims have had grievance about the forest service for the last 10 years. When his predecessor Sir Sunder Singh Majithia was occupying this exalted position, I drew his attention to the fact that Government was over-recruiting the staff of the higher officers and they should not do it because there would be trouble in future. They said that they were then recruiting just the required number. But now they tell us that they have too much of the staff. Who is to blame for this now? Certainly not the members of this House. My friend's speech over there was to the effect that although the Muslim number is deficient yet during all these years there was no further recruitment and also Muslims had not had their proper share. (*The Honourable Nawab Muzaffar Khan*: What is the proper share.) My friend is a Muslim. He knows the proportion demanded by the Muslims and the Sikhs. He knows that the demand of the Muslims has been on population basis and something over and above, but nothing less in any case. There is no fun now in my friend asking what is the proper share? That shows that he is not in touch with the public life of this country. He knows that the demand is that the share should be in proportion to the population. It may be 55 or 56 per cent. What has the Government done? Instead of making up the deficiency, they have got much less than 50 per cent. now in this service.

The Honourable Nawab Muzaffar Khan : It is wrong again—Among forest rangers, there are 11 Muslims out of 19.

Shaikh Muhammad Sadiq : What about others? Ask some mathematician.

The Honourable Nawab Muzaffar Khan : You do not hear. Forest rangers, 11 Muslims out of 19; that is over 50 per cent.; deputy rangers, 9 out of 16; foresters 30 out of 68. In clerical—here of course there is a slight deficiency, 14 out of 32.

Shaikh Muhammad Sadiq : Thirty out of 68 and 14 out of 32; this shows that the Muslims are under-represented.

The Honourable Nawab Muzaffar Khan : Almost 50 per cent.

Shaikh Muhammad Sadiq : Fourteen out of 32 is not 50 per cent.

Mr. President : Please take all figures together.

The Honourable Nawab Muzaffar Khan : That he will not.

Shaikh Muhammad Sadiq : But you cannot mix up the chaprasis along with the President of the Council and put Governor along with a head constable. That is no division at all. A man gets Rs. 5,000 and there may be 800 chaprasis getting altogether Rs. 5,000. Unfortunately it has taken a different tinge from the one that I intended. My request is to lay out a policy for the future. The policy laid down by Sir Geoffrey deMontmorency is such that it can be twisted by any officer as he likes. Reasonable

[Sh. Muhammad Sadiq.]

proportion, who is going to fix it. Our complaint is not that there has been no policy. We say there has been no well defined policy. A policy should be clear cut and it should not allow of any interpretation to be made. I am the last person who would like any communal trouble. I am the last person to encroach on the rights of any single person, Hindu or Christian or Sikh. I know that will lead to disaster. My object is that there should be a clear cut policy to which every officer should stick. The proportions should be fixed and one should not go beyond that. Now there are three Indian Ministers and one Indian member of the cabinet. So out of 5 members of the cabinet, four are Indians. So we cannot say that the European element is stopping in any way the Indian element from coming to a right decision. I will not be so ungenerous as to make such a suggestion. But give a clear cut policy and nothing more. Some say that enough representation is not given to sub-castes among themselves.

The Honourable Sir Donald Boyd : Communal Award ?

Shaikh Muhammad Sadiq : Yes ; why are you afraid of it ? Why not ? In politics we have a communal award. If you have got a communal award in I.C.S. (50—50 share), if you have got a communal award in the Railway Department and so on, why feel shy about it ?

The Honourable Sir Donald Boyd : That is for minorities.

Shaikh Muhammad Sadiq : When the minorities are able to get a definite share, naturally the share of majority must also be settled. Whatever you are going to give, give a clear cut and well-defined policy, so that we members may not get up here every time and fight or exasperate our other friends (*Interruption*). Only during the last communal riots Hindu friends went in deputation and said that there were no sufficient Hindu constables and the result was that Government said, we will have half and half Hindus and Muslims. My friends cannot make us shut our eyes. Let us work for the good of our motherland, for good fellow feeling and let us decide this question once for all. I do not want that the Muslims should get advantage over the Hindus nor the Hindus should get advantage over the Muslims. Let their share be fixed and let us stick to that. My friends say, there should be efficiency. I agree. Let there be efficiency. Make it a rule that nobody should be appointed a chaprasi unless he is a B.A. and then have the communal representation. (*An honourable member :* B.As. will not make good chaprasis.) My respectful submission is that the Honourable Revenue Member has not been able to satisfy the Muslim demands at all. In fact his statement has been quite the reverse. He asks us, what are the Muslim demands ? I am surprised to hear that question from him. He knows the Muslim demands ; every child in this country knows it. What is the use of asking that question now ?

Mr. President : The honourable member is repeating the same arguments.

Shaikh Muhammad Sadiq : It is only to emphasise my point. Sometimes you have to repeat it so that it may stick in their minds. I do not say it is a virtue to repeat, but sometimes all people, all lawyers have to repeat the same statements, merely to emphasise. So I would request the Government even at this stage to define the future policy.

Mr. President : That also is a repetition.

Shaikh Muhammad Sadiq : I am now coming to another argument. This is only by way of introduction. The question is in regard to recruitment, whether recruitment of one community should be stopped till the other communities reach their share or whether future recruitment only should be made on the proportions we fix or in other words—let me be clearly understood—whether recruitment should be stopped of the community which is already over-represented till the other community gets its quota or whether we should say, let the present ratio remain where it is, but in future recruitment we will observe the proportion that is fixed. These are the two alternatives. But the Government should fix one ratio for all the departments and for all branches. You cannot have one ratio for the Forest Department and another for Police or Irrigation. Different interpretations should not be put by different officers. This is very important. If the Government stands up and says, this is our policy, these are our proportions, they should be adopted by every Government servant. It is only then that this unfortunate feeling which we have in this country will disappear.

The honourable member knows that the Secretary of State did not leave it to India to decide the communal question. He stood up and gave the award. He boldly faced the issue. It is another question whether it is accepted or not. Similarly this question has to be settled by some one and I ask, why not these gentlemen, the members of Government decide it? (*The Honourable Finance Member :* But bring in a resolution.) Is this not enough to show that we request you to decide the matter? Does the Honourable Member mean to say that a budget motion is less than a resolution in its effect? Face the issue, give an award. It may be that you may be annoying one community; it may be that some community will not be pleased. At least you can say that you have done your duty and you can tell the House if they are not satisfied with the award to decide the matter among themselves and present a joint memorandum containing all their requests. (*The Honourable Finance Member :* That will have the most careful consideration of Government.) Most careful consideration! Those words only provide the Government with a loophole. They take us nowhere. (*Rai Bahadur Mr. Mukand Lal Puri :* Does the honourable member want the fixing of percentages in the forest service or does he want to give his support to the motion that more Muslims might be employed in the department?) I want any sensible solution of the question in this branch of service. And I may assure the House that that solution will be accepted by Muslims willingly simply with a view to stop the quarrel that is going on, and that will be applied to all the services.

Mr. E. Mayadas : I wish to add a few words by way of reply to make it clear that my community does not stand for communal representation and that I have put forward this out most unwillingly. One reason for that is to show that the fruit borne by this plant of communal representation has not been a sweet one. I firmly believe that recruitment from as many classes as may be possible is generally likely to give the maximum satisfaction to the largest numbers. But the possession of a minimum qualification is essential. I also believe that arithmetical adherence to

[Mr. E. Mayadas.]

principles of communal representation is harmful for two reasons. This principle is contrary to the Golden rule, "Thou shalt love thy neighbour as thyself." If A is less efficient than B, then merely for the sake of communal representation preference should not be given to A. Secondly, this principle of communal representation strikes at the root of the spirit of competition.

Some people think that Indian Christians do not furnish good material but rather very poor material. I would ask them to consider whether that is a fact. The Indian Christians come from two sources, from the higher classes and secondly from the depressed classes. From the higher classes, we are related by blood to other communities and since those communities are fit and efficient, I make bold to say that we also are good and efficient. We have furnished head masters in the Education Department, civil surgeons in the Medical, members for the Provincial Civil Service, for the Indian Civil Service, Indian Police and even a High Court Judge. As to the people taken from the depressed classes, it may be of interest to the House to know that from the depressed classes we have furnished men for the Indian Civil Service, the Provincial Civil Service, Judges and also numberless head masters. It may, therefore, be safely presumed that persons from the Indian christian community will furnish good material for the Forest Department also. If I am not mistaken during the last twelve years these posts of which I have made mention have not had an Indian Christian holding any one of them. I am very grateful to the Honourable Revenue Member for the manner in which he has replied to this motion and for the tribute he has paid to my community. But without sympathetic and kind treatment we are not likely to get any of these posts and I would request him to kindly extend as much help as he possibly can. In view of the assurance he has given I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Forest Expenditure.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu): I beg to move:—

That the total grant be reduced by Re. 1¹

My object in moving this cut is to urge the reduction of the forest expenditure which is increasing day by day, while the income of this department is showing steady decline. It is up to the Government, therefore, to cut down the expenditure of this department. I should like to read a few lines from the memorandum to show that the expenditure of the Forest Department is gradually increasing every year. The memorandum records:—

The actual expenditure in 1934-35 was Rs. 20,41,382, compared with Rs. 17,91,757 in the previous year. There was an increase of Rs. 1,62,000 under Conservancy, Maintenance and Regeneration and of about Rs. 85,000 under Establishment. The revised estimate for the current year anticipates expenditure to the extent of Rs. 20,58,500, a figure about Rs. 17,000 above the actuals of 1934-35. The new budget provides for expenditure to the extent of Rs. 22,10,000. The increase over the current year occurs mainly under the heads "Conservancy Maintenance and Regeneration" and "Establishment."

¹To discuss the question of reduction of forest expenditure.

This shows that the expenditure on establishment is steadily on the increase. This is in spite of the fact that the Honourable Member for Revenue told us while speaking on the last cut that the department was gradually reducing its expenditure. When the income of the department has decreased, its expenditure should also be cut down. I should like to put forward a few suggestions which will be helpful to the Government if they want to improve the state of affairs in the Forest Department. So far as I know, the Forest Department has many forests in colony areas. These lands are very good for cultivation. If they are brought under cultivation much good will result from the scheme. On the other hand, the lands which are not good for cultivation may be used for plantation. In this manner lands which are put to no use at the present time will be usefully utilised. If my suggestion is carried into practice, the Government will be able to make a very good saving. Furthermore, I want to point out that many officers of the Imperial service in the Forest Department are without any work at the present time. They can be given useful work. For instance, there are innumerable trees on the banks of canals in the province. The Government can very well depute these officers to work in the Canal Department and improve the condition of canal trees. This will bring them more money besides giving useful work to officers who are idling away their time in the Forest Department. I have moved this motion after a good deal of deliberation and I hope the Government will accept my proposals.

Mr. President : Demand under consideration, motion moved —

That the total grant be reduced by Rs. 1.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura Muhammadan, Rural) : I practically endorse all the remarks made by the honourable Khan Bahadur Nawab Muhammad Hayat Qureshi. I do not think that there has been any increase in income as is clear from the figures which have been taken from the budget and the memorandum. As the honourable Nawab Sahib stated, I understand also that there is a large number of officers in the Imperial service of the Forest Department who have got absolutely no work and their post is a sinecure. It is time that we should see to these things. The fact about the existence of such officers has also been admitted by the Honourable Revenue Member. If the work goes on with the same "diligence," there will be practically no gain. That is the reason why our expenditure is more — while the income is less. There should be some halt to this upward expenditure and some steps should be taken to increase the income. As regards income, we have got 18 or 19 lakhs a year; while as regards expenditure, we have got Rs. 22,68,000. It is needless for me to attempt to talk about figures. But there seems to be a mistake on page 44 of the memorandum. The total expenditure is given as Rs. 22,10,000; while on page 5 of the budget the figure is Rs. 22,68,000 on account of expenditure in this department. Either it is a misprint or by an over-sight some figures have been omitted.

Mr. Ram Chandra : May I explain this point? The figure Rs. 22,10,000 relates to expenditure in India, while Rs. 22,68,000 on page 5 of the budget includes expenditure incurred in England. If the honourable member would refer to page 95 of the budget, he will find the details. The details are Rs. 22,10,000, for expenditure incurred in India, and about

[Mr. Ram Chandra.]

Rs. 58,000 for expenditure incurred in England by the High Commissioner. The exact total comes to Rs. 22,62,720.

Khan Bahadur Malik Zaman Mehdi Khan : Anyhow the fact remains there. Then there is another item of Rs. 1,56,000 which is capital expenditure. If that is included then the whole expenditure goes up to more than 24 or 25 lakhs.

Mr. Ram Chandra : Here again, if the honourable member would refer to page 15 of the budget, he will find a capital expenditure of Rs. 1,56,000.

Khan Bahadur Malik Zaman Mehdi Khan : I know that, but my point is that the expenditure is practically more than 24 or 25 lakhs of rupees. If you go through various Heads of the Forest Department you will find that the income is less than the expenditure. So it is time in these days of economic depression, when the Government is practically faced with bankruptcy and there are practically no avenues of fresh income to explore—that some reduction should be made in this department so as to balance the budget. Anyhow this department ought to have brought revenue, but instead of doing that, it is leading the Government into bankruptcy. I, therefore, strongly support this cut.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : It would be futile to say that reduction in expenditure should not be made, whether in the Forest or in any other department, particularly at the present juncture when the finances of the province are not in a very happy condition. But I would remind the House that forest is the wealth of the province and wealth in the sense that a lot of income is accrued, not only from wood, timber and other by-products of forests, but it is wealth in this respect that forests are a great source of supply of water in the rivers. I should like the House to consider the question from that point of view also. If we press upon the Government to spend less on forests, perhaps the water supply of our rivers and through rivers the water supply of our canals will be jeopardized. There is no doubt that at the present moment the income from forests is dwindling down. But this is due to general depression. There is a general depression in the timber market and prices are going down and down and, therefore, we are getting less and less income. My honourable friend, who has moved this cut, stated that the expenditure is increasing and he objected to the expenditure on the establishment. Perhaps he has forgotten that increments in salary would be due every year. You must give increments to your officers and that, of course, increases the bill of establishment.

As regards other items, I think if you cut down the expenditure on those items you will certainly be harming your forests, which again, I would say, is a great wealth. So this question should be considered from that point of view also.

(At this stage Mr. President left the chair and it was occupied by Mr. Deputy President.)

Mr. M. L. Darling (Financial Commissioner, Development) : I am grateful to my honourable friends from Shahpur and Sheikhpura for

bringing this question before the House and also for the studied moderation with which they have pressed their motions. I am still more grateful to the honourable member for Lahore for relieving me of some of the necessity of replying to their arguments. But I am surprised that one point has not been mentioned by any of the three speakers, namely that this question was debated at length in this House two years ago and that a full reply on the whole question of the expenditure of the Forest Department was made by one of my predecessors, who is now Leader of this House. I should have expected some reference to the points he made then, because his speech covered the whole field. As no reference has been made to that speech, I must infer that the facts stated therein are not, perhaps, sufficiently known to the House. I must, therefore, trespass upon the time of the House to state some of the more important considerations which underlie the very considerable figures of the Forest Department budget.

First of all, I shall deal with the point that gives substance to the motion—the expenditure of the department. I must say that I was myself surprised when I looked at the figures and found that upon the revised estimate for 1935-36, the budget estimate for 1936-37 represents an increase of 1.18 lakhs. But I am glad to say that this is to a large extent a paper figure. The Chief Conservator of Forests informs me, for example, that though establishment has gone up on the non-voted side by Rs. 70,000 about Rs. 55,000 of this expenditure is not likely to be incurred. The main reason for this is that a number of gazetted officers have been deputed from the Forest Department to other departments. I will deal with the reason for that a little later. Hitherto the cost of those officers had been debited to the Forest Department, but now, according to the ruling of the Accountant-General, it will be necessary to debit their pay and travelling allowances to the departments concerned, and this will mean a saving to the Forest Department, I understand, of something over Rs. 50,000. Then, on the voted side there is a small increase of Rs. 7,000 due to increments and reversions from foreign service. Further, a substantial amount will be saved because one officer is going to be deputed to the North-West Frontier Province, and another who is serving outside the province, is to be retained in his post, and will not return, as was expected, to the Punjab this year. So much for the Rs. 70,000 by which establishment charges have gone up in the budget.

On the conservancy side the increase is Rs. 76,000. This can be explained by the fact that the North-Western Railway is expected to take an increased consignment of sleepers during the next year, and the cost of felling the necessary timber and getting the sleepers down to the depôt will be Rs. 81,000 over and above the corresponding charges in the current year. There is another item of Rs. 15,000 which represents the replacement of locomotive required for the haulage of timber and fire-wood in the Chhanga Manga forest in place of an old locomotive which has had to be scrapped. Further, there is a charge of Rs. 12,000 for felling which is to be undertaken in two of the new plantations. In one—*Dapha*—operations are to be started this year and in the other—*Terah*—trees are to be felled and sold by the department instead of being auctioned or handed over to contractors at a fixed rate. The House will thus understand that, though on paper expenditure is budgeted to go up by over a lakh of rupees, the actual increase will be very much less than this.

[Mr. M. L. Darling.]

I think now I should explain the surplus of gazetted officers to which attention has been drawn. I understand that in the optimistic years which prevailed after the War—I am speaking of the years 1920 to 1922—when prices were high and the demand for every kind of commodity was strong, many thought that the time had come to exploit our forests to a much greater degree than it had been done in the past, and with a view to pushing that exploitation, a number of extra officers were recruited. When this had been done and the officers were starting work, then came the fall in prices and they were no longer needed. Now there are about 20 more than are required. There are, I understand, 20 Forest divisions in the province and 48 gazetted officers, and I am told that 25 to 30 officers would be sufficient to staff these 20 divisions, having regard to the necessity of keeping a certain margin for leave. The Chief Conservator informs me that the average pay of these 20 surplus officers may be taken at Rs. 700 per mensem per officer. If you work that out you will find that this means an extra and unneeded charge of Rs. 1,68,000, which curiously is the exact figure by which the expenditure for 1935-36 exceeds the income in that year. It is most unfortunate that the optimism of the past should have led to this heavy burden being placed upon the Forest Department today, but there is no alternative but to shoulder the burden as best we can. The only thing that seemed feasible has been done, and that is to depute a certain number of these surplus officers to departments which thought that they would be able to employ them usefully. In this way two have been deputed to the Buildings and Roads Branch of the Public Works Department to assist in the development of roadside trees; two more have gone to the Irrigation Branch to develop their canal plantation, and one has gone to the Agricultural Department to encourage fruit-growing in hilly tracts—there are great possibilities in the development of fruit in the hills—and finally a sixth officer has been appointed Game Warden in pursuance of Government's policy of protecting the game of this province. Personally, I do not see myself what more can be done, but if any member of this House has any suggestion to offer I shall be the first to consider it.

Apart from all this it is possible to point to certain reductions which have been made in the general establishment of the department. Sir Donald Boyd gave figures for this in his speech two years ago and I need not repeat them in detail. All I need say is that the reductions made effected an economy in 1931-32 of about Rs. 95,000—I give round figures—of Rs. 75,000 in 1932-33, of Rs. 30,000 in 1933-34, and in 1934-35 the reduction was about Rs. 11,000. The House will agree, I think, that these reductions are not negligible.

Now I come to the other side of the balance sheet. Here I would repeat what Khan Bahadur Sardar Habib Ullah said about the fall in prices. That is the main factor on this side, and I need only mention two figures to show its importance. *Deodar* is the most important timber dealt in by the Forest Department. Till about four years ago a *deodar* sleeper was sold for Rs. 6-8 and now it is sold for Rs. 4-12, that is to say, the price has dropped 27 per cent. In the case of *jand* firewood, another important commodity, ten years ago the Forest Department was able to get Rs. 11-4 per hundred cubic feet and now they only get Rs. 5-8, which is a drop of more than 50

per cent. Then resin at one time found a very good market in America, but unfortunately owing to the partial collapse of that market, the income from it has dropped from over 2 lakhs in 1934-35 to a little over one lakh now.

But there are certain more permanent features in the budget of the Forest Department which require a word of explanation and deserve the attention of the House because they underlie all the budgets of recent years and will continue to underlie them for some time to come. The first of these is the interest charges debited to the department. This is a somewhat technical question which is not easy for a layman like myself to explain, but so far as I have ascertained the facts from the Finance Secretary—he will correct me if I misstate them—the position is as follows. Certain charges in the Forest Department are debited to their capital account. A distinction, not always easily understandable to those who are not familiar with the practice, is made between capital and revenue expenditure. A good example of capital expenditure is the amount spent by the Department upon the great irrigation plantations which they maintain at places like Chhanga Manga and Chichawatni. The capital charges which now stand to their debit amount to about 40 lakhs, and like everyone else who borrows money, they have to pay interest. The rate which is applied to all capital expenditure in the province is something over 5 per cent. and this is the charge they have to pay upon their 40 lakhs of capital expenditure. This explains the entry in the budget of 1·83 lakhs for interests. It would be perfectly simple matter to adjust this if the department were a purely commercial department and were allowed to treat their accounts accordingly; but this they are not allowed to do for various reasons, and when they make a profit, as they have usually done in the past, they are not allowed to write off any part of it against their capital expenditure. For instance in the year 1923-24 they made a profit of over 14 lakhs. I take it that any commercial firm making a profit of 14 lakhs would after providing for their shareholders or any corresponding claims, or perhaps even before doing so, if they were unusually prudent, would carry a certain amount of their profit to their capital account in order to reduce their interest charges. The Forest Department is not allowed to do that, and the result is that whenever they make a profit, it is absorbed in the provincial revenues and meanwhile their capital account increases. With the increase in their capital account, their interest charges inevitably increase and I understand that they are likely to go on increasing because the Forest Department is still planting large areas of country with trees and this costs Rs. 15 an acre today. There are three plantations of 4,000 acres each, or 12,000 acres in all, which have been planted during the last four years. I have not calculated what that amounts to at Rs. 15 per acre, but it is obviously a considerable sum. Unfortunately the Forest Department have to pay over 5 per cent. interest on that, not just for one year but indefinitely. Whether that is a system that can be amended, I am not in a position to say. I must leave that to my financial colleagues.

I have mentioned the existence of plantations. That is another of the general considerations which the House should bear in mind in criticising—or attempting to understand the expenditure and income of this department. Some years ago it was realised that the fuel supply of the province was not equal to its needs and would certainly not be equal to its need.

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in the future. As a result of that it was decided to plant considerable areas with shisham. The Chhanga Manga Rakh was the first to be planted and that was fortunate in one respect. In the days when the planting was done the water-rates were very much lower than they are now, and the result of that is that the amount which had to be carried to the capital account of the department on account of the plantation was not so large that it has not been possible to realise a considerable profit upon the plantation. I understand that the net profit now runs from one lakh to $1\frac{1}{2}$ lakhs, and per acre the net profit is somewhere between Rs. 25 and Rs. 30—a figure which we may compare with the gross profit per acre on canal-irrigated land which is, I believe, somewhere in the neighbourhood of Rs. 30 per acre. The figure for the plantation, moreover, is a net profit. The province is, I think, fortunate in being able to secure a supply of good firewood at rates which are within the limits of most people's pockets and which at the same time bring a certain profit to the province as a whole. I am sorry to say I cannot give so rosy a picture of the other plantations that are being operated. They have been saddled with very high charges on account of water-rate, and the result is that it is a question whether they will be able to pay their way in the next ten or fifteen years. This seems most improbable as long as the department is burdened with the interest charges of which I spoke just now. At the same time, one must remember that these plantations have not been planted in order to bring profit to the Forest Department. They have been planted for one purpose only, and that is to give the province as a whole a good fuel supply, and more especially to the larger towns of the province. So we may say, I think, that all the money spent upon these plantations is of a useful character and, so far as expenditure exceeds income, I may add that the amount is in effect a subsidy to those who consume the fuel, who are mostly the town workers.

These are two of the considerations which should be borne in mind. There is a third, which I must bring to the notice of honourable members. Here I must repeat what the Leader of the House said two years ago. The Forest Department has to run two divisions which bring no profit. One is the Simla division which always involves a certain loss. The last figure I have for this loss is Rs. 31,000. It has to be incurred because if the Forest Department were not to run these forests, which are largely scattered over the comparatively small States of the Simla Hills, they would be left to look after themselves, and the result of that would be disastrous to the hill sides and even more disastrous to the plains at their feet. Another division which though it does not involve any loss to the department yet brings no profit is the Bashahr division. The Government works out a balance of income and expenditure and hands over the profit, which generally comes to about a lakh, to the Bashahr State. Thus it makes no profit itself. There is yet a third division which I am sorry to say involves a small loss and that is the Kangra division. The loss is Rs. 11,000 and is due to the fact that the people in and around those forests have certain rights over them, and the value of these rights though amounting to very little individually total up to 26 lakhs a year which is paid to the right-holders in the form of timber for houses and so on.

It is perhaps clear from what I have said that the Forest Department cannot be regarded as entirely a commercial department. That is a point which I cannot make too clear because to my mind it is the basic fact of the whole question. If the Forest Department were entirely a commercial department, then it would be a matter for serious anxiety that its income and expenditure did not balance during the last few years. In passing I should like to say that during the past fifteen years it is only in four years that it has made a loss, and taking the whole period and deducting the loss from the profit, net profit comes to 60 lakhs or an average of 4 lakhs a year. That, I think, even looked at commercially is no mean achievement. And it is in spite of the fact that the department has many non-commercial activities.

How important these activities are may be gathered from what I am going to say. If we look only to conifers and broad-leaved trees, we find that the area which is capable of commercial exploitation is 686 thousand acres for the whole province, whereas the area which is not capable of commercial exploitation, but has to be protected by the department is as much as 998 thousand acres. It is true that these figures are not strictly comparable, as the department is not likely to spend as much time, energy and money upon non-commercial trees as upon commercial trees. So I asked the Chief Conservator of Forests what would be a fair ratio between the two sets of figures. He said he would put the ratio at about one to four. Even so it means that about one-third of the total area must be regarded as non-commercial. And that takes no account of the fact that there is a further area of 500,000 acres of scrub and over a million acres of waste. If I may draw an analogy from another great organisation in this province, there is some similarity between the position of the Forest Department and the North-Western Railway. We all know that the North-Western Railway has to maintain a certain number of strategic railways and that consequently it does not show such a high rate of profit as it would do otherwise. The same is the position with the Forest Department. It has to maintain large areas of non-commercial forests, and like the railways they are maintained in the general interests of the province. I asked the Chief Conservator how long it would be before the Department would be in a position to show a profit. He replied that they could not hope to show a profit until either the interest charges were removed from their budget or until some arrangement could be made for employing their surplus staff elsewhere. In that connection I should have mentioned that the Punjab Government is doing its utmost to induce the Government of India to place some of these surplus officers in other provinces.

These are the dry bones of the subject, but the department is something more than a corpse, it is in fact a living organism and when one thinks of this end of the criticisms that are sometimes levelled against it on the score of its budget, one is reminded of the proverb about not seeing the wood for the trees. In this case there is a real danger that we may not see the wood for the trees. If one takes a broad view of the Forest Department not only of this province but of other provinces, as well, one has only to shut one's eyes to see that from the vale of Peshawar right away to the Bay of Bengal, the whole of this vast tract depends to a great extent upon the forests of the hills that overlook the plains. There is danger in this and it is a danger to

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which the Punjab is peculiarly susceptible. There is no province in India whose economic structure is more artificial in its basis than the Punjab. Owing to the fact that about 6 million acres have been colonised and another six million acres have been irrigated, its population has risen in something over fifty years by about 70 lakhs. It requires no great stretch of imagination to see what has led to this. It is the result of the beneficent policy of the Government in spreading canals all over the province. But we must also realise that, though we control water which irrigates these twelve million acres from the canal head, we have no control over it above that point and in the hills. The House will understand that if anything happens to these hills to endanger the canal system, the very well-being of those 70 lakhs will be gravely imperilled. I am not speaking fantastically. I would remind the House that not very long ago, in 1929, I think, it was, the headworks of a canal were destroyed and another headworks very seriously damaged. Though we are still very ignorant of the forces that control these rivers and produce great floods, and as to whether we are more liable to these floods than we were fifty years ago, still we have sufficient ground for apprehension that the province is less secure from floods than it was thirty or forty years ago. If this apprehension is well founded, we must look to its causes and try to remove them. I think every one will agree that in considering that question we should have to lift our eyes to the hills and their forests. We can very well realise from what we see going on at the foot of the Siwaliks and the Salt Range that, if hill sides are allowed to become barren, they are capable of doing great damage to the country at their feet. Most countries have some vulnerable point which they are obliged to guard most jealously—England its navy, France its Eastern frontier, Belgium and Switzerland their neutrality, Russia her unity. The Punjab, too, has its vulnerable point, namely, the hills and the forests that clothe them. It seems to me, therefore, of the utmost importance that, whatever we do in the case of other departments, this department which is responsible for the welfare of these forests should be most jealously guarded. From that point of view, if the House will permit me, I cannot help regretting the importance that so many honourable members attach to communal considerations in regard to this department. Though, perhaps I am not competent to express an opinion, it seems to me that, if there is one department which should be free from considerations of that kind, if there is one department in which efficiency should be considered paramount in the interests not only of the millions whom the honourable members represent in this House, but also of their children and grand children, it is this department; and we should therefore most jealously guard its efficiency and its purity.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Urdu) : I have no hesitation in saying that I have been very much impressed by the learned speech of the honourable the Financial Commissioner. It appears to me that he must have taken sufficient pain to so ably answer to the debate on the cut motion now before the House and I am really grateful to him for his having tried to satisfy us with regard to the question under consideration. I may as well say that it was he who has acquitted himself so well and credit is really due to him for that (*hear, hear*). He has been pleased to say in the course of his speech that he is always prepared to attend personally to any

complaint that comes to his notice, and I take this opportunity to express this hope that he will very kindly try to remove all defects in the department during his regime.

I am very glad to know that two or three extra officers of the Forest Department have been deputed to work in the Irrigation Department and in the Roads Branch of the Public Works Department. It is very well done, but I will suggest that a few other extra officers of this department should also be placed at the disposal of the district boards to help them with their experience and knowledge. I do not say that for every district board there should be one such officer, but what I mean is that there should be deputed one such officer for as many district boards as there may be in one division. That course will help a great deal to reduce the expenditure of the Forest Department. Another suggestion that I make is that in future such plots of land should not be selected for plantations as are likely to yield more income if utilised for agricultural purposes. As I understand, the practice now is to select the most fertile pieces of land for plantation. But Government will do well to make use of such lands for better and more profitable purposes. I am not an expert, but I am of opinion that trees can be grown even in less fertile lands, which are not very good from the peasant point of view; and, if in future such lands are reserved for plantation and more fertile lands are utilised for agricultural purposes, the province is sure to gain thereby. I hope that these two suggestions will be given due weight by the Government.

The Honourable Nawab Muzaffar Khan (Revenue Member) (*Urdu*): I think the Financial Commissioner has fully explained the position of the Government in this matter to the satisfaction of the House. To supplement his remarks, I may let the honourable members know that a meeting of the Financial Commissioner and some of the officers of the Irrigation Department is going to be held on the 7th of April next to consider the question whether the Irrigation Department can absorb a few more officers of the Forest Department. And if it is found that a few extra hands are required to meet the requirements of the Irrigation Department, arrangements will be made to depute more officers of the Forest Department to work in the Irrigation Department. I hope this information will further satisfy the House that the Government is doing everything possible to reduce the expenditure in the Forest Department.

As to the suggestion made by the honourable member from Shahpur, that a few of the officers of the Forest Department should be placed at the disposal of the district boards, I quite agree that these officers would prove very useful. I remember the Deputy Commissioner of Montgomery made a similar suggestion to me when I went there recently on a tour. But the question is, whether the district boards will be able to pay the salaries of these officers, particularly in these days of financial stringency.

Shaikh Abdul Ghani: Government can continue to pay these extra officers as before even after they are placed at the disposal of the district boards.

The Honourable Nawab Muzaffar Khan: That will not help to bring down the expenditure of the Forest Department. The rich district boards like Shahpur and Lyallpur can afford to employ these officers; and,

[Hon. Nawab Muzaffar Khan.]

if they agree to pay the expenses involved in the employment of these officers, Government will consider the question of deputing them to help these district boards. As to the other suggestion made by the honourable member from Shahpur, I doubt very much whether it will be more profitable to pursue the course he has suggested. I am not an expert, but I think that if we utilised inferior lands for irrigation plantations, results would not be satisfactory. We will not be able to grow better kind of trees and the growth would be slow, while expenditure on labour, water, etc., would be the same. However I promise to consult the experts in this matter ; and, if it is found that the suggestion of the honourable member can be acted upon with advantage

Government will give due weight to this proposal. I
hope that after what I have said the honourable
mover of the cut will withdraw his motion.

Khan Bahadur Nawab Muhammad Hayat Qureshi : In view of the assurance given by the Honourable Member, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. Deputy President : The question is—

That a sum not exceeding Rs. 16,28,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Forests.

The motion was carried.

FOREST (CAPITAL EXPENDITURE).

The Honourable Nawab Muzaffar Khan (Revenue Member) : I move—

That a sum not exceeding Rs. 1,46,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Forests (Capital Expenditure).

The motion was carried.

REGISTRATION.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government) : I move—

That a sum not exceeding Rs. 74,700 be granted to the Punjab Government, Ministry of Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Registration.

The motion was carried.

IRRIGATION.

The Honourable Nawab Muzaffar Khan (Revenue Member) : I move—

That a sum not exceeding Rs. 85,48,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Irrigation.

Mr. Deputy President : The motion is—

That a sum not exceeding Rs. 85,48,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Irrigation.

REMODELLING OF OUTLETS.

Mian Nurullah (Lyallpur South, Muhammdan, Rural) : I beg to move—

That the grant be reduced by Rs. 6,23,580 with respect to the item of Rs. 62,35,800.—
Net B. Maintenance and Repairs (Provincial).

The idea of this motion is to show that the expenses under this head are too high and also to suggest that the remodelling is too frequent and most harmful from the point of view of the zamindar. I have looked up the budget, though unfortunately I have not got the copy in my hands at present, but as far as I remember, the figures under this head for the year 1934-35 were about 51 lakhs, for the year 1935-36 they were about 53 lakhs, and for the year under consideration (1936-37) the figures have gone up to something like 62 lakhs. I gave notice of this cut by taking off from the whole grant for this particular item something like 10 per cent., because the budget estimate is, for about Rs. 62 lakhs in all and the cut that I want to move is for about 6·2 lakhs. That is, just to point out, that with stringent economy and carefulness, we can manage the affairs as we have been doing in the last 2 years. If we can reduce our expenditure in respect of remodelling, we can surely do a lot in reducing this expenditure. The question of remodelling has been discussed many times in this House and I need not take long over it. Most zamindars consider remodelling a curse. Remodelling should be taken in hand only to a certain extent and not to the extent that they do now. We object to such an extensive remodelling. Remodelling is sometimes done at the time when the zamindar needs water supply badly. It is done when he is about to sow, although the rules are different. The Chief Engineer will probably point out soon what the rules are on the point. This thing pinches us the most because when we need water most—at the time of sowing and other times—the remodelling is taken in hand. That is most objectionable. With these words I close my speech and I think the Government should be able to satisfy us on the point as to why they are spending about Rs. 10 lakhs more this year. The Government should also satisfy us on the point as to why they have not revised the rules regarding 'remodelling' so far.

Mr. Deputy President : Demad under consideration, motion moved—

That the grant be reduced by Rs. 6,23,580 with respect to the item of Rs. 62,35,800—
Net B.—Maintenance and Repairs (Provincial).

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammdan Rural): I give my wholehearted support to this motion, moved by my friend from Lyallpur. He knows the Lyallpur district best of all and from his experience and from my own experience I can say that an enormous amount of money is spent every year on remodelling. Now the question is whether the Irrigation Department can justifiably make out a case that remodelling should be continued in the way in which they are continuing it at present. Sanction to extensive remodelling is given every now and then. There is a general complaint everywhere amongst the zamindars that this extensive remodelling is not in their interest. When talking to zamindars, they say "For God's sake don't do remodelling". Not a single zamindar is happy over this remodelling scheme going on every now and then. I cannot understand the reason as to why the Irrigation Department and the superintending engineers should be so keen on the continuance of remodelling when there is no complaint or any request on the part of the zamindar.

[R. B. Lala Sewak Ram]

Once a thing is settled, a rajbaha begins to get working, it should continue working for some years. It is said that remodelling takes place after every two or three years. The superintending engineers are usually transferred from circles after every three years, and every time a new superintending engineer comes, a new scheme of remodelling is put up. Now in the civil and other departments there is something known as a settled question. So also the running of a rajbaha with a fixed number of outlets should be a settled question, so that the zamindars after putting in their claim of *haq* before the Irrigation Department might feel that there would be no more trouble about it, and every time this remodelling sword of Democles would not be hanging over their heads. This kind of thing gives no peace of mind to a zamindar and that is the chief reason why so much of corruption is going on in this department. In the case of remodelling from time to time, zamindars have to resort to some means to keep out of it. I know one particular case in which remodelling was going to take place after one year. When the matter was represented, the Superintending Engineer said "All right, those outlets which had been remodelled only a year and a half or so ago need not be remodelled". Thus these haphazard orders go on in this department. I do not mean to criticise it in any bad spirit. I do it in a friendly spirit to request them to do it only in necessary cases. If remodelling is not done so often, a large amount of money can be saved, corruption will stop and the zamindars will feel pleased. What happens, is that on a rajbaha some four or five people start complaining, or on some other excuse, all the outlets get remodelled. This is one cause why the expenditure budget rises under this head. Then, as my friend Kanwar Mamraj Singh Chohan says, a large amount is spent year after year on maintenance and repairs, so much so that during the last two years the amount has gone up by 10 to 12 lakhs. On page 118 of the budget, under the head maintenance and repairs, one can find these figures, and how the amount has gone up during these years. I cannot understand how this has gone up, because if you look at the detailed budget under this head, you do not get any explanation as to how the money goes up like that year after year. It may be said that something is being done. But there is no explanation here which one can find. This spending department is no doubt an earning department too. But they spend a lot of money. They can make a saving of 4 or 5 lakhs under this head, and that will decrease the budget deficit to a large extent. Then, when you go into other cases under each canal, you find figures 1,48,000, 1,22,000 and so on, and it is not stated why so much money is being given to these canals and for what purpose. I fail to understand why a budget is put in our hands if we cannot make out why these amounts are being given to these canals. There should be more details given that such and such a work is going to be undertaken and so on. Again, at the bottom of that page you find that a sum of 72 lakhs is handed over to one department to be spent as it likes. It is hardly fair on the part of the Finance Department to do so, because they are very strict in respect of other departments. I do not think they are so strict with regard to the Irrigation Department which spends most of our money on one thing or the other and they give no explanation about it. Again, there is an item, "reserve for unforeseen charges." Although there is a separate cut motion about it, I will mention it now because it is put down under this head. There is a sum of one lakh provided under it, to be spent as the department likes.

If you look at last year's final budget, there is no explanation about it. So, as regards spending in this department, the money goes and goes and goes and is being spent and distributed among the various superintending engineers to be spent as they liked. Now we have seen that remodelling is one such item of expenditure. Again, we know how the money is being wasted on repairs to canal banks. It can be better used on metalling roads running near them as they are used by all people. These canal bank roads can be used only by the officers and a huge money is spent on them. Many gangs of coolies are engaged on them who do not work properly. When they find a car is coming they do some work; otherwise they keep sitting idly. So this money can be saved and utilised on public roads. I cannot understand why the whole year round the canal banks are under repairs, and hundreds, and thousands of workmen work on them simply because a motor car of a chief engineer or one or two other officers may comfortably pass on it. If the same amount of money is spent on metalling the road near the canal which can be used by the public and officers as well, it will be very good. The public is not allowed even to have a look at the canal bank roads, on which a lot of public money is spent. This is the case not only with the main canal but is being done even on the rajbahs. If we stop all this, we can save a lot out of 62 lakhs of rupees which is spent every year under maintenance and repairs. I can give many other instances from which a good deal of money can be saved and where it is now being wasted. But I leave it to the good judgment of the Chief Engineer and also to the good judgment of the Finance Department who are very strict in regard to the beneficent departments where a good deal of money is required. I therefore hope that my friends will support me, so that instead of talking about communal troubles, we can show that we have saved something in the budget in order to reduce the deficit of 21 lakhs which is hanging over our heads. Otherwise it means that there will be more and more taxation. Even if you put taxation on cinemas and more tax on motors, you cannot get as much as you can save from the Irrigation Department, you cannot get from them what the Irrigation Department can spend in 10 days. So there must be some check under this head.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (Urdu): This system of remodelling causes too much botheration and trouble to the zamindars. Every year the outlets are remodelled and the reason for doing so, as given by the authorities, is that the zamindars continue broadening and deepening the water channels in their lands and thus increasing the original water supply fixed for a particular area. The land is divided into two portions, the first is the commanded area, the second is the irrigated area. The commanded area is the land which can be irrigated by a canal and the irrigated area is the one which is allowed to be irrigated by the authorities. The zamindars by deepening and broadening the water-courses increase the water supply and thus also increase the irrigated area. On the other hand the canal authorities continue to reduce the water supply by narrowing the outlets. In the latter case, in two or three years' time, the water-supply of an outlet of four nals is reduced to that of only one nal. This causes too much hardship to the poor zamindars. If the zamindars increase their water-supply, it is their due; for it is they who by hard labour dig the water-courses deeper. The canal authorities reduce the water-supply by remodelling the outlets every year, and the result of this is that

[Ch. Ram Sarup.]

neither at the tail nor at the head the water is supplied sufficiently. This is a general complaint, and a real one. The Government ought to remove it.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to give my support to the motion. It raises two issues: first, that the expenditure has been continually increasing, and secondly, frequent remodelling has been causing inconvenience. As to the first, surely it is a matter of some apprehension that the expenditure has gone up continuously by jumps. In 1934-35 it was Rs. 53·1 lakhs. Then in 1935-36 it went up to Rs. 54 lakhs. The revised estimate for that year shows it as Rs. 55 lakhs and now in the estimates for 1936-37, the figure has gone up to 66 lakhs. The increase is so much as Rs. 11 lakhs. This sudden jump is all the more reprehensible, when we consider that the budget is a deficit one on the whole. There is all the greater necessity for precaution and for decrease of all expenditure.

(At this stage Mr. President resumed the chair.)

Then, there is the question of remodelling. It has caused a good deal of discontent among zamindars. I have heard them say that remodelling has produced more discontent among them than any political organisation or movement has. They have represented to me that if ever they feel constrained on any account to range themselves against Government, remodelling would be one such strong cause. Remodelling has come to mean to the zamindar's mind a name for depriving a large area of proper means of water-supply. Whenever remodelling is taken up, canal officers always make the excuse that they want to give water to the villages at the tail end of a canal, or they give some other excuse as explained by my honourable friend from Rohtak. There is to my mind a legal issue also involved in it. When a source of irrigation is made available to villagers, there is a distinct contract entered into with them that so much area would be allowed irrigation so far as it lies in the power of the Irrigation Department. I do not say, that if there is no water in the rivers, that area must be given irrigation under the contract. But when there is water, why should the canal authorities be allowed to go on reducing the outlets and reducing the discharge? They cannot legally do so. I have heard in this Council much said about the sanctity of contracts, for instance, when questions relating to land revenue remission are brought up. I ask, where is the same sanctity of contract in the case of the Irrigation Department? They do this remodelling, with a ruthlessness which is perhaps unexampled in the history of irrigation in any other country. The irrigation officers deprive the crops of water; they see standing crops withering for lack of water, and yet they are too stony-hearted to be moved. Again, I know that in the case of the Rohtak district, in the case of particular villages, remodelling only resulted in less water-supply. The villagers of such places as Kalanaur have got this grievance, and they are crying against remodelling. The very word has filled them with hatred; and, at the very mention of it, these poor people shudder for fear that their crops would wither and the water-supply diminish. This remodelling is not done at long intervals but is resorted to in two or three years. Is remodelling intended only to decrease the water-supply, to decrease the discharge in the outlets? Has there been any instance when they have increased the volume of the water at the outlets? Never, to my knowledge. I should

be glad if an example was given of increase of supply in the early stages of a canal. I can very well imagine that it will be said that greater supply has been ensured at the tail end. But look at the result. One village at the tail may perhaps be benefited at the expense of so many at the earlier stages of a canal. If it is shown that at the tail-end the number of villages and the number of people benefited by remodelling was more than those that suffered at the earlier reaches of the canal, I admit that there is some excuse. Even then legally I fail to see whether for the sake of the village at the tail-end they can tamper with the water-supply at the upper reaches of the canal. A contract has been entered into that so much water would be supplied and that volume cannot be decreased. Even if the department finds remodelling necessary, can that be taken up without consulting the people affected? Does the Government ever enquire from the villages? It has been the experience of honourable members here that the zamindars are not made aware till the last minute when the canal officials go and jump at the outlets and suddenly reduce the supply. It is no wonder that the expenses of the department have increased and I have little doubt that a considerable part of the increase is due to remodelling. I agree that remodelling involves expense, but in this case the Government are guilty of a double offence. In the first place an increase of expenditure is unjustifiable in our present circumstances. Again, much discontent is caused to the zamindars as remodelling results in lessened supply of water in the canals. If the crops wither or fail as a result of the remodelling experiments, is it not fair that the loss should be compensated to the zamindars? The canal department, it has been repeated many a time in this council, is run on a commercial basis. If so, why is no compensation paid to the zamindars? The canal officers injure the crops, decrease the supply, do not consult the zamindars affected, break the sanctity of contracts entered into with them and pay no compensation. Do they expect the zamindars concerned to bring suits for damages against them? I therefore urge that if remodelling is to be done at all, the Chief Engineer must himself be satisfied as to its necessity and not be led by the reports received from his subordinate staff, who have their own axe to grind under the pretence of remodelling. The Chief Engineer should satisfy himself that there are no unnecessary hardships caused to the zamindar and that the remodelling operation could be done safely without any injury. With these words I give my support to both the points raised in the motion.

Mr. M. L. Darling (Financial Commissioner): I did not expect to speak this afternoon again, but I must trouble the House for a moment to answer to a question which was put by the last speaker as to whether remodelling ever led to an improved supply of water. I am able to answer that question, in part at least, so far as the Lyallpur district is concerned, because last month I spent about a fortnight in that district in connection with the settlement which is proceeding there. It fell to me to make some enquiries into the remodelling which has been going on there for some time. And the general result of my enquiry was to satisfy me that the remodelling has been of great advantage to the district as a whole. It means greater justice in the distribution of water. I can think of one village where for some years past they had with difficulty been able to sow only 80 to 85 per cent. of the whole area. And in the two years that had followed remodelling, the sown area went up from 100 to 105 per cent., which was roughly speaking

[Mr. M. L. Darling.]

the average for the tract. What it meant was that before the remodelling, this village was not getting its fair share of water. That is not the only example which came to my notice, and from the enquiries I made it seemed to me that by this remodelling, which was going on in the district on a very large scale and at a very heavy cost, Government had ensured much greater fairness in the distribution of this priceless commodity, water.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : I should also like to say a few words on this question. No one can question the advisability of remodelling at certain times. But this epidemic should not go on for ever. I know of a case in the constituency which I represent here that in one year there has been remodelling of outlets three times, and that 4 times when it is very inconvenient to the zamindars. When the time for sowing comes remodelling begins. By the time the remodelling is done, the time for sowing is over and the zamindar is deprived of a whole harvest. I think there is a rule in the Canal or Irrigation Department that remodelling should be done only after three years, and that with the consent of the local officers and the zamindars affected. Has this rule been adhered to when remodelling is taken up, whether it is in the Lyallpur district or in any other district? Not only does remodelling involve a heavy expenditure to Government, but it also creates discontent in the minds of the people. It also robs the poor zamindar of a certain amount of money. There is a scramble for the favour of the overseer that this outlet might be put a little lower or that that outlet might have a little more water. I can say from my own personal experience, that there are persons who have to propitiate this Kali goddess. All those who cannot propitiate go without the favour. I do not blame the Chief Engineer or any high officer, because in most cases remodelling is done on the report or at the instance of the subordinates for reasons which are best known to them. The high officers never have the occasion to see each and every outlet, and they have necessarily to depend upon the reports of the subordinates, and the subordinates certainly have reasons, which are known to them, for making reports against certain zamindars. There is another question in connection with this remodelling and that is that the engineers being mathematicians take account of the land which can be irrigated from a certain outlet and then according to that area which is going to be irrigated, they have to propose the dimensions of the outlet. If the area is the same and the irrigation for three years has been the same, there is no case for remodelling. The period should be three or four years and the zamindars and the local officials, like the deputy commissioner, should be consulted. If that is done then the grievance will be removed.

Mr. T. B. Tate (Chief Engineer, Irrigation) : I cannot help feeling that there is some misconception about this remodelling business, because for the last thirty years, I have been firmly convinced that this remodelling is essentially in the interests of the cultivators, whatever certain honourable members here may say to the contrary. (*Shaikh Abdul Ghani* : What does remodelling mean?) The object of remodelling is to distribute the available water to the best possible advantage of the greatest number. It is a question of the technical design of the channel and of its outlets in such a way as to deliver the water to the best possible advantage. It has been

suggested—I speak from memory, on the 3rd March during the general discussion on the budget—that the Irrigation Department indulged in remodelling partly for the sake of spending money and partly because officers had got nothing better to do. I can assure the honourable member that he is mistaken. As regards remodelling schemes, I would remind honourable members that before any remodelling is done the question is put before the Canal Advisory Committee. It is fully discussed by them and there are supposed to be representatives on the committee of the various interests concerned. The deputy commissioner is consulted, and I do not think the Irrigation Department can be accused of launching out on these schemes all on its own. Remodelling has also been represented as a very unpopular measure. It is easy to understand that it is very unpopular from the point of view of those who have been in the habit of receiving more than what we call the authorised supply. But I think anyone who has visited the tails of channels, where the water-supply has been very scanty in the past, will get a different impression as to whether remodelling is popular or not. A case was reported to me, not very long ago, with regard to one of the channels of the Upper Bari Doab Canal. The superintending engineer and the executive engineer were inspecting the channel which had recently been remodelled. As they approached the tail-end of it, tremendous crowd of zamindars and villagers turned up to meet them and to express their gratification at all that had been done for them. They said they had never had such good supplies for the last thirty years. The officers were then taken to the village, which was bedecked with buntings, for tea and refreshments, and I do not think those villagers, if they were asked, would have much to say against remodelling. There might be another reason, possibly other reasons for remodelling a channel, for instance, if it suffered from silt trouble. You may have to re-design the channel and regrade it, which involves altering the outlets which may have to be raised or lowered, and naturally that is not a popular move from the point of view of the zamindars. But it is advantageous from the point of view of Government, as it saves expenditure on silt clearance. I think it was the honourable member Chaudhri Allah Dad Khan who said that if a few outlets were drawing too little water, it should be quite a simple matter to correct those without altering the remaining outlets in the channel. That I am afraid is not correct. You cannot get a largely improved supply towards the tail of the channel without remodelling the whole of it. At least, speaking generally, I am sure you cannot.

As regards the maintenance and repairs costs generally, I think it is a little unfair to say that the Irrigation Department have been spending more and more money. I am very sorry I have not got the figures beside me—I may be able to get them later on in the course of the discussion—but I know that in 1931-32 the figures came down enormously, I cannot say how many lakhs. But that was done in an emergency and they were brought down below what you might call the economic point. It is quite impossible to continue at that very low figure. But I think if you look at the last few years, the figures are a little higher, but that is no reason anyway that one might be led to infer what has been said. I think in the budget for 1936-37 the figures are just about the same as last year. However, I am not going to lose myself among figures which I have not got at hand. But it must be remembered that, as I have said just now, one cannot bring down main-

[Mr. T. B. Tate]

tenance costs too low, and there has been an inevitable tendency for them to rise since 1931. Reference has been made to the reserve of Rs. 1 lakh for unforeseen items. In a department like the Canal Department, which is subject to all kinds of mishaps, it is impossible to provide for every single item of expenditure which may have to be incurred. The sum of one lakh of rupees is kept nominally at the disposal of the Chief Engineer, but actually the Finance Department keeps a very tight hold over it and no expenditure is permitted without the approval of the Finance Department to whom thoroughly satisfactory reasons have to be given. In the last four years—I think I am right in saying that,—the money has always been utilised, that is to say, it has been found necessary except in 1935-36, where is shown a lapse of Rs. 1 lakh. The only reason for this lapse was that the expenditure on certain drains was transferred or re-allocated from revenue to capital with the result that there was a saving under revenue. It is thus not a real lapse but only a lapse on paper.

The honourable member Rai Bahadur Lala Sewak Ram has also said some rather harsh things about the thousands and thousands of beldars who are employed in keeping up the canal banks. Again, speaking from memory, I think the average number employed is about one per mile on main canals and none at all on smaller channels. These gangs are employed to work by beats; and, if you see the working of the gangs, each represents an average length of some 8 miles of canal bank. They do all the minor repairs. It is not merely a matter of sprinkling of water and keeping the roads along the banks nice; they also look to rain-pits and things of that sort and maintain canal plantations. I may mention that these charges too were cut down most drastically in 1931.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation) : Before I go into the details of remodelling, I would like to visualise the general idea. Imagine if you get a glass of water in your hand, and mark out a square on the ground and try to pour the water exactly over that square, you will find probably that you fail. We are trying to pour water over every little square in millions of acres and it is not an easy thing to do accurately. Remodelling of a distributary, almost invariably arises with complaint from some unfortunate zamindar who is not getting sufficient water to cultivate his crops. I think I am right in saying that no remodelling is started by the Irrigation Branch without some such complaint. If the water in a distributary is not accurately distributed, it is our duty to do our best to try and make this water go round to each acre of land. (*Cheers*). The water going in at the head of a distributary, both before and after remodelling, is usually the same. When we reduce some outlet in a distributary, we are not taking that water away from the people. Every drop of water that exists in the river, certainly during the winter, goes on to the land. Our only object in doing this remodelling is to try and give every man a fair deal. I have seen instances of frustrated remodelling in a small distributary or minor. There has been silt clearance. I have gone along a day or so afterwards and found that the channel was full of silt. On making local enquiries, I discovered that zamindars come in the night and throw silt back again so as to raise the level of the water. To keep water fixed at designed levels over long distances (if you take all the distributaries probably some thousands of miles), is not

an easy matter. If for any reason berms grow or some silt drops in a distributary, the level of the water rises and when this happens, the outlets in such reaches all automatically start to draw more water, and the only way you can stop that is by reducing the level of water or readjusting outlets, and the only way to do that is by remodelling. It is generally in the tail-reaches that the shortage of supply is very prominent, and the Irrigation Branch desires to remedy such shortage at tail outlets; the amount itself may be small, but it has to be taken in the form of very minute percentage reductions on all the outlets in the higher reaches. The water cannot be given to the tail outlets by increasing the supply at the head of the distributary because to start off with we have not got any surplus water.

At this stage the Council adjourned till 2 P. M. on Tuesday, 17th March 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 17th March, 1936.

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

STARRED QUESTIONS AND ANSWERS

APPEALS AND REVISIONS DECIDED BY COMMISSIONER, JULLUNDUR.

***5479. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state the total number of—

(a) appeals ;

(b) revisions ;

decided by the Commissioner of Jullundur division in 1935 and the total number under each head dismissed without hearing parties or their counsel ?

The Honourable Nawab Muzaffar Khan : A statement is laid on the table :—

Statement.

	Decided.	Dismissed without hearing the parties or their counsel.
(a) Appeals	354	192
(b) Revisions	72	54

NEKOKARAS AS AGRICULTURAL TRIBE.

***5480. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue be pleased to state—

- whether it has been brought to the notice of the Local Government that the ancestral lands of the *Nekokara* sub-tribe of the notified agriculturist tribe of Qureishis in the Jhelum district are passing into the hands of non-agriculturists owing to a misapprehension on the part of the authorities that *Nekokaras* are a separate tribe not included in the main tribe of Qureishis ;
- whether it has been brought to the notice of the Government that some *Nekokaras* notably in Piranwala village brought civil suits to establish their being members of the main Qureishi tribe and secured this declaration ;
- whether in view of (a) above Government proposes to issue a notification declaring *Nekokaras* to be an agriculturist tribe under the Alienation of Land Act (XIII of 1900) ?

The Honourable Nawab Muzaffar Khan : (a) It is understood that there have been some sales of land by *Nekokaras*, but Government are not prepared to say that *Nekokaras* are a sub-tribe of the notified agricultural tribe of Qureishis.

(b) It is understood that two members of this tribe applied for declaration as members of an agricultural tribe and it was granted.

(c) Government will consider the matter.

MERCY PETITIONS.

***5481. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance be pleased to state—

(a) the number of recommendations or petitions for mercy made to the Local Government during 1935 ;

(b) the number of such recommendations or petitions which were wholly or partly accepted ?

The Honourable Sir Donald Boyd : (a) and (b) The required information could not be collected without an expenditure of time and labour disproportionate to the result to be secured.

POISONING CASES.

***5482. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance be pleased to state—

(a) the number of poisoning cases which occurred in the province during 1935 ;

(b) the number of poisoning cases which were referred to the chemical examiners and assistant chemical examiners in the Punjab for analysis ;

(c) the number of cases in (b) in which the chemical examiners made quantitative analysis ;

(d) why quantitative analysis was not made in all the cases ;

(e) whether it is a fact that the Honourable the Chief Justice has repeatedly emphasized the necessity and desirability of quantitative analysis in poisoning cases ?

The Honourable Sir Donald Boyd : (a) The honourable member will understand that it would be impossible for Government to ascertain the total number of poisoning cases of all kinds, but the Inspector-General of Civil Hospitals reports that 3,580 cases were treated for poisoning in the hospitals and dispensaries of the province during 1935. Of these cases 91 were fatal.

(b) 1,000.

(c) A quantitative analysis was carried out in about 20 per cent. of the cases referred to at (b) above.

(d) Because the Chemical Examiner was able to state the cause of death by qualitative analysis.

(e) Yes.

MERCY PETITIONS.

***5483. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether the local Government have framed any "general rules" on the subject of mercy petitions under the powers vested in them under section 401 (6), Criminal Procedure Code (V of 1898);
- (b) whether there is any rule debarring the High Court when recommending a case to Local Government for the exercise of their powers under section 401, Criminal Procedure Code, either *suo motu* or on a requisition by Local Government under section 401 (2), from making a recommendation in any case in which the High Court may not itself reduce the sentence, that the Local Government should remit it altogether or reduce it to the period already undergone;
- (c) whether it is a fact that cases have occurred in which the High Court recommended the reduction of a sentence to the period of punishment already undergone, but the Local Government did not accept this recommendation;
- (d) the principles upon which the Local Government acted in doing so?

The Honourable Sir Donald Boyd : (a) and (b) No.

(c) No such case has occurred in recent times.

(d) Does not arise.

PROCEDURE IN SESSIONS COURTS.

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

- (a) whether in the matter of 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;
- (c) the number of cases in Lahore district in 1935, 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

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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 : I regret that the answer to this question is not yet ready.

APPEALS AND REVISIONS DECIDED BY FINANCIAL COMMISSIONERS.

***5485. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member be pleased to state the total number of—

- (a) appeals ;
(b) revisions ;

decided by the Financial Commissioners of the Punjab in 1935 and the total number under each head dismissed without the parties or their counsel being given an opportunity to be heard in support thereof ?

The Honourable Nawab Muzaffar Khan : (a) 56.

(b) 405.

Dismissed without hearing the parties or their counsel.

(a) 24.

(b) 145.

APPEALS AND REVISIONS DECIDED BY COMMISSIONER, LAHORE.

***5486. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state the total number of—

- (a) appeals;
(b) revisions;

decided by the Commissioner of Lahore in 1935 and the total number under each head dismissed without hearing the parties or their counsel ?

The Honourable Nawab Muzaffar Khan : A statement is laid on the table :—

Statement.

					Total number.	Dismissed without hearing the parties or their counsel.
(a) Appeals	..	..	..	..	538	100
(b) Revisions	..	..	..	..	41	8

APPEALS AND REVISIONS DECIDED BY COMMISSIONER, RAWALPINDI.

***5487. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state the total number of—

(a) appeals;

(b) revisions ;

decided by the Commissioners of Rawalpindi in 1935 and the total number under each head dismissed without hearing the parties or their counsel ?

The Honourable, Nawab Muzaffar Khan : A statement is laid on the table.

Statement.

	Total number decided.	Total number dismissed without hearing parties.
(a) Appeals	287	206
(b) Revisions	96	94

APPEALS AND REVISIONS DECIDED BY COMMISSIONER, MULTAN.

***5488. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state the total number of—

(a) appeals;

(b) revisions ;

decided by the Commissioner of Multan in 1935 and the total number under each head dismissed without hearing parties or their counsel ?

The Honourable Nawab Muzaffar Khan : A statement is laid on the table :—

Statement.

	Decided.	Dismissed without hearing the parties or counsel.
(a) Appeals	844	719
(b) Revisions	360	298

Chaudhri Muhammad Abdur Rahman Khan : Will the Honourable Revenue Member kindly state why the revisions are dismissed without hearing the parties or their counsel ?

The Honourable Nawab Muzaffar Khan : It will be a wrong principle to call the parties for hearing in every case. In this way the parties will have to incur a good deal of unnecessary expenditure. It is not necessary to issue any instructions to the commissioners in this connexion. This

[Hon. Nawab Muzaffar Khan.]

matter is left entirely to their discretion. They can see whether a case is strong and whether it demands that the parties concerned should be heard. The object is to save the parties from unnecessary expense.

Chaudhri Muhammad Abdur Rahman Khan : I do not mean to say that the parties concerned should be called. My point is that at least the appellant or his counsel should be sent for and heard.

The Honourable Nawab Muzaffar Khan : That means the same thing.

NUMBER OF LEGAL PRACTITIONERS.

***5489. Chaudhri Muhammad Abdur Rahman Khan :** Will the Honourable Finance Member be pleased to state the total number of legal practitioners of each grade in the province as on—

(a) 1st January, 1931 ;

(b) 1st January, 1936 ?

The Honourable Sir Donald Boyd :

	Advocates.	Vakils.	Pleaders.	Mukhtars.
1st January, 1931	1,227	54	3,148	30
1st January, 1936	1,389	19	4,021	21

LEGAL PRACTITIONERS.

***5490. Chaudhri Muhammad Abdur Rahman Khan :** Will the Honourable Finance Member be pleased to state in respect of each of the last five years—

- (i) (a) the number of people who graduated in law from the Punjab University ;
- (b) the number of Punjab University law graduates who were enrolled as Pleaders in the Punjab ;
- (c) the number of Barristers who were enrolled in the Punjab ;
- (d) the number of law graduates other than those of the Punjab University enrolled in the Punjab ;
- (ii) the number of practitioners of each grade who—
 - (a) died ;
 - (b) gave up practice ?

The Honourable Sir Donald Boyd : (i)

- (a) }
 (b) } A statement is laid on the table.
 (c) }
 (d) }

(ii) An attempt is being made to obtain this information from districts. If it can be collected without undue difficulty it will be communicated to the honourable member subsequently.

Statement.

Year.	(a)	(b)	(c)	(d)
1931	202	194	11	8
1932	190	243	12	9
1933	343	327	7	8
1934	415	363	11	7
1935	420	385	10	9

The figures under (b) above include law graduates from the Delhi University as well as from the University of the Punjab. Figures are not available for the Punjab University alone. Similarly, the figures given under (d) relate to graduates of universities other than the Punjab University and the Delhi University.

INCOME FROM COURT FEE STAMPS.

***5491. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state the total income of the province from the sale of Court Fee Stamps during each of the last five years ending with and including 1935 ?

The Honourable Sir Donald Boyd : A statement is laid on the table.

Statement showing the total income from the sale of Court-fee stamps in the Punjab during the years 1931-32 to 1935-36.

Year.	Income from sale of Court-fee stamps.
	Rs.
1931-32	73,52,450
1932-33	76,07,746
1933-34	76,25,581
1934-35	73,53,837
1935-36 (up to the end of January, 1936)	55,09,618

LEGAL PRACTITIONERS, LAHORE.

***5492. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state for each of the last five years the total number of—

(a) Barrister-advocates;

(b) Vakil-advocates;

(c) Pleaders;

who were practising in the Courts at Lahore ?

The Honourable Sir Donald Boyd : A statement is laid on the table. I understand that by the term " Vakil—Advocate " the honourable member means advocates who are not barristers. The figures regarding advocates represent the number of those shown in the High Court records with Lahore as their ordinary place of business. As most of the advocates do not give any intimation to the High Court when they change their place of business, the correctness of the figures cannot be guaranteed.

Statement.

Year.	Barrister Advocates.	Other Advocates.	Pleaders.
1931	138	208	156
1932	144	216	159
1933	148	230	176
1934	155	245	216
1935	160	257	252

INCOME FROM COURT FEE STAMPS, LAHORE DISTRICT.

***5493. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state the total income of Government from the sale of Court Fee Stamps in Lahore district during each of the last five years ending with and including 1935 ?

The Honourable Sir Donald Boyd : A statement is placed on the table.

Statement showing the income from the sale of Court fee stamps in Lahore district during the five years 1931-32 to 1935-36.

Year.	Income from the sale of Court-fee stamps.
	Ra.
1931-32	9,29,948
1932-33	8,73,777
1933-34	9,57,981
1934-35	10,28,572
1935-36 (up to 31st January, 1936)	7,89,441

HIGH COURT.

***5494. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state the total number of—

- (1) Civil appeals ;
- (2) Civil revisions ;
- (3) Civil references (other than income-tax) ;
- (4) Civil original cases ;
- (5) Income-tax references and appeals ;
- (6) Civil reviews ;
- (7) Criminal appeals (giving under this head the number of murder references separately) ;
- (8) Criminal revisions ;
- (9) Criminal references (if these are not included in criminal revisions) ;
- (10) Criminal reviews ;

filed in the Lahore High Court during each of the last five years ending with and including 1935 ?

The Honourable Sir Donald Boyd : The honourable member is referred to the Notes on the Administration of Civil and Criminal Justice in the Punjab, copies of which are available in the Council Library. The Notes for the year 1935 will be published during the course of the current year.

COURTS OF FINANCIAL COMMISSIONERS.

***5495. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member be pleased to state the total number of appeals, revisions and reviews filed in the Courts of the Financial Commissioners of the Punjab during each of the five years ending with and including 1935 ?

The Honourable Nawab Muzaffar Khan : Statement giving the necessary information is laid on the table :—

Statement.

Year.	Revisions.	Appeals.	Reviews.
1931	325	64	10
1932	362	64	12
1933	357	76	10
1934	396	62	15
1935	405	56	18

OFFICIAL RECEIVERS.

***5496. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member be pleased to state communitywise the total number of Official Receivers in the Punjab on 1st January, 1936, stating separately in respect of each whether he belongs to the class of notified agriculturists or not ?

The Honourable Sir Donald Boyd :

	Statutory Agriculturists.	Non-Agriculturists.	Total.
Hindus	1	9	10
Muslims	4	3	7
Sikhs .. .. .	..	1	1

EXECUTIVE OFFICER, MUNICIPAL COMMITTEE, JALALPUR JATTAN.

***5497. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- the age, educational qualifications, municipal service and experience of the Executive Officer of the Jalalpur Jattan Municipality ;
- the grade of pay which was passed by the Municipal Committee for the post of the Executive Officer and the grade of pay which was sanctioned for the gentleman appointed by the Ministry ;
- the percentage of Muslims in the population of Jalalpur Jattan according to the latest figures available and why no Muslim was found for such a predominantly Muslim city ?

The Honourable Dr. Sir Gokul Chand Narang : (a) The Executive Officer is about 40 years of age. He holds the diploma of L. P. H. of the United Provinces Government. He served as Health Officer at Dehra Dun and as Executive Officer and Magistrate in Bikaner State.

(b) The grade advertised by the Committee was Rs. 120—5—140 while that sanctioned by Government is Rs. 150-25/2—200.

(c) The percentage of Muslims is 78.1. It is not necessary that a Muslim be appointed as Executive Officer in a municipality where the Muslims form a majority of the population.

UNIVERSITY READERS AND DEMONSTRATORS.

***5498. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) the total number, communitywise, on 1st January, 1936, of readers and demonstrators of various grades in the University of the Punjab, specifying under each community the number of notified agriculturists and the total amount received by readers and demonstrators of all grades of each community by way of monthly salary ;
- (b) what steps, if any, are being taken by the University to make up the deficiency in the number of Muslims as exhibited by the above figures ?

The Honourable Malik Sir Firoz Khan Noon : I regret that answer to this question is not ready.

ACREAGE CHARGES, NILI BAR COLONY.

***5499. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the colonists of the Nili Bar colony are made to pay five annas per acre as acreage charges ;
- (b) whether it is a fact that in March 1930 the rate of acreage was fixed at two annas per acre ;
- (c) whether it is a fact that for the Ganji Bar colony this charge is not more than two annas per acre ;
- (d) whether it is a fact that the water supply in Ganji Bar is *dofasla* ;
- (e) whether it is a fact that the water supply in Nili Bar is *yakfasla* ;
- (f) what Government propose to do in the matter ?

The Honourable Nawab Muzaffar Khan : (a) Yes, in fourteen half-yearly instalments, the last instalment being of three annas per acre.

(b) No. The honourable member is perhaps referring to the charge made in non-perennial proprietary areas. This is only 2 annas an acre because culverts are either not constructed or are paid for separately.

- (c) No.
- (d) Yes.
- (e) No, it is both perennial and non-perennial.
- (f) Does not arise.

SECURITY FROM MUSLIM NEWSPAPERS.

***5500. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that security was demanded from some Muslim daily newspapers during and after the recent disturbance at Lahore ;

[Ch. Afzal Haq.]

- (b) their names ;
- (c) whether Government has refunded the security deposits ;
- (d) if reply to (c) is in the negative, the reasons ;
- (e) when Government proposes to refund the security ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The *Sivasat*, *Ihsan*, *Zamindar*, *Shaukat* and *Lahore Gazette*.

(c) Orders have issued that, on application being made, any security will be refunded, which comes within the terms of the *communiqué* issued by the Punjab Government on February the 28th, 1936. This applies to all newspapers and not only Muslim ones.

(d) and (e) Do not arise.

PASSPORTS TO M. MAZHAR ALI AZHAR AND M. DAUD GHAZNAWI.

***5501. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that M. Mazhar Ali Azhar, M.L.C., and Maulana Daud Ghaznawi, members of an Ahrar deputation, applied for passports for Haj ;
- (b) whether it is a fact that the passports were not granted to them by the Local Government and delay was consequently caused and they had to get their passports from Karachi ;
- (c) the reasons for delay in granting them the passports ?

The Honourable Sir Donald Boyd : (a) They applied to the Deputy Commissioner, Lahore, for pilgrim passes on the 14th January and the 21st January, respectively.

(b) and (c) The applicants left Lahore before the enquiries usual in such cases could be completed.

UNCLAIMED CHILDREN.

***5502. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, communitywise, the number of children born during the past year in various hospitals of the Punjab, who were not claimed by their parents or relatives and how they were disposed of in each case ?

The Honourable Malik Sir Firoz Khan Noon : A statement giving the required information is enclosed.

Statement showing unclaimed children born in the hospitals and dispensaries in the Punjab during the year 1935.

Serial No.	Name of Hospital.	Name of district.	COMMUNITY TO WHICH THE CHILDREN BELONGED.			REMARKS.
			Muslim.	Sikh.	Others.	
1	Mission Hospital, Jhelum	Jhelum ..	..	..	1	Given to Hindu missionary society under the orders of law court.
2	Ditto	Do. ..	1	..	..	Died.
3	Lady Reading Hospital, Simla.	Simla ..	..	..	1	Sent to Hindu Orphanage, Tuttikandi, Simla, with the permission of mother of the child.
4	Ditto	Do. ..	One child born. Community not known. Was brought by the Police to the hospital.			Sent to Hindu Orphanage, Tuttikandi, Simla, with the permission of the Deputy Commissioner, Simla.
5	Lady Hailey Hospital, Bhiwani.	Hissar ..	1	..	..	Died.
6	Ditto	Do. ..	..	..	1	Do.
7	Lady Willingdon Hospital, Lahore.	Lahore ..	One child born. Community not known. Was brought by the Police to the hospital.			Do.
8	Philadelphia Mission Hospital.	Ambala City	..	..	1	Is in the Mission Hospital, Ambala City.

GOVERNMENT HELP TO MISSIONARY SOCIETIES.

***5503. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that Government extends help to missionary societies for the uplift of depressed classes in the form of land or monetary grants ;

(b) if the answer to (a) be in the affirmative, (i) the names of such missionary societies, (ii) the nature of help given to each ?

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

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

Statement showing land or monetary grants made by Government to missionary societies in the Punjab, for the uplift of depressed classes.

(a) *Land Grants—*

Names of missionary societies.	Nature of help given.
Indian Christians	About 144 squares.
Salvation Army	100 rectangles.
Church Missionary Society	25 rectangles.
Certain depressed classes selected by various Christian missionary societies	188 Rectangles.

(b) *In the shape of monetary grants to mission aided educational institutions.*

As given against items marked on the margins of pages (i)—(xiv) of the printed statement of grants-in-aid (copy enclosed).¹

PATIENTS IN MENTAL HOSPITAL, LAHORE.

***5504. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state communitywise the number of patients admitted into the Mental Hospital, Lahore, during the last five years with their age and profession ?

The Honourable Malik Sir Firoz Khan Noon : Three statements giving the necessary information are laid on the table.

It is not possible to give the age of each and every patient as this will entail a very large amount of clerical labour. The number of patients admitted under 20 years, 20—40 years, 40—60 years and above 60 years of age are, however, shown separately.

Statement showing the previous occupations of patients admitted into the Punjab Mental Hospital, Lahore, during the years 1931, 1932, 1933, 1934 and 1935.

Occupation of patients.	1931.	1932.	1933.	1934.	1935.
Artisans	19	13	15	..	..
Beggars	3	6	5	13	4
Business	5	3	1	1	..
Clerks	10	7	19	9	5
Contractors .. .. .	..	..	2	1	..
Cultivators	46	57	77	57	42

¹Placed in the Library.

Occupation of patients.	1931.	1932.	1933.	1934.	1935.
Domestic servants	5	2	4	..	..
House wives	55	42	50	51	19
House mothers .. ..	..	1	4	1	..
Journalist .. ..	..	..	1	..	..
Labourers	31	33	35	36	17
Landlords	3	1	3	1	1
Mechanics and Motor Drivers ..	1	..	3	2	2
Medical profession	1	3	2	..	..
Military service	10	8	8	..	..
Money lenders	1	..	..	..	..
No occupation	19	24	23	11	13
Priests	3	2	2	2	1
Professionals	1	..	..	..	..
Physicians .. ..	..	3	1	..	..
Pleaders	1	..	1	..	..
Sadhus	1	3	..	2	..
Service (Government and Private)	30	27	28	24	32
Shop-keepers	37	21	29	18	17
Students and teachers	20	24	25	29	15
Tradesmen	3	1	4	..	..
Unknown	87	90	126	105	73
Bakers .. ..	..	..	..	..	1
Barbers .. ..	..	..	..	4	1
Blacksmiths .. ..	..	..	..	1	1
Butchers	2
Carpenters	5	2
Dentists	1	..
Dyers	2
Goldsmiths	1	..
Hakims	2
Hawkers	2	1

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Occupation of patients.	1931.	1932.	1933.	1934.	1935.
Librarians..	1	1
Merchants..	2	3
Cobblers	3	..
Nurses	1
Orphans	1	..
Painters	1
Perfumers	1
Professors	1	..
Prostitutes	1
Stamp-venders	1	..
Tonga Drivers	2	..
Weavers	2	2
Typists	1	..
Total	392	379	468	391	263

Statement showing the ages of patients admitted into the Punjab Mental Hospital, Lahore, during the years 1931, 1932, 1933, 1934 and 1935.

No.	Year.	Under 20 years.	20—40 years.	40—60 years.	Upwards of 60.	Total.
1	1931	45	275	65	7	392
2	1932	53	274	47	8	379
3	1933	64	304	94	6	468
4	1934	33	285	71	2	391
5	1935	21	191	48	3	263
	Total					1,893

Statement showing the number of patients of each community admitted into the Punjab Mental Hospital, Lahore, during the years 1931, 1932, 1933, 1934 and 1935.

No.	Year.	Hindus.	Muslims.	CHRISTIANS.		OTHERS.	Total.
				European and Anglo-Indians.	Indians.	(Sikhs).	
1	1931 ..	208	175	..	6	3	392
2	1932 ..	195	169	2	10	3	379
3	1933 ..	230	204	2	14	13	463
4	1934 ..	190	177	1	8	15	391
5	1935 ..	118	130	4	7	4	263
	Total ..						1,893

ASSOCIATIONS OF TEACHERS.

***5505. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (i) whether Government is aware that there are associations and societies of teachers belonging to non-Government schools which hold a conference annually to examine new methods of imparting education and discuss matters of educational interest and lay their grievances before the Education department ;
- (ii) the names of such societies or such associations ;
- (iii) whether there are any such societies in the province for the teachers in Government schools ;
- (iv) if the reply to (iii) be in the negative, what arrangements Government has, and what facilities the Department has given to the teachers to come in close contact and discuss matters of educational interest ;
- (v) if the reply to (iv) be in the negative, whether the Government proposes to give any such facilities to the teachers employed in Government schools ; if not, why not ?

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

(ii) Non-Government Schools Federation. All-India Federation of Teachers' Association.

(iii) Yes.

(iv) The Department remains in constant close touch with the views of all teachers through the inspecting staff. Directors of Public Instruction

[Hon. Malik Sir Firoz Khan Noon]

often calls conferences of his inspecting officers for discussion of important educational matters. He frequently calls for their views in writing.

(v) Does not arise.

UNIVERSITY EXAMINATIONS.

***5506. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state communitywise—

- (i) the number of examiners and sub-examiners for the various examinations in the Punjab University ;
- (ii) the number of superintendents, sub-superintendents and invigilators appointed for the various examinations ;
- (iii) the remuneration paid to them respectively ;
- (iv) the qualifications required for superintendents, sub-superintendents, invigilators, examiners and sub-examiners ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

HINDI AND URDU-KNOWING TEACHERS.

***5507. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (i) the number of Hindi-knowing teachers in the Lahore division ;
- (ii) the number of Urdu-knowing teachers in the Lahore division ;
- (iii) the number of Hindi-knowing and Urdu-knowing teachers appointed to Junior-Anglo Vernacular grade during the last five years in the Lahore division, respectively ?

The Honourable Malik Sir Firoz Khan Noon : Will the honourable member kindly state if by Hindi-knowing and Urdu knowing he means persons who have passed definite examinations in those subjects or persons who have a smattering of these languages, if the latter, then I am afraid it is difficult for Government to collect the requisite information.

DEPUTY COMMISSIONERS' RESIDENCES.

***5508. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether there are any district headquarters in the Punjab in which Government has not provided Government buildings for the deputy commissioners' residence ;
- (b) whether in such district headquarters the deputy commissioners live in privately owned houses ;
- (c) whether the proprietors of such private houses at present occupy any honorary positions such as those of honorary magistrates, sub-registrars, jagirdars, &c. ?

Mr. F. H. Puckle (Chief Secretary) : (a) Yes. Nine.

(b) A statement is laid on the table.

Statement.

(a) Districts in the Punjab at the head-quarters of which Government has not provided a Government building for the residence of the Deputy Commissioner.	(b) Whether in such district head-quarters the Deputy Commissioners live in privately-owned houses.	(c) Whether the proprietors of such private houses occupy any honorary positions such as those of honorary magistrates, sub-registrars, jagirdars, etc.
(1) Gurdaspur	Yes	Yes. Honorary Magistrates.
(2) Rawalpindi*	Yes	No.
(3) Jhang	Yes	No.
(4) Gujrat*	Yes	Yes. Nominated member of the Municipal Committee.
(5) Hoshiarpur	Yes	No.
(6) Hissar	Yes	Yes. Honorary Magistrate and Honorary Sub-Judge.
(7) Amritsar	Yes	Yes. †Honorary Magistrate, Sub-Registrar and Notary Public.
(8) Sialkot*	Yes	No.
(9) Ludhiana	Yes	No.

*The houses at these places have been leased by Government and the rent of them is recovered from the deputy commissioners concerned by Government.

†This house is part of an undivided property of a firm and only one of the proprietors thereof holds the offices mentioned.

SUPERINTENDENT, DEPUTY COMMISSIONER'S OFFICE.

***5509. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to state—

- the number of candidates, with their educational qualifications, on the list of candidates for the post of Superintendents, Deputy Commissioners' offices, maintained by the Commissioner, Ambala division ;
- whether it is a fact that all the candidates on the list are only matrices and non-matrices and there is no graduate on it ;
- whether it is a fact that recruitment to the posts of Superintendents is made by selection from the clerical staff ;
- if the answers to (b) and (c) be in the affirmative, the reasons for ignoring the claims of experienced graduates of the service and for giving preference to matrices and non-matrices only, and the steps Government propose to take to redress their grievances ;

[L. Chetan Anand.]

(e) the number of graduates with their length of service and their office experience working in Deputy Commissioners' offices in the Ambala division ;

(f) whether it is a fact that in the case of direct appointment to the posts of Assistants in Government offices, posts which carry much lower pay than and are much inferior in rank to that of the Superintendents, the rules are that only graduates of a recognised University shall be taken ;

(g) if so, why in the matter of selection of candidates for the post of Superintendents no such rule is observed ?

The Honourable Nawab Muzaffar Khan : (a) 12, of whom 2 are graduates, 6 matrics, 3 non-matrics and one has passed the high school final examination.

(b) No.

(c) Yes.

(d) Does not arise.

(e) Government do not consider it in the interest of office discipline to disclose such information.

(f) The honourable member's attention is invited to paragraph 8 of the Punjab District Subordinate Services Rules, a copy ¹ of which is laid on the table.

(g) Does not arise.

MUNICIPALITY FOR OKARA.

***5510. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government please state—

(a) what progress has been made in making Okara Town in Montgomery district a municipality ;

(b) if it has been decided to do so, when the Municipal elections are likely to be held ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Okara was converted into a second class Municipality in September last.

(b) The elections will be held in September next.

REWARD GRANTS, LYALLPUR DISTRICT.

***5511. Khan Bahadur Nawab Muhammad Hayat Qureshi :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the Government allotted a large area of land during the Great War for grant to the gentry of the province by way of landed gentry grants in lieu of services rendered to Government ;

(b) whether it is a fact that in case of these grants Government was pleased to fix the price per square at Rs. 2,500 ;

¹Placed in the Library.

- (c) whether it is a fact that the grantees failed to pay the price under the conditions of these grants ;
- (d) whether it is a fact that Government in view of the inability of grantees to pay the price, subsequently reduced the same to Rs. 1,000 per square and in case even this was not paid a *malikana* at moderate rates was only charged ;
- (e) whether it is a fact that a far less area of land as compared with that granted during the Great War was allotted in 1930 in lieu of services rendered to Government by way of Reward grants in Lyallpur district, the price per square being fixed as high as Rs. 150 per acre ;
- (f) whether it is a fact that this price was fixed at a time when rates of commodities as well as the market price of the land were very high ;
- (g) whether it is a fact that the grantees have not been able to pay the price fixed in view of the fall in prices and an abnormal fall in market price of land ;
- (h) whether it is a fact that standing crops are being attached for default in paying instalments ;
- (i) if answer to (h) be in the affirmative, whether it is a fact that the enforcement of instalment conditions is causing great hardship to grantees and creating discontent amongst those who rendered prominent services to the Government ;
- (j) what Government propose to do in the matter of affording relief to the grantees of the Reward grants ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

- (b) Yes.
- (c) There was no keenness on the part of grantees to pay.
- (d) The reduced price ranged between Rs. 1,000 and Rs. 2,500 according to the period in which payment was made. This was done in order to induce the grantees to pay. There was no reduction in *malikana*.
- (e) Yes.
- (f) It was fixed in 1928 when prices were still comparatively high though not as high as in some previous years, but land was allotted in 1930.
- (g) Under the terms of the grant the question of paying the whole of the price fixed has not yet arisen, as recovery of *nazrana* has been suspended except in *kharif* 1934 and *kharif* 1935.
- (h) Yes in some cases, for default in the payment of the *nazrana* instalment of *kharif* 1934.
- (i) This should not be the case considering that in 1930 the grantees agreed to pay at the rates at which recovery is being made, and that in four out of five years the recovery of *nazrana* has remained suspended.
- (j) Government have decided not to reduce the price, but will continue to consider most sympathetically the suspension of the recovery of *nazrana* so long as economic and agricultural conditions demand it.

QUARRYING OF STONES FROM SHAMILAT AND MILKIYAT LANDS.

***5512. Khan Bahadur Nawab Muhammad Hayat Qureshi :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that owners of lands as also the co-sharers of the *shamilat* in hilly *ilqas* in the province are prohibited to quarry stones from their *shamilat* and *milkiyat* lands without first applying for and obtaining permission in that behalf ;
- (b) whether it is a fact that this restriction is causing great discontent amongst the zamindar class ;
- (c) if so, whether the Government is prepared to remove the restriction laid down in this connection ?

The Honourable Nawab Muzaffar Khan : (a) There is no such prohibition where the stone is the property of the land-owners. In villages where the stone is the property of Government, the general rule is as suggested in the question. In places, however, where the circumstances of the case required this concession, the Deputy Commissioners have been authorized by Government to grant a general licence for any revenue estate permitting every landowner or occupancy tenant of agricultural land to quarry in the village ordinary stone, the property of Government :—

(i) for his own personal, agricultural or domestic purposes, and not for alienation by sale or otherwise nor for contract work ; or

(ii) for constructing, otherwise than by contract, a hospital, school, *dharamsala*, well, *piao*, tank, mosque, temple, or any other work of public utility or religious worship.

(b) and (c) Inquiries are being made from the Deputy Commissioner whether any hardship is being caused in the hilly tracts and suitable steps will be taken to remove the grievances if any.

ABIANA.

***5513. Khan Bahadur Nawab Muhammad Hayat Qureshi :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that abiana is charged at full rates on lands under the perennial canal areas even if they are cultivated by first watering and are matured without subsequent irrigation ;
- (b) if so, whether Government is prepared in such cases to levy abiana at *raoni* rates ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) No.

SUPERSESSION OF MUNICIPAL COMMITTEE, SIALKOT.

***5514. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government have issued orders for the supersession of Sialkot Municipal Committee ;

- (b) whether any officer or officers of Government conducted an inquiry as to the maladministration of the Committee; if so, what their report is ;
- (c) whether the Government have any legal proof of the misconduct of the members of the said Municipal Committee ;
- (d) whether the Government in addition to the supersession of the said Committee propose to proceed against the members in a law court ;
- (e) whether the Government intends to hold fresh elections in April, 1936, as already announced ?

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

(b) The Inspector of Local Bodies, Lahore division, made a detailed inquiry into the affairs of the Committee. The deputy commissioners also from time to time repeated that the Committee was not functioning properly. The Committee was superseded on the repeated recommendations of deputy commissioners and commissioners.

(c) Yes ; there is abundant evidence that the members misused their powers.

(d) The question is under consideration.

(e) No.

DEMANDS FOR GRANTS.

IRRIGATION.

Remodelling of outlets.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation) : Yesterday evening I started trying to explain what remodelling means and to show that it was not an easy thing to distribute water accurately on a large number of small plots of land. Now I will try to explain to the House what happens when remodelling of a distributary is under consideration. One of the first things to do is to make a hydraulic survey and plot a longitudinal section. This is in reality a picture through the channel concerned. The artist may draw a picture of fields and buildings and canals. The way we do it is to imagine a line drawn along the distributary and cutting through it, we take the level of the natural surface and water and of the bank and of the silted bed. We then plot this on a sheet of paper and we see how the distributary is functioning. For example, if there is a great deal of silt dropped in the distributary we can see that the bed level as existing are much higher than what we hope they should be. Besides taking the levels of the natural surface and the bank and the water supply we also make sketches of the bridges ; and we may find that the floor of a bridge is on a level higher than the bed of the channel and this helps to obstruct the flow of water and also to some extent to increase the amount of silt that drops. Or, we may find that the bridge has been built several years ago before the distributary had silted up and the arch of the bridge is completely drowned the result being that the water is obstructed. Besides examining the bridges we examine the falls and we may see that the water level is held up, too much, or is not held up sufficiently. Having obtained this hydraulic survey as it is called,

[Mr. J. D. H. Bedford.]

and having examined it in the office we try to form some conclusion as to the main cause of the trouble in the distributary. If an inexperienced engineer were to examine it he would not be able to draw correct inferences. You have to read a plan just as you read a book. An engineer who is experienced in reading these plans and who is really interested in remodelling gets an insight into the cause of the trouble. Having examined the plan, the next thing to do is to go along the distributary. The object of going along the distributary is first of all to verify whether the first impressions as to the cause of the trouble are correct and secondly to examine the local conditions, because there may be some little thing on the site which is causing the trouble, but which is not really apparent in these plans. Having examined the distributary, we then in the office make our proposals. We may find that owing to the head regulator of the distributary not being properly designed it draws much silt. It is easy to understand that if this occurs the bed of the distributary begins to rise. The water levels also go up. Now, if the outlets have been fixed on this distributary to give a discharge correct according to certain water levels and if these levels go up, all the outlets will naturally draw more water than they did before. In the old days when we dealt with brick outlets the discharge depended upon the water level in the distributary and the water level in the water course. A zamindar cannot ordinarily interfere with the water level in the distributary, but he can lower the water level in the water course by silt clearance, the more the silt clearance the more water the outlet drew. Now, to keep the water level in the water course low many silt clearances and tremendous efforts were made. Some years ago Mr. Crump produced a new outlet called the A. P. M. or the adjustable proportionate module, and this outlet is a great advance on anything we had before; because the discharge from it is independent of the water level in the water course. I am afraid this outlet is in some respects a great disappointment to the zamindar because he gets no reward for his labours in silt clearing. He can silt clear as much as he likes and this outlet will give him no more water. It has been, however, a great help, because the more intelligent zamindars, and in these days they are all intelligent, begin to realise the uselessness of excessive silt clearance, because they get no additional water. So, when we do our remodelling, if A. P. Ms. are not already in the distributary, we put them in. We have thus removed one cause of trouble, i.e., the variation in the levels of water in the water courses. But still the outlets do vary in discharge according to the levels of the water in the distributary. It is quite easy to see that if the water level goes up and an outlet is designed to pass a certain discharge, with a lower water level, it begins to give a bigger discharge. Now, the Irrigation Branch has not got any reserve of water. It is easy in a budget to show one lakh of rupees reserved, but as regards water we have got no such reserve. We are using all the water there is in the rivers during the winter, if we reduce outlets it is merely with the object of giving the water saved to some other outlets that are not getting their share. Now, as a general rule, the shortage occurs in the tail reach of a distributary. Imagine a distributary with a hundred cusecs' discharge at the head. You might have at the tail a total discharge of 5 cusecs and above the tail 95 cusecs. Those 95 cusecs might be taken out by 40 outlets. Suppose each of these 40 outlets is to take off an extra discharge of 1 cusec; now that is a very

small amount, but 40 times 1 cusec comes to 40 cusecs and the total tail discharge is only 5 cusecs. So it means that the tail outlets, instead of getting 5 cusecs of water, are unfortunately getting only 1 cusec.

I have had instances of zamindars possessing land at the tail, coming and throwing themselves at my feet and saying *Ham mar giya Sahib, hamen bachao*. I have been to the site. I have seen that they have not been able to sow their crops and whatever crops are sown, are withering and they come to me with a prayer that I should do something. What reply am I to give to them? Am I to say, "Well, you go away and come at the end of 5 years, and then I will remedy the defect?" How can this be done? We must give them approximately the amount of water which they are entitled to. If instead of 5 cusecs, $4\frac{1}{2}$ or even 4 cusecs are given, the people will live, but if we are going down from 5 cusecs to 1 cusec, these people will certainly starve.

Shaikh Abdul Ghani : Why can you not do it the very first time?

Khan Bahadur Malik Zaman Mehdi Khan : Can you not increase the supply of water in the distributary?

The Honourable Nawab Muzaffar Khan : Wherefrom?

Mr. J. D. H. Bedford : Suppose that we had 5 cusecs extra and we increase the supply of the distributary from 100 to 105, do you think the 5 cusecs are going to the tail? Not a drop of this extra water will go to the tail. It means that the people who draw extra water at present, will get more water. You cannot get water to the tail merely by increasing the supply at the head, because as soon as you increase the supply, you raise the level of the water, and outlets in the upper reaches draw more and the tail still suffers. Now the rise of levels in distributaries on these various canals is a progressive affair. You can easily imagine that when a canal is first built, the distributaries have no silt in them at all. They have been dug down to their correct bed and there is no obstruction of any kind and the water flows smoothly, and if it flows smoothly, it flows at a flat slope and the water levels are low. After some time, silt is drawn into the canal and in a greater or less extent it applies to all the canals and this silt, first of all, goes into the main line, then it goes down into the branches, then it gets into the distributaries and the levels begin to rise. That is one reason. Then there is another reason. When irrigation first starts in a canal, the zamindars and even those people who are fortunate enough to be given a grant of land, choose land which can easily be commanded. The canal first irrigates the lands at lower levels. As the canal becomes fully developed, there is a clamour and a demand that every bit of land be irrigated. In compliance with this popular demand, which is after all very reasonable, the water level of the distributary has to be raised. I believe, speaking without the book, that if you were to compare the longitudinal section of any distributary on the Lower Chenab Canal now with what was originally sanctioned when the canal was started, you will find that the levels to-day are 2' to 6' higher, and so far this rise has not completely stopped. There is no doubt there will be a time when stability will be reached; on the old canals like the Upper Bari Doab Canal stability to a great extent has been reached. You will see from these facts that there is reason for repeated remodellings. The only way to keep the *status quo* after you have done one remodelling,

[Mr. J. D. H. Bedford.]

is to keep the water levels the same as at the time of remodelling. Now, it is not an easy thing to do that, because the level varies for all sorts of reasons, I know when I had any remodelling of distributaries to do, if immediately after remodelling, I found that only the exact full discharge supply had gone to the tail, I would feel that remodelling was going to be a failure, because once a remodelling is done, then other factors come into play. The zamindar comes along, throws a few bricks in the downstream of outlets and he might if he has a big lathi, put it into the barrel of the outlet and lever it up. In all these ways small extra discharges are taken out. It all goes to produce a shortage at the tail, so that if immediately after you remodel the tail only gets its exact discharge, I should say that within a year you probably will be short by 25 per cent.

Rai Bahadur Lala Sewak Ram : If you remodel after one year, I shall always try to get that 25 per cent. extra beforehand.

Mr. J. D. H. Bedford : An honourable member remarked yesterday evening that he has seen or heard of cases where the crops were drying and still remodelling was done. Apparently the idea is that although the water was not sufficient for the crops, it was still further reduced. I find it very hard to believe and if a case of that sort came to my notice, the men responsible for it would be in for trouble. (*Hear, hear*).

Chaudhri Allah Dad Khan : There have been cases where crops were drying and remodelling was going on.

Mr. J. D. H. Bedford : Well, if you bring such a case to our notice we will deal with that case.

Khan Bahadur Malik Zaman Mehdi Khan : But the zamindars, complaining against a canal subordinate will be in for trouble for all their lives.

Mr. J. D. H. Bedford : Before we decide to reduce an outlet, we do look at two things, one, the irrigation that is being done, and the second thing is the discharge. Now, speaking of the Lower Chenab Canal, the original design of that canal was for an irrigation of 75 acres out of a 100 acres during the year. You will now find that very generally the irrigation is from a 100 to 120 acres out of every 100 in the year. In other words, the Lower Chenab Canal is generally doing 25 per cent. more than was originally intended. So, what may happen is this. A zamindar has for various causes, succeeded in getting an extra supply and he has planned out that in a particular year he will grow, instead of 75 acres in a hundred, 120 acres. He might even, like the old woman with the eggs, have decided to build a house with the proceeds and he suddenly finds that the extra water is taken away from him and he is annoyed, but that does not mean that his water has been reduced to a figure insufficient to do the irrigation which he is entitled to do. It only means that the water may be insufficient to do this extra amount of irrigation which he hopes to do. I think I have already mentioned that if we reduce the water of one outlet, it always goes to some other zamindars.

Now a good deal has been said about the influence that subordinates have on the design of these outlets. I will give you an example of a case

that occurred with me when I was a very young sub-divisional officer. It was one of the first remodelling that was being done on the Lower Chenab Canal. It was the Rajiana distributary. In those days we only had masonry outlets and I remember I had this distributary closed, and I had all these masonry outlets rebuilt of a correct height and width. I went myself and I measured the height and I measured the width of every outlet. Then I gave the subordinate orders that roofs should be put on it and a day or two afterwards the distributary opened. Within a week or so, I happened to be out for a ride by myself. There was no subordinate or zilladar with me and while going along this distributary, by chance some of the zamindars of the village alongside the distributary stopped me and they said, "We have got two outlets in our village. There is no real difference between them, but you have reduced the one and increased the other." I told them that this was not so. They said, "It is true." I asked them that they should prove it. So we went to the distributary and measured the outlets. What the zamindars said was perfectly true. One had been reduced and the other which was already large, had been increased. Then, when I came back, I called for the subordinate and said, "Babu Ji, these zamindars are complaining about you. They say, you are playing the fool with their outlets." He said, "Sir, if you will believe these lying fellows, what will an honest man like myself do." I told the subordinate, "Babu Ji, there is this contractor, he is asking for payment. You go along and measure up the outlets and I am closing the distributary so that you can measure the sizes of the outlets and enter into your measurement book and then we can pay the contractor." I closed the distributary and he made the mistake of recording the designed sizes of outlets in the measurement book and of course he was dismissed. Now, this shows that however hard the officers may be trying to stop corruption, it cannot be stopped without the aid of the zamindars themselves and if the honourable members who are the leaders in the colonies, co-operate with us and come forward with complaints, it will be much easier for us to control this bribery where it occurs. (Kanwar Mamraj Singh Chohan : How is bribery and corruption relevant to remodelling?) Mind you there are some people who say if there was no bribery, there would be no remodelling. I do not believe this.

There is now the question of a supposed excess in the budget. Budget figures have not actually been understood by the honourable member. I would refer the honourable member to page 112 of the budget. You will see there that the budget estimate for 1936-37 is 82.05 lakhs as against the revised estimate for 1935-36 of 85.8 lakhs. Confusion appears to have arisen because last year the budget of the Sutlej Valley Canal and the other canals were shown separately, but this year they have been combined. If you refer to page 119 you will see that under the head budget estimate 1936-37 there are no figures given so that going back to page 112 it would appear that instead of excess of several lakhs of rupees there is an apparent saving of 3.8 lakhs, though the actual saving is not as great as that because there are 3.4 lakhs of rupees being charged to capital this year for drains, so that if you want to get at an actual comparison of the figures this year and last year you have got to add 3.4 lakhs to 82.05 which means that the budget this year is 85.46 as against the revised estimate for 1935-36 of 85.8 lakhs (Applause).

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : I am afraid I am not in a position to see eye to eye with some of my friends who have spoken on this side of the House. Remodelling is an essential feature of the Canal Department and I think if it is to be run in an efficient manner remodelling will remain an essential part of the department. I need not go into all that the Chief Engineer has so ably and so lucidly explained technically as well as otherwise, but I will say one or two points from my own experience. I have not heard the Chief Engineer on those points and therefore I will refer to them. One is in regard to the people who happen to be at the tail of the distributary. I remember my own case. I am one of those unfortunate zamindars whose lands happen to be at the tail and unless and until there was some agitation remodelling was not effected. We people at the tail suffer very much and it is only through remodelling that people at the tail get some water at all. After remodelling I am very glad to say that our troubles have diminished to some extent. I would like to mention one point to the Chief Engineer. It was referred to by the honourable member from Sheikhupura. He stated that in certain cases in his constituency remodelling on a particular channel was done three times in a year. I cannot understand how that was done. I do not know whether there was any necessity to make such changes in the outlets three times in a year. Perhaps if the honourable member had named that distributary the Chief Engineer would have enquired into it and would have thrown some light. But if there are such cases it should be the duty of the department to look into them. After all, these remodellings whether they are done through the fault of zamindars or otherwise cause a great inconvenience to the zamindars financially and otherwise. If remodelling is checked and is not done unless and until there is absolute necessity, it will be a great help to the zamindars.

As regards the other points in connection with maintenance of canals, I think I need hardly say anything as the Chief Engineer has very correctly explained the difference between this year's expenditure and last year's expenditure. I was surprised to hear one or two remarks made by the honourable member from Lyallpur. He said that money was spent needlessly on keeping canal banks in proper order. I think canals are a great asset to the province and it should be the duty of the department to keep them in proper order and if they do so their action should be appreciated and not criticised. As regards inspection roads, that too is a necessity at the present moment. The honourable member referred to the high cost of maintenance of these roads. I will again say that that also is an essential work and at the present moment our inspection staff will be very much handicapped if these roads do not exist and are not kept in proper order. Before I sit down I will appeal to the member who has brought forward this motion, that after hearing the very able speech of the Chief Engineer, he will not press it.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : I had not had the pleasure of hearing the speech of the honourable member from Lyallpur when he moved the cut. But I have listened carefully to the answer given by the Chief Engineer. I do not know if the honourable mover of the cut motion raised an issue which is a fundamental one, because I do not remember having heard anything on the point in the answer

given by the Chief Engineer. That issue is, is not the duty per cusec too high? Has not irrigation been distributed too widely? I have been an irrigator for the last 70 years ever since the canal system was opened in the Punjab and I have a clear and intelligent recollection of the history of irrigation for the last 50 years. I own lands both at the head and at the tail and I know what a marked difference there has been during the last 50 years. The amount of water which was given to us both at the head and at the tail 40 years ago has been reduced to a very substantial degree and by a very substantial proportion during the last 30 years. The reason is that irrigation has been much too widely extended. We have two systems of assessment, the fixed and the fluctuating and even in the fluctuating there is an element of fixity because the rates are fixed once for all. Now I would ask my friends of the Irrigation Department whether the yield of a crop depends or does not depend upon sufficient or insufficient irrigation. It makes all the difference to a zamindar if he gets six maunds or ten maunds per acre out of the lands that he has sown. Does not good or bad outturn depend upon good or bad supply? I can very well understand that the department having committed itself to certain villages are bound to supply them with water; but it seems to me that the initial mistake from the point of view of the zamindar is in fixing the duty per cusec at too high a figure.

Mr. President : May I invite the attention of the honourable member to the fact that the question under discussion relates to remodelling?

Diwan Bahadur Raja Narendra Nath : Remodelling is sought to be justified on the ground that tail villages must be supplied with water. But whether the tail villages should have been included in a scheme of irrigation is the point I raise and this question cannot be separated from the other question. That is why I say my points are quite relevant to the motion before the House.

Mr. President : May I invite the attention of the honourable member to the object of the cut? It is not that remodelling must be absolutely stopped but that frequent remodelling may be stopped.

Diwan Bahadur Raja Narendra Nath : I have explained how the two questions are not separate. If the duty fixed by Government is accepted then remodelling is justified and all that Mr. Bedford has said is perfectly right. If the department undertakes to supply water to a large area it must supply it. I was referring to the case of Multan. The Deputy Commissioner and Commissioner control the extension of irrigation in that division. I remember very well in a case as recommended by the executive engineer I wrote to the Commissioner that the extension of irrigation on a certain inundation canal should be sanctioned. He objected to it. He said : " No, I am not satisfied that the villages which are already being irrigated and supplied with water will be sufficiently served. I, therefore, refuse to sanction any proposal for extension of irrigation." When the settlement has once been made, once an assessment has been imposed upon a certain village wherever that village may be situated it is necessary to maintain that condition of prosperity which existed at the time when the assessment was imposed. And as I have just explained it makes all the difference whether you get

[**Dr. P. Raja Narendra Nath.**]

sufficient water or not as the outturn of the crops depends upon sufficient supply of water. I would therefore urge that remodelling must be very sparingly resorted to and that if the head villages cannot be served properly the tail villages should be cut of altogether. Why starve both? The zamindar gives a nickname to the canal department. It is called a *chchoi-mooi* department. They say: we just touch the water; get just enough water to raise a certain amount of crop and get a certain amount of yield out of the land and we are assessed both for revenue and for water rates. That is why they give the department the nickname of *chchoi mooi*. All these points should be borne in mind before remodelling schemes are proposed and sanctioned.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, I think it is necessary for me to say something on this motion although some members are pressing me—I do not say out of selfish motives—to let the topic alone, when their own object has been served.

Mr. President: The honourable member is imputing improper motives to his honourable colleagues. That is unparliamentary. If he wants to make a charge and censure any member he may do so by a substantive motion. I request the honourable member to withdraw his remark.

Pir Akbar Ali: I am at a loss to understand what I have said which I should withdraw.

Mr. President: Did not the honourable member say that certain members have for selfish motives made speeches in this House?

Pir Akbar Ali: I respectfully submit that I did not say so. There is no aspersion cast upon any member.

Mr. President: I have more than once requested the honourable members that they should always avoid references to statements made in conversation by themselves or by their colleagues, because there is always the possibility of statements being misquoted or misunderstood and it would avoid unpleasantness if things said by members in the course of private conversations in or outside the House are not referred to.

Pir Akbar Ali: The learned Chief Engineer has thrown sufficient light on the necessity of chakbandis in his speech. He has said that chakbandis are carried out in the interest of the zamindar. May be, in the opinion of the officers of the Government it is necessary to carry out chakbandi after every three years. But the people think that so many chakbandis are done with a view to enable officers to make money. I cannot say how far it is true but at least everybody who uses canal water thinks like this. It is also said that remodelling of outlets is done on account of the silt settling in the canals. But when the silt clearance is done every year at the rajbah, remodelling should not take place so often. After all, remodelling is essential only in three cases; that is, when there is too much of water supply, when there is shortage of water supply and when water has to be taken to the tail. When remodelling is in progress only the influential people can prevail upon the canal officials to give them sufficient water. So, it would be in the fitness of things if the remodelling is done as rarely as possible. We know there are very learned, and expert people

who are at the helm of affairs in the Canal Department. There are several executive engineers, superintending engineers and experts in this department. Cannot these officers so arrange that remodelling is done once in ten years? Too many cases of remodelling exhaust the patience of the zamindars. They have to please every canal official from the patwari up to the sub-divisional officer. When the prices were high the zamindars could meet the demands of all these officials, but now when they do not stand to gain much out of the canal irrigation in view of the low prices of agricultural produce, how can they afford to grease the palms of the canal officials?

Furthermore, I want to point out that the canal irrigation has done us much harm. It is a notable characteristic of canal water that after some time it renders the land incapable of producing any harvest without canal watering. If the land is left without cultivation for a period of ten years it may begin to yield harvest without canal irrigation and may be used as barani land. Our lands have been seriously affected by canal irrigation and we are prepared to accept lands elsewhere provided the Government gives us lands of the same quality.

Professor W. Roberts (Nominated, non-official): I agree with the very excellent and very fair defence which the Chief Engineer has made of remodelling. I think that that is one of the weapons that must be kept in the hands of the Irrigation Department. At the same time what we zamindars feel mostly is the frequency with which this remodelling is done. If we admit that remodelling is often essential, then why is it necessary to do it so frequently? I know that an irrigation officer can find reasons for remodelling every year if he likes, if he goes into great detail. But the risk of economic loss to the country in this sudden change is that when the water supply has been changed, the farmer has to adapt his crop to the new supply and it takes him two or three years before he obtains equilibrium. During that period if he sows too much with the reduced supply he gets poor yields. He may go to the other extreme and sow too little. It takes him at least three years to attain reasonable equilibrium. I know of several cases where remodelling has been done as often as every three years, and I know of places where it has been done more frequently. In my own experience I know of several cases where it has been done during the last thirteen years four or five times. I would press very strongly that the Irrigation Department might give an undertaking that no remodelling would be done for at least five years after the completion of any remodelling scheme. If we have that we can at least get some peace and that is the great thing that is at the back of most of us in making any complaint about remodelling.

The Honourable Nawab Muzaffar Khan (Revenue Member): Mr. Bedford in his most eloquent maiden speech has clearly proved the necessity for remodelling. He has not concealed the other side of the picture and has informed the House very frankly what the difficulties of remodelling were and how the zamindars suffered therefrom. I have very carefully listened to the speeches and see that there is a general and genuine feeling among the zamindars against frequent remodelling of outlets.

At the same time there is no doubt that the new model for which we are indebted to Mr. Crump, has done immense good, as the honourable members of this House have admitted, particularly to the irrigators who are lower down the channels. I think there is no defect in the system.

[Hon. Nawab Muzaffar Khan.]

Where the zamindar really suffers, is in the working of that system. It is like the settlement operations. As soon as you hear of a settlement you become nervous. The same applies to remodelling of outlets. But as I have said there is no defect in the scheme itself. It is the working which is defective. Government has already taken necessary steps to stop frequent remodellings and is prepared to take further steps which may appear to be necessary. I would take the House into confidence and read out extracts from a letter which has been issued on this subject. With your permission, Sir, I would like to read certain portions of it. It says—

"In view of the present agitation against and the discontent following on the remodelling of outlets, I have the honour to invite your attention to paragraphs 13·1 and 13·2 of the revised edition of the Revenue Manual... Advance copies of these paragraphs are forwarded herewith for information.....

With the object of enlisting the support of public opinion to the remodelling of outlets, the following rules will be followed:—

(a) When it is considered that an extensive remodelling of outlets on any channel is necessary the Divisional Officer will, with the approval of the Superintending Engineer, put the case before the Divisional Canal Advisory Committee, taking care that the cultivators who are suffering from an inadequate supply are present to explain their view of the proposals together with several influential representatives of various interests on the distributary in question. The Divisional Officer will take the greatest care to explain—

- (i) the objects aimed at in the proposal, and
- (ii) the probable results of the remodelling and to encourage a full and free discussion.

"If the Committee decide unanimously or by a large majority against the remodelling the Divisional Officer, if he is not in agreement with this decision, will record the discussion and place it before the Deputy Commissioner, when sending the proposal to him for concurrence. Possibly before coming to a conclusion, the Deputy Commissioner may wish to discuss the question again with the Advisory Committee and he has full discretion to do so..... It will be seen from the above that the object aimed at is to get local opinion behind the proposal, which is, in nearly all cases, an equitable distribution of the supply available."

These are the safeguards which we have already applied. I would further supplement these orders and instruct that the executive engineers should as far as possible personally inspect all new outlets and see that no unfair advantage is taken by any of the subordinate officials. The wide-awake Commissioner of Multan recently brought to the notice of Government a case of frequent remodelling in Lyallpur district on which we issued instructions to the effect that if any remodelling is to be done within 2 years, the case should be reported for information of the Chief Engineer. These are the steps we have already taken. If other complaints are brought to the notice of the Government, I assure the House that suitable steps will be taken to remove genuine grievances of the zamindars.

Mr. President: Is the honourable member prepared to place the letter on the table of the House?

The Honourable Nawab Muzaffar Khan: Certainly. Here it is.¹

Mian Nurullah (Lyallpur South, Muhammadan, Rural): Sir, a brief reply is necessary. One argument advanced by the Chief Engineer was that

¹Kept in the Library.

they are taking public opinion of the canal advisory committees. The only objection to these canal committees is that their members are simply nominated by the deputy commissioner or the executive engineer. They are always to please their officers. They cannot go into the question carefully. They cannot give their free, honest, fair and frank opinion, as is desired by these rules. There must be some elected element in those committees.

Then another point I would like to make is in regard to the rules. I would request the Chief Engineer, Mr. Bedford, that instead of making a long speech he should make certain rules for the guidance of the sub-divisional officers and executive engineers to be kept in view, and to be followed. They must be asked to see that only the right sort of remodelling is done. It is only unnecessary remodelling and at improper time that zamindars object to. It should be done at proper time and the executive engineer should see that it is fairly and properly done.

I am quite satisfied with the explanation given by the Chief Engineer and I am again satisfied by the steps Government has already taken. I would like to make no remarks, especially in view of the discussion of yesterday and this morning, and in view of the assurance that there will be no unnecessary remodelling. I beg leave to withdraw this motion.

The motion was by leave withdrawn.

Residential Building work of the Irrigation Department.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 82,05,800—Irrigation (Works)—Working Expenses.¹

My idea is again not to press this cut, but merely to make the Irrigation people think that the buildings they are erecting are far inferior to the buildings constructed by the Buildings and Roads Branch of the Public Works Department. There are certain defects which I have seen myself. Probably the Irrigation Department have not got competent contractors and the work is mostly done by petty contractors. If you happen to go to Lyallpur you will see the conditions of the buildings yourself. I remember one of the Chief Engineers had been to the place. He was not satisfied with the designs of the buildings constructed by the Irrigation Branch. He made certain suggestions which have never been carried out since. I have seen certain buildings myself. In a certain bungalow in which an executive engineer is living there is no plinth at all. The level of the ground of the bungalow is lower than the outside road level and the rain water always rushes into the bungalow. I have seen small quarters, subordinates' quarters, where there are no ventilators. In these days of propaganda by Mr. Brayne every zamindar is asked to have ventilators in his house. But it is astonishing to find that there are no ventilators in Government buildings. I asked a question sometime ago and the answer to that was that there are regular ventilators. I challenge that answer. What is this regular ventilator?

¹To urge that the residential building work of the Irrigation Branch be transferred to Buildings and Roads Branch of the Public Works Department.

[Mian Nurullah.]

I might describe it. It is a small hole at the top of the roof with a little tin cover on. It is a *dakianoosi* type of ventilator opened at the top of the roof, a 17th century type and not what Mr. Brayne preaches.

Again, there is another bungalow occupied by a gazetted officer. Except in one room, there are hardly any ventilators in the whole bungalow. Another astonishing thing in that bungalow is that on the top of the roof there is a *purdah* wall; while there is no staircase to go up. Is it not waste of money? I want to bring this point to the notice of the Irrigation Department that they should be very careful about their residential buildings. I would suggest that they should transfer this work to the Buildings and Roads Branch, so that their buildings may be well-designed, better-built and up-to-date.

With these words, Sir, I move my out.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.

Mr. T. B. Tate (Chief Engineer, Irrigation) : The object of this cut, moved by the honourable member opposite, was not clear to me until he explained what it was. I take it that he refers particularly to the residential buildings of zilladars, and subordinates and not to officers' quarters. We are making great efforts to improve the zilladars' and overseers' quarters. But we are up against the difficulty of expense. Finance Department cannot sanction very great expansions and improvements unless we can satisfy them that the cost will be recouped in rent, which generally it is not possible to do. But there are some minor improvements such as clerestory windows which can be put in without any great expense. I am speaking without the book. But we are doing something towards that.

Again, Mian Nurullah mentioned that *purdah* walls were built on the tops of the roofs and there was no staircase provided. There again I suspect the reason is the additional expense of providing a *pucca* staircase. Nothing prevents the use of a bamboo ladder. The demand for *purdah* walls is greater than the demand for a *pucca* stairway.

Mian Nurullah : As I said already I do not wish to press my motion. I, therefore, beg leave to withdraw it.

The motion was by leave withdrawn.

"Irrigation Duty" areas.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.¹

On this point, I think, Diwan Bahadur Raja Narendra Nath will be able to throw more light. But my point in raising this discussion is that in many colonies formerly we used to get 1 cusec of water for about 250 acres of land; while now this has been changed.

¹ To raise discussion on "Irrigation Duty" area in acres per cusec on different canals.

In the first place we question whether legally the Department of Government could make the change, but if they wanted to make the change why they did not reduce the *abiana* rate proportionately.

Secondly, regarding the point raised by the Raja Sahib, if there is not plenty of water in a particular canal, then why does the department put so many acres, so much area on that particular distributary or *moga*? Most of the land of the zamindars at the tails—I too have land in two or three places at the tail—does not get water. I have been fighting their cause during the last few years by putting questions. Something is being done, but not enough. The question is, as Raja Sahib has pointed out, that if it is due to lack or shortage of water, why not put it this way that if the villages at the head cannot be served properly the villages at the tail should be cut off altogether, so that people who are at the head get enough and sufficient water as designed and as recognised as their *haq*. The reply to Raja Sahib's question as probably will be given by the Chief Engineer is that it is due to the silting up of the bed that makes the difference in the supply in the upper channel and in the lower channel and that is what they call delta. This silting up makes all the difference in the supply of water at the tails. That is a reasonable answer but if Government has to reduce the supply of water, they must reduce the *abiana* also. With these words I would like to close my speech.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation) : In dealing with this case the first thing to be sure of are the facts. Is it a fact that Government has reduced the amount of water going to the land? And may it not be a fact that the increase in the duty is the result of natural growth and has been brought about by the zamindar himself? Our biggest canal is the Lower Chenab Canal. We designed that for an annual irrigation of 75 acres out of every 100. The zamindars now are doing anything from 100 to 120. Government has not increased the duty, it is the zamindar who has increased the duty himself because of increase in his irrigation. Therefore under no circumstances can the Irrigation Branch be blamed for this increase in duty. The duty has increased as I say mainly due to the zamindar, but besides that there is a natural cause for an increase in duty. When land first comes under irrigation it is generally known to the zamindar as *garm samin*. It requires more water and then as years go on it becomes *thandi samin* and this land can produce the same crops with a smaller amount of water. So where the duty has increased it is entirely due to natural sources. The water remains the same, but the amount of irrigation has gone up. As regards the Lower Chenab there have been a certain number of extensions, but they have not been to any great extent, and certainly as regards the future there does not seem to be any schemes in hand now for extending irrigation with water already utilised by existing canals. Where we extend irrigation we will replace the water, or we will use the water which is not at present being utilised on canals.

Chaudhri Ajjah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : The question is quite simple and I do not think any elaborate discussion is needed on this. Government should first consider that a

[Ch. Allah Dad Khan.]

certain amount of water is necessary for a certain amount of land and then levy abiana on it which is technically called so many acres per cusec. It is on account of the shortage of water that they have reduced the amount of water and yet they continue to charge the same abiana. This is a thing which even a layman who is not necessarily acquainted with the complicated working of a canal knows, and it is a very simple answer that the duty should be decreased. The abiana should be diminished or Government should make an effort to increase the supply of water. A certain amount of water was fixed for a certain area at a certain rate of abiana, and there can be absolutely no justification on the part of the Canal Department to charge the same amount of *abiana* as they were charging before even when they have reduced the amount of water. It shows reluctance on the part of Government to give up what it has acquired, and I think it is not fair. To be fair the Canal Department should make an effort to accommodate themselves and to content themselves with a less amount of *abiana*, than was agreed to between Government and the zamindar when the contract was made. The zamindars are really suffering on account of this shortage of water. A number of villages have complained that the crops do not mature on account of the insufficient supply of water. In Montgomery and Pakpattan specially at the tails the crops have been suffering for want of sufficient water and the only thing for Government is to reduce the *abiana* if it cannot supply the full amount of water. With these words I commend this motion to the notice of Government Member and hope that he will accept it.

Mr. T. B. Tate (Chief Engineer, Irrigation) : I am not quite clear about the complaints. The unit of area is decided at the time of the project. I cannot see that the cultivator has any complaint against Government, if he makes that water go further than he expected. He may be able to do that by giving insufficient waterings to the crops. That point, I think, was brought out by Raja Sahib when he argued that it was Government which was trying to make water go as far as possible. I maintain that it is the cultivator who is making water go as far as possible. It is due to the cultivator that irrigation has extended and that fact is borne out by the intensity of cultivation on the Lower Chenab Canal which is only 75 per cent. But as my colleague has shown, the intensity has gone up to over 100 per cent., but that was not due to Government forcing the water to go further.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : I have not really been able to follow the Chief Engineer. I would make a suggestion for the consideration of Government. Supposing in a new canal which is constructed by Government they make a provision of say, 20,000 cusecs of water. If really they want to be just to the people, then I think they can very well assess that amount of water and say we will charge Re. 1 per cusec. That will come to Rs. 20,000 for the 20,000 cusecs of water that they will let loose in that particular canal. No matter what the extent of the irrigated land on that canal might be they should in all fairness distribute those 20,000 cusecs between the consumers of that area. If they work on this basis, I do not think there can be any complaint for anybody to come forward and say that he is in any way being wronged. I am not quite sure if this principle is being followed. Then of course the zamindars cannot complain. But if actually you give out a particular amount of water

and then you distribute it in such a manner as to make a profit out of it and you do not keep to the original ratio, I would submit that that is not fair. So I think somebody on the official benches would enlighten us on this point whether they are following the procedure that they ought in all fairness to follow. They can say, we will charge you this much for a particular quantity of water that we supply, and then distribute it among all the consumers. That is the fairest and the best way of doing it.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban) : I do not agree with the Chief Engineer when he says that water supply has not been reduced. Our complaint is that the water supply as measured in cusecs has been reduced. The Government should not take into consideration whether the area under irrigation has been increased or not. If the zamindar has put a larger area under irrigation Government stands to gain and the zamindar might probably stand to lose, because the Government will earn more land revenue and water-rate as the zamindar has got to pay water-rate and land revenue on matured area and the zamindar, on the other hand, by extending irrigation might be getting less yield per acre. But the loss due to the zamindar is this that whereas the Irrigation Department in the beginning used to supply one cusec for 250 acres, they are now supplying one cusec for 300 acres. It is no business of theirs to reduce the supply of water in that way. Supposing I were to take water supply on contract basis. In that case whereas previously I would have got one cusec for 250 acres, I can get one cusec now for not less than 300 acres. In that way the zamindar stands to lose. Our complaint is that the Irrigation Department, if it is going to take into consideration the area under irrigation should reduce proportionately the water-rates and if they are to maintain the supply as measured in volume of water supplied for a definite area then, of course, they can maintain their occupiers rate at the same rate, but when they have reduced their volumetric supply from 250 acres per cusec to 300 acres per cusec, they have no business to charge the same water-rate.

The Honourable Nawab Muzaffar Khan (Revenue Member) : My honourable friend opposite has made a very useful suggestion that we should charge so much per cusec. I may inform him that we have tried that system in cases where there are single owners or single proprietors of villages and we have succeeded there. We are prepared to extend the same to others also. But there are insurmountable difficulties in the case of those proprietary areas where the number of proprietors is very large. For instance, there would be disputes over the distribution of water among various share-holders. Who would settle them if we supplied villages with a fixed quantity of water and then left them to their fate? What about warabandis? That is why we have to follow our present practice. The present system is that we charge for water at so much per acre and as long as the zamindar goes on extending his area gambling on rainfall we must charge him for the whole of that area. But if single proprietors of big areas are prepared to take water per cusec the canal department will, I am sure, have no objection to meet their wishes provided they are prepared to pay.

Mian Nurullah : The points underlying this motion have been very clearly explained by the honourable member from Sargodha and also by Sardar Sahib Ujjal Singh. The reply given on behalf of Government is only a

[Mian Nurullah.]

sort of side-tracking and not a real reply at all. The question is this: Formerly the Government gave us one cusec of water for 250 acres of land. Now it has changed that and it now gives one cusec for 264 acres. I should like to know whether this is a fact or not. If it is a fact, then the meaning put upon the rule by the Chief Engineer is not the correct meaning. He interprets that if the acreage under irrigation is increased the Government is entitled to charge more. That is really not the real meaning of the irrigation duty. If the zamindar increases the area under cultivation it is not for the mere pleasure of it, but because of his hunger. The population has increased and the zamindar has to maintain all the members of his big family. He, therefore, cultivates more land in the hope that God will send him rain and that he will be enabled to reap a good harvest. However, I would leave the matter at that and as there are more important subjects to be considered I do not want to take the time of the Council on this subject. I accordingly beg leave to withdraw the motion.

The motion was by leave withdrawn.

Kharaba.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.¹

Here again I do not want to take up the time of the Council. This question has been discussed threadbare in this House. I may also say that I got tired of discussing this question in the Canal Standing Committee. There was a proposal in the time of the Chief Engineer, Mr. Murphy, that kharaba should be given on certain percentage of the past few years. How far that proposal matured, whether Government now proposes to change the rules in this respect or whether it is going to leave things as they are, these are the points on which I should like to have information from the Government.

Mr. President: Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.

The Honourable Nawab Muzaffar Khan (Revenue Member): My honourable friend has referred to the kharaba rules and he has asked whether in obedience to the wishes of this House those rules have been revised.

Pir Akbar Ali: Will the Honourable Member please read rule 20 of the Kharaba Rules for the information of honourable members?

Mr. President: The honourable member may read it himself.

The Honourable Nawab Muzaffar Khan: To please the honourable member I shall read the rule. It runs as follows:—

"20. *Claims for Remissions.*—In case of remissions of occupiers' rate for failed crops:—

I.—Claims for remissions of occupiers' rates which may arise from failure or stoppage of supply or from other calamities of a special or isolated character, shall be presented to the Divisional or Sub-Divisional Canal Officer or Deputy Collector as soon as possible and in every case before the crop is cut. If the claim is admitted, the Divisional

¹ To raise discussion on rule 20 (kharaba) of the Canal Act.

Canal Officer may remit to the limit of Rs. 100 in each individual case, provided that the aggregate remission of occupiers' rates for any revenue estate do not exceed Rs. 2,000. The unit of remission in such cases will be the field number. If the area affected is a large part of a revenue estate, claims for remission may be made by the headman concerned either to the Deputy Commissioner or to the Divisional Canal Officer. Either of these officers to whom a claim is made shall consult the other as to the necessity for granting remission, and if they are both agreed that remission should be granted, then such remissions may be granted without further sanction up to a limit of Rs. 10,000 for each estate. If the Deputy Commissioner and the Divisional Canal Officer are not in agreement, or if the amount to be remitted exceeds Rs. 10,000 the case will be referred to the Commissioner, who will deal with it as indicated in Rule II. In such cases the views of both the Deputy Commissioner and the Divisional Canal Officer and the reasons for them should be forwarded to the Commissioner to enable him, and if necessary, higher authority, to arrive at a decision. The Deputy Commissioner is at liberty to direct his staff to make such inspection of canal irrigated crops as he thinks fit.

Remissions under this Rule are only admissible if there has been a complete failure or destruction of a crop due to causes beyond the control of the cultivator. If the failure is so nearly complete that it is believed that the outturn is less than a 4 anna crop, it shall be treated as complete.

II.—In the case of a widespread calamity affecting large areas in more than one revenue estate, claims for remission for occupiers' rates shall be presented to the Divisional Canal Officer or the Deputy Commissioner, and it will also be open to these officers to initiate *suo moto* proposals to secure remission. If these officers are agreed that remission should be granted and also as to the rate at which it should be granted, and if the total remissions are not likely to amount to more than Rs. 25,000 in any canal divisions remission can be granted without further sanction. If remissions are likely to exceed this sum or if the Deputy Commissioner and the Divisional Canal Officer are not in agreement as to the necessity for granting remissions or as to the rate of remission to be granted, the case will be referred to the Commissioner of the division who will consult the Superintending Engineer. The reference should be in considerable detail, particularly in the event of disagreement between the Deputy Commissioner and the Divisional Canal Officer and the views of both officers, with reasons, fully given. The Deputy Commissioner is at liberty to direct his staff to make such inspections of canal irrigated crops as he thinks fit. If the Commissioner and the Superintending Engineer are not in agreement, a further reference will be made to the Financial Commissioners who will consult the Chief Engineer and if there is further disagreement the case will be referred to the Local Government for orders.

The Commissioner and the Superintending Engineer, if in agreement, can grant remissions up to one lakh of rupees without further sanction, and the Financial Commissioners and the Chief Engineer, if in agreement, can grant remission up to any amount which they deem to be necessary."

The question was very carefully considered by Government as to whether there should be a general remission given in the rates of kharaba. We took the average of the last five years and considered whether it would be desirable working on that average to give a general reduction in water-rates. We arrived at the conclusion that such an arrangement would be most detrimental to the interests of the people who actually suffered from calamities, for instance, what would happen if a small zamindar had his crop completely destroyed on account of scanty supply of water, hailstorm or other calamity? The result would be that he would again come and say, "Here I am a ruined man. Why don't you give me a remission?" At that time Government would have absolutely no reply to give. General reduction in rates would

[Hon. Nawab Muzaffar Khan.]

do him no good. Big zamindars may perhaps gain but not the small land-owners. So we came to the conclusion that any general reduction in rates would not be in the interest either of the Government or of the poorer classes of the zamindars and so we gave up that idea. Government, however, considered the whole question very carefully and sympathetically and as far as possible we have amended those rules which are to the following effect :—

Rule 20 (ii) should apply to damage by (i) hails and (ii) locusts whatever may be the area affected so far as the scale of graduated remissions is concerned. It should also apply to widespread calamities affecting large areas, e.g., floods, sand-storms and insect pests. While it is not possible to lay down any precise tests it may be explained that damage due to an abnormal calamity which extended over the greater part of a revenue estate or more than one revenue estate would ordinarily come within this description; while damage which affected isolated fields and was not spread over contiguous areas would not come within this description.

A third case not covered by the above two Rules [Rules 20 (I) and 20 (II)] occasionally occurs where the damage is not ascertainable and is not known to the cultivator until after the crop has been cut. This may affect a particular crop only, but so far as that crop is concerned, may be general over contiguous areas, or may affect some fields and not others although the total extent of the damage is large. In such cases the revenue and irrigation authorities working in consultation should fully investigate the facts of the calamity and should report them to Government. The report should make as close an estimate as possible of the amount of damage expressed in annas and rupees of the particular crop concerned taken over whole of the revenue estate and not only over the fields in which damage has occurred. The local Government on the facts of the case will decide what remission, if any, should be given. This rule will apply only to calamities of a widespread character the effects of which are not ascertained until after the crop has been cut.

First portion of Rule 20 (I) will be revised somewhat to the following effect :—

“ Claims for remissions of occupiers’ rates which may arise from failure or stoppage of supply or from other causes which affect isolated fields or small areas shall, &c., &c.”

These are the steps that we have already taken. The particular reason why this amendment was necessary was that last year as the House may remember great damage was done by *kungi* and it was done at a time when we could not make any enquiries, because the girdwari had been finished. In order to meet such cases we have issued this rule. This is all that we have been able to do in the interests of the zamindars and it would be difficult to go further.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): The Irrigation Department had entered into a contract with the zamindars and had thereby agreed to supply as much water to them as would be sufficient to mature their crops on consideration of water-rates at a certain rate. It clearly means that the Irrigation Department is bound to do its part before it can claim to charge water-rates and the part that it must

play is that it should supply water as much as would enable the crops to mature. It is further clear that if as much water is not supplied by this department as will enable the crops to mature, it has no right to demand the other party to do its part of the contract. It is also obvious that if in any case the Irrigation Department fails to do its duty fully and does not supply as much water as it had agreed to supply and consequently the crops do not mature fully or some damage is done to the crops, the Government has no title to and is not justified to charge abiana at full rates in such a case. I am sure this is what the courts will decide if a case of this kind between private persons is referred to them. The courts will rather award compensation to the person who has suffered on account of the short supply of water against the person who had agreed to supply water to the aggrieved party. Now if this is so, and I am sure that no one here will disagree with me in this respect, then there is no reason why the Irrigation Department should not act according to this very sound principle of equity and justice. It should amend the kharaba rules in such a manner as to conform to this sound principle and this is what, I think, the honourable mover of this motion means. But instead of doing what is just and right the Government insists on doing what it pleases its fancy like that proud man who will coerce others to believe that four multiplied by twenty makes one hundred or that seven multiplied with twenty makes one hundred. That is the spirit in which the Government appears to be acting in this matter. It demands abiana at full rates even if it may not have supplied the agreed quantity of water to the zamindars and the worst of it is that in assessing kharaba the decision is also left to itself or its own officers whether a crop has fully matured or not. It is time that the Government should recognise the force of this demand and amend the kharaba rules accordingly. With these words I support this cut motion.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Many a time in this Chamber and also outside it this question of kharaba has been raised and also agitation has been carried on demanding that the rules according to which kharaba is assessed should be amended. This question has also been raised many a time before the Irrigation Standing Committee and before the special committees appointed to consider this question. But it is a pity that the Government has not been moved to consider this question in a right spirit and has not so far cared to stop this agitation and to meet this just demand of the zamindars.

As some of the honourable members may be aware in assessing kharaba according to the present rules full remission in abiana is granted only in regard to the crop which is not expected to yield even four annas in a rupee and if the crop concerned is expected to yield more than four annas in a rupee and even four annas in a rupee, no remission is granted. Not even a pie is remitted in such a case. Now supposing that a crop is expected to yield four annas in a rupee or to be more precise a crop grown in an acre of land is expected to yield two maunds of wheat which is equal to 4 annas in a rupee, the basic yield per acre, as it was fixed in the settlement of the Shahpur district, being equal to 8 maunds. Now these two maunds of wheat cannot fetch more than four rupees according to the present market rates at which the agricultural produce is selling. But all the same a

[K. B. Nawab Muhammad Hayat Qureshi.]

zamindar has to pay for that one acre of irrigated land four or five rupees by way of abiana, three or four rupees as land revenue and something by way of local rates and other cesses and the total comes to about ten or twelve rupees. It comes to this that even though the income of a zamindar from one acre of land may be only four rupees, he must pay for that one acre of land as much as ten or twelve rupees because the kharaba rules say that no remission is to be granted if an acre of land is expected to yield four annas in a rupee. Now this is simple arithmetic and I challenge any one to correct me if I am wrong. If I am right, and I am sure I am right, then I must say that it is injustice pure and simple. You will remember that originally there used to be this provision in the kharaba rules that half of the abiana could be remitted in case a crop was expected to yield less than eight annas in a rupee and full remission was granted in the case of a crop expected to yield less than four annas in a rupee as it is done now. But the first provision which was quite wholesome and helpful to the zamindars, has been abolished. It may be that it is still in existence with regard to one canal, but I am sure that with regard to other canals it has been abolished. That and the present prices of agricultural produce have combined to worsen the situation. I would, therefore, suggest that for the present and so long as the present prices of the agricultural produce are prevailing, full remission should be granted if a crop is expected to yield less than 6 annas in a rupee and half remission should be granted if a crop is expected to yield more than six annas and less than eight annas in a rupee. That I think is the least that must be done in this respect. If the kharaba rules are amended in a manner as to incorporate these two suggestions, I think that the zamindars will generally be satisfied. These are the two proposals which I want to be given effect to. With these words I support the motion under consideration.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): I have also risen to support the cut motion which is now before the House. The new rules regarding kharaba which have been framed by the Honourable Revenue Member are no doubt an improvement on the previous ones but framing rules and enforcing them are two different things. So long as officers do not enforce these rules liberally they cannot prove beneficial for the zamindars. The rule of granting remission may be on the basis of four annas in a rupee or 6 annas in a rupee, but it cannot be of any use so long as the officers are not instructed to interpret it liberally and enforce it in a way beneficial to the zamindars. At present if any officer of the Canal Department enforces these rules liberally and grants remissions on a liberal scale his senior officers snub him and the department calls upon him to explain why he has been the cause of so much loss to the department.

Then, again, the small holders do not get the benefit of these rules. The big landlords do get a little advantage on account of these rules but the small holders do not get any. The Honourable Revenue Member stated that in a sub-committee he did try to frame such rules by which the whole province could get benefit. I cannot say how far those rules might have proved beneficial but I can say that by the present rules only a little benefit is derived by the big landlords but the small holders go without

any benefit. The big landlords who get the benefit of these rules do not feel it very helpful but if a small holder could get a remission of Re. 1 or Rs. 2 it would mean a great deal of help to him. He would feel grateful to the Government and would also feel a good deal of relief. But if a big landholder gets a remission of Rs. 150 or Rs. 200 it would mean nothing to him. So, it is more advantageous to make such rules by which the small holders can get some relief. And if this is not possible then this system of giving kharaba should be altogether done away with. What is the use of wasting lakhs of rupees on kharaba remissions. More than half of this sum goes into the pockets of patwaris or zilladars. The small holders derive no benefit on account of these rules. You can make enquiries and you will find that what I am stating is true. These rules exist only in books and not in practice. As such it is necessary that these rules should be amended.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to lend my support to the motion. It has been said in the first part of Rule 20 that no remission can be given after the crop is cut. I want to speak at the moment on this particular point. I have got personal experience in this connection because I did abiana work for six or seven years when I was a tahsildar in the Ambala division. The remission which was granted by us to the zamindar, opened the eyes of the Canal Department, because, this first part of the rule is one which gives the canal department a good deal of scope to levy as much abiana as can be levied. What happens is this. When a man applies for inspection of his crop and gives an application for remission, then the zilladar says that he will inspect the crop after it is matured and passes necessary orders on the application for remission. There are so many applications for remission that the zilladar cannot possibly go to inspect all the crops when they are matured, because the crops are cut down as soon as they are matured. The zilladar inspects one or two crops which are standing and for the remaining he passes orders that the applications may be filed as the crops have since been cut.

If you remember aright, we discussed this question of kharaba at Simla. This was the point which was most prominently brought out by many of the members. These zilladars do not go to the spot simply on the excuse that the crops have been cut. But surely there are other means by which they can find out the condition of the crops. It is a fact that girdawari in the villages is done by the tahsildars sometimes after the crop is gathered. The girdawari is done either at the end of October or at the end of March respectively for the two crops, but it is a fact that in many villages the crops are cut before the end of these months. The tahsildars can also, like the zilladars, pretend that they cannot go for girdawari as the crops have been cut. I point out to the Canal Department that if they think fit this rule can be amended, that even if the crop has been gathered and cut and there is no crop standing on the field, the zilladar can make an estimate as to the quality of the crop in the field. The zamindar's crop or even the sticks standing in the field can point out this fact, as to what was the actual crop and the zamindars will be saved a good deal of undue charge. When there is such a rule it is to his advantage not to cut his crop at all. You remember last time what I said about the abiana. The rule says

[Ch. Allah Dad Khan.]

one thing and the letter from which the honourable member from Lyallpur quoted in Simla shows that zilladars generally are prevented from giving abiana as much as circumstances demand. This gives a good loophole, so that abiana has not been decreased from the amount of the previous years. What justice can there be if the check takes place after a long time? You know what a hue and cry is raised against this kharaba by the zamindars. They say that kharaba is *kharab*. This kharaba has been given according to the whims and fancies of the officers. The other parts of the rule are also capable of doing mischief to the zamindars. For instance, it is stated that if the crop is 8 annas and over no remissions are to be given. So it is easy for an officer to say that a four anna or a six anna crop is an eight anna crop and thus refuse to give kharaba. It is easy for an officer to say that if he is not inclined to give kharaba, and the rules give room for such a thing. They encourage such things. The rules also require that careful checking should be done by the higher officers of the Government, but as a matter of fact these officers never generally check all the fields. I know it from personal experience. It is very difficult for any official to check all the fields. Even if he does the checking throughout the whole day, from morning 8 to evening 6, he will not be able to finish the whole work. I challenge any canal official if he says he can do so. The revenue officers were doing the work and it was taken over from them. It was Mr. King when he was Financial Commissioner who knew the advantage of the crops being inspected by the revenue officers and he was responsible for bringing in the arrangement whereby that work was done by the revenue officers and during the period it was under the revenue tahsildars it was a blessing and the troubles, the hardships and atrocities to which the zamindars are put to by the canal department were not there. The thing is that these canal officers have no revenue training; they do the work as amateurs whereas the revenue department officers have regular training from revenue commissioner down to the patwari. Let me see whether the canal officers can check 20 fields at a time. They must be given some training in this line; otherwise they cannot do it. They merely go to the patwari and take his figures. They can never do the work unless there is a good deal of revenue training. The experience of many members of this House is that whenever they go to check they are puzzled. They cannot trace a field from the map. They simply trust either the girdawar or the patwari. They depend on the good offices of the patwari. They say, I hope you have done it correctly—yes—and then he signs the diary and goes away. These are the ways in which the zamindars are suffering. There are so many loopholes in every corner of these rules and the want of knowledge or competence on the part of the officers adds to the troubles of the zamindars. I therefore think that the canal department should entrust this work to the revenue department, so far as the kharaba is concerned, in the interests and welfare of the zamindars. Now the zamindars are maintaining this white elephant at a huge cost. Every drop of their blood is sucked by the canal department and it is an open secret that the zamindars in the canal areas are cursing the day when they consented to take water from the canals. People in other parts were intelligent enough to see what calamity these canals would bring in 50 years hence because lands under canals generally means

trouble and hardship. The department exercise all sorts of means to harass them. I enquired many times those people who did not get canal water and asked them why they did not go in for the canal water. They said we were aware that there would be trouble, which is now experienced. The canal department gives water and takes from the zamindars in various ways, abiana and other undue charges.

Why then should the Irrigation Department make these works a curse and not a blessing? They have ruined many zamindars. Now-a-days you find that the canal irrigated lands are sold for lower prices than other lands. Even unirrigated lands are sold for higher prices. One thing is that kharaba is not given. Everything is put down as an eight anna crop and no kharaba is given. If the eyes of the department are not opened by these remarks I think that day is not far off when zamindars will say, for God's sake excuse us from this canal water, take it away from us as willingly as you have given us, just as there is a Persian proverb, which I do not want to quote at this time. It is making us poor and this is no exaggeration. Every word of it is true and I have seen it with my own eyes. There are many tracts in the Ambala division which I have seen. So it is time that kharaba rules are amended and these three points which I have urged should receive the early attention of the canal department and this will be to their good more than to the people of the Punjab. With these words I support the motion.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) (*Urdu*): I, too, strongly support this cut motion. My reason for doing so is obvious. Every zamindar of my constituency which extends from Dera Gazi Khan in Multan division to Sheikhpura is complaining against the severity of these rules. My honourable friend from Lahore, Sardar Habib Ullah, who is not present here at this time said that only big zamindars benefited by these rules. The truth is that neither the big zamindars nor the small holders stand to gain by these rules. Only those zamindars can benefit by these rules who may be able to please the zilladars and grease the hands of patwaris and the subordinate staff of the canal department. All others have no chance of getting any benefit out of these rules. I strongly endorse the views of those honourable members who have urged the total abolition of these rules.

Time and again it has been stressed that the Government should reduce the water rates as prices of the agricultural produce have gone down but to no avail. The Government gives this patent answer that the canals are a commercial concern. I want to ask, have you seen any commercial concern which is totally blind to the difficulties of the consumers and which is not prepared to listen to the complaints of their customers?

So far as the question of kharaba is concerned, the Government goes on pressing its claim in connection with land revenue and says that it is entitled to levy full water-rates if the crop yields a little more than four annas in a rupee. That may be perfectly right. But has not the Government any duties towards the zamindars? Is it not the duty of the Government to see that the water supply is adequate and there should be as few closures as possible? Inadequacy of water supply is a most troublesome complaint of the zamindars. Sheikhpura town in Sheikhpura district

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is comparatively a new town. Here the people have planted many gardens but the water supply has been closed for the last twenty-one days. The secretary of the water supply association who is a local wakil sent a telegram to the Executive Engineer saying that the condition of the gardens and especially the small plants was causing grave anxiety. But apart from taking any immediate action even the telegraphic message was not acknowledged. This is very disappointing. The department ought to have been more sympathetic to the poor zamindars who are in great trouble on account of inadequacy of the water supply.

There is another thing to which I want to invite the attention of the Government. These rules are so complicated that not to speak of illiterate zamindars even literate zamindars find it nearly impossible to understand them. Now the crops have been put in four classes whereas previously there used to be only two crops, namely, rabi and kharif. Now the four crops are kharif, zaid kharif, rabi and zaid rabi. Then, the dates for making complaints with regard to kharaba, etc., are very stringently fixed. If a complaint is made after the prescribed date it is not entertained. I will bring the stringency of these rules to the notice of the learned Chief Engineer by means of an illustration. If a person sows cotton and the seed is destroyed and does not germinate owing to wind storm or some other natural calamity and the zamindar ploughs the field down, the patwari will show in his register that the field contained cotton as well as melons. The zamindar might well argue that he did not sow any melons but who listens to such complaints? He is charged land revenue for melon crop. The Government should give wide publicity to all these rules. If you are really trying for the uplift of the zamindar you should keep him informed of all the details of the working of your rules and regulations. The Information Bureau is doing very good work. The Government can take the services of this department to do necessary propaganda among the zamindars in this connection. You should clearly tell the zamindars by what dates they can send applications for remissions and on what conditions remissions can be given.

I have another complaint to make in this connection. The Honourable Revenue Member told us that liberal remissions are generally given in cases of unforeseen and natural calamities. But last year my district experienced one of the severest hailstorms as a result of which a long strip of land was badly affected, so much so that not an ear out of the wheat crop was left. When the deputy collector came to examine the condition of the crops I was fortunately present there on my farm. I told him to see if a single grain was left in the ears of wheat. He admitted that the damage to the crop was devastating and complete but he pointed out that the percentage of remissions are required not to exceed the limit fixed for the normal times, because such were the orders of higher authorities. Some honourable members suggested just now that influential zamindars got remissions all right. But I assure them that I was not allowed any concession, because I did not offer any illegal gratification to the petty officials. Those who did, got some concession. So the complaint that big zamindars are benefited by these rules is unfounded. We have been complaining for the last so many years. We are not making only formal

complaints. Our grievances are genuine. The Government should pay serious attention to this question. The condition of the zamindar is really deplorable. He is not in a capacity to pay even the land revenue. With these few words, I lend my whole-hearted support to the motion under consideration.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): Two or three years ago a resolution was moved in this House that the rules framed under the Northern India Canal and Drainage Act should be revised. In pursuance of that resolution a special committee in order to revise the rules of kharaba was appointed. That special committee met twice or thrice and it made certain tentative suggestions, with a view that those suggestions might be examined by the department and the special committee be invited to meet again in order to make final suggestions. That special committee was never invited to meet again. This is an indication of the illiberal manner in which the suggestions made by committees appointed by this House or in pursuance of a resolution of this House are treated. So the complaint that has been made to-day in the course of this discussion is perfectly legitimate and I think it is time that the Government should be a little more earnest about the views which are expressed on the floor of this House by the members of the Council. It has been brought out quite clearly that if the value of a crop falls below six annas in the rupee then the zamindar is not at all in a position to pay anything. If it is over and above that up to eight annas he may be asked to pay water rate to the extent of 50 per cent. If the value of the crop is eight annas or over he may be asked to pay water rate in full. A slight reflection will show that if kharaba rules are not applied in these cases the zamindar is without doubt a loser. The rate of yield which was quoted by my honourable friend, Nawab Muhammad Hayat Qureshi is 8 maunds per acre. Four annas in the rupee will mean only two maunds per acre and the value of two maunds will be Rs. 4 at the current prices. On one acre a zamindar has to pay Rs. 5-8-0 by way of water rate; he has to pay in most of the colonies a rate of Rs. 5 per acre by way of land revenue, ten annas by way of local rate, and if he happens to be a tenant, not a full owner, he has to pay in addition Rs. 2-8-0 per acre more by way of malikana. This brings the total dues payable to Government to Rs. 18-10-0. Seed costs a little more, and labour nobody takes into account. How is the zamindar expected to pay any water rate or land revenue when the yield per acre falls below six annas in the rupee or even eight annas? Therefore the proposal which has been put forward by the honourable member, Nawab Muhammad Hayat Qureshi, that whenever the yield falls below a scale of six annas in the rupee there should be complete remission and when it is between six annas and eight annas in the rupee there should be half remission is a perfectly legitimate proposal. It is quite reasonable and should be acceptable to Government at least so long as the scale of prices of wheat continues at the present level. With these words I beg to support the motion.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): The question of kharaba has very often been discussed in this House. If one were to refer to the debates in this house, one would simply be astonished at the "importance or weight" attached to the discussions of this House by the

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Government. So far no action has been taken though time and again it has been admitted by all the responsible authorities that kharaba rules really do require alterations. The rules are really very hard upon the zamindars. People are carrying on agriculture on a very narrow margin of profit and when there is a bad year or there is a calamity and the crop is reduced to eight annas, kharaba rules do not provide for any allowance whatsoever. In such years the agriculturists are not really making any profit from agriculture. They are carrying on the profession on a very narrow margin of profit and when the crop is reduced to eight annas the zamindar is actually out of pocket instead of making any profit from his land. I quite agree with the remarks of the honourable member for Sheikhpura (Sardar Bahadur Sardar Buta Singh) that water closures come at very critical times. And if I may be allowed to say so, irrigation by canals has really reduced efficiency of agriculture. The cultivator may spend any amount of money on labour, manure, seed and other things, but the Irrigation Department may close their canals for a few days at a critical moment when all his expenditure will be rendered purposeless. In order to make agriculture efficient in the province it is absolutely necessary that the Irrigation Department should be very particular about the closures. I know there may be a very strong ground urged on the other side. They may say that they have not got the full control over the supply of water. If there is less snow in the hills there is less water in the rivers and they are bound to close the canals for that reason. My question is, why are they extending irrigation so much and actually taking away security from the profession of agriculture? By extending the canals the supply of water is made insecure practically all over the province.

Mr. President: The motion is to reduce the grant by Re. 1 with the object of raising a discussion on rule 20, the rule relating to kharaba. Only that rule and not the general question of kharaba should be discussed.

Sardar Sampuran Singh: I was only trying to explain that the extension of irrigation is really the cause of the kharaba and deterioration of the quality of agriculture in the province.

With these few remarks I once again beg to impress on the Government that they should not only relax the rules of kharaba but they should also give some security about water supply to agriculturists by the improvement of irrigation so that there may not be so many kharabas in future.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation): In this question of kharaba remissions, the Irrigation Branch is most sympathetic towards zamindars. We realise that if the zamindar does not mature his crops, he has not got money with which to pay revenue. But the real difficulty is, how to arrange the giving of half remissions? The abiana rate has been appreciably reduced and in making a calculation at a 4 anna crop which yields 2 maunds, it is perfectly true that with these 2 maunds a zamindar is not able to pay abiana. But we cannot go by each individual field. We must take the good with the bad. If a man has, say, 20 fields then there would not be many of these fields with a 4 anna crop but there may be some with a 16 anna or 18 anna crop. So that, in arriving at what the man has to pay we must go by an average of what he has to pay

on all his fields and not on one particular field. The difficulty about having kharaba for 8 annas or 6 annas is a very genuine difficulty. As regards a 4-anna crop one can generally say that this crop has been more or less a failure. But when we get up to 8 annas, it is not easy to be able to say by looking at the crop how many maunds it is going to produce. There is this practical difficulty which really has stood in the way of the Irrigation Branch doing more to help the zamindars. Recently we considered the question of doing away with kharaba and reducing the rate, as you all know. But there again, we are up against the difficulty, if the man who loses the whole of his crop and has to pay 2 annas less of his abiana, that does not help him. So at the present moment we are considering and trying to evolve some means by which we can be fair to the zamindar and at the same time fair to the Government.

The Honourable Nawab Muzaffar Khan (Revenue Member): Rao Bahadur Chaudhri Chhotu Ram in the course of his speech stated that a committee was formed sometime ago to consider the kharaba question and that Government should have consulted that committee with regard to these rules. I am sorry to say that I have no knowledge of the existence of such a committee; otherwise I should have most certainly consulted the committee. It is quite possible that due to change in the office of Revenue Membership the matter has been overlooked but I have inquired from Mr. Tate, the Chief Engineer. He too is quite unaware of any such undertaking on the part of Government.

I think, Government has done a lot in the matter and if there are any other feasible proposals, Government will be willing to consider them sympathetically, as it has been doing in the past. If you read the amended rules carefully you will see that a lot has been done in this respect.

(At this stage Mr. President left the chair and it was occupied by Mr. Deputy President.)

Mian Nurullah: I have to confess that I have not seen the latest rules of kharaba and I think some improvement has taken place during the last few years. I am sure that Government will consider it further in view of the discussions in the House. Instead of giving remission on a 4-anna crop, I would ask the Government to give remission on 6-anna or 8-anna crop, if possible. I am satisfied with the assurance that Government will do something in this direction. Under the circumstances, I beg leave to withdraw my motion.

(Leave to withdraw not being given.)

Mr. Deputy President: The question is--

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900--Irrigation (Works)—Working Expenses.

The motion was lost.

Occupiers rates on fields re-sown.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): I beg to move—

That the grant be reduced by Re. 1.¹

¹To criticise the interpretation of Rule 25 of the rules under the Canal Act.

[Mian Nurullah.]

The main purpose of moving this cut is to criticise the interpretation of Rule 25 of the rules made under the Canal Act. As I read from the rules, generally the remission was given to the crop that had failed. The rule on the point is No. 25 and it runs as follows :—

“ *Charges leviable on fields re-sown.*—When the original crop sown in a canal-irrigated field fails and is ploughed up and a fresh crop is sown in the same season, the occupier's rate to be levied is that due on the crop which comes to maturity.”

That is quite a good rule and there is no objection to it. But only lately I put some questions on the subject in order to remove for the purposes of this rule the differentiation between the kharif and rabi. Formerly if a crop failed and in its place another crop was sown, the first naturally goes out of the field and the second was matured. Therefore, there was remission on the first one. But then there was a distinction in the two seasons. Then for the purposes of this rule Government issued instructions that there would be four crops instead of two. That I think is quite unreasonable and I submit that the interpretation of this rule should be corrected. But now the Government is interpreting this rule in such a way that if anything is sown and when it does not grow and when the zamindar ploughs his field and sows something else in its place, he must apply for this. In the first place we have got an objection to the application. The order generally is that the application is rejected. I do not know why it should be so. After the application is rejected a zamindar has to appeal and in some cases it is accepted. This is very unfair to the zamindar who does not know when to apply and when to appeal about it. That is a great hardship to him.

Formerly there used to be remission, but now there is no remission. If after a zaid kharif, say, *kharbuza*, cotton is substituted there is no remission on *kharbuza*. Similarly if *sags* are substituted by *chari* there is no remission on *sags*. Similarly if *toria* is substituted by wheat there is no remission on *toria* and so on.

Now the whole year is separated into 4 seasons. Why should you charge anybody who has ploughed his field to sow something else after his first crop has failed? There is no reason why you should charge him anything whatever for the failed crop as he does not reap any benefit out of it. That is my meaning of the interpretation of this rule. It is very strict and unfair and must be modified at least to the extent of its previous interpretation of two crops in the year.

Mr. Deputy President : Demand under consideration motion moved is—

That the grant be reduced by Re. 1.

Mr. T. B. Tate (Chief Engineer, Irrigation) : I think all will agree that the principle underlying this rule is perfectly sound and fair. But objection may be taken as to why the year is divided into 4 instead of 2 seasons. I gather that the difficulty with the cultivator is that now he has to apply for kharaba more frequently than he had to do under the old rule. I may say that I will look into the reasons for introducing 4 crops in the year instead of 2. I will reconsider the whole question, but I can make no promise, until I have studied the reasons which led up to this. I will look into it.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): The House is becoming a wonder house, for, one fails to understand what is going on. The rule in question is quite clear and has no ambiguity about it. Supposing a crop is sown and destroyed by an act of nature and another crop is sown in its place. Under the rule we should be charged for the crop that has actually grown and not for the crop that has been destroyed. But along with it there is another rule which is being put into actual operation and according to it we are charged for both the crops. Now the question before the House is whether the old rule is reasonable and sound. If it is so, well and good. But if it needs to be amended, it should be so amended as to comply with the wishes of the zamindar public. The Government's answer to this is according to the persian proverb

سوال از آسان جواب از دشوار

altogether irrelevant. They say that they would consider this matter. Now you can well imagine what this consideration on the part of an all powerful Government and their highly paid officers means especially when it has not been explained that if on consideration the rule is found to be defective they would amend the rule as desired. At least I for one do not see any logic in what the Government has said. I am not at all satisfied with the remark that they would consider the matter. I am sorry to remark that there is absolutely no co-operation between this department and the public, not that sort of co-operation that ought to exist between the rulers and the ruled or even that kind of co-operation which exists between the creditor and the debtor or say the least not even that cruel sort of co-operation that is to be found between a butcher and the goat that is intended to be slaughtered. It is useless to move a cut and withdraw it without achieving the object in view. I therefore request the House to press this motion to division.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): We do not want any concession, generosity or any favour from Government when we request for the alteration of rule 25. As has been made clear by the honourable mover of this motion all that we want is this, that we should not be charged revenue for a crop which we have never grown. To put the whole thing in a nutshell, what we want is that we should not be charged for a crop which we have not actually grown. We sow wheat and after a week or ten days we plough it. Afterwards we grow something else. We never grew wheat, we only sowed it and for that we are asked to pay land revenue and water rate. I know that is not the intention of Government, but why should they hesitate about making it clear that they will alter the rules in such a way that there will be no injustice done to any one? Why should there be any hesitation at all? If responsible officers of the Irrigation Department like those sitting in this House were to inspect our fields, we could depend upon them, for then there would be no hardship to us, because of the sense of responsibility these officers would feel. But this is not the case. The whole thing depends upon the patwaris who sometimes have rivalries, animosities with so many people in the village, and they go and make a false report and people do not know even till actually, revenue and water rate are assessed. It is a only a very fair request and I

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hope Government should have no hesitation in agreeing to this proposal.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): The evils of the Canal Department are too numerous to be mentioned in a brief speech in this House. The rule is quite plain. I have read rule 25 and I was just now discussing it with the mover of the motion that the rule is one thing and the practice is another. The rule says that if the crop does not ripen and it is ploughed down and you sow another crop, then abiana should be charged for the crop which has matured. For instance, if I sow wheat in the field and plough it down and then I sow sarson, then according to the rule I should be charged abiana on sarson which is less. But the patwaris are very ingenious. They always come to the help of the Canal Department and I think that is nothing less than robbery. They say there are four season crops. Wheat was sown in one season, it does not matter whether it matured or not. So they charge abiana for wheat and also for sarson. If the Canal Department goes on doing that sort of thing, then I am afraid the zamindars will cease to take water from the canal. I say the day is not far when the zamindars will say: we do not want the canal water, it is costing us dear and it is making us poor. Is there not a shrewd zamindar who will bring a suit against Government to find out how it is and what authority there is for making two season crops into four season crops a year? From time immemorial since the Aryans came to this country there have been only two crops. Now they have made them into four. I for one cannot understand that and for this perhaps only the ingenuity of the Canal Department is responsible. In the face of this, can the Canal Department say that they are charging fair rates from the zamindar? Either the Canal Department should deny the charges levied against it by one member after another, or we should not pass the Irrigation demand. We should refuse it and make Government go to such lengths as they like, let them have it certified.

Why should Government take advantage of the zamindars when the concern is commercial. Let the matter be judged between the Government and the zamindars. Let a commission be appointed to consider whether this is fair or not. Why should Government take advantage of its position and then levy that tax from the zamindar? It is not due to Government. What is worse, is that if the zamindars do not pay this exorbitant tax, it is recovered as land revenue. After all this the Canal Department should not call itself a commercial concern, it is as much a bureaucratic concern as anything else. Supposing instead of Government there were a company of financial people and they charged abiana twice for the same thing, that company would have become very unpopular with the zamindars. I do not think there is any other example of such an unreasonable tax levied by Government. This is the most exorbitant tax that can ever be levied by any Government upon any people. I think the zamindars will do well to give up taking water from the Canal Department for a number of years. Government is taking advantage of their humility and poverty which make them take the canal water. (*An honourable member*: Nobody compels them). It is compulsion and nothing else. What else can they

do? They have been accustomed to taking water from the canal, they have not sunk any wells and they have been dependent on canal water and the Canal Department in its mercy and kindness have resorted to this heavy tax. When canals were not existing in the country round about Jhang, Multan and Mianwali, people used to live very happily. When the Mughals were reigning here, then also these people were very prosperous. But what is the condition now? There is nothing but poverty there and the people go about in tattered clothes. (*The Honourable Nawab Muzaffar Khan*: Where? In Jhang?) Yes, in Jhang. I have myself seen people going about in tattered rags and clothes. Captain Muzaffar Khan is perhaps the one of a few exceptions. But one swallow does not make a summer, and Captain Muzaffar Khan has other means. He is a big landlord and he cannot imagine the plight of the small landholder.

Why should I enumerate those faults? I say that the Canal Department has made itself very unpopular on account of other things, but this is the unkindest out of all. The Canal Department has really surpassed itself for it charges for two crops when there is only one crop. Even when a contractor takes a contract for lakhs of rupees and fails to fulfil his contract he is given some sort of remission. Supposing a contract for a bridge is given, and supposing for some reason or other material used is destroyed and the bridge is not built, then the Irrigation Department gives him remission in the contract. I would like to hear from the Canal Department if that is not a fact. The zamindar is also a contractor in a way, but the department treats him very differently. Why should not the Canal Department treat the zamindar at par with the contractor who is an outsider and who does not deserve much sympathy of the Canal Department? What justification has Government in charging for the crop which was destroyed, without giving any benefit to the cultivator? If I remember aright the rate for wheat is something like Rs. 5 per acre and for sarson Rs. 2 per acre. This was the rate, at least, at the time when I was doing this dirty work. (*Laughter*). I call it dirty because from morning till evening we were engaged in seeing the crop. If I get no crop under wheat for which there is so much abiana and I get only sarson, I must pay only Rs. 2. But here I am asked to pay Rs. 7, that is, we are asked to pay three times as much as the Government is actually entitled to demand. That works real hardship on the zamindars who have often stood with the Government through thick and thin. These zamindars have never taken part in political activities. Yet this is the treatment meted out to such zamindars. Are not the political organisations formed against the Government right in saying that these zamindars are fools and therefore the Government is placing so much burden on them? Otherwise there is no explanation for the hard-heartedness of the Government. It is high time that the Government cried 'halt' to this policy of theirs. With these words I strongly support the motion under consideration.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural) (*Urdu*): I know it to my own cost that these kharaba rules are very unjust and very rigid. It will perhaps interest the Council to know that my cotton crop, which had been entered in girdawari as a normal crop, had been totally damaged and if I were to use the technical word that the zamindars usually

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use I will say that that crop had become *nabud*. I may further say that in the land where this cotton crop had been sown, toria was sown after the cotton crop had been damaged. But in spite of that fact abiana and other dues were charged for the cotton crop in question. I brought this fact to the notice of the Canal Standing Committee where my honourable friends Rao Bahadur Chaudhri Chhotu Ram and Khan Bahadur Nawab Muhammad Hayat Qureshi were also present but I was advised that I should approach the executive engineer who on my appealing to him told me that the appeal was time-barred. It is really a great hardship and steps should be taken immediately to remove it. This is due to the defect in the *kharaba* rules which should be amended at once as has been proposed by the mover of this motion and his supporters.

The Honourable Nawab Muzaffar Khan (Revenue Member) : While honourable members were making speeches on this motion I was discussing the matter with my colleagues, the Chief Engineer and the Honourable Sir Donald Boyd. So then, when Chaudhri Allah Dad Khan was making remarks against the canal officers, the canal officers were in sympathy with him. We have considered the question and we are all agreed that this rule does lead to hardship in its working and that there is a good deal in what the honourable members have said. I, therefore, give the assurance that I shall go through the question and see that the rule is worked in its true spirit and that as far as possible there should be two categories of crops for the purposes of rule 25 that is *rabi* and *kharif*.

Mian Nurullah : In view of the assurance of the Honourable Revenue Member I do not wish to press my motion to a division. I accordingly beg leave to withdraw it.

The motion was by leave withdrawn.

Warasikhnies.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.¹

Before I proceed to discuss the merits of my motion I shall explain what “*warasikhnies*” means, because some honourable members do not appear to understand it. In every outlet there are a certain number of owners of land and among themselves they have to divide the water supply according to the areas they own. So a *warabandi* is made. *Warabandi* means the settlement which decides how much water a certain owner will have for his lands. Generally it is according to the area he owns or according to the ratio which his land bears to the total area irrigated by the outlet. If the *warabandi* is settled, then everybody begins to take water supply according to that *warabandi*. There are two ways in which the *warabandi* is fixed. One is that the owners of the lands themselves agree about the water supply of the outlet. In this case the Government does not interfere at all. The other is, where there is any difference between the owners about

¹To point out the indifference of the Government about *warasikhnies*.

the distribution of water supply, an application is made to the department and the department fixes the waris and makes a warabandi.

Now my objection to the present system of warabandi is that when an application is made to the department no action is taken immediately. Sometimes it takes more than a year to settle the dispute. That delay leads to a good deal of mischief. After a warabandi is fixed, the whole village begins to take their wari in turns. They utilise the required and permissible quantity of supply. But if any one happens to be unduly greedy and wants to take more water than his turn or out of turn he does so and it is called a warasikhni. The poor and the weak are at the mercy of the rich and the mighty.

This question of warasikhni has been discussed threadbare on the floor of this House and also in the Canals Standing Committee. I observe that cases of warasikhnies are still increasing leading to many murders even. It would appear that sections 324 and 325 of the Criminal Procedure Code are meant only for these people. When a zamindar loses his turn of water supply his whole crop is ruined, not only his own crop but of others also, because the rotations are so arranged that if one commits a mischief and takes water in addition to his own turn, the turns of others come so late that their crops also are ruined. Thus instead of getting water after seven days, all the shareholders get water sometimes after seven weeks and sometimes after even seven months. These cases are now tried by the tahsildars. The number of cases in the courts of tahsildars are so many that they treat canal cases indifferently and generally sleep over them. When we approach the irrigation officers, they say that they are powerless in the matter because the powers have been taken away from them. The other day a zilladar was approached by an old lady, "This is what has happened to me; you please help me" and the zilladar said to her that he was powerless in the matter and that therefore he could not help her. The old lady exclaimed, "There is no *mai-bap*!" The tahsildar takes a long time in deciding the warasikhni cases and in the meantime further warasikhni takes place. The Government itself has admitted that the maximum duration of a case of warasikhni is 209 days. That is really disgraceful.

(At this stage Mr. President resumed the chair.)

The procedure for dealing with such cases is very unsatisfactory. What I want to suggest is that whenever a case of warasikhni takes place, the zaildar or the lambardar should be able to go to the court of a special magistrate and tell him that such and such a mischief has happened. The special magistrate should at once proceed to the spot and decide the case. The warabandi must be restored immediately. That is the first thing. Make any law you please to bring about this result. *(Interruption)*. My friend Pir Akbar Ali wants me to tell him under what law. I say, you have to revise the law. You are here to make the laws and the Government is here to accept those laws and bring them on the Statute Book. The first thing is that it should be obligatory on the lambardars and zaildars to inform a special magistrate of a division, the deputy commissioner or even the superintending engineer of the Canal Department, whom you might appoint for the purpose. Then, there should be special officers appointed with powers to proceed to the spot and take action forthwith. The first thing he

[Mian Nurullah.]

should do is to put a stop to warasikhni, so that the poor people in the villages do not suffer and then he should proceed summarily with the case and punish the offenders there and then. Once you have made experiments in certain divisions of the Canal Department like this and your law is enforced for a couple of months, you will find that the number of warasikhni cases goes down and every zamindar is happy. You might appoint special officers, you might give powers to some of the highly placed irrigation officers, or you might ask the deputy commissioner to find out extra assistant commissioners who are not doing much work or anybody else. This procedure must be expedited in order to save people from starvation. Another remedy that the department can themselves adopt is to levy *tawan*. If anybody does a mischief, he should be charged 10 times the *tawan*. That is the action which they should have taken long ago. The vexing question is the question of giving powers. On this there is difference of opinion and that is the difficulty probably that the Government is going to mention. We have discussed those questions many times in certain standing committees, but the honourable members do not seem to agree there as to whom to give these powers. That is for the Government to find out to whom they should give powers. This thing must be done if they want that the zamindar should be happy. The punishment should as well be increased. Formerly the punishment was not much. It should, I think, be increased. Instead of 3 months' imprisonment it should be increased to 9 months' and the fine of Rs. 50 should be increased to a fine of Rs. 500. You have somehow to find the remedy. With these remarks, I move the motion for the consideration of the House.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 82,05,900—Irrigation (Works)—Working Expenses.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : In our zeal to have things set right, sometimes we bring in proportions which on the face of it, to say the least of it, are absurd and fantastic. A suggestion has been made and very seriously made by an honourable member who is taking very keen interest in the amelioration of the condition of the zamindars who are profiteering by canal water. He suggests that, in order to prevent the warasikhni, i.e., whenever a zamindar diverts water out of turn to his own fields, the lambardars, sufaidposhes and zaildars should run up to the trying magistrate and they should report such cases to him and the magistrate should at once proceed to the spot to set things right. How far all these fantastic ideas are practicable, I leave it to my learned friend to decide. His next suggestion is that the *tawan* should be increased 10 times. I wonder if the Government are agreeable to his suggestion. The penalty suggested by the honourable member is very severe. Anyhow, all that he perhaps wants is to draw the attention of the Government to this particular vice and he wants that the Government should be careful while dealing with cases of this nature and that they should be more severe in imposing penalties. But the ways and means suggested by my honourable friend are ridiculous.

Mian Nurullah : You do not want that litigation should go down.

Shaikh Abdul Ghani : That is the way of increasing it. The honourable member has come out with these fantastic proposals and has put them before the House, thus taking the valuable time of this honourable House.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : I am afraid I cannot support my honourable friend from Lyallpur in this proposal. He should have known that this matter has 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 a canal officer would lead to corruption. The honourable member wants that immediately after a warasikhni takes place, a zilladar or some other official should run to the spot or the deputy collector, who has got the powers, should run to the spot and decide the case there. This procedure will lead to bribery. The officer will record his findings in favour of the man who will pay him more money in the form of bribery. Thus, you will see, that it will lead to corruption. It was decided in the Standing Committee that a special magistrate be appointed in every district to deal with these cases and that the Local Government be requested to instruct the district magistrate to appoint an extra assistant commissioner as a special magistrate in each district. The Local Government has appointed one extra assistant commissioner in every district who is acting as a first class magistrate and who deals with canal cases.

The Honourable Nawab Muzaffar Khan : The matter was never decided. It is still under consideration.

Rai Bahadur Lala Sewak Ram : The Honourable Member can make a speech if he thinks that it was not decided. Why was a circular issued and each district magistrate appointed one extra assistant commissioner as a first class magistrate to deal with canal cases? I think my colleagues will agree that justice can be had from a magistrate at the *sadar* dealing with all these cases and not by appointing a canal officer to deal with these cases. If this latter course is adopted, bribery and corruption will increase to any extent. (*Hear, hear*).

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : This question of warasikhni is a very mismanaged affair. There is section 68 in the Canal Act which punishes those people who break the turns of water. Some years ago, these powers were transferred from the Irrigation Department, not actually transferred, but were rather taken away from the Irrigation Department and were left in the hands of tahsildars and other magistrates. The result is that these cases have become nobody's land. Neither the Irrigation Department takes any interest in them, nor the magistrates take these cases very seriously. There is a good deal of case law on section 68 which requires that the criminal courts cannot take jurisdiction of these cases under section 68 unless there is a regular authorised warabandi made by the divisional officer of the Irrigation Department. Now, as it has been said by the previous speakers, many applications are made for making these warabandis which are never cared for, and no warabandis are made simply on account of the indifference of the divisional officers in the Irrigation Department. Now, if the warabandis are not made, section 68 does not apply. Therefore, all these cases of warasikhni practically go unpunished. I think

[8. Sampuran Singh.]

this is the real point in this whole matter. Unless the Irrigation Department takes care to attend to all the applicatoins which are made for making warabandis, and do make warabandis, no action under section 68 can be taken. The only remedy for warasikhnis is to sue in a civil court, which very few people take advantage of and it is difficult to prove damages on account of breaking these turns of water. The result is that so many people go without any remedy for this trouble. I can well appreciate the reasons why Rai Bahadur Lala Sewak Ram and the honourable member from Sargodha opposed this motion. Rai Bahadur Lala Sewak Ram has perhaps his own exclusive outlets and he has never had experience of the small zamindars who have to take sometimes a wari of 2 hours, sometimes of 2½ hours and sometimes of 3 hours. It creates a lot of confusion unless there is an authorised warabandi of their outlets. I am afraid the honourable member from Sargodha has perhaps to deal with big zamindars who have not only separate outlets of their own but distributaries of their own. Therefore, to appreciate fully the difficulties of the small zamindar, one should see how a weak man suffers and a man who is really a badmash and who can bully everybody, makes use of his powers and takes double and 3 times the wari which he should ordinarily claim. Under these circumstances, I think, to help the poor and weak zemindars in the villages, it is absolutely necessary that the Irrigation Department should, in future, be more careful about all these applications which are made by the zamindars for fixing waris and also see that those warabandis are acted upon. They should also make special arrangements to see that complaints made under section 68 of the Canal Act are properly dealt with.

Chaudhri Asadullah Khan (Sialkot, Muhammadan-Rural): I fail to understand why some honourable members of this House have opposed this cut. What is being asked is merely the fact that the present attitude of the Government towards offences which are known as warasikhnis, is rather indifferent and the procedure which is applied for the trial of these cases prolongs the cases so much that by the time one offence is tried and decided, many more offences have already taken place. What is being asked is that some expeditious procedure might be adopted, so that before a recurrence of the same mischief takes place, the first offence may have been properly dealt with and might prove a lesson for others who might try to have a repetition of the same mischief. As a matter of fact, opposing these cuts means that we are standing up for people who try to be tyrants and take away the right of others and thereby not only create difficulties for the poorer people of a place, but even for the Government. I think that a cut motion like this should be welcome not only by the honourable members of this House, but also by the Government, because it helps them in a way to decrease offences of this nature. (*Hear, hear*). What is being asked is that a procedure should be created by which a mischief like this may not recur. Then, fix punishments which might be effective to stop recurrence of these offences. Help people who need your help. Let these offences be tried in a way that proper redress may be given to the people who are suffering on account of warasikhnis and I think that no reasonable person can have anything but a sympathetic attitude towards this cut motion. With these words, I support the cut motion. (*Cheers*).

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I fully endorse the remarks which have been made by Sardar Sampuran Singh. It is true that the canal officials show much carelessness in cases of this nature. There are many cases in which applications for these warabandis are made to some of the officials who simply sleep over those applications. Everybody here knows that ours is the province which is hopelessly divided into factions. It is very difficult for the peasant proprietors or the poor zamindars, who happen to have big men as co-sharers, to have their rights redressed and often it takes a very long time before the matter is finally decided and turns of warabandis are fixed. It has been emphasised that every application takes unduly long time for decision in this respect. I think action should be taken against the official who sleeps over the matter. I believe that this will be the best remedy. (*Hear, hear*). So far as the other thing is concerned, I would say that nobody here can again deny that most of the hurt cases have their origin in these warasikhni cases. Mainly there are three kinds of disputes, in rural areas, e.g., question of kidnapping of women, question of trespass over the lands of others by cattle, and the question of taking by force the turns of water of others. This last mentioned is the most prominent so far as the offences against person are concerned. The spade which should naturally fall on the earth bank of a watercourse, more often than not, falls on the head of the zamindar who proceeds to take his wari. This goes without saying, and I would say that for this reason alone, we should have at least some attention devoted to the suggestions which have been already made in this House. But there is another phase of the question. It has already been said that so far as the restoration of magisterial powers to the canal authorities is concerned, it is impracticable and I am deadly against it. Law and order should be administered by those people who have had definite training in that respect. (*Hear, hear*). This reminds me of one of my colleagues in the committee. When the question of more books for library was being discussed, one member suggested, "Let us have 4 magazines." (*Char risale aur mangwa len*). The member, mentioned above, who was present there, said, "It is a very small town, and you are inviting 4 *risalas*, where would you tether all these horses?" He thought that *risalas* meant troops of horses. Now the canal officers administer the law with the same degree of ignorance as this member behaved when the discussion of having more books for a library took place. Again there was a suggestion that we should have separate magistrates for these cases. That is also impossible. We cannot have separate railway magistrates, separate irrigation magistrates and so on. Cases have to be lodged according to the jurisdiction the magistrates have in their local area and all sorts of complaints can adequately be settled there without prejudice to any party. Of course it is necessary that some adequate punishment should be meted out to offenders in this line. Then it was suggested that the orders should be pronounced there and then. I do not think we can have such a summary procedure. There are already sufficient preventive remedies. For instance, where there is a menace to the peace or there is an apprehension of a breach of peace there are sections 107, 151, 145 of the Criminal Procedure Code and so on which can be brought into force at once. There is already sufficient remedy in criminal jurisprudence and there is no need of special magistrates and giving of any special

[K. S. Ch. Riasat Ali.]

powers to anybody. If there is any opposition to the motion it is on account of these things.

Mr. T. B. Tate (Chief Engineer, Irrigation): As regards fixing warabandi, Government does not come into the question unless it is asked by some cultivators coming and making a request. Otherwise Government do not take any action, as everybody knows. I think the suggestion was that the Irrigation Department should arrange warabandi. Naturally one does not like to do it. It is for the zamindars to arrange it between themselves. One wants to encourage a spirit of mutual co-operation and personally I would hesitate to advocate any such methods as compulsory warabandi. I think every one is familiar with the history of the magisterial powers and I do not propose to anticipate any decision to which the Canals Advisory Committee may come at its meeting on March 28. I think we might leave it to them. We all know that canal officers in the old days were invested with magisterial powers and tried cases. They may or may not have been inefficient magistrates. The fact remains that warasikhni cases were much fewer then and were disposed of more quickly. The mere fact that they were magistrates prevented the crime to a very great extent owing to the moral effect of the canal officers being also magistrates. I think we may leave further consideration of the question until March 28th.

The Honourable Nawab Muzaffar Khan (Revenue Member): There is a Persian saying:—

در میان قوم دریا تخت بدم زده ای باز می گوئی ند داسر. تم ممکن موشیا باش

They want us to do a thing and when you come to the remedies each one says, "do not do this, this will cause us trouble, don't do that, that will cause us trouble." This question has been discussed for a long time and still remains undecided. Rai Bahadur Sewak Ram's statement that the question had been finally decided was not in accordance with facts. He is a member of the Standing Canal Committee, he attended the last meeting over which I presided and in that meeting this very question was discussed at a very great length and we came to the conclusion that a further enquiry should be made into this matter as the present practice of the trial of warasikhni cases by ordinary magistrates was causing a great deal of trouble and inconvenience to the zamindar. There is, as pointed out by my honourable friend, Mian Nurullah, a grave danger to the peace in various districts. I remember last time when I went to Lyallpur, the deputy commissioner of that district brought it to my notice that poorer and weaker zamindars were suffering a lot on account of the warasikhni. He said there were breaches of warabandi and nothing could be done. It was many years ago when Sir Malcolm Hailey was the Governor of the province and was touring in the Ambala district that the zamindars complained to him that warasikhnies were on the increase. Sir Herbert Emerson again when he went to Montgomery heard the same complaint. A good deal of trouble and inconvenience was caused to the people. It is the weak and the poor zamindar who suffers. It is the strong man who takes away the water by force. Since then we have been thinking about it. Unfortunately the committee consisted of some members who were big landholders and the chief opponent

of the trial of warasikhni cases by canal officers was my friend from Lyallpur. I was requested by the committee to find out when I went on tour what the views of the smaller zamindars were. I am ashamed to confess that I was not able to do this for a very long time but recently during my tour I had the privilege of discussing this question with small zamindars. They are generally in favour of it. I do not say they all of them are in its favour. Some of them have their fears of the Canal Department and think that the Canal Department being a sort of a party to warasikhni cases may be prejudiced. But the general opinion was that if the old system was resorted to it would be to the greater interest of the smaller zamindars. That was the general opinion. I again discussed the question with some of the members of this House. The members were divided in their opinion. We have tried tahsildars, we have tried special magistrates but the result has not been satisfactory. These magistrates are not experts in canal matters and do not take much interest in warasikhni cases. Again there is considerable delay in the trial of these cases. The result is that while the poor zamindar is suffering and is running after either the tahsildar or some other officer, nothing can be done to help him. As regards the irrigation officer I quite see the point of honourable members and I agree with them that the irrigation officers should not try those cases in which the Irrigation Department is directly concerned. For instance, if there is a breach and the Canal Department is a party it is only fair that another magistrate should hear the case. I cannot, however, see any objection where the dispute is between one zamindar and another. There is no reason why irrigation officers should not try such cases. They are experts and know the system of warabandi and would understand these cases better and dispose them of much quicker. I really fail to see why any member should have objection to such a course. I do not see how the canal officers are in any way inferior to tahsildars or magistrates. They are very good officers with high education, people who have been educated in England and I do not think we need have any fears on that score. I, therefore, say that this is the best remedy. As regards the system of warabandi the Chief Engineer has told the House that everything possible is being done; but if there are any genuine complaints that any applications are not attended to by any canal officers, I shall be very grateful if members bring the facts to my notice. In fact, last time when I was on tour to Islam, I discussed the question with the Executive Engineer who is paying particular attention to these warabandi cases. I can quite realise the feeling of zamindars when they find that their crop is being ruined while the water is forcibly taken away by others who are not entitled it. As regards the action suggested to be taken under section 107 I doubt very much whether such proceedings would prevent these quarrels. The only or one of the most effective remedies is that these cases should be tried by canal officers and I hope the Council would agree to its being tried at least in some selected districts in the first instance in order to find out how it works and if successful it can be extended to other districts.

At this stage the Council adjourned till 11 A.M., on Thursday, 19th March, 1936.

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PUNJAB LEGISLATIVE COUNCIL

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 19th March, 1936.

The Council met at the Council Chamber, at 11 A.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

✓ *Mr. R. J. S. Dodd (Reforms Commissioner) was sworn in.*

DELIMITATION COMMITTEE'S REPORT.

The Honourable Nawab Muzaffar Khan (Revenue Member): I beg to move—

That the Report of the Indian Delimitation Committee be taken into consideration. In moving this you will observe that the motion is that the report be taken into consideration and not that it be discussed. The idea underlying is that Government should be in possession of definite views of the House on various points which would not be possible if the motion was one for general discussion. I see, however, that only one honourable member has brought a definite motion. Government would be willing and would have no objection if motions are allowed by you even at this stage. Government is anxious to know the definite views of the House.

There is just one other point which I would like to add. It would perhaps be better if at this late stage we confined ourselves to the larger issues than to matters of detail.

Mr. President: Motion moved—

That the Report of the Indian Delimitation Committee be taken into consideration.

Mr. Nanak Chand Pandit: I have not been able to follow what is meant by discussion and what is meant by consideration. The Honourable Member would be pleased to make it clear because there cannot be any consideration of the motion unless there is discussion. I have not been able to follow the Honourable Member and I want to have a clear understanding on the point.

Mr. President: A report is discussed when it is argued for and against by the individual members of the House. But when the opinions expressed or recommendations made therein are approved, modified or rejected by the majority of the members present, it is said to be considered by the House.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): I rise to oppose the motion, and I will briefly give my reasons for it. The report of the Delimitation Committee is merely a report of what the Government and what the Franchise Committee had decided. As a matter of fact the investigation of the Delimitation Committee has been most unreal. I appeared as a witness before the committee and I raised the point of giving fifty-fifty seats to the agricultural and non-agricultural tribes respectively. And I was told by the President of the committee—and I

[Mr. Nanak Chand Pandit.]

wish that this should go on record—that he was not there to frame constituencies on new principles but that he was only to see within the limited time that was at his disposal whether some slight amendment here or there could be made. And I then told him in the presence of other persons that it was entirely useless then, because if the Government's proposals or the Franchise Committee's proposals were to be accepted then there was no use for a Delimitation Committee to spend public money and waste their time and the time of others. Similarly the Muhammadan deputation which was led by Khalifa Shuja-ud-Din was told this very thing and a similar protest was made by Khalifa Shuja-ud-Din. I do not blame the members of the Committee because they were told that if they were to enter into large issues that would delay the reforms by a year or perhaps more than a year. So they had to take a very hurried and a very partial examination of the questions that were before them. And I want this to go on record so that it may be known to everybody that there was really no investigation, as investigation there should have been into this all-important question.

Then, from our point of view the constitution of the Committee was not such as could inspire confidence. There were three members on the Committee. One of them was a member of the Unionist Party who held definite views with regard to all the matters that were placed before the Committee and he had expressed those views more than once not only in this Council but also before the Franchise Committee which co-operated with Lord Lothian's Committee. Therefore, unconsciously or sub-consciously, we the non-agricultural tribes and the so-called urban members of this Council knew where we stood so far as this Committee was concerned. And in the pages of the report of the Delimitation Committee that prejudice against the non-agricultural tribes or against the so-called urban members is writ large.

The third point on which I oppose the consideration of this report is that the party to which I belong on this side of the House is described as urban while it is predominantly rural. Its composition is not only urban but also rural. Similar is the case of the party on the other side of the House. I do not know why the Punjab Government and why the Press which is inspired by the rural party should describe all the members sitting on this side as urban. Throughout the discussion of the Committee the Government view and the view of the Unionist Party has been adopted and so far as members sitting on this side of the House are concerned we were described as urban and on the ground of this nomenclature we suffered. I want to place my emphatic protest on record on this ground also.

It has been stated that there would be 175 members in the future Council and the report says that there would be only two divisions, or parties urban and rural. That again is adopting the view of the Punjab Government which is dominated by agriculturist members, two being neutral, three being agricultural and only one being non-agricultural. That the future conflict would be between rural and urban is impossible because if you take into consideration the rural members they would be about 150 and the urban members only 20 or 25. Therefore there cannot be any real conflict between urban and rural members. The real thing has not been touched and that is the conflict of interest between the members of statutory agricultural.

tribes and those of non-agricultural tribes who are not likely to be confined to urban areas. In the urban areas are to be found both agricultural and non-agricultural tribes—in the urban areas as defined by the Delimitation Committee—and the proportion of the two classes is fifty-fifty in the whole province. Our main proposition before that Committee was that constituencies should be so ear-marked that fifty per cent. of non-agricultural tribes, that is, half of the population and fifty per cent. of agricultural tribes, the other half of the population should be returned to the Council in equal numbers. And we were told then that such a thing could not be taken into consideration as it involved a great amount of time and labour and the Punjab Government's efforts would be thrown off absolutely.

The other ground on which I protest is that for the Punjab the definition of urban areas that has been accepted is entirely artificial. Big villages with a population of 7,500 are described as urban areas. They are not urban in any sense of the word. They are agricultural and not industrial towns. And this nomenclature adopted at the dictation of the Punjab Government and the present Punjab Legislative Council which is dominated by members of the agricultural tribes is really at the basis of the whole scheme. And therefore instead of getting justice from the Government or this Committee, instead of getting bread we have got a stone. In the Punjab in future the conflict would be between the agricultural and non-agricultural tribes but that conflict does not mean anything because the non-agricultural tribes would be reduced to a position of serfdom and helotry which was foreshadowed by the valuable report of the Lothian Committee. It is therefore necessary that we should at the very outset lay an emphatic protest against the so-called recommendations of the Hammond Committee which are really the recommendations of the Punjab Government which as I have said is predominantly agricultural and of the present House which predominantly consists of members of agricultural tribes. It is essential that if the British Parliament is to do justice in this matter the matter should be investigated in all its bearings. I do not understand how this discussion at this stage would be of any help to the members of Parliament or a committee that may be appointed of members of Parliament. The discussion here is bound to take some time if it is to be real and effective and our views cannot possibly be taken into consideration by the committee which sits there. We understand that in a very short time the whole thing would be decided and the discussion that is now taking place here would be of no use or value to the members of Parliament there. (*The Honourable Revenue Member*: It will be in time. That is why we brought this up to-day instead of postponing it.) If we are in time so much the better. But I will say this that the main proposition which I wished the Hammond Committee to take into consideration—and I wish the impartially minded members of this House to take it into consideration—is this, that constituencies be so ear-marked that there should be reflection of population so far as the members of agricultural and non-agricultural tribes are concerned.

In the second place, this distinction of urban and rural areas, which are artificial and meaningless, should be done away with. In the third place, rural areas should not be deprived of the guidance of intelligent men and educated men, who live in the so-called urban areas. As a matter of fact the whole scheme is such that it is artificial. Rural areas are deprived of the

[Mr. Nanak Chand Pandit.]

leadership of the towns in their own districts. Then towns in one district have been tacked on to other places in other districts. This is an arrangement which is entirely unnatural, artificial and against equity or justice.

Mr. President : The question is—

That the Report of the Indian Delimitation Committee be taken into consideration.

The motion was carried.

Mr. M. A. Ghani (Nominated, non-official) : I beg to move—

That in the opinion of this Council, all the trade unions of industrial workers as defined in article I of the Washington Hours Convention of the International Labour Conference and registered under the Trade Unions Act for at least 6 months before the prescribed date for the preparation of labour electoral rolls, and particularly the North-Western Railway Industrial Workers' Union, Lahore, should be included in the Punjab Trade Union Constituency and that the Chief Inspector of Factories should be the returning officer thereof.

I am extremely grateful to the Punjab Government for giving us this opportunity of discussing the report of the Indian Delimitation Committee. I am also grateful to the 45 honourable members of this House, who at my instance, signed the request to you to arrange for a discussion of this report.

So far as labour is concerned, with which I am interested mostly, I may say at once that the recommendations of the Indian Delimitation Committee are highly unjust, grossly unfair and absolutely reactionary. It is most surprising that a committee consisting of such learned and able members as Sir Laurie Hammond, Sir Venkata Subba Rao and Mr. Din Muhammad, should have overlooked the various implications and complications involved in the recommendation so far as the question of the formation of 3 labour seats in this province is concerned. According to the Committee's report—I refer to page 195, paragraph 533—out of the three labour seats, one is given to organised labour and two are given to unorganised labour constituencies. The unorganised constituency will consist of factory and mine workers of Jhelum, Rawalpindi and Campbellpore districts on the one hand and Amritsar, Jullundur and Gurdaspur districts on the other. So far so good. The sting lies in the question of the formation of the Trade Union Constituency. The committee has recommended that the North-Western Railway Union, Lahore, should be constituted as the Trade Union Constituency. In other words, the Trade Union Constituency is given not to the Trade Unions of industrial workers in the province, but to one single "bogus" union of clerks and supervising staff throwing over-board all the other unions of industrial workers in this province. The Committee in their report at page 196 gave the following reasons for this—

As regards the electorate for the seat in question, we are of opinion that the right course is to assign the seat to the North-Western Railway Union,..... We felt some doubt as to whether we should not extend the constituency so as to include all registered trade unions in the province. But in the first place, we do not regard any of the trade unions in question as of such a standing, or of such stability, as to form a very suitable element in a labour electorate, and it is in any case inevitable that the trade union constituency, given the size and importance of the North-Western Railway Union, should be dominated by that union.

Now, I have got in my hand a copy of the report of the Registrar of Trade Unions in the Punjab for the year 1934-35. In this official report, the number of members of the North-Western Railway Industrial Workers'

Union is given as 27,642. It is most surprising that a union of over 27 thousand members have been absolutely ignored. Other important unions for example, Punjab Miners' Labour Union, Khewra Salt Mines, which was registered about 8 years ago and which is recognised by the Government of India and which has done far more useful work than any other Union has been ignored. Similarly the Rickshaw Workers' Union of Simla has been ignored, the Tonga Workers' Union has been ignored, the Motor Drivers' Union has been ignored. Many other important Unions have been ignored. The Indian Delimitation Committee had no right to ignore such important unions in the Punjab. It appears to me that either the correct figures were not given to the Committee by the Registrar of Trade Unions or the Committee overlooked the figures in the list supplied to them by the Registrar. As I read the report I have come to the conclusion that virtually all the three seats have been given to the North-Western Railway Union. Only the officers and members of that Union will be in a position to be returned not only from the Trade Unions Constituency, but also from the two special labour constituencies. A candidate for the special labour constituency can be one who is either a worker in a mine or in a factory or a member or an official of the North-Western Railway Union. Now the workers in mines and factories will not be in a position to fight the election. But an honorary member or an official of the North-Western Railway Union, by virtue of his influence, by dint of the power of his money will be in a position to win the seat of the special labour constituency. I ask, whether it is fair and just on the part of the Committee, to give all the three seats to one single Union? It is most unjust. In no other province has this been done. In Madras we have got two seats and you will find from the Committee's report that one of them is given to the registered Railway Trade Unions in the Presidency and the other is given to the registered trade unions of textile workers. Similarly in Bombay we have 6 Trade Union seats and they have been given to certain groups of trade unions in the Presidency. In Bengal, in the United Provinces, in the Central Provinces and in Bihar similar is the case. So you will see that in no other province have trade union seats been given to one single union there. I protest most strongly against this recommendation. All the Unions in the Punjab have protested against this recommendation. They have sent cables accordingly. (*An honourable member*: Read the cables). I have no time to read them to the House. Only yesterday the North-Western Railway Moghalpura Workshops' employees at a mass meeting passed a resolution of protest. I am extremely sorry to find that we have been treated most unjustly by the Committee. We have no confidence in the Director of Industries. So, we want that the Director of Industries should not be the returning officer of this constituency. The Chief Inspector of Factories, who is neither a Muslim nor a Sikh nor a Hindu, but who is a European, should be the returning officer of this constituency. As my time is up so with these words I move this motion. (*Cheers*).

Mr. President: The question is—

That in the opinion of this Council, all the trade unions of industrial workers as defined in article I of the Washington Hours Convention of the International Labour Conference and registered under the Trade Unions Act for at least 6 months before the prescribed date for the preparation of labour electoral rolls, and particularly the North-Western Railway Industrial Workers' Union, Lahore,

[Mr. President.]

should be included in the Punjab Trade Union Constituency and that the Chief Inspector of Factories should be the returning officer thereof.

The motion was carried.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (Urdu) : I beg to move—

That a rural seat be allotted for Muslim women.

You are probably aware of the fact that it was the Punjab Government which first of all recommended a rural seat for women to be reserved in the Jullundur constituency, and at that time almost all the honourable members of the House and especially the honourable member from Jullundur congratulated the Government on this decision. But I am at a loss to understand how, when the Government arrived at this decision after full enquiry and deliberation and when it was also approved by this House, how the Government dreamt that a seat for women in the Jullundur constituency would not be free from danger.

The Honourable Nawab Muzaffar Khan : Who thought that ?

Chaudhri Afzal Haq : Perhaps the Honourable Member has not read the relevant portion of the report. The quarrel about rural and urban constituencies has not as yet ended in the Punjab. It is admitted on all hands that there is a vast difference between the rural and urban people both from political and social points of view. If that is so, I do not see any reason why a rural seat should be given to urban people.

The Honourable Nawab Muzaffar Khan : Who did it ?

Chaudhri Afzal Haq : The Punjab Government recommended it. Perhaps the Honourable Member has not read the report. Let me read out the relevant part of it. It is as follows—

We wish to provide a representative electorate and to ensure that the constituencies in which the women's seats are filled are small and select and so framed as to minimise the difficulties of canvassing (particularly marked as a result of social conditions still prevalent in many parts of India) the hardships of communication in rural areas in that country, and the obstacles likely to be met by a member in maintaining contact with her constituents.

The Government admits that it recommended to the Committee that rural seat should not be given to the Muhammadan women and that the seat should be given to Lahore women. But obviously this fact has not been taken into consideration in making that recommendation that the Muhammadan women in Lahore observe purdah more than the women in Jullundur and for the matter of that in rural areas. In rural areas almost all women go about without purdah and as we all know most of these women go and work in the fields side by side with men. I know that there are some women in the rural areas too who observe purdah, but as I have said before such women are few. Then the condition of life in the rural areas is very much different from the condition of life in the urban areas and particularly in the big cities like Lahore. The Government is fully aware of this difference. In the circumstances it is but necessary that the seat originally reserved for women in Jullundur should have been allowed to remain intact.

I am fully conscious of the fact that greater difficulties are experienced and will have to be experienced in elections so far as rural seats are concerned, but this will also be admitted that these difficulties will have to be

removed sooner or later. To-day or to-morrow or a year hence or say some years hence steps will have to be taken to tide over these difficulties and, therefore, these difficulties should not deter us from doing what is right and just. We are living in the twentieth century when we hear so much cry for representation being given to women and by no stretch of imagination can it be said that this representation is to be confined to women in the urban areas or more precisely to women in the big cities like Lahore. It is, therefore, another reason why we should insist on representation being given to women in a rural area as it was originally proposed. I hope that all sections of the House and particularly the honourable members on the opposite benches who are never tired of advocating the cause of women will support this proposal.

Mr. President : Motion moved is—

That a rural seat be allotted for Muslim women.

The Honourable Nawab Muzaffar Khan (Revenue Member) : There is just one point. My friend opposite, if I may be excused for saying so, has got into the habit of attacking Government in season and out of season. From the report he has not been able to show that these were not Government's views. In fact Government is in entire agreement with what my honourable friend has stated.

Mr. President : The question is—

That a rural seat be allotted for Muslim women.

The motion was carried.

Chaudhri Afzal Haq : I beg to move my next motion which runs as follows :—

Rai Bahadur Mr. P. Mukerjee : Can the same member make various motions? The time at the disposal of this House is very limited and if one honourable member is permitted to make several motions, he may occupy the whole time. It will therefore be advisable in my view—if the honourable House will accept my suggestion—that a committee of this House be formed to consider the various proposals of the members and come to a conclusion and make their recommendations to Government.

The Honourable Sir Donald Boyd : I suggest that we can leave it to the Chair to see that everybody is treated fairly in this debate.

The Honourable Dr. Sir Gokul Chand Narang : I suggest that each member may be allowed to make only one motion and when everybody who wants to make a motion has made one then a second chance may be given again.

Mr. President : The next motion stands in the name of Pir Akbar Ali. It says that a land-holder paying Rs. 250 as revenue shall be entitled to vote in the Landholders' Constituency ; whilst Chaudhri Afzal Haq's motion proposes that a person paying more than Rs. 100 as land revenue should be entitled to vote. As both motions deal with the different aspects of the same question, I call upon Pir Akbar Ali to move his motion.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : I beg to move—

That a landholder paying Rs. 250 as revenue be entitled to vote in the Landholders' Constituency.

[Pir Akbar Ali.]

According to the recommendations of the Committee the report of which is now under consideration only such landholders will be entitled to vote in the landholders' constituency as pay Rs. 500 as land revenue and if this recommendation of the committee is given effect to, five of the seats will go to as few as three thousand persons because there are only three thousand persons in the province who are paying as much as Rs. 500 as land revenue. I need hardly say that this arrangement is totally against the spirit of democracy and is more in keeping with the spirit of autocracy. I am sure, therefore, that no one will look with favour on this arrangement. If as I have proposed, all such landholders as pay Rs. 250 as land revenue are entitled to vote for the landholders' constituency, the number of voters will increase to ten thousand. That will be more in consonance with the spirit of democracy. I need not say that it is a sound proposal and that none will get up to oppose it. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion moved —

That a landholder paying Rs. 250 as revenue be entitled to vote in the Landholders' Constituency.

This motion as well as Chaudhri Afzal Haq's motion will be discussed together.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : I should like to make a few observations for the consideration of this House with regard to the lowering of the franchise for the landholders' constituency. From the very beginning of this reforms controversy I have personally been very strongly opposed to the idea of having an upper House for this province, because I feel that the well-to-do zamindars and the smaller zamindars should mix together as one class in one House. Honourable members must have known that there are certain provinces in which upper houses have been established, but not in the Punjab. In this House special representation has been given to various classes such as commercial, industrial, labour and so on. This constituency of landholders is a kind of a special constituency for the bigger land owners. These have been given only four seats in the whole province. If these four seats are taken away and the bigger land owners are not given any special representation it will be strengthening the hands of those persons who have always been proposing an upper house for this province. This will be a great mistake on the part of the public as well as on the part of the landholders. The suggestion now made is that the qualification for voters to the landholders seat should be reduced to the payment of Rs. 100 or Rs. 250 as land revenue. These classes of landholders are already represented in the House. It must be realised that most of the members who come to this House come within the category of those who pay land revenue up to Rs. 100 or Rs. 250. The lowest limit which has been fixed at present is Rs. 500. If you bring it lower still, then you need not have any special representation at all for landholders. That constituency in that case may as well be abolished. Because certain other interests have been given special representation therefore the landholders are also given special representation. I think it will be a great mistake on the part of this House to take away this meagre representation for the larger landowners and thereby strengthen the claims

of those who want an upper house. I hope either the honourable members who have moved the motions will not press them or that the House will not accept them.

Sardar Bahadur Sardar Buta Singh: I should like to have a piece of information. Will these motions that are now moved, if adopted by the Council, have any binding effect upon the Government?

The Honourable Nawab Muzaffar Khan: No. All that we will do is that the wishes of the Council will be conveyed to proper quarters.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): I have risen to support what the Honourable the Minister for Education has stated regarding the reservation of seats for big landholders. If one landholders' seat is reduced it would mean that the hands of those who are in favour of an upper chamber will be strengthened.

Pir Akbar Ali: Is the honourable member speaking from his own seat?

(*Khan Bahadur Nawab Muhammad Hayat Qureshi went to his seat and after taking his seat rose to speak.*)

Mr. President: The honourable member has finished his speech.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): So far as the attitude of the Unionist Party as such is concerned, it has always been against any special representation of any class. As a matter of fact the memorandum which was presented on behalf of the Unionist Party to the Simon Commission laid stress on the fact that special representation should all be done away with. (*An honourable member: What about tumandars?*) But special interests have been allowed separate and independent representation in the scheme of representation contained in the Government of India Act. Under the same scheme landlords desire special representation for themselves. However, the present proposal is not incompatible with special representation of landholders. All that the present proposal suggests is that instead of the franchise qualification being Rs. 500 land revenue, it should be lowered to Rs. 250. This proposal does not do away with the special representation of landholders, but only seeks to widen the basis of franchise, and on principle I think there should be no objection to it.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): The Honourable Minister who is a member of the Unionist Party and who has always claimed that so far as that party is concerned no distinction is made between a big landholder and a small landholder, now says that there ought to be a distinction between the big landlords and the small holders. The big landlords make rules for their own benefit and all the members who are at present sitting here are landowners and they have many a time tried to make rules which go to serve their own ends. The poor men have never raised a voice against them. Now they want that another seat may be given to the landlords. This is a new distinction that they want to create. Now that party cannot claim that it does not recognise any distinction between big landholders and small landholders. On the one hand

[Ch. Afzal Haq.]

you include yourself amongst the poor people and on the other hand you try to distinguish yourself from them. You include yourselves amongst them only when it serves your purpose and you require some sort of protection, but you never try to extend protection to the poor when they need it. May I ask from them as to what part of the province had requested them to get a reservation of seats for different interests? This party has always emphasised the point that it recognises no difference between the poor and the rich. But one prominent member of this party claims another seat to be reserved for the big landlords. (*Interruption*). I do not say that, rather I want that the franchise should be lowered. You are a landlord and your constituencies are known as landlords' constituencies, which is a misnomer. In view of your claims that you recognise no difference between a big landlord and a small landlord in the Unionist Party it does not lie in your mouth to claim more seats to be reserved for landlords. I appeal to the Sikh and the Hindu members as well as the rural members of my party to vote for the motion.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): The motion of Chaudhri Afzal Haq does not seem to be logical because in reality he does not do away with this class of people. When once you recognise the status of

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landholders to a certain extent, it makes no difference whether you fix the franchise at Rs. 100, Rs. 250 or Rs. 500. When you recognise it once, it is absolutely necessary that their status must be maintained. Therefore, if you reduce the Rs. 500 class to Rs. 100 of franchise, there would be absolutely no distinction between the small landholders and the big ones. Therefore, in order to keep up their status, it is absolutely necessary that there should be some landmark between these two classes. Therefore, Rs. 500 for the Punjab, which generally is a province of peasant proprietors, is not a very high amount of land revenue. It should, therefore, be maintained.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated, non-official): I rise to oppose the motion under consideration. If the franchise fixed for the landholders constituencies in the Punjab is lowered, it will defeat the object of giving special representation to the big landholders in the future provincial legislature. The franchise which has been fixed is already very liberal. I would like to place before the House the franchise qualification fixed in other provinces for the landholders constituencies. A comparison will show that the franchise qualifications in the Punjab are the lowest excepting the North-West Frontier Province. The qualifications of voters in other provinces are as follows:—In Madras, Janmi of land on which the annual assessment is not less than Rs. 1,500, in Bengal, assessment of land revenue not less than Rs. 3,000 or road and public work cesses not less than Rs. 700; in the United Provinces assessment of land revenue of not less than Rs. 10,000; in Behar, assessment of land revenue not less than Rs. 4,000 or local cesses not less than Rs. 1,000; in the Central Provinces and Berar assessment of land revenue not less than Rs. 3,000; in Orissa, assessment of land revenue not less than Rs. 3,000 or other cesses not less than Rs. 500; and in Sind assessment of land revenue not less than Rs. 1,000. It was remarked by the honourable the mover of the motion

that the number of voters in the landholders' constituencies in the Punjab is only 3,000, which should be increased by lowering the franchise. I will now quote the figures of other provinces and will show that the number of voters in the Punjab landholders constituencies is greater than in any other province. In Madras, for the 6 landholders' seats, total number of voters is 1,185, in Bombay the number of voters for two landholders' seats is 499, in Bengal for five landholders' seats the number of voters is 2,500, in the United Provinces there are 265 voters for six landholders' seats, in Bihar there are 401 voters for four landholders' seats, in the Central Provinces there are 1,000 voters for three landholders' seats, in Assam there are nine planting constituencies with 1,400 voters, in Orissa there are 2 landholders' seats and 200 voters, in Sind for 2 landholders' seats there are 1,443 voters and in the North-West Frontier Province there are 1,050 voters for two landholders' seats. In the Punjab there are four landholders' seats with 2,717 voters. The fifth landholders' seat in the Punjab is reserved for the Tumandars. Technically it is not correct to classify this seat as landholders' constituency. This constituency should have been classed as "backward areas and tribal constituency" as are provided in other provinces of India. It is not correct to assume that the representative of Tumandars is returned by nine voters only. This constituency represents a very vast area with a population of over 200,000 inhabitants. Tumandars are representatives of their tribes and hold office as long as they enjoy the confidence of their tribes. Each section of the tribe elects a head who is called muqqadam and the muqqadams elect their representatives who assist the Tumandars in the carrying out of their duties. So truly speaking the election of the Tumandars' constituency is based on the indirect system of election and all the adults in a way vote in the primary selection of muqqadams and head muqqadams. The representative of the Tumandars' constituency therefore represents the tribal Baluch area. The tribes on the Dera Ghazi Khan and Baluchistan border hold a position of great importance, inasmuch as they protect the northern tribal frontier of the Punjab. These tribes are backward economically and educationally and need special representation in the legislature of the province. Now coming to the main question, I might point out that in the absence of the second chamber it is all the more necessary to assure the representation of big landlords who have played an important part in the political sphere in the past. The Punjab is termed as a land of peasant proprietors. The big landlords form a small minority and they must be protected. This minority is an important section of the society, which exercises healthy and stabilising influence. The success of the Chelmsford-Montagu Reform in the Punjab was mainly due to the healthy influence exercised by this class. There is a difference in the outlook of the peasant proprietor and the big landlord. The peasant proprietor though owning a small area himself depends largely on cultivating other people's land and has an outlook of a tenant. His interests in a way differ from that of a big landlord. The big landlords have never tried to create a difference between themselves and the smaller landholders and have always realised the danger of discrimination between the two classes of landed proprietors. The proof of their goodwill towards the peasant proprietors is evident from their opposition for the second chamber in the Punjab. They have always championed the cause of rural and agricultural classes as a whole and worked

[K. B. Mian Mushtaq Ahmad Gurmani.]

in closest contact with them. With the lowering of franchise in the province, it is only desirable, that this important section of the population should be assured of some representation in the legislature. If the franchise is lowered in the landholders constituencies an overwhelming majority of peasant proprietors and people who are not owners of land, but are lessees of crown land on temporary cultivation condition in colony districts and are no more than mere tenants will become voters and I am afraid, the class of people for whose representation these constituencies have been framed, may not be returned in future.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I wish to oppose the motion. Chaudhri Afzal Haq who spoke on the motion, did not deal with the principles at all. He simply attacked it as it is the policy of the Unionist Party. He must realise, that not only in the Punjab, but in all the other provinces of India, special interests have been given special protection and I personally feel it is a tragedy that this province has not got an upper house. I need hardly say, that it will be a great mistake if the franchise in these constituencies is lowered.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural): I oppose this motion. I was one of those who were against the second chamber for the Punjab and I have tried to be at one with the honourable Rao Bahadur Chaudhri Chhotu Ram. If all these distinctions were to be abolished, those big landholders' constituencies should also be abolished. But I do not see on what principle they want the reservation of seats for a person who gives Rs. 100 as land revenue. Why should it not be Rs. 50 or Rs. 75? The idea of keeping Rs. 500 was that you bring in a class which has got a special interest to protect and which has got a different outlook on land revenue system.

Nobody has stated so far why it should not be Rs. 75 or Rs. 50. I have brought this point to show that there is difference of opinion and outlook in persons who pay Rs. 500 land revenue and those who pay Rs. 100.

Mr. President: The question is—

That a landholder paying Rs. 250 as revenue be entitled to vote in the Landholders' Constituency.

The motion was lost.

Professor W. Roberts (Nominated, non-official): I move—

That in the opinion of this House voting for the European and Anglo-Indian provincial seats should be by postal votes.

I crave the indulgence of the House to pass a resolution that in the European and Anglo-Indian constituencies in this province the voting be by postal votes. The reason for asking this concession is that our constituents are very scattered and in some cases—take for example the Railway—I have been requested by my honourable colleague Dr. (Mrs.) Shave to say that the employees of that department cannot leave their duties to go to record their votes. Further every provincial Government except the Punjab, Bengal and to some extent Bombay, have recorded their opinion in favour of the postal votes. Other provinces have definitely done so. Madras, the United Provinces, Central Provinces and Behar and Orissa have done so and even the new province of Sind has done so. I would

be very grateful indeed if my honourable colleagues will agree to this very moderate request that voting should be recorded by postal votes in the case of Anglo-Indians and Europeans.

Mr. President : The motion is—

That in the opinion of this House voting for the European and Anglo-Indian provincial seats should be by postal votes.

The Honourable Nawab Muzaffar Khan (Revenue Member) : I think, before we proceed further, I will intervene and explain the procedure. This is really not a question for the order in council, this would be a question which would be discussed in the Governor's Rules and it would be open to any member to take it into consideration at that time. Really, it is a very difficult problem. We must remember that the scheme which we are now working up is an enormous scheme and we must consider each detail very carefully before we proceed further with it.

Professor W. Roberts : In paragraph 487 of the Report of the Indian Delimitation Committee it is definitely stated that this is left largely to the local Government. Our representations so far have not been very successful.

The Honourable Nawab Muzaffar Khan : The Reforms Commissioner is calling a committee. This would be really a question for that committee to go into very carefully. It depends on the number of Anglo-Indians or the number of Europeans on the electoral roll. This is a question not only for the Europeans but also for the Anglo-Indians. Supposing the number is 10 thousand voters, it would practically be impossible to issue ballot papers to the various voters at that time. So I would suggest to Mr. Roberts that this question should be left over for consideration by the committee which would be called for the purpose.

Mr. President : The question is—

That in the opinion of this House voting for the European and Anglo-Indian provincial seats should be by postal votes.

The motion was carried.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : I beg to move—

That every graduate living in the Punjab be entitled to vote in the University Constituency.

My object in moving this motion is that every graduate who lives in the Punjab, and who is registered or unregistered should be entitled to vote to the Punjab University Constituency. It is immaterial whether the graduate has taken his degree from the Punjab University or any other recognised university. If he is living in this province, he should not be debarred from giving his vote to a candidate who stands from the Punjab University Constituency. So far as other constituencies are concerned, a person who has passed only the primary examination, can exercise the right of vote. In his case, however, the condition is not laid down that he should be of two years or three years' standing. But I am really at a loss to understand why in connection with the Punjab University Constituency the condition has been imposed that a graduate who votes to this constituency should be of seven years' standing, and should be registered. As it means some expense to get registered, some people do not care to get themselves registered. Therefore, I beg to suggest that as soon as a person

[Pir Akbar Ali.]

takes his B.A. degree, he should be entitled to vote to the Punjab University Constituency.

Mr. President : Motion moved—

That every graduate living in the Punjab be entitled to vote in the University Constituency.

Mr. Manohar Lal (Punjab University) : The House should realise the position accurately before proceeding further with this motion. The first consideration that ought to weigh with us in this matter is this, that the particular qualification that a graduate has to be of 7 years' standing and that his name is to be borne on the register of graduates, is not peculiar to this province. If you look at volume II of the Report of the Delimitation Committee, you will find that this qualification is prescribed in every province in India. I think the least we expected of a member who wanted a different treatment for this province was to make out whether any special and particular circumstances existed here which would justify different qualification here. The second consideration is this : The proposition, as placed before the House is in any event much too wide, because the whole significance of franchise here is that a Punjabi graduate who belongs to this province should be a voter and not that anybody who happens to come into this province should immediately become entitled to vote or figure as a candidate for the Punjab University. That would be a startling position. It would also make the whole position extremely indefinite. If a person is to be a voter without such definite qualifications, really even American graduates who are not otherwise entitled to vote in our electorates, and graduates of many uncertain universities would secure a place in our constituencies. This point requires serious definition if it were to be taken into consideration at all. That is, if we wished to enlarge the franchise in the indefinite manner suggested, if we wished to enlarge the scope of the franchise in any way, it would require very careful consideration. But to my mind the fact that this matter has been duly and thoroughly considered—it was considered carefully by the Delimitation Committee, not only in this province, but in other provinces as well and the Committee adopted this qualification as absolutely essential—this fact should not be lightly brushed aside. One further consideration that the House would like to have before them is this, that the 7 years' qualification in itself has steadily increased the number of possible voters in this constituency. I remember that at one stage it was only 1,700. At the last election it was in the neighbourhood of 4,000 and to-day if every one who is really entitled, who will have the privilege of voting in this constituency, wished to exercise the privileges, the number would stand at 8,000 or even 10,000. In many of the universities, it is 10,000 even to-day. It is so in Madras. I wish that the House should exercise its vote in this matter after the fullest reflection. We should not depart lightly from a rule common to the rest of the country. In this special constituency, a voter must have adequate graduate standing, a well-established connection with his university.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural) : One of the objections put forward against this motion is that the existing practice prevails in other provinces. I fail to understand how it can be argued that.

because other provinces have not considered it beneficial to change the practice, so we should not also change. By giving a vote to all the graduates living in this province, we will be leading the other provinces in the matter by saying that we consider all graduated people reasonable enough to exercise the right of vote in favour of persons whom they consider best to represent them and to look after their interests. Then it is said that this problem is too wide. Now if you take the case of parliamentary elections in England, Indians who go to England are put on the register of voters and they are allowed to vote in spite of the fact that some of them are not graduates. Most people who have been to England know that their names are put on the list of voters and they vote for one candidate or the other if they want to. Therefore, why should objection be taken in this province for people, who have graduated in recognised universities, who carry degrees which show that they possess mental capacities to decide what is good for their country, to vote? I fail to see how far that argument can be used for opposing this motion. Why should we not have people whom we consider fit enough to understand what is good for their welfare and for the good of their country? If we can give vote to people who pay Rs. 5 as land revenue then why should not these graduates who can understand better the welfare of the country than the others be allowed to vote? I, therefore, support the motion very strongly. This will add very substantially a very intelligent element to the list of voters of the Punjab University Constituency.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): I should like to make a few observations about this constituency. There can be only two ways of looking at it: Either you give representation in this House to those who are actually engaged in the profession of education or you give representation to graduates of this particular University. As far as the University is concerned, the best representation in my opinion would have been of persons who are actually engaged in the profession of teaching and the best course would have been to have given a seat to the Senate of the Punjab University and not to have allowed graduates to come in at all. Because after all the fellows of the University are engaged in dealing with educational problems of every day. (*Mr. Nanak Chand Pandit*: And nominated by you?) I do not want to be side-tracked in that way. I would like honourable gentlemen to behave in the ordinary manner and allow a member to finish his speech. (*Mr. Nanak Chand Pandit*: Yes, if you behave.) For instance, you may have a graduate vakil living in Gurgaon. He will know as little about education and educational matters as probably a horse in one of the stables in Lahore. I feel personally that to allow men to vote for the University Constituency, men who have nothing to do with education at all is a wrong thing. But now that it is more or less understood that graduates have to be brought into this constituency, the question is whether a certain number of those graduates only should be allowed to vote or the whole lot of them. I see no reason for depriving a certain number of graduates of their right to vote. If there are persons who have held their degrees for seven years and they are fit to vote in a proper manner, I consider that a man who has passed out of the Punjab University and is a B. A. and perhaps an LL.B., is equally entitled to use his vote in the proper manner. In certain cases you allow people with primary education to vote; but in the case of the University degree you do not allow him to come

[Hon. Malik Sir Firoz Khan Noon.]

in because he has not passed his examination seven years previously. I think it is a wrong thing to deprive him of the vote. One suggestion of my honourable friend, Mr. Manohar Lal, was "why should an American be allowed to vote?" I am a Punjabi and hold an Oxford University degree and I am not allowed to vote. Again suppose there are Punjabis who go and take degrees in Aligarh or Benares. Why should they be deprived of their right to vote? They are as much Punjabis as you and I are. They are as much entitled to exercise their vote as you and I. Again take the case of an American, Professor Carter Speers of the Forman Christian College. He is more interested in the education of the Punjabis than my friends there. Why should he be deprived of a vote? I think everybody who is a graduate and lives in the Punjab and is interested in the profession should be allowed to vote and I think the House will be perfectly justified in enlarging the franchise to all graduates living in the Punjab.

The Honourable Nawab Muzaffar Khan (Revenue Member): I would like to draw the attention of the House to one particular point. The wording is not clear. The motion says, "every graduate living in the Punjab be entitled to vote for the University Constituency." Graduate of what University? For instance there was a University sometime ago started at Kapurthala. (*Honourable members:* Punjab University.)

Pir Akbar Ali: Sir, I mean only graduates of a recognised university and I may be permitted to modify my motion accordingly.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to lend my support to the motion under consideration. I am surprised at the suggestion to limit the number of graduates voting for this constituency instead of widening it especially when we are going from autocracy to democracy. There ought to be no limit to the number of voters and nobody should be deprived of his vote because he has only recently graduated. If a man has read for 15 years in a school or a college, is he not fit to give a vote to a man who stands from the University? On the other hand if the limit is to be as it is, the democratic principle does not come in and for this reason it is all the more important that all graduates living in the Punjab should be given votes. It does not of course mean that every graduate gives his vote, it is only graduates who have lived in the Punjab for a year. A man who comes and stays for a time will not be entitled to vote. From the manner in which this seat has been hitherto the monopoly of a chosen few, we should vote for this motion.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): It seems to me that we are overlooking a most important and pertinent fact that it is not a new constituency but an old constituency and no case has been made out why the old qualification of seven years' standing should be changed. Again there are precedents for it elsewhere in all the British Universities that only graduates of certain years' standing are entitled to vote. Therefore, this rule has been adopted from other places. Again the proposition does not look so simple. If you give the vote to every graduate the result will be that 900 students of the local Law College will be entitled to vote and about 300 or 400 students who are reading in the M.A. and M.Sc., and other post-graduate classes of the University will be entitled to vote and it is a matter

for serious consideration, apart from other matters, as to how far it is desirable that the educational life of the students should be interfered in this manner by the unwholesome effects of an election.

Mr. President : The question is—

That every graduate of a recognised University living in the Punjab be entitled to vote in the Punjab University Constituency.

The motion was carried.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) :
I move—

That the constituencies should be so framed as to allot seats to members of statutory agricultural tribes and non-agricultural tribes on the basis of their respective population strength.

It is now known to everybody that in this province the population of the non-agricultural tribes and agricultural tribes is half and half. This matter was properly investigated by Lord Lothian's Committee and you will find my statement borne out by the report of that committee submitted to the British Parliament. In that report it is given that the political predominance of this province cannot be made over to members of the agricultural tribes. But it is clear that that would be the result if the recommendations of the Punjab Government were accepted so far as the franchise qualifications were concerned. That committee was fully aware of the fact that if the future House is dominated by members of agricultural tribes there is a great danger that is likely to occur to the finances of the province. And, therefore, in the third Round Table Conference as well as before the Joint Parliamentary Committee this fact was kept before the minds of the British Statesmen. They were fully conscious of this danger and the Secretary of State made several enquiries from the Punjab Government as to the relevant strength of the electors of the two sections. What the Secretary of State and the Parliament did not want, the present Delimitation Committee under the influence, as I have said, of the dominant tribes who are represented here in this Council and in the Punjab Government are trying to do. If you look at the constitution as framed by the Indian Delimitation Committee the result of the elections would be that in the House that is to come in the future there would be at the utmost between 60 and 65 members of the non-agricultural tribes. Giving the utmost possible latitude in no case can the number exceed 65. The result of that would be that you will always have a predominant majority, an artificial majority which would not be in the best interests of the Punjab. Ordinarily a proper calculation will show that there would be no more than 40 members belonging to the non-agricultural tribes, but giving the utmost possible latitude and all kinds of consideration at elections, there would in no case be more than 60 to 65 such members, Hindu, Muslim and Sikh. And that is a very dangerous thing to do. What should be done is that a system should be adopted by which the constituencies should be so earmarked and defined that the population strength of the two sections should be represented in the composition of the House. That would have been a fair thing to do. It was more than once asked, "give us a list of the constituencies which you want." If the Government and the Council were serious, that could be easily done. It is imperative in the best interests of the province that this should be done. The treatment

[Mr. Nanak Chand Pandit.]

that is now being accorded to the members of the non-agricultural tribes is known to all. They cannot purchase land; they cannot purchase house sites; they are being driven out from public services or posts of responsibility. With the official bloc directing some of the policies it was possible for the members of non-agricultural tribes to have some sort of share in the public services. I, no doubt, realise that this suggestion which I make will pinch the members of the agricultural tribes here. They want electricity to be freely given to them; they want that industries should not go into the hands of members of the non-agricultural tribes; they want to lay limitations on the admissions of children of members of non-agricultural tribes to colleges on this basis. Just consider for a moment when the new House comes into existence and when there would be no official bloc, the members of the non-agricultural tribes are bound to treat the members of non-agricultural tribes as mere serfs and helots. Is it seriously contended that these men, these subjects of His Majesty should be treated in this manner by means of an artificial bar which has been created by the Land Alienation Act? Therefore, I submit to the House that if the Land Alienation Act is to continue the constituencies should be so framed that the population strength of the two classes should be reflected in the House that is to come into existence. It has often been said that this is an economic division and so on and so forth. There is no such thing as an economic division when the Statute lays down a certain rule for the expropriation of certain classes of the people. Therefore, with all the emphasis and earnestness that I can command, for the sake of the people who are going to be hit hard under the new constitution I wish to say this, if my words reach the members of Parliament, that the system of constituencies which the Punjab Government adumbrated and the Indian Delimitation Committee have accepted should be abandoned and a fair and just system of representation which may reflect the population strength of both the classes should be adopted. That basis if adopted would to a very great extent destroy the communal bitterness that exists in the province. Moreover it should not be forgotten that this matter has a communal aspect also. Seventy-seven per cent. of the Hindus of the Punjab are members of non-agricultural tribes and only 23 belong to the agricultural. Rao Bahadur Chaudhri Chhotu Ram has more than once contradicted these figures but these have been calculated for the Parliament by Lord Lothian's Committee as well as by the Punjab Government. This matter would be set at rest if the honourable Chaudhri Sahib would study the figures as given in the report of Lord Lothian. (*Rao Bahadur Chaudhri Chhotu Ram*: I have studied them oftener than you or any other member of the House.) According to the calculations there made forty per cent. of the Sikhs are members of non-agricultural tribes and forty per cent. of Muslims are members of non-agricultural tribes. As the report of Delimitation Committee says, it is true that this feeling between agricultural and non-agricultural tribes is predominant mostly among the Hindus, to a less degree among the Sikhs and to a still less degree among the Muhammadans. But the time is bound to come when this feeling will be aroused and great bitterness would be caused among all the three communities because with the advance of time the depressed or the suppressed classes among the Muslims and among the Sikhs also will realise that they have got a constitution based upon unfair method of delimitation of constituencies

which is going to reduce them to the position of serfs in the future. Therefore, for those people who are not represented here on the benches this side as well as those on that to the extent to which they should have been represented I wish to say this for the information of the gentlemen who are going to consider this question that the proper thing would be to have constituencies which would reflect the population basis in the new Assembly.

Mr. President : Motion moved—

That the constituencies should be so framed as to allot seats to members of statutory agricultural tribes and non-agricultural tribes on the basis of their respective population strength.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : I beg to move the following amendment to the motion :—

That the constituencies be so arranged that members of commercial classes should not secure a representation larger than what is strictly justified by their numerical strength.

Mr. Nanak Chand Pandit : On a point of order. That is not an amendment to my motion at all. It is a new motion. The terms agricultural and non-agricultural are defined by statute whereas commercial classes are not. The basis of division between agricultural and non-agricultural is definite and well understood by every one here as well as by members of Parliament. And now the honourable member is bringing an amendment which has got nothing to do with that definite and well understood classification.

Mr. President : The question is whether non-agricultural and commercial classes refer to the same or different sections of the people.

Rao Bahadur Chaudhri Chhotu Ram : They are different. The motion under discussion wants to secure that the whole population of the Punjab for purposes of representation should be divided into two groups, statutory agricultural tribes and other classes. My amendment is that the population instead of being divided on that basis should be divided into two groups, one consisting of commercial classes and the other consisting of the rest.

The Honourable Dr. Sir Gokul Chand Narang : I simply want to prevent waste of time. I do not understand what the honourable mover of the amendment means by commercial classes different from the ordinary meaning. It is not a term of art so far as I am aware and it does not occur in any statute.

Rai Bahadur Mr. Mukand Lal Puri : It is not an amendment. It is a substantive motion. It is entirely a different matter to the motion moved by Mr. Nanak Chand Pandit.

Mr. Nanak Chand Pandit : Suppose the amendment is accepted, is it practicable and will the Parliament proceed with it? Who are the members of commercial classes and what is their numerical strength?

Mr. President : The objection is that commercial people are nowhere defined; while agriculturists are defined.

Rao Bahadur Chaudhri Chhotu Ram : Then I oppose the motion that has been moved by the honourable member. He claims that statutory

[R. B. Ch. Chhotu Ram.]

agricultural tribes should be restricted under the statute to a definite share which will be proportionate to their population in the Punjab. So far as the present division of constituencies is concerned, there is nothing to indicate that any particular seat or any particular proportion of seats would necessarily go to this part of agricultural tribes or to those who belong to tribes other than statutory agriculturists. The only division that I find with regard to representation is between Muslims, Hindus, Sikhs and Christians, or between urban and rural. So far as I am aware there is nothing in the rules which will prevent a member of a non-agricultural tribe from contesting a seat in any rural area or in any urban area. Therefore, it cannot be concluded from the present arrangement that any particular proportion of seats would go to those who belong to statutory agricultural tribes. However, if this argument is conceded statutory agricultural tribes are fully entitled to the share which has gone to them so far and which it is stated, may go to them under the new constitution. The share of every class, if it is to be determined at all, should be determined on the following considerations, namely, their population, their contribution to the provincial exchequer, and their services to the State. Now apply all these tests and you will find that the number that is likely to go to statutory agricultural tribes will be a little more than the representation which is enjoyed by them at present. In any case, the present arrangement does not prevent anybody from contesting any seat and does not confer any special privilege on any particular class. So far as territorial constituencies are concerned, they are open to be contested by everybody. Therefore, the present motion is nothing more than an attempt to create distrust and mischief where none need exist, and deserves to be opposed.

The Honourable Nawab Muzaffar Khan (Revenue Member): I have just to say a few words by way of explanation. Mr. Nanak Chand Pandit has taken up his old theme of agriculturist and non-agriculturist voters. He took up the question in England also and in order to meet his wishes and bring in more non-agriculturist voters the Punjab Government went down practically to adult franchise. As the House is aware, in this province every person shall be qualified to vote who is assessed to any income-tax or pays *haisiyat* or profession tax of Rs. 2 or more, or, in fact, any other tax imposed under the Punjab District Boards Act to an amount of not less than Rs. 2. It was not possible to go beyond this. As regards the number of non-agriculturist voters, I think they would probably be over 40 per cent. With regard to the number of members of the House, I think a glance on the benches on my right would be a sufficient reply to the criticism. Most of my friends on those benches are non-agriculturists—I mean so far as the definition under the Punjab Alienation of Land Act is concerned: but they represent rural constituencies. In fact the honourable member himself represents a rural constituency. Government can take the horse to the water but it cannot make it drink. It is open to everybody, whether an agriculturist or non-agriculturist, to contest seats whether they are in urban or rural areas.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): Rao Bahadur Chaudhri Chhotu Ram has rightly pointed out that there is no bar against any person, whether he is a member of a statutory agricultural tribe

or not, from contesting any seat. He says that the door is open for everybody to go in, but he has entirely missed the point, which was made by Mr. Nanak Chand Pandit that this Government, dominated as it is, by members of the statutory agricultural tribes, has so framed the constituencies and the franchise, so as to ensure the return of a disproportionately large number of members of statutory agricultural tribes.

The Honourable Nawab Muzaffar Khan : The honourable member agreed to those constituencies.

Rai Bahadur Mr. Mukand Lal Puri : No. Again the Honourable Revenue Member points to the Hindu benches here to indicate that some members of non-agricultural tribes are also returned. Certainly, but proportion of members belonging to classes who are not members of statutory agricultural tribes is very very small indeed compared to their population and stake in the province. Let us look at the Sikhs first. There are 15 Sikh representatives of the great Sikh population in this province. Out of 15, 14 are members of statutory agricultural tribes. (*An honourable member :* Wrong.) I beg your pardon, Sir. Two members do not belong to this privileged class. (*An honourable member :* Three.) No, that is wrong. All except two are members of statutory agricultural tribes. Is it contended whether on the ground of population, or on the ground of taxation, or on the question of service to the State or all combined—I am repeating the standards laid down by Chaudhri Chhotu Ram—the Sikh non-agriculturists are only entitled to 2/15th share of representation in this Council? This injustice to the non-agriculturist Sikhs is very greatly resented by the non-agriculturist Sikhs of this province.

Again, look at the Muslim benches and you will find that the statutory agricultural tribes amongst the Muslims have a representation in this House, which is out of all proportion to their population in the province.

Again, the Honourable Revenue Member wanted to point to the Hindu benches. The population of the statutory agriculturists amongst the Hindus is only 23 per cent., as pointed out by the Financial Commissioner on the floor of this House the other day. You will find that there are eight Hindu elected members belonging to statutory agricultural tribes out of a total of twenty general seats, that is 40 per cent. Therefore even amongst Hindus, the members of statutory agricultural tribes is 40 per cent. instead of 23 per cent. their proportion in the population. It is as clear as daylight that this House is entirely dominated by the members of statutory agricultural tribes. The Indian portion of the Punjab Government is dominated entirely by the members of the statutory agriculturists. Yourself, Mr. President, the Deputy President, three out of the four Indian members of the Punjab Government are statutory agriculturists. Now this Government is responsible for the appointment of the Franchise Committee, for delimiting constituencies, for framing rules for election and franchise and it is time that this unfair result achieved by the party in power should be brought to the notice of the people of this province, of the members of Parliament and that a strong protest should be made against the recommendations of the Delimitation Committee. The Franchise Committee presided over by Lord Lothian pointed out that the statutory agricultural tribes, by reason of their privileged

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

position have certain economical and social advantages and care should be taken that they are not allowed to dominate the new constitution and their power should not be out of all proportion to the population. But the Government has paid no heed to this recommendation and has in fact made the position worse. The constitution of the next House will be far worse, so far as the representation of non-agriculturists is concerned, than the present House. It is strange that the British portion of the Government should have done nothing to assert themselves to implement the recommendation of Lothian Committee. It is hardly fair for a man like Chaudhri Chhotu Ram's ability to put forward an excuse like this that everybody is free and that there is no legal bar. If you arrange the constituencies in such a fashion and in such a manner that no member of the non-agricultural tribe has a chance of successfully contesting the seats, it is futile to point to the absence of a legal bar. The Government has failed to perform its duty by ignoring the recommendations of Lord Lothian's Committee. It is a matter for extreme regret that this should have been so. In spite of the fact that I raised this matter in this House in the last debate, the Punjab Government has not cared to look into the matter and has done nothing to explore the possibility of removing this anomaly and redressing this legitimate grievance with the unfortunate result that this grave injustice is going to be perpetuated. Either you recognise the difference between the members of statutory agricultural tribes, and others, or, you do not! If you do so, as you do, for the purpose of appointment, for the purpose of representation in various public and civic matters, as the debates in the Punjab Legislative Council abundantly show, as is further shown by this red book which is published every year by the Punjab Government, it is the height of injustice not to ensure to the members of non-agricultural tribes their share in the membership of the future Assembly and in the Government of the province, a share proportionate to their population and their stake in the province. This is the height of unfairness for this House, constituted as it is, to lay down the future constitution in such a manner and in such a fashion that it will always be dominated by a class, which dominates this House to the detriment of the rest of the population. I know that my voice is a cry in wilderness, but a protest must be recorded, so that it may not be said that nobody complained of it. It is necessary that on behalf of the members sitting on this side of the House and also on behalf of those vast populations amongst Sikhs and Muslims who are not adequately represented in this House, a protest should be recorded against this unjust method of laying the foundations of the future constitution of this province. Non-agriculturist Sikhs are not at all properly represented in this House, non-agriculturist Muslims are similarly not adequately represented. I protest on behalf of those Sikhs and also those innumerable Muslims who are not properly represented. Is it not a matter highly significant that such talented Muslims and recognized exponents of Muslim opinion like Dr. Khalifa Shuja-ud-din and Malik Barkat Ali should have gone to the Delimitation Committee and should have raised the identical point which the Hindu, Mr. Nanak Chand Pandit, has made? I invite the attention of the House to the evidence of Dr. Shuja-ud-din before the Committee and I wish the House to consider the matter dispassionately. I whole-heartedly support the motion.

Mr. President : The question is—

That the constituencies should be so framed as to allot seats to members of statutory agricultural tribes and non-agricultural tribes on the basis of their respective population strength.

The motion was lost.

Rai Bahadur Mr. Mukand Lal Puri : I came to the Council with the distinct intention of discussing one or two important propositions and the method that you have been pleased to adopt in this House has practically prevented me from putting forward those points.

Mr. President : Gentlemen, I have received notices of about 1½ dozen more motions. If the honourable members wish to discuss them, I will request the Honourable Leader of the House to give further time.

Rao Bahadur Chaudhri Chhotu Ram : There are certain very important motions which require discussion.

The Honourable Sir Donald Boyd : If the House wishes to discuss this subject further, I do not think Government will wish to curtail their discussion. But there are certain practical difficulties. I understand that this subject is to be before the House of Parliament on the 25th, so that if any recommendations have to be cabled they ought to be discussed at once and recommendations made at once. It is extremely difficult to find time for this. The only practical solution that I can think of is that we should recommend to the Governor to continue this discussion this afternoon in place of the discussion on demands for grants, but I should make it clear that Government has no desire whatever to shirk any discussion of demands and we leave it entirely to the House if they so wish and, with the Governor's approval we can discuss the remaining motions this afternoon. If that is the wish of the House then I shall represent it to His Excellency and ascertain his wishes.

The Honourable Dr. Sir Gokul Chand Narang : I may just say a word to the House. I feel that this discussion is not going to lead to any practical results and from what has happened to-day I am afraid that the only object that the discussion will serve will be to engender heat and bitterness. The House should, therefore, be well advised not to proceed any further.

Mr. President : During the hours fixed for the Budget discussion, no other business can be taken up. However, if His Excellency orders that another day, instead of to-day, will be fixed for the Budget, that is another thing.

The Honourable Sir Donald Boyd : I do not see how that can be done. The days are fully occupied.

Mr. President : If the House wishes to continue discussion on the Report, we might again meet to-morrow at 11 or 10 and sit up till 1 o'clock.

Chaudhri Afzal Haq : Ten o'clock to-morrow will do very well.

Mr. President : Is the Leader of the House agreeable to 10 o'clock to-morrow? We shall stop at 12-30 or 1, and again meet at 3 p.m.

The Honourable Sir Donald Boyd : If the House wish to sit to-morrow morning at 11 o'clock, I will have no objection at all on behalf of Government. I cannot promise that official members will all be present because they have to find time for office work.

Mr. President : They are not taking part in voting.

The Council then adjourned till 2 p.m.

The Council re-assembled at 2 p.m. Mr. President in the chair.

OATH OF OFFICE.

✓ *Mr. A. D. Grindal (Deputy Secretary, Finance) was sworn in.*

STARRED QUESTIONS AND ANSWERS.

CONTRACT FOR HEADWORK OF ESCAPE CHANNEL OF BARNES-WAH CANAL.

***5515. Lala Nihal Chand Aggarwal :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that there is near the village Tibbi Rang an escape channel for the Barnes-Wah canal of the Grey canals in the Ferozepore district; if so, whether it is a fact that in 1934, the pucca headwork of the said escape channel was washed away and a new one was proposed to be built in its place;
- (b) if the answer to (a) be in the affirmative, the estimated cost of this new proposed headwork and whether it exceeded Rs. 2,500;
- (c) whether the departmental rules provide that the design and estimate for an original work exceeding Rs. 2,500 in cost, be first got scrutinised by the Superintending Engineer, Ferozepore, and also that administrative sanction for the same by the Commissioner be obtained;
- (d) if the above estimate for the aforesaid new headwork exceeded Rs. 2,500, whether its design and estimate were got technically scrutinised and the administrative sanction of the Commissioner was obtained;
- (e) whether it is a fact that the work of the said new head building was given to a contractor named Fazal Muhammad;
- (f) whether it is a fact that the auditors in their audit note for the year 1925-26 pointed out that the above-named contractor Fazal Muhammad obtained in the year 1921 an over-payment and that the said over-payment was got refunded;
- (g) if the answer to (f) be in the affirmative, whether the name of the said contractor was removed from the list of the contractors;
- (h) whether it is a fact that the said Fazal Muhammad, contractor, has frequently been given works without tenders; if so, the number and the amount of the works so given and the total amount of works given to the above-named contractor and his son during the time of the present Superintendent of Grey canals;

- (d) whether it is a fact that there is a practice in the Grey canals that the payment of a reasonable percentage of the cost is withheld from the bill of a contractor to ensure the stability of the work ; if so, whether this practice was observed in this case ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) Yes, during 1933 but not in 1934.

- (b) Rupees 11,996.
(c) Yes, for original works only.
(d) No. The work was not an original one, but a replacement of the old structure.
(e) Yes.
(f) Yes. Rupees 65 only.
(g) No.
(h) No. There is not a single instance to show that such works were allotted without calling for tenders.
(i) There is no regular practice to withhold a certain percentage in every case.

COMMUNAL REPRESENTATION AMONG CLERKS IN CIVIL COURTS,
LAHORE.

***5516. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member be pleased to state—

- (a) whether an article regarding the communitywise distribution of posts in the establishment of the court of the District Judge, Lahore, and the courts subordinate thereto published in the *Eastern Times* and daily *Siyasat*, Lahore, dated the 28th August, 1935, has been brought to the notice of the Government or the officers concerned ;
(b) what action has been taken or is proposed in the matter ;
(c) the communitywise distribution of posts in the clerical establishment of the courts mentioned in (a) above and how many of those belonging to each community are notified agriculturists and how many non-agriculturists ;
(d) the total number communitywise of those who have been given extension stating the period for which the extension is to last ;
(e) the community to which the clerks of courts of the District Judge, Lahore, the Senior Sub-Judge, Lahore, and the Judge of the Small Cause Court, Lahore, belong ;
(f) the period for which Lala Basheshar Nath has served as clerk of court of the District Judge, Lahore, or as clerk of court of District Judge, Montgomery ;

[Ch. Allah Dad Khan.]

(g) whether it is a fact that Chapter 18, paragraph XI (2), Volume I, of the Rules and Orders of the Lahore High Court, as substituted by correction slip No. 81 of the 2nd of June, 1934, provides that clerks of courts of District Judges are liable to transfer;

(h) why Lala Basheshar Nath is given either Montgomery or Lahore district whenever he is transferred;

(i) the communitywise number of candidates in the above-mentioned courts, stating how many are notified agriculturists and how many are non-agriculturists;

(j) whether Government in making fresh appointment will have due regard to the deficiency in the number of Muslims?

The Honourable Sir Donald Boyd: (a) Yes.

(b) and (j) The matter is one for the Honourable Judges of the High Court. It is understood that they have already issued directions to the District and Sessions Judge to regulate appointments in such a way as to prevent the undue preponderance of any one community.

(c) :—

	<i>Agriculturists.</i>	<i>Non-agriculturists.</i>	<i>Total.</i>
Muslims ..	5	7	12
Hindus ..	1	52	53
Sikhs ..	..	5	5

(d) Two Hindus and one Muslim. The present extensions, which are all for one year, will expire on the 30th June, 1936, in the case of the two former, and on the 15th December, 1936, in the case of the latter.

(e) The permanent incumbents of these posts are Hindus.

(f) :—

	<i>From</i>	<i>To</i>
	18th January, 1920	13th May, 1929.
As clerk of court to the District Judge, Lahore.	21st March, 1933	To date.
As clerk of court to the District Judge, Montgomery.	14th May, 1929	20th March, 1933.

(g) Yes.

(h) Government cannot undertake to give reasons for the postings of particular officials.

(i) There are 3 paid and 28 unpaid candidates in these courts. All the paid candidates are non-agriculturists, two being Hindus and one a Sikh. The particulars regarding the unpaid candidates are as follows :—

	<i>Agriculturists.</i>	<i>Non-agriculturists.</i>	<i>Total.</i>
Muslims ..	2	5	7
Hindus ..	1	16	17
Sikhs ..	1	8	4

CIVIL AND CRIMINAL CASES.

***5517. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member be pleased to state the total number of—

(a) civil cases ;

(b) criminal cases ;

instituted in the courts of this province during each of the years 1934 and 1935 ?

The Honourable Sir Donald Boyd : The honourable member is referred to the annual Administration Reports, copies of which will be found in the Council Library.

LAW GRADUATES.

***5518. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state the total number of students who graduated in law from the University of the Punjab during each of the years 1920 to 1935 inclusive ?

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

Statement showing the number of persons who graduated in law from the University of the Punjab during each of the years 1920—1935.

1920	..	..	..	..	..	127
1921	..	..	..	..	..	199
1922	..	..	..	..	..	256
1923	..	..	..	..	..	186
1924	..	..	..	..	..	320
1925	..	..	..	..	..	162
1926	..	..	..	..	..	176
1927	..	..	..	..	..	197
1928	..	..	..	..	..	182
1929	..	..	..	..	..	208
1930	..	..	..	..	..	175
1931	..	..	..	..	..	146
1932	..	..	..	..	..	288
1933	..	..	..	..	..	343 (Includes 3 LL. M.).
1934	..	..	..	..	..	377 (Includes 1 LL. M.).
1935	..	..	..	..	..	429

CROPS AND IMPROVED SEEDS.

***5519. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state the total area of various crops in the province in the years 1934-35 and the areas sown with improved seed ?

The Honourable Nawab Muzaffar Khan : A statement showing the total area of various crops in the province in the year 1934-35 is laid on the table. As regards the areas sown with improved seeds, the information is available only in respect of wheat, cotton and sugarcane which is as under :—

	Acres.
Wheat	3,249,800
Cotton (American)	840,700
„ Improved (<i>desi</i>)	790,000
Sugarcane	200,600

[Hon. Nawab Muzaffar Khan.]

The wheat figures cannot be said to be accurate seeing that they do not include those figures which a farmer sows with his own seed, i.e., the product of first year's improved seed purchased by him. Generally such areas are classified as sown with *desi* seed although these areas should really be classified as improved seed.

Statement showing total area of various crops in the Punjab in the year 1934-35.

Name of crops.	Area in acres.
Rice	955,535
Wheat	9,037,924
Barley	612,039
Jowar	843,189
Bajra	3,042,781
Raji or Mandwa	21,191
Maize	1,135,650
Other cereals	174,138
Gram	3,621,297
Mung and mash	516,411
Other pulses	701,010
Total cereals and pulses	20,661,165
Linseed	25,890
Til	108,510
Castor seed	43
Rape (<i>Sarshaf, tarapira</i> and mustard)	347,589
Toria	325,139
Other oilseeds	6,826
Condiments and spices	60,476
Sugarcane	462,442
Cotton <i>Desi</i>	1,506,324
Cotton American	840,739
Hemp	40,141
Other fibres	1,902
Indigo	2,900
Other dyes	11,692
Poppy	1,520
Tea	9,548
Tobacco	87,819
Indian hemp or <i>bhang</i>	15
Other drugs and narcotics	811
Fodder crops not shown otherwise	4,841,920
Orchard and garden produce	260,819
Miscellaneous food crops	217,358
Miscellaneous non-food crops	11,645
Total	9,172,165
GRAND TOTAL	29,833,330

SCHOOLS AND COLLEGES.

***5520. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state—

- the total number of village primary schools in the province during each of the years 1920, 1925, 1930, 1935 ;
- the total number of primary schools in the province during the same years ;
- the total number of middle schools in the province during the same years ;
- the total number of high schools in the province during the same years ;
- the total number of Intermediate and Degree colleges respectively in the province during the same years ?

The Honourable Malik Sir Firoz Khan Noon : (a) to (e) :—

With the exception of information regarding the number of village primary schools for the year 1919-20, 1924-25, and 1929-30, which is not readily available, a statement containing the required information is laid on the table. The collection of the information regarding the number of village primary schools would involve great labour, time and expense.

Statement showing the number of schools and colleges.

Year.	Village primary schools.	Total number of primary schools.	Middle schools.	High schools.	Intermediate colleges.	Degree colleges (excluding the Oriental College, Lahore.)	REMARKS.
1919-20 ..	*	6,163	736	192	2	10	*Information is not available.
1924-25 ..	*	6,601	1,485	273	12	10	
1929-30 ..	*	7,112	3,454	351	23	11	
1934-35 ..	6,021†	7,306	3,468	379	18	17	†These are figures for schools situated in rural areas (i.e. excluding municipal cantonment, notified and small town committee areas).

GIRL STUDENTS.

***5521. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state for each of the years 1925 to 1935—

- the total number of girl students in the province who passed—
 - the Matriculation ;
 - the Intermediate ;

[Ch. Allah Dad Khan.]

(iii) B.A., B.Sc. ;

(iv) LL.B. ;

(v) B. T. ;

(vi) M.A. or M.Sc. ;

(vii) Sub-Assistant Surgeons ;

(viii) M.B.,B.S. ;

examination of the Punjab University ;

(b) the number of Muslim girls among those mentioned in part (a) above ?

The Honourable Malik Sir Firoz Khan Noon : It is regretted that the answer to this question is not ready.

SCHOOLS AND COLLEGES FOR GIRLS.

***5522. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state for each of the years 1925, 1930 and 1935, the total number of—

(a) Middle schools for girls ;

(b) High schools for girls ;

(c) Intermediate colleges for girls ;

(d) Degree colleges for girls ;

in the province ?

The Honourable Malik Sir Firoz Khan Noon : (a) to (d) :—

Year.	NUMBER OF INSTITUTIONS FOR FEMALES.			
	Middle Schools.	High Schools.	Intermediate Colleges.	Degree Colleges.
1924-25 ..	81	19	1	1
1929-30 ..	118	33	..	2
1934-35 ..	163	40	2	2

GIRL PUPILS.

***5523. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state for each of the last three years the total number of girl pupils in the educational institutions of all kinds in the province—

(a) in each of the classes from 1st primary up to Matriculation ;

(b) in each of the classes from 1st year to sixth year M.A. ;

(c) in the Medical and Training Colleges respectively ?

The Honourable Malik Sir Firoz Khan Noon : (a), (b) and (c) : A statement containing the information is laid on the table.

Statement showing the number of girls reading in the various classes of the educational institutions and at Medical and Training Colleges.

Year.	Classes.										Medical Colleges.		Training Colleges.					
	I.	II.	III.	IV.	V.	VI.	VII.	VIII.	IX.	X.	Intermediate.		Degrees.		Post-graduates.			
											1 year.	11 year.	1 year.	11 year.	1 year.	11 year.	1 year.	11 year.
1933-34	84,421	23,716	17,711	12,832	9,931	3,166	2,149	1,711	781	334	136	86	66	42	2	2	20	36
1934-35	82,754	23,696	16,853	14,087	10,871	3,753	2,533	1,925	891	431	145	104	49	65	8	8	26	39
1935-36	81,361	24,775	20,168	15,153	11,066	3,649	2,321	2,225	859	479	122	123	74	84	12	6	34	109

GIRL STUDENTS IN DEGREE CLASSES.

***5524. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state the total number of girl students in the Degree classes of the province on 1st January, 1936, and of the total number of Muslim girls among them ?

The Honourable Malik Sir Firoz Khan Noon : It is regretted that the information asked by the honourable member as it stood on the 1st January, 1936, is not available. The information as it stood on the 31st March, 1935, however, is as follows :—

(i) Number of girls in degree classes	..	156
(ii) Number of Muslims among them	..	35

RECOGNITION OF SCHOOLS.

***5525. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to lay on the table of the Council a copy of the up to date rules relating to the recognition of schools ?

The Honourable Malik Sir Firoz Khan Noon : The rules of recognition are given in Chapter VIII of the Punjab Education Code, 11th Edition (Reprints 1932 and 1934).

UNIVERSITY EXAMINERS.

***5526. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state for each of the years 1925 to 1933 inclusive and for the year 1935, the number, communitywise, of the head and sub-examiners at the various examinations of the University of the Punjab, stating also for each year the number of persons who were examiners, head or otherwise, in more than one examination of the University of the Punjab ?

The Honourable Malik Sir Firoz Khan Noon : The amount of labour and cost involved seems out of proportion to the value to be derived from the information, if collected. If the honourable member has in mind the communal proportions among examiners, is it not possible for him to put a direct question to this effect ?

ALIENATION OF AGRICULTURAL LAND IN HISSAR DISTRICT.

***5527. Chaudhri Allah Dad Khan :** With reference to an alienation of agricultural land in Hissar district in favour of a non-agriculturist in respect of 440 bighas referred to by Rao Bahadur Chaudhri Chhotu Ram in the Council debate on the 5th March, 1934 reported at pages 496-97, Volume XXIV of the Council proceedings, which action was then *sub judice* before the Financial Commissioner, as mentioned by Mr. (now Sir) Miles Irving during the course of that debate and was also *sub judice* before the Financial Commissioner in March, 1935, as stated by the Honourable Nawab Muzaffar Khan in reply to starred question 4171¹, dated the 6th March, 1935, will the Honourable the Revenue Member be pleased to state the ultimate decision in the case and furnish sufficient particulars for a copy of the judgment in the case being applied for ?

¹ Volume XXVI, page 333.

The Honourable Nawab Muzaffar Khan : The revision was finally decided on 5th June, 1935—*Crown versus Shiv Nath and Paras Ram* (R. O. R. 184 of 1933-34).

PATWARIS FROM DEPRESSED CLASSES.

***5528. Shrimati Lekhwati Jain :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that six boys of the depressed classes passed the collectors patwari examination from Hissar district in the year 1933 ;
- (b) if so, how many of them have been able to secure employment ;
- (c) whether there is any proportion fixed according to communities in the matter of appointment ;
- (d) the population of caste Hindus, scheduled castes, Muslims and Sikhs in Hissar district ;
- (e) the total number of Muslim, Sikh and caste Hindu patwaris in Hissar district and how many among them belong to the depressed classes ;
- (f) whether Government proposes to recruit patwaris from among the depressed classes in view of their paucity in the service ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) One.

(c) No. The attention of the honourable member is invited to the policy of Government laid down in paragraph 8-15 of the District Office Manual.

(d) Hindus	..	497,615 (including 5,988 Jains).
Depressed classes	..	91,802 (including 9 Ad-Dharmis).
Muslims	..	253,784
Sikhs	..	55,169
(e) Muslims	..	115
Sikhs	..	13
Hindus	..	178
Depressed classes	..	1
Total	..	807

(f) Due regard will be paid by the local authorities to the claims of suitable candidates of the depressed classes, if forthcoming.

SIKHS IN THE OFFICE OF DIRECTOR OF PUBLIC INSTRUCTION.

***5529. Sardar Bishan Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the percentage of Sikhs in the various grades in the office of the Director of Public Instruction, Punjab, and also the percentage of their emoluments ;
- (b) what steps it is proposed to take to give the Sikhs their due share according to the Government policy stated in the Council in 1927 regarding the communal representation in services ?

The Honourable Malik Sir Firoz Khan Noon : (a) The percentage of Sikhs in the various grades and the percentage of their emoluments is given below :—

Grades.	Percentage.	Percentage of emoluments.
1. Rs. 350—15—425	Nil	7.6
2. Rs. 250—10—350		
3. Rs. 150—10—200/10—300		
4. Rs. 100—5—150		
5. Rs. 100—8—180/10—250	8.3	
6. Rs. 75—5—100/5—150	11.7	
7. Rs. 40—3—82/3—100	15.4	
8. Rs. 40—2—80/2—90		

(b) The Sikhs appear to be adequately represented.

Sardar Sahib Sardar Gurbachan Singh : May I know what is adequate representation for each community ?

The Honourable Malik Sir Firoz Khan Noon : It is very difficult to fix an adequate representation for each community in each particular office. The word 'adequate' is rather vague. What may be adequate to one may not appear adequate to another. If population is to be the guide, I have personally tried to give the Sikhs more than their population basis would entitle them to. But it is very difficult to force the officers in charge of the various departments to give a certain percentage to particular communities so long as no definite percentages are fixed for all the communities. Something has to be left to the discretion of the officers concerned.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that the total percentage in all the grades is below what the Sikhs are entitled to ?

The Honourable Malik Sir Firoz Khan Noon : I am afraid I cannot say that. If it is 10 per cent., it is not far from 13 per cent.

SIKHS IN THE OFFICES OF REGISTRAR, CO-OPERATIVE SOCIETIES AND THE DIRECTOR OF VETERINARY SERVICES.

***5530. Sardar Bishan Singh :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the percentage of Sikhs and their emoluments in the offices of the Registrar, Co-operative Societies, and the Director of Veterinary Services ;

(b) what steps he proposes to take to give them their due proportion according to the policy stated by Government in Council in 1927 regarding the communal representation in services ?

The Honourable Sardar Sir Jogendra Singh : (a) :

Office.	Percentage of Sikhs.	Percentage of emoluments.
Registrar, Co-operative Societies	4.1	4.7
Director, Veterinary Services	7.1	5.1

(b) The percentage of Sikhs employed in the Co-operative and Veterinary Departments is 14.2 and 21.4, respectively. Government cannot undertake to maintain the communal proportion in individual offices within a particular department. Every effort will be made to give the community an adequate representation.

EXECUTIVE ENGINEERS, LYALLPUR DIVISION.

***5531. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture be pleased to state—

- the total number and the names of the Executive Engineers who have been in charge of the Lyallpur division of the Public Works Department, Buildings and Roads Branch, since it was established ;
- their numbers communitywise ;
- if the representation of Muslims be meagre in this respect, the reasons for that and what steps, if any, Government intends to take in order to remove their paucity ?

The Honourable Sardar Sir Jogendra Singh : I am sure the honourable member will easily find the information required from the Punjab Civil List for the past 25 years where the names of officers holding the post have been published.

WASIL-BAGI-NAWISES, JHANG DISTRICT.

***5532. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue be pleased to state—

- whether it is a fact that out of the six posts of *wasil-bagi-nawises* and *naib wasil-bagi-nawises* at the headquarters of the three tahsils of Jhang district, almost all are held at present by members of the non-agriculturist tribes ;
- whether these clerks have generally to deal with zamindars at the time of their paying in the Government dues on their crops ;
- if the answers to (a) and (b) be in the affirmative, what steps, if any, Government intends to take in order to remove this almost complete absence of statutory agriculturists in these posts ?

The Honourable Nawab Muzaffar Khan : (a) Yes. (The number of posts is 5 and not 6).

(b) Yes.

(c) None ; it is not always possible to have every community represented in every section of an office.

WASIL-BAQI-NAWISES IN JHANG DISTRICT.

***5533. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue be pleased to state—

(a) the total number of *wasil-baqi-nawises* and *naib wasil-baqi-nawises* attached to the headquarters of the three tahsils in Jhang district ;

(b) their number communitywise ;

(c) the period for which these clerks have been working as such in one or the other tahsils of the district along with the period of their service ;

(d) what steps, if any, Government intends to take to remove disparity between the representation of Muslim and non-Muslim communities on these clerical posts of the district ?

The Honourable Nawab Muzaffar Khan : (a) 5.

(b) Muslim 1, Hindus 4.

(c) A statement containing the required information is laid on the table.

(d) None ; it is not always possible to have every community represented in every section of an office.

Statement.

Serial No.	Name and designation.	Service.	Period spent as <i>Wasil-Baqi-Nawis</i> or <i>Naib-Wasil-Baqi-Nawis</i> in one or the other tahsils in the district.
1	Lala Lakhmi Chand, <i>Wasil-Baqi-Nawis</i> , Jhang.	17½ years ..	16 years.
2	Lala Ramaya Ram, <i>Naib-Wasil-Baqi-Nawis</i> , Jhang.	15½ years ..	8 years.
3	Lala Lachhman Das, <i>Wasil-Baqi-Nawis</i> , Chiniot.	14 years ..	11 years.
4	M. Muhammad Yusuf, <i>Naib-Wasil-Baqi-Nawis</i> , Chiniot.	2 years ..	About 1½ years.
5	Lala Bhagwan Das, <i>Wasil-Baqi-Nawis</i> , Shorkot.	21 years ..	4 years.

LEASE OF LAND IN JHANG DISTRICT.

***5534. Sayad Mubarak Ali Shah :** Will the Honourable Member for Finance be pleased to state—

- (a) the number of cases in which the ancestral property of a statutory agriculturist was leased out in satisfaction of a decree of the Civil Court in Jhang district regarding the debt incurred by the deceased owner of the property within the last ten years ;
- (b) the amount of decree in each case for which these lands were leased out along with the period for which the lands were leased ;
- (c) in how many such cases the judgment creditors were allowed to bid, and actually got the land concerned along with the period and the amount of money for which the land was leased out to him ; and also the community to which he belonged ;
- (d) in how many such cases the lands of the Muslim statutory agriculturists were leased out to non-Muslim non-agriculturists ;
- (e) in how many cases a Muslim statutory agriculturist did bid and was actually given the land on lease, he being the highest bidder, along with the period and amount of money for which the land was leased out to him ;
- (f) in how many cases the property was leased out for the maximum period (i.e., 20 years) allowed under the rules ;
- (g) in how many such cases the whole property was leased out and for how many years ;
- (h) in how many such cases the period suggested by the collector was exceeded ?

The Honourable Sir Donald Boyd : To collect the desired information would entail an expenditure of time and money out of all proportion to the results to be secured, and I regret that I cannot undertake to have the inquiry made.

CATTLE TAX IN KANGRA DISTRICT.

***5535. Thakur Pancham Chand :** Will the Honourable Member for Revenue be pleased to state—

- (a) when the levy of cattle tax in the Kangra district was enforced ;
- (b) the reasons for enforcing this tax in the Kangra district ?

The Honourable Nawab Muzaffar Khan : (a) In the year 1915-16.

(b) In order to restrict excessive grazing in the forests of the Kangra district which were found at settlement to be steadily deteriorating.

KHAS TATIS TO GOVERNMENT OFFICES.

***5536. Thakur Pancham Chand :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the supply of *khas tatias* to the Government offices, stationed at Lahore, was discontinued as a measure of economy ;

[Th. Pancham Chand.]

- (b) whether it is a fact that the financial position of the Punjab Government has since been changed and emergent cuts restored ;
- (c) whether the Government is prepared to continue the supply of *khas tatis* to the Government offices at Lahore, from the ensuing summer ?

The Honourable Sir Donald Boyd : (a) The supply of *khas tatis* to Government offices at Lahore has been discontinued partly because of economy and partly because *khas tatis* are considered unnecessary where electric fans are in use.

(b) The cuts in salaries imposed as a measure of emergency have been restored, but the need for economy still continues.

(c) No.

FARE ON PATHANKOT-DHARAMSALA-BAIJNATH ROAD.

***5537. Thakur Pancham Chand :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the rate of fare per mile in the Kangra district on Jawalajee and Nadaun-Hamirpur *kacha* roads has been reduced from one anna to nine pies per mile ;
- (b) whether it is a fact that the fare on Pathankot-Dharamsala-Bajnath road is being levied at the rate of nine pies per mile on *pucca* and coal-tarred roads ;
- (c) how many companies and persons have applied to the District Magistrate, Kangra, for licence to ply motor lorries from Pathankot, Dharamsala and Bajinath at the rate of 6 pies a mile or even a lower rate ;
- (d) the names of the companies or persons who have applied for licence ;
- (e) what action Government propose to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Yes, for journeys of five miles or under. For longer journeys rates of five or seven pies per mile are generally charged.

(c) and (d) One firm offered to ply motor lorries on this road at a rate of 6 pies per mile or less, but only on the condition that a monopoly was granted to them. The firm in question was Dhanpat Rai Gopal Das, of Batala.

(e) None.

NAIB-TAHSILDARS.

***5538. Thakur Pancham Chand :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of naib-tahsildar candidates from all the divisions in the province who have not yet been employed ;
- (b) the names of candidates with the dates of their acceptance as naib-tahsildars ?

The Honourable Nawab Muzaffar Khan: (a) Eleven (including 5 under training).

(b) A statement giving the requisite information is laid on the table.

List of candidates for the post of naib-tahsildars.

Serial No.	Name.	Date of acceptance as naib-tahsildar candidate.
AMBALA DIVISION.		
1	Chaudhri Inayat Ali Khan	6-4-1931
2	S. Naranjan Singh	6-4-1931
3	Chaudhri Balbir Singh	6-4-1931
4	M. Hidayat Ali	28-9-1935
5	Pandit Bashambar Sahai	28-9-1935
6	Chaudhri Niaz Muhammad	28-9-1935
7	Lala Site Ram	28-9-1935
8	Mr. M. L. Isa Das	28-9-1935
9	Chaudhri Dhoom Singh	3-10-1935
10	M. Muhammad Anis Khan	3-10-1935
11	S. Nathu Singh	16-10-1935
12	Chaudhri Muhammad Iqbal	30-11-1935
13	Chaudhri Chandar Bhan Yadwa	1-12-1935
14	M. Amil Husain	12-2-1936
JULLUNDER DIVISION.		
1	Lala Munshi Ram	12-1-1929
2	M. Balwant Singh	12-1-1929
3	M. Muhammad Gharib	12-1-1929
4	Lala Amar Nath	12-1-1929
5	M. Aziz Ahmad	12-1-1929
6	M. Jagat Singh	12-1-1929
7	M. Mahmud Khan	12-1-1929
8	M. Karm Ilahi	17-5-1929
9	M. Gurdial Singh	5-6-1929
10	M. Afzal Imam	30-9-1930
11	M. Muhammad Aziz-ud-Din	30-9-1930

[Hon. Nawab Muzaffar Khan.]

Serial No.	Name.	Date of acceptance as sub-tahsildar candidate.
JULLUNDUR DIVISION— <i>contd.</i>		
12	M. Abdul Aziz	30-9-1930
13	Pandit Ram Sarn Kalis	30-9-1930
14	M. Lal Singh Sandhu	30-9-1930
15	M. Atar Singh	30-9-1930
16	M. Muhammad Afzal Khan	30-9-1930
17	M. Harbans Singh	30-9-1930
LAHORE DIVISION.		
1	Chaudhri Nazir Ahmad	24-11-1925
2	M. Nazir Husain	6-1-1926
3	Lala Charanjiv Lal	25-7-1926
4	S. Razi Rizvi	25-7-1926
5	Chaudhri Sheikh Ahmad	25-7-1926
6	Lala Sant Ram	27-11-1926
7	Sardar Labh Singh	9-12-1927
8	Thakur Jugal Kishore	28-4-1928
9	M. Muhammad Nazir Khan	27-3-1929
10	Chaudhri Muhammad Azim	27-3-1929
11	Bedi Pritam Singh	27-3-1929
12	M. Muhammad Nazim	27-3-1929
13	Sardar Harbans Singh	19-10-1929
14	Sardar Sardul Singh	27-5-1930
RAWALPINDI DIVISION.		
1	Shaikh Muhammad Yusuf	13-1-1928
2	Lala Sita Ram, B.A.	15-9-1929
3	Lala Jia Lal, B.A.	15-9-1929
4	M. Sultan Bakhsh, F.A.	15-9-1929
5	Khan Shah Wali Khan	15-9-1929
6	M. Muhammad Bakhsh	14-9-1930
7	M. Muhammad Suleman, B.A.	14-9-1930
8	Khan Sher Bahadur Khan, B.A.	14-9-1930

Serial No.	Name.	Date of acceptance as naib-tahsildar candidate.
RAWALPINDI DIVISION— <i>concl.</i>		
9	M. Barkat Ali, B.A.	14-9-1930
10	Munshi Sardar Singh, B.A.	14-9-1930
11	Rai Ghulam Mehdi Khan, B.A.	14-9-1930
12	Lala Hem Raj, B.A.	14-9-1930
13	Malik Hakim Khan, B.A.	14-9-1930
14	Mian Muhammad Aslam, B.A.	14-9-1930
15	Shaikh Bashir Ahmed, B.A.	14-9-1930
16	Lala Roshan Lal, B.A.	14-9-1930
MULTAN DIVISION.		
1	M. Muhammad Ibrahim	12-6-1923
2	M. Abdul Aziz	12-6-1925
3	M. Ghulam Qadir	16-5-1924
4	M. Ghazanfar Ali Shah	16-5-1924
5	Mirza Habib Ullah	16-5-1924
6	Lala Ram Nath, B.A.	16-5-1924
7	Sardar Gurbachan Singh	16-5-1924
8	M. Muhammad Firoz Khan	18-9-1927
9	Chaudhri Ata Muhammad	18-9-1927
10	Shaikh Fazal Muhammad Shah	18-9-1927
11	M. Imam Bakhsh Khan, B.A.	18-9-1927
12	Thakar Madan Gopal, B.A.	18-9-1927
13	S. Gian Singh	18-9-1927
14	M. Anand Sarupa, B.A.	18-9-1927
15	Faqir Muhammad Mumtaz Hussain Ali Khan, B.A.	18-9-1927
16	Sardar Nur Hasan Khan	6-6-1928
17	Lala Lachhmi Narain, B.A., LL.B.	6-6-1928
18	M. Abdullah	8-10-1928
19	M. Abdul Karim	8-10-1928
20	Malik Chiman Lal, B.Sc.	8-10-1928
21	Sayyed Ghulam Rasool Shah, B.A.	8-10-1928
22	Lala Atam Parkash	8-10-1928

[Hon. Nawab Muzaffar Khan.]

Serial No	Name.	Date of acceptance as naib-tahsildar candidate.
MULTAN DIVISION— <i>conold.</i>		
23	Shaikh Asghar Ali, B.A.	8-10-1928
24	Mirza Mahmud Beg	30-10-1928
25	Khan Abdur Rahim Khan, B.A.	3-11-1928
26	Sayyed Ghulam Hassain Shah	30-9-1930
27	Sardar Ghulam Farid Khan, B.A.	30-9-1930
28	Lala Brij Lal Katyal, B.A.	30-9-1930

PROCEDURE IN LEVYING OCTROI.

***5539. Thakur Pancham Chand :** Will the Honourable Minister for Local Self-Government please state whether there is any law under which it is the duty of passengers to carry all their personal effects on their own shoulders from their conveyance to the weighing machine and lay bare everything for the inspection of the Octroi moharrir ?

The Honourable Dr. Sir Gokul Chand Narang : The attention of the honourable member is invited to the provisions contained in sections 76 and 77 of the Punjab Municipal Act, 1911, and rule V-7 of the Municipal Account Code, 1930.

SETTLEMENT TRAINING.

***5540. Thakur Pancham Chand :** Will the Honourable Member for Revenue be pleased to state—

- whether it is a fact that tahsildar candidates while under settlement training are given only Rs. 50 as settlement allowance ;
- whether it is a fact that this period of settlement training is not even considered as qualifying service ;
- if the reply to (b) be in the affirmative, why their case is treated different from that of Provincial Civil Service candidates who are given the initial pay of the cadre at the time of joining the service ;
- what action Government proposes to take in the matter ?

The Honourable Nawab Muzaffar Khan : Presumably the honourable member refers to the one year's revenue training of tahsildars under paragraph 4 (a) of Standing Order No. 12. For this period of their training a tahsildar candidate is paid a subsistence allowance of Rs. 50 per mensem. The question of a settlement allowance or of qualifying service does not arise because the tahsildar candidate is not at this stage in service being appointed thereto only after he has satisfactorily completed his training and passed his examination. Provincial Civil Service candidates, on the

other hand, are not given any training as such before they join the service. It is only after they have been appointed to the service that they undergo revenue training. It is only in very special cases that Provincial Civil Service officers undergo settlement training as distinguished from revenue training and when they do they get no settlement allowance.

HINDU ASHRAM AT VILLAGE HARAJ.

***5541. Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that a Hindu Ashram was being built at village Haraj, district Ferozepore, police station Nathana ;
- (b) whether it is a fact that the sub-inspector, Nathana police station, searched the same several times in the past, if so, whether any incriminating article was recovered during these searches conducted by him ;
- (c) whether these searches were conducted on his own initiative or in pursuance of the orders of the higher authorities ;
- (d) whether it is a fact that any confidential circular was issued by the Punjab Government in January, 1935, or thereabout, regarding this Ashram ; if so, whether Government is prepared to lay a copy of this circular on the table ;
- (e) if not, why not ;
- (f) whether it is a fact that the above Ashram was raided by sub-inspector, Nathana, and the partially-built building demolished, and various articles stocked therein removed by the sub-inspector and the trees planted uprooted ;
- (g) the articles or goods which were thus removed by the sub-inspector and their total value ;
- (h) whether the above articles have been restored to those who were in charge of the Ashram ; if not, why not ;
- (i) whether Government received any telegrams or letters of protest regarding this action of the sub-inspector of police ; if so, what action was taken by the Government ;
- (j) if this action of the sub-inspector was not brought to the notice of the higher authorities and was against law, whether Government proposes to make suitable enquiries into the matter in view of the serious allegations made against the sub-inspector of Police ?

The Honourable Sir Donald Boyd : (a) Yes.

(b), (d) and (f) No.

(c), (e), (g) and (h) Do not arise.

(i) Certain complaints were received, but were found to be unsubstantiated.

(j) Government are already in possession of adequate information in regard to the matter. There is no case at all on which to take action against the station house officer of Nathana or any other official.

DEMANDS FOR GRANTS.

IRRIGATION.

Warasikhnis—(concd.)

Mian Nurullah (Lyallpur South, Muhammadan, Rural): The question of *warasikhnis*, I am glad to say, has drawn the attention of the Government and they seem to be keen but rather shy to take action about this matter. I would request the Government that they should not be any more shy and they should appoint certain magistrates—whoever they may be—but there must be something done in the matter. Personally I think the deputy collectors of certain grades would not matter, but as there is opposition from certain quarters, Government should take somebody else and appoint them for this purpose. Action must be taken on the spot and I request that in certain divisions they must try the experiment.

The Honourable Nawab Muzaffar Khan: What experiment?

Mian Nurullah: Experiment of appointing special magistrates for *warasikhnis* cases, and after two or three years the Government would find that special magistrates would have proved their worth and zamindars would appreciate this. With these words, Sir, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Water supply for Gardens.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): I move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 82,05,900—
Irrigation (Works)—Working Expenses.

I have two further cuts of a similar nature. I move and discuss all these matters together as all my three cut motions relate to gardens. I am moving the three cuts together (cut motions 13, 14 and 15)—

- (i) to point out the insufficiency of water supply for gardens
- (ii) to criticise the present policy of Government regarding water-supply for gardens, and
- (iii) to point out the irregular and inconsistent way in which land revenue and water rate are being charged on gardens.

Mr. President: The honourable member will speak to the three cut motions together.

Mian Nurullah: I want to point out that the water supply for gardens is not sufficient, that the policy of Government regarding the water supply of gardens has not been wholesome and that water rates have been charged irregularly in certain parts of the canal colonies. To be able to discuss this question properly, I have to draw the attention of this honourable House to a letter No. 77/67-370, dated February 12th, 1936, from Mr. H. R. Stewart, Director of Agriculture, Punjab, to one Chaudhri Ali Muhammad, Chak No. 228-G. B., Post Office Kesgarh, 138, District Lyallpur. He says—

With reference to the correspondence ending with this office letter No. 69/67-370, dated the 1st June, 1935, I write to inform you that the Irrigation Department is not prepared to consider applications for additional water supplies to orchards

under 50 acres in area. If this condition is fulfilled, applications will be treated on their merits and a supply given only —

(a) on a contract basis;

(b) if a supply can be made available without detriment to existing ordinary cultivation on the channel.

This of course is impossible,

and (c) if the area is located conveniently for it to be given a separate supply without upsetting existing arrangements for irrigating neighbouring area.

This throws light on the whole question as to how the Government takes the question of water supply to gardens. Uptil 1929 there was no restriction whatever for the extra supply of water to gardens. There was more water for those who applied and wanted to grow new gardens. But since then, it seems the policy has been changed. This matter was discussed in the Canal Standing Committee many times. Once, when the Honourable Finance Member was Financial Commissioner and a member of that committee, we had a small sub-committee appointed consisting of the Honourable Finance Member (then Financial Commissioner), the Chief Engineer, Sardar Bishan Singh, and myself. We came to certain conclusions of giving more water supply to gardens in certain seasons. I do not know how far that proposal has been carried through, whether effect has been given to that or not. Gardens are an important necessity. It is not a luxury as sometimes is remarked by the members of the Irrigation Department because it is the fruit that brings health. We have been carrying on propaganda for fruit culture. There have been fruit shows here and everywhere including other countries. There is the general slogan, "Eat more fruit and enjoy better health." Therefore, for the sake of bringing up a healthy people in the province, it is necessary that the concession should be extended without any restriction. I have just now pointed out the attitude of Government in this respect by reading the letter of the Director of Agriculture. I would now like to point out the view of the zamindars—

مسئلہ چھپی زمینہ از ڈائرکٹر زراعت ملاحظہ فرمائیں۔ جس سے یہ امر واضح ہوا ہے کہ محکمہ نہر ضلع لاہور کے غریب اور چھوٹے زمینداروں کو باغات لگانے کے لئے پانی نہیں ملاگا۔ اور صرف بڑے بڑے زمینداروں کی دلچسپی کے پیش نظر اضافہ پانی کی نوٹ کی گئی ہے اسکا صاف مطلب یہ ہے کہ ضلع لاہور کی آبائی اپنی اراضی کی ترقی کے وسائل اختیار کرنے سے نامور رہی۔ جہانگہ کثرت آبادی چھوٹے زمینداروں کی ہے۔

This is an extract from a letter received by me from Chaudhri Ali Muhammad. That is the view of all zamindars. The small zamindar is being thoroughly discouraged. This is the important point. You are putting restrictions for gardens below 50 acres. It seems ridiculous to have such a high limit. There are very few zamindars who can go in for a garden with an area of 50 acres. It is difficult for the zamindar to finance such a big garden. It requires investment of lot of capital. The ordinary zamindar cannot do it. There may be, I should say, only one in a thousand in this country who can afford to put capital and raise a garden of 50 acres. An average zamindar would not need a garden bigger than 5 acres in area.

[Mian Nurullah.]

What I feel is that there should be no restriction at all. If there is going to be any restriction, it should be on the area, a certain percentage of the area in a village should be allowed. Now the gentleman further says in his letter which I just now read—

ایا آپ مہربانی فرما کر چھوٹے طبقہ کے زمینداروں کی اس پیش آمدہ تکلیف و دشواری کے پلیٹ فارم پر کورنمنٹ کے فرانس میں لا کر اور پچاس ایکڑ کی بجائے کم از کم پانچ ایکڑ باغ کے لئے پانی کا اعطاء کرائے کی کوشش فرما کر مشکور فرمائیں۔ مناسب معلوم ہوتا ہے کہ بجٹ کے وقت اس معاملہ کی طرف توجہ دلانے کے لئے کتب پیش کی جائے۔ یہ نہایت ضروری معاملہ ہے۔ بہت سے زمیندار مہربانی اس خط و کتابت کے نتیجہ کے متذکر تھے۔ جو اب مایوس ہو کر باغ لگانے کے ارادوں کو بند کرنے پر مجبور ہو گئے ہیں۔

I need not make any further speech on this point. The whole question is that water must be supplied and concession must be given, even to the small zamindar who likes to put a small garden for the good of the village and for the good of every one. It is an additional industry which every one likes. It brings more money to the pocket of the zamindar. The value we get back in return in the form of health is immeasurable. In the circumstances, I would like the House to support me in this and the Government to concede this demand.

Pir Akbar Ali : We all support you.

Mr. President : Demand under consideration, motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 82,05,900—
Irrigation (Works)—Working Expenses.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation) : The question as regards gardens can be divided up into two parts. The Irrigation Branch up to 1929 generally accepted the demand for extra water for a garden up to a limit of 10 per cent. of the area irrigated by an outlet and additional water was given for such areas accepted as gardens. All these areas have now been entered in a register, so that we know to what extent we have committed ourselves for extra supplies. The additional water given is considerable. On the Lower Chenab Canal the annual irrigation is 75 per cent., that is, for every hundred acres, we give water to irrigate 75 acres. But for a hundred acres of garden water is given for a hundred acres in kharif and a hundred acres in rabi, that is water is given for 200 acres where before it was given for 75 acres. This roughly means that the supply is increased $2\frac{1}{2}$ times. Now, follow this demand to its logical conclusion, and imagine all the zamindars on the canal requiring water to grow gardens on total areas; it would mean that the Lower Chenab Canal would have to be increased to $2\frac{1}{2}$ times its present size, and we have not got any extra water supply. So, since the year 1929 the condition under which this additional supply has been allowed, has been made stringent. At the same time it is realised that fruit culture is deserving of support and it was with

this idea that a unit area of 50 acres was fixed for gardens. The underlying idea is this. The supply of water required for a garden area of 50 acres is sufficiently large to allow of a separate outlet being given for it, and it is easy to fix the abiana demand because we know the discharge and we know the areas; such gardens could be run on a commercial basis so that the outturn will be the maximum possible. If we have a large number of small gardens scattered all over the place, the outturn from the majority of these is probably very small and the water is to that extent wasted. Besides I do think that a zamindar often asks for $2\frac{1}{2}$ times of water for a garden and having got it utilizes a good deal of that extra water on his ordinary cultivation. This cannot happen with a separate outlet. We will be glad to help the zamindars if they float a company for growing orchards on a commercial scale. We will give them the water, provided they pay for it.

There is also one more point in regard to giving additional water for small plots in existing chaks. It throws the warabandis out of gear. It means remodelling again. It means increasing the supplies of these distributaries which are scattered over all these areas. It means a tremendous amount of work; if we could restrict these gardens to bigger plots, the problem would be very much easier to handle. But even so, the honourable members of this House should realise that there is no extra water for these gardens. Zamindars themselves will have to provide the water by getting proportionately smaller supplies for their crops.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): I rise to support the motion under consideration. From the speech which has just now been delivered it is evident that it is very difficult for the Government to give these facilities to the poorer or the less fortunate agriculturists. On the one hand the argument is advanced that time has come when each and every zamindar will come forward with some scheme of planting garden. But perhaps the Chief Engineer does not know that the condition of the zamindar is not such that he can invest money. When it is conceded that it is a useful industry I fail to understand why it is not encouraged and why when the time comes some sort of excuse is put forward that more water cannot be given because remodelling has to be done or there is some other difficulty and so on. When this remodelling is being carried on in spite of our protest, if it is done by supplying more water to the new gardens, we will simply welcome it. I do not want to waste the time of the House by making a long speech. But I wish to say that this is a very useful thing and it ought to be done and the Government should think of some means to provide more water for the gardens. Only two or three years back I planted ten acres of fruit garden and on account of scarcity of water not a tree is left now. So something should be done and it is very desirable that this industry should be encouraged.

Mr. T. B. Tate (Chief Engineer, Irrigation): I think Mian Nurullah is under a misapprehension regarding the limit placed on areas to which water may be given to gardens. So far as I am aware there is no such rule saying that no area less than 50 acres or any other area will be given additional water supply. Probably the idea is that in order to give a separate outlet the area must be sufficiently large, but I do not know whether the area should be 50 acres. There is no rule against giving additional supplies

[Mr. T. B. Tate.]

to very small areas provided that the cultivator is prepared to pay, that is to say he must pay the garden rate for each crop, rabi and kharif. It is no good saying that Government should arrange for more water when there is no more water to be procured. Mr. Bedford has already explained that water supply is restricted, that the capacity of our canals is restricted and if cultivators wish to grow gardens then they must restrict their other cultivation. Only the other day Raja Narendra Nath was complaining that water for ordinary cultivation was most inadequate. So we cannot have it both ways. It is said that Government being keen on fruit cultivation it is mere obstinacy on the part of the Irrigation Department not to give water. But we are not deliberately standing in the way. Simply the water is not there.

Khan Bahadur Malik Zaman Mehdi Khan : Is it a fact that more water used to be given to orchards previously than now ?

Mr. T. B. Tate : So far as I am aware no more additional supply was given in the past than is allowed now.

Khan Bahadur Sardar Habib Ullah : Is it a fact that before 1929 some concession was given to orchards ?

Mr. T. B. Tate : Yes.

Mian Nurullah : Cannot we go back to those rules again ?

Mr. T. B. Tate : There is no change now. We have simply tried to regularise the old rules.

Sardar Bahadur Sardar Buta Singh : Are these concessions still there ?

Mr. T. B. Tate : Yes, but we cannot extend these concessions indefinitely.

Sardar Bahadur Sardar Buta Singh : Are they still given to the new plantations ?

Mr. T. B. Tate : When water is available, yes.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban) : I believe every one in this House is agreed on the point that fruit gardening is an industry which must be encouraged and it is the one industry which must be encouraged on which a zamindar can fall back in times of stress and economic depression. Unfortunately the Irrigation Department has not shown any sympathy to encourage this industry. The orchards that were planted some ten years ago might have been given additional water supply but for the last many years the Irrigation Department has not been giving additional supply to new plantations. I know of my own case. I planted gardens two years ago and made an application, but that application is still lying probably in the office of the Director of Agriculture. (*Interruption*). It had to be sent through the Director of Agriculture for his recommendations. (*The Honourable Nawab Muzoffar Khan :* Have the department forwarded the application ?) Must have, because I have got a reply that the Government is considering the question of water supply to gardens. I know of some other cases where zamindars had planted gardens more than three years ago and practically all their fruit trees have dried up for want of water. The question arises and

has been raised by the Chief Engineer, where is the water to come from? I quite agree that unless water is available you cannot distribute the old supply amongst the zamindars so as to make the additional supply available for fruit gardens; this will decrease the supply for the zamindars for their ordinary cultivation. But our complaint is that the Irrigation Department goes on extending the areas under irrigation by curtailing the supply to the zamindars who were already getting their supply. I do not know whether it is a fact, but I understand that on the Lower Bari Doab Canal there is a proposal to extend the 9-L distributary to some areas which are hitherto unirrigated. It has also been brought to the notice of the zamindars that some areas have been brought under irrigation on Lower Bari Doab Canal for which no supply was previously contemplated. The policy of the Irrigation Department should be to give sufficient supply to the areas already under irrigation and not to extend the supply at the cost of original sharers. I do not know whether that is correct or not, but the zamindars very seriously object to it and if the Irrigation Department puts a stop to that policy of extensions, I think water can be made available for fruit gardens. The Irrigation Department should pay attention to this industry and should not reject applications for fruit gardens on untenable grounds. I know that small zamindars have been applying for additional supply of water for gardens and not one application to my knowledge has been accepted so far during the last two or three years. The Irrigation Department will be doing a great disservice to the zamindar community by rejecting all such applications. With these words, I support the cut motion of Mian Nurullah.

The Honourable Nawab Muzaffar Khan (Revenue Member): I am surprised to hear from my friend opposite and the mover of this cut that Government has not been paying proper attention to fruit growing which is one of the most important industries of the province. This is an industry in which Government has taken keen interest from the very commencement of the British *raj* in this province. It was as far back as 1848 or somewhere near about the Mutiny that Sir James Abbot came to Hazara as settlement officer and one of the first steps he took to encourage fruit growing was that he exempted fruit gardens from the assessment of land revenue or considerably reduced it. The result of this concession was that within a very short period the whole of Hazara district was practically turned into a garden and if you go there now you will find that the best gardens in the province are to be found there. As regards other parts of the province, I can do no better than appeal to you, Sir, personally. You probably remember how much an orange cost in the days of your childhood. It was a luxury to have an orange in those days, particularly the malta oranges. You could not get more than 7 or 8 oranges for a rupee. Now these oranges are available to the poorest of the people, and are selling at one hundred for a rupee. In a hot country like ours the more the fruits of this kind are grown the better for the people and special attention is, therefore, now being paid to encourage lime growing in the Kangra district. Those gentlemen who have travelled from Lahore to Multan by train must have seen that for miles and miles there are orange orchards on both sides of the railway line. That is what the Canal Department has done for this industry. It is almost the same on other canals.

[Hon. Nawab Muzaffar Khan.]

And then take grapes. Twenty years ago very few people could obtain grapes. Special varieties of grapes suitable to this country have since been introduced. Their skin is a little thick, but their taste is quite nice and they can be transported much more easily than the grapes that we get from Quetta and Kabul. Those who had an occasion of tasting these new varieties in Simla last summer know that they are in no way inferior to those imported from outside the province. This is what we have done by way of improving the industry. (*An honourable member*: How many gardens have received additional water supply during the last three years?) If the honourable member would give notice of a question I would be able to give him a reply.

As regards the other point raised by the honourable member the House would, I am sure, realise that smaller gardens are not an economic proposition and from the economic point of view it is much better that we have bigger gardens. I, however, admit that the limit of fifty acres is rather high and that it should be reduced. That again would be a question for the Canal Advisory Committee and we cannot promise straightaway any specific reduction in the limit. If the question is carefully discussed in the Canal Advisory Committee and a suggestion is made we will be prepared to consider a reduction of this limit. As regards the smaller gardens, I do not know what the condition is in other places but I myself started a small garden and applied—in ignorance of the rule—for the extra supply of water. This I was unable to obtain—being contrary to the rules. But in spite of not getting the additional supply I am told that my garden is in a flourishing condition. I do not think that gardens are properly planted and it is for this reason that they require generally double the quantity of that water which are ordinarily available for other crops. Then again, the zamindars make use of the extra water in various other ways. Another thing that I would like the honourable members to keep in mind is that if we are to give this extra water it must only be at the expense of other crops.

As I have already stated, Government will consider the question of reducing the limit which appears no doubt somewhat high and I hope that this will satisfy the honourable member who has raised this question.

Mian Nurullah: I feel satisfied with the assurance given by the Honourable Revenue Member. I wish to impress on the Revenue Member that the income of his servant is more than that of the average zamindar. In any case the limit fixed is too high and must be reduced. The acreage might be fixed at two or three. As I have already said I do not press my motion and beg leave to withdraw it.

The motion was, by leave, withdrawn.

Bhakra Dam Scheme.

Lala Jyoti Prasad (South-East Towns, non-Muhammadan, Urban) (*Urdu*): I beg to move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 82,05,900—
Irrigation (Works)—Working Expenses.¹

¹To impress upon the Government the fact that the Bhakra Dam Scheme be expedited soon.

I need hardly say that Hissar is a dry district. It is only once in a while that it gets sufficient rains. No doubt a part of the district receives irrigation facilities, but since the time the size of the minors has been cut down and since the system of closing these minors by rotation has been introduced in order to supply water at the tail, these irrigation facilities too have lost much of their value. It will be no exaggeration if I say that neither the zamindars at the head of these minors nor the zamindars at the tail are now happy. Therefore the permissible area which does not exceed 88 per cent. of the commanded area does not receive proper supply.

As regards the barani ilaqa which covers a much greater part of the district of Hissar, the less said about it the better. As I have said before it is only after an interval of six or seven years that it gets sufficient rains. Therefore I will not be far wrong if I say that this unfortunate part of the province mostly remains a famine-stricken area. The Government is fully aware of this fact. It knows that more often than not it has had to start famine relief works in this district and the very miserable plight of these people can be judged from the fact that every time these works were started, they attracted crowds of people on a remuneration of 5 or 6 pice a day. What to say of the clothes to cover their bodies and to protect them from the inclemencies of weather, these people very often do not get even two meals a day. Under these hard and trying circumstances when these people came to know as early as 20 years ago that it was contemplated to undertake the Bhakra Dam Scheme in order to provide irrigation facilities to this district along with Rohtak, Bikaner, Kaithal and some other parts of the province their happiness knew no bounds. They began to cherish the hope that better days were soon coming. But they little knew that their miseries were not yet destined to come to an end.

It was the first Council which lasted from 1920 to 1923 that threw this scheme in the background. It passed a resolution which meant that Sind Sagar Thal Scheme should be given priority over the Bhakra Dam Scheme and since then very little has been done to push forward this much-needed scheme which was intended to bring prosperity to a very backward area. This is the solicitude and this is the sympathy that the Government has been showing for its subjects of this very unfortunate area. I know that Sind Sagar Thal Project could also not be undertaken because of the Sukkur Barrage Scheme having been matured and undertaken. But the fact remains that the Bhakra Dam Scheme was totally lost sight of. In the beginning we were told that the Dam which was to be constructed some four or five hundred feet high, appeared to be a very difficult task. It was feared that at that time this Dam, if constructed, might prove very dangerous and might do harm instead of doing any good. But these fears were set at rest when in 1928 three engineers appointed by the Government to examine the question of construction of this Dam, unanimously reported that the Dam could be constructed without any fear of danger resulting at any time from the construction of this Dam. On this report being made public the people of this area once again began to feel jubilant. They were further assured of the advent of better times when they found that demarcations were also being made and that survey parties were also touring in that part of the province. But they were to be disappointed once again. After 1928 nothing has been done in connection with this scheme so far as we

[I. Jyoti Prasad.]

are aware. It would appear that this scheme has been altogether given up. I have, therefore, taken this opportunity to request the Government to take up this question this time in right earnest.

I need hardly repeat that the Hissar district and the other parts of the province which this Bhakra Dam Scheme is to irrigate are a backward area. This area is backward not only educationally, but in every other respect. It has so far been deprived and I should say studiously deprived of all the blessings that are so profusely and so frequently showered on the central districts. It is time that the Government does its duty to this part of the province as well. I may inform the Government, if it does not know it already, that the lands of this district and of its other adjoining parts are very fertile. They are sure to bring sufficient revenues if they are irrigated. It is a fact that there are no Crown lands in this part of the province to enable the Government to raise sufficient amount of money from the sale of lands. But that is no reason why the Government should fail to do its duty towards the people of this area particularly when, as I have said, sufficient income is sure to accrue from land revenue and abiana on these lands when irrigated. I really wonder why on earth all other projects should be given preference to this much-needed scheme. Lest there should be any misunderstanding I may say that I do not mean that Haveli Project and other projects that are being undertaken should not have been taken up. What I mean to say is that along with these projects this Bhakra Dam Scheme should have also been undertaken. There is still time to right the wrong and I hope that the Honourable the Revenue Member who is very sympathetic and who is prepared to do everything for the zamindars, will kindly begin to take interest in this scheme also and will push it forward to completion before long. With these words I commend my motion for the acceptance of the House and the Government.

Mr. President : Motion moved—

That the grant be reduced by Re. 100 with respect to the item of Rs. 82,05,900—
Irrigation (Works)—Working Expenses.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): I beg to lend my whole-hearted support to the motion of my honourable friend representing rural Hissar. The subject matter of this motion is one which has been discussed on the floor of this House perhaps half a dozen times, and there is no aspect of the question which has not received the fullest possible light from every quarter of the House. Economically, financially and technically the proposal of constructing a Dam at Bhakra has been considered by Government, by its expert officers and by the members of this House. I am sure the Government is sympathetic to this project. At least so far as I have had opportunities of discussing this question with the Honourable Revenue Member, the predecessors of the present Chief Engineers and three Governors, I conclude that their attitude has been sympathetic all through. However in spite of that sympathy being there nothing practical has been done so far. The project probably remains where it was in 1926 or 1927. What further developments have taken place are not known to members of this House.

The amount of progress that has been made after 1927 has been practically negligible.

The benefit of this project will go to an area which stands in urgent need of irrigation facilities. The land is extremely fertile. The House will be pleased to hear that in the farm at Sirsa the yield of 42 maunds per acre of cotton was obtained; similarly a very high yield of wheat was also obtained in that farm, a yield which was in excess of that obtained in any other part of the Punjab. So, if irrigation facilities are extended to that part of the country, there will be an immense increase in the prosperity of the people. Government itself will reap great benefits, both direct and indirect. Tons of money are spent every other year on famine relief; that money will be saved. Then communications are bound to develop and that will bring more money to Government through other channels.

Again, irrigation receipts will be increased, and land revenue will be enhanced. Apart from land revenue proper there will be what we know as indirect receipts. Whatever aspect of the question is presented to one's attention, one cannot help feeling that this project is very badly needed and has been very badly neglected. The obstacles that stand in the way of this project have been described once or twice in this House, but certainly those are not the obstacles which cannot be overcome. As I said two years ago, if the Government took a deep and abiding interest in this project, Government would have seen that the consent of the parties who are supposed to be non-consenting at present would have been forthcoming. I do not think that Government has used its persuasive powers to a sufficient extent.

I think I should also mention another fact. The general impression in the South-East Punjab is that, as this project is going to benefit a part of the country which is not very well represented in this House, therefore, it has not received the attention which it ought to have received from Government. There are other projects perhaps of minor importance which have received greater attention. But as the number of members from the South-East Punjab is not very large in this House, the grievances of that part of the country are not ventilated so frequently and so vigorously as they require to be done.

Another point which has been brought to my notice by my honourable friend behind me is that there are no Crown waste lands there and as there will be no land available for sale, the Government, in a more or less bania spirit, does not think of this project as kindly as it ought to do. Any way, I beg to submit that this project has been neglected for a very long time and Government should give it a more sympathetic consideration, and vigorous steps should be taken to expedite it.

The Honourable Nawab Muzaffar Khan (Revenue Member): The previous history of the Bhakra scheme is well-known to the House. It has been discussed practically every year in this House and honourable members know that Government has done all that was possible in this matter. I assure the honourable members that the delay is not due to any lack of sympathy on the part of Government: nor because preference is being shown to any other scheme. The fact is that there are certain difficulties in the way of this scheme and we have been trying to surmount those difficulties.

[Hon. Nawab Muzaffar Khan.]

In order to expedite this scheme I went personally and saw the Agent to the Governor-General, Punjab States, last year in company with a Chief Engineer and the Senior Secretary to the Financial Commissioners. I think we succeeded in creating an interest in the Agent to the Governor-General for this scheme who asked for further details which have now been supplied. As you know the Dam is to be constructed in Bilaspur State and for this purpose we require a large area within the territories of His Highness the Raja Sahib of Bilaspur. Our further difficulty is that according to the proposed scheme not only agricultural land but also the capital of the State would practically be under water. In return we have offered His Highness an enormous canal irrigated area in the Nili Bar. As already pointed out we have now supplied the Agent to the Governor-General, Punjab States, with the details of the whole scheme and are waiting for a reply. If the reply is in the negative, we may have to take up some other scheme which is less expensive and less ambitious. But let us hope for the best.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) : I whole-heartedly support the motion which is before the House. Unfortunately the reasons advanced by the Honourable Revenue Member had been advanced on more occasions than one when this question of Bhakra Dam Scheme came up before the House. As one of the members in this House for the last 18 years, I have taken a keen interest in this scheme. Associated as I am with Hissar district I know the people there. They are extremely poor, low paid, most easily governed and law-abiding people in the whole of the province. I remember in 1914, when the Great War broke out, the people of Hissar, whether agriculturist or non-agriculturist, gave their money freely and the Hissar district topped the list in the war loans. Similarly they gave recruits beyond their required quota and it was promised to the Hissar district, over and over again, that the benefit of the irrigation through the Bhakra Dam Scheme would be soon given to them. I think it was for the first time under the Lieutenant-Governor Sir Michael O'Dwyer when this promise was made. That promise has been repeated from time to time. Flimsy and lame excuses have been made by the Honourable Revenue Member. These arguments have been trotted out time out of number. I cannot understand how a small State like Bilaspur can possibly oppose the scheme. If the Government wants any scheme, many important and big States give way. The real reason is this, as pointed out by Rao Bahadur Chaudhri Chhotu Ram, that sufficient pressure has not been put upon the Government. I now feel sure that the members will use their influence to see that this part of the country, which is a very important part, becomes irrigated and the difficulties of the agriculturists are removed.

One thing I want to say is that in the Hissar district there are very frequent famines. We hear that once in 5 years there is a rainfall and the agriculturists have to live on their crops for the whole 5 years. These people are living in great misery. It is time that the Government did their duty towards this part of the province and carried out the scheme without any further delay.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural) : Insinuation has been made on the floor of this House that

probably some of the 86 members, who are at the will of their leader, are not sufficiently keen in the scheme. That is the reason why this scheme is hanging fire. I assure the honourable member who has just sat down that this scheme has our whole-hearted sympathy and support. (*Hear, hear*). Further, I have some experience of the tracts which will be eventually benefited by this scheme, that is, Hissar and Rohtak districts. People there are very hardy and carry on constant struggle with nature, for their livelihood. If this scheme materialises then difficulties will be sufficiently overcome. I remember, I do not exactly know, but I think when I was in the Kangra district, several villages were acquired for this Bhakra Dam Scheme in the Hamirpur tahsil. (*An honourable member*: No). Anyhow the question of the big capital of the Maharaja of Bilaspur cannot be an insurmountable obstacle. He can have his capital on some other hillock very easily. This is a very small State and the cost of the new capital will not be very great. It can be very easily borne by the Maharaja or he can be compensated by the Punjab Government for the loss he might suffer on this account. It is time that this lip sympathy should be converted into actuality; otherwise people may draw their own conclusions and may form their own impressions. With these words, I strongly support the motion under consideration.

Mr. E. Mayadas (Nominated non-official): I once happened to meet an official of the Bilaspur State and had a talk with him about this scheme. As far as I could learn from him, the best portion of the State would be submerged and the Raja is most unwilling to give his consent to give up his land. It is very unlikely, so far as I gathered, that the Raja would give his consent unless a fabulously large sum of money is offered to him. I think it speaks much in favour of the Government that it is not willing to put pressure on any Raja, whether he is a big Raja or a small one. The simple pressure that may be put is to give him as much gold as he wants, provided we can afford to do so. There was also an occasion when the Government wanted to extend Simla and several Rajas were opposed and let it be said to the credit of Government that no pressure was put on them.

I think that the word pressure ought to be used with care. (*An honourable member*: Persuasion). That is a much better word.

There is also this to be considered, how much this scheme is going to cost. The rough estimate, I think, is something in the neighbourhood of 30 crores of rupees. (*Honourable Members*: No, no.) In answer to a question asked some time back the figure 25 crores was given and since naturally these estimates have a way of growing and swelling hence by this time it must have grown larger.

It should also be examined from this point of view, what will be the loss of interest to the province if we invest such a large sum of money. We should consider the question also from the point of view that we are already suffering from a surplus of the wheat which we raise. We are not able to sell all our wheat and the price of wheat has gone down very considerably. When we carry our surplus stocks to Bilaspur State it would mean that railway freight would have to be incurred, I would suggest that a comparison should be made whether the railway freight would amount to a larger figure or whether the loss of interest is a larger figure. That is a question about which I would like to have some information before I know whether to support or oppose this motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I would like to give the House a piece of information. I have been interested in the irrigation of this area. In the United Provinces Sir William Stamp is lifting water by electricity from nearly 2,000 tube-wells, and power is generated by canal falls and thermal installations. In the same way we can take a waterlogged area and pump out the water into a canal and take it to the neighbourhood where the water is required. I asked one of our engineers to examine the possibilities of irrigating the area which would be served by the Bhakra Dam, and from the preliminary survey that he made, he was able to say that there was a reasonable possibility of commanding this area by lift irrigation. Science has made now great advances and Bhakra Dam Scheme seems doomed. It may be interesting to take up a scheme like the one I mentioned and have it fully examined. If water can be lifted from the Gumti River and brought 100 miles away, there is no reason why the same should not be done from the Jumna.

A rough estimate is available for tube well irrigation. Bhakra Dam Scheme is full of difficulties. Bilaspur would be submerged and it is unreasonable to expect that the Raja of Bilaspur will agree to give up his capital so that the Bhakra Dam may be tried. It took a great deal of time before the engineers could decide on Bhakra Dam. We had an engineer from America to see that the foundations for this heavy work would stand the weight of the masonry and the scheme is to cost 30 crores. But what I want to say to Chaudhri Sahib is that if we go on waiting for Bhakra we will have to wait a long time. If you explore other possibilities of irrigation as the tube well scheme and lifting water from the rivers it may be possible and it may be even cheaper to irrigate this area in the near future than from Bhakra Dam.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I must say a word or two regarding the motion under discussion. I have full sympathy with the people who inhabit the tract which is ultimately to be irrigated if this scheme ever materialises. I myself belong to an ilaqa which is barani and I can very well imagine the plight of the people of that ilaqa. We have now come to the conclusion that without canal irrigation and without wells it is almost impossible for any people living in the barani ilaqa to make the two ends meet. Therefore so far as the question of sympathy goes, our sympathies are entirely with the people. If I remember aright this question has been very often discussed on the floor of this House and has been discussed threadbare. If I remember aright I think about two years back the learned predecessor of our Finance Member, Sir Henry Craik, made a long speech and I think the insuperable difficulty that he pointed out at that time was exactly the one to which Nawab Sahib has made a reference to-day and that was that there was the unwillingness of the Ruler of the State from where this water has to be taken. My friends tried to laugh away on the opposition that is being shown by the Ruler of that small State. We must learn to respect the sentiments of the Ruler and also the sentiments of his subjects and it is not a light question and we should not approach this question in a way in which we have tried to approach it, and that is that the Maharaja or the Raja—whatever his title is—might be induced to go to some colonies in the Montgomery district or Lyallpur. Can you imagine that a Ruler—whatever his ideas might be—a Ruler who has been in that State

exercising some sovereign powers for how many centuries nobody knows, would be asked to go to Montgomery and chalk out a new territory for himself? This is a difficulty to which I think the learned predecessor of the Finance Member had given prominent attention and he had almost told the House that it was almost impossible to get the consent of the Ruler. Therefore I do not understand the meaning of our going on with this same hope that time might come when the Ruler might be either pressed or induced to give his consent. The Government has taken sufficient time to come to the decision and they have taken sufficient time to ask the Ruler and if it has not been able to induce him so far, I think there is absolutely no hope that he will be willing to give his consent. If this is the state of affairs I think the sooner Government gives their definite reply to this House the better.

Then the second question is, as has been pointed out by the Minister for Agriculture, whether it would be worthwhile to examine some other scheme which might benefit those people who stand in need of irrigation of the Bhakra Dam Scheme.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : I feel it my duty to offer a few words of sympathy for the people of Hissar and Rohtak districts which have not yet enjoyed the amenities of canal irrigation and well irrigation. Hissar district is particularly worthy of our sympathy because in the greater part of Hissar district they cannot find even drinking water. In the Sanitary Board we have been doing our best to help these poor people to find some fresh drinking water but so far we have failed in spite of our will to spend money for them for the supply of good drinking water. What happens is that rain water collects in the village ponds from where human beings and beasts drink together. No civilised Government can allow their people to go on drinking this filthy water, but our difficulty has been that no potable water has been available and if some water can be taken either from a river or from a tube-well nothing could be better from the point of view of the health of the public.

There is one more point that I would like to bring before this House and that is this. Whatever scheme is undertaken, I have full sympathy with the mover and his object in view. As my friend on my right said we must not keep our eyes fixed on the Bhakra Dam alone. That scheme can be examined, but the tube-well scheme is also worth considering and I feel there is further reason in support of tube-wells as against a Dam and I will give you two examples. The experts are very good technical advisers of this House but I think we ought to use our commonsense and we must examine, from the layman's point of view, every scheme that they put forward. I want to put before you the example of two similar schemes built and considered already. One is the small Dam in the Mianwali district called the Namal Dam which was constructed by some engineers for collecting rain water with the object of irrigating lands lower down. I saw that Dam about two years ago. It has now silted up to a height of nearly 80 or 40 feet, with the result that within a few years you will have no space left behind that Dam for storing water. The water is spreading more and more backwards in the catchment area and more area is becoming the bed of this artificial lake, thereby increasing the losses of water by percolation. More silt collects on the bed of the lake and therefore the bed level of the

[Hon. Malik Sir Firoz Khan Noon.]

storage lake is rising and consequently there is a less and less amount of water to take down the irrigation channel. Again, the Rural Sanitary Board constructed or wanted to construct six or seven years ago a Dam in the Sialkot district where the water comes down from the hills bringing silt down and ruining lands at the foot of hills. The idea was to put up a Dam, collect this water and take it down by means of a canal for irrigation purposes. Eventually the engineers agreed that within a few years the area behind this embankment will be filled with silt and water will start flowing over the embankment. We have to be careful when we are building a Dam up in the hill and we must not forget the danger that in a few years time the whole Dam may be filled up with silt and the water start flowing out of it. We may be wasting all our money.

There seem to be so many difficulties about the Bilaspur scheme, for instance, while the Dam is being constructed there might be mosques and temples which will need to be removed and there will be complaints and people will immediately start sending *jathas* (laughter). But I do feel that something should be done for these people and I am personally inclined more and more to the belief that the tube-well and electric power produced from waterfalls on the canals at cheap rates, as is being done in the United Provinces, are the best cures of our ills. It may be that by means of these tube-wells we may be able to irrigate Hissar and Rohtak much more quickly than by means of the doubtful and difficult Bhakra Dam.

Lala Jyoti Prasad (Urdu): My honourable friend Mr. Mayadas has said that 30 crores of rupees will have to be spent on this scheme. I have not seen the estimates myself but I know that the actual estimates are about 20 crores of rupees. Then he said that the scheme may not prove a paying concern. But this question has been before the Government for the last so many years. It has never been suggested so far that the scheme is not likely to be a paying concern. On the other hand in answer to several questions asked by us it has never been said that the scheme will have to be run at a loss.

The Honourable Minister for Agriculture has said that leaving aside the question of Bhakra Dam Project we should explore other means of getting water. Mr. K. A. Rahman is not present in the House. If he had been here he would have been able to tell the Honourable Minister that he tried the experiment of boring several times but wherever a well was bored only brackish water was available. The self-same question was before the Public Health Department recently but they have not been able to successfully carry out any of their schemes. They have decided to build five pucca tanks. It is only to be seen how far they succeed in providing the inhabitants with good drinking water. The conditions in our part of the province are better imagined than described. In hundreds of villages drinking water is not available even if you go five miles or seven miles in search of it. The people have no money to bear the cost of boring and digging up tube-wells. I would request the Government, therefore, to try suitable experiments to make the drinking water available to the people of our *ilaqa*. Agriculture comes next.

The Honourable Sardar Sir Jogendra Singh : We shall try to bring water down from the bank of the Jumna.

Lala Jyoti Prasad : So far as the water supply for irrigation purposes is concerned there is hardly 33 per cent. of permissible area in our ilaqa but sufficient water is not available even for that area.

The Honourable Sardar Sir Jogendra Singh : If you come to me, I shall explain to you what can be done.

Lala Jyoti Prasad : The Bhakra Dam Project has been kept in abeyance for a very long time. The Honourable Revenue Member just told us that a year has passed since the Government last wrote to the Ruler of the State. This is not the way how important things ought to be attended to. With these words I again request that the project may be expedited.

The Honourable Nawab Muzaffar Khan (Urdu) : I have already explained that the Government has done all that was possible to push forward this scheme. If the House wishes me, once again to go to the Agent to the Governor-General, Punjab States, personally and explain matters to him I am willing to do so. The difficulty is that the matter relates to an Indian State and one cannot tell when the State authorities may deem it proper to send us a reply. For them too it is a very serious problem. Government would be prepared to further extend the area offered to the State, but we can do nothing until we hear from the State authorities as to what their views are on the subject.

Mr. President : The question is—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 82,05,900—
Irrigation (Works)—Working Expenses.

The motion was carried.

Water rates on " Khushak Wattar " in Shahpur district.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural), (Urdu) : I beg to move—

That the total grant be reduced by Re. 1.¹

I wish to state a few facts before the House in connection with this cut, so that honourable members may understand and appreciate the circumstances which have prompted me to bring forward this motion.

In the Shahpur district there are two kinds of canals—perennial canals and inundation canals. Again, there are two kinds of inundation canals, one private canals and the other Government canals. The private canals are owned by the Maliks of that area. The condition of Government canals is worse than that of private canals. The private canals begin in the end of March or the beginning of April and run up to the month of September. Government canals begin in April or May and end in July or August. If there are not heavy rains, the water supply in the canals is not sufficient. Before the year 1922 there was a particular practice in that area. After ploughing the field if at the time of maturing the crop the zamindar did not get water from the canals, he used to water the field from his own well. As the zamindar could not get water from the canals for maturing the crops and got only a small amount of water at the time of ploughing his field, he was charged only one-fourth of the full water rate. But since the year

¹To discuss the question of levy of water rates on " Khushak Wattar " in inundation canals in the Shahpur district.

[K. B. Nawab Muhammad Hayat Qureshi.]

1922 this practice has ceased and now whether after the ploughing time the zamindar gets any water for his crops or not, he is charged full water rate, even though he may have been watering his fields from his own well. I would, therefore, very respectfully submit to the Government that it is a great hardship on the zamindars. The zamindars of that ilaqa have raised a great hue and cry against this injustice and oppression and have sent representations to the Deputy Commissioner who has forwarded them to higher authorities, but nothing has been done so far to redress their grievances. There is a keen sense of resentment in the minds of the people, and they strongly protest against this injustice and inequity. He takes only very small amount of water from the canal; matures his crop with the water of his own well; but he is charged full rate of water tax. I strongly appeal to the Government to revive the old practice and charge one-fourth of the water tax in cases where the zamindar gets only a small amount of water at the time of ploughing his fields, but later on does not get any water from the canals and waters his fields from his own well.

Mr. President: Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu): I have very carefully listened to the speech of my honourable friend Nawab Muhammad Hayat Qureshi. If the facts narrated by him are correct I see no reason why the grievances of the zamindars of that area should not be redressed and I shall certainly look into this matter.

Khan Bahadur Nawab Muhammad Hayat Qureshi: In view of the remarks of the Honourable Revenue Member, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Water rates on Sutlej Valley Canals.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (Urdu): I beg to move—

That the total grant be reduced by Re. 1.¹

The Sutlej Valley Canals have replaced the canals which were once known as the Grey Inundation Canals in the Ferozepore district and were called Sohag, Utar, and Hithar, in the Lahore district. Before the introduction of the Sutlej Valley Project there used to be a great deal of rice in that area, but its cultivation has now ceased on account of the scarcity of water. The water rate charged on the agricultural produce of the rabi crop is very high. The zamindars get water only once but they have to pay Rs. 2-4-0 water rate on the wheat crop. In the time of the Grey canals the water rate at first charged was one rupee and then it became one rupee and four annas. Since the introduction of this scheme the supply of water in the canals is so small and scanty that in the kharif crop rice does not mature. Chari cannot grow as there is more water and for the same reason among others cotton also cannot grow. In short, no kharif crop can grow. For kharif crop the water begins in May and finishes on the first of October.

¹To press for reduction in water rates on Sutlej Valley Canals.

When *rouni* is done for rabi crop then no water comes afterwards. I, therefore, submit that under these circumstances, Rs. 2-4-0 as water rate for wheat crop is too much. For every rabi crop the abiana charged should be that of *rouni* رونی which will be 12 annas or so. The conditions prevalent in Ferozepore are similar to those present in the Lahore and Montgomery districts. The soil of that place was accustomed to a great deal of water, but as sufficient supply of water is not available, the result is that rice cannot grow in that area now. In the case of rice the zamindar had not to bear much trouble. He used to engage labourers who used to grow and reap the rice crop. I would suggest to the Government to appoint a committee of official and non-official members to study the whole question carefully and decide what the water rate should be on these canals. The present supply of water in those canals is insufficient and it does not meet the requirements of the zamindar of that area. It would, therefore, be quite fair to charge only that water rate which is charged for *rouni*. For the kharif crop the water rate should be fixed in proportion to the amount of water supplied to the zamindars. For kharif crop the water is supplied in May with the result that the sugarcane and cotton crops cannot grow. For cotton the water is needed even in the end of October, but the water supply is exhausted in September. Thus, the position is twofold. First, that the kharif crop cannot be cultivated at the proper time and for the rabi crop the zamindars cannot get any water except *rouni*. Therefore, in accordance with these circumstances the water rate should be reduced. The Government, however, can say that in respect of these canals it is bearing the same expenses as it does in the case of perennial canals. It can say that it has the same staff on these canals and it is giving the staff the same pay. There is great scope for retrenchment. The truth is that the substitution of the Sutlej Valley Project for the Grey canals has ruined the zamindars. Previously, the zamindars used to go to the Mamdot area for land from all parts of the province. But now as the supply of water in those canals is very small, people are giving up lands and are leaving that area. When a soil is given canal water once, a barani crop cannot grow there for years. Moreover, the Government thinks that the canal water has greatly improved the quality of that soil and has imposed the *khush haisiyati* tax also on those lands. But the truth is that the quality of the soil has been very much spoiled. I, therefore, very earnestly request the Government to appoint a committee of official and non-official members to consider the whole question carefully and decide whether the *khush haisiyati* tax should be imposed or not, what the amount of abiana should be for kharif crop and what the abiana should be for rabi crop. In view of the facts mentioned by me, I would request the Government to charge the same rates of abiana now as were charged from the zamindars at the time of the Grey canals.

Mr. President : Demand under consideration, motion is—

That the total grant be reduced by Re. 1.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation): I am glad of the opportunity given to me of explaining to the honourable members of this House the actual condition as regards the water supply on the Sutlej Valley Canals; the cut that has been moved is with the object of pressing Government to reduce abiana because there is insufficient water for these

[Mr. J. D. H. Bedford.]

canals. The areas served by the Sutlej Valley Canals naturally fall into two groups :—

- (i) The area served by the Pakpattan perennial canal, and
- (ii) the area served by the non-perennial canals, viz., the Eastern, Dipalpur, Mailsi and the Pakpattan non-perennial.

The Pakpattan perennial canal, it is necessary to explain, is designed on somewhat different lines to the older colony canals. For example, on the older canals, if we knew that 700 cusecs of water was available in the winter in the river, we built a canal large enough to take 1,000 cusecs—the idea being that during the summer months there is surplus water in the rivers, and we should build canals large enough to take off some amount of water additional to what is available in the winter. When designing the Pakpattan perennial canal, we knew that the water in the winter would be restricted. So, for every 500 cusecs of winter water, we built the canal of 1,000 cusecs. Now this difference in supplies, mainly in the winter, has been the result of reducing the annual irrigation to about 55–60 per cent. But the zamindar, accustomed to seeing supplies in the Lower Chenab Canal, naturally falls into the erroneous idea when he sees lower supplies in the relatively large Pakpattan perennial canal, that without doubt some mistake has been made in the calculation of the winter supply, and that this canal is not getting the supply to which it is entitled. This idea is incorrect. We have, within the last year, worked out the average supply which the Sutlej has brought down within the last 14 years. So, the figures I am quoting are not based on any theory, but is the actual result of additions and multiplications and it is this :—The average daily supply in the Sutlej for the last 14 years in the winter is 6,532 cusecs. The project was framed on an average daily supply of 6,500. Now, it seems to me that if the forecast of 6,500 cusecs is made and the actual average daily supply is proved to be 6,530 cusecs, a very great degree of accuracy in forecast has been achieved ; so that as far as the winter supply is concerned, the river is giving us what it was expected to give. But the water is only sufficient to do 55 to 60 per cent., i.e., 55 to 60 acres of irrigation out of every hundred in the year. It can do as much as that, but it will not do more, so that if you compare it with the Lower Chenab Canal, then there is no doubt that the supply is short, but if you compare it with the promise given as regards irrigation when the canal first started, then there is no doubt that the supply is not short. It is what was expected. Now, unfortunately, in the early kharif the position is not so satisfactory. There is no doubt that the supply in the Sutlej in the months of April, May, and June is definitely and appreciably less than what was expected in the project, and what the non-perennials have every right to expect. In these three months however the Pakpattan perennial is given a certain minimum preference so that however poor the supply in the river, from April to June it gets this minimum supply—it may get more than the minimum if the river is favourable, but it never gets less—so we have protected our perennial canal as far as possible from the vagaries of the river. It is very difficult to assign a reason for this big divergence from forecast in the supply in these three months, but as an honourable member remarked a few days ago, the denudation of the hill sides might easily result in reduced supply to the rivers ; this explanation may

partially explain the difference in these three months. In September and October, the average river discharges have been more favourable than were expected in the project. So both for the perennial and non-perennials there is no reasonable cause for complaint in September and October.

Now, as regards the non-perennial canals, they have got a reasonable cause for complaint for three months, April, May and June, but for no other period. Among these non-perennials themselves there are minor differences mainly due to rainfall. The rainfall around the Ferozepore area along the Eastern Canal for example, which serves Mamdot, is more favourable than lower down. The further you go down the Sutlej the less the rainfall, so that the wheat crop that gets one watering in the Ferozepore district, in most years, will have a better chance of coming to maturity than a similar area lower down; after all we must remember that these abiana rates are not intended to supply water to grow crops in areas where there is no rainfall. The rates are fixed, and the amount of water allowed is considered in relation to all the surrounding factors including rainfall. Our object is to give sufficient water to mature a crop. If a small amount of water will do it, owing to rainfall, all the better, hence it is not reasonable to demand that in the area where a smaller amount of water is required, there the rate should be reduced. It makes no difference to the zamindars. He pays his rate from the outturn of his crop. If he has to take three times the amount of water in a year to mature that crop, it does not help him to pay three times the abiana. As far as we have been able, certain reductions in abiana have been made and already given to allow for the admitted shortage of supply in these 3 months, *viz.*, April, May and June.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): The speech of the Chief Engineer related mainly to a canal in Pakpattan that runs throughout the year while I referred to non-perennial canals also in my speech. However, it is gratifying to note that the Government have admitted that in April, May and June the water supply considerably decreases. But no one can ignore this fact that in these very months cotton, sugarcane and fodder crops are sown. These non-perennial canals stop running in September, October or sometimes in November which is the time of final watering and consequently the crops do not mature for want of water. With regard to rabi crops the Chief Engineer has said nothing. These crops get water only once and for that we should not be charged the full rate of Rs. 2-8-0, but a *rouni* rate of annas twelve only. There is one thing more which appears to be most objectionable. The river Sutlej runs through the Ferozepore district and as a matter of right the inhabitants of this district are entitled to the use of its waters in preference to anybody else. The Bikaner State has no river of its own and it is most unreasonable to supply water to it at our cost. Because the Government have failed to give a satisfactory reply I would like to press my motion to division.

The Honourable Nawab Muzaffar Khan (Revenue Member) (*Urdu*): The honourable member from Ferozepore while speaking on this motion was pleased to remark that Bikaner State was not entitled to any water. I wish he had not raised this question in this discussion. The question of riparian rights is a very complicated one and even the lawyers and statesmen in Europe and other parts of the world have not been able

[Hon. Nawab Muzaffar Khan.]

to agree on this. This was a question which affected more than one province and at least three Indian States. The decision did not rest with the Punjab Government. We fought for our rights and represented the views of the people of the Punjab to the Government of India. The decision of the Government of India was arrived at after a careful consideration of all the circumstances of the case. I may, however, point out to the honourable members that if the principles advocated by the honourable mover were to be acted upon, the Punjab would stand to lose.

With regard to water rates, not very long ago a committee was appointed and on its recommendations abiana rates were reduced, resulting in an actual loss of about 30 lakhs of rupees to Government. Since then the Punjab Government have granted further remissions on the Mailsi canal of 25 per cent. for three years on the recommendations of the Deputy Commissioner of Multan and the Commissioner of Multan division. Eight annas per acre were remitted on fodder crops in non-perennial areas of the Sutlej Valley Project. Again, on the non-perennial canals of the Sutlej Valley Project low rabi rates of Rs. 2-4-0 were fixed for all crops. It will thus be observed that Government and its officers have been doing all they could of their own accord whenever it has appeared to them that the rates were excessive. There should be some limit to our demands and we should not act like the peasant of Shaikh Saadi's story : " *نہ دجہلے دزدین ہم سے دم* "

We ought to realise that it is not possible for Government to go on giving remissions. Further remissions would not be possible without starving the beneficent departments such as Education, Medical and Public Health. I would, therefore, appeal to the honourable members respectfully but most emphatically to look to the finances of the province and not to press for further reductions in water rates. The honourable members showed great concern for the finances of the province on the occasion of the general discussion of the budget only the other day. They should not therefore support motions of this nature but should pause and consider the consequences before they vote on them.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Mr. President : The question is—

That a sum not exceeding Rs. 85,48,000 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 Irrigation.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*) : I rise to oppose the whole demand. It is now more than established that the Irrigation Department never cares to remove the difficulties and sufferings of the zamindars. If it does anything it does to secure more income for itself. In spite of our making constant demand that it should reduce its expenditure and should deal sympathetically with the zamindars, it has done nothing in this behalf. I have, therefore, no other choice, but to oppose the whole grant. I will not care if by the refusal of this grant these canals are closed. I am sure we will not repent their closure because I

feel that we will be much better off on the revival of the old system of Grey canals. With these few words I oppose this whole grant.

Mr. President : The question is—

That a sum not exceeding Rs. 85,48,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Irrigation.

The motion was carried.

IRRIGATION ESTABLISHMENT.

The Honourable Nawab Muzaffar Khan (Revenue Member): I beg to move—

That a sum not exceeding Rs. 90,47,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Irrigation Establishment.

Mr. President : Demand moved—

That a sum not exceeding Rs. 90,47,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Irrigation Establishment.

Indian-Christians in the Staff of the Irrigation Department.

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

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,79,500—Pay of Establishment.

My object is to point out the paucity of Indian-Christians as clerks, stenographers and draftsmen. I also wish to direct attention to their number among zilladars and mirabs. The consolidated statement that is published gives the figure at page 4 in regard to clerks in this department. Out of a total of 624 posts, only ten are shown to be held by "others." As regards draftsmen the number is only two and of the 2,971 patwaris including mirabs only three are held by "others." In the circumstances I urge that the claims of this community should be duly considered when next there is an opportunity.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,79,500—Pay of Establishment.

Mr. E. Mayadas : I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Reduction of a post of Chief Engineer.

Mr. Muhammad Din Malik (Lahore City, Muhammadan, Urban): I beg to move—

That the grant be reduced by Rs. 1,47,133½ with respect to the item of Rs. 4,41,400—
A. 1.—Chief Engineers.¹

This cut has figured more than once in the past though on the present occasion to my mind it has acquired additional strength from certain circumstances. One such circumstance is the deficit which according to the Finance Department amounts to Rs. 21,22,000. There are others who would put down the deficit at considerably above a crore. They reach these

¹To effect economy.

[Mr. Muhammad Din Malak.]

huge dimensions by adding to the official deficit figures the surplus amounts of the last two completed years aggregating to Rs. 77 lakhs and the income from extraordinary receipts for the current year and the last completed year aggregating Rs. 38·5 lakhs. There are yet others who hold that in the estimates before the House certain receipts items have been unduly inflated such as income from extraordinary receipts which has been shown in excess of the revised figures for the current year by about 14 lakhs, income from land revenue by Rs. 2 lakhs, from irrigation by Rs. 2 lakhs, from agriculture by Rs. 1·75 lakhs and from the hydro-electric by about Rs. 8 lakhs; also that if the supplementary demands usually made at the fag end of the year and which on an average exceed Rs. 50 lakhs, were also taken into account our position at the end of the next year would be much worse than official anticipations. It must be confessed that it is very difficult for a layman to appreciate financial intricacies or budgetary quibbles. But even a layman can easily see that since the peak year 1926-27 we have been steadily drifting to a veritable chaos. At first we drew upon our Revenue Reserved Fund to an extent that it altogether ceased to exist. We then fell into the habit of mobilising extraordinary receipts with the avowed purpose of tiding over a temporary period of depression. But in spite of all these expedients our minus balance has been mounting up rapidly. With a balanced budget it should be possible for us to revert to the practice of making legitimate use of our extraordinary receipts and with a surplus budget it should be possible for us to re-establish our Revenue Reserve Fund. The Honourable Finance Member has already told us that in spite of a surplus budget we were not able to replace the sum of Rs. 15 lakhs which had been diverted from the Central Road Development Fund to the road repairs and road maintenance.

The Honourable Sir Donald Boyd : I did not say that we were not able, but I regretted that we had not done so.

Mr. President : Will the honourable member please explain how he is relevant?

Mr. Muhammad Din Malak : I am trying to prove the great necessity for reducing our expenditure. Unless I point out that our financial position is such as warrants the reduction under discussion it is not possible to persuade the House to vote with me, and that is what I am doing.

Mr. President : I am afraid the honourable member is not relevant, as his position is that, owing to our present financial position, practically the whole grant should be reduced, while the motion is for the reduction of only one item of the grant. If the financial position, which the honourable member has before his eyes, relates only to the particular item, then he is perfectly relevant. But if the financial position, which he is discussing, relates to the whole grant, and not to the particular item, he is irrelevant.

Mr. Muhammad Din Malak : But it does contribute to the financial position as a whole. I am not criticising the budget as a whole. That is not my object at all. I simply want to refer to certain features of our financial position in order to strengthen my arguments and to support my case for the reduction of one of the Chief Engineers, and I submit I am quite relevant.

Mr. President : The honourable member is proposing an economic or financial reduction and not a nominal cut and has, therefore, to explain why the particular item should be omitted.

Mr. Muhammad Din Malak : I am very sorry but I have to submit to your ruling. I thought that I was quite competent to refer to certain features of our financial position. But I shall give that up.

Assuming then that the official survey of the situation correctly represents our financial position, the need, the urgent and pressing need for practising rigid economy is evident. To say that the axe of retrenchment having already once been applied there is no room for further retrenchment lacks conviction. Who, for instance, would have thought it possible that as many as five High Court Judges could be retrenched from a cadre of 16 and this without impairing the efficiency of the highest tribunal and the most important department in the province? If we can only persuade the other heads of departments including the Irrigation Department to emulate this commendable spirit of the present Chief Justice we can certainly effect large savings.

In 1932, in my speech under an identical cut I had the temerity to point out that—

Construction of important schemes of irrigation has been going on in this province for the last forty years or thereabouts, but it was not until lately that the number of chief engineers was raised from one to three and also a large increase was made in their emoluments. The mere extension of the canal system cannot be any good ground for raising the number of chief engineers. If that were so, by a parity of reasoning we should have at least four governors for the due administration of the present day provinces of the Punjab of which the Punjab Irrigation forms only one unit. And the British Empire with its vast modern developments and acquisitions of territory should have at least half a dozen kings. We have never yet heard, whatever the size of the army, whether it consists of one army corps or of ten corps that it needed more than one Commander-in-Chief to command it. What then is the reason that three chief engineers should be inflicted on this province? Is it because of poverty of ability in the engineers we have in the Punjab? Has the race of Oughtleys, Beresfords, Prestons and Bentons become quite extinct? We used to have men who were renowned throughout the world for their engineering capacities. We have had engineers, capable of being in sole charge of the Irrigation Department singlehanded. Although the Lower Chenab Canal was a very important scheme of irrigation, although the Lower Jhelum Canal was one of the most important schemes, there was no addition to the chief engineer's post in those days. Even conceding that in the recent past there was some slight justification for raising the number of chief engineers from one to three, now that all the important construction schemes have been completed or are nearing completion, at least one of them if not two should be reduced. Even this proportionate reduction in the number of chief engineers would give us a saving not to be despised. I should also like to invite the attention of the House to the fact that the less the number of chief engineers, the less will be the number of officers required to relieve them when they proceed on long leave.

The then Hon'ble Member for Revenue challenging the accuracy of certain portions of my speech thus delivered himself :—

Sir, unfortunately the honourable member who spoke so vehemently in support of this cut is not in the House. I wish he was here, because he made a wholly incorrect statement by saying that the salary of the chief engineers has been recently increased. I may for the information of the House mention that, so far as I am aware, the salary of chief engineers has not been touched during the last 30 years or more. So far as the number of chief engineers is concerned, I will advert to that point later, but I should like to point out to the House that another allegation which is equally unfounded has been made by the same honourable member—who is now absent—to the effect that Government

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did not pay any heed to the Report of the Retrenchment Committee. So far as the Irrigation Department is concerned—and I believe it is equally true of other departments—I can assure the honourable members that we have done our very best to meet the wishes of the Retrenchment Committee and, as the honourable member representing the Europeans (Mr. Owen Roberts) has pointed out, we have practically brought down our working expenses to the figure recommended by the Retrenchment Committee.

So far as the question of reduction of chief engineers is concerned, I should like to inform the House that at present we have got one chief engineer for the Sutlej Valley Project. We are under an obligation *vis-à-vis* the other partners of the project, namely, the Bikaner and the Bahawalpur States, to keep a separate chief engineer in charge of the project until the work is completed. So long as the work of construction is going on, we cannot even consider the possibility of reducing that chief engineer. As regards the other two chief engineers this House must not lose sight of the fact that almost half the income of this province comes from the Irrigation Department. Where would we be, without this income? But for this large revenue from our canals there would be no money for development, or even for running the administration efficiently. We cannot afford to lose even a portion of this income. We must, therefore, refrain from doing anything which would affect this income.

In the following year, that is, in 1933, I again moved this very cut, and in dealing with the points raised by the Honourable Revenue Member, I stated—

During the last budget session the Honourable the Revenue Member had relied mainly on the argument that the acreage had gone up by hundreds of thousands and it was impossible for one man to cope with all the additional work. In this connection I would beg to state a few facts for the information of the House.

Fact No. 1.—The grand total of the gross commanded area on the various canal systems in the province, excluding the Sutlej Valley Project, is 17,800,786 acres.

Fact No. 2.—The contribution to this grand total by the 4 old canals, the Lower Chenab, the Upper Bari Doab, the Sirhind and the Western Jumna, is 10,160,102 acres.

Fact No. 3.—These 4 canals were constructed and completed during the last century.

Fact No. 4.—There was only one chief engineer in charge of these 4 canals whether for purposes of construction or irrigation.

Fact No. 5.—This one chief engineer in addition to holding charge of these 4 canals had also started construction work on the Lower Jhelum Canal in the year 1898 and had continued to hold charge both of open canals and construction work until 1905.

I am not very certain with regard to the completion date of the Derajat Circle. I do feel inclined that this circle was also completed during the last century and if it was, then another large slice of the gross commanded area amounting to another 23 lakhs will have to be added to this charge.

I have put the House in possession of these indisputable facts. They are as simple as they are convincing. No great talent or the acumen of a mathematician is needed to enable one to understand that if one chief engineer could supervise the construction of the Lower Jhelum Canal in addition to holding charge of the gross commanded area of 10,160,000 odd acres, why could not another chief engineer supervise the Sutlej Valley Project in addition to supervising and controlling the balance of the gross commanded area which comes to only 76½ lakhs, that is to say if Derajat Circle were included in it.

In another portion of this speech I said :—

I quite agree that a large portion of the provincial revenue comes through the Irrigation Department. But I do not think it will be seriously contended that the officers of the irrigation department are the share-holders of the Punjab Government and that with any increase in the canal revenue receipts they are entitled to a claim for increase in their number and in their emoluments. The argument that one of the chief engineers has to be couped up in the Council Chamber for a month during the budget session and has to be present during other sessions or that Council questions and answers have to pass through his hands,

lacks conviction. We all know that answers to the Council questions are prepared by office and not by heads of departments and as regards their passing hands they pass various and many hands and I would venture to add that more attention is bestowed on Council questions and answers by His Excellency the Governor than by anybody else. If His Excellency in addition to his other multifarious duties, can manage to attend to Council questions and answers, relating not to one but to all departments of the Government, surely, the chief engineers like other heads of departments, should also manage it without claiming any extra facilities.

Unfortunately, for want of time I could not finish my speech on the last occasion. It is for me now to prove that I had not overstated facts in pointing out that not only had the number of chief engineers been increased during recent past but also their emoluments had been largely increased. Accordingly, I venture to affirm that the salary of the chief engineer upto 1905 was Rs. 1,800 rising up to Rs. 2,500 per mensem; secondly, that in 1905 the salary grade of the chief engineer was raised to Rs. 2,500 rising to Rs. 2,750 per mensem; thirdly, that in 1919 the salary grade of the chief engineer was again raised from Rs. 2,750 rising to Rs. 3,400 per mensem. It will be seen that whatever I stated was literally true and absolutely unassailable. One could sincerely wish that some of the Government members also were as exact in their facts and figures. It only remains to be added that my information is based on the statement laid on the table of the House by the self-same Revenue Member in 1931. I did not pursue the matter further because of the fact that the Government had appointed retrenchment committee in March, 1933, and I thought I would wait for the result of the action Government took on its report. If a reference is made to the concluding portion of paragraph 39 of the Retrenchment Committee's Report, the following observation will be found—

In particular we recommend for consideration the question whether such a highly paid officer as a chief engineer is still required for the Project, that is, the Sutlej Valley Project.

Again, in paragraph 42, the Report says—

The average irrigated area controlled by a superintending engineer is about one million acres. The Superintending Engineers, Western Jumna, Upper Chenab and Lower and Upper Jhelum, have less than the average to look after. The last three also have less than the average length of channels to supervise. We recommend that the question of combining in one charge the Upper Jhelum and the Upper Chenab be seriously examined. The Lower Chenab at one time was a single charge. Admittedly it was a very heavy one. But on the other hand it is one of the most firmly established of all our canals and we recommend that the possibility of reverting to the old state of things be examined. On these two recommendations we are all agreed. A majority of us would go further to question the necessity for any superintending engineer at all on the Western Jumna, Upper and Lower Jhelum and Upper Chenab. A minority amongst us holds strongly that the post of Superintending Engineer is everywhere superfluous. They believe that this work could be done by the senior executive engineer on the canal. They reinforce their argument by certain proposals as to chief engineers and deputy chief engineers to which we shall refer later, but as the majority of us think that the superintending engineer is an indispensable link in the administrative chain and are only prepared to admit that some reduction in numbers is possible, we need not enlarge on this point.

Yet again under paragraph 50, page 18, the committee says—

The department has for a very long time had two chief engineers. The chief engineer for the Sutlej Valley Project is a recent addition to which we have referred elsewhere. A minority of us wishes to abolish superintending engineers and to run the department with one chief engineer and two or three deputy chief engineers. The majority wishes to retain superintending

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engineers in decreased strength but with a considerable increase in their financial and administrative powers. This measure of devolution would we believe, lighten the work at the centre and enable one post of chief engineer to disappear. It should also lead to a reduction in the number of under-secretaries, which *prima facie* seems excessive. The recommendation both of the minority and of the majority involves the decrease in the number of chief engineers by one.

Now, three years have since rolled by, but nothing so far has been done in this respect, though the Sutlej Valley Project also has long since been completed, and with its completion the alleged obligation to retain a separate chief engineer for it stands duly discharged.

(At this stage Mr. President left the Chair and it was occupied by Mr. Deputy President.)

It is astonishing indeed that instead of a reduction in the estimates before the House, under the head chief engineers, this particular item has been actually increased by Rs. 85,200 over and above the revised figures for the current year. There may be a possible explanation for it and one might guess the nature of this explanation. The Irrigation Department might retort that as the Sutlej Valley Project had been completed and the third engineer having got nothing to do with that project any longer, he must henceforth be charged to the old canals. A fine explanation forsooth—could audacity go farther!

The Irrigation Department, I think, in the matter of extravagant expenditure is perhaps the worst offender. These interesting gentlemen of the Irrigation Department are more self-complacent, more self-satisfied and more self-opinionated than any of the other heads of departments in this province. The plea of extension of canal system as a justification for retention of so many chief engineers can convince nobody outside the Irrigation Secretariat. Wherever new canals have been opened, new railways have also been opened, but the North-Western Railway has never thought of increasing the number of its chief engineers. One chief engineer with one or two deputies should be able fully to cope with such increase in work as has taken place during the last two or three decades. And I may assure the House that if one of these three posts is to be retrenched the remaining two officers, far from being subjected to supererogation will yet have a much easier time than most of the other officers of Government. Up to 1905 there was only one solitary chief engineer who could control and did efficiently control gross commanded area of over a crore of acres besides the old Shahpur canal, the old Kabul river canals in the Frontier province and the supervision of big and important construction projects such as the construction of the Lower Jhelum Canal. It may also be borne in mind that this one chief engineer was also responsible for preparing the two big projects of the Upper Chenab and the Upper Jhelum for the construction of which two canals a second chief engineer was appointed in 1905. All this work had been done most efficiently by one chief engineer and now we have three. In the circumstances, I hope that not only the non-official benches but at long last the Government also will as a genuine gesture of their concern for economy agree to abolish one of the three posts.

Mr. President: Demand under consideration, motion moved is—

That the grant be reduced by Rs. 1,47,133½ with respect to the item of Rs. 4,41,400—

A. 1.—Chief Engineers.

Mr. T. B. Tate (Chief Engineer, Irrigation) : The honourable mover of the cut has quoted certain facts in connection with the duties of chief engineers. At the risk of repeating what may have been brought to the notice of the House previously I propose to put forward some further facts and figures regarding the activities of the Irrigation Branch since 1892. With your permission, I will also introduce the subject of superintending engineers since this is practically inseparable from that of chief engineers, and I trust I shall not be charged with irrelevance on that account.

In 1892 there was one chief engineer and the area irrigated at that time was just over 3 million acres. In 1892-93 the Lower Chenab Canal was opened and in 1893 the Punjab Government asked the Government of India to sanction a second chief engineer. The application, however, was refused for the time being. The irrigation on the Lower Chenab Canal developed rapidly. In the 10 years between 1892 and 1902 it increased from 35,000 acres to nearly 2 million acres. In 1905 a second chief engineer was sanctioned. By the end of 1926 and before the opening of the Sutlej Valley Canals the irrigated area had increased to nearly 10½ million acres, that is, more than 3 times what it was in 1893. Thus on figures of irrigation it would appear that even 10 years ago there was a strong case for a third chief engineer without taking the Sutlej Valley Canals into account at all. It may also be mentioned that during the same period 1893-1926 the mileage of channels had doubled, annual maintenance and repairs charges had increased four-fold, while water-rates were nearly 8 times what they were previously, the figures for water-rates being—

1892-93	..	..	..	Rs. 52½ lakhs,
1925-26	..	..	..	Rs. 421½ lakhs.

Establishment other than chief engineers and superintending engineers had increased, roughly speaking, four-fold, the number of zilladars, for instance, being 57 in 1892 and 220 in 1926, and of executive engineers being 20 and 75, respectively. Now taking the Sutlej Valley Canals into account we find that in 1925 the total irrigated area was approaching 11 million acres or only a little under four times what it was in 1892. With this area fully developed and assuming no further expansion elsewhere the area will soon be over four times what it was before.

In 1935 the length of channels was about 2½ times, maintenance and repairs charges nearly 5 times and water-rates over 8 times, what they were in 1892; the latter have been curtailed to some extent by special remissions and reductions in abiana rates. It has to be remembered that the Chief Engineer, Sutlej Valley Canals, has charge of 4 head works, one of which is the biggest ever constructed in the Punjab and the second biggest only in the world—the first being the Sukkur Barrage—and all of these due to their locality and local circumstances, will always require particular vigilance and care.

There are other factors non-existent 10 or 15 years ago, which now greatly add to the work of the chief engineers. I refer in particular to—

- (a) the Drainage Circle and anti-waterlogging measures,
- (b) the Discharge Division,
- (c) the Irrigation Research Institute,

[Mr. T. B. Tate.]

(d) the Central Board of Irrigation, and last, but by no means the least, Council work. (*Mr. Muhammad Din Malak*: You would no longer be required in the next Council). To these must be further added the great increase in work all-round brought about by the introduction of the Reforms in 1920 and the great increase of office work generally, particularly in respect of accounts matters. The increase in office work has assumed such dimensions that two years ago a special committee was appointed to investigate means of reducing it.

The work of the Drainage Circle is not restricted to anti-waterlogging measures. It deals also with the question of flood protection all over the province and outside the irrigated areas and demands on the superintending engineers' time from local bodies and other people affected are steadily on the increase. Other important problems which we are attempting to solve are prevention of avulsion of the river Beas into the Western Beas and fall in the water-table in the Jullundur Doab. All embankments and drainage works (excluding sewage disposal) both inside and outside canal irrigated areas are now under the control of the Irrigation Branch.

The Discharge Division was instituted in 1921 and works directly under the chief engineers.

The value of the work being carried out by the Irrigation Research Institute needs no emphasis. Problems relating to the control of the sub-soil water-level, the reclamation of inferior and *kallar* soils, the control of silt and construction of models for the design of works are some of the subjects dealt with and the whole of this work is directed by the chief engineers.

In 1930 the Central Board of Irrigation was called into being and much of the work carried out by this Board is that previously shouldered by the now defunct Inspector-General of Irrigation to Government of India. This is an agency for the collection of information of all-India interest, for inter-change of ideas between the different provinces and for obtaining information on irrigation and engineering problems generally from all over the world. Moreover from time to time matters are referred to the Board for advice by other departments of Government; for instance, the protection of Quetta from floods was referred to it through the Government of India by the Army Department in 1934. The chief engineers are members of the Board (one is a member of the Executive Committee in addition) and the work in connection therewith makes a not inconsiderable further call on their time.

I have dealt so far largely from the point of view of the chief engineers alone, since the work devolving on any one class of officers forms some index of the amount of work devolving on officers of the Irrigation Branch as a whole. But to deal with the number of superintending engineers—

Mr. Muhammad Din Malak: Superintending engineers are not being considered at present. There is a separate motion relating to them and this question can be discussed when that motion is before the House.

Mr. T. B. Tate: Very well. However, it may be noted that in 1900 when the Punjab Government considered that one chief engineer

was insufficient there were 5 superintending engineers. In 1905 there were 2 chief engineers and 8 superintending engineers. Now we have 3 chief engineers and 13 superintending engineers. But it should be remembered that as a measure of emergent economy one post of superintending engineer was held in abeyance in 1932, and it is by no means certain that such an arrangement can continue indefinitely. Moreover, if we take, as we reasonably may, the Research Institute, the Discharge Division and the Central Workshops as the equivalent of one Circle, we find there are 14 superintending engineers with a possibility of the number being restored to 15. This takes no account of any further increase necessitated by new projects under consideration. Thus the ratio of chief engineers to superintending engineers in the Punjab Irrigation Branch is about 1 : 5.

Turning, for the sake of argument, to other provinces we find that in the United Provinces, where, as in the Punjab, irrigation is separated from the Buildings and Roads Branch, there are 2 chief engineers and 6 superintending engineers, the ratio being 1 : 3. In the United Provinces, the area irrigated in 1932-33 was under 4 million acres, i.e., only about 1/3rd of the Punjab area. The irrigated area per superintending engineer is found to be in the Punjab 9½ lakh acres and in the United Provinces 6½ lakh acres.

In Bombay and Madras where the two Public Works Departments are combined, there are in the former 4 chief engineers and 8 superintending engineers (ratio 1 : 2), and in the latter 2 chief engineers and 6 superintending engineers (ratio 1 : 3). On the basis of such comparison it is thus evident that the Punjab is far more economical in chief engineers as well as in superintending engineers than are any other provinces in India. I have only touched on the subject of new projects, but it must be evident that the preparation of a detailed project and estimate represents an immense amount of work the responsibility for which cannot be left entirely to officers placed on special duty for the purpose as such work calls for constant and prolonged scrutiny by the chief engineers. The preparation of new projects was one of the grounds on which the Punjab Government again pressed for another chief engineer in 1902 and we now have 3 such projects in view, one of which at least we have every reason to hope may be put in hand in the near future. So it seems to me that far from there being any case for

reduction in the number of chief engineers the facts all point strongly to the need of an increase. The present chief engineers owing to ever-increasing office work are already severely handicapped in the exercise of their primary duties, and there is a point beyond which economy cannot be pressed without gravely prejudicing efficiency and the revenue-earning capacity of the canals. It may be mentioned that the total cost of the 3 chief engineers is only about 1 per cent. of the total establishment charges of the Irrigation Branch.

In passing it may be of interest to note that subordinates and clerical establishment account for 46 per cent. of establishment charges, and fees to *lambar-dars* for the collection of *Chiana* and land-revenue to nearly 12 per cent.

I trust the House will agree that the chief engineers, Irrigation Branch, are worth this small amount of 1 per cent. of the total establishment charges.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to give my support to the motion under consideration. If ever there is a need for reducing the number of chief engineers, the time has now arrived. My honourable friend has shown that there is a considerable deficit in the budget. It is not a deficit of merely 21 or 22 lakhs but a deficit of one crore of rupees. This is, therefore, the time when we should think of decreasing our expenditure. The Retrenchment Committee in 1933 recommended the abolition of one post of chief engineer. It also recommended fresh sources of income for the Government to tap. It is very strange that the Government has jumped at the idea of levying fresh taxes in the directions in which the committee recommended, but has not given any thought to the reduction either of the salary or of the posts recommended by the committee. It is not fair on the part of the Government to accept only one side of the recommendations. It should either have accepted all the recommendations or not have accepted any of them. In any case taking the merits of the case, I may say that there was work when the Hydro-Electric Scheme was under construction and when the Sutlej Valley Project was being worked upon. But now that both the schemes have been completed there is no justification at all for retaining the third chief engineer. The Irrigation Department can now very well be controlled by one chief engineer. Take the case of the Railway Department. When the railways undertook schemes of further construction they never increased the number of chief engineers. Now that there are no new constructions the number of chief engineers should be reduced. Again, there is a good deal of work to be done by the Chief Secretary ; yet we do not have an additional Chief Secretary. If at all an additional Chief Secretary is appointed to meet an emergency he is dispensed with as soon as that emergency ceases. Similarly, the Irrigation Department also should have acted. What is the justification now for maintaining three chief engineers ? It may perhaps be said that according to the contract with the Bahawalpur State one chief engineer for the Sutlej Valley Project should be maintained. But what is the justification for maintaining the chief engineer for the Hydro-Electric Scheme ? I think we can very easily make a saving in the pay of one chief engineer.

Again, the pay of the chief engineer has been constantly increasing. If the number was increased, what is the justification for increasing their salaries also ? In 1919 the salary was increased from Rs. 2,750 to Rs. 3,000. This was most unjustifiable.

Therefore both from the economic point of view as well as from the administrative point of view one chief engineer can be reduced and I hope that Government will take this opportunity of reducing the number and thus giving effect to a recommendation of the Retrenchment Committee. If, in any case, the Government finds a necessity for another chief engineer later on, one can be created then. Let the Government now try with one chief engineer short. No other occasion will be more opportune for making this experiment. The Honourable Finance Member the other day said that he was leaving a legacy of solvent estate for the future Government. One way in which he can show his anxiety to leave a legacy of a solvent estate is by reducing the number of chief engineers. With these words I support the motion.

The Honourable Nawab Muzaffar Khan (Revenue Member): I protest against the words used by the honourable mover of this cut motion regarding high Government officers in the course of his speech. He said that they were self-opinionated.

As regards the appointment of three chief engineers, it should be remembered that the area under irrigation is more than three times what it used to be when we had only one chief engineer. This area has arisen from three million acres to 10½ millions. It will be admitted that the supervision of such a vast area does require a larger number of officers. Again, let us examine how our province compares with other provinces in this respect. In the United Provinces where the irrigation branch has been separated from the buildings and roads branch there are two chief engineers and six superintending engineers, a ratio of one to three. In the United Provinces the area irrigated in 1932-33 was under four million acres, i.e., about one-third of the Punjab area. We must also remember that in this province we have our waterlogging problems and big drainage schemes. Waterlogging is a great danger which the Punjab has to face. Not very far from Lahore a very important project to check the progress of waterlogging has been carried out which, I am sure, would prevent the deterioration of valuable agricultural land belonging to the zamindars. Considering the nature and the amount of work that is being done in this province I think it will be false economy to reduce the number of chief engineers. We should also not lose sight of the fact that at the present moment we have two big irrigation schemes under consideration, I mean the Haveli project and the lower Thal project in the Mianwali district for the construction of which this Council passed a resolution only a short time ago. Then there is the Bhakra scheme. These are all very important matters which require very careful consideration and I do not think it will be fair to ask the Punjab Government to reduce the number of chief engineers at this juncture. I agree that the Chief Justice has set a noble example which one would like to follow, but this analogy does not hold good in the case of our Canal Department. Work has decreased considerably in the High Court, but it is, on the other hand, increasing every day in the Canal Department. I would, therefore, appeal to the House to consider carefully before voting for this motion.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I have to make one or two remarks. I remember that I was a member of the Retrenchment Committee and I believe the unanimous recommendation of the Retrenchment Committee was that the number of chief engineers should be reduced from 3 to 2. In the year 1934—two years back—a motion was moved by me and I reminded the House that the Retrenchment Committee had made that recommendation and enquired whether the Government had taken any action on the unanimous recommendation of the Retrenchment Committee. If I remember aright, the reply of the Government was that the third chief engineer was there because there were certain schemes going on and that there were certain stipulations made by the Punjab Government with the durbars and that there was a condition—a precedent was pointed out—that the Punjab Government would be bound to keep the services of a highly qualified officer—say a chief engineer. If

[S. Arjan Singh.]

I also remember aright, the Honourable Finance Member at that time promised to look into the question; he also went further and said that this proposal of the Retrenchment Committee, and the motion moved would be very favourably considered as soon as the necessity for keeping a qualified chief engineer was over. Two years have passed and to-day we are still in the same position as before. No mention has been made as to whether the Government have examined that question and whether they are now in a position to accept that proposal of the Retrenchment Committee or not. I do not think that because we have been passing resolutions that certain irrigation schemes should be proceeded with without delay, one post of chief engineer should not be brought under reduction.

Mr. M. A. Ghani : Sir, the question may now be put.

Rai Bahadur Mr. Mukand Lal Puri : Perhaps the honourable mover may withdraw the motion.

Mr. Deputy President : I must say that I was astonished to hear the protest of the Honourable Revenue Member. More hard words are used in the British Parliament. I may also point out that no malice, or ill-will was meant.

The Honourable Nawab Muzaffar Khan : That I know.

Mr. Muhammad Din Malak : I am sorry that the Honourable Member for Revenue has entered a protest against my using the word "self-opinionated" for the chief engineers. I do not see anything unparliamentary in the word. I have used it advisedly and I do not feel myself called upon to withdraw it. I think the protest was merely a formal one and I have it then. Now he says that the irrigated area has gone up by leaps and bounds. Having already quoted the figures of gross commanded area I shall now quote figures of the irrigated area and hope the chief engineers will contradict wherever I am wrong. I hope I shall be able to explode even the bogey of the irrigated area having gone up by leaps and bounds easily enough. Total irrigated area up to the year 1930 including old and new canals came up to 11,687,622 acres. I will take up old canals first. On the Western Jumna Canal the total irrigated area is 905,886 acres; on the Sirhind Canal it is 1,325,000 acres; on the Upper Bari Doab Canal it is 1,481,867 acres; on the Derajat Canals—1,064,766 acres; and on the Lower Chenab Canal, 2,638,234 acres. This gives you a total of 7,365,753 acres. Now I come to the new canals. On the Lower Bari Doab Canal the total irrigated area is 1,272,696 acres; on the Upper Chenab Canal it is 626,185 acres. On the Lower Jhelum Canal it is 899,170 acres; on the Upper Jhelum Canal it is 828,451 acres. And on the Sutlej Valley Canal—11,95,367 acres. This gives you a total of 4,321,869 acres. It will have been seen that the irrigated area under the new canals which were either started or completed after the year 1905—that is to say after the employment of one after another of the two additional chief engineers comes to only 43 lakhs, though on the old canals the area under irrigation when there was only one chief engineer was 7,365,000 acres. And as I have already pointed out in those days, that is, before 1905 one chief engineer had to inspect such far flung places—as Ma'dan, Delhi and Derajat and had to tour on horseback instead of in motor cars. He had to tour long distances to look

after the irrigated area of 73 lakhs and odd acres and to supervise the construction works in addition to the preparation of two very big projects—Upper Jhelum Canal and Upper Chenab Canal. Indeed I have been actuated by these very considerations to move this cut. I venture to affirm that reason and logic are on my side. The Irrigation Department cannot dispute my figures. They cannot challenge my facts. The position is crystal clear. If one chief engineer could do so much work up to the year 1935, I think with one or two deputies he ought to be able to cope with the work in these days. At the utmost we may allow two chief engineers, but there is absolutely no justification for retaining the services of the third officer. Two chief engineers should be more than enough to even take up the Haveli and Thal projects simultaneously seeing that one chief engineer could prepare the Upper Jhelum and Upper Chenab projects. I am sorry that the Honourable Revenue Member has not held out any promise that the Government would consider this matter.

The Honourable Nawab Muzaffar Khan: That I cannot.

Mr. Muhammad Din Malak: May I point out to the Honourable Revenue Member the action taken by the Government on the recommendation, in regard to this particular point, of the Retrenchment Committee? They simply said on page 2 of the "Statement showing the action taken by Government on the recommendations of the Retrenchment Committee, 1931" as follows:—

Paragraph 39 of the	Abolition of the post of	It has been decided to
Report.	Chief Engineer, Sutlej	retain the post for the
	Valley Project.	present.

These are their words and three years have since passed by. The words "for the present" are significant. I may assure the House I am not pressing the motion to injure anybody's interests. I am doing this in the interests of economy. If the Government would promise to consider the suggested reduction seriously, I might be able to make up my mind to withdraw my motion. Otherwise I shall be compelled to press for a division.

Mr. Deputy President: The question is—

That the grant be reduced by Rs. 1,47,133½ with respect to the item of Rs. 4,41,400—A-1—Chief Engineers.

The motion was lost.

Reduction in the number of superintending engineers.

Mr. Muhammad Din Malak (Lahore city, Muhammadan, Urban): I beg to move—

That the grant be reduced by Rs. 2,83,800 with respect to the item of Rs. 2,83,800-A-3—Superintending Engineers.¹

Incidentally I have already referred to the Retrenchment Committee's Report on this point. I do not think I need argue at very great length now. Briefly these officers, the superintending engineers are "a relic of the past" and must be done away with. They have nothing whatsoever to do excepting their hunting and shooting expeditions. There is a veritable plethora of supervision in the Irrigation Department. On the revenue side

¹For effect economy.

[Mr. Muhammad Din Malak.]

you have got patwaris, zilladars, deputy collectors, sub-divisional officers and executive engineers. All these officers are there for superintendence. Take on the other hand construction work. You have got mates, mistries sub-overseers, overseers, sub-engineers, sub-divisional officers and executive engineers. The superintending engineers have nothing to do except to act as a mere post office, to pass on correspondence. It is said to be a link between the executive engineers and the chief engineers. The office of the superintending engineer is a sort of half-way house between the highest and the lowest part in the Irrigation Department.

The Honourable Nawab Muzaffar Khan : What did the Retrenchment Committee think about them?

Mr. Muhammad Din Malak : The majority of the Retrenchment Committee recommended total abolition, the minority recommended considerable reduction in the posts. This is their recommendation—

The average irrigated area controlled by a superintending engineer is about one million acres. The superintending engineers, Western Jumna, Upper Chenab and Lower and Upper Jhelum Canals have less than the average to look after. The last three also have less than the average length of channels to supervise. We recommend that the question of combining in one charge the Upper Jhelum and the Upper Chenab be seriously examined. The Lower Chenab at one time was a single charge. Admittedly it was a very heavy one. But on the other hand it is one of the most firmly established of all our canals and we recommend that the possibility of reverting to the old state of things be examined.

I might just offer a comment. I think the Irrigation Department offers a unique example of deterioration by experience. The more the experience is gained, the worse is their condition. The recommendation further says :—

A majority of us would go further to question the necessity for any superintending engineer at all on the Western Jumna, Upper and Lower Jhelum and Upper Chenab. A minority amongst us holds strongly that the post of superintending engineer is everywhere superfluous.

The recommendation further goes on to say—

They believe that his work could be done by the senior executive engineer on the canal. They reinforce their argument by certain proposals as to chief engineers and deputy chief engineers to which we shall refer later, but as the majority of us think that the superintending engineer is an indispensable link in the administrative chain and are only prepared to admit that some reduction in numbers is possible, we need not enlarge on this point.

Reduction of only one superintending engineer was made in consequence of the recommendation of the Retrenchment Committee but if the House will refer to the estimates under discussion, it will be found that instead of 11 superintending engineers, we have now got 13. This is perhaps due to the fact that as the Sutlej Valley Project has been completed, these two officers could no longer be charged to that project and as they must be provided somehow or other like the third chief engineer they have also to be inflicted henceforth on the old canals.

(At this stage Mr. President resumed the chair.)

The trouble is that once an officer has been appointed in the Irrigation Department it is most difficult to remove him. Instead of there being any reduction in the number of superintending engineers if not total abolition,

pursuant to the recommendations of the Retrenchment Committee, there is an increase. I therefore trust that the Government will seriously consider whether they cannot even reduce the number of superintending engineers if not abolish them altogether.

Mr. President : Demand under consideration, motion moved :—

That the grant be reduced by Rs. 2,83,800 with respect to the item of Rs. 2,83,800—A.
3.—Superintending Engineers.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, rural) : I rise to support the motion moved by my friend. The Retrenchment Committee of 1933 recommended the abolition of all or at least some of the posts of superintending engineers. As my honourable friend has observed the superintending engineer is nothing but a medium for correspondence between the executive and the chief engineers. The superintending engineers are as superfluous as the commissioners. In the Canal Department, there is hardly any executive duty just as in the case of the commissioner. Why then should these posts be maintained? The superintending engineer cannot make any definite or final order. What he can do is to recommend certain punishments or proposals to his superior. Then what is the meaning of having such officers at a time of financial stringency, especially when there is deficit in the budget? I do not think the work will suffer by their absence. On the other hand it may improve so far as expediency is concerned. Moreover, the executive engineer will all the more feel his responsibility and will do the work more carefully than at present. Because now he may pass on certain proposal or certain report to the superintending engineer thinking that the latter will exercise his brain over it. But when he knows that there is no intermediary he will examine the matter more carefully and submit a better report than at present. I think the time is come when these intermediary officers are unnecessary. They have now no special importance about them and should go and in the next constitution there will be ministers who will be more cognisant of the work of these officers than they are at present. Therefore, it is time that these posts are abolished. Sometimes the excuse is put forward that they are going to hand over a good and sound financial position to the next Government. I think the abolition of these posts will bring in some saving without the work suffering and whoever comes in the next constitution we can tell them that they need not be anxious about the absence of these officers. Some of us who will come after the next elections can tell them so and they can take this as a promise of good will. (*Interruption*). Why should Government officers insist on maintaining their status and why should they not act up to the recommendations of this House? Have they ever tried the experience of taking Indians into confidence and found out whether the work suffers? This question has been raised in this Council twice at least and once by the Retrenchment Committee and yet the Government turn a deaf ear however strong the recommendation is. That is not the correct attitude of mind we expect from the Government officers. We expect sympathetic consideration from them for the views of this House. We do not put forward these views with any selfish motives and we are not going to be benefited by these savings. If we offer an advice it should be acted upon and should not be brushed aside without any consideration whatever. If at all there was any excuse for having these superintending engineers at the

[Ch. Allah Dad Khan.]

time of the Hydro-Electric Project or the Sutlej Valley Project when they were in progress, there is none now and I think there is no argument now which the Government can put forward for the retention of these officers. They are absolutely superfluous and I think the superfluity should be cut off at this time when there is deficit in the budget. It will be to the advantage of the officers if they listen to our advice.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation): There are many considerations which should affect the decision to have or not to have superintending engineers. We have to consider this problem both as regards construction and the maintenance of canals after construction. Let us try and examine the organisation during construction. The proposal has been made that the senior executive engineer could easily take the place of the superintending engineer. Now when a canal project is sanctioned one of the first things that is to be done is to carry out survey of distributaries, of branch canals, survey of the river and then after these surveys have been done, we have to decide on the various designs. Suppose for the construction of a new canal, there are three executive engineers and suppose there are branches to this canal with a number of distributaries along with the main line and head works and suppose one executive engineer is looking after the head works, and the main canal and the other branches and distributaries are divided among the two other executive engineers and suppose that all three of these men started to design the sizes of their canals on their own account without any centralising authority, how could they get on with it, because the man designing the main line would have no idea as to how big that main line should be unless he gets information from the other two executive engineers? Suppose that the executive engineer of the head works happened to be the senior man (though it is not always so, you often have a young executive engineer doing the head works because it is a very hard and trying work during summer and the executive engineer has to work at very high pressure for a period of three to four years, people do not really realise the strain and the hard work that the executive engineer in charge of a head works division has) is this executive engineer in charge of the head works to look after the building of the head works or is he to co-ordinate the work of the other two executive engineers? You must have a man in charge of these three executive engineers. The proposal may be made that the man in charge should be the chief engineer. Let us visualise what is likely to happen in a time of stress, namely during the flood season either during construction and after. The chief engineer would have three to four canals. To take my own case at the present moment in addition to the Derajat I have got four very expensive and delicate barrages across the Sutlej. That is only one river. Suppose you had a big flood in the Sutlej and there were no superintending engineers and the executive engineer at Panchnad, Islam, Sulemanki and Ferozepore wanted my advice at the same time, to which of these four should I go? And suppose I decided that Panchnad was the one that was most likely to be damaged and went there, and meanwhile Sulemanki fell down, would my excuse that there was no superintending engineer at Sulemanki be accepted?

We shall look at it in a more general way. When an engineer comes into the service he comes knowing a certain amount of book learning. And for

the first few years he is really of very little use to Government and although his pay is comparatively small he is probably not worth the pay he is getting as compared with the more senior men drawing a much bigger pay because the young man has got book learning only, and no experience. Now as a man goes through life he unconsciously and consciously absorbs knowledge and experience. It is to a large extent unconscious. If you have been in charge of a canal in the north, say the Upper Jhelum and then you go right south to the Western Jumna and you get the experience of both and you go to a third place you find very often that these items of experience which you have been getting from year to year are of great help to you and enable you to save Government much money. As the man begins to get senior his advice and experience should be at the disposal of the more junior members of the establishment and should not be hidden in one division only. Having a canal system divided up among executive engineers it is definitely very much in the interests of Government that they should have a man probably older and more experienced than themselves in whom they can confide and to whom they can explain their difficulties and get advice. You know the proverb, two heads are better than one. And in times of big floods when experience and a cool head are very necessary, the experienced man earns his pay over and over again because he is able to give confidence to a younger executive engineer very worried and very anxious. The superintending engineer goes down to the site of the troubles he advises the executive engineers, encourages him, suggests certain action to be taken which action has to be taken quickly. We get these experiences on our rivers every year if not on one headworks, on another where action has to be taken immediately. If you broke that sequence from the executive engineers to the superintending engineer you will have broken a valuable link and you will leave the less experienced man without any support during these anxious times.

Let me give another example. When I was dealing with construction circle in Bahawalpur we had to consider and make out new designs for all the various forms of masonry works. And as superintending engineer in charge I made it my business to take out a type design for the various classes of work so as to save repetition. True, I took my executive engineers into my confidence and I got their help but the work was done once for all. Having completed a type design for a masonry work it was sent out to the executive engineers and to the sub-divisional officers for use; thus saving a large amount of time and repetition work for these officers. Here again if you did not have the superintending engineer you would get an enormous number of designs and estimates coming straight to the chief engineer and the whole machinery of administration would be clogged. If superintending engineers are abolished, instead of the work going smoothly we will be continually held up, and I believe it would also affect the efficiency and cost of construction and the ordinary maintenance works during the year. As superintending engineer it used to be the ordinary procedure and I have no doubt it is now with all superintending engineers to go round from rest-house to rest-house to examine the ordinary daily work of maintenance and repairs, to watch and see where a sub-divisional officer may be extravagant, to reward and praise those whom they can see working efficiently and economically. All this work falls to a superintending engineer, and if he does his

[Mr. J. D. H. Bedford.]

job as the vast majority of superintending engineers undoubtedly do, he will earn every rupee of his pay and if he is removed I feel confident that you would find in a very short while that your expenditure would go up and those who are zamindars will feel the pinch when they find that gradually the distribution of water to their fields is not what it used to be and when the crops dry they will have no superintending engineer to go to. Suppose they appeal to the chief engineer. How many places can the chief engineer be in at one and the same time? If he goes to one circle he will neglect another, if he goes to one circle and stays there for sufficiently long to be able to look into the whole circle he is not only neglecting other circles, but he is neglecting his work in Lahore. So that, I feel convinced that there is likely to be no saving in efficiency or money if the posts of superintending engineers be abolished. (Cheers).

Mr. Muhammad Din Malak : I will say only a few words. The Chief Engineer (Mr. Bedford) is a prolific speaker and I must pay him the compliment of being an acquisition to the House. But I feel he has indulged in irrelevancies. He has brought in all sorts of miscellaneous things into the discussion. I do not think there has been any answer to the urge accompanying this motion, to the point that the superintending engineers have got nothing substantial to do. The chief engineer has not been able to disprove it and I do not think anybody can. This has been the opinion not of myself alone but of the irrigation experts themselves. Of course it is forbidden to carry into this House talks which are held outside, but I may assure the members of this House that I have had talks not to-day, not yesterday but for years past and everybody, every fair minded person, agrees that the superintending engineers have got nothing whatever to do. The only thing they have to do is to swell up their travelling allowance bills, do some shooting here or some hunting there. I know the executive engineers are rather hardworked in certain cases and perhaps the executive engineers do require some sinecure posts when they have become fairly seniors in service. As I have said the office of the superintending engineers is a resting house made for the use of senior executive engineers before they attain to the highest post in the Irrigation Department, the chief engineership. The superintending engineer's checking of irrigation is nil unless they condescend to do this in very small percentage of cases. They have got nothing whatever to do with the actual construction of works. They have got in some instances three or four divisions under their control. They cannot be on the spot to inspect day to day's work and it is only now and then that they go out on tour to drive along the canal boundary road to do these so-called inspection of construction works or to see the water flowing in the canal. It is the executive engineer primarily and the sub-divisional officer in the first instance who do the work. Neither the chief engineer nor the superintending engineer has got anything to do with the actual inspection and control of the establishment, or supervision of the works. The chief engineer being the administrative head I agree he is a necessity. But the superintending engineer is an anomaly. At any rate at the present day he is an anomaly. When there was only one chief engineer to look after so much work the superintending engineers, instead of a deputy chief engineer to assist the chief in the inspection of works, might have been of some use.

At the present moment the superintending engineers have got nothing whatever to do.

I must again repeat that the Government have paid very little heed to the recommendations of the Retrenchment Committee which was appointed by the Government themselves. The majority of the committee, as I have quoted from the report, had recommended for the total abolition of superintending engineers. The minority of the committee however had recommended for a reduction in the number on three or four big canals, so that the strength might be less by about six or seven. But instead of abolishing these posts or instead of reducing the number, there has been an increase from eleven to thirteen. One cannot understand how the Irrigation Department thought it advisable to do this and the Finance Department allowed this unless it might be in the hope that the Thal Project and the Haveli Project might be taken in hand in the near future. My point is that neither the third chief engineer nor these superintending engineers are necessary for either of these projects even though they are to be taken in hand simultaneously which is not going to be the case. As far as one can see at the most the Haveli Project alone might be taken up just in the near future and the Thal will have to wait for years yet, if not for decades. It is, therefore, necessary that Government should display a reasonable frame of mind, appreciate the motive underlying this cut and agree to omit this provision.

At this stage the Council adjourned till 11 A. M., on Friday, 20th March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 20th March, 1936.

The Council met at the Council Chamber, at 11 A.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

Mr. R. J. S. Dodd (Reforms Commissioner) was sworn in.

DELIMITATION COMMITTEE'S REPORT.

Mr. President : There are 18 motions on the agenda. If the House has no objection I propose to take them not in the order in which they are printed, but in order of their importance.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammādan, Rural) : I beg to move—

That in the opinion of this Council one seat should be taken out of the general urban share and added to the general rural share.

The Provincial Franchise Committee made a practically unanimous recommendation in favour of the present proposal. The only dissentient voice was that of Rai Bahadur Mr. Mukand Lal Puri. The reasons which can be put forward in justification of the present proposal are quite cogent and logical. In the case of general rural constituencies the number of voters, and the quota of population per seat is higher than in the case of any other constituency whether Hindu, Muslim or Sikh, rural or urban, special or territorial. Again, the number of urban seats allotted to Muslims and Sikhs is a reasonable ratio to the urban population of these communities. But so far as general seats are concerned, the quota of population as well as voters is much lower in the case of urban constituencies than in the case of rural constituencies. It has been admitted in the report that on the basis of population urban Hindus are entitled only to 6 seats ; while as a matter of fact, urban population has been given 8 seats, and if we add the seat for women, as the seat for women has been allotted to Lahore, this number becomes 9.

Again, seats for the university and industries are essentially urban seats. They further increase the number of seats which have been allotted to the urban population and accentuate the disproportion which already exists between the share that has been allotted to rural areas and the share that has been allotted to urban areas. Apart from that there are certain other constituencies, which, though rural, will most likely return candidates who belong to urban areas, who belong to urban classes and who have urban views, urban sympathies and urban outlook. Of course, I can have no valid grievance against any urban candidate seeking election from a rural constituency, if he is able to get himself returned by a rural constituency. But

[R. B. Ch. Chhotu Ram.]

so far as the seats, which are definitely urban, are concerned, I have a reasonable grievance inasmuch as the number allotted to the rural population among Hindus is less than the share to which that population is entitled on the basis of its strength. Therefore, I beg to submit that at least one seat should be taken out of the urban share and added to the rural general share.

Mr. President : Motion moved—

That in the opinion of this Council one seat should be taken out of the general urban share and added to the general rural share.

Lala Jyoti Prasad (South-East Towns, non-Muhammadian, Urban) :
I beg to move—

That in place of motion under consideration the following be substituted :—

“ That the number of the general urban constituencies be increased to 10 in place of 8, as recommended by the Indian Delimitation Committee.”

(Urdu) : The allocation of the general, rural and urban constituencies in the present Council is like this. There are 13 rural constituencies as against 7 urban constituencies, there being 20 constituencies in all. The Delimitation Committee have fixed the number of rural constituencies at 26 and that of urban constituencies at 8, that is, the number of rural constituencies has been doubled. On the other hand the number of urban constituencies has been raised by one and the learned Chaudhri Sahib feels aggrieved over it. It is strange that in recent years the population in rural areas should so rapidly rise as to justify the increase of the number of rural constituencies to double while the population in urban areas should remain where it was. This is not so. The real fact is that there was a majority of rural members in the Committee, naturally they had no sympathy whatever with urban interests. The qualifications which they have proposed for voters have gone a long way in keeping the number of urban voters at the same level where it stood before. They have proposed property worth Rs. 2,000 and house rent equal to Rs. 36 as qualifications for urban voters. If the property had been fixed at Rs. 1,000 and the rent limit at Rs. 18, I am sure the number of urban constituencies would have increased to 12. But the Committee was not prepared to augment the number of urban seats. On the other hand the number of rural seats has been increased liberally enough. In Hissar there used to be only one rural seat in the past. Now the number has been increased to three. But so far as urban seats are concerned this liberality has not been shown. For instance, in the past Hissar, Rohtak, Gurgaon and Karnal districts comprised one urban seat. Now only district Karnal has been taken out of the constituency, but at the same time small town committees with a population of 7,000 or above have been added to it. I would therefore impress upon the Government that the urbanites deserve 12 seats. You should at least give them 10. After all, urban people have done you no wrong. Why should you mete out a stepmotherly treatment to them? With these words, I oppose the motion.

Mr. President : Motion under consideration, amendment moved—

That in place of the motion under consideration, the following motion be substituted :

“ That the number of general urban constituencies be increased to 10 in place of 8, as recommended by the Indian Delimitation Committee.”

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): I oppose most strongly the motion moved by my friend from Rohtak. It was one of his predecessors from Rohtak who was the author of this rural-urban question in the Punjab. It was raised at the time of Sir Michael O'Dwyer and the trouble has gone on increasing and increasing every day, so much so that now there is a great cleavage between the rural and the urban population. These differences should, in my opinion, not exist at all. There will be more work done and done in a better way if this rural-urban question is done away with, and no unfairness is shown to the urban people. Looking at the list of constituencies, I find that the small towns in the Multan division which I represent, which used to be in the rural constituency, for instance Khanewal in Multan or Gojra and Kamalia in Lyallpur district, have been taken out of the rural area and added to the urban area, while the seats in the urban areas are being reduced. I do not understand why this unfairness has been shown to the urban people. While their population has increased, their seats should also have increased.

Then another thing I would like to point out is this, that a place like Khanewal, for instance, will in future be treated as an urban area, the reason being that formerly all towns with a population of 10,000 or over were treated as urban and now the population qualification has been reduced to 7,500. The result is that more population has gone to the urban side. Supposing I am a candidate for Multan side. I have to get votes of all the people in the vicinity of Khanewal, but the small town of Khanewal which has a population of over 7,500 is not to give me its votes because it is no longer now in the rural area. This unfairness has been introduced, by the Punjab Government, may be the Honourable Nawab Muzaffar Khan is responsible for it. The recommendation made by the Punjab Government has been accepted by the Delimitation Committee and that means that the work of this Committee has been absolutely of no use to the Punjab. In fact we would have been much better off if the Committee had not sat at all.

Mr. President: What is the honourable member discussing?

The Honourable Nawab Muzaffar Khan: He is discussing me at the moment.

Rai Bahadur Lala Sewak Ram: I am discussing the rural-urban population. I am discussing the work done by the Delimitation Committee on this point. On this point they have done absolutely no work.

Mr. President: The honourable member will please discuss the motion now before the House.

Rai Bahadur Lala Sewak Ram: It is quite clear that all those small towns which have been detached from the rural constituencies and added to the urban constituencies may be attached again, to the rural, otherwise the seats of the urban people must be increased to ten.

Mr. President: The question is—

That in the opinion of this Council one seat should be taken out of the general urban share and added to the general rural share.

The Council divided: Ayes 13, Noes 9.

AYES.

Akbar Ali, Pir.
 Allah Dad Khan, Chaudhri.
 Chhotu Ram, Rao Bahadur Chaudhri.
 Faqir Husain Khan, Chaudhri.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Firoz Khan Noon, The Honourable Malik Sir.
 Muhammad Amin Khan, Khan Bahadur Malik.

Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Noor Ahmad Khan, Khan Sahib Mian.
 Ram Sarup, Chaudhri.
 Shah Nawaz Khan, Nawab Khan.
 Zaman Mehdi Khan, Khan Bahadur Malik.

NOES.

Bhagat Ram, Lala.
 Gokul Chand Narang, The Honourable Mr. Sir.
 Jyoti Prasad, Lala.
 Lekhwati Jain, Shrimati.

Manohar Lal, Mr.
 Mukerjee, Rai Bahadur Mr. P.
 Nihal Chand Aggarwal, Lala.
 Pandit, Mr. Nanak Chand.
 Sewak Ram, Rai Bahadur Lala.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I move—

That the division of the constituencies as urban and rural adopted by the Committee should be abandoned but only towns with a population of 50,000 or above should be deemed as urban and others should be termed as general.

The Hammond Committee has divided the Punjab into two kinds of areas, one termed urban and the other rural. With regard to urban they have taken up a city or town or village with a population of 7,500 and above and termed it as urban. I do not understand how this artificial distinction has been worked out by the Hammond Committee. The Committee, as I submitted yesterday, arrived at this conclusion at the dictation of the members of the agricultural tribes who predominated in the Franchise Committee.

The Honourable Nawab Muzaffar Khan : That is wrong.

Mr. Nanak Chand Pandit : They did predominate in the Franchise Committee. There was only one member, Rai Bahadur Mr. Mukand Lal Puri, who represented the urban areas. What I do want is that the definition adopted by the Hammond Committee should be changed :—namely, that areas with a population of 7,500 or above should not be regarded as urban, but towns with a population of 50,000 or above should be deemed as urban. That is the sole point which I wish to place before the House. This definition that an urban area should have a population of 50,000 is adopted by the Hammond Committee in the case of Bombay. If you read the discussion on this subject relating to the Bombay Presidency you will observe that all the arguments that apply to Bombay fully apply to the Punjab also. It is, therefore, very difficult to understand how the Hammond Committee in one case adopted what was recommended by the Punjab Government and in the other adopted, what was recommended by the Bombay Government. The statement which I made yesterday, namely, that the Hammond Committee was meant to waste public money and public time is perfectly justified.

if we only look to the definition of urban and rural. In the Punjab areas with a population of 7,500 are rural and not urban in any sense of the word ; in fact any area with a population of less than 7,500 is rural. The definition adopted by the Hammond Committee is artificial and cannot be maintained on any ground whatsoever. The areas with a population of 7,500 are really big villages which have grown up on account of the increase in the population in the surrounding villages.

Mr. President : The honourable member's time is up.

Mr. Nanak Chand Pandit : I will just conclude my speech with one sentence. I submit that this artificial distinction adopted by the Hammond Committee should be given up and that adopted for the Bombay Presidency adopted.

Mr. President : By the word " general " at the end of his motion, does the honourable member mean " rural " ?

Mr. Nanak Chand Pandit : Yes, Sir.

Mr. President : Then, has he any objection to the word " rural " being substituted for the word " general " ?

Mr. Nanak Chand Pandit : No.

The Honourable Dr. Sir Gokul Chand Narang : Do you not think, Sir, that the debate that is now going on is of no use whatsoever ? Is it not more or less farcical ? I do not myself call it farcical. I only ask you whether it is not farcical. There are three things which make the debate look like that. In the first place the motions which are now being moved have been practically drafted on the spur of the moment and not properly considered. Secondly, you have not allowed more than one speech on either side. Thirdly, the speeches are limited to five minutes while the questions that are being discussed are of the utmost importance. In view of these facts, do you not think that this debate is utterly useless ? It is doing injustice, at any rate to the minority communities in this House.

Mr. President : There is great force in the first contention of the Honourable Minister. As to the five minutes time limit and only one member speaking on either side, the responsibility is of the House. I have absolutely no hand in it.

The Honourable Dr. Sir Gokul Chand Narang : The House did not decide that question. It was never put to the House.

Mr. President : It was not formally put to the vote of the House, but the sense of the House was informally gathered.

The Honourable Dr. Sir Gokul Chand Narang : You only spoke to two or three members on the other side and then you came to a decision.

Mr. President : It was from the occupants of the opposition front bench that the suggestion came.

The Honourable Nawab Muzaffar Khan : I tried to point out in the beginning that the questions involved were very important and that they should be considered carefully and not hurriedly.

The Honourable Dr. Sir Gokul Chand Narang : If you really want these motions to be discussed with any useful purpose then freedom of speech should be allowed.

Mr. President : I have no objection. I shall be the last to curtail that right. In fact I have no power to do so. I shall gladly follow the usual procedure.

Mr. Nanak Chand Pandit : I wanted to speak on the first motion to-day, but I was not permitted to do so.

Rao Bahadur Chaudhri Chhotu Ram : It was distinctly mentioned that there were 18 motions to be discussed and unless a time limit was fixed there was no likelihood of all these motions being considered by the House. Therefore a decision was come to informally that there should be one speech by the mover of the motion and another by the member opposing it and that these speeches should be confined to five minutes.

Khan Bahadur Sardar Habib Ullah : May I know on what principle the motions in this list have been arranged ?

Secretary : They follow the order of paragraphs in the Report.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : May I draw the attention of the House to one point ? Is there anything in these motions which has not been more than once discussed and which has not been considered by 3 Round Table Conferences, Hammond Committee and other committees that have been appointed from time to time ? If these matters have been considered and fully discussed, is there no stage which we can regard as final ?

Pir Akbar Ali : That stage is now.

The Honourable Sardar Sir Jogendra Singh : The members might exercise some sense of proportion in these matters.

Mr. President : It was open to the Honourable Member to oppose the motion that the Report be taken into consideration. That was the time when he could have raised the point, which he has raised now. It is too late now.

Sardar Arjan Singh : Now that you have decided to take a formal decision, I might add that a decision may also be taken as to whether the order in which these motions are to be disposed of has to be left to the discretion of the Chair.

Pir Akbar Ali : It was left to the discretion of the Chair. May I know, Sir, the position of the Honourable Ministers ? One of the Ministers left everything to your discretion. I know that.

Mr. President : It was only the order of motions that I agreed to regulate with the consent of the House.

Pir Akbar Ali : One of the Ministers objects to the procedure. Another Minister says that what we are doing is all useless.

Mr. President : However, I must now propose the motion—

That the division of the constituencies as urban and rural adopted by the Committee should be abandoned but only towns with a population of 50,000 should be deemed as urban and others should be termed as general.

Mr. Nanak Chand Pandit : On a point of order, Sir. I want to move a motion for the adjournment of the debate. I move that the debate be adjourned.

Mr. President : As the honourable Mr. Nanak Chand Pandit, who has moved adjournment of the debate, had moved the original motion and spoken to it, he is not entitled to move that the debate on that motion be adjourned.

Mr. Nanak Chand Pandit : I have not followed your ruling.

Mr. President : My ruling is that the honourable member cannot move adjournment of the debate, inasmuch as he has moved the original motion and spoken to it.

Rao Bahadur Chaudhri Chhotu Ram : This question has as pointed out by the Honourable Minister for Agriculture, been discussed threadbare on many occasions. What should be the line of division between the areas which are to be known as rural and the areas which are to be known as urban? The limit which obtained previous to the present Government of India Act, that is, under the present constitution, was a population of 10,000. There was a counter proposal that this limit of 10,000 of population marking out urban areas from rural areas should be brought down to 5,000, and it was as a matter of compromise that a limit of 7,500 was adopted in the Franchise Committee. That limit was also supported by the Government as marking a reasonable compromise between the two proposals. The analogy that has been drawn from Bombay has absolutely no application to the Punjab. The conditions prevailing in different provinces vary so vastly that it would be useless to make any reference to other provinces. I think that places with a population of 5,000 and over have distinctly urban characteristics. It was so held by the Southborough Committee and it was so held by the Punjab Government both in 1918 and now. Therefore, I beg to submit that the present line which demarcates the rural areas from urban areas is a proper limit and should be adhered to.

The Honourable Nawab Muzaffar Khan (Revenue Member): When we started discussing this motion yesterday, I appealed to the House that it would be better if we confined ourselves to large issues. I appealed to you again this morning that we should not make hasty decisions. It is a pity that the honourable members did not listen to my request and we now see a large number of motions before us. Certain statements have been made in this House to the effect that urban Hindus were not treated fairly and that their representation was not adequate. I am surprised to find that the House has completely forgotten what has so far happened in this matter or in the matter of delimitation of constituencies. It has been said that the number of rural members in the Franchise Committee was very large. I have got the list of members with me now which will show that there were more urban members in the committee than rural members. The names are as follows:—

Rao Bahadur Chaudhri Chhotu Ram,	Khan Bahadur Din Muhammad,
Mrs. Chatterji,	Mr. Mukand Lal Puri,
Sardar Bahadur Buta Singh,	Mr. Owen Roberts,
Khan Bahadur Nawab Muhammad	Chaudhri Nazir Husain, and
Hayat Qureshi, C.I.E.,	Babu Hans Raj.

[Hon. Nawab Muzaffar Khan.]

In any case the number of rural members was not excessive.

Shaikh Din Muhammad is an urban member and he represented the cause of urban population. (*Interruption.*) Whatever the result might be, my point is that the representative of the urban party, Mr. Mukand Lal Puri generally agreed with other members, and the report on important issues was a unanimous one. This is not the stage

12 Noon.

at which we should start discussing the whole scheme again regarding the delimitation of constituencies. The delimitation that took place was strictly in accordance with population except perhaps in the case of individual constituencies. Whether the 'poor' Hindus have suffered or not is a different matter. I do not think you can blame the Government for that. We had to give 8 seats in accordance with the Poona pact to the depressed classes and that is what has made great difference in their case. In our original recommendations we thought that the depressed class question was not acute in the Punjab and did not make any recommendation for these classes. But later on Mahatma Gandhi took up their cause and in accordance with the Poona pact we had to give them 8 seats and had to find them out of the share of the Hindus. That was our difficulty. But the division is strictly in accordance with population. Urban Muslims have also been complaining. Let me assure them that they have been given their due share. It was strictly in accordance with population. The population figures are before you and you can examine them. In the case of the urban Hindus, I think Government went out of their way to give them two more seats than they were entitled to on population basis. (*Mr. Nanak Chand Pandit*: Urban as defined by you?) No. Not as defined by me but as explained by the Franchise Committee with which your own representative Mr. Mukand Lal Puri agreed. (*Applause.*) Later on in this House this question was discussed and that was the time when this question ought to have been raised. That was the time when you should have divided on this issue. A reference to the proceedings will show whether this question was raised then as an important issue. It was not. I would appeal to the members of the House, whatever has been decided should not be undone now. Let us not try to put back the clock, now that we have advanced so far. I appeal to Chaudhri Chhotu Ram in the same way as I appeal to my other friends. We should not raise these issues now. As regards the population limit of 7,500 this was accepted by the committee. There were strong reasons for giving two more seats to the urban Hindus. I appeal to my friends opposite to listen to and revise the decision that they have already made. (*An honourable member*: The House has already carried the motion. You did not raise this point then). It is always open to them to come to reason. (*Interruption.*) My appeal to the House is that according to the population basis urban Hindus were entitled to six seats. But we should remember their present strength is seven. Would it be fair to reduce their existing strength of seven seats to six? I would go further and say that it is only fair that now when the rural Hindus have more than doubled their seats they should be generous and give one more seat to the urban Hindus in order to give them also a share in the general increase. I would appeal very strongly to Chaudhri Chhotu Ram and request him to give up his claim

before the telegram goes to the Secretary of State. Let it not be said that we have made hasty decisions. Again yesterday we arrived at a hasty decision with regard to the University seat. I therefore appeal to the House that we should try not to give an impression that the Punjab has come to hasty decisions in an important matter of this kind.

Mr. Nanak Chand Pandit : Is it or is it not a fact that the question of rural and urban was taken up at the time of the discussion of the Franchise Committee Report? Was it merely discussed or any vote taken on any question? It was only a discussion.

Mr. President : These questions need not be answered.

The question is :

That the division of the constituencies as urban and rural adopted by the Committee should be abandoned but only towns with a population of 50,000 or above should be deemed as urban and others should be termed as general.

The motion was lost.

Mr. President : Motions 2, 5, 6 and 7 relate to alteration of constituencies and will be taken up after the disposal of other motions which involve matters of principle.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (Urdu) : I beg to move—

That in the opinion of this Council one of the two Muslim Women Constituencies should be given to the Amritsar City and Gujranwala City and Sikh Women Constituency should be confined to the cities in the Amritsar district.

At a meeting of the Muslim ladies of Amritsar a resolution was passed and I received a copy of it yesterday and I was also requested by Mrs. M. A. Ghani that I should raise this question in the Council as to why two lady members' seats have been given to Lahore alone and why the other places have been ignored. The Hindu seats reserved for ladies which are two in number have also been given to Lahore. Does it mean that in no other part of the province you can get educated ladies? There are educated ladies everywhere in the Punjab and if there are not educated ladies forthcoming in other parts of the province then it is in the fitness of things that they should be given representation so that in those parts where education amongst women is backward the female education may progress.

Yesterday the House passed a motion recommending that out of two Muslim seats for women one should be given to rural area. I am opposed to this idea. You have seen that inside this House as well as outside it rural members oppose the idea of enfranchising women and giving them the right to seek elections. They say that women need not bother their heads about elections. This shows their mentality. I should therefore request the Government to confine the Sikh women constituency of Amritsar only to the urban area. It will be very difficult for a woman to ask the votes of rural people when they are definitely of the opinion that women need not seek elections. Then I have studied the figure showing the number of voters for this woman constituency. It is 56,637. So far as I have been able to look up in the report I have not come across a constituency comprising a bigger number of voters. It is, therefore, on that score also that I think that it is justifiable to press for reducing the constituency to a manageable extent. I want to remind the Government that we ladies

[Sh. Lekhwati Jain.]

are opposed to the idea of reservation of seats. But now when the Government has seen fit to reserve some constituencies for us they should also see to it that women candidates are not put to undue hardship.

It is a matter of common knowledge that ruralites are not in favour of allowing ladies to seek elections. You know when I moved a resolution pressing for the rights of women to contest municipal and district board elections Rao Bahadur Chaudhri Chhotu Ram vehemently opposed it. He said that ladies should confine their activities to the four walls of the house and they should look to the work in the kitchen and the nursery. In view of the opinion of accredited rural leaders it is idle to enfranchise rural women on the one hand and to expect ladies to ask for the votes of rural men and women on the other. I am convinced, that rural people will never like the idea of allowing their women to seek election to the Legislative Assembly. They do not think that the game is worth the candle. I think Chaudhri Afzal Haq has committed a mistake in getting one seat reserved for rural women. I have read opinions which have been expressed on my Bill to enforce compulsory education for females. Nearly all the district boards have expressed the opinion that they do not want compulsory education for females residing within their jurisdiction. They add that compulsory education may be enforced in the case of females residing in cities. The Government can easily see, how it will be impossible to induce rural people to send women to legislatures if they are not willing to enforce compulsory education for them. I am afraid women who will go to seek votes in the rural areas will not be respectfully treated by villagers. Therefore I would press with all the emphasis at my command that the constituency for Sikh women of Amritsar should be confined only to the urban area. You know that Chaudhri Ram Sarup always opposes my motions. The reason for his doing so is only this that I am a woman and he does not like to see a woman participating in the debates of the Council. I am afraid of the mentality of such people and that is why I ask for confining the women constituency only to the urban area. The rural area of Amritsar now included in the constituency for women should be excluded. With these words, I resume my seat.

Mr. President : Motion moved—

That in the opinion of this Council one of the two Muslim Women Constituencies should be given to Amritsar City and Gujranwala City and Sikh Women Constituency should be confined to the cities in the Amritsar district.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I want to make one or two remarks regarding the Sikh women's seat about which Shrimati Lekhwati Jain has shown her solicitude. She has said that considerable difficulty would be felt by the Sikh lady candidate in canvassing votes. The honourable member, Shrimati Lekhwati Jain, has got experience of it and she had to run from Ambala up to Hoshiarpur and various other places. But she must have felt there was absolutely no difficulty in her case and if that was so, the difficulty would be still less in the case of Sikh women who possess more fortitude, more patience than Shrimati Lekhwati living in a place like Ambala. The question of the Sikh women's seat has been considered from various points of view. It was at one time pointed out that because the district of Ludhiana is more progressive in

education, that seat should be given to that district alone. Then came a time when it was considered that the towns of Lahore and Amritsar should be given that seat but ultimately it was decided and the community endorsed that decision that this seat should be open to ladies living both in the cities and the countryside of the Amritsar district, because that being the centre of Sikh culture and Sikh religion, it was considered to be the best arrangement from the Sikh point of view. I would therefore advise the honourable mover to leave the case of Sikh women alone.

Shrimati Lekhwati Jain (Urdu): I just want to say a few words in reply to the honourable member who has spoken on this motion. Previously, too, I have stated on the floor of this House that women do not stand in need of any reservation of seats and they can easily contest the seats of the Legislative Council with men. When I appeared before the Delimitation Committee to record my evidence, I impressed upon the members of the Committee that we women do not want any reservation of seats, as we can be returned to the Council in greater numbers in contest with men. However, four seats have now been given to women. When I was a candidate for the present seat, I was opposed by two leading men, but a very large number of people promised to vote for me and they did give me their votes. I, however, submit that if seats are to be reserved for women, then, they should not be put to unnecessary botheration and inconvenience. I said that in the case of the Sikh Women Constituency the voting strength is very large and it will be very inconvenient for a candidate to go to the rural areas for the sake of votes. In reply to this the honourable member opposite has remarked that Sikh women are very strong and courageous, and I should not feel solicitous about them. I concede that my Sikh sisters are very strong and very courageous, but although women were given a right to stand for the Councils long ago, still no Sikh woman has made bold to stand for them up to this time. I may be allowed to submit that although I am not very bold and strong, yet I am the first woman who has been returned to this Council against two leading male candidates, and I am not only the first lady elected member of this House, but I am the first lady member who has been returned to any provincial Council in India. (Cheers.)

Mr. President: The question is—

That in the opinion of this Council one of the two Muslim Women Constituencies should be given to Amritsar City and Gujranwala City.

The motion was lost.

Mr. President: The question is—

That the Sikh Women Constituency should be confined to the cities in the Amritsar district.

The motion was lost.

Shrimati Lekhwati Jain: I move—

That women voters only should vote for women candidates.

The motion was unanimously carried.

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

That the system of voting at the final elections in constituencies where a member of the scheduled castes is a candidate should be distributive and not cumulative.

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

I move this motion so that there may be no separation between the caste Hindus and the scheduled castes. The election of the scheduled castes was left entirely to the caste Hindus so that they may be able to vote for whomsoever they like and a candidate does not know at the final election of Hindus whether the depressed or non-depressed classes are to vote for them. It has been provided in the Poona pact that the seats of the scheduled castes should be coterminous with the general constituencies. Then there would be 2 seats in 8 general constituencies. One or more candidates from the depressed classes, or one or more candidates from the non-depressed classes will stand. The Delimitation Committee, however, has provided that a voter, who will have these two votes, will be entitled to give both his votes either to one of the depressed classes or one of the caste Hindus, that is, they say that these votes will be cumulative and not distributive. This will surely lead to a clash and the assured result will be that all depressed classes will give both their votes to the depressed classes; while none of them will give to the caste Hindus. The cleavage will remain there and this would defeat the object of the Poona pact. If a voter has been given two votes because there are two seats, is it fair that he should be allowed to use one vote for the reserved class and one vote for the non-reserved class?

It is laid down in the Delimitation Committee's Report that the system of voting will be cumulative and not distributive, which would enable the person to use both his votes either for the caste Hindu candidate or even both of his votes for some other candidate. This is most unfair. This practically maintains the cleavage between the caste Hindus and the non-caste Hindus and this would be defeating the object of the Poona pact. I think on this point there is an assurance of Rao Bahadur Chaudhri Chhotu Ram also who agrees with me but unfortunately he happens to be away. You will also be glad to observe that a great leader of the depressed classes, Rao Bahadur Mr. M. C. Raja has said that this method of voting is the most detrimental to the interests of the depressed classes. If this method is permitted, it practically means a separate electorate, because a depressed class voter will give both his votes to a depressed class candidate and a caste Hindu will give both his votes to the caste Hindu candidate. This certainly is not the spirit of the Poona pact. This is a matter which affects primarily the Hindus.

Therefore, this is a matter on which the Hindu opinion is entirely united, both depressed and non-depressed classes, so far as the Punjab is concerned. So, it is a great injustice to the Punjab that 8 seats should have been given to the depressed classes. Therefore, I wish to record my strong and emphatic protest against this provision which was not considered by the Franchise Committee of the Punjab and which does not form a recommendation of the Poona pact which has been forced upon the Punjab. This may or may not exist in other provinces.

Mr. President: The question is—

That the system of voting at the final elections in constituencies where a member of the scheduled castes is a candidate should be distributive and not cumulative.

The motion was carried.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural): I beg to move—

That for the Commerce Constituency of the Punjab Assembly the qualification for an elector to pay income-tax on the income of Rs. 10,000 is unjustifiably high and it should be reduced to Rs. 5,000.

It is gratifying to know, while considering the electors in this constituency, that the committee has given a little wider representation, and have thus included the Indian Chamber of Commerce, Punjab, in this constituency. But what they gave with one hand has been taken away by the other. In these days of depression, to fix this qualification of Rs. 10,000 is rather too high. Therefore, I have brought this motion for the consideration of this House and hope every part of the House will support that the qualification should be lowered to Rs. 5,000.

Mr. President: Motion moved—

That for the Commerce Constituency of the Punjab Assembly the qualification for an elector to pay income-tax on the income of Rs. 10,000 is unjustifiably high and it should be reduced to Rs. 5,000.

Rai Bahadur Mr. P. Mukerjee (Punjab Chamber of Commerce and Trades Association, Commerce): Ordinarily, I would support the proposal that the honourable mover has made, namely, that the minimum financial qualification of a voter in the Commerce Constituency, so far as assessment of income-tax is concerned, be reduced from Rs. 10,000 to Rs. 5,000. Indeed I would go so far as to say that there should not be any restriction at all. But in view of the special circumstances of the case and in view of the very restricted representation that has been accorded to commercial interests, I regret I have to oppose the proposal.

Honourable members are no doubt aware that as compared to representation of other interests commercial interests have been given extremely poor representation. If the payment of taxes is the criterion for representation, as I think it is, commercial men contribute about 31 per cent. of the total revenue to the Central Exchequer and their share of representation will be very much larger than it is at present. The Indian Franchise Committee apprehended that by according adequate representation to Commerce and Industry they would create a block of such size or character in the legislatures as would seriously affect the balance of parties in the various legislatures. Their object was essentially to make expert knowledge available in the legislatures and not to give any particular voting strength to such interests. With this end in view their recommendation was to grant the barest representation to Commerce and Industry. Personally, I would not agree with this view. But the fact remains that commercial representation has been accorded in order that the legislatures may be properly advised on important financial, industrial and economic issues. To make this possible, honourable members will agree that representatives of these interests should be of such standing as would enable them to discharge their function. The financial conditions attached to the voters of these constituencies are remarkably low. I shall read the relevant portions of the Delimitation Committee's Report on the subject. It says:—

"We now turn to another question of equal importance. In cases where the membership of a single chamber or of one of two or more such chambers, is the basis for admission to the electorate, would it not be desirable to insist, in addition, upon the voter being a person,

(a) engaged in trade, commerce or industry and

(b) possessing a certain minimum financial qualification?"

[R. B. Mr. P. Mukerjee.]

It is further stated :

"If the character of the electorate is not to be materially altered, it is also necessary to insist upon the possession by the voter, of a certain minimum financial qualification. Where two or more chambers are combined, each of them is interested in inflating its membership, by admitting persons of inferior status and thus upsetting the balance of the constituency The proposal that has had the greatest measure of support is that in the case of firms or individuals, they should have been, in any one of the five income-tax years immediately preceding the preparation of the electoral roll, assessed to income-tax on an income of not less than Rs. 10,000."

These are the findings of the Delimitation Committee, and they are not hasty findings. Various commercial bodies, both European and Indian, were circularised on this point and their proposals had the greatest measure of support. The Delimitation Committee have come to the conclusion about the imposition of financial restriction after due consideration. I consider that if the minimum financial qualification is reduced, as has been proposed, the very principle of commercial representation will be nullified.

Professor W. Roberts (Nominated, non-official): As the previous speaker has said, I agree with him that the commercial representation has not been provided for sufficiently in the new Punjab Assembly. But in these special constituencies the only justification for them at all, is that the constituency should be very rigidly defined. Otherwise, the object of getting the best advice possible on commercial matters, is largely lost. The Delimitation Committee have provided against unfairness in their proposals. They have decided that this Rs. 10,000 limit is the annual income on which tax is paid in any one of the previous five years. The salaries of managers and partners is included in this figure. Therefore if a firm pays income-tax on salaries of even Rs. 800 per mensem, it is qualified under this limitation. I doubt very much whether any substantial firm would be excluded by this provision. I therefore think that this Council would be wise in agreeing to the figure given by the Delimitation Committee.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): The only point that I wish to bring out is this that my friend Mr. Mukerjee is mistaken when he says that individuals having an income of Rs. 5,000 or Rs. 10,000 are enfranchised for the purpose of a commercial seat. It is only the associations and bodies like the Northern India Chamber of Commerce and the Indian Chamber of Commerce which have been enfranchised, but apart from that the Delimitation Committee has stated that it is not desirable that any member of that body should be able to seek election. They clearly state on page 157 :

Some associations, it has been brought to our notice, admit as members, men who obviously have no connection with trade, commerce or industry."

So, in order to avoid such members seeking election they have put down certain qualification which is this that only those members of such associations should exercise vote who have been assessed to income-tax on an income of not less than Rs. 10,000 during the last five years. My friend Sardar Habib Ullah says that the qualification of income in the case of a firm or a member should be brought down to Rs. 5,000. This is reasonable. This is not only a demand that my honourable friend is making for this

province, but as a matter of fact the Delimitation Committee has already accepted that demand in the case of Bihar and Orissa. On page 155 of Volume II of the Committee's Report that qualification has been reduced from Rs. 10,000 to Rs. 5,000. So there is no reason why it should not be reduced in the case of the Punjab which is not a rich province like Bombay or Bengal.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): The only point raised by Sardar Habib Ullah is that the financial qualifications are a bit too high for the Punjab. Whereas Bombay and Calcutta talk in terms of lakhs and millions, we in the Punjab in these days of depression talk in terms of thousands. Therefore if you fix the qualification of Rs. 10,000 for Bengal and Bombay, you should in the peculiar conditions of the Punjab fix a lower qualification of Rs. 5,000. I think Rai Bahadur Mr. Mukerjee has made out a good case that the qualification should be Rs. 5,000. Some people object even to Rs. 5,000, but I think the lowering of the qualification to Rs. 5,000 is just the difference between the conditions of the Punjab and the conditions in commercial provinces like Bombay and Bengal.

Mr. President: The question is—

That for the Commerce Constituency of the Punjab Assembly the qualification for an elector to pay income-tax on the income of Rs. 10,000 is unjustifiably high and it should be reduced to Rs. 5,000.

The motion was carried.

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

That the Indian Chamber of Commerce should be included in the list of voters for the third non-provincial seat for commerce and industry to the Federal Assembly.

Mr. Roberts has very pertinently brought to the notice of this House the scant representation that has been given to commerce and industry of this province as compared with other provinces. While in every other province the representation of commerce and industry has been increased with the increase in the number of representatives in the Punjab Legislative Assembly, the representation of commerce and industry has actually been reduced from 2 to 1.

Rai Bahadur Mr. P. Mukerjee: May I correct my honourable friend? This has not been increased in every case.

Rai Bahadur Mr. Mukand Lal Puri: It has been reduced from 2 to 1. With respect to our representation on the Federal Assembly it was thought that there might be some concession there. The Delimitation Committee agreed that the non-allotted provincial seat in the provincial Assembly should be given to the commercial bodies of Northern India and particularly the Punjab. The electorate which they have constituted is a Chamber of Commerce in the United Provinces, the Punjab Chamber of Commerce which has its headquarters at Delhi and which bears the name of the Punjab because it was founded at a time when Delhi formed part of this province, and the Northern India Chamber of Commerce which is at Lahore. Therefore two-thirds of the constituency is outside this province and the Northern Indian Chamber of Commerce which my friends

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

would be able to substantiate, consists mainly of the representatives of European commerce. European commerce will have a substantial representation from other provinces. If representation is to be given in any form to the commerce and industry of the Punjab, there is no reason why the Chamber which is presided over by Sardar Habib Ullah which has been included in the electoral rolls of the Chambers which would return a member to the Punjab, why it should not figure there also. It appears to be a case of omission. There is no reason why this Chamber should be excluded with respect to the Federal Assembly while it has been included with respect to the provincial Assembly. There is no reason why the Northern India Chamber of Commerce should be given preference over this Chamber unless the idea is to put the Indian portion of commerce and industry at a discount. In view of the great injustice that has been done to the representation of commerce and industry in the provincial Assembly and with a view to give some representation in the Federal Assembly to the Punjab commerce and industry, it is very necessary that the proposal of Sardar Habib Ullah which stands in my name should be accepted by this House.

Mr. President : Motion moved is—

That the Indian Chamber of Commerce should be included in the list of voters for the third non-provincial seat for commerce and industry to the Federal Assembly.

Professor W. Roberts (Nominated, non-official): I am sorry to have to oppose this motion. This seat, as the previous speaker has said, was reserved for commercial bodies in Northern India, and in this respect the seat was mainly regarded as a European seat. But I would like to point out that the membership of the Northern India Chamber of Commerce and of the Punjab Chamber consists almost fifty fifty Indians and Europeans. Further there is a convention among ourselves that the seat will be occupied alternately by an Indian and by a European. There is therefore no racial question involved in this matter in my opinion.

My chief reason for opposing this motion is that it is possible in the Indian Chamber to get 100 votes at the cost of Rs. 2,400, whereas in the Northern India Chamber to get 100 votes you will have to pay Rs. 16,000, as membership fee is Rs. 160 per annum. This fact tends to make the inclusion of this Chamber a danger, in that ambitious men might be able to get in by paying the subscription of 100 people, at a comparatively small cost. I do not say that that will be done, but such things are done in America which claims to be leading the world in many respects and I do not see why it cannot be done in India.

We must face facts as they are and I think that the proposal is not in the interest of the country, and I oppose it.

Rai Bahadur Mr. P. Mukerjee (Punjab Chamber of Commerce and Trades Associations, Commerce): Again I have sympathy with the mover of this resolution, but in the present circumstances I regret to have to oppose it. The honourable member representing Industries has made a charge that the Punjab Chamber of Commerce is outside the province of the Punjab. May I inform him, through you, that the Punjab Chamber of Commerce has membership throughout the Punjab, and all the financial, industrial,

commercial and mining interests are represented in that Chamber. Furthermore, the Punjab Chamber of Commerce have got local committees in Lahore and Amritsar. Thus to call the Punjab Chamber of Commerce an outside body is, therefore, far from correct.

Mr. Roberts has disposed of the honourable mover's observation that the Northern India Chamber of Commerce is a predominantly European body. It is not so. But that is only preliminary.

My main objection to the inclusion of the Indian Chamber of Commerce in this constituency is this. I think some of the members of this House at least, are aware that in all-India matters affecting commerce and industry the policy of the Government has been to accord equal representation to European and Indian Commerce. Even at the present day European commercial interest in the Central Legislature....

Rai Bahadur Mr. Mukand Lal Puri : Where does the Punjabi come in?

Rai Bahadur Mr. P. Mukerjee : I am coming to that. If my honourable friend will be a little patient, I shall be able to satisfy him that the proposal that he is bringing forward is not quite reasonable.

1 P. M.

Mr. President : How long is the honourable member likely to take to finish his speech ?

Rai Bahadur Mr. P. Mukerjee : I will take only two minutes. As I have already said, commerce representation in the central legislature is half Indian and half European. Out of the eleven seats in the Federal Assembly five seats have been reserved for European Commerce and five for Indian Commerce. The third non-provincial seat, if it is confined to the Punjab Chamber of Commerce and the Northern India Chamber of Commerce whose membership is equally Indian and European, will not disturb the balance. On the other hand, if the Indian Chamber of Commerce is brought in the list of voters will be predominantly Indian. The constituency should be delimited in such a way that it should neither be predominantly Indian nor European.

Mr. President : The question is—

That the Indian Chamber of Commerce should be included in the list of voters for the third non-provincial seat for commerce and industry to the Federal Assembly.

The motion was carried.

The Council then adjourned till 2-30 P.M.

The Council re-assembled at 2-30 P.M., Mr. President in the chair.

OATH OF OFFICE.

✓ **Mr. J. E. Parkinson** (Director of Public Instruction, Punjab) was sworn in.

STARRED QUESTIONS AND ANSWERS.

UNIVERSITY EXAMINERS.

***5542. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Education be pleased to state—

- (i) the total number, communitywise (specifying the number of notified agriculturists for each community) in 1935, of the examiners of the Punjab University for:—
 - (a) the Matriculation and S. L. C. examination;
 - (b) the Intermediate examination;
 - (c) the Bachelor of Arts, Bachelor of Science, Bachelor of Commerce and other Bachelor examinations excluding the LL.B. examination;
 - (d) the examinations for the degree of Master of Arts and Master of Science and other similar examinations excluding the LL.M.;
 - (e) the examinations of the Oriental Faculty;
 - (f) any other examinations of the University, but not including the Law examinations;
- (ii) the total amount earned by the members of each community for the examinerships mentioned in (i) (a), (b), (c), (d), (e) and (f) of this question?

The Honourable Malik Sir Firoz Khan Noon: The attention of the honourable member is drawn to the reply given to Council question No. *5526¹ by Chaudhri Allah Dad Khan of the current session.

RAI BAHADUR LALA ARJAN DAS, DEPUTY COMMISSIONER, HISSAR.

***5543. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that Lala Durga Das, Advocate, Hissar, has launched a civil suit for damages in Hissar against Rai Bahadur Lala Arjan Das;
- (b) whether it is a fact that the said Rai Bahadur is being defended by a Government advocate at Government expense;
- (c) whether Government is aware that the learned magistrates while giving their verdicts in the embezzlement cases brought against Lala Durga Das at the instance of Rai Bahadur Lala Arjan Das remarked that the allegations were entirely wrong and totally unfounded;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, the reasons for defending Rai Bahadur Arjan Das at Government expense?

Mr. F. H. Puckle (Chief Secretary): (a) Yes, and two others with him, namely, the Secretary of State for India and the Municipal Committee, Hansi.

(b) Yes.

(c) The judgments passed by the magistrates in the embezzlement cases have come to the notice of Government.

(d) Because the act for which Rai Bahadur Lala Arjan Das has been sued was presumed to have been done by him in good faith in his capacity of Deputy Commissioner, Hissar.

RAI BAHADUR LALA ARJAN DAS, DEPUTY COMMISSIONER, HISSAR.

***5544. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that Lala Durga Das, Advocate, Hissar, wrote a letter to Government on 15th May, 1932, alleging amongst other things that Rai Bahadur Lala Arjan Das had since his appointment as Deputy Commissioner, Hissar, borrowed Rs. 14,000 ;
- (b) if so, whether the Government Servants' Conduct Rules prevent an officer from running into debt at a place where he is posted in a responsible position ;
- (c) if the answer to (a) above be in the negative, whether the Government took any steps to enquire into the allegations made in the letter, and whether any action was taken against the said advocate in case his allegations were found to be incorrect ; if not, why not ?

Mr. F. H. Puckle (Chief Secretary) : (a) A letter, dated the 17th May, 1932 (not the 15th May, 1932) was received from Lala Durga Das, but no such allegation as the honourable member suggests was contained in it.

(b) and (c) Do not arise.

MUSLIMS ON MUNICIPAL COMMITTEE, JAGRAON.

***5545. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the population of Muslims and non-Muslims, respectively, in Jagraon, district Ludhiana ;
- (b) the number of Muslim and non-Muslim members of the Municipal Committee, Jagraon ;
- (c) whether it is a fact that Muslims are entitled to a larger number of seats in the municipal committee on the score of their majority in the population ;
- (d) if so, whether Government propose to give proper representation to the Muslims on the committee, if not, why not ?

The Honourable Dr. Sir Gokul Chand Narang: (a) Muslims 14,175.

Non-Muslims 12,993.

(b) Muslim members 5.

Non-Muslim members 5.

(c) No.

(d) Does not arise.

DEPUTY COMMISSIONER, HISSAR.

***5546. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that a Muslim deputation consisting of the representatives of the Hissar district waited upon the then Chief Secretary, Mr. C. C. Garbett, and drew his attention to the anti-Muslim policy of the then Deputy Commissioner of Hissar ;
- (b) the action taken by Government on the representation made by the deputation ?

Mr. F. H. Puckle (Chief Secretary): (a) and (b) Possibly : but there is nothing on record about this matter.

RAI BAHADUR LALA ARJAN DAS, DEPUTY COMMISSIONER, HISSAR.

***5547. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Finance kindly state—

- (a) the period during which Rai Bahadur Lala Arjan Das worked as deputy commissioner of Hissar ;
- (b) the number of deputations that waited upon the Chief Secretary or other higher officials and the number of memorials sent to Government protesting against the anti-Muslim policy of the deputy commissioner during this period ;
- (c) whether he will lay on the table a summary of the complaints made by the various deputations and the Government replies thereto, and also copies of the memorials submitted to Government and the replies thereto by Government ?

Mr. F. H. Puckle (Chief Secretary): (a) From the 23rd April, 1930, to the 15th December, 1933.

(b) and (c) There is nothing on record in the Secretariat about this matter and Government is therefore unable to give any reply.

MR. JALAL-UD-DIN QURESHI, SPECIAL PUBLIC PROSECUTOR.

***5548. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that Mr. Jalal-ud-Din Qureshi, Advocate, was appointed special public prosecutor to conduct embezzlement cases against Chaudhri Elahi Bakhsh, President, Municipal Committee, Hansi, district Hissar, and Lala Durga Das, Advocate, Hissar ;
- (b) if so, the rules under which Mr. Jalal-ud-Din was appointed special public prosecutor ;
- (c) whether it is a fact that Mr. Jalal-ud-Din was not appointed special public prosecutor by Government ;
- (d) if so, by whom he was appointed special public prosecutor ;

- (e) whether it is a fact that Mr. Jalal-ud-Din was appointed special public prosecutor at the instance of the Municipal Committee, Hansi ;
- (f) if so, whether he will lay on the table a copy of the resolution passed by the municipal committee to this effect ;
- (g) whether he will lay on the table a copy of the order under which Mr. Jalal-ud-Din was removed from his post ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Under sub-section (2) of section 492 of the Code of Criminal Procedure.

(c) Yes.

(d) By the District Magistrate.

(e) Yes.

(f) A copy of the resolution (No. 4, dated the 25th June, 1932), is laid on the table.

(g) Mr. Jalal-ud-Din Qureshi was appointed to conduct these cases in the court of the trying magistrate in the Hissar district. When they were transferred to another district, his appointment automatically came to an end.

Translation of resolution No. 4 of an emergent meeting of the Municipal Committee, Hansi, held on 25th June, 1932.

Resolution No. 4.

Report of Pir Ziaul Haq, member, stating that he was asked to help in the enquiry of cases of embezzlements with the police and that somebody else who possesses knowledge of law should be appointed for the purpose.

Read and resolved unanimously that the Committee requests the Deputy Commissioner, Hissar, as follows:—

The cases of embezzlement are under enquiry with the police officers. In case the cases are challaned Mr. Jalal-ud-Din Qureshi, Bar-at-Law, Hissar, may kindly be appointed to conduct the cases on a fee fixed by the Deputy Commissioner.

Copy of the resolution be submitted to the Deputy Commissioner, Hissar, for favour of approval.

B. Indar Sain kept his vote reserved.

UNFOUNDED PROSECUTIONS AGAINST LALA DURGA DAS, HISSAR.

***5549. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether the Government received a notice in 1935 from Lala Durga Das, Advocate, Hissar, through the Deputy Commissioner, Hissar, calling upon the Government to pay him damages for the harassment caused to him by the launching of unfounded prosecutions against him ;
- (b) if so, what action Government has taken in the matter ?

Mr. F. H. Puckle (Chief Secretary) : (a) Yes.

(b) It was decided to defend the case.

DEPUTY COMMISSIONER, HISSAR.

***5550. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that a few years back a memorial was submitted to His Excellency the Governor by the residents of Hissar district ventilating their grievances and respectfully praying that a European deputy commissioner may be posted to Hissar ;
- (b) the name of the deputy commissioner against whom the memorial expressed grievances ;
- (c) the action that was taken by the Government in the matter and whether the new deputy commissioner was instructed to take steps to safeguard the interests of the Muslims ?

Mr. F. H. Puckle (Chief Secretary) : (a) There is no record of any such memorial having been received.

- (b) Does not arise.
- (c) First part, none.
Second part, no.

MUNICIPAL COMMITTEE, HANSI.

***5551. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that on 4th December, 1931, the Deputy Commissioner, Hissar, wrote an inspection note regarding Municipal Committee, Hansi (district Hissar) ;
- (b) whether it is a fact that as a result of this note the Municipal Committee, Hansi, called upon Lala Durga Das, Advocate, Hissar, to refund the fees the committee had paid to him in connection with certain cases ;
- (c) if the answer to (a) and (b) above be in the affirmative, whether he will lay on the table copies of the inspection note, the municipal committee's letter to Lala Durga Das and the latter's reply to the same ?

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

(b) No. The Committee asked a sub-committee to submit a report on the inspection note but before the sub-committee could do so, the note was taken away by the police.

- (c) Does not arise.

CASES AGAINST LALA DURGA DAS, HISSAR.

***5552. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that in February, 1935, a notice was sent to Rai Bahadur Lala Arjan Das, ex-deputy commissioner, Hissar, by Lala Durga Das, Advocate, Hissar, demanding

damages for the alleged loss caused to him by the institution of certain cases against him in his capacity as deputy commissioner at the instance of the said Rai Bahadur ;

- (b) whether it is a fact that a similar notice has been received by the Municipal Committee, Hansi ;
- (c) if the answers to (a) and (b) above be in the affirmative, whether Government has made an enquiry into the subject matter of the notice ; if not, why not ?

Mr. F. H. Puckle (Chief Secretary) : (a) Yes. The said notice was dated 16th April, 1935.

(b) Yes.

(c) No, as the case is *sub-judice* in the court of Senior Subordinate Judge, Hissar.

CASES AGAINST LALA DURGA DAS, HISSAR.

***5553. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that on 26th March, 1932, and 28th March, 1932, the Deputy Commissioner, Hissar, made reports against Lala Durga Das, Advocate, Hissar, for embezzling the funds of Municipal Committee, Hansi, and gave instructions to the effect that the cases should be investigated by a senior police officer ;
- (b) the name of the police officer who was deputed for the purpose and whether he knew English ;
- (c) whether the attention of the Government has been drawn to the strictures passed by the Additional District Magistrate, Karnal, in his decision about the case ;
- (d) what action the Government has taken in the matter ?

Mr. F. H. Puckle (Chief Secretary) : (a) No.

(b) Does not arise.

(c) Yes.

(d) None so far.

CASES AGAINST CHAUDHRI ELAHI BAKSH, HANSI.

***5554. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that Chaudhri Elahi Bakhsh, ex-President, Municipal Committee, Hansi, was proceeded against for embezzlement ;
- (b) whether it is a fact that on the recommendation of the Deputy Commissioner, Hissar, a special magistrate was appointed for the hearing of these cases ;

[Ch. Muhammad Abdul Rahman Khan.]

- (c) if so, for how long the special magistrate continued the hearing of these cases at Hissar and Rohtak ;
- (d) the amount spent by Government on these cases and the amount paid to the special magistrate and his staff as travelling allowance ;
- (e) whether it is a fact that the accused was found not guilty ;
- (f) if so, who was responsible for the institution of these cases and whether the Government has taken any action against the officer concerned ?

Mr. F. H. Puckle (Chief Secretary): I regret that the answer to this question is not ready.

MUNICIPAL COMMITTEE HANSI.

***5555. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the Deputy Commissioner, Hissar, wrote an inspection note regarding the Municipal Committee Hansi on the 4th December, 1931 ;
- (b) whether it is a fact that this note contained serious allegations against Chaudhri Elahi Bakhsh, President, Municipal Committee and Lala Durga Das, Advocate, Hissar ;
- (c) whether it is a fact that in his letters to the Municipal Committee, Lala Durga Das characterised the Deputy Commissioner's remarks as irrelevant and entirely unfounded ;
- (d) if the answer to (c) above be in the affirmative, what action was taken against Lala Durga Das ?

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

(c) No such letters appear to have been received in the office of the Municipal Committee of Hansi ;

(d) Does not arise.

SALE OF LAND IN LOWER BARI DOAB COLONY.

***5556. Rai Bahadur Mr. Mukand Lal Puri:** Will the Honourable Revenue Member be pleased to lay on the table a statement of the rates of prices per rectangle of 25 acres of land in the Lower Bari Doab Colony, in lieu of which the Government sold or granted different areas of land to the following :—

- (a) members of the depressed classes ;
- (b) the Salvation Army Property Company ;
- (c) the Arya Megh Udhar Sabha ;
- (d) the Roman Catholic Bishop of Lahore ;

- (e) tenants whose bids or tenders for the purchase of land were accepted in 1925, 1927 and 1928 ;
(f) auction purchasers of 1925, 1927 and 1928 ?

The Honourable Nawab Muzaffar Khan : (a) From Rs. 4,875 to Rs. 5,625.

(b) Rupees 5,760-15-0.

(c) Rupees 8,489-5-0.

(d) Rupees 4,155-3-0.

(e) and (f) The price bid per acre at the auctions held in 1925, 1927 and 1928 was supplied in the answer given to starred Council question No. 3043.¹

In the case of auction purchasers of 1925, all persons whose bids or tenders were accepted, have been offered in return for their initial deposits, occupancy rights in the land purchased by them. They will be entitled to purchase proprietary rights in due course at rates varying from Rs. 100 to Rs. 240 per acre, according to the number of instalments selected for payment.

The auction purchasers of 1927 and 1928 have been given proprietary rights in the nearest complete killa of the area paid for at price bid at auction. They have been given possession of the remaining area on peasant terms applicable in the colony. When the right to purchase accrues, the purchase price for this land will be half of the amount per acre which was originally bid at the auction payable in ten half-yearly instalments.

IRRIGATION UNDER SARHIND CANAL.

***5557. Pir Akbar Ali :** Will the Honourable Revenue Member kindly lay on the table a statement showing the following particulars about Pahala, Bhatinda and Abohar branches of the Sarhind Canal from 1st October, 1935, to 29th February, 1936—

- (a) name of the canal ;
(b) rotation turn from what date to what date ;
(c) area irrigated by each ;
(d) area which remained *kor* (unwatered) in each case—
(i) till 30th January, 1936,
(ii) till 29th February, 1936 ;
(e) area which got (i) two waterings and (ii) three waterings till 29th February, 1936 ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (c) Statement laid on the table.

(d) and (e) The honourable member's attention is invited to the reply given to part (b) of question No. *2821² of 1933 by Mian Nur Ullah.

¹ Vol. XXIV, pages 732-34.

² Volume XXIII, page 391.

[Hon. Nawab Muzaffar Khan.]

Rotational turns of Branches, Sirhind Canal, from 1st October,
1935, to 29th February, 1936.

(a) and (b).

No. of period.	DATES.		No. of days.	Abohar Branch.	Patiala Feeder.	Bhatinda Branch.
	From.	To				
<i>Nil</i>	1-10-35	5-10-35	5	Full.	Full.	Full.
I	6-10-35	15-10-35	10	Ditto.	Remainder	Balance
II	16-10-35	25-10-35	10	Balance ..	Full ..	Remainder.
III	26-10-35	4-11-35	10	Remainder ..	Balance ..	Full.
IV	5-11-35	14-11-35	10	Full ..	Remainder ..	Balance
V	15-11-35	24-11-35	10	Balance ..	Full ..	Remainder (<i>Nil</i>)
VI	25-11-35	30-11-35	6	Remainder (<i>Nil</i>)	Balance ..	Full.
	1-12-35	4-12-35	4	Balance ..	Remainder (<i>Nil</i>).	Ditto.
VII	5-12-35	14-12-35	10	Full ..	Ditto.	Balance.
VIII	15-12-35	24-12-35	10	Balance ..	Full ..	Remainder (<i>Nil</i>).
IX	25-12-35	1-1-36	8	Remainder (<i>Nil</i>).	Balance ..	Full.
—	2-1-36	3-1-36	2	Balance ..	Remainder (<i>Nil</i>).	Ditto.
X	4-1-36	13-1-36	10	Full ..	Ditto	Balance
XI	14-1-36	23-1-36	10	Balance ..	Full ..	Remainder (<i>Nil</i>).
XII	24-1-36	29-1-36	6	Remainder (<i>Nil</i>).	Balance ..	Full.
	30-1-36	2-2-36	4	Balance ..	Remainder (<i>Nil</i>).	Ditto.
XIII	3-2-36	12-2-36	10	Full ..	Ditto	Balance.
XIV	13-2-36	24-2-36	12	Balance ..	Full ..	Remainder (<i>Nil</i>).
XV	25-2-36	29-2-36	5	Remainder (<i>Nil</i>).	Balance ..	Full.

Total 152 days.

	Acres.
(c) Patiala Feeder	265,025
Bhatinda Branch	227,860
Abohar Branch	363,022

ACREAGE RATE IN COLONIES.

***5552. Pir Akbar Ali :** Will the Honourable Revenue Member kindly state the whole amount assessed on account of acreage rate in areas under new canal irrigation in the various colonies ?

The Honourable Nawab Muzaffar Khan : I regret that the information is not yet available.

COURT BUILDINGS, AMRITSAR.

***5559. Shaikh Muhammad Sadiq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Courts in Amritsar are scattered all over the town, and that the Courts of Small Causes and Insolvency Jurisdiction, of District and Sessions Judge, of the Bench of Honorary Magistrates and of some Sub-Judges are situated at places far distant from one another ;
- (b) whether Government is aware of the public grievance that the present system of location of courts in different buildings so widely apart from one another is a source of great inconvenience, loss and expense to the litigant public, to the members of the Bar and puts the Government also to great expenditure in the shape of heavy monthly rents ;
- (c) whether it is a fact that representations from all concerned have been made from time to time and the Honourable Judges of the High Court have also recommended to the Government the location of the courts within the area of the present District Courts ;
- (d) whether it is a fact that plans and estimates for carrying out the new scheme were prepared long ago ;
- (e) whether it is a fact that the new proposed buildings were expected to be completed by the end of the past year ;
- (f) whether it is a fact that no construction of any part of the proposed new buildings has so far begun ;
- (g) whether Government proposes to move in this matter ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The present arrangements undoubtedly leave much to be desired.

(c) and (g) It is understood that the Honourable Judges of the High Court are preparing a scheme for the removal of the court of the District and Sessions Judge and the Small Cause Court into new buildings to be constructed in the compound of the Deputy Commissioner's kutchery, and for an extension of the block of buildings in that compound where the subordinate judges are already housed, if and when these proposals are received they will receive the careful consideration of Government.

(d) No. The honourable member probably has in mind certain proposals for the construction of new court rooms in the Deputy Commissioner's kutchery for which administrative sanction was given in September last. This scheme is not connected with that referred to in the reply to part (c) of the question.

(e) No.

(f) Yes.

FACILITIES TO SONS OF TEACHERS.

***5560. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether any facilities have been given to the sons of teachers in the province while attending the schools ;
- (b) the nature of these facilities ;
- (c) whether the Government intends to extend these concessions and facilities to the colleges ;
- (d) if the reply to (c) is in the negative, the reasons ?

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

(b) In schools, in the IX and X classes of Intermediate colleges and in post matriculation clerical commercial classes, one child of each teacher employed in a college or recognised school whose total income does not exceed Rs. 50 per mensem or retired teacher whose total income is not in excess of Rs. 50 per mensem or deceased teacher whose total income at the time of his death did not exceed Rs. 50 per mensem is exempt from the payment of fees and any other children of the same teacher are admitted at only half of the full rates of fee.

(c) No.

(d) It is not the policy of Government to extend such concessions to colleges.

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 Malik Sir Firoz Khan Noon : I regret that the answer to this question is not yet ready.

OFFICERS FOR HIGH POSTS.

***5562. Chaudhri Afzal Haq :** With reference to question No. *3579,¹ answered on the 24th October 1934, will the Honourable Minister for Local Self-Government be pleased to state what are those " more exalted posts " that were referred to in the answer, for which academic qualifications are not considered an essential factor in the matter of selection ?

The Honourable Dr. Sir Gokul Chand Narang : The honourable member must be aware of the facts. It is not in the public interest to give names.

UNIVERSITY EXAMINERS.

***5563. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, community-wise, the total number of examiners for:—

- (a) Matriculation and School Leaving Examination ;
- (b) F.A. ;
- (c) B. A. ;
- (d) M. A. ;
- (e) S. A. V. and B. T. ;

specifying against each the number of agriculturists during each of last five financial years ?

The Honourable Malik Sir Firoz Khan Noon : Attention of the honourable member is invited to the reply given to Council question No. *5526¹ by Chaudhri Allah Dad Khan of the current session.

NEWSPAPERS.

***5564. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the number of daily newspapers in the Punjab ;
- (b) whether security has been demanded from any of these papers in the last year ?

The Honourable Sir Donald Boyd : (a) 89.

(b) Yes.

SCHOOL STAFF, LAHORE DIVISION.

***5565. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, community-wise, the number of appointments filled in Government and District Board schools in the Lahore division, by candidates from other divisions ?

The Honourable Malik Sir Firoz Khan Noon : One Hindu in the past year. As the honourable member specified no particular period in his question, it has been assumed that he desired information for the past year.

PUNISHMENTS TO TEACHERS, LAHORE DIVISION.

***5566. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, community-wise—

- (i) the departmental punishments given to teachers in the Lahore division ;
- (ii) the nature of punishments with offences committed by the teachers concerned ?

The Honourable Malik Sir Firoz Khan Noon : The requisite information will be collected and supplied to the honourable member if he will indicate the period for which the information is required.

SONS OF TEACHERS IN EDUCATION DEPARTMENT.

***5567. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether any preference is given to the sons of teachers in filling up vacancies in the Education Department ;
- (b) if the answer to (a) is in the affirmative, the names of the sons of the teachers appointed during the last five years in the Lahore division ;
- (c) if no such appointment has been made, whether Government proposes to consider the claims of such applicants in preference to others ?

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

(b) Does not arise.

(c) The proposal that other things being equal, sons and daughters of teachers and members of the Department, both present and retired, should be given preference, is under consideration. But there is little likelihood of this being accepted as it will be unfair to other members of the public. Each case will have to be dealt with in accordance with its deserts.

PROBATIONARY TEACHERS, LAHORE DIVISION.

***5568. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, community-wise —

- (i) the number and names of teachers who have been given probationary chances in the Lahore division in the last five years
- (ii) the scale of grade given in each case ;
- (iii) whether any of these were consequently made permanent ; if so, their number and names ?

The Honourable Malik Sir Firoz Khan Noon : (i) None.

(ii) and (iii) Does not arise.

EXTENSION OF SERVICE.

***5569. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether his attention has been drawn to the fact that extensions are granted to Government servants even after their attaining the age of 55 years, and that these extensions are affecting adversely the rights of young men in these days of unemployment ;
- (b) if the reply to (a) be in the affirmative, the number of superintendents, head treasury clerks, head vernacular clerks, senior clerks in the Deputy Commissioner's office and Commissioner's office, who have been granted extension even after the age of 55 ;
- (c) whether Government proposes to cancel the orders of such extensions ;
- (d) if the answer to (c) is in the negative, the reasons ?

The Honourable Nawab Muzaffar Khan : (a) The policy for granting extensions after the age of 55 years is laid down in Fundamental Rule 56 (b).

(b) The information is not available and the amount of time and labour involved in its collection would not be commensurate with the results.

(c) No.

(d) Fundamental Rule 56 (b) which lays down the policy for extensions, cannot be cancelled by any Provincial Government.

TORTURES TO CERTAIN PERSONS IN LAHORE FORT.

***5570. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether any complaints were received from Bhai Boogha Singh, Village Chak Main Das, district Jullundur and Bhai Dulla Singh of Village Jalaldi Wala, Patiala State, by the Government in January 1936, regarding the alleged tortures said to have been inflicted upon them during their detention in the Lahore Fort under the Criminal Law Amendment Act ;

(b) whether he will lay on the table the original petitions or the complaints ;

(c) whether any enquiry has been made by the Government ; if so, with what results ;

(d) whether the statements of the complainants have been taken by the investigating officer ;

(e) how far the allegations of alleged tortures have been found to be correct ;

(f) what action has been taken by the Government in this connection ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The original petitions¹ are laid on the table.

(c) and (e) Government are satisfied that the petitions were false and had no foundation in fact.

(d) No.

(f) No action has been taken by Government.

PUNITIVE POLICE POST AT VILLAGE SUR SINGH.

***5571. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to lay on the table a statement showing :—

(a) the number of all the police employees who remained attached to the punitive police post quartered at Village Sur Singh, tahsil Kasur, district Lahore, in 1929 ;

(b) the period for which they served in the punitive police ;

(c) the actual money spent by Government on the punitive post ;

(d) the estimate of cost of police post mentioned in (a) above ;

(e) the difference between the actual cost and the estimates ?

¹Placed in the Library.

The Honourable Sir Donald Boyd : (a) One sub-inspector, one head constable, and ten foot constables (excluding two foot constables on account of contingency reserve).

(b) From the 1st November, 1929, to the 31st December, 1930.

(c) Rupees 7,638-15-6.

(d) The original estimate was Rs. 8,095. It was subsequently decided that the pay of the two constables originally included as contingency reserve should not be reckoned in the cost of the post. The estimate was thus reduced to Rs. 7,619.

(e) Rupees 19-15-6. This excess was defrayed from the General Police Fund, the people of the village being required to pay the reduced amount of the estimate only.

PUNITIVE POLICE POST IN VILLAGES CHIMA KHURD AND ASAL ANTAR.

***5572. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether any complaints have been received by the District Magistrate, Lahore, from the residents of villages Chima Khurd and Asal Antar, tahsil Kasur, district Lahore, regarding the punitive police tax ;

(b) whether it is a fact that no steps were taken by the authorities to realize the punitive tax due from the defaulters as required by Section 16 of the Police Act, No. 5 of 1861, and this sum was shown as arrears and was again demanded from those residents who had paid their dues in the years 1929 and 1933

(c) the grounds for doing so ;

(d) how far the complaints of the villagers have been found true and what action has been taken by Government in that connection ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

STRANGERS' HOME, LAHORE.

***5573. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Member for Finance please state—

(a) the amount of Government grant given to the Strangers' Home, Lahore ;

(b) whether the attention of the Government has been invited to the articles which appeared in the *Civil and Military Gazette* in the months of July, August and September 1935, criticising the management of the Stranger's Home ;

(c) what action Government proposes to take in connection with the efficient running of the Home ?

The Honourable Sir Donald Boyd : (a) In recent years, Rs. 1,800 per annum.

(b) Yes. The honourable member will doubtless have observed that the management of the Home was defended in several letters in the same newspaper correspondence.

(c) The operations of the Lahore Charitable Association, which administers the Strangers' Home (with its annexed Widows' Home and Women's Industrial Department), are controlled by a strong managing committee, and there appears to be no occasion for any action by Government.

RAI BAHADUR LALA ARJAN DAS, DEPUTY COMMISSIONER, HISSAR.

***5574. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that Lala Durga Das, Advocate, Hissar, sent a letter to Government on 15th May, 1932, containing a list of irregularities committed by Rai Bahadur Lala Arjan Das, Deputy Commissioner, Hissar, and demanding an open enquiry into the same ;
- (b) whether a copy of the said letter was communicated to the Deputy Commissioner, Hissar, by the Government ;
- (c) if the answer to (b) above be in the affirmative, whether the said Deputy Commissioner submitted an explanation to Government ; if so, whether the Government is prepared to lay a copy of the letter mentioned in (a) and the explanation of the Deputy commissioner, on the table ;
- (d) whether it is a fact that the allegations made in the letter mentioned in (a) were on enquiry found to be correct ;
- (e) if so, what action was taken against the Deputy Commissioner, Hissar ;
- (f) if the allegations made in the letter mentioned in (a) were found to be incorrect, what action was taken against the writer thereof ?

Mr. F. H. Puckle (Chief Secretary) : No letter, dated the 15th May, 1932, was received by Government. Possibly the honourable member refers to a letter, dated the 17th May, 1932. That letter was sent to the Commissioner, Ambala division, who advised that no notice need be taken of it. This advice was accepted.

DEMANDS FOR GRANTS.

IRRIGATION ESTABLISHMENT.

Reduction in the number of Superintending Engineers.

The Honourable Nawab Muzaffar Khan (Revenue Member) : We were, discussing Mr. Muhammad Din Malak's motion yesterday evening. I just wanted to point out to the Council that this department has made very great reductions only recently and all that is possible has been done. As far as the superintending engineers are concerned, we reduced one appointment since the year 1930 and apart from the Sutlej Valley canals in regard to Indian states, the following other reductions were made in divisions :—

- 5 in Sutlej Valley Project canals,
- 1 in permanent and open canals, and
- 5 in temporary canals.

This will show that 11 officers in charge of divisions have been reduced.

Mr. Muhammad Din Malak : Have 11 superintending engineers been reduced ?

The Honourable Nawab Muzaffar Khan : No, the reduction has been made amongst officers in charge of the divisions. I am talking of general reductions. We have reduced 89 sub-divisions. So this is the most that we can do. One other thing that I would respectfully point out to the Council is that the Punjab canals are a noble heritage and we should not unthinkingly go on reducing the staff and thus upset the whole system. The efficiency of the canals and their proper maintenance depends primarily on these officers. If you go to some of the headworks and see, as I have done, what work has been done in the past and is being done now I am sure you will agree that every pice is well spent. These superintending engineers supervise the work of the executive engineers who are not so experienced. This in itself means a great saving in expenditure. I visited the headworks at Mangla recently and saw for myself what useful work had been done by the superintending engineers both at the headworks and in the matter of silt extractors. In two cases but for the timely action taken by Mr. Crump I think both the zamindars and Government would have suffered enormous loss. Only a few years ago considerable reductions were made amongst the executive engineers and sub-divisional officers and I would request my honourable friend not to press this motion to a division.

Mr. Muhammad Din Malak : Very well, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Executive Engineer for Sheikhupura.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhupura, Sikh, Rural) : I move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 40,79,500—Total A.4—Executive.¹

My object in moving this motion is twofold. This motion is being moved in the interest of economy as well as efficiency. Everybody is aware that the Sheikhupura town is of a very very recent growth and the matter about which I wish to seek the help of this House and especially the assistance of the Irrigation Department is, that the control of Sheikhupura town (proper), rests with the Executive Engineer, Gujranwala, whose headquarters are located at Gujranwala. The distance between Gujranwala and Sheikhupura is 40 miles. There are two executive engineers whose headquarters are at Sheikhupura. Cannot that work be entrusted or transferred to one of the two executive engineers whose headquarters are at Sheikhupura ? I think it can be very easily done and with this arrangement, if brought into force, the Government will be saving a large amount of money which they are required to spend on travelling allowance and other similar expenditure. Unfortunately, the Sheikhupura town so far has not developed as it ought to have. The reason is that the headquarters of the Executive Engineer in charge of Sheikhupura town are not in Sheikhupura town.

¹To suggest economy with regard to suitable delimitation of certain divisions under the charge of certain executive engineers.

You can see and verify for yourself that we have not got even a pond where we can make our cattle drink water. There are small holdings, I should say small bungalows and small plots of land are attached to them. So far we have failed to get sufficient water to convert these plots into arable land in certain cases. Not only that, we have got an important place there called "*Harn Manara*" "Hunting Resort of Emperor Jehangir." There too some arrangement is made for the water supply, to the big tank, but it is not satisfactory. Because the officer does not reside there and the people cannot go and make their complaints or put their grievances with regard to that defect before the executive engineer in charge, there has been no improvement in this respect. This place can be artistically improved if the immediate officer were in the vicinity. I do not want to take the time of the House. I hope that the Honourable Revenue Member will very kindly consider this question and in this way win the hearts of the people of Sheikhupura town—I should say not only of Sheikhupura town but even of the whole of the Sheikhupura district.

Mr. President : Demand under consideration, motion moved is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 40,79,500—Total
A-4—Executive.

The Honourable Nawab Muzaffar Khan (Revenue Member) : As regards the tank at *Harn Manara*, I have seen it and I think it is a very interesting place; but I do not know what the conditions are and how far we will be justified in supplying canal water for the tank. If, however, it has been supplied in the past I see no reason why it should not be supplied in the future. I shall look into this matter.

As regards the division, I do not know what the facts are and whether it will be necessary to transfer an officer from Gujranwala to Sheikhupura, but I shall make inquiries.

Sardar Bahadur Sardar Buta Singh : No question of transfer of any officer. Two officers are there.

The Honourable Nawab Muzaffar Khan : You want one of them to be put in charge of the *rajbaha*. I shall look into this matter and see how far it is feasible.

Sardar Bahadur Sardar Buta Singh : In view of the reply of the Honourable Revenue Member, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Nomination of zilladar candidates on population basis.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : I move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 2,92,470—
A-7—Special Revenue—Zilladars.¹

The object of this motion is to draw the attention of the Honourable Member for Revenue to a practice which probably has the sanction of the

¹To condemn the practice (and instructions therefor) of sending up of an equal number of Muslim and non-Muslim candidates from each circle irrespective of the composition of its population.

[R. B. Ch. Chhotu Ram.]

head of the department and perhaps of the Government itself. The practice is that every superintending engineer in charge of a circle in sending up the names of candidates for the post of zilladar sends up an equal number of Muslims and non-Muslims, irrespective of the composition of the population in his circle. This is a practice which I may call ridiculous. Where 80 per cent. of the population is Hindu, it is ridiculous that the superintending engineer should be compelled to send up the names of an equal number of Muslim and Hindu candidates. For instance, in the Ambala division the Hindu population is roughly speaking about 75 per cent. of the total population. Is it fair that the superintending engineer in charge of that territory should be under an obligation to send up the names of just 2 Hindus and 2 Muslims? Suppose the superintending engineer in charge of Multan has to send up the names of candidates for the post of zilladar, is it fair that he should be compelled to send up the names of 2 Hindus and 2 Muslims? Similarly in the case of the superintending engineer in charge of Jullundur division where the Sikh population predominates, is it reasonable that he should be compelled to send up the names of 2 Muslims and 2 non-Muslims? I have put questions on this subject; I have written privately to the Honourable Member for Revenue more than once and perhaps also to the chief engineer asking them whether this practice has the sanction of Government. I have not received a reply definitely denying or affirming the existence of such sanction. But I can assert without any fear of reasonable contradiction that this is the invariable practice which is insisted upon by somebody in the department. I have had private conversations on this subject with at least three superintending engineers and, perhaps, with two chief engineers. They said, "Yes, this practice has the sanction of the department and the superintending engineers have no discretion left to them of sending up an unequal number of names." Whether the population in a particular circle consists of $\frac{3}{4}$ Muslims and $\frac{1}{4}$ Hindus and $\frac{1}{4}$ Sikhs, or the population consists of $\frac{2}{3}$ Sikhs and $\frac{1}{3}$ Muslims and $\frac{1}{3}$ Hindus or discloses any other proportion, the superintending engineer is under an obligation to send up an equal number of Muslims and non-Muslims. The practice is ridiculous on the face of it. How can Government insist upon superintending engineers being bound down to such an unreasonable practice? This gives a most unfair and unequal representation to the various sections of the population in the various parts of the province. A superintending engineer who is serving in Multan has no business to send up just 2 names of Hindus and 2 of Muslims. He must send up 4 of Muslims and one Hindu. Similarly, the superintending engineer in Jullundur has no business to send up the names of 2 Sikhs and 2 Hindus. The same thing applies to the Ambala division, and the superintending engineer there has no business to send up the names of one Hindu, 1 Sikh and 2 Muslims. Yet, this is the practice which has the sanction of somebody. That somebody has remained unknown to me in spite of the best efforts I could make to ascertain his identity. I, therefore, hope that Government will scrutinise the question of the source and soundness of the sanction which is behind this practice. (*The Honourable Nawab Muzaffar Khan*: What would you suggest?). My suggestion would be that so far as superintending engineers are concerned, they should be allowed to send up a number of Hindus, Muslims and Sikhs

which would roughly be proportionate to their population in the circle, and then it should be for the headquarters authorities to make selections in a manner which will give fair communal proportions for the province as a whole. That is the suggestion which I would make. At present, the hands of the superintending engineers are tied. They admit the reasonableness of the contention which I put forward. For instance, from the Ambala circle 75 per cent. Hindu names should be sent up. The communal proportions which have been fixed or are conventionally observed should be for the officers at the headquarters to secure in their final selection. If the superintending engineer of one circle sends the names of 2 Hindus, one Sikh and 5 Muslims and another sends up 5 Hindus, 1 Muslim and 1 Sikh, that does not necessarily mean that these proportions will bind the hands of the authorities at the headquarters in their final selection. But such a practice will allow more Hindus to be selected from predominantly Hindu areas. Therefore, I submit that the practice should be made more reasonable, more logical and less ridiculous than it has been in the past with regard to the power of superintending engineers to send up the names of candidates.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 2,92,470—
A.-7—Special Revenue—Zilladars.

Mr. T. B. Tate (Chief Engineer, Irrigation): The argument of the honourable member is perfectly reasonable, but it is very difficult to adopt it in practice. Actually there are no definite orders laid down that superintending engineers must send up one Muslim and one non-Muslim name. But it is the practice I admit. They are not confined to these two communities. The orders are that ordinarily not more than two names should be sent up. I have often thought about this proposal of the Rao Bahadur and wondered how we can so adapt things as to meet local circumstances. It is quite evident that if we give a preponderance to any community in any one district we should have to balance it by giving an equal predominance to another community in other districts and this obviously introduces a pretty considerable complication. In fact unless we allow a much greater number of names to be sent up, I do not see how we can get round the difficulty. There is this to be said for the present practice that in a district where Hindu agriculturists predominate and only one name is to be sent up the superintending engineer has a wide selection from which to choose among those Hindu agriculturists and sends up the best candidate. The same applies where Muslims are in excess and one Muslim is sent up and one non-Muslim. If Muslims are in excess then he should be able to select a specially good candidate who would have every prospect of being selected by the chief engineer. I am not putting this forward as an argument for continuing the present practice, because I quite agree that it is not very satisfactory and I shall be glad to talk it over with Rao Bahadur so that he or I may think of some solution.

Rao Bahadur Chaudhri Chhotu Ram : In view of the reply of the chief engineer, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Hindu agriculturists among zilladars.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): I beg to move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 2,92,470—
A-7—Special Revenue—Zilladars.¹

The object I have in view is to draw the attention of the department to the fact that Hindu agriculturists are not sufficiently represented in this cadre and I beg to submit that in future recruitment a more generous treatment should be accorded to them. This is a subject to which attention has been drawn more than once and it does not require any lengthy speech from me. The subject ought to engage the attention of the chief engineer and an attempt should be made to be a little more generous to Hindu agriculturists than has been the practice in the past.

Mr. President: Demand under consideration, motion moved—

That the grant be recuded by Rs. 100 with respect to the item of Rs. 2,92,470—A-7—
Special Revenue—Zilladars.

The Honourable Nawab Muzaffar Khan (Revenue Member): In the past Government has always been sympathetic towards the statutory agriculturists. The Land Alienation Act, however, had a set object in view, that is, the protection of certain classes of agriculturists who were in need of such protection, but in the present case the question is of services and it is somewhat difficult to draw a line between statutory agriculturists and other agriculturists living in rural areas. We have been discussing only yesterday the line of demarcation between rural and urban areas and the position of agricultural and non-agricultural electors. There are people in rural areas who, while living on agriculture are not statutory agriculturists, but for all practical purposes they are agriculturists in the true sense of the word. Take for instance some of the hereditary land-owners who for generations past have been living in rural areas but do not happen to belong to agricultural tribes. I hope my honourable friend does not mean that these people should be treated as non-agriculturists where recruitment of services is concerned. In the matter of public services our definition so far has been that the people in the rural areas who are living on agriculture are treated as agriculturists. I have seen the resolution of 1919. According to that resolution too people living on agriculture are treated as agriculturists. Again, there are depressed classes and the *kamins* living in our villages. I am sure the honourable member has full sympathy for these deserving classes. The lot of the *kamins* is very hard and they deserve our sympathy. I can say from personal experience that intellectually *kamins* are inferior to none. I know of a case in my own village in which an orphan *Mochi* boy who was educated and brought up by some well to do people has turned out to be one of the finest artists in the province. He joined Government service as an artist at Lahore and has now been transferred to the Government of India and is doing exceedingly well there. Another similar instance that I know of was that of a *Chároa* boy living in rural areas in Jhang district. A certain gentleman took interest in him and educated him. He is now doing very well in the Postal Department.

¹To urge a more generous recruitment of statutory Hindu agriculturists.

I appeal to the honourable mover that in the matter of services we should not ignore the claims of these non-statutory agriculturists in the rural areas. As regards statutory agriculturists we are showing every sympathy and will continue to do so in the future.

Rao Bahadur Chaudhri Chhotu Ram : I am under a sort of handicap to-day for I have lost my Bible on the subject, the consolidated list. But I have some recollection that so far as the representation of statutory agriculturists in the cadre of zilladars is concerned, the proportion is in the neighbourhood of 50 per cent. as a whole. The proportion which has been laid down for the employment of zamindars in the resolution of 1919 is a minimum of 66 per cent. The usual deduction which is made in respect of zamindars in the broader sense is 5 per cent. That would mean that even according to the contention of the Honourable Revenue Member a minimum of 61 per cent. should be statutory agriculturists. At present their representation is in the neighbourhood of 50 per cent. Therefore the Honourable Revenue Member cannot say that the recruitment during the last few years has been such as would secure the amount of representation which was contemplated in the resolution of 1919. Again, so far as Hindu agriculturists are concerned their recruitment has been on a much more illiberal scale than it should have been. The post of naib zilladar or zilladar candidate is a new one. While old proportions are not easy to work up all at once it is quite easy to give effect to the intention of the resolution of 1919 in regard to new recruitments. But even in the case of zilladar candidates the representation of Hindu agriculturists is much below the standard where it ought to stand. So far as the employment of members of the *kamin* classes and the depressed classes is concerned, it has my unqualified sympathy, and if needed I will surrender a portion which is due to statutory agriculturists themselves. (*An honourable member :* And other rural people also.) Other people are already included in the definition of 'zamindar' as adopted in the resolution of 1919. Those who are hereditary landowners or hereditary tenure holders, mainly dependent upon agriculture residing in rural areas are already within the purview of the resolution of 1919. I have absolutely no quarrel about their recruitment. But so far as other people residing in rural areas are concerned, namely, of the shopkeeping fraternity, I am afraid their recruitment is not very desirable. I do not mean to say that they should not be recruited at all. They should be recruited, but so far as their share is concerned it should come out of the share of non-agriculturists. So far as the Hindus are concerned the share of non-agriculturists at present stands between 60 and 70 per cent. I beg to submit that while a sufficient number of duly qualified members belonging to *kamin* classes and depressed classes ought to be recruited in the cadre of zilladars I would still insist that a larger proportion of statutory Hindu agriculturists should in future be recruited than it has been the case during even the last four or five years. I have now been handed the consolidated list. I shall read out the exact numbers. In the cadre of zilladars, statutory agriculturists are only 16 while other Hindus number 46. That is, out of 62, we have only 16 statutory agriculturists. The proportion works out to not much more than 25 per cent. The share of Hindu statutory agriculturists should be 50 per cent. (*An honourable member :* But they are 23 per cent. of the population.) I do not admit

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that. I do not think Professor Gulshan Rai is likely to make a mistake in favour of statutory agriculturists. Even he admits that the proportion of statutory agriculturists in the Hindu population is 32 per cent. (*An honourable member*: The Financial Commissioner says it is 23 per cent.) The Financial Commissioner is wrong. I looked up the tables after that statement was made and I found that the number of statutory agriculturists—of the classes whose population is shown separately in the census tables—goes up to over 32 lakhs in the Punjab. And apart from these classes there are Gaur Brahmins, there are Kumhars, the Mohyals, the Baishnois and half a dozen other tribes whose population is not shown separately in the census tables. How many these are, it is very difficult to say, but so far as the classes which have been specifically declared as agriculturists under the Land Alienation Act are concerned, their population comes up to over 32 lakhs. Of course, I am speaking of the Punjab as a whole. I have not been able to find the exact number of statutory agriculturists in the British portion of the Punjab. (*Financial Commissioner*: My figure related to the British Punjab). Even so far as the British portion of the Punjab is concerned I am not prepared to concede the accuracy of the Financial Commissioner's figures. When I get time I will certainly add up the population of statutory Hindu agriculturists in British districts. I am absolutely sure that as much as twelve or thirteen lakhs out of the total cannot be accounted for by the population of Hindus in Indian States within the province because I know that the larger states are full of Sikhs and not Hindus. Anyway, there is another point of principle involved here. The share of the classes which go by the name of village artisans, the village *kamins* and depressed classes cannot be allowed to go, in reason, to a few commercial and literary classes such as Khatri, Aroras, Mahajans, Suds and Kayasthas. Their population in the province as a whole must be less than 2 millions. These people cannot be allowed to have the whole share of depressed classes tacked on to their own share. I therefore beg to submit that so long as the shares remain undefined with regard to the depressed and the menial classes, the share of these classes should be divided between the remaining two groups of Hindus, the agriculturists and the commercial classes, on a basis of half and half. I, therefore, submit that the general proportion of posts of zilladars which should go to zamindars is 66 per cent. as a minimum. And even if the class as a whole has received 68·6 per cent. it is only very slightly in excess of the minimum fixed. But so far as Hindu agriculturists are concerned, the percentage is only 26·1. Similarly out of those who have been recruited as candidate zilladars there are only four agriculturists out of 18. I, therefore, submit that a larger proportion of posts should be given to statutory Hindu agriculturists than it has been the case in the past. With these words I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Mr. President: I notice that in the case of almost every demand discussion is raised on the representation of various communities in every department of Government. Why not discuss the subject once for all so that the same arguments may not have to be repeated over and over again?

By now the subject of communal representation in services has been discussed three or four times.

The question is—

That a sum not exceeding Rs. 90,47,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Irrigation Establishment.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural): I rise to oppose the whole grant under consideration. The objection to this grant being sanctioned is that in this department the number of Muslims is hardly proportionate to their population.

Mr. President: I cannot allow the same thing to be discussed over and over again.

Chaudhri Allah Dad Khan: If you will allow me, Sir, I will speak on other points. The complaint of the zamindars against this department is that they are being ruined by excess *abiana*.

Mr. President: This point also has been discussed already.

Chaudhri Allah Dad Khan: Then I will give up this point. Certain officials of the Canal Department never make investigations into the cases of corruption that come to their notice. In each village such complaints about the Canal Department are very many. No enquiry is being made. If a complaint is made by zamindars that they are being treated very badly, no trouble is taken by canal authorities to investigate those complaints. If they give applications that they have been harassed by the canal officers, no justice is done to them. The only way in which such complaints can be remedied is by making impartial enquiries by the chief engineer or the superintending engineers.

I put a question about the shifting of the Sultanpur outlet and the Government replied that they would do something in the matter. But so far nothing has been done. The outlet has not been shifted. I wonder why this has not been done as yet. The Chief Engineer never went to that place. He simply relies on the reports of his minor officers. He never goes to make investigations. That is the way in which they failed to do their duty in that particular case. They took money from the zamindars for repairing and shifting the outlet, but that money was returned after several months and they refused to shift the outlet. The Chief Engineer, who has given a very lengthy reply to all the questions in the Council, is sitting opposite to me. He knows the facts very well. Once it was promised that the department would do all it could in the matter but now they are not doing anything. This is the clear reply of those people. I say this is a matter which can be easily investigated by the Canal Department. If this is done the zamindars will be greatly benefited by this shifting of the outlet. Why should it not be done? I must ask the Chief Engineer to go minutely into the reports of their subordinates. This is a matter which is a most serious one. That is typical of many things in this department. With these hard facts before our eyes, how can we vote for this demand wholesale? I think there are some honourable members in this House who know the case of Sultanpur outlet very well. The matter does not relate to a particular place, but it is an all-Punjab matter. I know that in this case, excepting one

[Ch. Allah Dad Khan.]

person who is against the thing, all are for it, but the thing has not been done.

I have some other points to make at this stage, but I omit them and take this particular case. I hope the Canal Department will do everything to redress this grievance of the zamindars. With these words I oppose the whole demand.

Khan Bahadur Mian Ahmad Yar Khan Daulatana (Muhammadan Landholders): There is a wild talk outside this House and particularly in the Muslim Press that since 1928 the representation of Muslims has been deteriorating.

Pir Akbar Ali: On a point of order, Sir. It was your ruling that no communal questions should be discussed.

Mr. President: That was not my ruling. It was the sense of the House.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Pir Akbar Ali and Khan Bahadur Malik Zaman Mehdi Khan do not constitute the whole House. If any honourable member wants to say something, he should not be denied the freedom of speech.

Mr. President: When the demand relating to Excise was discussed, cuts were moved to discuss the representation of Muslims, Sikhs, Hindus and Christians in various branches of that department. But what actually happened was that all departments were discussed. Again, when demands relating to the Irrigation Department were discussed, the representation of Muslims (which was supposed to be discussed only under various cuts relating to certain branches of that department) was discussed generally; that is to say, not only in the Irrigation Department, but in all departments. So, I brought this fact to the notice of the House, and gathered that the majority of the House was inclined to agree with me. That is the position.

Khan Bahadur Mian Ahmad Yar Khan Daulatana: The reason why I am particular to say something about Muslims is that there is general talk in the Muslim Press that since 1928 their representation is going down. I wanted to give notice of this cut but when I found that many of my friends including Pir Akbar Ali, Khan Bahadur Sardar Habib Ullah and Khan Bahadur Malik Zaman Mehdi Khan have already given notice of it, I thought that this point would be discussed.

Mr. President: But it has been discussed already.

Khan Bahadur Mian Ahmad Yar Khan Daulatana: Not in this particular department.

Mr. President: I think it has been discussed in connection with this particular department.

Khan Bahadur Mian Ahmad Yar Khan Daulatana: But we have not heard Government's explanation.

The Honourable Nawab Muzaffar Khan: To say that Government was not prepared to make a statement is quite wrong. In fact Government will welcome such a discussion.

Pir Akbar Ali: The question of the representation of Musalmans has been discussed under the heads Excise and Revenue.

Mr. President : In discussing the representation of Mussalmans in those departments the honourable members in their zeal went so far as to discuss it in all departments of Government.

The Honourable Malik Sir Firoz Khan Noon : The speech that the honourable member wishes to make is that in his opinion Mussalmans are adequately represented in the Irrigation Department. Therefore he does not wish to oppose the demand, he really wishes to make a speech in support of the demand.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : It is for me to say whether the Honourable Minister understands correctly what I was going to say.

The Honourable Malik Sir Firoz Khan Noon : My point of order is this that an honourable member is perfectly justified in getting up and saying that he wants to oppose the grant and he is entitled to bring forward arguments in favour of his position.

Pir Akbar Ali : Has not the general representation of Muslims been discussed in all departments?

The Honourable Nawab Muzaffar Khan : But in the present case we are dealing with a particular department.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : There is a criticism in the Muslim Press and what we say here is to enlighten the public outside.

The Honourable Nawab Muzaffar Khan : We have not heard of any criticism.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : Perhaps you do not read the papers. I am very particular to hear the Government's explanation whether the representation of Mussalmans in this particular branch since 1928 has deteriorated. If so, I will certainly oppose the grant. The reason why I stand up is this that Government may have the chance of refuting allegations in the Muslim Press, but as the Muslim members do not wish to discuss the matter, it seems to me that they have no grievance against the administration of the Irrigation Department since 1928.

Pir Akbar Ali : Am I to understand that you have been pleased to give permission to discuss the communal question again in the House?

Mr. President : I have not. I have invited the attention of the honourable members to the fact that while discussing particular grants they have discussed the representation of Mussalmans in all departments of Government. But when they say that they have not discussed the representation of Mussalmans in this department it is for the House to decide whether that is right.

Pir Akbar Ali : The whole House agrees that this should not be done.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : I want to know whether the position of Mussalmans in this particular branch has deteriorated since 1928 or not.

Pir Akbar Ali : When you have been pleased not to open the debate on that grant why is one honourable member doing it? If he does it, then there will be no respect for the rulings of the Chair.

Mr. President : Did I give any ruling ?

Pir Akbar Ali : I understand that Chaudhri Allah Dad Khan was not allowed to do it.

Mr. President : All I said was that this appeared to me to be the sense of the House. Do the honourable members wish me to collect the sense of the House.

Khan Bahadur Mian Ahmad Yar Khan Daulatana : We are not sure about one thing whether we are debarred from speaking on Muslim representation in the Irrigation Department or in all the departments of Government.

Mr. President : In all departments.

(Mr. President then took the sense of the House which was overwhelmingly against the discussion of communal representation.)

Mian Nurullah : Under General Administration I have got a cut on the necessity of fixing percentages for each community in services.

Mr. President : If the honourable members wished to discuss communal representation under various demands, they should have refrained from discussing it in relation to all departments of Government.

Mr. Muhammad Din Malak : But other members have been allowed to discuss it.

Mr. President : The honourable member could have objected to it on the ground of irrelevancy.

Mr. Muhammad Din Malak : It was the duty of the chair to stop members from discussing irrelevant matter.

Mr. President : It was the duty of every member to invite the attention of the chair to irrelevant speeches.

Sayad Mubarak Ali Shah (Jhang, Muhammadan, Rural) (Urdu) : I rise to oppose the whole grant. As a matter of fact, I should have brought a cut motion against this grant, but as I had to be away, I could not do it in time and have been waiting for this opportunity, when the whole demand was finally moved for grant. I oppose the grant with a view to bring to the notice of this House a few very serious and genuine grievances of the zamindars of the 'Old Abadi' on the Lower Jhelum Canal. They are not being treated properly and consequently are suffering from great disadvantages and many hardships.

Mr. President : Who is not treating them properly, the Government or its officers or both ?

Sayad Mubarak Ali Shah : It is a matter of policy, and I blame the Government as well as the local officials concerned, who have been there up to this time since the opening of the canal, the former for initiating this policy in the beginning and the latter for following it blindly, and not advising the Government to discontinue it, in spite of verbal as well as written petitions on every occasion from the very beginning of those zamindars who have been suffering from these disabilities. One of these is the most invidious distinction between the percentages of the 'Haq-i-abpashi' of the 'Nai' and the 'Purani' abadies. I am sure the honourable members of

this House will be greatly surprised to learn of this difference. It is not a difference of five, ten, or even fifteen per cent., but the difference comes up to nearly cent per cent. of what the zamindars of the 'Old Abadi' are allotted as their 'Haq-i-abpashi,' this being 40 per cent. to the "Old Abadi" as against 75 per cent. to the 'New Abadi'. This is the history of the zamindars' complaints in this respect up to 1920, when these representative institutions came into being as a result of the introduction of the Montagu-Chelmsford Reforms. I am sure that this matter must have been brought to light through this newly created medium, by the representatives of Shahpur and Jhang districts, who were our predecessors in this honourable House from 1920 to 1926. Qureshi Sahib and I were elected to this honourable House in the autumn of 1926 and since then we have been ventilating the grievance of our zamindar brethren in these respects, on every occasion by bringing out motions; asking questions in this honourable House and also several times in the interviews which we both have had jointly and individually with the successive Honourable Revenue Members, and the chief engineers concerned. But I am constrained to say; that so far our efforts in this respect have proved a cry in the wilderness. To-day again I agitate this very important matter in this Chamber, and with all the earnestness at my command I demand from the Government to abolish this most harmful and invidious distinction forthwith, in order to remove the long standing and genuine grievance of the poor zamindars of the 'Purani Abadi' of the Lower Jhelum Canal. The sooner this step is taken the better, as I see general grumbling and consternation among the sufferers from the most uneven supply of water. I ask the honourable members of this House if they have ever heard of any discrimination being maintained between the same class of people, paying the price of the same article at the same rate, in the same market, such as has always been in practice and is still in force in the case of zamindars of the 'Purani Abadi' living in the same 'Naqa' side by side with the new colonists, paying the same rates of abiana on the same canal system, i.e., the Lower Jhelum. I ask the members of the Government only this question '*Is this justice?*' and also request my colleagues (all the non-official members) to support me in demanding the immediate abolition of this most unjust distinction which is very adversely effecting the interests of the poor zamindars of the 'Purani Abadi.' They are now feeling this pinch much more than ever before owing to the depression in the prices of the produce of their lands. If this distinction was maintained for a few years after the opening of the canal, in order to help the new-comers to bring under cultivation the new, uneven and virgin lands, there was some justification for that. But one fails to understand the policy of the Government in giving this distinction a permanent shape, despite the protests of the old zamindars. I may say here for the information of the honourable House, that it was these zamindars, who have been sticking to their posts and been cultivating their lands, which provided considerable income to the provincial revenues, when this part of the province was virtually a jungle and it was not quite safe to live in here. I may also remind the Government of the fact, that these very zamindars of the 'Purani Abadi' helped the survey and other parties connected with the colonisation work, with provisions and daily necessities, when they visited these tracts with a view to secure the necessary information before preparing the project of this very canal. I again ask the Government whether this is fair to deprive

[Sayad Mubarak Ali Shah.]

these very zamindars of their just share of the water supply, who in several cases supplied even the drinking water to the parties mentioned above with great difficulty when it had to be brought from several miles on horse or camel back. As a matter of fact the Government should have given these 'Purani-abadiwalas' considerable concessions; firstly for their services during the initial stages of this canal and secondly to compensate the losses which they suffered in having been deprived of the pastoral lands of their herds of cattle in the 'Bar' and the use of the river water to their villages situated along the river banks for several generations. But unfortunately the case has been just the reverse. I hope the Government will amend its mistake and will not disappoint us this time.

There is another very important matter which concerns the zamindars of the Jhang district whose lands are irrigated by the Lower Jhelum Canal. These are also the old proprietary areas. This is regarding the application of the lower schedule of occupiers' rates to these lands. There are two kinds of abiana rates levied in the Lower Jhelum Canal area. These are called schedules 'A' and 'B.' The abiana rates in schedule 'B,' are comparatively lighter than those of schedule 'A.' These schedules are applied as a rule according to the fertility of the soil and facilities in the water supply to the lands concerned. It is an admitted fact that the best portions of the Kirana and Gondal Bars were distributed to the colonists coming from different districts of this province and these tracts comprise the Sargodha Colony of Shahpur district, while the lands with comparatively inferior soil and less water supply were left to remain in the Jhang district; these are all 'Purani-Abadi' lands, of which I have already dealt with rather at length regarding the percentage of their 'Haq-i-abpashi'. Moreover most of these lands are situated at the tails of the several channels of the Lower Jhelum canal; while the colony lands are most of them situated on the upper or middle reaches of this canal, besides their 'Haq-i-abpashi' being much more and the soil very fertile as I have already mentioned. But the House will be surprised to hear that schedule 'A', i.e., the higher occupiers' rates have been applied to these lands all along excepting a few villages, which were brought under schedule 'B' last year only, and I am glad to say that I also did my bit in getting this done. But there are still several villages which still suffer the penalty of the heavier rates and they should be brought under the schedule, 'B' i.e., the lower rates of abiana. I may mention this that all of these remaining villages are scattered over in the 'Old Abadi' area and their soil and condition of water supply are just the same as of the villages which have recently been brought under the schedule 'B'. This step is very essential, as I notice some uneasiness and grumbling among the zamindars of these villages, which have been left out from the application of the schedule 'B.' With these words I resume my seat.

Chaudhri Faqir Husain Khan (Amritsar, Muhammadan, Rural) (Urdu): I have stood up to place before this House information regarding the mal-administration in the Canal Department and the bad relations that exist between its officers on the one hand and the public on the other. I have five years' experience of this Council and on the basis of this experience I can say that whenever the irregularities of a particular officer are brought

to the notice of the Government either by means of questions or cuts the Government always defends him and instead of punishing him for his misdeeds gives him promotion or some such other encouragement. I have in view the cases of two sub-divisional officers, one of sub-division Subraon Branch and the other of sub-division Kasur Branch. Regarding the former the inhabitants of many villages made complaints and I had also put Council questions on the subject and the answers which Government gave were of the same nature as they are of some other similar questions put in the Council. (The Honourable Revenue Member : What was the nature of your questions ?) For instance, I had asked as to how many complaints had been received about that officer, what was their nature. This sub-divisional officer was the son of a gentleman who belonged to Jullundur and was posted at Rya, a place 23 miles from Jullundur and 22 miles from Amritsar, but when complaints were made against him after 3 years he was posted at Sheikhpura, a place much nearer to Lahore, the capital of the province. As regards the sub-divisional officer of Kasur he was a very dutiful man and had cultivated very good relations with the public. There was nothing against him and he was transferred to Muktsar—a far off station, i.e., he was sent to hell. This is how the authorities take action on our grievances and complaints which we place before them from time to time.

I may also in passing mention here an instance of a breach which occurred in *rajbah* Rasulpur near *burji* No. 4. The Canal Department reported the matter to the police and the police made enquiries and submitted their first information report on which the matter was dismissed. The village Rasulpur suffered a good deal of loss on account of this breach. Many houses collapsed. The owners claimed damages. The damage done was to the value of something like Rs. 2,500, but the department only granted Rs. 200 as compensation. And this was done although the first information report stated that the inhabitants of Rasulpur or adjoining villages had no hand in causing the breach. Now it is expected that damages for the breach will be imposed upon the inhabitants of Rasulpur. The *zaildar* of Rasulpur did not ask for any compensation although he suffered a loss of a house. But still the canal authorities are against him and will injure him in some other way at some time suitable for the purpose and his fault is only this that applications for compensation were made from his village. In 1922 a breach had occurred in the same *rajbah* between *burji* No. 59 and *burji* No. 60. The land of a particular owner was damaged and he applied for compensation but on the request of the authorities this application was withdrawn and no further action was taken with regard to it. But the department did not do anything by way of compensation. On the 5th May, 1934, there was a danger of the occurrence of breach in the same *rajbah* between *burji* No. 59 and *burji* No. 60 and by a notice the department was given information. The breach occurred on the 18th September, and as this breach had caused damage to the land of Mirza Hamid Beg, he gave notice to the Secretary of State. But the local canal officers prevailed upon him not to take further action in the matter. The executive engineer verbally gave a promise that the sand which had accumulated on his land will be removed at the expense of the department and that the land will also be levelled. But this promise was not fulfilled. In 1935 between *burji* No. 59 and *burji* No. 60 there was again danger of the occurrence of a breach. Information regarding it

[Ch. Faqir Husain Khan.]

was given to the authorities by a notice but they neglected it and the consequence was that on the 11th September, 1935, the breach did occur.

The Honourable Nawab Muzaffar Khan : I rise on a point of order. It is very unfair to bring all these charges against particular officers of the Canal Department at this eleventh hour. How can Government reply to such charges at this stage? I would appeal to the honourable member to have some sense of responsibility. The proper course for my friend was to give notice of a motion in order to enable Government to make inquiries and then give a reply.

Mr. President : It is now the established practice of this House that when a member wishes to criticise the official conduct of an officer of Government, or wishes to criticise the policy of the Government or the working of any department of Government, he gives notice of a nominal cut motion stating the object of the notice; that is to say, stating definitely the nature of criticism which he means to level against the Government or its officers. In that case the Government gets notice and time to prepare itself to meet the criticism. But if instead of following the wholesome established practice, an honourable member, while claiming to oppose the whole demand, speaks only to a particular item in the demand, and criticises the conduct of a particular officer, how can the Government meet the criticism? If the honourable member desired to discuss any particular item in the grant he should have tabled a cut motion for the purpose and ventilated his grievances in discussing his motion. Instead of following the proper course the honourable member is opposing the whole demand and in doing so he is criticising the Government only with respect to a particular item. That is not fair. Therefore, I consider that the honourable member is out of order.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : How can a member discuss the whole demand without referring to the details?

Mr. President : A proposal for the reduction of the whole grant cannot be made for the purpose of discussing an item; nor can an amendment, including more than one item, be proposed by way of the reduction of an item.

Chaudhri Faqir Husain Khan : I had stated in the very beginning that I would make submissions regarding the mal-administration and the bad relations that exist between the officers of canals and the public at large.

Mr. President : Of which circle or district or part of the Punjab?

Chaudhri Faqir Husain Khan : Regarding Amritsar district.

Mr. President : Then the honourable member should have proposed a nominal cut from the specific item relating to Amritsar circle.

Chaudhri Faqir Husain Khan : I will send all my objections in writing to the Government and I hope the Government will consider them sympathetically.

Mr. President : That is a different matter.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated non-official) : I rise to oppose the demand under consideration. My object in

doing so is to point out to the Government that the Irrigation Department has failed to act on the suggestions made by this House.

4 P. M. from time to time to effect economy. The financial position of the province, as is evident from the budget, is far from satisfactory and it is essential that rigid economy should be exercised in all departments of the State and especially in the Irrigation Department. I would illustrate my point by giving one example as to how the suggestions made by the honourable members of this House are ignored by this department. In the last budget session of the Council, while discussing supplementary demand for grant, Khan Bahadur Sardar Habib Ullah pointed out that the Special Officer and new establishment appointed to carry out the work of hill torrents in Dera Ghazi Khan district was unnecessary and that a saving could be made by reverting to the old system. The Honourable Revenue Member promised to go to Dera Ghazi Khan and find out things for himself and if he was satisfied that the suggestion made by Khan Bahadur Sardar Habib Ullah was reasonable and practicable the Government would adopt it. The Honourable Revenue Member has not informed the House as to whether he has carried out his promise and whether the Government has accepted the suggestion. If the Government treats the advice tendered by honourable members of this House so lightly, I am afraid, I cannot persuade myself to vote a demand for grant made by the Government. The Government should treat the views of honourable members of this House more seriously and the Government members should honour the promises which they make on the floor of the House.

Mr. President : The question is whether the honourable member is opposed to the whole grant, because a certain thing was promised and not done ; or he is against a particular item and wishes it to be omitted.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I wish to urge that unnecessary expenditure should be cut down in order to ensure economy. I have illustrated by an example as to how savings can be made. I also wish to point out that in spite of promising to examine the suggestion made by an honourable member of this House, the Government has not informed the House as to what action they have taken in the matter.

Mr. President : The honourable member will please answer my question, whether he is opposed to the whole grant, because a certain promise was made and not kept, or he is against the particular item of expenditure objected to by Khan Bahadur Sardar Habib Ullah.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I simply want to draw the attention of the Government to the fact that suggestions made by the members to effect economy should be given serious consideration by the Government.

Mr. President : The honourable member will please answer my question, whether he is opposed to the whole grant or a particular item.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I oppose the whole grant because the Government has failed to carry out the suggestions made in this House for economy and has not fulfilled its promise to examine the suggestion made by an honourable member of this House to ensure economy.

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu): Sir, I have already explained to the House that we have made considerable reductions in expenditure, reductions which probably have no parallel in any other department of Government. As regards the appointment of an officer to control the hill torrents of Dera Ghazi Khan, it is incorrect to state that the Revenue Member made a promise which he did not fulfil later on. The fact is that the honourable member from Muzaffargarh was himself present when I fulfilled that promise. (Laughter). I went to Dera Ghazi Khan and discussed the question with the deputy commissioner of that district. I think an executive officer of the status of a tahsildar or of an extra assistant commissioner would probably be more useful and should be placed in charge of this work from next year in place of the canal officer who is at present carrying on this work. The honourable member knows that I have taken suitable action in this matter.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: That is my information. I want you to place before the House an account of the action you have taken. My information is not the information of the whole House.

Mr. President: The question is—

That a sum not exceeding Rs. 90,47,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Irrigation Establishment.

The motion was carried.

IRRIGATION CAPITAL.

The Honourable Nawab Muzaffar Khan (Revenue Member): I move—

That a sum not exceeding Rs. 4,81,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1937, in respect of Irrigation (Capital).

Mr. President: Motion moved:—

That a sum not exceeding Rs. 4,81,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Irrigation (Capital).

Waterlogging in Sheikhpura District.

Sardar Bahadur Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) (Urdu): I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 15,10,400—Grand Total—Works in Progress and New Works (Productive).¹

This matter deserves special attention of this honourable House. Although a five year drainage programme has been chalked out and considerable work is being done in Sheikhpura district in accordance with that programme, much remains still to be done. I should say, one defect of such programmes is this that they confine activities to a particular direction and on account of that it is not possible for one to attend to other important affairs. I have risen to invite the attention of the Government to

¹To draw the attention of the Government to the most serious consequences likely to result from waterlogging in the Sheikhpura district.

an important matter which is not fully covered by the programme before them. The situation of Sheikhupura town proper deserves our serious consideration. On one side of the town there is Lower Chenab Canal and on the other flows the Upper Gugera Branch. So, the Sheikhupura town is in the middle of two streams. Its result is that the water level is going up and up. If nothing is done to check the upward trend of the water level the people of the locality will be confronted with a serious difficulty. The Government is in duty bound to look into this question and do the needful as soon as possible.

Then there is a large pond near the old town of Sheikhupura. The sub-soil water accumulates in this pond, which is being pumped out with the help of an oil engine. This water again is carried by means of a big drain. By means of small expenditure distributary drains might be excavated from Jandiala Sarkar and Mirza Virkan side, and thus these villages will benefit greatly by this arrangement. Further, it is necessary for the Government to take the non-officials of the locality into their confidence. These people will be able to suggest means to do the needful in such cases. The villagers of the ilaqa are competent to give the Government sound advice because these people are in the know of the local conditions. The Government has several times benefited by the advice of the local people. It is necessary, therefore, that the Government should consult the people of Sheikhupura in the matter of removing their difficulties. It is a fact beyond dispute that the Sheikhupura people have been hit hard on account of the rising water level in the district. Though canals are a blessing many a time they prove a source of great hardships also. For instance, many canals such as Rakh Branch, Gugera Branch, Upper Chenab Canal, Mian Ali Branch and other canals pass through the district. Though they have been a blessing to the district to a great extent they have given rise to the water level and thus ultimately have proved to be a curse for the people. It is high time that the Government should come forward with proposals to remedy this state of affairs. The plea that there is no money will not convince us. We think that the seriousness of the situation is such that you may have to beg, borrow or steal money but you should certainly attend to this work. You cannot afford to postpone this work for any length of time. With these words, I commend my motion for the acceptance of this honourable House.

Mr. President: Demand under consideration, motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 15,10,100,—
Grand Total—Works in Progress and New Works (Productive).

I may say that items 2 and 3 relating to waterlogging in the Phalia tahsil will be discussed along with this motion.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, Rural): I rise to lend my support to this motion. I have seen this ilaqa and I can say that there has been great misery to the zamindars of Sheikhupura and Gujranwala districts on account of this waterlogging. As the honourable member has just now said, the Canal Department and the Government have been making efforts to improve the state of things but without any tangible results. It is time now that the zamindars should be consulted and they should be invited to a committee in which a plan

[Ch. Allah Dad Khan.]

should be worked out for the solution of this question. This is the experience of everybody. When the Simla road was to be constructed, the engineers of the Government wandered about for years and years and yet they could not find a place where they could construct a road with the minimum cost. They took a *paharia* volunteer to show them the way. The *paharia* was of great help to the engineers and the road was constructed at the minimum of cost and is working very well. This question of waterlogging is a complicated one and unless local men acquainted with the conditions are taken, no success can be hoped for. An extra assistant commissioner is appointed on the waterlogging duty. He knows nothing about waterlogging. They should put an executive engineer for special duty for a number of years at this work so that he may know the things well and might be able to point out some way in which the question can be solved. But, in any case, the Government should make serious efforts to solve this problem in order to save the people from the great damage that is really being done. Besides this, the Government suffers itself. A considerable loss of revenue on account of waterlogging is sustained by the Punjab Government. Land remains uncultivated generally except during the drought and thus the Government lose a good deal of revenue. No revenue can be realised when the land is waterlogged and no crop can grow. Besides giving substantial loss to the Government, in the shape of revenue, it is reducing the means of subsistence of the people of that district. Either the Government should undertake to provide them land elsewhere if they think that they cannot solve this question or they should seriously work on it. Now that we have heard that there is a multiplicity of chief engineers in the department, one chief engineer should be put on special duty, as he is the highest and best experienced officer, to put up a proposal and the Government should not go like a blind man probing in the dark with his long stick.

The Honourable Nawab Muzaffar Khan: Government is not doing so.

Chaudhri Allah Dad Khan: They should make a programme and consult experienced local men. That will solve the question, otherwise those people are clamouring against the calamity and the trouble has been increasing during recent years probably due to depression of land or other causes. It is not a very old question. Therefore, the efforts of the Government should be multiplied in this direction and Government should work on the lines that have been suggested by me and the previous speaker. I lend my support to the motion under consideration.

Mr. T. B. Tate (Chief Engineer, Irrigation): Possibly Chaudhri Allah Dad Khan is not aware that the whole programme has already been drawn up. Government is not able to carry out a large scheme chiefly due to lack of funds. Seven lakhs of rupees a year have been earmarked for expenditure on this programme. The Government is fully alive to the fact that conditions are very bad—pretty bad in Sheikhupura district—but I do not think they are getting any worse. Conditions should improve very greatly as soon as the scheme materialises. With regard to the suggestion that all the funds earmarked for certain operations should be diverted to Sheikhupura, I do not know what the other people concerned would have to say to this suggestion.

Sardar Bahadur Sardar Buta Singh: The Sheikhpura district is badly hit at present.

Mr. T. B. Tate: I can assure you that it is receiving the most sympathetic consideration of Government. I do not know what more I can say in reply to the motion under consideration.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): This question has been brought into this House for discussion several times and we have been getting more or less the same reply from the Government which we had to-day, that things were not getting worse and they will soon improve. I have knowledge about several tracts which are suffering from waterlogging and in some cases the land is not yet quite waterlogged but the *kallar* is soon appearing. Only the other day I was seeing a map of the Punjab in which the areas which were affected by waterlogging were shown in red colour. I was surprised to note that a very large part of the province was getting affected by this great trouble and I even noted that several parts which were actually suffering from *thur* and waterlogging were not shown there. If all those places were also shown, I am afraid that I might have perhaps to repeat the words of Maharaja Ranjit Singh that at some day perhaps the whole of the Punjab would be shown in red colour. It is said that Maharaja Ranjit Singh was studying the map of India and he noted that except the Punjab the whole of India was shown in red colour and he then envisaged that at some time this part of India, the Punjab, would one day become red. (*The Honourable Nawab Muzaffar Khan:* It is not relevant in any case.) It is relevant in the sense that the whole of the Punjab is likely to be shown in red colour. (*The Honourable Nawab Muzaffar Khan:* That red colour brought good luck to the Punjab; I hope this also will.) I wish it did. But as the matter stands there are red spots all over the Punjab except in a few places in the central Punjab. I take this opportunity to tell the Government that in this province our only wealth is our land and if this is also spoiled by this irrigation system without any proper measures being taken to check the trouble, I am afraid we will even lose this wealth of which we are proud.

The present policy of the Government is for extending new areas and spending money on them, but not on improving lands which are suffering on account of *thur*. The Honourable Revenue Member seems to think that he had caught me in my own argument as perhaps he thinks, that if it is on account of canal irrigation that the land is becoming *thur* certainly by extension we are decreasing the supply in red areas and therefore it helps the people in a sense. That is not correct. This argument is sometimes advanced by the Irrigation Department, but it is really by washing the upper surface of land that this *kallar* is taken away which comes up to the surface again by what they scientifically call capillary action of water. So, in order to keep these lands culturable, it is necessary that there should be enough supply of water and the policy of the Government of extension of Irrigation system and not caring for the lands which have already been spoiled is really very disappointing.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I rise to support this motion. I happen to know the facts as my

[K. S. Ch. Riasat Ali.]

district and Sheikhpura are one and the same in this respect. I have personal knowledge of them. Moreover, some people in two of the tahsils of my district, were given land in lieu of their lands which were affected by waterlogging in the Sheikhpura district and I am sorry to say that even those people have to vacate that land also on account of the bad effect of waterlogging. Government of course did reward them, but unfortunately on account of insufficient arrangements and the situation not having been met satisfactorily, they had to suffer again. Nobody can deny that water is rising by an abnormal rate of 2 feet in its level every year; but the difficulty is that those people who are entrusted with this work are not as sympathetic as our higher officials sitting here are. Our trouble is that in spite of the fact that they go to the spot driving on those reserved banks in their motor cars, they do nothing there; but rush back to their beautiful bungalows and they rather want to lord over everybody who happens to be there rather than stop to consult anybody on the spot. Our bigger officials who are sitting here are in the habit of listening to us and replying; they are more calm and more sympathetic than those people there who do nothing but lord it over those who come in their way. Our complaint is that in such matters which involve the improvement of the financial position and the future of the zamindars who are already being trampled under foot by adverse fortune, the officers should be more sympathetic and as Sardar Buta Singh has said they should consult us in such matters and not keep us away from them. Another thing which I suggest is this. As the Chief Engineer has said, there might be some progress in this matter or the Government might be taking interest in the amelioration of the condition of the people in this respect; but this progress, I regret to say, might be only on paper and not in actual fact. Figures have been reported, but I assure you that my personal experience is that progress which should be made in the real sense of the word is not made in the ilaqa and people are suffering from this disease, if I may call it so, at the same rate and to the same extent as they have been suffering in the past. So I would request the Government again to ask their officials to be more sympathetic to the zamindars and give more attention to the question so that it might result in a practical thing and not a theoretical one.

Mr. J. D. H. Bedford (Chief Engineer, Irrigation): The Irrigation Branch may not be as sympathetic as the unofficial members may desire on certain questions, but in dealing with waterlogging it is definitely very sympathetic to the zamindars and I feel sure that this criticism would not have been raised if the honourable members had an opportunity to see what has been done and what efforts are being made. We realise fully that a large amount of land has been spoilt, and that there is a danger that a still greater amount may be spoilt in future. We know it and we feel for this. For many years now, I should say from the beginning of the century, probably, we have a system of well observations. A very large number of wells in the Punjab canal irrigated tracts are observed to see the rise and fall of water and this is done twice a year, so that our men are going into the field, are going to the zamindars, because they have to go to them if they are going to observe the water levels in zamindars' wells. (*Sardar Bahadur Sardar Buta Singh*: I have never seen them.) Recently, when I say re-

cently three years ago, a special programme has been drawn up and we have examined all the tracts where the danger exists and have made proposals for the excavation of surface drains in all these tracts and the work has been going on. But when we found that the rate of progress which could be done from revenue was not sufficient to deal with the case we have taken steps to obtain special grants from capital and it is for this reason, as I pointed out—I think it was three days ago—that the expenditure under drains is now no longer under revenue but under capital. This waterlogging problem is a very old one. In the old days it was acute on the Western Jumna Canal, and action was taken there and certain distributaries re-aligned and drains were dug, and they exist and are maintained to this day, with the result that the problem was controlled and there was no further waterlogging on that canal. The same thing applies to the Upper Bari Doab Canal which I happen to know well. That canal is well supplied with surface drains. There is a very complete system and in addition to the smaller surface drains, there is a bigger drain called the Hudiara drain which I daresay many honourable members will have seen driving along the road to Multan. That drain was excavated about three or four years ago by Government at a cost speaking from memory of about Rs. 12 lakhs. It was done purely and simply to deal with the waterlogging problem on the Upper Bari Doab Canal. As regards the newer canals, I know a little about the present scheme because in 1933 I was dealing with it when a scheme was being worked out in detail. And I do know that a considerable amount of work has been done. If as certain honourable members believe the work is not progressing as quickly as it should, it is mainly because the establishment is not sufficient to deal with it on a very much larger scale than it is being dealt with at present. In a case of this sort it may be more haste less speed, because if we rush into the thing and start spending lakhs and lakhs of rupees without having an efficient establishment to deal with it we might waste a lot of money and not obtain the results which we desire. But I can assure the House that at the present moment a very complete scheme has been taken out and actually being put into progress and we hope that year by year improvement will become manifest.

Sardar Bahadur Sardar Buta Singh : I would like to say a few words by way of reply. I am very grateful to both the chief engineers for their sympathetic dealing with the question. I am also grateful to the honourable members who have supported me on this matter. But the question still remains that the mere sympathy and support does not take me far. I am told that the Government is doing a lot but that they are proceeding with caution and do not want to hurry up the matter because the establishment is not sufficient. I am reminded of the proverb :—

Ta tariak as Iraq awurda shawad marguzida murda shawad.

If a thing is going to be allowed to stand like that we do not know when the time will come when real help would be available to the people in the countryside. This is a most vital question. Much has been said about rural uplift and things of that kind. But I shall give this warning to the Government that if our lands are not reclaimed and are not freed from *thur* and *kallar*—the really worst disease which has taken hold of the lands especially in the Sheikhupura district—it would indeed prove a calamity.

[S. B. S. Buta Singh.]

It was also pointed out that the funds which had been set up for this programme cannot be diverted and cannot be utilised for a particular tract. I do not mean that that should be done but some funds should be made available for this purpose and it is a pressing matter which should engage the attention of Government immediately.

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu): I agree with my friends opposite that the question now before the House is of vital importance so far as the general welfare of the province is concerned. The facts and figures collected in this connection by the officers of the Irrigation Department indicate a marked decrease in the area affected by waterlogging. I do not deny the possibility of a mistake in these figures, nor do I deny the gravity of the problem but the statement that only one extra assistant commissioner has been placed in charge of this important work is incorrect. As a matter of fact all officers of the Revenue Department from the Financial Commissioner down to a patwari are taking keen interest in this work. Then we have a superintending engineer in charge of Drainage Circle and a special officer in charge of Research Institute to deal with this problem. My friend, the mover of this cut, will not have to travel far from Lahore to see for himself what splendid anti-waterlogging work is being done at a distance of about 20 miles. Hitherto Upper Chenab Canal carried the water supply required for Lower Bari Doab Canal and delivered it into Ravi at Balloki. There were stretches of waterlogged area for about 40 miles all along the canal. It was decided to divert this reach of 40 miles and carry the supply to Ravi by means of *Deg* diversion and *Deg* Nalla on existing natural diversion.

The work is complete and *Deg* diversion is now flowing as a drain carrying the *Deg* Nalla to the river Ravi. There is every hope that this will be effective and stop further deterioration of land for about 40 miles on both sides of the canal. Honourable members will be glad to know that in the last meeting of the Waterlogging Board presided over by His Excellency the Governor, it was decided to push forward the Surface Drainage Scheme. Government and its officers are already alive to the urgency of the case.

A suggestion has been made that those persons whose lands have been destroyed by waterlogging may be granted lands elsewhere. It will be realised that Government has not enough lands to grant to all such persons who have suffered from waterlogging. Previously when the lands were available a number of zamindars of certain villages of the Gujranwala and Sialkot districts were granted lands in the Lyallpur district. But misfortune has followed these poor people and they are again faced with the same calamity and their lands are damaged by *thur*. When at Lyallpur I saw the affected area near Dhaya and discussed the question with the superintending engineer and the settlement officers. A drainage scheme for this area is being considered. I also asked the settlement officers to see if land could be given to the people of the affected area on temporary cultivation. As regards granting of land to all those whose lands are damaged by *thur* or waterlogging I hope it would be realised that the suggestion is not very practicable. I would suggest to the honourable

move to see Sardar Natha Singh and seek his advice regarding his particular trouble. I assure the House once again that the Government is determined to give effect to the Surface Drainage Programme.

The motion was, by leave, withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 4,81,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Irrigation (Capital).

The motion was carried.

DEBT SERVICE.

The Honourable Sir Donald Boyd (Finance Member) : I move—

That a sum not exceeding Rs. 9,000 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 Debt Service.

Mr. President : Motion moved—

That a sum not exceeding Rs. 9,000 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 Debt Service.

Punjab Public Debt.

Mian Nurullah (Lyallpur South, Mahamadan, Rural) : I beg to move—

That the total grant be reduced by Re. 1.¹

My object is to raise discussion on the public debt of the Punjab. If you refer to the budget of this year you will find that the sum that we have to pay as interest is probably much more than before and it seems to me to be increasing every year. It might be anything between Rs. 1.5 to 2 crores. I have not got the budget estimates with me but I do remember that for one item alone, probably the interest on the capital spent on canals, it is something like Rs. 1.22 lakhs. We have also to pay the interest on the capital spent on the hydro-electric scheme and so on. The main question is whether anything can be done to reduce this burden and my idea in moving this motion has been to suggest the possibility of floating a conversion loan. Money is so cheap now in the market. I learn that the Government of India is our largest creditor. To such a creditor we should be able to appeal and save some money. If we only approach the Government of India I feel sure they will be able to help us. I would with these words request the Finance Secretary to tell us the exact position and whether anything can be done or not.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

Mr. Ram Chandra (Finance Secretary) : I am glad that I have been given this opportunity of clarifying the position, which, I noticed from an earlier debate in this session, had not been quite correctly appreciated. The question which has been raised by my honourable friend Mian Nurullah is this. When money can be obtained cheaper in the market at present, why should the Punjab Government go on paying this high rate

¹To raise discussion on the public debt of the Punjab.

[Mr. Ram Chandra.]

of interest? It is a very natural question. The answer is that when money is borrowed, an agreement of conditions is made between the borrower and the lender. These conditions relate to re-payment of principal, payment of interest and number of years in which the debt shall be re-paid. They cannot be altered until the borrower and the creditor come to a mutual agreement. I hope that when I have explained the position in regard to the public debt of the Punjab, honourable members will agree with me that it is not possible to accept the suggestion which has been put forward, namely, that the Punjab Government should float loans in the open market and pay back the debt which it owes to the Government of India.

The public debt of the Punjab falls in three clear cut divisions. The first division consists of loans raised in the open market. The outstanding balance of loans raised in the market is estimated to be Rs. 4 crores on the 1st April, 1936. This loan consists of 5½ per cent. bonds payable in 1937 and 4 per cent. bonds payable in 1948. It is difficult to imagine that any person, who is now getting an interest of 5½ per cent., will be willing to come forward and have his bonds cashed or converted at a cheaper rate. Similarly, 4 per cent. is a good return and it is difficult to expect that, unless a person is really in need of money, he will convert these bonds into some other security which does not carry such a high rate of interest. One point I should like to mention in this connection is that the 5½ per cent. loan was raised in 1925 and matures in 1937, that is to say next year, and the question will be considered by the Punjab Government as to how this loan can be redeemed. Honourable members may, therefore, rest assured that so far as this loan is concerned, time will soon come when Government will take into consideration the question of floating a conversion loan. If I may be permitted to emphasise the point still further, the loan raised in 1925 is not redeemable until 1937, and the second which was raised in 1933, does not mature until 1948. No one can be compelled to accept payment in return for the bonds held by him, until those bonds mature. 1937 is the earliest year in which Government will be in a position to re-pay its first loan, when, as I have already said, Government will consider the necessity of floating a conversion loan.

Then, the second division is that of pre-reforms irrigation debt. The total amount of debt in this class is about 22 crores of rupees, which means 60 per cent. of the total public debt of the Punjab. This is treated as an advance and the Punjab Government pay only interest on it from year to year and are not required to make any arrangement for repayment of the capital portion of it. The interest payable on this debt, as honourable members will notice from page 20 of the budget, is 3·3252 per cent. This rate is fixed under the Devolution Rules. If compared with the present rate of interest in the open market to-day, it is very reasonable. So one could not say that we should take steps to pay back this debt now and immediately.

Coming to the third category, namely, loans from the Provincial Loans Fund. I should first like to explain what this fund is. This is a fund out of which the Government of India make all advances required by the various local Governments. This fund was constituted in 1925. It has an entity of its own and the rate of interest charged on advances made

from this fund is so calculated by the Government of India as to maintain the solvency of the fund. The important point to note in this connection is that although the fund is under the control of the Government of India, it is not operated in such a way as to bring profit into the pockets of the Government of India. Whenever central funding operations have resulted in some benefit, that profit is passed on to the Provincial Loans Fund and local Governments also consequently benefit, as the rate of interest which they are required to pay is reduced.

Honourable members will find from the foot-notes on pages 20-21 of the budget that the Government of India have in several cases reduced the rate of interest without being approached. I would quote one or two instances. The loan that was taken from the Provincial Loans Fund in 1927-28 now bears an interest of $3\frac{1}{2}$ per cent. as against 5 per cent., at which it was originally borrowed. The loan raised in 1930-31 now bears an interest of 5 per cent. although originally it was borrowed at $6\frac{1}{2}$ per cent. Similarly a reduction of $1\frac{1}{4}$ per cent. has been made in the second loan which was taken by the Punjab Government in the same year, the rate of interest having been reduced to $5\frac{1}{2}$ per cent. from $6\frac{1}{2}$ per cent. In addition to this, I would like to mention that when we raised a loan in the market in 1933, the Government of India agreed to our paying them back 1 crore, 32 lakhs of rupees on account of a portion of the advance we had taken from them in the preceding years. They have also reduced the rate of interest, whenever a profit has accrued to them from central funding operations. The question may be asked why the Government of India have not been able to reduce the rate of interest still further. The answer is that they have their own obligations to the people from whom they have borrowed the money. Some of their loans do not come to maturity for several years. For instance, their 5 per cent. loan will not mature until 1945. Only a few months ago they raised a loan at 3 per cent. in the market and the present rate of interest on advances taken from the Provincial Loans Fund is $8\frac{1}{4}$ per cent. This is a very favourable rate, although fortunately we have not taken any advance this year and it is not expected that the Punjab will require any loan in 1936-1937 either.

Another point to which I would draw attention is that the Provincial Loans Fund, as I have already said, finances not only the Punjab Government, but it finances all local Governments. If the Punjab can take advantage of favourable market conditions, so can other local governments. Now imagine what would happen if all local governments were to approach the Government of India with a request that they should be allowed to raise loans in the open market at favourable rates prevalent at present, and pay back the loans which they have taken from time to time from the Government of India or the Provincial Loans Fund. If such a request were made, the Government of India could not view it with equanimity. It would mean that the whole structure on which this scheme of Provincial Loans Fund is built will fall down. The Government of India have their own obligations to the people from whom they have borrowed, and they cannot pay back the money to the investing public for several years yet to come.

I hope, I have shown conclusively why it is not possible for Government to adopt the suggestion which has been put forward. I need hardly

[Mr. Ram Chandra.]

assure the honourable members that Government are at one with them in the desire to reduce the burden of interest charges. But the suggestion put forward is not capable of adoption, the reason being that the sanctity of contracts cannot be violated.

Mian Nurullah : I am thankful to the honourable member who has given us all the necessary information. Still I do not feel convinced that something more cannot be done. If possible, Government of India should be approached and asked to make some more concessions and reduce the rate of interest.

Mr. Ram Chandra : Without approaching them they have reduced the rate of interest.

Mian Nurullah : Still if you approach them, they will be able to show more sympathy and give further concessions. With this request I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 9,000 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 Debt Service.

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Sir Donald Boyd (Finance Member) : I beg to move—

That a sum not exceeding Rs. 88,98,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of General Administration (Reserved).

Mr. President : The question is—

That a sum not exceeding Rs. 88,98,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of General Administration (Reserved).

Elections to Punjab Legislative Assembly.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,60,800,—
Election of Members of Indian and Provincial Legislatures.¹

My object in moving this motion is to point out suggestions for election to the Punjab Legislative Assembly and to discuss some aspects of the preparation of voters' lists for the Punjab Legislative Assembly. These are very important points, but I think instead of taking much time of this honourable House regarding the first point in motion No. 3 on the list (suggestions for election to the Punjab Legislative Assembly—which probably will come up early next year in January) I shall draw up the suggestions and send them to Government in writing. The

¹To point out suggestions for preparation of voters' lists and for election to the Punjab Legislative Assembly.

main things out of these are probably the fixing of the polling stations—the question which I wanted to discuss this morning in connection with the Delimitation Committee Report that no hired vehicles be allowed. Unfortunately we did not reach that motion and therefore it deprived me of having the view of the House. Because it was not possible to have the vote of this House on that question, therefore, I had better put in it writing and send it to Government.

But I do want to take two or three minutes to discuss some aspects of the preparation of voters' lists for the Punjab Legislative Assembly. In this connection I particularly want to point out that the ordinary voters have been enlisted already and probably the lists are under preparation. As regards those voters who have to apply to Government for getting their votes registered I have to make a request. There are two kinds of voters that come under that category. One is the female voters whose husbands possessed voting qualifications during the last elections and, secondly, those who are literate to some extent and are qualified to get themselves registered because they are primary pass. Regarding these two I would request Government that there is no necessity of calling for applications a second time. Their previous applications should be considered sufficient and no additional application need be called for, because I think, it will be a great hardship for those female voters and for those literate persons to apply again. Even last time it was with difficulty that some of them took the trouble to apply. Those votes must be taken as registered votes and no more applications invited. This is the point I wanted to raise under item No. 4 on the list. With these words I stop and I would like to know the point of view of Government.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 3,60,800—Election of members of Indian and Provincial Legislatures.

The Honourable Nawab Muzaffar Khan (Revenue Member): My friend wants an undertaking that applications for registration by women and literate voters that have already been lodged in connection with the preparation of provisional roll should be accepted for the final roll. This is really a legal question and I cannot say whether we can accept the applications or not. The Order in Council under which we have to call for these applications has not yet issued. In fact it has not yet been placed before the Houses of Parliament. Personally I shall have no objection, but as I have said before it is a legal question. The applications have to be submitted under the provisions of certain law. That law does not exist at present. How can we in that case treat old applications as applications under the new law which has not yet come into force. Personally, I do not think we can do it. But it is a question for the Law Department to decide and if we are satisfied that fresh applications are not required we shall be only too glad not to invite fresh applications from those who have already applied for registration.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): I fail to understand the legal difficulty about the matter. Does this legal difficulty come in the case of women voters or that of men voters also? The Order in Council has not been passed. If it has not been passed it has not been passed with regard to men voters as well as women voters. But the Government

[S. S. Sardar Ujjal Singh.]

has already prepared rolls for men voters. Why should this plea be put forward in the case of women voters?

The Honourable Nawab Muzaffar Khan : With regard to ordinary voters, I mean other than literates and women voters, no such application is necessary under the law and Government are at liberty to prepare the preliminary lists at any time they like. The position of literate and women voters is quite different. It is in the interest of the electors and the constituencies that we are taking these precautions; otherwise it would save Government a good deal of trouble if fresh applications were not invited and we could proceed with the preparation of the roll without any further hindrance.

Mian Nurullah : I understand that the Honourable Member is prepared to exercise his influence to help in carrying out the suggestion if possible to secure the right order in Council. Therefore, I would ask for leave to withdraw my motion.

The motion was, by leave, withdrawn.

Grant of proprietary rights to widows with only life estates.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhpura, Muhammadan, Rural) : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 34,650—Total Pay of Officers.¹

It has been brought to my notice that in cases where the widow is in possession of occupancy or proprietary lands, without making any inquiry into the existence of reversioners, the land is mutated in the names of the widows. I do not know how far such cases are common and I have no personal knowledge of these districts myself. If this illegal practice exists, I hope the Government will take steps to rectify it.

Mr. President : Grant under discussion, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 34,650—Total Pay of Officers.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : I rise to support this motion of the honourable member. Several cases have come to my notice where widows have inherited the estates of their husbands who had been given land for services rendered to the Government. Government had been issuing instructions to collectors that proprietary rights should not be granted on such lands to women who may be in possession of those lands. But in various cases such instructions have been ignored and the result is this, that women have acquired proprietary rights and consequently the occupancy rights of their husbands have merged in the new proprietary rights acquired by those women. The result is that they become full proprietors and consequently can alienate their lands to anybody or dispose them of in any way they like. In this way the reversioners suffer

¹To draw attention to the fact that despite the declared policy of Government to withhold proprietary rights from widows with life estates only, Colony Officers, particularly in the colonies of Montgomery and Lyallpur, have in the presence of, but without enquiry into the existence of reversioners, been granting proprietary rights to such widows and further to urge a general enquiry into all cases of this nature, particularly in Montgomery and Lyallpur districts with a view to the illegality being rectified.

a great loss. This is diametrically opposed to the customary law of the Punjab which allows widows no right to alienate the property of their husbands. But such lands become the property or estates of the widows or in some cases their daughters, and becoming full proprietors in law they can alienate that property in any way they like. Government officers should in future be very careful and see that such proprietary rights are not given to widows or their daughters whoever happen to be in possession.

Mr. M. L. Darling (Financial Commissioner, Development): In considering this question we must distinguish between different canals, because the terms under which land has been given differ according to canals. On certain branches of the Lower Chenab Canal the grantees were given only occupancy rights and, in so far as they have been allowed to acquire proprietary rights, it has been only as an act of grace on the part of Government. In the case of other canals, the grantees have been allowed to acquire proprietary rights on fulfilment of the conditions of their grant. Now, in the first case, the grant of land is governed by instructions issued by Government in its executive capacity, and amongst these instructions given in the past is an instruction to collectors not to allow widows to sell such rights as they may acquire in the land. But in the case of other canals where grantees are allowed, according to the conditions of their grant, to acquire landed proprietary rights Government is unable to interfere. But even in regard to the land on the branches of the Lower Chenab Canal there are conflicting decisions by the Financial Commissioners. The latest decision is in favour of the view that I have just stated, but I understand it is likely to be challenged in a civil court. The case should therefore be regarded to a certain extent as *sub-judice*.

Khan Bahadur Malik Zaman Mehdi Khan: In view of the remarks of the Financial Commissioner, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Rejection of petitions by Financial Commissioners without hearing the petitioners.

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

That the grant be reduced by Rs. 10 with respect to the item of Rs. 2,49,800—
Total Financial Commissioners (Voted).¹

Mr. President: Before the honourable member proceeds further, may I ask him what he really means by the remarks appended to his cut motion?

Chaudhri Allah Dad Khan: My object is to criticise the conduct of the Financial Commissioners in rejecting a large number of applications for revision without hearing a word from the party.

Mr. President: In doing so have they violated any law in force or have they been acting according to law?

Chaudhri Allah Dad Khan: They have acted against law.

¹To criticise the rejection by the Financial Commissioners of a large number of petition for revision without hearing the petitioners in 1935.

The Honourable Nawab Muzaffar Khan : I may point out that the action taken by the Financial Commissioners is in their judicial capacity.

Mr. President : That is an altogether different matter. Will the honourable member please state the law they have violated ?

Chaudhri Allah Dad Khan : There is a section in the Land Revenue Act which says that where the Act is silent the Civil Procedure Code should be followed.

Mr. President : Will the honourable member please refer me to the section ? Here is a copy of the Act. If the honourable member cannot cite the section, I am afraid I cannot allow him to move the motion. If the Financial Commissioners have been acting according to the law in force, how can this Council, or for the matter of that the Government, direct him not to follow the law ? However, if they have been acting against any law, it may be possible to invite the attention of Government to their illegal procedure.

Rao Bahadur Chaudhri Chhotu Ram : The practice of the Financial Commissioners in this respect is certainly not illegal. They are perfectly within their rights to reject applications without giving to the petitioners an opportunity of being heard. But the question is whether a member of this House cannot draw the attention of the Financial Commissioners to the undesirability of such a procedure. There is a difference between what is illegal and what is undesirable.

Mr. President : It has been conceded by the honourable leader of the Unionist Party that the practice followed by the Financial Commissioners is not against law but that it is undesirable. If it is an undesirable practice, how can the Government change it ? There are only two courses open to it, (i) to issue executive instructions to the Financial Commissioners not to follow the practice which is admittedly not illegal, or (ii) to change the law in force and make it imperative for them to give a hearing to every appellant or petitioner as the case may be. Which of these two courses is the right course ?

Mr. Nanak Chand Pandit : The policy is for the party to be heard.

Mr. President : There is no question of policy.

Chaudhri Allah Dad Khan : I shall find out the relevant section later on. Meanwhile the discussion on the motion may proceed.

Mr. President : No. I must decide whether the motion is in order, before I allow it to be discussed.

Chaudhri Allah Dad Khan : We have discussed this motion on a previous occasion also.

Mr. President : Will the honourable member please refer me to the volume and page of the debates he is referring to ?

Mr. Nanak Chand Pandit : Every lawyer knows it very well that no petition can be rejected without hearing the party.

Mr. President : Will the honourable member please quote his authority ?

Chaudhri Allah Dad Khan : Section 16 or 17 of the Land Revenue Act says that if the order is to be reversed the party affected must be heard.

Mr. President : Will the honourable member please read the section to the House ?

Chaudhri Allah Dad Khan : It is known to everybody that where the Land Revenue Act is silent the Civil Procedure Code is to be followed.

Mr. President : Unless the honourable member refers me to the section on which he relies, I am afraid, I am not in a position to allow him to move his motion.

Chaudhri Allah Dad Khan : It is for the Financial Commissioners to raise the contention. I did not expect that this motion will come up to-day. So I have not come prepared with the point raised by you.

Mr. President : If, as conceded by the leader of the Unionist Party, the Financial Commissioners in hearing petitions or applications are acting according to law and not illegally, then the motion is out of order. But if they are acting illegally, that is to say, if the law does not permit them to act in the way in which they are acting, I will consider whether the honourable member should be allowed to proceed with his motion.

Sardar Sahib Sardar Ujjal Singh : When it is a matter of discretion, cannot the Government issue instructions to them to exercise their discretion in a particular way ?

Mr. President : No. Where the law gives them discretion, I do not think that their discretion can be fettered by executive instructions.

Mr. Nanak Chand Pandit : It is definitely laid down in the Land Revenue Act that in matters of this kind the Civil Procedure Code should be followed.

Mr. President : Will the honourable member please point out the section ?

Mr. Nanak Chand Pandit : The Financial Commissioners hold two positions—one as revenue officers and the other as revenue courts. Whenever the Financial Commissioner acts as a court, he is bound by the procedure laid down in the Civil Procedure Code and in the Civil Procedure Code it is laid down that the parties must be heard and it is also the general practice in all civil courts to hear the parties. In cases where a revenue officer acts as a revenue court, he is bound by the Civil Procedure Code to act on that practice which is prevailing here and to read the law in the light of civil procedure.

Mr. President : Where he acts as a revenue officer, he is bound by the Revenue Act.

Mr. Nanak Chand Pandit : Where he acts as a revenue officer, the case is within the discretion of the revenue officer or the Government, because the revenue officer is under the Punjab Government in this respect. The object of this motion is to gather the sense of the House, to gather the opinion of the representatives of the people, so that the Government, for the future, may make laws in order to satisfy public opinion. That is the object of these motions. These do not go in any way against law and, therefore, my submission is that on both these grounds—

Mr. President : On which grounds ?

Mr. Nanak Chand Pandit : The first ground I have already cited—when he acts as a revenue court he is bound to hear the parties.

Mr. President : Will the honourable member please point out a single case where he was acting as a revenue court and did not follow the procedure of the civil courts ?

Mr. Nanak Chand Pandit : It every day happens in the revision cases. The parties are not called. The Financial Commissioner sits in his house or in the office and disposes of the revisions, without hearing the party at the preliminary hearing.

Mr. President : Are they acting as revenue courts ?

Mr. Nanak Chand Pandit : That is exactly so.

Mr. A. Latifi : The honourable member is not in order. He cannot, on the floor of this House, accuse the Financial Commissioners of committing illegalities in their judicial capacity, any more than he could cast such reflections on the High Court or any other court.

Mr. Nanak Chand Pandit : No, the Financial Commissioner, acting as a revenue court, dismisses the petitions without hearing the parties.

Mr. President : Which petitions ?

Mr. Nanak Chand Pandit : Revenue petitions while acting as a revenue court.

Mr. President : Appeals or petitions ?

Mr. Nanak Chand Pandit : Petitions, whether of appeal or of civil revision or revisions. It is the every day practice.

The Honourable Dr. Sir Gokul Chand Narang : Revisions—not appeals.

Mr. President : Is it in cases where they are acting as revenue courts ?

Mr. Nanak Chand Pandit : That statement cannot be challenged. There are hundreds of cases.

Khan Bahadur Malik Zaman Mehdi Khan : Where they are acting as revenue courts, do they dismiss any petitions—revenue petitions—without hearing the appellants ?

Mr. A. Latifi : I am not prepared to make any statement in regard to what the Financial Commissioners do or what they do not do in their judicial capacity. The Financial Commissioners in regard to their judicial duties are courts of justice and in view of Standing Order No. 30 speeches made in this House should not cast any reflection on their conduct in the exercise of their judicial function. I would protest against any attempt here to impeach our judicial acts or decisions.

Khan Bahadur Malik Zaman Mehdi Khan : The honourable members on that side of the House are mistaken by the words 'revisions and appeals.' The thing is that Financial Commissioners as well as other revenue officers have two capacities—one of a revenue officer and the other of a revenue court. But there are very few cases which come to the Financial Commissioners in the capacity of revenue courts and those only relate to

the Tenancy Act in connection with the enhancement or reduction of rent. Otherwise they hear all petitions, lambardari cases, zaildari cases, etc., as revenue officers, and they have full discretion to dispose of these appeals or revisions without calling the parties. This is according to law.

Mr. President : Is that discretion given to them by law? Can we control it without changing the law?

Shaikh Muhammad Sadiq : These are the drawbacks of the present law.

Mr. Nanak Chand Pandit : What is the reply of the Financial Commissioners on the question of fact, whether, as a matter of fact, they dismiss revisions without hearing the parties in petitions of revision when they are acting as courts, revenue courts? What is the reply of the Financial Commissioners?

Mr. A Latifi : Why should they change the procedure when it is allowed by law?

Mr. M. L. Darling : I wish to make it perfectly clear that we are prepared to explain our position and give a complete answer to this and other points if the motion is declared in order.

Mr. Nanak Chand Pandit : Do they or do they not dismiss the revisions without calling the parties? Answer on a question of fact we want—whether they can or they cannot.

Chaudhri Allah Dad Khan : This is a very common question.

Mr. President : The honourable member has seen the Revenue Act. Can he point out the section on which he relies?

Chaudhri Allah Dad Khan : I will point out to-morrow.

Mr. President : I have already dealt with one aspect of the question. Its other aspect is whether they are acting judicially, i.e., as judges, and whether they act illegally in rejecting petitions without giving a hearing to the petitioners. If any judge of a court ignores the law or does not care to apply it, what is the remedy? (*An honourable member :* Fair comment.) (*Another honourable member :* No comments here in this House.) A substantive motion has to be moved, so that it may be dealt with by amendment or by distinct vote of the House. A cut motion, which in its very nature is an amendment, is not a motion of that character.

Mr. Nanak Chand Pandit : Where is that laid down, Sir? That is not laid down anywhere.

Mr. President : It is laid down in Parliamentary Practice. The honourable member may please refer to page 271 of Sir Erskine May's Parliamentary Practice.

Mr. Nanak Chand Pandit : The parliamentary practice as in England is different from that prevailing here.

Mr. President : Why?

Mr. Nanak Chand Pandit : Let me make a submission. The parliamentary practice of England does not in all cases govern the cases in India.

Mr. President : Where parliamentary practice is not inconsistent without Standing Orders and rules, I have always followed it and shall continue to follow it so long as I am in this chair.

Mr. Nanak Chand Pandit : When you are in this chair? Well I discussed a motion of a similar nature a few years ago with regard to the commissioners and I stated on the floor of this House that the commissioners generally dismiss appeals or revisions without caring much for the parties.

Mr. President : Will the honourable member please refer to the volume of the Council debates?

Mr. Nanak Chand Pandit : The question is that we have got a convention here and we have been criticising the Government like this before and rulings have already been given and these points have already been raised and decided.

Mr. President : If the honourable member will refer me to my ruling, I will read it and adhere to it if it is correct, but shall revise it if it is wrong.

Mr. Nanak Chand Pandit : We will do it to-morrow.

The Honourable Dr. Sir Gokul Chand Narang : I am speaking in my private capacity and am tempted to say a few words more as a lawyer than as a member. I consider the matter to be important. Supposing, a motion is moved on a cut that the financial commissioners should do more extensive touring or that they should visit a number of villages every year in rabi and kharif, or, a motion is moved that certain officials should travel on horseback for so many days in the year. Will these motions be in order or not?

Mr. President : The question is hypothetical.

The Honourable Dr. Sir Gokul Chand Narang : If they do not travel on horseback or do not travel for so many days in the year in the villages, they will not be transgressing any law or rule and yet the Council may desire that in case they are only required to travel for 30 days in a year, in the interest of the public service they should tour for 60 days. Such a motion, you say will be in order. I am assuming that it is desirable that on revisions, petitioners should be heard before their petitions of revision are dismissed. Let us assume that it is desirable. Let us also assume that under the law the financial commissioners are not required to hear the petitioners before dismissing their petitions. Is it not permissible for the Council to bring to the notice of the financial commissioners the wishes of the House?

Mr. President : Under section 11 of the Punjab Land Revenue Act, Financial Commissioners are under the administrative control of the Government.

The Honourable Dr. Sir Gokul Chand Narang : They are under the administrative control of the Government. I am not standing on technicalities. This Council cannot address the financial commissioners direct or any other officer direct. The only way they can convey their wishes to the officers—particularly officers of the High Court or Financial Commissioners—is through the Government.

Mr. President : Not in matters relating to the exercise of their judicial functions.

The Honourable Dr. Sir Gokul Chand Narang : It is a matter of desirability and not of legality. If it is not desirable, the Government

certainly will not convey any instructions or wishes of the House to them. It is not an order. I admit that Government have no power to convey any such orders to the Financial Commissioners nor any instructions which may savour of an order, but I believe it is open to the Government to convey to the Financial Commissioners the wishes of the House. It is open to the Financial Commissioners to throw the Government's letter in the waste paper basket and not to carry out those wishes. But if it be permitted to the Council to convey its wishes to the Financial Commissioners—

Mr. President : But this will be a criticism of their judicial acts.

The Honourable Dr. Sir Gokul Chand Narang : They are not criticising. They are asking for a favour. I have read paragraph 271 of Parliamentary Practice. What is laid down there does not seem to apply to the case. There is no question of criticising their judicial actions. That cannot be permitted on a cut motion. But what is the method of conveying the wishes of this House to any of the highly placed officers of the Government except through the Government?

Mr. President : If the High Court of Lahore were to act wrongly in deciding an appeal, will this House send a warning to the High Court?

The Honourable Dr. Sir Gokul Chand Narang : Not at all. We are not saying that they are deciding wrongly. At least I do not say so. It is too much to say that they are deciding wrongly. We are not saying that they are going against any law.

Mr. President : Then you admit that they are deciding rightly.

The Honourable Dr. Sir Gokul Chand Narang : Let us assume that they are proceeding rightly and legally. Assuming that and giving every benefit to them of legality and propriety so far as the legal position is concerned, still the House considers that it is desirable that an opportunity should be given to petitioners to be present, at the time of consideration of the revision petition, before them.

Mr. President : In matters executive, the House and the Government may instruct them, but in matters judicial, they cannot.

The Honourable Dr. Sir Gokul Chand Narang : The motion is not properly worded.

Mr. President : Allow me to read section 11 of the Punjab Land Revenue Act. "The Financial Commissioner shall be subject to the control of the Local Government." This is the first clause of section 11 of the Punjab Land Revenue Act and deals with the administrative control over the Financial Commissioners by the local Government. But this control does not extend to the judicial functions of the Financial Commissioners in respect of which they are the final authority. The local Government cannot, therefore, interfere in the exercise by the Financial Commissioners of a power in an appeal, review or a revision.

The Honourable Dr. Sir Gokul Chand Narang : It is perfectly right, but that is not the point.

Mr. President : You expect the Government to convey the views of the House in certain matters which are decided by the Financial Commissioners judicially, though you admit that they are not under Government

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in matters judicial. In 1888 the view of the Chief Court was that Financial Commissioners, when they were acting as revenue officers, were also acting judicially and were bound to follow the Civil Procedure Code. But a different view has been taken recently. In recent cases, decided one after the other, it has been held "that the Civil Procedure Code does not apply to procedure under the Land Revenue Act and there is no rule passed under that Act which prevents an appellate court throwing out an appeal *in limine*." This was decided in 1932. "It is not an irregularity on the part of an appellate court to dispose of an appeal without hearing appellant as it is not legally incumbent on it to hear him." So, if, as contended by some honourable members they are acting judicially and not administratively or executively, their conduct may be criticised by a substantive motion and not by a cut motion.

Mr. M. L. Darling : The honourable member challenged the Financial Commissioners to state whether or not they dismissed petitions without hearing, and I said that I was prepared to answer any question, as I am sure my colleague is, that you consider in order. I should like this to go on record in order that it may not be supposed afterwards that we had burked the honourable member's question.

The Honourable Malik Sir Firoz Khan Noon : I stand for the independence of the judiciary in this province and I am for as little interference in the judicial work of our officers as possible. There should be no interference either by the legislature or by anybody else. Here by a certain law the Financial Commissioners are authorised to reject certain revision petitions without calling in the appellants. (*Interruption.*) I would like to bring it to the honourable member's notice that this is happening every day in the High Court; where revision petitions are put in before the Judges of the High Court and where they find that there is no force in them, they reject them without calling upon the petitioners.

Mr. Nanak Chand Pandit : Not at all.

The Honourable Malik Sir Firoz Khan Noon : Are not criminal petitions rejected?

Mr. Nanak Chand Pandit : No.

The Honourable Malik Sir Firoz Khan Noon : Well some of them should be. I concede my knowledge of the High Court is not very fresh; but certainly this is my impression, that the High Court is not forced to call upon the parties in revision petitions. It may be the practice in the High Court to call upon the revision petitioners' counsel to argue the case on a preliminary hearing but I doubt if the law obliges the High Court Judges to hear counsel on preliminary hearing.

Mr. Nanak Chand Pandit : I contradict you positively.

The Honourable Malik Sir Firoz Khan Noon : I do feel that it is very awkward for Financial Commissioners who are members of this House to be criticised by the members of this House in regard to their judicial functions and I think we shall be setting a bad example to our successors. The simple thing would be to bring in an amending Act forcing financial commissioners to hear parties in which case you will have to increase the

number of Financial Commissioners. I think there ought to be no pressure put upon the discretion of the judicial officers.

Mr. President : I hold the motion to be out of order.

Recruitment of Deputy Commissioners from the Provincial Civil Service.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,73,300—Deputy Commissioners.¹

Mr. President : Motions Nos. 18, 19, 20, 21 and 59 relating to district officers may also be discussed now.

Mian Nurullah : The senior provincial civil service officers have been grumbling for the last many years that many junior Indian Civil Service officers are given chance to officiate as deputy commissioners, while their rights and claims, their experience, their work and their ability to control the district is ignored. This leads to many administrative difficulties which of course are never pointed out to the Government. There are many other reasons also. For instance these people who have put in 10, 15 and even 25 years of service when they feel they have no bright prospects get discouraged. So I suggest that in future Government should see that when there are any opportunities these people should be given a chance. I think a certain percentage is already fixed for them but I would like that to be increased. It will only lead to better administration. With these remarks I move this motion.

Mr. President : Demand under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,73,300—Deputy Commissioners.

Mr. F. H. Puckle (Chief Secretary) : The object of the honourable mover seems to be to urge the appointment of a greater number of deputy commissioners from the Provincial Civil Service officers, and to urge that more senior officers should be appointed as district officers and they should be instructed to make themselves more accessible to zamindars, and also as appears from another cut standing in his name, to urge that no one be appointed a deputy commissioner unless he has completed ten years of service.

I gather from what the honourable member has said that he is moving these cuts partly in the interests of the Provincial Civil Service and partly in the interests of efficiency. He would like a very deserving body of officers to have more opportunities of holding charge of districts and he thinks that a Provincial Civil Service officer of say 20 or 25 or 30 years' service is *prima facie* more likely to be an efficient deputy commissioner than a young Indian Civil Service officer of say from 5 to 10 years of service.

At this stage the Council adjourned till 2 P.M., on Monday, 23rd March 1936.

¹To urge the appointment of greater number of deputy commissioners from the Provincial Civil Service Officers.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 28rd March, 1936.

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

DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED)—(continued).

Recruitment of Deputy Commissioners from the Provincial Civil Service—(concluded).

Mr. F. H. Puckle (Chief Secretary): The question before the House really deals with two points, first, whether it is better to have in charge of a district an officer with age and experience or whether it is better to have an officer with youth and enthusiasm. I do not propose to discuss this question and I think it will be better if we left that alone and if the House agreed that the executive Government must remain the judge of what the particular needs of a particular district are. I would deprecate very much the initiation of a discussion of the comparative merits of an officer of the Provincial Civil Service of say, twenty years or twenty-five years standing and the merits of an officer of the Indian Civil Service of say six or ten years standing. The whole question really boils down to this. It is a matter of fact. What are the rules which govern the conditions of service in the Punjab Civil Service and in the Indian Civil Service? There are in the province and have always been a certain number of what are known as superior appointments. These appointments are among others, deputy commissionerships, district and sessions judgeships and various other appointments. We are concerned only with deputy commissionerships at the moment. In early days all these superior posts were reserved for officers of what was known as the Punjab Commission; that is to say, a cadre of officers some of them drawn from the Indian Civil Service and some of them drawn from the Army. In those days the officers of the Punjab Civil Service had no claim at all to occupy any of those posts. They may have occupied them as a matter of administrative convenience, but I have not looked up the records. Anyway I know they had no right. These posts were not among the posts the prospect of holding which was offered to the Punjab Civil Service on recruitment. That system obtained till 1892, and in 1892 there came into existence what were then and what are still known as the listed posts. The explanation of that name is simple. A list was drawn out and on that list were entered the posts among the superior posts in the province originally reserved for the Indian Civil Service which could be held by officers of the Punjab Civil Service. There is one point to be made clear. I say could be held. There was not then any obligation on Government, and no right was given to the Punjab Civil Service, on the one side to fill a post with a Punjab Civil Service officer; or on the other side to occupy any particular number of these posts. The

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3 actual orders were that 16 per cent. of the superior posts in the province might be filled at the discretion of Government by officers of the Provincial Civil Service. Sixteen per cent. of the then number of superior posts was only/about 13. What happened from year to year I do not know. I have not looked it up. But in 1921 when the Lee Commission was about to enquire into the conditions of the service, an enquiry was made from the Punjab and it was found that the full number of listed posts, thirteen, was as a matter of fact being held by officers of the Punjab Civil Service. The Lee Commission among its other duties was charged with the duty of making suggestions for the Indianisation of the services. And in doing so it considered how far the Indian Civil Service could be Indianised by the introduction into it of members of the Punjab Civil Service. The original suggestion was that officers of the Punjab Civil Service should be brought into the Indian Civil Service at a comparatively early stage of their career and should then become full members of the Indian Civil Service. That suggestion, however, came to nothing. And eventually what was decided was that the number of listed posts should be increased. The final orders were that the number of listed posts should be increased to 20 per cent. of the total number of superior posts reserved for officers of the Indian Civil Service. These orders were subject in their working to two conditions, firstly that this percentage should be worked up to by the first of April 1939, that is to say, 4 fourteen or fifteen years were given to provincial governments to reach this standard in their cadre. The second condition was that these promotions and appointments of officers of the Provincial Civil Service were to be effected without prejudice to the reasonable claims of Indian Civil Service officers already in the service in 1924 or 1925. Twenty per cent. of the number of posts which then existed was 18. And in practice these eighteen have been divided between the judicial and executive services, eight for the judicial and ten for the executive. At that time thanks to the stoppage of recruitment during the War and to a great many premature retirements about 1920—24, officers of the Indian Civil Service were officiating at a very early age indeed. And in all circumstances the Punjab Government came to the conclusion that no prejudice would be caused to the reasonable prospects of Indian Civil Service officers already in service if they did at once without 5 waiting for the expiry of the fifteen years, work up to the full percentage allowed. And as a matter of fact, since 1925 I think I am correct in saying that there have never been less than ten posts of deputy commissioners or of posts corresponding to deputy commissioners held by officers of the provincial civil service, and that there have frequently for shorter periods been more such posts held. The Punjab Government cannot go further than these orders. Superior posts on the Indian Civil Service cadre must be held by Indian Civil Service officers except in temporary vacancies. If the Punjab Government want to fill an Indian Civil Service post with a Provincial Civil Service officer for more than six months they have got to get the sanction of the Secretary of State. That is the position; these are the orders; twenty per cent. of the superior posts go to the Punjab Civil Service, this number to be worked up to within fifteen years, and no prejudice to be caused to the reasonable claims of Indian Civil Service officers. These orders have been carried out by the Punjab Government as liberally as it is possible

to do. The full percentage was worked up to at once and has been maintained and we have not waited up to 1989. The rights of the Punjab Civil Service have been observed and the rights of the officers of the Indian Civil Service have not been infringed. I think that that statement will probably satisfy my honourable friend. Under the rules as they stand all that may be done has been done. Government on the reserved side is equally the guardian of the rights of officers in the Punjab Civil Service as of those in the Indian Civil Service. These officers come into their services with certain rights and with certain prospects. You cannot increase the prospects of one service without decreasing the prospects of the other. And we can make no change in the existing arrangements except in the future. What the future will produce I do not know. But I very much deprecate, as I have said before, commencing a discussion on the respective merits of the Provincial Civil Service and the Indian Civil Service. They work together in the districts as colleagues, and I think that during the last ten or fifteen years the spirit of comradeship and the feeling that, though the one is a Punjab Civil Service officer and the other an Indian Civil Service officer, they are both doing the same work and are colleagues has greatly increased, and I certainly will say nothing that may tend to stop that progress.

There may have been two other points at the back of the mind of the honourable mover of this cut. He may have thought that to increase the number of Punjab Civil Service officers in our districts would accelerate Indianisation. I do not think it is necessary to accelerate Indianisation. On the 1st of January, 1936, out of the 29 districts in the Punjab, 19 were held by Indians. The proportions approved for all recruitment to the Indian Civil Service up to 1949 are fifty—fifty, so we have gone ahead very fast in the last few years. Another thing which may have been at the back of the honourable mover's mind is that the increased employment of Provincial Civil Service officers in districts will produce economy. That is not so. The minimum pay of a Provincial Civil Service officer holding a listed post is Rs. 1,275 a month and an Indian Civil Service officer does not draw that amount of pay until he has reached his thirteenth year of service. The average pay of all the Provincial Civil Service officers holding districts on the 1st of January last was Rs. 1,725 while the average pay of Indian Civil Service officers holding districts was Rs. 1,325, or if you take into account the overseas pay which they draw whether they are holding a listed post or not and which really should not come in the comparison, Rs. 1,500. So, on the whole the Provincial Civil Service officers in the districts are more expensive than Indian Civil Service officers.

I do not propose to discuss the cut which comes later on in the list to suggest that only persons with more than 10 years' of service be appointed as deputy commissioners. But I will give you figures which will be of interest to the House. There is, I think, an idea at the back of the minds of a great many members that we now-a-days post to districts far more junior officers than we used to appoint. In answer to a Council question asked by my honourable friend, the Leader of the Unionist Party, last session, I laid on the table a statement showing the length of service of officers who had held charge of the districts in the Punjab in 1895, 1915 and 1935. The average length of service in 1895 was 16 years, in 1915, 20½ years and in 1935, 11½ years. I will ask the House to ignore 1915. In 1915 we had a

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war on and all leave was stopped. Except for a very few junior officers who were permitted to join the army, all officers of the Punjab Commission, were present in the Punjab. It is very natural, therefore, that the length of service of officers holding charge of districts should have been usually high, as there was no one on leave and so there was no officiating arrangement at all. I remember quite well when I came out myself how Indian Civil Service officers of 10 years' service, were only sub-divisional officers and hardly officiated as deputy commissioners for more than a few months at a time. There is still to be explained, the difference between 16 years in 1895 and 11½ years in 1935. In 1935 the conditions in the Punjab were normal. Recruitment was as usual and promotion was more or less as usual. But for the 5 years from 1915 to 1920 all recruitment to the Indian Civil Service stopped. The result is that we have hardly any officers in the Indian Civil Service cadre between 15 and 20 years' service. This shortage of recruitment was made more serious by the fact that between 1920 and 1924 we had an unusual number of premature retirements, all of them senior officers, I think, from 18 to 25 years' service. The result is that that class of officers who would normally represent our class of deputy commissioners is now-a-days very few and far between, I mean officers between 10 and 20 year's service. I have some figures which are interesting. We have one officer of 19 years, 1 of 17 years, 1 of 16 years, 4 of 14 years, 2 of 13 years, 2 of 12 years, and 2 of 10 years, 12 senior officers of over 10 and under 20 years' service for, leaving out the listed posts, 19 districts. Though the average length of service of officers holding the posts of deputy commissioners is less than it was, it does not seem correct to say, as a matter of fact, that officers are officiating now-a-days, at a much earlier age than it used to be in 1895. There were in 1895 six deputy commissioners in their eighth year or below it who were officiating. In 1935 there were 10. That is an increase, but I think honourable members will understand from what I have just said how this increase came about. This year there will be only 7 officers of 8 years' service or under officiating. In 1937 there will, unless something unexpected happens, be only 2 and in 1938, in all probability as far as I can see—unless a great many officers of my age break their necks or leave this country—there will be no Indian Civil Service officer under 9 years of service holding charge of a district. We are very near to the figure that my honourable friend from Lyallpur desires to arrive at. By the time an Indian Civil Service officer has reached 6 years' service, he is a grown up man of 30 or 31. He has had 18 months training as a judicial officer, he has had a special revenue training. He has sat at the feet of Mr. Brayne. He has been trained perhaps in co-operation and he has had a fairly long experience in a sub-division. This is an expensive training and an assistant commissioner of the Indian Civil Service is an expensive article. In my own view such an officer, provided he is considered fit, should be holding charge of a district. Whether he is fit or not, is a matter which, I think, you must leave to the Executive Government. Once he is fit, the sooner he is put in charge of a district, the better. I should say that it is possible to argue that youth and enthusiasm is as valuable as age and experience. Pitt, I think, was the Prime Minister of England at the age of 29. I do not know at what age my youthful friend the Honourable Minister for Education first adorned this Council or first adorned these

benches. He was a *bachha*, if I may say so. Lord Curzon was under 40 years when he became the Viceroy of India. I think Pandit Jawahar Lal Nehru was under 40 years when he held the post of presidentship of the Indian National Congress in 1929. There is nothing wrong in youth, provided there has been proper training. I think, we need not be frightened, if we do have a certain number of young assistant commissioners in charge of districts.

Then I come to the last part of one of these cuts, to urge that Government should issue instructions that more senior officers should be appointed as district officers and they should be instructed to make themselves more accessible to zamindars. I am not quite sure whether those words mean that those senior officers who are appointed should be instructed to make themselves more accessible to zamindars or that a general order should be issued to officers to make themselves more accessible to zamindars? Perhaps, my honourable friend, who has moved this cut, will enlighten me. Does he mean that ordinarily senior officers are inaccessible or that all officers are inaccessible? (*Voices: All officers.*) There is really not much to be said about that. I have seen Commissioners' report of the touring of deputy commissioners now-a-days and it is very thorough. The existing instructions are to be found in Chapter 4 of the District Office Manual:—

Obviously a Deputy Commissioner cannot manage with success the great estate committed to his care without an intimate personal knowledge of every part of it. Much of the work, moreover, that is carried on can only be effectively supervised by him on the spot. Above all it is impossible to keep in touch with the people unless he seeks frequent opportunities of that informal and frank intercourse with them which is only possible in camp. A Deputy Commissioner is, therefore expected to pass a considerable part of each cold season on tour, and to visit, as far as possible, every part of his charge. The work which must be performed at the headquarters of the district should be so arranged as to make this feasible.

The section goes on to say—

District officials should see as much as possible of the people, particularly during the cold weather. Free access should be allowed to all classes without reference to immediate business; and the custom, universal on the first acquisition of the country, according to which, on the arrival of a district officer at a village, the headmen at once waited on him and paid their respects, should still be insisted upon. It is an important part of the district officer's duty to gain the acquaintance, and ascertain the sentiments, temper and circumstances of all sections of the population within his charge.

I think you will agree with me that the instructions which already exist are adequate. If there are any other orders which Government should give to their officers, I would be very glad to hear them. Honourable members will remember that in Simla session, I think in 1933, Khan Bahadur Sardar Habib Ullah moved a motion which had something to do with this question of accessibility. There was a long debate and my honourable friend the Leader of the Unionist Party supported the motion. The debate was summed up by Sir Henry Craik and agreeing with the expressed desire of honourable members he was emphatic that district officers should tour on horseback and should go into camp and should get that intimate knowledge of the people which can only be got by seeing them in their own villages. That is still what the Government desires, and I may assure the honourable members, on behalf of the Government, that no one is more anxious than the Government that their officers should know the people. They should not simply meet them in their courts or in offices, but should get out among them and

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find out what their grievances are. I think I have been long enough on the subject and hope that what I have said will satisfy my honourable friend.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I have listened with great interest to the speech which has just been delivered by Mr. Puckle. He has spoken as a responsible official of the Government but there were certain limitations under which he spoke. However he has explained his distinct position. There is no reason now, why the other side of the picture should not be represented to this House.

We are discussing a number of motions and the object of those motions is to curtail the number of the Indian Civil Service men to as small a figure as possible, to give charge of districts of the Punjab to the Provincial Civil Service men to the highest possible limit and to make the officials accessible to the zamindars of the districts. I regret I cannot sympathise with those motions and I therefore, wish to discuss them from a larger point of view. I hope the House will give me the same consideration which a member speaking on behalf of a minority community should get from members of a majority community.

There are two kinds of posts—the Indian Civil Service and the Provincial Civil Service. So far as the Indian Civil Service is concerned we have admission to it through competition, though nomination is to a very slight extent also resorted to for making up what are called communal deficiencies. (*Interruption*). On the whole therefore so far as the Indian Civil Service men are concerned who are in charge of the districts they are recruited by open competition without any fear or favour, if I may use that term. The Provincial Civil Service men are recruited in four ways—by open competition, by direct nomination, by nomination from the executive branch, the tahsildars, the naib-tahsildars and others, and fourthly, from the establishment branch. These are the four different methods of nomination so far as the Provincial Civil Service men are concerned. My respectful submission before this House is that so far as the question of competency goes and so far as the question of impartiality goes, there is not the least doubt that the Indian Civil Service men are more impartial and their outlook is less communal than the outlook of the Provincial Civil Service men. This fact can be borne out by the number of complaints which the members of the Legislative Council receive from time to time from various members of the public, regarding the Provincial Civil Service. This is an important fact which I would ask the honourable members to bear in mind. My main point and my main justification for keeping up the Indian Civil Service men to their full strength is that unless that is done the Governor will be unable to perform the special responsibilities which are laid on him under section 52 of the new Government of India Act. I will read with your permission the first two clauses of that section—

“(a) the prevention of any grave menace to the peace or tranquillity of the province or any part thereof;

(b) the safeguarding of the legitimate interests of minorities.”

As I took part in the discussions that took place in the Round Table Conference and also before the Joint Select Committee I may say that great stress was laid on the importance of the functions which are laid upon the

Governor under the hybrid system of democracy which we have now in this province and it is absolutely essential that we should be very careful in cutting down the number of the Indian Civil Service men in the services. *(Interruption.)* I would put it in this way. Under the present arrangement when the Council consists of representatives of various communities elected by separate electorates, it is not only natural but it is our every day experience that communal pressure is always brought on services and on officials through the members of the Legislative Council either by resolutions or by cuts. Only the other day we saw in the Council that the majority in a case which was purely non-Muslim gave its vote in dividing up the Hindus into various groups. *(Mr. Muhammad Din Malak: Question):* There were undoubtedly some honourable members like my friend Mr. Muhammad Din Malak who took an impartial view and did not vote. I may say that under the existing system of Government where there are separate electorates it is the logical result of the formation of parties on communal lines that there should be an exercise of communal pressure through the legislatures on the services. That is our every day experience and it has been to a very great extent pointed out in the Government reports as well as various other reports, such as the Simon Commission Report and so on. This is my point, that so long as the system of separate electorates exists there must be some sort of prop or support for the Governor to carry on his special responsibilities, namely the safeguarding of the legitimate interests of minorities. I put it this way. Supposing the Punjab Legislative Council passes a resolution that such and such officials favour such and such members of a particular community and that they should be asked not to so favour that particular community. Supposing that resolution is passed and resolutions of this nature are generally passed, how is the Governor to exercise his special responsibility?

Shaikh Muhammad Sadiq: Is this relevant?

Mr. President: May I ask the honourable member to speak to the motion?

Mr. Nanak Chand Pandit: I am speaking to the motion.

Mr. President: If the honourable member persists, I am afraid I shall have to ask him to resume his seat.

Mr. Nanak Chand Pandit: I am submitting that the Provincial Civil Service men cannot be given charge of these various districts for this reason, that as their recruitment is mainly through nomination and that nomination is resorted to by the pressure of the members of this Council, which is constituted on a communal basis, therefore they cannot be entrusted with the duties as communal considerations are likely to prevail with them. *(A voice: No, no).* It is no use saying that. These demands and cuts are always moved with that idea. You will see that in this particular case only one Hindu was nominated this year.

Mr. President: That is irrelevant.

Mr. Nanak Chand Pandit: I am only making my point. More Provincial Civil Service men cannot be given charge of the districts in the Punjab for the reason that recruitment of their service takes place mainly through nomination. That is to say, three-fourths of the Provincial Civil

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Service men are recruited merely on the basis of nomination and not through the open door of competition. That is my main point and I am trying to develop it.

Shaikh Muhammad Sadiq : You have now changed your argument.

Mr. Nanak Chand Pandit : I have not changed my argument. If my honourable friend now understands it, let him not interrupt me any more. The point I am making is that as the recruitment to the Provincial Civil Service—

Mr. President : The honourable member is repeating himself over and over again.

Mr. Nanak Chand Pandit : I was only pressing this fact. The main point that I am saying is this, that so long as the House is communally constituted on separate electorates the system of nomination is bound to be influenced to a very great extent by the resolutions—

Mr. President : Order, order. The honourable member said this before.

Mr. Nanak Chand Pandit : No doubt I have said that before but I was interrupted, and now I come to the next point. You must have seen that even very responsible men in Government service give way to the clamour of communalism whenever it is raised. When under the new constitution the official bloc is removed (*An honourable member :* The honourable member is again repeating himself.) I have not said a word about the official bloc so far. I cannot proceed this way if honourable members go on interrupting me. I want to say and I have not said this before that when the official bloc is removed and communal bitterness that finds expression in this House frequently and which is largely kept down by the presence of the official bloc, when that bloc is removed, then you can very well understand the fears and apprehensions of the minority communities that they will not find even a proper expression of their opinion in the House which is so communally constituted, and therefore it is essential that when we are talking of the future recruitment to services or of giving of charge of the districts to a particular people who are recruited in a particular manner which is not very wholesome, then the only logical conclusion from that would be that we should keep up only those services where competition is the main principle of recruitment rather than nomination, and it is on that ground therefore that I will oppose this motion. It is absolutely essential that in order to carry on the special responsibilities the Governor should have the help of what has been called the steel-frame of administration or give that frame another name of a similar nature; the governor should have the help of those people who are recruited without any interference by the Legislative Council or the representatives of the various communities in this Council. Therefore this is a point which I wish to submit for the consideration of the House and I would ask the honourable members—and again this is a new point which I am making—that they should take courage in their hands and boldly say that services should be recruited purely on merit, whatever definition of 'merit' may be adopted, and then I will not oppose the motion

which has been put forward by the honourable members. That is a very distinct proviso, that there must be a total abolition of communal principle in the matter of recruitment.

Mr. President : I am not going to allow the same argument to be repeated several times.

Mr. Nanak Chand Pandit : That is a particular proviso that I shall like to have.

There is another very important point which I wish to put forward—also a new point. The second point on which I oppose this cut or motion is this. I speak from my own personal experience that so far as the Provincial Civil Service men are concerned I have heard various complaints of favouritism and various complaints of corruption and bribery with regard to several of them.

Mr. President : I am afraid the honourable member is making statements on hearsay, and not from personal knowledge.

Mr. Nanak Chand Pandit : I have not given bribery, therefore, I cannot possibly speak from personal experience but there are people who have told me—I am not casting any reflection upon any particular individual, I am only saying that there are a number of complaints which have come to our ears and it is only a feeling of delicacy that makes me hesitate to mention the names before the House—but people have told me that these complaints of bribery and corruption are more common with regard to the Provincial Civil Service men than with regard to the Indian Civil Service men. As a matter of fact my own personal experience is that so far as the Indian Civil Service men are concerned these services have been above bribery and corruption. I have not heard of even one man coming forward to say that these Indian Civil Service men, whether Europeans, Hindus, Muhammadans or Sikhs, have been ever guilty of corruption or bribery. On the other hand, there have been complaints with regard to several Provincial Civil Service men. Therefore it is essential that in order to keep up a high standard of honesty there must be a service which should hold a sort of example to the Provincial Civil Service men which they should follow. This is therefore an essential thing.

With regard to the last point, what I want to submit is this. It is suggested that these officers should be more accessible to zamindars. I do not know what the honourable member meant by saying 'more accessible.' If his meaning was that these officers should spend more time in the villages, I am at one with him. If he means anything else, I do not favour the proposal. (*Interruption.*) There are all kinds of *sifarishes* taken to these officers. Therefore if these officers are to be more accessible in order that the zamindars and others may take *sifarishes* to them, then there is a great danger of the services becoming demoralised, because great pressure or influence of various kinds will be brought upon them which will not be for the uprightness of the services. I would therefore sound a note of warning to Government that there are hundreds of people who approach these officers with various motives and sometimes it so happens that these officers yield to these unwholesome influences, yield to these unscrupulous people. If the administration is to be kept pure it is the duty of the members of this Council to go and preach to their own men that if these officers

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are made more accessible they should not seek any kind of personal even communal favours. With these words I oppose the motion before the House.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): The speech of the Chief Secretary had afforded me great satisfaction and delight, but, unfortunately, the speech of the honourable member from Hoshiarpur has turned my pleasure into sorrow and disappointment. I am constrained to remark that it has become the habit of my honourable friend to present everything before this House in a communal spirit. He tries to give a communal tinge to every topic. Whether it is the question of services or whether it is the question of giving relief to the zamindars in view of their sad plight, he nearly always endeavours to deal with it, on the floor of this House, like a rank communalist. I regard it as sheer waste of time to reply to the arguments which he has adduced in opposing this motion.

Mr. President: The honourable member should not make personal remarks.

Khan Bahadur Sardar Habib Ullah: You were pleased to remark that no communal question should be discussed on the floor of this House. If honourable members start discussing communal questions, they will simply waste the valuable time of the House. Moreover, discussions of this kind will simply create bitterness in the House and will lead us nowhere. Any member, whether it is I or somebody else, who starts discussion on a communal question, wastes the time of the House.

Mr. Nanak Chand Pandit: Again a personal reflection.

Mr. President: Not this time. What the honourable member said was that to bring in and discuss communalism in every cut motion, whether he did it or somebody else did it, meant waste of time.

Mr. Nanak Chand Pandit: That is a reflection.

Mr. President: No, no.

Khan Bahadur Sardar Habib Ullah: The Chief Secretary remarked in his speech that four years ago the question was raised that greater number of Provincial Civil Service men should be given charge of the districts. I am glad to note that government is already acting on that policy. The speech of the Chief Secretary, however, shows that he is still under the impression that I am trying to put forward the rights of the Provincial Civil Service men or that I want the Indianisation of services or that I have brought forward this cut with a view to effecting economy. I can assure the Chief Secretary that I have none of these objects in view. The purpose of the cut which stands in my name is to urge that more senior officers should be appointed as district officers and they should be instructed to make themselves more accessible to the zamindars. My sole object in bringing forward this cut is to urge that junior officers should not be given charge of districts. When I say this I do not mean to under-estimate or cast any aspersion on the young Indian Civil Service officers. To be frank, I have great faith in young men and I always take a keen interest in youth movements. I believe that the future of our country is in the hands of young men and they will prove very useful to the

motherland. But we cannot ignore the factor of age and experience and I believe that it is not advisable to put a young officer in charge of a district. The point is only of age and experience and it does not matter whether the officers are of the Indian Civil Service or of the Provincial Civil Service. I have worked with two or three young Indian Civil Service officers and I have had an opportunity of studying their work closely. It is not necessary to disclose their names. But it gives me great pleasure to remark that the work of those young Indian Civil Service officers was better than that of old and senior officers. The question is not whether the young officers that I have referred to are zamindars or not. Although, they are not agriculturists, yet they are proving themselves very helpful and useful to the zamindars. Therefore, I am not backward in recognizing the merit of a good person. If there is a good point in somebody, it must be appreciated. The mode of living of young officers and their tendencies of mind compel them to spend as little time with the zamindars in the villages as possible. They go in a motor car and after a spin along the pucca road they hurry back to the city very anxiously. They are eager to play bridge and tennis. When they go on a tour, after a brief stay outside, they return to the city to indulge in their sports and pleasures. I do not say that these things are bad or one should not take any interest in them. But we cannot ignore this fact that these are the hobbies of young men of to-day. My point is that as far as possible senior men should be posted in charge of districts whether they belong to the Indian Civil Service or whether they belong to the Provincial Civil Service. I know a senior officer of the Provincial Civil Service. There is not a village in his area which he does not know intimately. He goes on horseback to the villages and he knows all the lumbarbards personally. He recognizes thieves and gentlemen of his area. The young men do not mix with people freely. They are fond of aloofness. Again, the Chief Secretary has remarked that he himself is not responsible for the appointments of Indian Civil Service officers and that if the Punjab Government wants to fill an Indian Civil Service post with a Provincial Civil Service officer they have to get the sanction of the Secretary of State. I would suggest that let alone the Indian Civil Service, in all other lines and departments in which the Punjab Government has to make the appointments, it should appoint only senior officers to posts of importance and responsibility in order to ensure efficient administration. He has further remarked that new rules have been made in which it has been provided that as far as possible district officers should try to mix with the zamindars and people of all classes and kinds. There is no doubt about it that there are certainly such rules as lay down that the district officers should reserve some time for interviewing people. I admit that people do go to see them but unfortunately only one type of people go to see them usually. Now only *sufedposhes* and such people go to see them as have some axe to grind or want to flatter the deputy commissioners. I would suggest that instead of receiving people at their residence in the cities the district officers should go to the interior villages on horseback and meet the poor zamindars there. The deputy commissioners should try to come into contact with such people who on account of extreme poverty and indigence cannot stir out of their homes and cannot come to the cities to wait on the deputy commissioners to put their grievances before them. The district officers should come into

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touch with such people. It will primarily give an opportunity to the poor people to see the district officers who cannot afford to come to the cities to express their grievances. Thus by listening to the complaints of the poor zamindars, the district officers can help them and prove very useful to them. For these reasons I also had given notice of a similar motion and I may say that after hearing the speech of the Chief Secretary I would not have risen to speak on this cut if the honourable member from Hoshiarpur had not spoken on this subject. With these words, I resume my seat.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan Rural): It is a great pleasure to hear from the Chief Secretary that the Punjab Government has been able to give effect to the

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recommendation that a certain number of officers belonging to the Provincial Civil Service should be appointed to posts which are generally reserved for officers of the Indian Civil Service. It is, again, a great pleasure to hear that the pace of Indianisation within the limits that have been allowed by the rules, has been quite good in the Punjab and in fact what might have been postponed for a few years more, has been done even before its appointed time. These two points are matters of great gratification to the non-official members of this House. We may reasonably congratulate the Punjab Government on the steps which it has taken to give effect to these two sets of recommendations. However, so far as my cut is concerned, it had an entirely different object in view—not that I do not believe in an accelerated pace of Indianisation, nor even that I do not believe that a larger number of Provincial Service officers may be appointed to posts which are generally reserved for officers of the Indian Civil Service. My object was two-fold. One was that the charge of districts should not, as far as possible, be given to officers who are very junior. Their inexperience results in inefficiency and a good deal of blundering. I have known more officers than one in charge of districts who did not know what section 323 meant. Therefore, it cannot be said that the practice of appointing junior officers to the charge of districts has resulted in efficient work. One point which I had in view was that officers with a sufficiently long experience, and with a good working knowledge of law, should be appointed. Another point which I had in view was that such of the officers as are appointed—whether they are Indian Civil Service or Provincial Civil Service officers, or comparatively junior or sufficiently senior officers—to hold charge of districts, should be instructed to make themselves more accessible to the zamindars than they are at present. The suggestion of the accessibility of officers holding charge of districts has given offence to the mighty member who represents Hoshiarpur. He said, “accessibility may mean so many things.” Well, I do not believe that any sensible man would urge a type of accessibility which is undesirable. The only object which I had in view, and other members, who gave notice of this cut, had in view was that it should be easier for zamindars to see the district officer than at present. Accessibility had only one meaning in those cuts and that meaning could have been very easily understood by anybody who cared to apply his mind to the underlying object of the cut. Now, the kind of people who generally have opportunities of seeing the district officers easily are not the type

of people who require greater opportunities of seeing the district officers; and the type of people whom Pandit Nanak Chand wants to keep off is exactly the type of people whom I would not like to be able to see the deputy commissioners even half the number of times that they are able to do now. As a matter of fact, there are certain people who waste a good deal of the deputy commissioners' time. These people have nothing useful to impart to the deputy commissioner, they have nothing of general importance to speak about to the deputy commissioner, their sole business is to keep themselves as much in the limelight as possible and to say to the deputy commissioner as often as they see him "*Ap ke iqbal se sab kuchh achha hai*" That is the nature of information that they impart to the deputy commissioner. These people should be kept away from the deputy commissioners as much as possible. One deputy commissioner used to say, "They are mere repeaters." In my view they are something worse than mere "repeaters." I need hardly say anything more about them. They go to deputy commissioners and waste their time by saying, "*Hazur ke iqbal se sab kuchh achha hai*." That is not the type of people whom it is desirable to encourage. What I had in view was that those people who had fewer opportunities of seeing the deputy commissioners now, should have a larger number of opportunities given to them. A zemindar comes from a distance of 40 miles. He pays his railway fare or his fare for a lorry and when he goes to the deputy commissioner's bungalow, he is told by the orderly, "*Sahib ka mizaj achha nahin hai, jao, aj nahin mil sakenge*" The *sahib* does not know that a zemindar came to his bungalow to see him, but the orderlies turned him away by saying "*Sahib aj nahin mil sakenge*" A man has had to spend a good deal of money and a good deal of time. He comes for a particular purpose and yet he is denied the opportunity of seeing the *sahib* who holds the destiny of the district in his hands. It is this type of zamindar who should be given more opportunity to be able to see the head of the district. What happens under the present practice is that an officer has a priority over everybody else. Well, in some cases it may be necessary for the deputy commissioner to give him priority, but to follow this rule invariably is a very undesirable practice. A respectable zamindar comes from a long distance. He has real business to talk about. Even if his business happens to be a recommendation for his son, that is not undesirable. A sessions judge does the same if he has his son to recommend to the Chief Secretary. He sends in his card and the Chief Secretary sees him and hears what the officer has to say. No harm is done. He cannot dictate terms to the Chief Secretary. Similarly the respectable zamindar cannot dictate terms to the deputy commissioner. The sessions judge has opportunities to see the Chief Secretary and the Governor, so the ordinary zamindar should have opportunities of seeing at least the head of district even if he has to recommend his son for a job. I desire that the present obstacles—the present undesirable obstacles—should be removed. One type of obstacle—I have already referred to, that is, the orderlies,—they should have strict instructions not to send away any one. Another step that may be taken by the deputy commissioner is to fix one definite day in the week for the reception of only zamindars and rural people. No officer should ordinarily be received on that day. That would ensure,

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to some extent, an opportunity for these rural people to see the deputy commissioner. On that day the officers should not be allowed to see him during the hours which are reserved for these people. Let me conclude by repeating that I had two points in view—one was that officers who have a longer experience at their back should be appointed to the charge of a district and the second point which I had in view was that they should make themselves more accessible—in the desirable sense of the word—to the zemindars than they are at present.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Mr. Nanak Chand Pandit has made a most amazing speech. I had never heard a speech like this during the 12 years of my membership in this House. Mr. Nanak Chand Pandit says that so long as communalism does not go away from this House, this state of affairs must go on. But I say that the moment communalism goes out of this House, the Pandit also will go away with it.

Mr. Nanak Chand Pandit : Try, try.

Shaikh Muhammad Sadiq : Mr. Nanak Chand Pandit started his arguments in a different way though he later on changed his thought to a certain extent.

Mr. Nanak Chand Pandit : That is entirely wrong. I repudiate it.

Shaikh Muhammad Sadiq : The idea at the back of Mr. Nanak Chand Pandit's mind was probably that there are more Hindus in the Indian Civil Service and there should be more Hindus as deputy commissioners than there would be; otherwise there was no sense in what he said.

Mr. Nanak Chand Pandit : These are personal remarks.

Mr. President : Order, order.

Shaikh Muhammad Sadiq : I would request the House to read every letter and every word of his speech. He changed his thought at once. He is always thinking of communalism.

Mr. Nanak Chand Pandit : I would ask him to withdraw these words. I have no such idea of Hindu-Muslim communalism.

Shaikh Muhammad Sadiq : If he will give me copies of his speech unaltered, I will withdraw, otherwise I am not prepared to withdraw what I have said.

Mr. President : May I request the honourable member to reply to the honourable Pandit's speech in parliamentary language?

Shaikh Muhammad Sadiq : I will show you, that in Parliament even stronger words are used about members than what I have used. The honourable member started to defame one service. He said, "We cannot depend upon their honesty." He said that because a person is nominated, he cannot be trusted with the district. It means that all nominated members of the Provincial Civil Service, who are now in charge of districts, are really not fit and possibly they are not fit for this work.

Mr. President : If I understood the honourable member aright, what he said, at least what he meant to say, was that persons, who are recruited to the Indian Civil Service by competition, are very competent and efficient persons, while those who are recruited by nomination may not possess that efficiency and that, therefore, to place them in charge of districts may not be free from danger. As regards corruption, what I understood was that Indian Civil Service men are above corruption. There are no instances in which men of that cadre have been heard to be corrupt; while, on the other hand, there are members of the Provincial Civil Service who are not above that vice.

Shaikh Muhammad Sadiq : My friend said that people go to district magistrates and ask for favours. I say, that 99 persons out of a hundred in the Senate are nominated; may I ask my honourable friend how these people get nomination to the Senate? They get nomination through nothing but *sifarish*. Ninety-nine per cent. of the members are appointed by the Chancellor. How do these people become members of the Senate? How did the Pandit get into the Senate? Did he get into it through competition? Such is the law up to this time. My friend has never tried to alter the system during the 12 years of his membership here.

Mr. Nanak Chand Pandit : The honourable member is irrelevant.

Shaikh Muhammad Sadiq : I ask, how do they get in as members of an important body as the University? Simply for this reason we should condemn his speech. My friend started castigating us that we members bring pressure, and then quietly he says, "I ask him to withdraw." A man should be thick skinned if he wants to attack others. The honourable member is confused.

Mr. Nanak Chand Pandit : I am not so confused as you are to-day.

Shaikh Muhammad Sadiq : My friend thinks that his friend is in trouble and is getting some deserved punishment and probably he is sorry for it.

The speech delivered by my friend the Chief Secretary is a very disappointing one. I do not want for one moment to enter into the merits or the demerits of the Provincial Civil Service and the Indian Civil Service. I see that three ex-deputy commissioners of my own district are sitting in this House. I know that the work of some of the deputy commissioners is very admirable. I do not also say that Indian Civil Service men have failed in their duties. But at the same time we cannot be blind to facts. I do not agree with the Chief Secretary's defence of that service. He said that Indian Civil Service men are there because of their right and it does not matter what happens to the administration, only 30 per cent. of the posts must go to the Provincial Civil Service and the rest 70 per cent. to the Indian Civil Service and whatever happens this proportion should be kept up and that the Indian Civil Service are entrenched in this 70 per cent. What I say is this. It does not matter whether a man belongs to the Provincial Civil Service or Indian Civil Service. We want the best man for the district, whether he belongs to the Provincial Civil Service or the Indian Civil Service. It is not gratifying that an Indian Civil Service junior officer who has put in two years should supersede a man of Provincial

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Civil Service who has put in 25 years service and become a deputy commissioner, when the permanent incumbent goes on a month's leave or on a hot weather exodus for two months. I ask, is this fair for the gentlemen serving in the department? Are we going to suit the administration to the needs of young officers? I do not want to say one word against this service. I do not want to say one word, as my friend Mr. Nanak Chand Pandit has said, as regards their integrity. There are very few in Indian Civil Service whose integrity or honesty can be questioned. (*An honourable member*: None). To say none would be a perfection. Perhaps I might say that if I was sitting in the rooms of the bungalow of an Indian Civil Service officer as one of his household. That privilege may be given to Pandit and not to me. My point is that it is not proper, it is not administratively right that men of experience should be brushed aside simply because the percentage of Indian Civil Service should be at a certain figure. My honourable friend mentioned the name of Mr. Pitt. Every man is not Pitt and every man is not Jawahar Lal. Every man is not so lucky as the Honourable Minister for Education. If there is any promising young man whom Sir Donald Boyd thinks to be the fittest man to hold the highest office, let him be given that office. But merely to follow a routine in making appointments and say that a man should be a deputy commissioner because he is an Indian Civil Service man and he should be something else because he is only a Provincial Civil Service man is not fair. Pitt did not become a Prime Minister because he was the son of a Prime Minister; he became Prime Minister on account of his ability and because the public had full confidence in him. He was the saviour of the country in that difficult time. He was not appointed Prime Minister because he was only 24 or 25 at that time. I therefore say that my honourable friend's remarks are beside the point. I do not say that a Provincial Civil Service man should be given such and such a job because he is a Provincial Civil Service man. Not at all. I do not want dishonest Provincial Civil Service men to remain in job. Select the best man and put him to whichever service he belongs. I do not doubt there are some Provincial Civil Service men who are corrupt. But it is for the Government to remove such people, to throw them out just as you throw out a dirty thing. It is in the hands of the Government and not in our hands. If a dishonest Provincial Civil Service man is there, the burden is on Sir Donald Boyd and Mr. Puckle and not on the Provincial Civil Service as a whole. So my respectful submission is that the time has come when we should encourage Provincial Civil Service people. But when they find that there is no chance for them, no promotion or prospect, even the most honest man will begin to think, what is the harm by being a little dishonest. Every Indian Civil Service officer thinks that he can become the Governor of the province, or a Chief Justice or a Financial Commissioner or a Resident in a State. (*An honourable member*: Not a Chief Justice). Under the new constitution he may be so. But now let us talk minus the Chief Justice. He knows that if he is dishonest he will never be in the place where Mr. Latifi is, he will never be a Resident, he will never be a Chief Secretary. So from the very beginning he knows that honesty and integrity brings him to the highest place. But for the ordinary Provincial Civil Service man there is no such chance. I am only answering my friend who says that

because there have been some complaints against some Provincial Civil Service people so they are not fit to become district officers. I resent that. If there are any Provincial Civil Service officers who are inefficient or dishonest, expel them. (*An honourable member*: How?) It is easy. If twenty people like you put in a petition to the Governor and say that you know that such and such an officer is dishonest, the Government ought to hear you. The complaint is that Government does not take action against dishonest officers. Even if there is a suspicion he must be dismissed. But to say that all Provincial Civil Service people are unfit is not fair.

Then Mr. Nanak Chand Pandit says that the future Governor has to see to the minorities. Does he mean to say that the Indian Civil Service should be used. (*Mr. Nanak Chand Pandit*: You have misunderstood me). My friend's object is to interrupt and break my chain of thought. Now a few years ago Mr. Lloyd George said that the Indian Civil Service was the steel frame. Now even steel has some weakness. Even steel can get tired. The steel should be of the right type if it is to work in a district like Lahore or Amritsar. Now merely because a man passes an examination, he can become a deputy commissioner within a short time. What about the extra assistant commissioner who passes the examination through competition? Has he not the same efficiency to control a district? Let my friend say that only men passing out of competition should be appointed to the Provincial Civil Service. I am not going to quarrel with him. (*Mr. Nanak Chand Pandit*: I have said that.) You have said everything which you should not have said, of which you will be sorry you have said. (*Mr. Nanak Chand Pandit*: The honourable member is not speaking to the point).

Mr. President: Will the honourable member please address the Chair?

Shaikh Muhammad Sadiq: Yes, Sir. There is no rancour or ill-will in what I say. The object of my friend Mian Nurullah was nothing but that these two services should be mixed up so that if an I. C. S. man joins the service we do not want his emoluments should be curtailed and that his status should be lowered, but when once he joins the service, let him take his chance along with other members of the service. If necessary let my friend say that there should be no nomination to the P. C. S. But he knows that even in the I. C. S. it has been decided that if communal representation does not come up to the standard there is to be nomination. But I can tell you that there are very excellent I. C. S. officers in the Punjab who were nominated and are doing very well. I do not want to be personal. I will not give their names because probably they may not like to be advertised. But I know they are doing very well. So efficiency does not depend upon only marks obtained in examinations. My friend may have passed with honours in law, but there are lawyers with third class degree who are doing better than even the highest passed man. There was a matric who became the Executive Councillor, and perhaps M.As were his clerks or typists. So it is not ability in reading or passing that counts but ability in administration. I would, therefore, request the Chief Secretary to ban this idea from his mind that we have any sinister idea against the I. C. S. We want the best men in our service. Civil service should be respected as in every civilised country. It should be above-board. But that does not mean

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that simply because a man belongs to the I. C. S. and simply because he has passed certain examinations, he is above everybody. Once he comes into the service he should take his chance with others. Perhaps my honourable friend remembers the latest orders of the Secretary of State, that there must be 50 per cent. Europeans and 50 per cent. Indians in the I.C.S. and if in competition that number is not reached, it should be made up by nomination. So even that point about competition as regards I.C.S. goes away. So I do not want to be said that simply because a man gets 5 marks more than the other, he is better than the other.

There is another point to which I want to draw the special attention of the Chief Secretary. There is no doubt that a lot of people wait on the deputy commissioner. There are some gentlemen going to him every day because there is a regular competition among certain persons as to greatest number of times they have seen the deputy commissioner. This is not the type of interviewer who should be encouraged. There should be one day set apart for municipal commissioners, district board members and so on who have nothing to do with personal requests, as there is difficulty for such persons to meet the deputy commissioner. First we have to write to him which is very inconvenient, because suitable day may not be available. Otherwise one has to sit in a queue for hours which many people do not like. There may be dozen people waiting, it depends on jamadar to take in the card or not. One has to wait with folded hands outside bungalows till it pleases him to call one's name. May be that one might be sitting there to discuss important points regarding municipalities, district boards or some other important administrative question, and it is galling that one should wait for hours. I do not object to the deputy commissioners seeing the lawyers, raises, lambardars, the zaildars, the general public even sweepers any number of times, because it is their duty. But my point is that a special and definite instruction should be issued that those who have not come for personal requests to make should be given precedence. I do not say this in any complaining way. I realise that the deputy commissioner is the pivot of the administration and he has to see every one. I know that it should be boring for him to continually keep seeing persons with complaints of one kind or another. It is indeed a most trying task for any one to sit for four hours in the morning every day to go on hearing complaints and requests ninety-nine per cent. of which cannot be granted. It demands, unlimited patience to sit thus day after day and not to utter any word that would displease any one. I agree that the time of the deputy commissioner is too valuable to be wasted, but at the same time one must also see that time of visitors who go there for public work is not wasted. That is, why I want that there should be special days allotted for people who wish to see the deputy commissioner on official business. When people from the city and from other parts of the district find that without waiting for a long time they can see the deputy commissioner on any important matter relating to the administration, they would be encouraged to discuss important local grievances and it would establish good relations between the deputy commissioner and the people of the district.

I would, therefore, request my honourable friend to revise the policy and not simply say that very soon a new Government is going to come

when the question will be taken up. Under the new Government I am afraid the work of the deputy commissioner would be in a way less hard than at present. Because much of his political work would disappear and members would be able to ventilate their grievances elsewhere than before the deputy commissioner. But in a way the difficulty of his office would be greater because of the party system which would come into being. Honourable members of Government know that in France the prefects who correspond to our deputy commissioners have a permanent part to play in the politics of the country and even at the voting. To a certain extent they help the party which is in power. This would be the lot of many of our own deputy commissioners in the future and there would consequently be many among them who would be willing to go over to the judicial side which will not be subordinated to the future executive. I know the lot of the deputy commissioners will not be an easy one in days to come. I would request the Government to give up the practice of giving special places to the two services and keeping them distinct. Take the best people irrespective of whether they belong to one or the other. The Indian Civil Service men who have till now not minded working under Indian deputy commissioners will not mind in future because the system provided so many places for the Indian Civil Service and so many for the Provincial has been abandoned; I am sure they will loyally serve as they have already done in spite of the change. In the interests of the administration it is necessary that as soon as they become public servants in this country they should get the feeling that they are exactly like Indians and the Provincial Civil Service men should feel that they must keep the standard of the Indian Civil Service men. Once it comes to that and they realize that their future is as bright as that of the Indian Civil Service, they will do their utmost to serve honestly and efficiently.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): I should at the outset say a few words in defence of my much malignantly criticised friend, the honourable member for Hoshiarpur. He might have expressed himself rather bluntly, but you, Sir, have rightly interpreted the purport of his speech. He simply wants to purify the system of recruitment to the services of the pernicious principle of communalism. He unnecessarily put forward his claim as a member of the minority community though in fact he wants the reform as an Indian citizen. To an Indian as one concerned with the services in his country it is necessary that the efficiency of the services must be maintained. The efficiency of the services depends upon the efficiency of public servants and that efficiency is dependent largely on the way in which they are recruited. Not only this, but my honourable friend wants to purge the whole political and social atmosphere of the country of the pernicious poison of communalism. If a man in order to claim certain civic rights has to display his communal and caste label he will always dwell on it and will never go out of that mental groove. The sentiment of nationalism will never be developed and there will be no sense of civic responsibility. On these grounds my honourable friend is opposed to communalism and not as a Hindu. He unnecessarily put forward the claim as a member of the minority community. I support him not as a Hindu or as a member of the minority community, but as an Indian citizen and as one who attaches great importance to the development of

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the sentiment of civic responsibility. Although my honourable friend from Amritsar has a cut standing in his name to be moved in order to urge that the recruitment to the Indian Civil Service be totally stopped, he has left many things obscure and unexplained which I shall deal with when the actual cut is moved. For the present, he made some remarks with regard to accessibility of deputy commissioners. Although Mr. Puckle gave the substance of the instructions issued by Government on the subject to their officers, yet apparently the mover of the cut and the speakers that came after him do not appear to have been satisfied with those instructions. The honourable member from Rohtak (Rao Bahadur Chaudhri Chhotu Ram) the leader of the Unionist Party, explained how he wanted the officers to be accessible and one of the tests he laid down of this accessibility was this that all subordinate executive officers should be excluded from the presence of the deputy commissioners when the zamindars came to see the latter. The state of things has now become more democratic than it was thirty years ago. But even thirty years ago each and every zamindar who came to see the deputy commissioner was permitted to see him alone. No officer was allowed to be present with the deputy commissioner at that time. So he could speak out his mind freely. No tahsildar or revenue assistant or extra assistant commissioner used to be present when the zamindar was interviewing. That condition is fulfilled even now and I do not see what my honourable friend from Rohtak wanted.

Another point about accessibility which my honourable friend the member from Amritsar made was that he wanted to see some officer and he had to wait for a long time before he was called in. There is the system of queue even in going to a theatre or a shop in England. I had myself to stand in a queue and take my turn when it came. Therefore all this demand about accessibility is superfluous and is simply made to occupy the time of the Council and your own time.

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The Honourable Sir Donald Boyd (Finance Member) : I have noticed throughout this debate that it has been extremely difficult to keep the cut under consideration apart from the later cut. The arguments that have been used would to a great extent apply to the later motion but I think that we must keep the two matters entirely separate as they are not being considered together. If we do so, then I venture to say that Mr. Puckle took the right line in explaining what rules have been laid down for the tenure of districts and has shown that Government has fully observed the rights of the Punjab Civil Service so far as they have been laid down in these rules. Not only that, but the Punjab Government has gone far beyond what the case required inasmuch as the Provincial Civil Service men had much more than their fixed share of listed posts much earlier than the latest date fixed, and that included the tenure of districts. But the arguments that have been pushed home in favour of this cut are something on these lines. Why should an officer of two years service of the Indian Civil Service be appointed to a district when an officer of two years' service in the Punjab Civil Service is not appointed to the charge of a district? Once more I think Mr. Puckle was absolutely right in avoiding all invidious comparison between the two services. Nobody wants to compare them. We must take the fact that there are two services and consider what

rule should be made thereafter with regard to the holding charge of districts. The Indian Civil Service officers are recruited not merely for the charge of districts, not merely for district work. They are recruited to fill all the higher posts in the general administration of India, not merely of the provinces in India. There are still a certain number of posts of members of Councils, both in the provincial and in the central Governments, which are to be filled by the members of the I.C.S. You will notice that secretaries of the Government of India almost invariably are recruited from the I.C.S. A certain proportion of the Judges of the High Court in all provinces of India are recruited from the I.C.S. In short the I.C.S. is in itself a very small service of something like 12 hundred all over India a mere drop in the bucket of officialdom in India. This cadre is recruited not merely for the posts of deputy commissioner or collector of a district, but it is recruited mainly for the higher posts of the administration. Now, if members of a service of that kind are to go forward on the road of promotion *pari passu* with the members of the provincial service, what will happen? They will be so kept back that by the time their turn comes to fill a higher post, they will have no wide experience of administration. They will have to fill the posts of secretaries of the Government of India, other higher posts and the judgeships of the high courts and so on. They will not have the wide experience and the wide outlook which experience brings and which is necessary for the filling of these high posts and the whole of the administration will then be directed by men whose development has been retarded by slow promotion and the administration of the country will suffer very seriously. Now I think, this fact in itself is adequate to answer any argument in favour of *pari passu* promotion between the two services.

A good deal has been said about the question of interviews given by deputy commissioners to people of their districts. I think it was Rao Bahadur Chaudhri Chhotu Ram, who proposed that one day of the week should be set apart for zamindars who come from outside to headquarters, and that on such days officials should not be given any preference. In fact this is a plausible proposition. Another member, I think it was Mr. Sadiq, suggested that one day should be set apart for municipal commissioners and members of district boards. That also has a certain amount of force in it. But the truth is that if one officer tries to make it a rule, it will certainly be broken by another, because we know that what will suit one officer may not suit the other. I had the honour to succeed the present Governor as Chief Secretary. I found that his practice as regards interviews was to see visitors immediately after lunch at about 2 o'clock. I took over charge on the 6th April, and it was a hot April. I tried to follow his rules, but could not do so. I had never done such a thing in my life before. It was very trying in those hot days to have to listen to uninteresting remarks from one visitor or another and I had to prop my eyes open to prevent nodding. I only quote this as an instance of the fact that what will suit one officer may not suit another. There is no earthly use in trying to make all officers follow a particular regimen.

Mian Nurullah: Sir, I beg leave to withdraw my motion. —

The motion was, by leave, withdrawn. >

Grievances of litigant public in obtaining copies.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 5,78,400,—Total Copying Agency Establishment.¹

This question of the trouble that has been caused to the litigant public is a very important one. The litigant public have a very genuine grievance in this respect and this question has been brought in the Council more than once. This question was brought in 1934 and Sir Henry Craik replying to the debate, promised to look into the complaints and to sympathetically consider the question.

The first grievance in this respect is that the former practice has been changed. Formerly the practice was that when an application was made on behalf of a member of the public for obtaining a copy, he was asked to signify his intention whether he would like to get the copy at his place or whether he would like to get it at the copying agency office. That finished the matter. As soon as he made his intention clear that he would get the copy at the copying agency office, he was given a date on which he was asked to present himself. When he came there the copy was ready and the charges were also known and he was asked to pay the charges and get the copy. There the matter finished. In fact it was just like a customer going to a shop to buy certain article, and after paying the price he got the article in question. But, the rules have since been changed in this respect. The present practice is that the applicant must deposit an advance sum before his application can at all be entertained by the copying agency office. What happens? Judgment is pronounced and, of course, the first impulse of the litigant is to get the copy. He rushes, he makes an application, but quite rightly, he is told by the copying agency that because the file is not with them and the order is not with them, therefore, they are not in a position to let him know what sum he is to deposit as an advance. Therefore, for ascertaining the advance sum that is to be deposited, he has to wait for a number of days. He comes and goes and is told in the evening that the file has not been received by the copying agency, therefore, he must wait. Days after days pass on. Then he again comes when the file is received. He makes an application. He is asked to deposit a sum which is invariably far in excess of the actual charges which are to be levied for the copy. Now, there is no knowing when the copy will be ready? Therefore he again dances attendance round about the copying agency office and spends days after days in ascertaining and knowing when the copy would be ready. That is the second stage.

The most trying stage is the third one and that is when the copy is ready. He has already deposited a sum in advance which is in excess of what the actual charges are. Suppose a man has deposited a sum of Rs. 10 as charges for a certain order, and the actual charges come to Rs. 7. As soon as the copy is delivered to him, the balance of Rs. 3 should be made over to him at once and the matter should be finished. But this is not the practice. What actually is done is that he is only given the copy and he is told

¹To draw the attention of the Government to the excessive rates and to the complaints of the litigant public in connection with obtaining copies.

that his balance of Rs. 8 will be paid to him later on. Then he goes again and again and spends a number of days and then, the proof of his identity is required. What does it mean? When he paid Rs. 10, when he got the copy worth Rs. 7, this question of identity did not arise. When he asks for the refund of the balance the question of identity arises as to whether he is the man who deposited the sum and whether he is the man who is entitled to refund. He should get hold of a lambardar, he should bring a zaildar from a distance of 20 miles to verify that he is actually the

4 P. M.

man who has been dealing with the copying agency, who has paid the Rs. 10 and who now is entitled to a refund of Rs. 8. Out of sheer disgust and helplessness he gives up the idea of getting the Rs. 3. He has spent a number of days, he has been put to a good deal of inconvenience which has cost him a lot in coming and going back and spending days and nights at the headquarters. Therefore the time comes when he would like, and very often he does like to forego that little sum of Rs. 3, because he is disappointed and has no hopes of ever getting that sum. This is the practice which is in vogue in these days.

This question, I remember, was brought to the notice of the Honourable Chief Justice and fortunately a few days later to Mr. Latifi by the Hoshiarpur District Bar Association during his visit there. He promised to examine this question. But I have forgotten to say one thing, namely, the reason why the old practice was changed into the present one. It was pointed out that some time ago people asked the copying agency that the charges might be obtained by means of the V. P. P. system and Government are under the impression that some V. P. P.s were refused by some people without any rhyme or reason and therefore it was pointed out that there was some loss to the department. Therefore this question was brought before the Financial Commissioner who perhaps got the figures examined and discussed the question of rates with the deputy commissioner and the officer in charge of the copying agency, and I remember very well that the district authorities were definitely of opinion that a return to the old practice would certainly be more beneficial to the public and that if there was any loss of income it was out of all proportion to the inconvenience that was being caused to the litigant public. Therefore, that question was duly laid before the Financial Commissioner and we expected that perhaps he would not take long for the return to the old practice to be ordered, but we have not received any orders so far. Of course, the Financial Commissioner might be still examining the question. He has to consider not only one district, but he has to look into the question for the whole province. At any rate I do not know what is going on. This is one of the grievances of the litigant public in connection with this establishment.

The next grievance is the one that has been brought to the notice of Government many a time, that the charges that are levied in the Punjab are very excessive, I should rather say they are exorbitant, as compared with the rates that prevail in the neighbouring province. The United Provinces' rates have been cited by some of the honourable members on the floor of the House. They pointed out that there one page would cost two or three annas, whereas in the Punjab the charge is no less than Rs. 1-10-0 per page. Therefore my submission is that the charges are very excessive and that

[S. Arjan Singh.]

this question also needs to be looked into. Incidentally of course, if Government lowers the charges, there would certainly be an increase in the income, otherwise there is the loss of custom which I as a practitioner can verify, that whereas formerly people invariably got copies of all sorts of documents made in important criminal cases, now on account of the high rates it is more an exception than the rule that copies are asked for. No clients would care to get copies because they know that the rates are very high and that they are beyond their means. Therefore my submission is that it is even in the interest of the public revenue that these high charges are reduced. These are one or two grievances for which I have moved this out motion.

Mr. President : Grant under consideration, motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 5,78,400—Total Copying Agency Establishment.

Mr. M. A. Ghani (Nominated non-official): I rise to support the motion moved by my friend, Sardar Arjan Singh. The honourable mover has narrated many complaints of the litigant public as regards the question of getting copies. There is one thing which has always surprised me and it is this, whether the copying department is a money-making machine for the Government or whether it is meant to help the poor litigant. As my friend has said the rates in the United Provinces are two or three annas per page, but here in the Punjab the rates are Rs. 1-10-0 per page. That is more than thirteen or fourteen times the rates prevailing in the United Provinces. My submission is that Government has no right to charge such an exorbitant rate from the public. Of course the Government has in its power to charge 100 times or 200 times, or even £ 30 per page, but the bazaar rate for a page is only one anna. Everybody in this House knows that we can go to Anarkali and ask a typist to type for you and he will charge only one anna per page, Government charges as much as Rs. 1-10-0 per page. This is certainly most unjust and the rate is most exorbitant indeed and it is not justifiable on the part of Government to charge so much by sheer force and power of the Government.

Then there is one thing more. Now-a-days almost every magistrate and every sub-judge has got a typewriting machine. They have got stenographers. The evidence of the parties and the judgment is typed by the stenographer for the sub-judge or the magistrate. If the Government were to order that at the time of recording of evidence or judgment the stenographer ought to put in three or four carbon papers and have three or four copies made instead of one copy, one copy may be used for the magistrate or the sub-judge and the remaining copies may be sold to the public at the rate of one anna per page. That will save the time of the copying department and also save the trouble which is being experienced by the litigant public.

In view of the fact that court-fees in this province are very heavy, viz., for the first five hundred rupees it is Rs. 7-8-0 per hundred rupees and after Rs. 500 it is at the rate of Rs. 11-4-0 per hundred, it is not fair that Government should charge such an excessive rate for copies. The litigant public is being ruined on account of this excess in court-fees and the copying fees, and I hope Government will do something in this respect.

With these few words I support this motion.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): I rise to support the motion under consideration. It is undoubtedly true that the present arrangements for supplying copies to the litigant public are very unsatisfactory, nay troublesome to the public. I may as well say that the old arrangement for supplying these copies was very convenient because according to that arrangements the persons who desired to obtain copies of judgments could get these copies on writing a postcard from their houses and without coming to the headquarters.

Mr. President: All this has been said already.

Chaudhri Muhammad Abdul Rahman Khan: Perhaps the Government is not aware that under the present arrangements many of the persons do not get the balance of the amount deposited by them for obtaining such copies because they are required to come again and again to the headquarters for getting back their money. They prefer foregoing their claim to coming again and again to the headquarters and to incurring the expenditure that they have to in this connection.

Mr. President: This also has been said already.

Chaudhri Muhammad Abdul Rahman Khan: With these words I support the cut motion under discussion.

Mr. A. Latifi (Financial Commissioner, Revenue): I entirely agree with the mover of this cut and his supporter that the present arrangements for the supply of copies to the public are wholly unsatisfactory. Indeed my visit to Hoshiarpur and other districts which the honourable member remembers was in large part a consequence of the complaints that had been made to me in this connection.

As the honourable mover of this cut has himself remarked, the case is a very complicated one and that, and no other, is the reason why it has taken us so long to effect a complete overhauling of the system. But in the meantime, as I will proceed to show, we have not been idle.

Now there is no doubt that the rates for copies in the Punjab are very high. There is no parallel to them in the whole of India. But at the same time it is not correct that Government makes a large profit over this business. Besides even if Government were making a substantial profit in this particular department, you could not say that the profit was unjustifiable, because you cannot divide the various activities of Government into different compartments. You have to take the record office as a whole. Having recently had occasion to go into these figures I can say that Government's profit is not excessive. If you want to reduce the copying fees, you have to do one of two things. Either you have got to give up some portion of the Government revenue—which we cannot afford to do; or you have got to reduce the cost of producing copies and give the benefit of a portion at least of the savings to the litigant public. So the reasonable thing that I felt could be done was to enquire into the whole system under which copies were prepared and to see whether reform combined with retrenchment was not possible, and the result of my inquiries was surprising. I will not give details at present—I know the House is working against time—

[Mr. A. Latifi.]

beyond saying that after practical experiments and inquiry I fixed the average daily outturn of copyists as follows :—

Words.

Typewritten English	..	..	3,500
Handwritten English	..	..	3,000 and
Urdu ..	..	..	2,000

A further enquiry revealed that on this basis of outturn only 332 copyists were required whereas actually 664 copyists were employed to do the work in the district offices. There was, therefore, a load of 300 superfluous copyists on the shoulders of the litigants.

Now I need not remind members that copyists are not Government servants. Their profits are pooled and after deducting one-third as the contribution to Government on account of record room charges, supervision, stationery, etc., etc., the rest is divided among the copyists. It has been entirely in the discretion of the local officers to fix the number of copyists. In some districts the number of copyists was low while in others it was fixed in excess of the required number. I discovered that in some districts the average amount earned by copyists was as much as Rs. 80 a month, while in others it was only about Rs. 16 or Rs. 18 a month. It was in view of all this that, as I have already told you, I fixed the amount of work which was ordinarily expected of a copyist. Commissioners were then asked to fix the number of copyists for every district in accordance with this scale of work. Secondly, I fixed Rs. 25 per mensem as the normal wage of a copyist. The present earnings of the copyists for the province as a rule (?) amount to nearly three lakhs of rupees. By this reform, that is, to say by reducing the number of copyists to 332 and fixing the average earning per copyist at Rs. 25 per month, the cost is expected to come down to about a lakh which means a saving of no less than two lakhs of rupees per annum. In strict law it was possible for me to introduce the whole of this great reform by one stroke of the pen. But honourable members will realise that it is not possible to effect a drastic reform of this kind straight away. The orders issued by me are to the effect that the reform is to be put into effect gradually, that is to say, copyists who are superannuated, that is, of over 60 years of age should be removed. Others should be absorbed in the other departments of Government (*Sardar Bahadur Sardar Buta Singh* : Why not fix the age at 55?) I did not want to be unnecessarily hard upon these people. My first effort is directed to bring down the number of copyists to the actual number required. After reducing the number the new copyists are to get a standard wage of Rs. 25 a month. The saving effected in this way would in the first instance go to Government. I have not consulted the Finance Department what is going to happen to all these savings, but I am sure that in view of the fact that copies do really cost a lot in this province a share of this saving will go to the public in the way of reduced prices of copies.

The next question is the V. P. system. The V. P. system was very convenient to the public. It was in force I think till about 1929 when it was abolished, because it was felt that the trouble of collecting money due

on refused V. P. packets was too great. Some loss was also incurred on refused V. P. packets. But on reconsidering the matter, I have felt that it was on the whole a mistake to abolish the V. P. system, because the loss incurred was only Rs. 3,000 per annum for the whole province. I am sure that at that time it was not realised what amount of trouble the system that was substituted would cause to the public. After all, Rs. 3,000 is a very small percentage of the three lakhs we are now spending on the production of copies or even of the one lakh to which we hope soon to reduce the costs. I think I have the authority of the Finance Department in stating that this loss is not so great as to come in the way of the Financial Commissioner restoring the V. P. system, and I have, therefore, decided to reintroduce it. But there is one thing which I should like the House to remember. Probably the honourable mover will remember my telling the Hoshiarpur Bar that the condition precedent to the restoration of this system was to make the copying charges recoverable as arrears of land revenue. That is a very small concession that I ask for, and I trust the Council will not hesitate to pass the necessary legislation. I have discussed this matter privately with many members of this House and so far as I could gather they all agree to my proposals. But it is not proposed to wait for the legislation. I am for introducing this V. P. system as soon as practicable in anticipation of legislation to enable the recovery of the copying charges.

Many of the matters that have been raised by honourable members and many more have been discussed, quite recently, in a conference which I had the privilege to have with two judges representing the High Court. We have arrived at unanimous conclusions which will, I am hoping, remove a great many of the difficulties of the litigant public in regard to copies.

I do not know whether honourable members want me to go into further details about this matter. There is certainly the hope of the fees being ultimately reduced and we also have it in view that in one district the experiment of flat rates for document necessary for appeals should be tried. If the rates are fixed then the litigant public will know what they have to pay. There will not be the present difficulty of assessing the rates and the attendant evils about which honourable members have said so much. I do not think there is anything further for me to say. I hope that with the sympathy of the Finance Department, of which deserving cases are always sure, we shall be able to go forward in this matter without any loss of time.

Shaikh Muhammad Sadiq (Amritsar City, Muhammdand, Urban) : I am very glad to hear the speech of the Financial Commissioner. But I think it would have been better if he had taken two practising lawyers into that august body.

Mr. A. Latifi : Two lawyers did come to that "august body" quite apart from the many lawyers who were consulted during the last eighteen months.

Shaikh Muhammad Sadiq : If you will only hear a few of my suggestions, I am sure they will be helpful to you. Now, what is the use of keeping half the staff without work? If it can be so arranged that extra staff would go to the magistrates who should dictate all the evidence that is being tendered there, I am sure it will be helpful as much to the Government and the higher officers

[Sh. Muhammad Sadiq.]

as to litigants. Some of the magistrates write a simple scrawl. It is impossible even to read with a microscope what is written there. I am doubtful, if you will ask the same magistrates to read what they have written, I am sure that in 90 cases out of a hundred, they will say that they cannot do so. Last month I spent two hours to read one page of the magistrate's record of evidence and I asked two barristers, three *munshis* and two clerks to read it, but they said that they were sorry they could not read it. Do you think it helps justice? Many times I find the Government Advocate arguing his case by reading only the judgment, because he has no typewritten copies of the evidence. Even the learned sessions judges have to depend upon their *munshis* with regard to what is written in the records, yet we find that half the staff is doing nothing. Why not utilise the services of half the staff? I tell you one thing—we can get in the bazar a foolscap sheet with 30 lines duly typed over it for one anna and the maximum payment we have to make is $1\frac{1}{2}$ annas near the High Court or the district courts. If you go to Anarkali, you can get one page typed for 1 anna and you can get the extra carbon copies at 2 pies or 3 pies per page. Now, the Government pay Rs. 1-10-0 for the same page which can be typed for $1\frac{1}{2}$ annas in the bazaar. In these hard days, when the zamindar has not even much to live upon, it is very hard for him, when he is unfortunately involved in some criminal case, to pay so high charges on account of copying fees. He wants to save his neck. What has he to do? He goes to his vakil and says: "Will you kindly see my file?" The lawyer goes there and finds that it is impossible to read the record. The next step for the lawyer is to say, "Sorry I cannot read—you manage it yourself." Now, if a lawyer goes to the court and sees the file, it means he will have to spend some hours to see the file. That extra cost for the time he spends there, he puts on the neck of the client. If he gets a cheap copy, the result will be that the poor litigant will not have to suffer so much extra cost as he may have to if the lawyer goes to see the file. Besides this, there are very hard and fast rules for the inspection of the files, e.g., you shall have to write with no ink, you shall not allow your *munshi* to sit by your side, etc., etc. These are the rules. Under these circumstances, in a majority of cases the lawyer asks his client to manage it himself. Another rule is that you cannot take a *verbatim* copy of the records. Under these circumstances, the lawyer hands over the file to the client. The client pays Rs. 2 or so to somebody and brings the full report to the lawyer. Look at the loss that the Government is thus suffering. If you make these methods easier, and not make usurious charges, I am sure there will be great demand for copies. But really you are injuring your revenue in the other department. What happens when the lawyer goes to a court. He has about 30 witnesses ordinarily. He spends few hours to read the record. No lawyer can stay for hours on a fee of Rs. 20 for reading the record. The justice is thus miscarried and the result is all round dissatisfaction. I would make a suggestion. If any client puts an application to a magistrate that he would take *verbatim* report of the evidence, he should be given 4 annas a page or 6 annas a page. The result will be that the magistrate will have all record intact and there will be three or four copies available—one for the sessions judge, one for the Government Advocate, one for the magistrate and the fourth for the client. The result will be that you will have a clean record. In murder cases everything is printed. Government Ad-

vocate pays Rs. 200 or Rs. 300 for printing the judgment and evidence in murder cases. That money will be saved if the honourable judges get the complete copies typed and signed by the magistrates. Thus that defect will be removed. I say there is lot of repetition. A client comes and asks for a copy of a certain statement. First of all the stenographer writes, then the magistrate signs that thing. He goes through it a second time. Then again, when the client comes, he pays the money and the same statement is again typed for him. This work is done so many times, whereas it can be done only once. One client comes, and he gets a copy of a judgment. After a fortnight another convicted man shows his face and he gets a copy. I would suggest that if there are five accused, five carbon copies should be taken and kept in stock. If anybody comes and these copies are handed over at once, the accused will be saved much of the trouble. The more efficient this system is the more good it will do to the public and will be of benefit to the Government. I can assure you, that many times innocent persons are punished because there have been some mistakes in the judgments. There have been cases where the *misl khwans* have not been able to write the names properly. There are cases where a magistrate has not read his own record and the judgment has been written wrongly because the magistrate could not read the names correctly. The result is that there is injustice and confusion. I would press that we should not depend upon only what the honourable judges say, but take the view of the members of the bar. Carbon copies of such records should be taken thus making them as cheap as possible. The copyists should be told that they will be paid 2, 3, or 4 annas a page, insuring them a decent income. Do not tell them that they will be paid Rs. 25 or Rs. 30. Tell them that the bazaar rate is $1\frac{1}{2}$ annas while they will be paid 2 annas or 3 annas per page. Make them work and thus give cheap copies to the public. If it is not possible make them work with the magistrates and order the magistrates that at any time they have any evidence to be recorded, the copyists should take three or four copies of the notes. The copies which are used in judgments may be made expensive. I do not mind if someone has to pay more because for convicts they are free. But for the ordinary evidence which is much needed by the lawyers for private use, the copies should be cheap. Why should a lawyer go to a court to inspect the record. If he goes there, it is loss to the poor client, because the lawyers' fees will be high for inspecting the records.

Mr. President : These arguments have been advanced more than once.

Shaikh Muhammad Sadiq : I am sorry, Sir. Now, with regard to the judgment. The magistrate delivers a judgment. The lawyers or their clients wait for a fortnight for the copy of the orders. Why so ? When the stenographer is dictated the judgment, he can easily take out five or six copies by the carbon process and these can be given to the convict's relatives forthwith. Extra copies can be taken by the stencilling process and this trouble avoided. The beauty of the thing is this. I have seen magistrates sending people to prison and writing judgments fifteen days afterwards. I do not want to enter much into this discussion. What we want, is that there should be a proper reform in the copying department. We do not want those people, who are holding the jobs at present, to be deprived of their living.

[Sh. Muhammad Sadiq.]

I am rather willing to say that we should pay them more. But if their services are to be utilised, they should go to the magistrates and there type the evidence that is recorded from day to day and they should deliver cheaper copies to the parties. I do not think it will harm the Government in any way and the people will be willing to pay Rs. 2, Rs. 3, or Rs. 10 for the copies.

The Honourable Dr. Sir Gokul Chand Narang : What about copyists ?

Shaikh Muhammad Sadiq : Well if they make copies at 4 annas per page, every copyist will be kept engaged, because there will be more applications.

The Honourable Khan Bahadur Nawab Muzaffar Khan : Is the honourable mover withdrawing the motion ?

Sardar Arjan Singh : In view of what the honourable member has said, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

(At this stage Mr. President left the chair and it was occupied by Mr. Deputy President.)

Separation of Executive and Judicial Functions.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan-Rural) : I beg to move—

That the total grant be reduced by Re. 1.¹

The question of separation of executive and judicial functions is the most urgent question before us. This question was first taken up by the members of this House in the year 1921. At that time it must be conceded that this House consisted of people with very moderate views. In spite of their moderation, their first demand was to separate the judicial and executive functions. A committee of enquiry was set up and that committee of enquiry recommended to the Government the desirability of separating the two functions, and their estimated cost was 8 lakhs non-recurring and 7 lakhs recurring. After the year 1921 there was a surplus in their budget and it was a question of only 8 lakhs recurring. Government slept over the matter and did nothing. Again, when the next Council was elected, this honourable House again considered the desirability of separating the two functions. At that time it was urged by the Government that they had no surplus money. I may be allowed to say, that there were surplus budgets after the year 1925. This honourable House, on the motion of Sardar Ujjal Singh, again discussed this motion. Though that motion was, by leave, withdrawn, non-official members were agreed that something should be done to effect this reform. Now, there were not only surplus budgets, but provincial contribution to the extent of one crore was remitted to the Punjab Government. Even then the executive and judicial functions were not separated. Is there any reason why this was not done ? Is there any civilised government where these two functions are not separated ? Prior to the

¹To urge upon the Government the necessity of separating executive and judicial functions.

British coming into this country, during the Moghul period, the two functions were separate. Kotwal and Qazi were two different functionaries and they had nothing to do with each other. But in these reformed days, when the word democracy is very often used, our Government still does not take any steps to effect any reform in this direction. The Government accepted the principle of the resolution passed in the year 1921. We do not know the reason for Government not taking any steps. The only thing that we can think of, as I have already stated, is that we are weak and Government are strong. Sardar Ujjal Singh very pertinently remarked in 1927 that this is the only spot on earth where these two functions were not separated. Why is it so? To have full control over the people and not to do justice Justice cannot be done in this way. Sir Henry Craik when he was Chief Secretary here even promised that Government would do something towards this object. But after 1921 nothing was done. Government has sat over the matter and they do not care a bit for us. I quoted instance after instance, quoted remarks of Honourable Judges, to urge that judicial and executive functions should be separated. But who cares for all those remarks and instances. Government have definitely in a way refused to hear us. May I ask for the reasons? I am sure Government will not give any good reason. In the first instance they will say, the scheme is unsound. (*The Honourable Sir Donald Boyd*: Hear, hear.) But it is not unsound. The whole House in the year 1921 adopted the resolution and Government set up a committee which gave its verdict. In the second instance, the Government may say that the scheme is impracticable, though the Committee appointed by the Government said it was practicable and required only 8 lakhs recurring expenditure. Now, the Honourable Leader of the House says "hear, hear" when I use the word 'unsound.' After 16 years we hear that the scheme is unsound. There is something wrong with us. So I only request the Government to proceed further in the matter. Now you cannot say that no funds are available. Every honourable member of this House knows that since 1921 there were many surplus years when we had funds available to the extent of crores. Even then Government had slept over the matter. Now this Council will cease to function shortly and a new Council will come in. This is the last budget year. Now suppose the non-official members of this Council are asked, what has the Government done to the resolution which was passed by the Council in 1921 and repeated over and over again by this honourable House, whether Government have done anything, what are we to say? I only stand here to remind the Government of that resolution and ask an explanation, if possible, as to what they have been doing all these years.

Mr. Deputy President: Demand under consideration motion moved—

That the total grant be reduced by Re. 1.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): I do not want to speak much on this subject which was thoroughly considered by this House many years ago. In 1930 I moved a cut and then the Chief Secretary, Sir Henry Craik, told us that if the number of extra assistant commissioners was increased by 15 and if the proposal was accepted he would introduce the system in future. Now that the reforms are coming we want the integrity of magistrates to be above board. We do not want our magistrates to get mixed up with politics (*The Honourable Sir Donald Boyd*: Hear,

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hear.) The Honourable Sir Donald Boyd has been pleased to say "hear, hear." I may tell him honestly that my fear is this. Under political pressure we may find that the magistrates are forced to act in their extra capacity as political officers of the then Government. See the history of Portugal. See the History of America. See the History of Italy. You find that those persons who are connected with politics are forced to use magistrates in political game. In France the Prefect many times becomes an electioneering agent. Similarly it is well known that the Home Member in France usually gives great help to the coming Government on account of his influence. What has happened in France or in the United States or South America, why can it not happen here in this country? I have no doubt that the Indian Civil Service officers will be forced to admit in a few years that our request is quite reasonable. Now take about 110 cases. Suppose a police officer has tried to chalan a person in 110 cases and let us say that that man is an influential man and he is in control of 500 or 1,000 votes. You will find the M. L. C. or the future M. L. A. running to the police thana and urging that this man is a good man and that the police have wrongly challaned him. What is the position of the extra assistant commissioner who is in charge of the thana in his executive capacity? Usually the papers are put before him. Owing to this pressure he will not be acting judicially. The result will be that this man will not be prosecuted. We cannot conceive that one person can honestly work as the executive authority and at the same time as the judge. He is at the head of the police and also at the head of the judiciary, I mean on the criminal side. He says, there are too many *badmashes* in the district, they must all be locked up. Now the same person is to be tried by him and the appeal goes to the district magistrate. I ask Sir Donald Boyd whether in his experience such a difficulty has not arisen. Suppose a sub-inspector does not like a man and he reports that he is a *badmash* and unless he is put under arrest we cannot carry on the Government, what can even the most honest district magistrate do? I ask him, is it fair? This system might have been all right in the beginning as a sort of martial law, when first the British came into this country, when they had to make quick decisions, when there was no parliamentary system of government, when there were people who did not know much about law. But now in the year 1936, when everybody knows about the Penal Code, when a new era has come, is it right that we continue such a system? Suppose an influential M. L. A. goes and tells the district magistrate that such and such a man is my opponent and has committed a crime, will you send him to jail and another party comes and tells him, that he is a very good man, what is the result? Both sides will quarrel. I can assure you that I have no intention of using a single disparaging word about the deputy commissioner. He is after all a human being. I sometimes wonder how he carries on his work in this difficult situation. But I ask, is it possible to carry on like this? I say it is impossible. I, therefore, request that this system should be abolished at some time. Let it be mended as soon as possible. Even if you put a saint in that place or an angel, he will find the same difficulty. The police officer comes and tells him that here is a man who is a *badmash*, and the district magistrate orders his chalan and that very man appears before him in appeal and says that he is innocent. Now, do you think that it

will be just for him to try such a person? I remember one or two small incidents. I was in a place where the magistrate was trying a case. The man came and told me, "I am a poor man, I do not know anything." I asked the police what was the matter? I was told, the magistrate came here last time and he asked him to give water and he refused. He said, "All right I will teach you a lesson". These are the exact words used. In another place I saw a tongawala being tried and I saw two very respectable witnesses coming forward and saying that he was a *badmash*. In cross-examination it turned out that some officers wanted to pay 2 annas for travelling for a long distance and the tongawala did not agree. He said well, *tera makku bannange*, and registered a case against the man. There were also two reliable witnesses and they said 'yes'. I do not deny there are *badmashes* in this country and they should be put under restraint. But there may be also such cases as I have mentioned. How can the same magistrate ask the police to keep order and then try the case when it comes before him? So in future these two functions must be separated. In the future Government of the country

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if some one has erred against the Government, what will be the position? The magistrate will be under the deputy commissioner and the deputy commissioner is under the commissioner. The result will be that there is a legitimate fear that the political machinery will be used and political purposes will be sought to be served in cases before a magistrate. If individual liberty has to be accorded to the people of this country, the time has come when we should reform this system. In fact the day is not far off, I can assure my honourable friend, when this House will have to take some action of this kind. For the time being, however, our voices go unheard. We are supposed to be critics of the Government and as critics it may be in the minds of honourable members of Government that we are unnecessarily merciless and that the world can go on without us. No doubt it can. I do not say that we are so indispensable as that. Yet we feel that we can give you some helpful hints. Some of us may have a greater vision than you and see a little further than you are able to do. Moreover we live in the country and have to submit to the system of government. My honourable friends opposite retire after a few years. While they are in this country they are above law, we are and continue to be within the reach of law. We, therefore, feel about the future with more intimate concern than they would naturally do. In the future when more people are likely to enter politics and the political atmosphere will become more lively, incidents like shooting, fighting between factions, etc., would occur as they do in many other countries. It would then be all the more necessary that clean justice should be done. It is no argument to say that we lawyers always want to have disputes as much as we can. In future if there should be no trouble about the administration of justice, the only way to prevent it is to see that the deputy commissioner, the collector and the magistrate combined, should be divested of his functions in the judicial sphere. Many of the functions now combined in his office the deputy commissioner hands over to other persons, sometimes his clerk as for example the affairs of municipalities within the deputy commissioners' jurisdiction. The deputy commissioners are supposed to hand over the municipal work to others and not one in a hundred do even so much as look through the papers. Some deputy commissioners might take a dislike to some people and they being in charge of the police and magistracy

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it will become very difficult for the subjects to fight for their rights because the force of law and authority is at the back of the deputy commissioner. It is quite true that the Government can give us the easy reply on this occasion that in one year's time the government of the country would be in the hands of the people of the country and that they could then do what they liked with the administration, and that the votes of the future assembly would count. But the promise was made years ago and I would request the Honourable Finance Member to look up the records and see whether a categorical promise was made by Sir Henry Craik that as soon as sufficient number of officers could be had he would try the system. I quite well realise that the change is not easy and the necessary rules could not be made in one day. Probably certain important orders will have to be made. The question will have to be considered, what the position of the deputy commissioner would be then, whether he would be in charge of the police or not, if so whether he should be a magistrate or not and so on. Once you separate the judiciary and the executive, the deputy commissioner cannot be the head of both the departments. I know human nature does not easily give up power once possessed and I do not say it in any critical spirit or in any rancour that the deputy commissioner would not easily give up the power. Once they ceased to be district magistrates, the deputy commissioners would probably feel that their authority would disappear. But that position will have to be faced at some future time. Just as a child cannot touch a penny of property which is lawfully his own before his maturity—when he attains twenty-one he has such full authority as to spend, squander, lose or do anything with the entire fortune in half an hour's time—even so, the time will come when we as people of the country will have to take stock and see whether this system would work in future and determine our course for ourselves. But before that time comes I ask honourable members who have worked as our loyal servants to help us in time in effecting this reform. I ask this help of them now because once the party system of government comes into being in the country it might be possible that the party in power may not like this reform. I am not sanguine that the majority would certainly favour the change and it is just possible that a partisan view may prevail. I would, therefore, request the Government now to examine the question again in all its bearings and if they come to the conclusion that it is possible to effect this reform without lowering the standard of justice and without doing injustice to any, I hope they will try to introduce the change without any further delay.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I join this discussion only with the idea of raising the general standard of the administration of justice in this province. The present position appears to be rather absurd. From the British point of view the idea of combining the executive and judicial duties in the same person is anomalous. I think, you have seen Goddess of Justice being depicted as a blind-folded person holding scales in her hand. The idea is that she has to hold scales evenly and not let the quality of justice be influenced by her personal inclinations. She has to let the scales go up and down according to the weight of evidence. A person in charge of a district cannot now be supposed to be an

unbiased person in all cases which come before him. Therefore if we try to act up to the traditions of British justice—I think there can be no two opinions in this matter—we have to see that the judicial and executive functions of magistrates in the districts are separated. There has been a good deal of criticism of the work of magistrates but I think it is very difficult for us to expect from them even-handed justice. We put them in such a position that on the one hand we make them responsible for ruling the district with a strong hand and for the executive work of the district, and on the other we expect them to sit blind-folded and administer even-handed justice. That is an impossibility we expect from them. Therefore if not from any other point of view at least with this object that we should enable our magistrates to be just and to administer impartial justice in the districts it is necessary that these two functions should be separated.

Mr. M. A. Ghani (Nominated, non-official): For all practical purposes the proposition of the separation of the executive from the judiciary in this province can be narrowed down to this, that the magistrates should not be invested with executive powers and that they should not be subordinated to the district magistrates. I say so because in all other classes of the judiciary this separation is already in existence. In the High Court there is a complete separation. The High Court Judges are not invested with executive functions. The district and sessions judges also are not invested with executive duties. Similarly the civil sub-judges are not invested with any executive functions. In all these classes of the judiciary there is a complete separation. It is only in the case of magistrates that the two functions are combined together. It is only there that the trouble exists. I cannot understand what difficulties there are in subordinating the magistrates to the district and sessions judges and the High Court and I cannot understand why the magistrates should be kept under the district magistrates. There was a time when the same person used to be a sub-judge and a magistrate. He then used to be under the district magistrate. Since civil justice has been taken away from the hands of the deputy commissioners, I think no harm has been done. The level of civil justice has been raised since. Similarly I feel that if these magistrates are taken away from the control of the district magistrates, criminal justice will be ennobled and raised to a high level. It has been pointed out that we would require a number of extra assistant commissioners for completing the separation of the judiciary from the executive. It may be so but what difficulty is there in recruiting say half a dozen or one dozen more extra assistant commissioners to fill the posts of magistrates? I can say from my experience that these magistrates are under the thumb of the district magistrates. I am a lawyer. I have appeared in so many cases before the magistrates. In several cases, I know the magistrates have convicted the accused at the instance of the district magistrates. I argue a certain case before a magistrate, the magistrate agrees with me and tells me: "All right, Mr. Ghani, I am very glad to hear your arguments, please sit down." I feel in my heart of heart that the magistrate is going to acquit the accused. But he leaves his court for five minutes. I somehow follow him or send my clerk to see where the magistrate goes. He goes to the district magistrate, holds conversation with him, comes back and orders two years for the accused. In a number of cases the magistrates pass sentences in con-

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sultation with the district magistrate. Is this justice? Is this British justice? Is it keeping with the wonderful traditions of British justice that the magistrates should take instructions from the district magistrate before passing a sentence on the accused? I think it is most shameful and I think it is time that this system ought to be changed. It does not happen in the case of civil justice. No sub-judge would ever go to a district judge or to the High Court for taking instructions. And then there is another difficulty also. These magistrates are also under the thumb of the police. They are afraid of the police because the police has got the power to recommend their powers and the enhancement of their salary and so forth. If the superintendent of police finds that a certain magistrate is too acquitting he reports the magistrate to the higher authorities for stopping his increment and reducing his powers. (*The Honourable Finance Member : Absolutely untrue*). I remember the case of a magistrate who reprimanded a certain policeman for having taken a stick into the court room. The magistrate objected to the taking of the stick into the court room and the constable was ordered to leave his stick outside the court room. The powers of the magistrate were taken away in consequence thereof and he was made a sub-judge. This happened in 1921 when I was practising in Hoshiarpur. The fact was that the constable went to the superintendent of police and said : "Look here Sir, the magistrate has insulted me and my stick". (*laughter*.) The superintendent of police reported the magistrate to Government and the Government ordered that his magistrial power should be taken away. That is a case within my knowledge and I can cite the name of the very magistrate if the Honourable Finance Member would like me to do so. (*The Honourable Finance Member : I would like to hear the name not here, but privately*).

(*At this stage Mr. President resumed the Chair.*)

I am very glad that the Government has, on several occasions, accepted this principal of separation of the executive from the judiciary. I would like to quote the speech made by His Excellency the Viceroy, when he was visiting the State of Palitana in Central India. In his speech he congratulated the Thakur Sahib of the State for having an independent judiciary and for having separated the executive from the judiciary. Now, I want to say that when the Viceroy congratulated an Indian Ruler for separating the judiciary from the executive, I do not understand why the same Viceroy is not taking steps to separate the judiciary from the executive in this province, which is under him directly.

Mr. F. H. Puckle : On a point of order, Sir. The honourable member is criticising the conduct of His Excellency the Viceroy.

Mr. M. A. Ghani : Not at all. I am praising the Viceroy for congratulating the Thakur Sahib of Palitana for separating the judiciary from the executive. I am longing for the time when His Excellency the Viceroy would also congratulate His Excellency Sir Herbert Emerson for separating the judiciary from the executive. I hope that the time will come when we will also congratulate the Honourable Finance Member and the Chief Secretary for taking immediate steps in separating the judiciary from the executive.

I not only feel but I am prepared to assert that as soon as the judiciary is separated from the executive criminal justice in this country will be put on a very high level and everybody will be satisfied that he is getting justice from courts. At present whenever an accused is convicted, he has got a feeling that he has not been convicted justly. So, I feel that the time has come when we should separate the judiciary from the executive. With these few words, I give my whole-hearted support to this motion and heartily commend it for its acceptance by the House (*cheers*).

The Honourable Sir Donald Boyd (Finance Member): The mover of this cut motion took us back to the old days of the Mughals, and told us that in the days of the Mughals, the separation of the judicial from the executive functions was more complete than under the British Government in the Punjab. I hesitate to accept this view of history. The impression one gets from reading books, such as Bernier's *Travels*, is that the Mughal Emperors sat daily in the Diwan-i-Am and petitioners came before them with their complaints that their wives or children were beaten or that their cattle had been stolen and so on. Then justice was done. I would like very much to test the story that in the times of the Mughals the two functions were separated.

The mover came down to more recent times and he told us that since 1901 no progress whatever has been made by this wicked Government.

Chaudhri Afzal Haq: I never used that word.

The Honourable Sir Donald Boyd: Then let the word "wicked" go. He said that since 1901 practically no progress has been made in the separation of judicial and executive functions. Is that right now?

Chaudhri Afzal Haq: Yes.

The Honourable Sir Donald Boyd: Well, I do not agree at all. I say it is quite wrong. Separation of functions was commenced with the Punjab Courts Act when the commissioners lost their civil appellate powers and ceased to be district judges. That is very long time ago—before 1901. After that, during my own service, we have seen that very considerable strides have been made towards the separation of these functions. One of the speakers has already reminded us that magistrates no longer try civil cases. The trial of civil and criminal cases has been entirely separated, so that those who try civil cases no longer wield any executive power whatever. Whether that is right or wrong I do not know. Previous speakers have also reminded us of some sort of assurance that is said to have been given by Sir Henry Craik. I have not seen that assurance. I do not know what it was and until I see the actual debate, I am not prepared to accept the statement that Sir Henry Craik made any promise whatever about what would be done if a particular law was passed. What I do know is that, when Sir Henry Craik was the Chief Secretary, a very definite and genuine effort was made to separate the trial of cases from the usual executive functions wielded by a magistrate other than the district magistrate. That trial, I think, was only partially successful. For one thing, when magistrates were set apart for trying cases, many of them complained, and they certainly continued to complain when I was Chief Secretary, that the work was terribly boring and that they were not being fitted, in any way for a larger

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sphere and they begged to be allowed to do certain amount of executive work. On the other hand, treasury officers were told that they must restrict themselves to the work of treasuries. Having nothing to do with criminal cases they complained that treasury work was boring and that they were not getting any training in magistrial work and would be regarded as unfit for the post of district magistrate, and they begged to be allowed to try a few cases. So that, Sir Henry Craik, or rather the Government when he was the Chief Secretary, did something, though possibly to a small extent, to meet the object of the present motion. However, these are comparatively minor points. The great crux of the difficulty of separation in this province is the position of the deputy commissioner, who is also a district magistrate. Now, whom do we look to to step in and put things right when a crisis occurs in the district, such as a communal disturbance, riots and such other crisis involving the criminal administration? The officer who is responsible for the peace of his district is undoubtedly the deputy commissioner and for the discharge of his responsible duties, he requires powers over the other magistrates of his district. He must be able to detail certain magistrates to go with processions, detail magistrates to tackle riots and communal disturbances and authorise the police or troops to disperse an unlawful assembly. These functions are laid upon magistrates in the Criminal Procedure Code and not by the Punjab Government. Now who is to guide those magistrates in the discharge of those most important distribution of their duties? (*An honourable member* : What about presidency towns?) Well, there is the Commissioner of Police, an extra official who is in charge of presidency towns which are big units; but it would be difficult to put a commissioner of police at the headquarters of every district. Anyway it is quite clear that, as things stand at present, the deputy commissioner is the head of the district and must be responsible for the peace of his district. He must have control over magistrates in times of disturbances. If he has no control, what is to happen? We shall have to appoint a senior additional district magistrate to hold control over them. In that case it would be difficult to fix the demarcation of the limit at which the deputy commissioner should take over charge again and look after his district. I do not say it is impossible, but it is extremely difficult and added to that it is extremely expensive. The Punjab Government would, I think be extremely foolish to go to that length at the present time.

There is another matter. It is a big question. I admit there can be two views upon it. The matter is this. We have lately seen a certain amount of criticism in certain judgments of the High Court against the method of conducting investigation in criminal cases. A very strong committee was appointed by the Government to consider this question, and the committee, after long deliberations, came to the conclusion that there were faults on both sides. It is no good blaming the police alone for padding the prosecution evidence, when the magistrates will convict a man and will not do criminal justice properly, unless there is a perfect connection between each link in the chain of evidence.

We know most of us that you cannot expect a perfectly complete case to be put before a court. As human beings are fallible they cannot see the

whole truth straightaway and the investigating officers cannot find out the whole truth. Our magistrates have a tendency, when there is a link missing to give the accused the benefit of the doubt and acquit him. It is very right to give the accused the benefit of the doubt and no one wants the magistrates not to do so. But there is, I think, a tendency on his part towards taking a narrow view of evidence. This tendency reacts very badly upon the investigating staff and the police generally. That is the conclusion that this very strong committee came to—a committee on which there were a judge of the high Court, as well as magistrates and police officers. How are you going to cure this tendency? You are not going to cure this tendency if you take away from the magistrates all responsibility for maintaining the peace of their *ilqas*. If you are going to make them purely narrow-minded judicial officers you are going to set up a much more impossible and impracticable standard of evidence than exists at the present moment. We have gone a long way already towards separating judicial and executive functions and I think it would be a very great mistake to go the whole length. If you confine the work of the magistrates only to trying cases, who will be responsible for the peace of your *ilqas*? The Punjab has not reached the stage—(A voice: The Punjab is a very civilised country). Yes, but I do not think that we have reached the stage when it is advisable to make your magistrates only try cases in courts and do nothing else whatever.

However, these to my mind are the two really important reasons, the underlying reasons which make it inadvisable to separate judicial and executive functions entirely. As I have previously said, we have gone a very long way indeed towards separating judicial functions from the executive, but I would not be prepared to go the whole way because the district magistrate is the person who is responsible for quelling riots and other disturbances in the district. In doing so, he must have control over the magistracy, so that he may be able to mobilise them in times of stress, in times when the peace of the district is disturbed; and, further I think it will be very bad indeed for the magistrates and afterwards for the investigating authority if the responsibility of the magistrates for maintaining the peace of their *ilqas* is removed.

My last proposition is this, that our prosecuting agency is very weak, and until it is strengthened, both in numbers and in calibre, the entire separation of functions is of very doubtful advantage, because if the magistrate is to take an absolutely narrow view of evidence, treating his cases like mathematical propositions, you will be setting up an impossible standard of evidence.

These are the broad reasons. There are a great many others of less importance, but at the present moment undoubtedly there is one absolutely prohibitive reason. In 1922-23 the committee which has been mentioned by Chaudhri Afzal Haq did report on certain very definite propositions which were referred to them. I am not sure whether they advocated the separation of judicial functions from executive functions. Those were not their terms of reference. They were asked to say whether certain measures were possible and what they would cost. As Chaudhri Afzal Haq stated, they reported that the suggestions of Government would cost over 8 lakhs a year in recurring expenditure and between 5 and 6

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lakhs in initial expenditure. The consideration of such a matter is at the present moment absolutely prohibitive, for unless the matter is of urgent importance, such as the building of a new Council Chamber, we cannot consider it. If expenditure must be incurred it must be incurred, but I think we are getting on very well indeed as we are at present and the expenditure of 6 lakhs non-recurring and 8½ lakhs recurring would not be justified in the present circumstances, merely in order to pay homage to a very doctrinaire idea.

Chaudhri Asadullah Khan (Sialkot, Muhammadan, Rural): The Honourable Finance Member has made out according to his own view a very strong point in favour of keeping the judicial and the executive powers in the hands of the same magistrate. That point is that when a committee was appointed which he described as a very strong committee, that committee reported that the blame was on both sides, on the police as well as on the magistrate, because the committee thought that as magistrates would not commit on doubtful evidence—

The Honourable Sir Donald Boyd: That is wrong. I never said that.

Chaudhri Asadullah Khan: He said that because the magistrate would acquit the accused thinking that the case was a doubtful one—if that is not exactly saying.—

The Honourable Sir Donald Boyd: I did not say that either. If the honourable member is going to quote, he must quote correctly.

Chaudhri Asadullah Khan: He said, because the magistrates would not convict on evidence where police had need to put in paddings—

The Honourable Sir Donald Boyd: That is not right either.

Chaudhri Asadullah Khan: You used the word "padding", and you said that as the police had need to use padding in evidence, because the case was incomplete and it required padding, therefore—

The Honourable Sir Donald Boyd: That is a misinterpretation of what I said.

Mr. President: Will the Honourable Finance Member please explain what he said? There seems to be some misunderstanding about it.

The Honourable Sir Donald Boyd: I said that in the present circumstances courts were unwilling to convict unless the evidence was absolutely complete. If there were any gaps they were unwilling to convict. I think that therefore there is a temptation for the police to put in padding.

Chaudhri Asadullah Khan: The honourable member now says that what he said was that because the magistrates would not convict unless the case was fully, completely and wholly brought home to the accused, therefore the police was justified or rather there was a temptation in the way of the police to put in "paddings" and because there was the temptation for the police to put in paddings, therefore the executive powers cannot be separated from the judicial powers.

The Honourable Sir Donald Boyd : That is a misinterpretation of what I said.

Chaudhri Asadullah Khan : If that was not the reason given in support of the contention that the judicial powers should not be separated from the executive, how is that relevant to the subject under discussion? Therefore I dare say the speech of the Honourable Member was irrelevant to the point at issue. The reasons given by him may not be very strong, but I have every right to contradict those reasons.

Mr. President : So far as facts are concerned, the statement of the Honourable Leader of the House must be accepted. If there is some misunderstanding, that is a different matter. The honourable member may request the speaker, through the Chair, to repeat what he said.

Chaudhri Asadullah Khan : I request the Honourable Member to explain why he said that there is a temptation for the police to put in paddings.

Mr. President : If the honourable member desires the Leader of the House to give an explanation, I hesitate to allow the question to be answered, as the Honourable Member cannot be allowed to make a second speech. But, if he wishes to ask a question to ascertain certain facts that is a different position.

Chaudhri Asadullah Khan : Sir, I would request that the original speech of the Honourable Member be read so that the matter be set at rest, and the honourable member may not get further annoyance.

The Honourable Sir Donald Boyd : The honourable member should not misrepresent.

Chaudhri Asadullah Khan : The Honourable Member, as I understood him to say, said that the committee reported that the blame lay on both sides, on the police as well as the magistrates. The committee found that there was a temptation for the police (and this is how, the Honourable Member explained what he had said) to put in "paddings" in order to complete the evidence and make the case complete in order to bring home to the accused the charge against him, and the honourable member put forth this reason on the strength of the recommendation of the committee. As the magistrates would not convict on insufficient and incomplete evidence, therefore there was a temptation for the police—I am not quoting the Honourable Member's words—it is the reasoning that I adopt—

The Honourable Sir Donald Boyd : The honourable member has missed one step.

Mr. President : The honourable member may go on.

Chaudhri Asadullah Khan : As the police had a temptation to put in evidence like that in order to complete the case, it is obvious that there would be miscarriage of justice. There is absolutely no reason why the magistrate should be made to bow down to an influence which would make him undo rather than do justice. The reason why we want these powers to be separated is, that we want to do away with the temptation to complete a case against the accused if it is not so on good evidence. If the magistrate thinks the case incomplete or doubtful, let him use his conscience, let him use his judgment, let him use his discretion and acquit the accused.

[Ch. Asadullah Khan.]

Why burden him with an authority which would try to interfere with the justice that he is there to dispense? Why put any influence on him which may detract him from the path on which he is paid to tread? Therefore that cannot be used as an argument by the Government for not being prepared to consider the question of the separation of the executive from the judicial.

The next point raised by the honourable member was, if I understood him correctly, that the separation would cost Government Rs. 8,00,000 a year. Justice is a word which can be used very easily, but the spirit of the thing cannot be achieved so easily as the word can be used. After all, what is the Government there for? Should we stop short of getting full justice because eight lakhs a year will have to be spent on it? Then, the Government may as well do away with everything that is good in this country, because we have to pay so much for all that. Even the Government may cease to exist, because the maintenance of the Government costs so much to the people. Therefore the argument that the cost stands in the way of giving full justice to the people in this country cannot hold water. We have every right to press upon the Government that this is a valid demand of the people. Spend anything that may be necessary for the purpose, but give us justice. Spend eight crores a year, if necessary. That is our demand. If necessary all other institutions may be done away with, in the interest of administering justice to the people. Why should we bear the burden of taxation and be starved, if the Government is to stand up and say, "We cannot give you justice"? I feel that this cut motion is absolutely justified because after all we want justice and there is no reason why the Government should object to our demand. With these few words I lend my support to the motion.

Chaudhri Afzal Haq : I am very sorry to see that after sixteen years of reforms we have still to hear the speeches that were made in the year 1921. When the resolution was passed the Government committed itself to the promise of separation of the two functions. It cannot now go back on that promise. I do not want to deal with this question now at any length, but the question is whether the Government did make a promise at all or not to this honourable House. If it is a fact that the Government did make a promise, then the whole discussion should end here. Though at present I am not able to lay my hands on the speech of the Honourable Sir Henry Craik, on the subject, I have got a speech now with me of another gentleman who was the Finance Member of the Punjab Government, I mean Sir John Maynard. He was the Leader of the House at that time, that is, in 1925. These are the words he used :

I shall understand that the vote of this Council in favour of this resolution is a distinct expression of the wish that money shall be expended to the extent reasonable and necessary for the separation of functions out of the new resources which we expect to be given to us by the Government of India.

If the Leader of the House in 1925 used these words and held out a hope, I do not see why the Government has not done anything now for realising that hope. There is no use of making long speeches at present. Let the Government explain their position.

The Honourable Sir Donald Boyd : I do not want to do much more than read the words which the honourable member just now read.

The words do not occur in the speech of Sir John Maynard. They purport to be a quotation by Mir Maqbool Mahmood of the words used by Sir John Maynard. I do not challenge the correctness of the words. But these words should be carefully listened to before any charge is levied against Government of ill-faith. The words are :

We shall understand that the vote of this Council in favour of this resolution is a distinct expression of the wish that money shall be expended to the extent reasonable and necessary for the separation of functions out of the new resources which we expect to be given to us by the Government of India.

Sir John Maynard said that he would *understand* the vote of the Council to be a distinct expression of its wish. That was all. There is no promise of any kind. I do not wish to say anything more.

Mr. President : The question is —

That the total grant be reduced by Re. 1.

The Council divided : Ayes 21, Noes 27.

AYES.

Afzal Haq, Chaudhri.	Muhammad Abdul Rahman Khan, Chaudhri.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Muhammad Amin Khan, Khan Bahadur Malik.
Asadullah Khan, Chaudhri.	Muhammad Sadiq, Shaikh.
Bhagat Ram, Lala.	Mukand Lal Puri, Rai Bahadur Mr.
Buta Singh, Sardar Bahadur Sardar.	Narendra Nath, Diwan Bahadur Raja.
Chetan Anand, Lala.	Nurullah, Mian.
Faqir Husain Khan, Chaudhri.	Pandit, Mr. Nanak Chand.
Ghani, Mr. M. A.	Sampuran Singh, Sardar.
Habib Ullah, Khan Bahadur Sardar.	Sewak Ram, Rai Bahadur Lala.
Jyoti Prasad, Lala.	Ujjal Singh, Sardar Sahib Sardar.
Mubarak Ali Sahah, Sayad.	

NOES.

Askwith, Mr. A. V.	Mamraj Singh, Chohan, Kanwar.
Bedford, Mr. J. D. H.	Mayadas, Mr. E.
Boyd, The Honourable Sir Donald.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Bradford, Mr. W. G.	Muzaffar Khan, Khan Bahadur Captain Malik.
Darling, Mr. M. L.	Muzaffar Khan, The Honourable Nawab.
Fazal Ilahi, Khan Sahib Shaikh.	Parkinson, Mr. J. E.
Firoz Khan Noon, The Honourable Malik Sir.	Puckle, Mr. F. H.
Gokul Chand Narang, The Honourable Dr. Sir.	Rahman, Khan Bahadur Dr. K. A.
Gurbachan Singh, Sardar Sahib Sardar.	Ram Chandra, Mr.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Roberts, Professor W.
Jogendra Singh, The Honourable Sardar Sir.	Salisbury, Mr. C. V.
Labb Chand, Mehra, Rai Sahib Lala.	Shah Nawaz Khan, Nawab Khan.
Latifi, Mr. A.	Sheo Narain Singh, Sardar Bahadur Sardar.
	Tate, Mr. T. B.

The Council then adjourned till 2 P.M. on Tuesday, 24th March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 24th March, 1936.

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

DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED)—(concluded).

Section 80 Magistrates.

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

That the total grant be reduced by Rs. 1.¹

Mr. M. A. Ghani: A point of order, Sir, I understand that a Bill is pending before the Legislative Assembly on the same subject as relates to this cut. Now, if this motion is rejected here and the Assembly passes that Bill, our position will be very awkward and if we were to accept this motion and the Assembly were to reject the Bill, then we would not know where we stand. I think the Parliamentary practice is that where a certain matter is before a higher house, the lower house is debarred from considering it. We will be obliged if the Chair will enlighten us on this point.

Mr. President: There Legislative Assembly and the Council of State are the lower and the Upper Houses of the British Indian Parliament. The provincial Legislative Councils are quite distinct bodies and sometimes pass laws which differ from those passed by the Central Legislature. They are independent bodies and make laws for their respective provinces.

Shaikh Muhammad Sadiq: The object of justice is simply to check the other people from committing an offence. Law is never administered in the spirit of revengefulness. I know of many cases, which have been tried in the lower courts under my observation and under the observation of other friends, where magistrates have given lighter sentences. There was a time when there used to be hardly one magistrate with section 80 powers in the district. Now you find practically every magistrate with section 80 powers. It has become the practice that if a magistrate does not get section 80 powers, he thinks that he is not in the good books of the Government. Everybody tries, as soon as he has put in two or three years' service, to get section 80 powers. I say, it is absolutely just that, when a man is being tried for a grave offence—where the punishment to be awarded is more than 2 years—he should get all the benefit which he can get from a higher court. The atmosphere of the court of the assistant sessions judge is different from the atmosphere of the court of a section 80 magistrate,

¹To urge that powers under section 30 of the Criminal Procedure Code be withdrawn from all magistrates and grave cases tried by Assistant Sessions Judges and in the alternative not more than one magistrate per district be conferred with this power.

[Sh. Muhammad Sadiq.]

because there is the solemnity of the sessions court, but here the work is done just like ordinary cases and the solemnity of the offence is not considered. I have seen many cases in which ordinary magistrates would have given one year's imprisonment, but in those very cases a sentence of 4 years is passed by the section 80 magistrate. This is human nature. I know of cases where a magistrate, on getting angry with the lawyer, has passed sentences of 4 years, where he would have passed a sentence of merely two years. I have seen magistrates saying that as a punishment to his lawyer, 5 years sentence is being inflicted, so that the lawyer should not appear in the sessions court, but he should go to the High Court and appeal there if possible. I submit, that our object should not be to fill the jails. Why should we fill up jails and thereby let the poor people of the Punjab and Government as well suffer by paying taxes simply to maintain those people in jails? I think the right thing for the district magistrate to do would be to pick up cases which he considers very serious and in which he thinks that a higher punishment should be given, and send those cases to a section 80 magistrate. It is not fair that magistrates who have put in only 3 years' service, should be given powers of sessions judges. I know many cases where magistrates have put in 3 years' service and they are invested with section 80 powers. As a lawyer, I know that frequently, hardship is done to the accused because the magistrate does not wish to pass a lighter sentence. The fact is that he passes the higher sentence simply because he possesses powers to inflict severer punishment. My object in moving this cut is, that it is no use having so many section 80 magistrates. Only such cases should be sent to the section 80 magistrates which the Government thinks that though they are sessions cases, it is not necessary that they should be sent to the sessions judge; such cases should be tried by the section 80 magistrates. It is not necessary to keep so many magistrates with high powers in each district. I request that this reform should be done and we should follow the system which is prevailing in the Bombay Presidency and so many other places—where they allow all such cases to be tried by the assistant sessions judges and not by any magistrate who happens to be sitting on the section 80 *gaddi* at that time.

Mr. President: Demand under consideration, motion moved—

That the total grant be reduced by Re. 1.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I think the honourable member has not thought much before putting the motion. If such ordinary cases, as he means, should go to assistant sessions judges, the number of assistant sessions judges would surely have to be increased. It is quite well known that these sessions judges are overburdened with work. I have not seen any sessions judge sitting idle for even a part of the day. So, the number of sessions judges will increase. If cases of offences under section 825 and of theft, etc., committed by previous convicts, are to go to the sessions judges, what will be the use of it? If the number of sessions judges is increased, the Government will have to find money for it. Again, the cases that will go to the sessions judges, will have to be tried with the help of assessors and so additional money will have to be provided for them. What is the use of taking such cases to the sessions judges? I say, that all magistrates are competent

enough. They have long experience and they can try the cases as well as the sessions judges. If the honourable member has in mind the fact that the aid of the assessors will be valuable in the trial of these cases by the sessions judges, I should like to assure him that it is an open secret that the sessions judges very rarely concur in the view of the assessors. They pass whatever orders they are pleased to think fit. What then will be the advantage of taking such cases to the sessions judges? Again, the Criminal Procedure Code was drafted after a good deal of experience and it was then thought that some cases should be decided by sessions judges as well as by first class magistrates. They would not have a provision there like it if they thought that there would be any miscarriage of justice at all. What is the use of overburdening the province by providing such things? Besides this when the case goes to a magistrate or a sessions judge, one does not know what punishment will be inflicted and possibly in many cases it will be found that in cases which can be tried by a section 30 magistrate, the punishment is only, at the utmost, a year.

Shaikh Muhammad Sadiq: A year?

Chaudhri Allah Dad Khan: In many cases the punishment will be less than one year. Surely he cannot expect that in each case, because it is tried by an assistant sessions judge, the punishment will be transportation for life. An accused who appears to deserve heavier punishment than two years in the first instance, may perhaps be found by the assistant sessions judge to deserve only a sentence of a year or even less. How ridiculous it would be if a case has resulted only in the conviction and sentence of a year! I do not think any man would have put this motion if he had bestowed some thought on it before.

Chaudhri Asadullah Khan: He is referring to cases of the kind which it will be below the dignity of the sessions judges to be sent to them for trial.

Mr. M. A. Ghani (Nominated, non-official): [The members of the judicial service of our province are divided into two classes. One which deals with civil cases and the other which is engaged in administering criminal justice. Now, the sub-judges are concerned with administering civil justice of the province. Every sub-judge starts from the lowest rung of the ladder of his powers, i.e., the fourth class and then he makes progress. He gets some experience and then he is promoted to the third class. Then he gets the second class. He is then promoted to the 1st class. Then he is appointed senior sub-judge and ultimately he is given the enhanced powers, and when he is about to retire, and if he is lucky, he becomes a district judge.]

Pir Akbar Ali: You do not know the procedure.

Mr. M. A. Ghani: In the case of a magistrate 1st class, he is given the powers of the first class magistrate all at once. (*Honourable members:* No, no.) He may be in training for three or six months and then promoted to the first class (*Honourable members:* No., no.). You do not know.

Pir Akbar Ali: He is given section 30 powers only after he has worked as a magistrate for three or four years.

Mr. M. A. Ghani: Now, this is, on the face of it, very absurd that a magistrate who has put in only three or four years' service is given the right

[Mr. M. A. Ghani.]

of punishing people for five years or seven years. So, I support my friend when he says that these magistrates ought not to be given section 80 powers at all. But if they are very learned and very competent, let them be promoted as assistant sessions judges.

As I pointed out, already there is a Bill pending in the Legislative Assembly to this very effect and the Government has accepted the principle of that Bill. It has been referred to a select committee and I understand that the general opinion in the Assembly is that this Bill should be passed. I shall be very glad if the Assembly would pass the Bill. I could not understand the arguments of my learned friend from Ambala when he said that the magistrates were quite capable of this and that. I say that these magistrates are not capable of exercising these powers at all. I know from my experience as a lawyer that on account of inexperience some of the magistrates make glaring mistakes and they sometimes convict persons to more than four years simply because the appeal may not go to district and sessions judges but to the High Court. Thus on the face of it it is very hard for the accused to be tried by an inexperienced magistrate and be sentenced to more than four years. Another point is that these magistrates are under the thumb of the district magistrates and the district magistrates are always interested in the conviction of persons, as pointed out by me yesterday in connection with another motion.

If the persons are tried by an assistant sessions judge who will be under the control of the High Court and not under the district magistrate who is invariably interested in the conviction of the accused, they will be sentenced only if there is sufficient evidence. The difficulty about these magistrates is that they take instructions from district magistrates or superintendents of police as pointed out by me yesterday. So it will amount to this that the criminal justice of the province will be raised to a high level, if this motion were accepted, and the people who are now being convicted by the magistrates and grumble that they have not been given full justice will have no grievance; the prestige of the Government will be enhanced because every accused will feel that he gets justice, the whole justice and nothing but justice; it will be good to the Government, it will be good to the administration and it will be good to the Goddess of Justice. I would therefore urge upon the members of this House that in the interests of justice and justice only they should vote for this motion. With these few words I support this motion.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): To be very frank I have not so far been able to decide whether I should oppose this cut or I should support it. The reason why I am in a fix is that the proposal now under consideration has been brought forward by the gentleman who is known, at least so far as I am concerned, to have never brought forward any proposal which is not sound. I may as well say that I have always respected his suggestions and that respect for his suggestions now compels me to think many times before I say anything against the present proposal. However, I cannot but say that if we support this cut and also carry it, we shall be providing an opportunity to the public outside to laugh at us. The House cannot have forgotten that only yesterday we passed this verdict that we have every faith in members of the Provincial Civil

Service and if to-day we insist on trials being conducted, of course in important cases, with the help of assessors, we shall go against our decision. Over and above that we shall help in increasing the expenditure because the Government will have to appoint many more sessions judges in case this cut is passed and agreed to by the Government.

Shaikh Muhammad Sadiq : I only said that assistant sessions judges should be entrusted with the work of deciding more important cases.

Pir Akbar Ali : It means that the honourable member and others of his way of thinking can trust the Provincial Civil Service men only so far as they are allowed to exercise first class powers but beyond that they are not prepared to trust them. That is indeed a very minute distinction and I should say distinction without any difference. I have, therefore, no other choice but to oppose this cut although, as I have already said, I am always prepared to say ditto to whatever is said by my friend from Amritsar.

Chaudhri Asadullah Khan : This cut will be withdrawn I am sure.

Pir Akbar Ali : It has become almost a practice of the House to move and then to withdraw such cuts. Anyway I cannot persuade myself to support this cut although I would have very much liked to support it because it has been moved by the honourable member from Amritsar.

The Honourable Nawab Muzaffar Khan (Revenue Member)
(Urdu) : I am here reminded of a verse by the well-know poet Saadi that

مُرِّدِ از دستِ عمرِ ناله کند سعدی از دستِ خیرشتن فریاد

I am grateful to Pir Akbar Ali for defending the provincial service and saying what was right and true. In fact he has anticipated me and said what I wanted to say. The honourable mover of this cut defended the Provincial Civil Service yesterday and was rightly enraged when another honourable member of the House attacked this service. But to-day the same honourable member is doing what he himself condemned yesterday. He was pleased to remark to-day that section 80 magistrates award heavy sentences simply because they are invested with enhanced powers or that whenever they get displeased with any lawyer, they threaten to award four or five years imprisonment to his client or clients.

Shaikh Muhammad Sadiq : On a point of order, Sir, I never uttered a word against the Provincial Civil Service to-day.

Mr. President : It is not a point of order. If the honourable member wishes to make a personal explanation, he may do so now if the member who is speaking gives way. Otherwise he should wait till that member has finished.

The Honourable Nawab Muzaffar Khan : Very well, I take it that it was not the intention of the honourable member although I clearly remember his having said that when these magistrates—who, of course, belong to the Provincial Civil Service—are invested with enhanced powers they are tempted to use them even if there is no occasion for the exercise of such powers. If the mere possession of enhanced powers was dangerous, would not there be the same danger in the case of sessions judges and the Honourable Judges of the High Court? The likelihood is greater in the case of sessions judges and the Honourable Judges of the High Court. I need hardly say that this is the severest attack that can be made against

[Hon. Nawab Muzaffar Khan.]

the members of a service that the mere possession of enhanced powers turns their heads and tempts them to misuse those powers, and I protest against it on behalf of my defenceless service. The House knows that the poor Provincial Civil Service does not deserve this treatment at their hands. Before I sit down I thank Pir Sahib once again for his having taken the cudgels on behalf of this much deserving service.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): There seems to be some misconception in the mind of my honourable friend. (*Shaikh Muhammad Sadiq*: I never uttered a word about the Provincial Civil Service). You say that young officers should not be invested with section 30 powers. Probably he does not know and the other member, also who supported him, did not know that they are not invested with first class powers all at once. First they have to undergo judicial training. Then they are invested with 3rd class powers and then with second class powers and after a year, if they are well reported on, they are invested with first class powers. Then as regards section 30 powers unless a first class magistrate exercises his powers for at least three years, he is not invested with section 30 powers. There are some persons who are most intelligent, very capable, but even they have got to wait at least for 5 years before they are invested with these powers. Therefore there seems to be no miscarriage of justice. It is after they have been tried by the district magistrates and also recommended by the High Court that they are invested with these powers. The practice is that the deputy commissioners recommend these enhanced powers and the High Court is also consulted in the matter and if the magistrate is found capable of exercising these powers, he is invested with them and not otherwise. Therefore, I do not see any reason for this cut and I oppose it.

Shaikh Muhammad Sadiq (*Urdu*): I must say that I have been grossly misunderstood. It was farthest from my mind to attack the members of the Provincial Civil Service. Therefore, there was no occasion for the Honourable Revenue Member to offer thanks to Pir Sahib as if he had found a saviour of the Provincial Civil Service in him. If he had dispassionately listened to what I had said, I am sure he would have found that I did not even once mention the Provincial Civil Service. He would further have found that when I said that magistrates should not be invested indiscriminately with such high powers, I did not distinguish between this class of service or that class of service. I again say that in making the suggestion that I have made I make no distinction between a black and a white or between a red and a green man. My proposal is very simple and very easy to understand. What I mean is only this that the trial of very important and serious cases should be entrusted to a very few experienced magistrates and not to every magistrate as it is done now. After all if more assistant sessions judges are appointed more Provincial Civil Service men will be given higher jobs. When I make this suggestion I have not the Provincial Civil Service alone in my view although I know that some of the honourable members, like Mr. Nanak Chand Pandit, would have us believe that the members of the Provincial Civil Service are dishonest class of people.

Mr. Nanak Chand Pandit: I said that only some of them were dishonest.

Shaikh Muhammad Sadiq : I am not one of those who will attack their own brethren and I treat the members of the Punjab Civil Service as my brethren and I would, therefore, be the last person to attack them indiscriminately. I am prepared, on the other hand, to defend them as I defended them yesterday because I believe that it is quite an honest service as a whole. There are some black sheep as they are bound to be everywhere and if the Government were to kick them out, I personally would not object to that, and I know that all honest Punjab Civil Service officers will welcome it. As I have explained more than once before, the object of my out is to request the Government to invest one or say two magistrates in each district with section 80 powers and that in future all grave cases should be sent to them alone for trial. My own experience tells me that it is not safe to invest nearly all the magistrates with enhanced powers as it is done at present. I know of cases and if required I can name the magistrates who have misused these powers, may be for political reasons, or because pressure was brought to bear on them. I think that the Honourable Revenue Member who has been a member of the Punjab Civil Service for a long time must be aware of the awkward position in which sometimes these magistrates are placed. In political cases they cannot but follow the dictates of the higher authorities and to ignore the dictates of justice, equity and good conscience. Therefore I say that if justice is not to be sacrificed at the altar of politics, the present arrangement of things must be changed.

Sir, I said only a simple thing and the Honourable Member has taken it ill. I have a great regard for him and I respect him as my elder. I had no intention whatever to injure his feelings. I have also a great respect for my friend from Ambala but it is unfortunate that during the course of his service he never had occasion to exercise section 80 powers. He remained during the whole of the period of his service a tahsildar and he left the service as a tahsildar. So he could not have had the experience of the police influencing magistrates who exercise section 80 powers to give higher sentences according to their wishes. Often it becomes difficult for a magistrate who finds a person guilty to award a just and fair sentence. If a magistrate happens to be of independent views the police begin to clamour that he is very lenient and often they may report against him. It is in the human nature to be influenced by direct or indirect clamour. It is not necessary that our jails should be full of prisoners sentenced to long periods. Let there be a smaller number of section 80 magistrates and the criminal justice will be administered more efficiently than is being administered to-day. An honourable friend said that by the jury system expenditure will increase. I say in England trials are always held by a jury. The system of administering criminal justice with the help of assessors and a judge and its administration by a single magistrate differ widely from each other. The former system is a better one inasmuch as the judgment cannot be influenced by the executive. The latter is defective for in it judgment can be influenced. In the former case a sessions judge with assessors has got a direct connection with the High Court. While in the latter case there is no direct connection with the High Court. The jury system helps and purifies the administration of criminal justice. It removes temptation from the way of those who are responsible for administering criminal justice. If the system of trial by jury is also started here the people would become more happy and they

[Sh. Muhammad Sadiq.]

will no longer consider that they have been awarded unjust sentences on account of the influence of police over the magistrate. I challenge any one to deny that in many cases Government have given instructions to magistrates to award sentences of a heavy nature in order to deter people from committing crimes of a particular nature. I do not want to dwell at length on this point. In England sentence of 7 years' imprisonment can only be passed by the High Court and no other court is authorised to award imprisonment for such a long period as seven years. But our country is a very unfortunate country, for here such sentences can be passed even without a jury. By such sentences people are made unhappy and many a family is subjected to hardships and many children are made protectionless for the period their fathers are locked up. In England such things never happen. Even a judge of a high court cannot give a finding of guilt. He can pass such a sentence only when a jury has decided that a particular person is guilty, but here to adjudge a man guilty is in the power of magistrates. I expect that the Government will make a statement as to whether they would support the Bill in the Legislative Assembly so that people may know what they are going to do.

Mr. A. V. Askwith (Home Secretary): Listening to this debate I have had the feeling that the honourable member who moved this Bill has not succeeded in obtaining much support in the House for his motion. On that account I think that it will be unnecessary for any lengthy speech to be made from the Government benches. I might add that the Government views in regard to this motion have been very ably expressed by the honourable member from Ambala, who has to-day appeared speaking perhaps for the first time in alliance with this side of the House. One or two things have, however, been said in regard to which we do feel that a protest should be entered. The basis of the motion appears to be that section 30 magistrates, and presumably other magistrates, are under the thumb of the district magistrate and through him of the police and of the executive Government. In the debate in the Indian Legislative Assembly last summer in connection with a Bill introduced by a member from the Punjab for the total repeal of section 30, this feeling was expressed in very clear language. The honourable member in the Assembly said :—

I think my honourable friends who happened to be district magistrates and magistrates in the Punjab who are sitting in this House will bear me out when I say that in the Punjab at any rate the magistrates consult the police after the arguments are over.

He went on to say a little later :—

I can prove by documentary as well as by oral evidence that after the argument in the open court, in the absence of the defence counsel the magistrates send for the police or the public prosecutor or the court inspector and ask him what he had to say. Magistrates have heard arguments in the absence of the defence counsel and have written judgments with the help and approval of the prosecuting agency.

I am glad that nothing quite so explicit as that has been said on the floor of this House this afternoon. Nevertheless, some honourable members have made statements which approximate to those which I have just read out, and which clearly suggest that magistrates in their judicial decisions act under the influence of the police or under the influence of the executive

Government. I desire to make the most emphatic denial of those statements. There is no truth whatever in them. I myself can claim to have been a district magistrate of five of the districts of the Punjab, during the course of the last ten years, including the two central districts of Lahore and Amritsar; and I can speak with some authority as to the actual practice. I can assure this House, *ex-animo*, that any magistrate who went to the police and sought their advice in regard to his decisions would incur the district magistrate's most severe displeasure. If any honourable member does still believe that statement—we on the official benches find it most difficult to think that anyone does really believe it, but we must give him credit for good faith in the matter—if any honourable member does still believe that magistrates decide judicial cases under the influence of the police or under the influence of the executive Government, I should like to give him my personal assurance, as well as the assurance of the Punjab Government, that that is absolutely and entirely untrue. The speech of the honourable member who moved the cut in the first instance contained a number of exaggerations. One of them in particular I should like to deny. He stated that in many districts there were as many as four or five magistrates exercising section 30 powers. He went so far as to say that perhaps in some districts all the magistrates exercise section 30 powers. If the honourable member will take the trouble to look through the Civil List he will find that that statement is a serious exaggeration. Doubtless in Lahore, where the total number of magistrates is approximately sixteen, you would find as many as four or five exercising section 30 powers. In the rest of the province I think that it would be difficult to find a single district in which there are ever more than three magistrates exercising section 30 powers at one and the same time. The average would probably be found to be two. Many of the smaller districts have only a single section 30 magistrate, apart from the district magistrate. The only other thing which I should like to say this afternoon is to assure the House that the very greatest care is taken before any magistrate is invested with section 30 powers. Admittedly the exercise of section 30 powers does place a great responsibility in a man's hands, and it is right that those powers should be conferred on any person only after he has been tried out and has been proved competent as a first class magistrate. I can assure the House that the very greatest care is taken in selecting men to exercise these powers. It is by no means true to say that every first class magistrate automatically becomes a section 30 magistrate. Before section 30 powers are conferred all the reports of the magistrate's past work are first examined in the Secretariat. Consultation is then had with the Honourable Judges of the High Court, and I have no doubt that they similarly examine their records of the magistrate's past work. It is only when there is agreement between the Honourable Judges and the local Government that section 30 powers are conferred. I should like to conclude with this assurance to the House that section 30 powers are only conferred on a magistrate after the most careful examination of his qualifications to exercise them.

Shaikh Muhammad Sadiq : Sir, my object was only to draw the attention of the Government to the facts of the case. I do not want to press this motion. Therefore, I beg leave to withdraw it.

The motion was, by leave, withdrawn.

Unemployment.

Lala Jyoti Prasad (South-East Towns, non-Muhammadan, Urban)
(Urdu): I move—

That the total grant be reduced by Re. 1.

May object in moving this cut is to draw the attention of the Government to the growing problem of unemployment in the province and to request Government to find out ways and means to solve it.

Unemployment is increasing day by day in the province and it extends to the educated and uneducated alike. When a young man comes out of his educational institution, he is anxious to get some job. The reason, firstly, is that the education he has received is of such a type that he is not inclined to any other thing but a job in some department. Secondly all that his parents had is spent on education and there is no money left in the house to enable him to start some business. Further, business in this country is also very dull. The slump in the market has affected the agriculturists and non-agriculturists alike. One cannot form a correct opinion about the real state of affairs by the conditions prevailing in big cities. Here everybody is well dressed and looks busy. But you have to go to small towns and villages to form a true idea of the condition of the business. It is a fact that a very large number of people cannot afford to have two square meals a day. When a young man does not find work even after knocking at hundreds of doors and all his ambitions are ruined disappointment overwhelms him. After several years of useless efforts in the way of searching for work he determines to commit suicide. Everyday you read in newspapers that so many young men are committing suicide on account of unemployment. If he does not commit suicide he begins to live the life of an irresponsible man. You know that an irresponsible man is a source of danger both to the society and the State. It requires no prophet to tell you that the growing number of irresponsible young men in the country can prove to be a real menace to the State as well as to the society.

I understand, that the Government appointed a committee eight or ten years ago to advise the Government on this question and to suggest ways and means to check the growing unemployment. So far as I know that committee submitted its report. But I am not in a position to say whether the Government took any action on the recommendations of that committee and if any action was taken what was its nature. There is no doubt that if the Government had paid sufficient attention to this question the condition of unemployment would not have been so appalling as it is to-day. It is high time that the Government brought forward constructive proposals to check unemployment and acted upon them.

The other day Sir Tej Bahadur Sapru made a strong speech in the United Provinces Legislative Council and told the Government rather in detail how the unemployed young men were driven to anti-Government camps when doors of employment were totally closed to them. That is not the opinion of an ordinary man. It is the opinion of a gentleman whose prudent statesmanship has been acknowledged on all hands. The Government, therefore, should make earnest efforts to check unemployment so far as it lies in their power to do so. Even if it were admitted for the sake of argument that the unemployed young men are not a source of danger for

the State, the Government cannot be absolved of the responsibility of providing them with work. In all other countries the Government address themselves to this task. Our Government should not remain indifferent to this matter. They should provide more facilities to enable young men to earn a living by industry or agriculture and lead the life of responsible men.

Mr. President : Demand under consideration, motion moved—

That the total grant be reduced by Rs. 1.

Mr. M. A. Ghani (Nominated, non-official) : Soon after the adoption of the well-known unemployment recommendation of the International Labour Conference at Geneva, there was a debate in the Legislative Assembly in 1925 on the subject of unemployment in this country. In the discussion there, it was pointed out that there was growing unemployment in India and that the Government should do something to cope with this problem. On the 5th March, 1926, my honourable friend—Chaudhri Afzal Haq—put a question in this Council and Sir John Maynard replied that a committee would be appointed to go into the question of unemployment in this province. The Government took about 3 years to consider the personnel and the terms of reference of that committee and in 1928 a committee on unemployment was appointed by the Government. In that committee there were certain very learned persons, for whom I have great respect and regard. But I cannot help saying that they did not approach the problem from the point of view of those who had specialised themselves on the question of unemployment. That committee came to the conclusion that there was no unemployment among the skilled workers and that there was unemployment, to a certain extent, among the educated people of this province. Since then a number of questions have been put on the floor of this House and the Government have always referred to the findings and the recommendations of this committee. Whenever a question has been put as to whether there was any unemployment among the uneducated or unskilled workers, the Government at once replied, 'Yes, we did appoint a committee in 1928, and the committee found that there was no unemployment among the unskilled workers.' I cannot understand how the findings of a committee appointed in 1928, should govern conditions prevailing in the province in 1936? Can any sane body in this province say that there is no unemployment in this province? Can anybody say that the Government has done anything to cope with this problem? Only last year, I remember, a few workers were required in the Moghalpura Workshops of the North-Western Railway. A notice was put up at the gate of the Carriage Workshop. You will be surprised to hear that more than 5,000 workers gathered at the gate of the workshop, crying for being employed. The railway administration was simply baffled as to how to get rid of this army of unemployed. They thought out a plan. They sent for a fire brigade engine and water was thrown on those workers to push them back and disperse. It is a cogent proof that there is unemployment even among the skilled workers and this incident gives a direct lie to this report which is in my hand.

The Honourable Sir Donald Boyd : May I ask when this incident occurred?

Mr. M. A. Ghani : Last year. I can give you the exact date also.

The Honourable Sir Donald Boyd : I should be very glad if the honourable member will do so.

Mr. M. A. Ghani : If the Honourable the Finance Member would refer to the Superintendent, Mechanical Workshops, Moghalpura, he will be in a better position to get the exact information which he requires.

Then, again, last year or the year before there were 8 vacancies of inspectors in the Co-operative Department—and this will be within the knowledge of the Honourable Minister for Agriculture, who I am sorry is not in his seat—and 800 candidates applied for the posts of 8 inspectors to the Registrar, Co-operative Societies. Then, again only a few days ago the Government required a few constables. Thousands of people applied for those posts of constables. So, all these incidents show to the hilt that there is very acute unemployment in both among the educated and the uneducated classes of this unfortunate province. Nobody can deny this fact. You will

find articles written in newspapers as regards the problem of unemployment and if any members of Government were to deny this fact, I would tell them a certain plan—a plan which I adopted a few months ago. There was a meeting of the Punjab Labour Board of which I am Secretary and in that meeting the question of unemployment was to be considered. A member asked where was the proof that there was unemployment in the province. We thought of a plan. We put up a notice in handwriting outside Lohari Gate to the effect that we required five cobblers, 10 bhishtis, 20 clerks and 6 or 7 B. A., LL.Bs. for certain purposes. That poster was put up outside Lohari Gate. You will be surprised to find that before the man who put up the poster at Lohari Gate reached my house, there were 12 persons who came from Lohari Gate after reading that poster and told me that they would like to have the jobs. This is the state of affairs in the province, and still Government goes on saying in reply to our questions that there is not much unemployment in this province. The honourable members of Government who have secured for themselves very nice and good jobs should care for the unemployment also of others. I appeal to Government accordingly. It is their duty, it is their first duty to find work for the unemployed.

Before I go further, I would like to draw your attention to one fact which I think may also be taken by the Government in opposition to this motion that we do not understand what is meant by unemployment. As a matter of fact I ought to have started by defining what is unemployment and who is unemployed. I will read out the definition which I have got from an authoritative book, Appleton's "Unemployment." This is the definition given there :—"An individual is considered to be unemployed when he is desirous of, but unable to obtain, full time employment in the service of others at the current rate of wages for the class of labour offered and unemployment is considered to exist in a place where this is not found." This is the technical definition of "unemployment." If we apply this definition to the people of this province, I daresay thousands and thousands of people will come under the category of the unemployed. It must be borne in mind that if there is a man who is accustomed to live up to a certain standard of life and he cannot find work to enable him to live up to that standard, he must be taken to be unemployed. I admit that he

ought to accept some service which will bring his standard of life a little bit lower than what he is accustomed to, but certainly a person who has passed his M. A. or the LL.B. examination cannot be expected to do the work of a cooly; nor can the Government say, there is so much work in the province, why cannot that LL.B. go and work as a cooly? It is true that there is no dishonour in working as a cooly but that is not the definition of unemployment accepted in European countries. According to the accepted definition, a person who is accustomed to a certain standard of life should be given such job that he may be able to live in that standard of life. That must be the criterion on which we should judge whether there is unemployment or not.

Then we cannot regard all sorts of persons as unemployed. There are so many classes of unemployment. There is cyclic unemployment, there is the seasonal unemployment and there is the endemic unemployment and there are so many sorts of unemployment, but I am referring to the accepted definition of employment and I say that if there is a man who wants to work but cannot find work he must be taken to be unemployed. All governments in the world take it as their first and primary duty to keep the person employed. Government cannot say that it is not their duty to find work for the people. Government is not only meant to govern and to keep law and order, Government is meant to create certain institutions in which all people may live their lives happily. (*An honourable member*: What kind of institutions?) I will come to that when I deal with the cure of unemployment. I am making that suggestion in the latter part of my speech. I have read so many books on unemployment and in every book it has been emphasised that it is the primary duty of the State to see that its people are employed. The Honourable Minister for Agriculture I see is very eager that I should tell what Government should do. I will come to that point immediately. In the first place, Government ought to appoint a special officer whom I would call "Unemployment Officer" and the Government ought to open an Unemployment Bureau. Let that bureau be in charge of the Unemployment Officer. Let that officer collect figures. Let him advertise in the papers that anybody who is unemployed should apply to him for work. In this way he will be able to collect certain figures and then he should analyse those figures, unskilled workers on one side and skilled workers on the other. Doctors, engineers, lawyers, clerks so on and so forth. He should make separate files of all these classes of unemployed and then he should try to find employment for all those workers. It is very easy for the Unemployment Officer to find work. I will tell you, how. I went to Dharawal the other day and the Manager complained to me that he could not get skilled workers. I told him that there are thousands of skilled workers who were unemployed. He said there were no means of knowing whether there were any skilled workers who would like to be employed. (*An honourable member*: Do you know how many people are employed by factories?) According to the report of the Chief Inspector of Factories, in the factories registered under the Indian Factories Act there are about 50,000. (*An honourable member*: Your scheme would employ only a few.) Every factory is not registered under the Factories Act. Factories employing more than 20 operatives and using power are registered. (*An honourable member*: Most of the factories do not employ power and employ men

[Mr. M. A. Ghani.]

less than 20 in number.) If this Unemployment Officer is appointed, he will be able to help the factories in getting skilled workers and that will help the industries of the province also.

There is another scheme also and that scheme is to send out people who want to go out of the country for employment. For instance, some people would like to go to Brazil, some to Malaya, some to Malacca and others to Australia and so forth. Every Government has got a foreign labour department and they keep in touch with all the labour requirements of other countries and they supply workers to those countries. In this way the Unemployment Officer will be in a position to get employment for thousands and thousands of workers. The other day I met a gentleman who had come from Brazil. He was a Punjabi and he had been sent by the Brazilian Government to recruit certain class of workers. He came to see me because some one had told him that I might be able to help him because I was in touch with the labouring classes. Similarly at Jhelum seamen who are called laskars are recruited by the agents of certain shipping companies. If there is the Unemployment Officer, the shipping companies would gladly have so many workers employed in their ships through him. Similarly, there are various other schemes which can be promulgated. I would leave that to the Unemployment Officer. I am extremely sorry to find that our Government has not done anything so far in this respect. Except appointing a committee to which I have already referred, Government has done nothing. Does it behove a civilised Government of the type which we have got? Will the Government still remain quiet and pay no heed to the cry in this House for the appointment of an unemployment officer or a labour officer or the opening of a labour department?

In countries which are highly developed industrially and in other ways, different means have been adopted to help the people to get employed. There are some 20 devices which have been adopted in different countries. I will deal with some of them for the benefit of the Honourable Finance Member or the Revenue Member whoever is in charge of this subject. In the first place in these countries Unemployment Insurance Acts have been passed. Everybody who is working and is employed has to contribute a certain amount of money to the unemployment fund. To that unemployment fund a certain portion is added by Government and then when that person becomes unemployed he is helped from that fund. We have no legislation in this province and there is no such means of giving insurance to the unemployed. Then we have what is called the Board of Guardians. The English gentlemen might be able to appreciate that much better because they know what that is. In every borough and in every country in England there is what is called a Board of Guardians. One of the duties of the Board of Guardians is to find work for the unemployed and to help them. Those boards have got certain funds and the unemployed are helped from those funds. Then in England, France and Germany, there is what is called the dole system. (*An honourable member*: That is no good.) If that is a bad system, I would invite the Honourable Revenue Member to give us a better system. I am not asking anything from Government which is not reasonable and I shall be too glad if the Honourable Member would give us a better system than the dole system.

The question of unemployment has been dealt with at great length by the Royal Commission on Labour which came to India about five or six years ago. I am sorry to say that the Government has not taken any action on the recommendations of that Commission.

The Honourable Nawab Muzaffar Khan : That is wrong.

Mr. M. A. Ghani : I am very glad to hear that remark from the Honourable Revenue Member and I shall be very glad to withdraw my statement if the Honourable Member, when his turn to speak on this motion comes, explains what action the Government has taken on the report of the Royal Commission with respect to unemployment. I admit that so long as industry and agriculture are not socialised some unemployment must continue in one form or the other in the province. So long as industry is in the hands of the few capitalists, the poor must go to the wall. There is one country in the world where there is no unemployment. That is Russia. There is not a single person there who is not employed. Although I do not subscribe to the doctrines propounded by that country, still I feel that a country must be a paradise where there is no unemployment.

The Honourable Nawab Muzaffar Khan : Then go to that country.

Mr. M. A. Ghani : The Honourable Revenue Member wants me to go to that country.

The Honourable Nawab Muzaffar Khan : Yes, if you think it is a paradise.

Mr. M. A. Ghani : I would like the Honourable Revenue Member to make this province a paradise. (*Hear, hear.*) Why should I go to Russia? Why should not our province itself be made a paradise? The honourable mover of this motion referred to a very learned speech of Sir Tej Bahadur Sapru in the United Provinces Legislative Council. In that speech that learned and great politician appealed to the Government and its members to put themselves in the position of the unemployed and then try to do something to cope with the problem of unemployment. It is all very well for a person who is assured of his hundreds and thousands on the first day of every month to laugh and smile on the unemployed. But, imagine the feelings of a man who wants work, who goes about the city in search of work and finds none and returns home to his wife and children without a pice in his pocket. Is it not hard, is it not unjust that the people should be reduced to this position? There is an English proverb "An idle man's brain is the devil's workshop." Now all these unemployed people who roam about the streets feel in their heart of hearts that if Russia were to invade India they would help that country. That is the feeling of the unemployed. They curse this Government which has done nothing to alleviate their sufferings. Whenever there is civil disobedience movement you find hundreds and thousands of these people ready to join that movement and go to jail. What happened in the Shahidganj affair or the Kirpan morcha. (*An honourable member :* Were these due to unemployment?) Certainly. (*An honourable member :* Did Sardar Bahadur Buta Singh and Sardar Sampuran Singh join the morcha on account of unemployment?) These gentlemen might have joined the movement to win laurels from their community for upholding their religious tenets. (*An honourable member :*

[Mr. M. A. Ghani.]

Is all this relevant to the debate?) The House knows full well that I am never irrelevant. (*Laughter.*) I referred to the Shahidganj movement in which hundreds of Muslims took part because they were unemployed. (*An honourable member:* That is again wrong.) What I am driving at is that when people are unemployed they would join any movement. After all one should have something to do. If people cannot earn honestly they are prepared to go to jail. Is it a happy situation for our Government that this state of affairs should prevail in this province? I would, therefore, most earnestly appeal to the Government to do something to cope with this problem of unemployment. In Russia during the Czar regime the same trouble arose. The Czar refused to take notice of the unemployed in the country. Several attempts were made to draw his attention to the growing problem, but he always drove the people away with the aid of the police force. With what result? The Czar is no longer there. Bolshevism and Communism have taken hold of the country about which our Government is so much afraid. I do not myself want bolshevism in this country, nor am I a communist. I do not subscribe to the creed of Russia. But my honest view is that if the Government want to be free from the worries of bolsheviks and communists, it must do something to alleviate the sufferings of the unemployed. With these words I resume my seat. (*Cheers.*)

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): The problem of unemployment is not peculiar to this country. In fact every country in the world is faced with this important problem and it has become more acute since 1929 when the depression set in. What is peculiar to this country is this that whereas in every other country figures of unemployed are maintained and efforts made to tackle this problem successfully, nothing worth the name has been done or is being done in India. Sir Visweswarayya has written a very interesting book "Planned Economy for India" and there he has given some very useful figures. The total number of unemployed in the whole of the civilised world has been estimated at about 30 millions whereas in India, although no definite figures are available, it has been estimated that nearly 40 million persons are unemployed. Of these near about 1½ millions are educated unemployed. Sometime back all provincial governments set up provincial committees to examine the problem of the educated unemployed. In our own province too a committee was set up in 1927 and I had the privilege of serving on that committee. It is rather a matter for regret that the provincial Government has not taken action on any of the recommendations of that committee. I believe that report met the usual fate of such reports, that is, it was either thrown into the dust bins or it will be lying under heavy files in some dingy corner of the Secretariat.

(*At this stage Mr. President left the chair and it was occupied by Mr. Deputy President.*)

The chief cause of our backwardness in this country and of unemployment seems to me to be the high percentage of illiteracy. There is no civilised country in the world where the percentage of illiteracy is so high as in India. No country can make any progress in any direction if the masses remain steeped in ignorance. We find Japan making headway mainly because labour is cheap, intelligent and efficient. Any country which has

made any progress in industries has tackled first of all the problem of illiteracy. In our province, we did try to find some solution of illiteracy and set up a committee for the introduction of compulsory primary education. That committee reported after mature deliberation, but the Government took four or five years to give any consideration to the recommendations of that committee. Ultimately when it did give some consideration, it gave expression to its inability to give effect to the recommendations of that committee. It is rather astonishing that elementary education should remain so neglected in this country. There is the appalling waste which this Compulsory Primary Education Committee suggested could be avoided. We find a large percentage of the pupils dropping out at the second primary stage and even if those pupils were compelled to stay on till the primary stage, a good deal of wastage could have been avoided and you could have, at any rate, given some elementary education to those who joined the schools.

The second cause, which in my opinion is a very important cause, is the neglect of industries. Industries in this province, and for the matter of that in the whole of India, have not received the attention that they ought to have received from the Government. In an industrial age, in the machine age, it is rather surprising that India should be becoming increasingly rural. Since the depression set in, prices of primary commodities fell, and agriculture has ceased to be a profitable or an attractive profession. Even those who were engaged in agriculture and could make a living, cannot make a living now and agriculture cannot provide employment for those who some years ago might have found a lucrative employment on agriculture. Some years back, where we were exporting wheat, we are now driven to the position that we have to protect our wheat by an import duty and in other commodities also, the prices are so low that the agriculturists cannot maintain themselves. Just imagine, even those whom we may call the employed, cannot really be so called in the strict sense of the word. They are semi-employed or under-employed. They are living on starvation wages. Just imagine, even a tenant in a colony area will not be earning more than Rs. 16 to Rs. 20 a month with a family of seven to eight persons to support. On an average the income of that cultivator would be near about two annas a day. Can you imagine, that a person can maintain himself on two annas a day? Still we are maintaining ourselves on that starvation level. It is in fact due to this low standard of living, that the problem of unemployment amongst the uneducated classes has not become so acute or so prominent as it is in other countries of the world.

The chief remedies to which the Government should pay attention are to my mind, first, the removal of illiteracy. Unemployment problem is not a problem to which attention of one department can be drawn. It is an all-round problem and it can be solved successfully if co-ordinated effort is made by several departments and the first thing that appears to me is that illiteracy must be removed. A sincere and an earnest effort should be made, but so far nothing has been done. I do not say that you must stop all higher education, but whatever possibly can be done, must be done towards imparting elementary education to the masses.

The second thing is that the present system of education requires to be overhauled. It has been brought to the notice of the Government times

[S. S. Sardar Ujjal Singh.]

without number that our system of education does not fit in with the changed conditions. It was suited to the 19th century, but it is entirely out of date now. Of what good is the general education, the higher education, for a man if he is unable to support himself, if a starving family is to face him in his house. More attention has got to be paid to industrial and technical education and industrial and rural bias has to be given to our system of education. The provincial government can, at any rate, help in maintaining the statistical figures of the unemployed. My honourable friend, who represents labour, has already suggested that point. Unless the Government knows the number of the unemployed, it is impossible for the Government to realise the gravity or the extent of the problem. In every civilised country, such figures are maintained and if the Government are serious, they must set up a bureau where the figures of the unemployed—the educated as well as the skilled and unskilled unemployed labourers—should be kept.

Then, another direction in which the provincial government can, at any rate, do something is to provide training in new professions. A good deal on that subject was suggested by the Punjab Provincial Committee and has recently been suggested by the United Provinces Committee. Training in such professions as architecture, journalism, pharmacy or accountancy should be provided. Then, the provincial government can encourage the development of industries, especially cottage industries by sending out some experts to study the problem in Japan where nearly 80 per cent. of the industry is small-scale industry. If an expert of the provincial Government goes there and comes back equipped with that knowledge, he can guide people to set up small industries which is the need of our province. Then, again, a special industrial intelligence bureau should be set up. At any rate, the Government can do that with a small expense. Those industrialists who are anxious to set up some sort of industry, and thereby provide employment for the educated classes should be able to get all the necessary information. And not only that, information should be available with some department of the Government, but publicity should be given to all that information so that young men might be tempted to start some sort of industry. The last point which for this province is of special importance is that efforts should be made for raising the price level of commodities. Since prices fell, as I have already stated, agriculture has become unremunerative and the one source of employment has not remained attractive to many of the young men and others. Now, this question of raising price levels cannot be tackled, I admit, by one province. It is an all-India problem and no province can by an isolated effort touch even a fringe of the problem. A very interesting note has been appended on this subject by Mr. Gavan Jones—a European who was a member of the United Provinces Unemployment Committee. He is also of the view that the two main things, the two main factors which can help us in raising the price level, are the adjustment of railway freight and the depreciation of our currency. The honourable members will be interested to know that Australia and New Zealand, that are members of the British Empire, were free to depreciate their currency by 25 per cent. and that is one of the main reasons why we are not able to compete with Australia and New Zealand in some of the commodities. On the industrial side, Japan has been able

to develop her industries by depreciation of her currency and it is the one thing—the most important factor—which can help in the raising of price levels. About railway freight, I was rather surprised to learn from a very high quarter that the railway authorities were very reluctant to reduce freights unless they were assured that the reduction of railway freight on these commodities would not entail any loss to them. It was rather an astonishing statement. Unless the freight is reduced, you cannot stimulate trade. Who can forecast the result of reduction in freight unless the experiment is made and results watched? But there is one thing which must be brought to the notice of the railway authorities, that the freight rate ought to have some relation with the prices of commodities. When prices were very high, railway freight was raised. I know it definitely, and it was stated on the floor of this House that railway freight before the War was less than railway freight to-day. It was raised when the prices went up. Now when the prices are lower than even the pre-war prices, there is no reason why the railway freights should not be adjusted to those prices.

Again it is no business of ours to give an assurance to the railways that they will not suffer any loss. If they are suffering losses and they are not able to balance their budget they can explore other avenues. I can give an example where the railways are spending more, in fact wasting a lot of money. The railways are spending 20 per cent. more on their buildings than the Public Works Department of our province. There is no reason why the railways should set up costly buildings. They can afford to make a saving in one direction or another. Then it is a common knowledge that the railway officials are very highly paid and very much less worked. Everybody who can have any chance would at any time like to go and join the railway service in preference to any other service. I know that the Punjab Government has not much hand in this. But unless the provincial Government makes strong representations to the Government of India, the Government of India will not move in the matter. Public opinion must express itself very strongly and through the Punjab Government so that the Government of India might be moved. Our province is very vitally affected in the railway policy and the currency policy and there is no reason why public opinion should not express itself very strongly on these points. I do not want to detain the House long. But I wish to say that the gravity and the extent of the problem of unemployment has not been fully realised by the Government. They must tackle it boldly and with a firm and generous hand. Unless they realise its gravity and set their face to the solution of this problem, there is no wonder that one fine morning they might rise to find this country in the grip of an economic revolution.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): We owe a debt of gratitude to the mover of the cut who has drawn attention to a serious problem with which the province is confronted. There can be no question that the problem of unemployment is a serious one and needs careful attention not only of the Government but also of the people of the Punjab. I am no less disappointed with the speech which the labour member made. He dwelt more on theories than on realities. He talked about labour bureaus, doles, unemployment officers and so on, as if it was possible to provide employment by creating agencies which merely

[Hon. Sardar Sir Jogendra Singh.]

dealt with the effects of unemployment. I wish members realised that the problem cannot be solved by creating employment bureaux or appointing employment officers. The problem is of vital importance to this province. But it cannot be settled by creating any number of employment bureaux. If honourable members who sit in this House, and who spend hours dwelling on communal proportion in services, devoted as much attention to the industrialisation of the province, they would have done a lot in providing employment for the communities than they have done by splitting up communities into different groups. Honourable members who drew attention to what has happened in Germany, America, Japan and Russia did not realise that neither in America nor in Japan nor in Germany nor in England 90 per cent. of the population depend on agriculture for a living. Tell me whether there is any country in Europe where almost the whole of the population is entirely dependent on agriculture. (*An honourable member* : That is due to Government policy.) (*Mr. M. A. Ghani* : Russia.) The honourable member must be ignorant of what is happening in Russia. If he has been keeping touch with the events he ought to have known that five years' plan of industrial development has been carried out and has given employment. It is not, that agriculture has provided employment; it is the industrialisation of the country that has provided it. Honourable members who sit in this House and seek a divorce between rural and urban interests, are not serving the interests of the country because it is not in the divorce between rural and urban interests that resources of the country can be developed; it is in combining these two interests that new sources of employment can be found. I have been Minister for Agriculture for ten years and I know what agriculture can produce and I can tell you that the increasing population of this province, at the rate at which it is increasing, cannot be supported by agriculture. It can only be supported in reasonable comfort if at least 50 per cent. of the population can find other occupations than agriculture and that can only happen, if honourable members of this House would realise that they can accomplish this by increased co-operation between rural and urban interests. (*Hear, hear.*) Then the honourable member talked of socialism as a remedy for unemployment. I think the honourable member does not know what socialism means. The honourable member does not know how wealth is produced. Wealth is not produced by bringing everyone to the same level. There was a friend of mine who started a paper.

Mr. M. A. Ghani : On a point of order. Is the Honourable Minister right in attacking me like this? I know more about these things than he does.

Mr. Deputy President : There is no point of order.

The Honourable Sardar Sir Jogendra Singh : This gentleman came and said "my brother used to support me so far, and he maintained me and now he has come to the same level as myself." That is what socialism has done for these two friends of mine.

Mr. M. A. Ghani : Absolutely wrong.

The Honourable Sardar Sir Jogendra Singh : If you are going to increase wealth, you want leaders and captains of industry and without

leaders and captains of industry we cannot raise the province to a higher level. Without such leaders this province cannot rise to a higher level. Now, talking of unemployment, I wonder if many members have read the interesting and full report which the committee, over which Sir Tej Bahadur Sapru presided, presented. In that report certain conclusions have been reached. I do not like to quote from that report because the report is so full and complete that I would only be doing it an injustice by quoting from it. I can, however, tell members that even this committee which conducted the enquiry with great care has found no easy way of finding employment. Actually they were dealing with educated unemployed and Sardar Ujjal Singh dwelt rightly on the part that education can play in making this province self-supporting. The committee recommends reforming of primary education, rescuing secondary education from its present position—mark the word “rescuing”—encouraging practical research at the universities, making professional education given by the universities or other higher institutions more thorough, more efficient and more up-to-date, reorganising professions so as to secure on the one hand that the number of those joining these professions is not far in excess of the public demand and creating new avenues of employment.

Then again, I would like the honourable member to know that if fresh employment is to be provided, it can only be provided by opening new avenues of employment and in opening out new avenues of employment, education has a very important part to play. At present our education—I am a firm believer in education and I hold that no country can ever afford to say that it has got more educated men than it can afford—but education must give the right direction, education must equip us to take our proper place in the material, moral and spiritual world. There can be no question that education has done a great deal for India. If we owe nothing more, we owe a great and deep debt of gratitude to the British statesmen who started the present system of education. It has given us light to see where and why we have failed. It can do a lot for the future and show us the path which might lead us to success. Any short-coming in our system can be remedied, but I can never agree that education should be restricted. In fact there is always room and there will always be room for expansion of education. But, if you are really serious in finding employment not only for the educated unemployed, but the thousands of unemployed who live in villages and whose occupation is gone because large scale industry has taken the place of handloom weaving, we must plan industrialisation of the province. Some members seem to think that the Government has not been doing anything, that the Government has not been exploring methods of finding ways and means of finding employment. Not long ago His Excellency the Governor held a conference on industries and that conference made certain recommendations. Even to-day I was examining a scheme to start an enquiry to ascertain the resources of our province, the demands of the province in the matter of manufactured articles, and the material that is available both in man power and raw produce. Government has no magic wand which it can wave and create industries. Government is what you make it. You are the Government; you are the leaders of opinion of the province. Government is just the mirror of your minds; carrying out your wishes as far as it can. But, in this House particularly and out-

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side one is struck at the neglect of the vital problems of the country. We are all so engaged in other things that vital problems are forgotten. We spend all our powers in petty quarrels. I have never heard of any private movement in the province started by a body of intelligent men, men of power and ability who are engaged in solving this important problem.

We have associations and conferences dealing with other matters such as the educational conference and the political conference. But so far as I am aware there is not a single private body existing in the province which devotes itself to the question of unemployment, to the creation of industries, to the creation of new wealth. If I may say so, I feel that unless the whole character of our people changes and their mind becomes more practical and unless they seek a larger unity nothing can be done. It is not Government alone that must take up the problem but people also. My honourable friend, Mr. Manohar Lal will say that I am as usual preaching a sermon, but I believe it is good to preach sermons sometimes. In the words of a poet—

چہ بن نہ سکا آدمی بن کر
ا سان کر انسان بنانا ہے مجھ

The men could achieve nothing even though they were men I have to make men who can do things.

We want a new Punjabi, ready to tackle practical problems, and working steadfastly to develop the resources of the province who in the words of the poet—

نقش دہر و حرم آنا ہے مجھ
ہند بالکر نیا سچا نا ہے مجھ

will destroy the distinction between mosque and the temple and make altogether a new temple for their devotion.

The Government is your Government anxious to help the country to rise to its highest possible level. If I were in a position to do things I will do what Australia and New Zealand have done. I will set more money in circulation by spending on public works, I will increase the purchasing power by putting money into circulation. Just what other countries have done. I hope if honourable members are serious and wish to promote the best interests of the country they will cease wandering into bye-paths, but seek the path of unity and co-operative effort.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I listened very appreciatively to the opening part of the speech made by the Honourable Minister for Agriculture. And I was congratulating in my mind that he was really going to tackle this problem with which we are dealing. But in the end he went into vague and general phrases and instead of giving us a solution or even an attempt at a solution of this problem he advised us to unite together, co-operate and evolve a scheme. That advice is an excellent one and it could have been easily followed by the five gentlemen who are in charge of the Government. They could have easily sat together and evolved a scheme for tackling this problem of unemployment. I hope that at least the three Ministers before they retire from this

House will try their utmost to give at least a scheme which should be followed by the young men of the Punjab in solving this all-important problem. The Honourable Minister for Agriculture was perfectly right and I cheered him when he was saying that the division of the community into urban and rural is detrimental to the best interests of the province and to the solution of this problem. The Honourable Member should have followed this line to its logical sequence and he would have found that therein lay the trouble. For example, India is really a country which is the prey of foreign nations. India produces cotton in a very large measure and yet for its cloth India depends upon Japan, Britain and Germany among other countries. India again is a great producer of wheat and other grains but we import our biscuits and feeding materials from America, from Germany, from Britain and other countries. India again produces iron to a very large extent but for our machinery we have to depend upon Holland, Belgium, Great Britain, Germany and so on. The real truth of the matter is that though India is at the present time fully awakened to her vital needs she is helpless to move in the matter because India is part of a complicated system and therefore it is essential that we should bring pressure upon the various provincial Governments and upon the Government of India to tackle this problem, the solution of which is most vital and essential for the peace and prosperity of the province and the country as a whole. Sometime ago a reference was made to a committee which was appointed by the Punjab Government in 1927. I also happened to be a member of that committee and had the honour to write a dissenting minute to the committee's findings suggesting certain methods of meeting this problem. If honourable members will do me the honour of reading pages 85 to 87 of the committee's report, they will find there my suggestions made. Similarly Sardar Ujjal Singh appended a note of dissent to the findings of the committee suggesting certain methods for dealing with this problem. I am very thankful to the honourable member representing Labour, Mr. M. A. Ghani, for pointing out the real definition of unemployment. At page 6, that committee wanted to define unemployment in these words. The committee say: "That does not mean that there are large classes of men like the unemployed in Great Britain who are starving for want of work or who would starve, but for the unemployment insurance benefits or poor relief though it may be true that, but for the social structure of the province there would be much more actual physical distress than there is." Whatever definition of unemployment is adopted, whether that which is given in the committee's report or whether the one which has been just read out to us by Mr. Ghani, the fact is that during these seven or eight years, things have come to such a pass that people in the Punjab and outside the province are actually starving. They do not know where to find their means of livelihood. It is a misery which has become very acute. The real reason for this is that there has been a complete disaster so far as the agricultural products of the country are concerned. The peasant is suffering because the level of prices has gone very low and with the suffering of the peasant other professions in the province and in this country are also suffering. The result is that whether people are educated or uneducated the problem of unemployment has become so acute that unless Government tackles it seriously and tries to find methods of dealing with the problem, the Government would be soon facing not only an economic revolution, but a revolu-

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tion in every sphere of life. That is the warning which Government should receive from those people who are at the present time suffering on account of there being not enough to eat, not enough money to spend and not enough work to be done. Therefore it is with the greatest possible earnestness that the members of this Council would urge upon this Government and the Government of India that the problem of the educated classes and the uneducated classes should be tackled without any further delay. Sir Tej Bahadur's Committee which wrote a very excellent report is worth the consideration of every honourable member of this House and every member of the Government. That committee has dealt with the problem in all its aspects but still there is no solution to any great extent offered. I would just repeat with slight additions what has been said there with regard to the educational system. It is undoubtedly true that the report of that committee tackles the educational problem in all earnestness. We have got a very large number of colleges and high schools which are more than sufficient for meeting the requirements of Government service and of the professions. But it is essential that if we are to tackle the unemployment problem we should tackle the educational problem as well. It was found by the committee which was appointed here in 1927 that the graduates and under-graduates who went through our university were afraid of taking up such industries as required physical labour. Therefore the educational problem should be so solved that the products of our colleges and schools should be able to take full advantage of the industrial opportunities that might be offered to them in the future. There must be in other words an industrial bias given to education. There must be vocational colleges and schools; there must be physical training imparted, and much more than that, education must be given through the medium of the vernaculars. All this great waste of effort of education through a foreign tongue should be avoided. What a child should learn in six years it now learns in schools and colleges in ten years and the result of that is that there is great physical and mental deterioration. This should be avoided. Then again, the question of industries should be tackled by the Government. It is no use saying to the people, you must find your own solution, you must find out schemes. The people have not got the same opportunities and the same facilities which the Government have got. And, therefore, the Government should give its attention to the development of three kinds of industries, cottage or small industries, middle industries and industries which require large capital. With regard to the employment of educated people I made certain suggestions in 1927 and I find that every speaker has borne them out in to-day's debate. But there is one very important point which the United Provinces Government cannot possibly provide for but for which the Punjab Government can make ample provision. That is the problem of giving lands to the educated unemployed, the graduates and under-graduates. I had a talk with Sir Tej Bahadur Sapru in regard to the unemployment problem. So far as the Punjab was concerned this matter could be easily solved because there were Crown lands in the Punjab and the educated young men could be made to settle upon them. There is a great desire amongst the educated classes to settle upon the land and there is no reason why the Government should not make grants to graduates and under-graduates and should not make these grants on a large scale.

There are large tracts of land in Sind on which educated people from the Punjab can settle. This is a very important problem. It would help agriculture because agriculture till now has remained entirely in the hands of the ignorant and the illiterate. Educated men will bring to bear great intelligence on the methods of agriculture. That was a very important suggestion which was made by Sir Tej Bahadur Sapru and I also take the credit of having raised it in 1927. (*The Honourable Minister for Agriculture* : We have started taking action of that kind.) I know the Government have tried to touch the fringe of the problem. Whenever we happen to talk about the matter, the Honourable Minister is always parading before our eyes that we have got ten, fifteen or twenty-five such farms given to educated men. Does he seriously mean to say that this problem has been tackled by the Agricultural Department? There has been no serious efforts to solve the problem.

Then, Sir, the Punjab Government should force the hands of the Central Government in seeing that protection is given to those people who start technical industries like textile and other things with which they deal but cannot stand competition with foreign markets. India has got cheap labour, it has got ready market, it has got at this time cheap money, it has got all the resources that a country can find to make itself an industrial as well as an agricultural country. It is time that India should get opportunity to defend itself against foreign invaders in this line, I mean, the invaders in trade, commerce and all such things. So, this is a very serious problem. There is unemployment among lawyers, doctors and every class of educated people. It is time that we should listen to the warnings of the people and take effective measures in the solution of this problem.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural) : Nobody here can deny the importance of this question which is facing us at this time of unprecedented economic depression. The thing can be divided into unemployment among literate people and unemployment among illiterate people, but with that question I will deal later. It would be unwise if we do not pay a proper heed to this most important question. We have been discussing many emergency measures like the Criminal Law (Amendment) Bill in the last session and it was argued in some of these amendments that it was the unemployment which was at the root of all the trouble. Those people who have no satisfaction at all, those people who cannot make the two ends meet and those people who see their children, their parents, their wives their husbands dying of hunger, they are bound to go to any limit in any matter. That cannot be denied.

I am very sorry to observe that the Honourable Minister for Agriculture, in spite of showing great sympathy with us, advises us to approach either plague, or influenza or some earthquake or some other catastrophe rather than the Punjab Government because he says that it is the increase of population which has done this and unless the population goes down, there is no remedy. It is very strange. This excuse of increase of population has been brought before this House more than once before. When there was a discussion that expenditure on police was increasing and it was not justified in any way, the argument again came in that there has been an increase of population. When there is a question of opening a new police

[K. S. Ch. Biasat Ali.]

station in some local jurisdiction, say Sheikhpura or some other place, then again the question of increase of population comes in. So we should have greater unemployment unless the population goes down. It is on account of this increase of population that we have moved this cut and we need it in these abnormal conditions otherwise where is the necessity of our urging and our approaching you for a remedy at all. Again, I would rather request the Honourable Minister to bring forward a law altogether to abolish the institution of marriages. There should be some Act, like the Punjab Young men Marriage Prevention Act, or the Punjab Virgins Act or Birth Control Act. (*Laughter.*) As long as we are here and as long as we attain the age of maturity, we are bound to have these institutions in our society. We are bound to have large families.

As I was saying in the beginning against what Mr. Nanak Chand Pandit said, I would like to make certain observations on the points raised by him. I cannot possibly understand how the division between rural and urban parties affects in the least the question of unemployment. But he must bring in the division of rural or urban seats one way or the other. This reminds me of an examinee who twice appeared in the examination and found on both occasions that the binomial theorem appeared in the papers. He could not attempt to prove that theorem and failed twice. When the third time he was going to appear in the examination, he concentrated all his efforts and labour in learning that binomial theorem and he said that whether it is in the question paper or not (as a matter of fact, it was not) he would first prove the binominal theorem. Similarly our friend will at once bring into this discussion, whether we do or we do not, the problem to improve the mutual relations of various communities living in rural or urban areas.

Then, again he said that it was very unfortunate that all the raw material was exported to foreign countries and that we imported all manufactured goods. Now this argument, I should say, places more liability on us than on the Government. If this is possible, we should have factories of our own and industrial enterprises. We should pay our attention more to these things. We should spend our capital on these things rather than turning graduates from colleges like machines.

A short while ago, I was submitting that there are two sections of unemployed people, one literate unemployed people and the other illiterate unemployed people. So far as the first is concerned, I will again repeat what I have already said, that the method of our education is very defective. The fault lies on us rather than on the Government even in this respect. Education is got in these days as a means to an end which should not be done. If you receive degrees, say M. As. and B.As., that you should do for the sake of education alone and not as a means to an end, because there are very few jobs at the disposal of the Government. Every body who comes out of this machine, stamped as an M. A. or B. A., wants a job. It would be impossible to provide all the graduates with jobs.

It is our duty to give training in mechanical works to at least 50 per cent. of our youths. Let them have training in industrial schools. Let us spend our capital and open shops for them and more earning concerns and give

them a lift to enter into trade and commercial concerns. If we have to give them education, let us give it in mechanical works. Send them to America or to Japan. Let them come back as experts in engineering or motor driving or other mechanical works. It is again more our duty to ponder over this question carefully than of the Government.

Again, it is our duty to see that in these days we should have better-living societies. We should have thrift societies and we should assist them with whatever little we have got in these days by becoming members of these various activities of the Co-operative Department. That also goes a long way to improve unemployment which is now-a-days raging in our province.

Now, the question was raised that Government should give land to those people who are graduates. Though I am not in a position definitely to make a statement, I may say that much has been done in this respect. In these days recommendations are being made for agricultural college graduates and other graduates in some districts. Then there is one Act, which the Honourable Minister for Local Self-Government has got passed. I think that Act in itself is a sufficient proof of what the Government has been doing in this respect. This is the State Aid to Industries Act. That is a practical step forward, and I should say, that the Government has done much in passing this Act so far as industries and factories are concerned.

Then, as to the improvement in agriculture, I received in my district a circular letter that we should have Fruit Growers' Association in every district. We should learn better ways of earning our livelihood by putting agricultural industry on more scientific basis. For that too, the Government is doing a good deal so far as their part is concerned. The question was also discussed the other day in one of the Advisory Boards of the Government. It was proposed that we should have lectures on that subject. Well, through the agency of the Information Bureau, people should learn where they can find a job, and how they can find a place and where to look for a job.

One thing more about the Co-operative Societies. I understand, in Ludhiana, they are doing much better in this respect, because they are advancing money to people in the form of small loans for their cloth weaving *Khaddis* (hand-loom) and people are earning their livelihood by means of that credit, which they re-pay in very small instalments. Government has done more than we have, and it is our duty now to do something in the matter. With these words, I oppose the motion.

The Honourable Dr. Sir Gokul Chand Narang (Minister for Local Self-Government): I think the question raised is very important and although I have kept quiet during all these debates, I think it my duty to say a few words on this subject, lest I should be misunderstood. So far as the factum of unemployment is concerned, nobody denies it. It is there. But unemployment is not to be found only in this country, it is found even in the most advanced countries. We every day read of demonstrations, made by the unemployed people, both in England and in America, and of special measures to keep them in order and to help them as far as possible. So that it is not in the Punjab alone that unemployment is to be found. That, however, does not mean that we should not do anything to remove it.

[Hon. Dr. Sir Gokul Chand Narang.]

It is an evil. It causes misery and therefore we must, both officials and non-officials, do all that is possible to remove it or in any case to alleviate it. The causes of this unemployment are fairly well known and if I were to recapitulate them, I would say that one of the causes certainly is the too rapidly growing population of this province, in fact of the whole country as well as of this province. Honourable members are probably aware that there was an increase of 80 lakhs in the population of the Punjab during the ten years between 1921 and 1931 and the rate of increase is even now estimated at about 3 lakhs a year.

(At this stage Mr. President resumed the chair.)

I do not mean to say that the institution of marriage should be abolished, nobody suggested that. That would be an evil, but certainly we have to take this fact into consideration when we are dealing with the question of unemployment. In other countries people realised that some control on the increase of population was necessary to keep unemployment down, and it was only when military necessities arose that countries like France began to place a premium on the increase of population, and fear of their neighbours also inspired Germany and Italy with similar ideas, and although sometime ago populations in some countries in Europe were going down, the tendency now there is to increase their population. But that, as I have said is on account of military and political considerations. At the same time they are anxious to win new lands for their growing populations and it is for this reason that Italy is fighting. Japan is also fighting for more land and Germany is now anxious to win back its colonies, because there must be more room for the increasing population in these countries.

I do not believe in birth control on the lines suggested by some people in the west. If there is to be birth control, certainly I believe in birth control by self-control and not by any artificial means. In any case this is a matter which the leaders of public opinion and the leaders of communities here have to take into consideration. There is no doubt that with the decrease in population some people will fear a decrease in their representation in local bodies (*laughter*) and ultimately perhaps in legislatures, but that is their own look out whether they would want another seat or two in the municipal committee or would like their people to live in comfort. After all mere increase in the population is not an unmixed blessing. I just happen to remember a Sanskrit verse which I came across many year ago :—

एकेन सुपुत्रेण सिंही स्वपिति निर्भयम् ।

A female donkey carries load even if she has ten children and a lioness sleeps fearless in the forest with one son. So it is not the numbers that count, it is the quality that counts. If numbers were to be the deciding factor, India next to China would probably be the strongest country in the world, which it is not. That is a matter for social reformers and religious reformers as well as political reformers to consider, but I refer to it only as a factor in the unemployment which prevails in this country.

Then another cause of unemployment amongst the educated class is that the number of the educated people has increased very rapidly. If the

Director of Public Instruction were to give you the facts and figures showing the rate of increase during the last ten years or so, you will really be surprised. The result is that as avenues of employment have not proportionately increased, there is more unemployment among the educated class. I do not mean to say that there is no unemployment among the skilled labourers or among the professional people—doctors, engineers and others. There is, but there is much more unemployment among those people who have received only literary education and I have never made a secret of it that if by any chance I had been appointed a Minister for Education in this country, I would have made an effort to bring about some sort of a revolution in the system of education in this province.

Pir Akbar Ali : Just as you have done in the case of industries ?

The Honourable Dr. Sir Gokul Chand Narang : You have seen the results. If I had the control of primary education, I would have reduced the working hours of scholars only to three in the school and three hours in his father's field or shop or for work in some workshop, so that the children might receive some literary education and may not acquire any aversion to their ancestral callings. Now the result is that as soon as a boy has passed his primary examination or at least his middle school examination, he thinks it beneath his dignity to plough the field or to work in a shop and feels ashamed even to carry vegetables for his mother. Such are the notions that education on the existing lines has unfortunately produced among our educated boys and unfortunately among our educated girls also. And after a boy has done his matric, I would cry halt and would allow him to go to college when either he was exceptionally brilliant, for instance, he had won a scholarship, or he was the son of a man of means and wanted to acquire education as an accomplishment and would not frequent the verandahs of officers in search of jobs. These are some of the suggestions which I would have made if I had my way and I throw them out for the consideration of those who are in charge of this department of Government.

Another thing unfortunately has been that with education in these days the standard of living has also risen among the educated people. In ancient times a Brahmin even if he was a great scholar did not dress differently from his brethren who were not as highly educated, nor did the Mullah dress more gorgeously than his illiterate brethren did. Now no one is considered to be educated unless he appears in a particular kind of dress, and for that he has to spend much more and that also stands in the way of his accepting a lower job because his necessities have risen. This rise in the standard of living is a very difficult problem in economics and I would not venture to discuss it as I do not know much of economics. One opinion is that a rise in the standard of living is a great blessing, and another opinion is that a rise in the standard of living, when means are scanty, is a curse. I would entirely welcome a rise in the standard of living of the rural classes in the villages because their standard of living unfortunately is very low. They lead miserable lives, they live in hovels, their food is the scantiest and their dress is of the scantiest. I would entirely welcome a considerable rise in their standard of living. Unfortunately I cannot say the same thing about the so-called educated young men of our province. The standard of living among the educated classes has risen everywhere, but you must have noticed that in the Punjab the standard has risen abnormally high.

[Hon. Dr. Sir Gokul Chand Narang.]

In Madras, in Bombay, in Bengal, you will see the finest scholars and even the highest placed Government officers going about in a shirt and a *dhoti* and a pair of slippers, which do not cost them more than Rs. 3 or 4 in all. But here the monthly expenses of a graduate in dress, boot polishes, in socks, in scents and oils and blades for their safety razors amount to a lot. The Punjabis spend a lot on these items of expenditure. In fact a gentleman who is an expert in economic matters told me that the Punjabi has been ruined by three things—motor cars, buildings (crores and crores are sunk in brick and mortar instead of being sunk in industry and trade), and clothing. The wardrobe of a Bengali or a Madrasi is very simple. Even the Judges of the High Court go about bare-footed and in *dhotis*, and they are not thought the less of. I do not mean that you should discard your shoes or begin to go about in *dhotis*, but certainly our young men who have received education in colleges live to a standard of life which is more or less extravagant. There is an implication in it which you must realise. As their standard has risen, they depend upon foreign countries. They do not help the industries of their own country but the industries of foreign countries. In fact every educated man becomes a living agent for the foreign manufacturer. He is a commercial traveller for those concerns because he must have those things and he must spend money and all that money goes out of the country. That is another thing which has contributed to unemployment among the educated classes.

Next I would submit that the avenues of employment in this country and particularly in this province are very few. This province is an agricultural province. Even in the whole of India the avenues of employment are comparatively few. Very few educated people go to the army. There is no navy in which they can be enlisted. Very few educated people can go into the air force and there are here no foreign services or any other services which are open to people of other countries. But that is a matter which the central Government has to consider, whether more openings should not be created for educated Indians in the army and whether India should not have a navy of its own. (*An honourable member*: How many people will it absorb?) It will absorb some thousands. Highly respectable people go into the navy and some of our educated people will certainly go there.

Then the chief thing is that there are few industries in this province and I can anticipate some criticism being hurled at me that that is my fault or the fault of Government. But I believe sensible members would realise the true position and would not blame the provincial Government for this lack of industries in the province. The other day I had something to say about it and I would not refer to it to-day. But what is necessary is that there should be people who are prepared to run a risk. They must come out with their capital. They must invest it in industries and there must be institutions which supply them with trained labour. I was really surprised to hear one of the honourable members say that the Dhariwal manager complained to him that he could not get skilled workmen for his factory. I do not know whether he knows that there is a Department of Industries in this province and that department is running quite a number of weaving institutes and schools where weaving is taught. If he had only applied to the Director of Industries, I am sure the Director would have been able to

supply him with the requisite number of trained workers suitable for working in the Dhariwal factories. This is what Government is already realising and honourable members know that there are quite a number of institutions run by the Industries Department in this province where efforts are being made to turn out skilled workmen. You will be aware that during the last five years quite a number of new institutions have been opened. The cut is moved with a view to find out whether Government is doing anything to relieve unemployment. One of the ways is to open institutions where, with due deference to the educational authorities, instead of useless literary education technical education is imparted to the scholars which enables them more and more to earn their livelihood.

The new institutions opened during the last few years and which are working at present are the Weaving Institute at Jullundur, the Government Metal Works Institute at Sialkot, the Government Tanning Institute at Jullundur, the Government Industrial School at Muzaffargarh and the Industrial School at Jhelum. Besides these there are about twenty other industrial institutions working in this province. The Industries Department has been instrumental in the encouragement of industries in this province. (*Interruption*). The Government Weaving School at Amritsar is still working and has not been closed. It is, therefore, a matter for rejoicing for us that either with the advice of the Industries Department or independently people are doing something to develop the industries of this province which is bound to relieve unemployment.

I claim and I can prove that many of the industries have been financed and otherwise helped by the Industries Department. (*An honourable member*: Question). The Industries Department cannot be denied the credit though small which it rightly deserves. It would be interesting to honourable members to know that the following industries have been recently established in the Punjab. Among metal industries, Punjab is making brass cocks, soda water machinery, roller mills for the manufacture of iron rods, motor car pistons, chromium and nickel plating, oil engines, agricultural implements, etc.; among textile industries, woollen sarees and ladies dress materials, calendar plants, artificial silk and cotton cloths, blankets, cotton spinning and weaving on a large factory scale; among chemicals, resin, turpentine, paints, varnishes, shellac, toilet needs and acids are manufactured. Sandpaper, plaster of Paris are among the miscellaneous other articles manufactured in the province. We are also making rubber shoe heels, vacuum brakes, cycle brakes, perambulators and tricycles. I have got here a list with me which gives the names of about forty industries which did not exist to any appreciable extent six or seven years ago but which have since come into existence. I am referring to all these not to claim any credit for the Industries Department, but to inspire the honourable members with hope so that they may not be disappointed that our province is lagging behind any other part of India. It is, I think, hardly necessary for me to refer to the industrial laboratory that we have set up and to the information bureau which is doing very useful work. Five years ago the number of enquiries made of the Director of Industries was round about 2,000. Now the number of enquiries every year is more than 4,000, which shows that there is an increasing interest being taken in this province in respect of industries. The Industries Department supplies

[Hon. Dr. Sir Gokul Chand Narang.]

expert information to people who want to set up small scale industries. As I told the House the other day we have introduced a number of parties in addition to the institutes to which I have referred. These parties are working very successfully in some parts of the province. They take technical advice to the houses of the people of the villages and from reports received from the deputy commissioners under whose supervision these parties work we find that they are very useful institutions. We receive requisitions that a certain party should be allowed to remain in a particular area for a longer time as it has increased the earning capacity of the weavers in that ilaqa by cent. per cent. That is the useful work that these parties are doing. Take, for instance, the party working in the Mianwali district and ask the deputy commissioner of the useful work done by that party. The weavers there who were making six annas a day are now earning twelve annas and sometimes even a rupee a day. Just see what useful work the training party has done in Hissar. Lala Jyoti Prasad who has got first hand knowledge of the working of the party there can testify to the good work done by that party. This party has now trained a good number of jats and other zamindars so that they can supplement their scanty incomes by means of spinning and weaving. Now it is proposed to make this institution permanent. I may mention here that Government has arranged for spinning and weaving demonstration parties to travel throughout the province. At present these demonstration parties are working in the Mianwali district, at Nurpur in the Kangra district and at Leiah in the Muzaffargarh district. These parties have proved very popular and there is a large public demand for more peripatetic demonstration parties. Now, take the case of tanning. We export very large number of hides and skins worth many lakhs, but the House will be sorry to hear that out of this only Rs. 4,000 worth of hides are tanned here.

Mr. M. A. Ghani : The Honourable Member has been eulogising the work of his own department, but has not said a word as to how many people have found employment by all these means.

The Honourable Dr. Sir Gokul Chand Narang : I shall answer that question presently. In 1931 the total number of factories registered in the Punjab was only 647, in 1934 the number rose to 730 and during the last year quite 50 if not a 100 must have been added to that number. The number of workers in 1931 was 44,279. Now it is 54,327. I do not say that this is very much, but certainly it shows steady progress. If 10,000 additional skilled labourers can be found employment in factories, it is certainly a matter for rejoicing. It must also be remembered that I have always prefaced my speech by saying that I do not claim that I have done wonders or that I have done more than what the public could have wished. I would certainly like to do much more. But we have to cut our coat according to the cloth. Within our limited means we have done all that is possible.

One thing more I should like to say and that is this. People must be prepared to run risks. I have said that more than once on the floor of this House. People should not try to bury their money underground. The best way of utilising money is to invest it in industry. We require

three things for the development of industry. We require capital, we require skilled workmen with expert advice and we require market. Now, capital there is, but only it wants a little encouragement. In this connection I may refer once more to the useful Act which we have recently passed, and to which reference was made by the honourable member for Gujranwala (Khan Sahib Chaudhri Riasat Ali). I may draw the attention of honourable members to the great potentialities of this little measure. If you invest one rupee, Government will not, funds permitting, hesitate to come forward with another rupee to be added to your capital. Skilled labour can also be had. The only problem is one of market. This the Punjab Government cannot provide. I went to Delhi after making a little speech here and an officer of the Government of India said to me, "You have been saying very unkind things about us." I said, "Not at all. I still say that we have to look up to the central Government for help in two ways. We want protection and you must help us and give us that protection." Without protection there cannot be any market in this country and it is for the central Government to help us in this direction. Again, so far as railways are concerned, I agree with Sardar Ujjal Singh that we want the assistance of the central Government in this respect also, because the control of railways rests with the central Government. Is it not surprising that the freight from Hamburg to Bombay should be less than the freight from Agra to Bombay? This is a matter to which early attention of the Government of India ought to be drawn. I may tell the House that I did try to draw the attention of the Government of India more than once at the Industries Conferences which were held under the auspices of that Government in Delhi and also in Simla. (*An honourable member*: But the railways are running at a loss). I am not concerned with that question. I am saying what is necessary for the development of industries.

5 P. M.

Mr. President: The question is—

That the total grant be reduced by Rs. 1.

Lala Jyoti Prasad: I beg to withdraw the motion in view of the reply given by the Honourable Ministers for Agriculture and Local Self-Government.

The motion was, by leave, withdrawn.

Mr. President: The question is—

That a sum not exceeding Rs. 88,98,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of General Administration (Reserved).

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED).

Mr. President: The question is—

That a sum not exceeding Rs. 1,98,200 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 General Administration (Transferred).

The motion was carried.

Session ended Tuesday 5 P. M.

ADMINISTRATION OF JUSTICE.

Mr. President : The question is—

That a sum not exceeding Rs. 42,80,200 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Administration of Justice.

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

Mr. President : The question is—

That a sum not exceeding Rs. 28,20,400 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.

Mr. President : The question is—

That a sum not exceeding Rs. 1,15,25,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Police.

The motion was carried.

EDUCATION (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 6,08,200 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Education (Reserved).

The motion was carried.

EDUCATION (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 1,51,35,100 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 Education (Transferred).

The motion was carried.

MEDICAL AND PUBLIC HEALTH.

Mr. President : The question is—

That a sum not exceeding Rs. 50,87,000 be granted to the Governor in Council and 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 (Reserved and Transferred) and Public Health (Transferred).

The motion was carried.

AGRICULTURE.

Mr. President : The question is—

That a sum not exceeding Rs. 51,05,000 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 Agriculture (Transferred).

The motion was carried.

INDUSTRIES.

Mr. President : The question is—

That a sum not exceeding Rs. 14,03,400 be granted to the Punjab Government Ministries of Agriculture and Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Industries.

The motion was carried.

INDUSTRIAL CAPITAL EXPENDITURE.

Mr. President : The question is—

That a sum not exceeding Rs. 1,100 be granted to the Punjab Government, Ministry of Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Industrial Capital Expenditure.

The motion was carried.

MISCELLANEOUS (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 12,12,000 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 Miscellaneous (Reserved).

The motion was carried.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS AND MISCELLANEOUS (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 17,64,900 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 and Miscellaneous (Transferred).

The motion was carried.

CIVIL WORKS (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 1,11,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Civil Works (Reserved).

The motion was carried.

CIVIL WORKS (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 85,22,600 be granted to the Punjab Government, Ministry of Agriculture, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Civil Works (Transferred).

The motion was carried.

PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS
ESTABLISHMENT.

Mr. President : The question is—

That a sum not exceeding Rs. 15,52,600 be granted to the Governor in Council and Punjab Government, Ministry of Agriculture, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Public Works Department, Buildings and Roads Establishment (Reserved) and (Transferred).

The motion was carried.

HYDRO-ELECTRIC SCHEMES—WORKING EXPENSES.

Mr. President : The question is—

That a sum not exceeding Rs. 9,52,600 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 Hydro-Electric Schemes—Working Expenses (Transferred).

The motion was carried.

PUBLIC WORKS DEPARTMENT, HYDRO-ELECTRIC ESTABLISHMENT—WORKING EXPENSES AND CAPITAL EXPENDITURE (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 9,11,000 be granted to the Punjab Government, Ministry of Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of charges on Public Works Department, Hydro-Electric Establishment—Working Expenses and Capital Expenditure (Transferred).

The motion was carried.

CIVIL WORKS (CAPITAL).

Mr. President : The question is—

That a sum not exceeding Rs. 13,42,400 be granted to the Punjab Government, Ministry of Agriculture, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Civil Works (Capital).

The motion was carried.

HYDRO-ELECTRIC SCHEMES—CAPITAL EXPENDITURE.

Mr. President : The question is—

That a sum not exceeding Rs. 7,84,900 be granted to the Punjab Government, Ministry of Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Hydro-Electric Schemes—Capital Expenditure (Transferred).

The motion was carried.

FAMINE.

Mr. President : The question is—

That a sum not exceeding Rs. 1,00,000 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 Famine (Reserved).

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President : The question is—

That a sum not exceeding Rs. 42,50,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Superannuation Allowances and Pensions (Provincial) (Reserved).

The motion was carried.

COMMUTED VALUE OF PENSIONS.

Mr. President : The question is—

That a sum not exceeding Rs. 5,21,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Commuted Value of Pensions (Reserved) Capital Expenditure.

The motion was carried.

STATIONERY AND PRINTING (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 11,04,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stationery and Printing (Reserved).

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 57,400 be granted to the Punjab Government, Ministries of Education, Agriculture and Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Stationery and Printing (Transferred).

The motion was carried.

LOANS AND ADVANCES (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 5,19,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Loans and Advances (Reserved).

The motion was carried.

LOANS AND ADVANCES (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 2,91,000 be granted to the Punjab Government, Ministries of Agriculture and Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Loans and Advances (Transferred).

The motion was carried.

REFUNDS (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 3,12,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1937, in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 9,41,800 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 Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND (OTHER THAN STORES)
UNDER THE CONTROL OF THE HIGH COMMISSIONER FOR INDIA.

Mr. President : The question is—

That a sum not exceeding Rs. 5,65,200 be granted to the Governor in Council and 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 Expenditure in England (other than Stores) under the control of the High Commissioner for India.

The motion was carried.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE
SECRETARY OF STATE FOR INDIA.

Mr. President : The question is—

That a sum not exceeding Rs. 21,400 be granted to the Governor in Council and 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 Expenditure in England under the control of the Secretary of State for India.

The motion was carried.

The Council then adjourned till 2 P. M., on Wednesday, 26th March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 26th March, 1936.

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

OATH OF OFFICE.

✓ *Mr. J. D. Anderson (Legal Remembrancer) was sworn in.*

STARRED QUESTIONS AND ANSWERS.

NAZUL LAND NEAR SANTOKHSAR TANK, AMRITSAR.

***5575. Chaudhri Faqir Husain Khan:** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that a dispute arose between the Shromani Gurdwara Parbandhak Committee, the Gurdwara Committee, Amritsar, and the Municipal Committee, Amritsar, regarding the ownership of a plot of *nazul* land situated near the Santokhsar tank at Amritsar, and that the case was decided against the Sikhs by a court of law ;
- (b) whether it is a fact that subsequently through a private settlement a portion of the land was made over to the Shromani Gurdwara Parbandhak Committee, and the Gurdwara Committee, with a clear undertaking on the part of the Sikhs that the said portion of land will be used only for building a girls' school ;
- (c) whether it is a fact that the Shromani Gurdwara Parbandhak Committee and the Gurdwara Committee have let out the said site for a lorry-stand ; if so, what action the Deputy Commissioner, Amritsar, has taken against the Sikhs contravening the terms of the agreement ;
- (d) if any action has been taken by the Deputy Commissioner, whether the Shromani Gurdwara Parbandhak Committee and the Gurdwara Committee have now acted according to the agreement ;
- (e) if not, what measures Government propose to take for the enforcement of the said terms under which the land was made over to the Sikhs ?

The Honourable Nawab Muzaffar Khan: (a) Yes, but a part of the land is *nazul* and the remainder is municipal.

(b) A settlement on these terms was made as part of an agreement covering other properties but has not yet been given effect to.

(c) The local Gurdwara Parbandhak Committee have leased the site or a lorry stand and the matter is under correspondence with them.

[Hon. Nawab Muzaffar Khan.]

(d) Owing to disputes within the local Gurdwara Parbandhak Committee the Deputy Commissioner has been unable to get a definite reply yet.

(e) Does not arise.

PLYING OF MOTOR LORRIES ON HIRE.

***5576. Lala Bhagat Ram :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that from Hoshiarpur to Bharwain Bungalow only one firm has had the monopoly to run motor lorries on hire up till now ;

(b) whether it is a fact that the Deputy Commissioner, Hoshiarpur, has now called for tenders from the motor owners for the purpose ;

(c) how many of these tenders are for 7 pies per mile or less ; what the tender per mile of the present monopoly holder is and how many tenders are for the present rate ;

(d) how many of the tender-givers belong to Hoshiarpur district ;

(e) when the Government is expected to decide the matter ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Yes.

(c) Sixteen of the tenders were for seven pies per mile or less. The fare charged by the present monopoly holder was formerly one anna per mile, but this has now been reduced to nine pies. Government understand that none of the tenders were for the rate at present charged.

(d) Thirty.

(e) The issue of permits allowing vehicles to ply for hire on this road is a matter within the Deputy Commissioner's own competence. It is understood, however, that the Deputy Commissioner is intending to refer certain questions connected with the subject for the instructions of Government. If any such reference is received it will be dealt with as expeditiously as possible.

TEACHERS IN GOVERNMENT INDUSTRIAL SCHOOLS.

***5577. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

(a) the number of Muslim and non-Muslim teachers, respectively, in the Government industrial schools of the province ;

(b) the total amount of salaries drawn by Muslim and non-Muslim teachers, respectively ;

(c) the number of Muslim and non-Muslim students, respectively, in each class of the industrial schools in the province ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Muslims 123 ; Non-Muslims 133.

(b) and (c) The labour involved in collecting the required information would be disproportionate to its utility to the honourable member if published.

Khan Bahadur Malik Zaman Mehdi Khan : When the number of teachers is so small, I do not think it will involve much labour to collect the information.

The Honourable Dr. Sir Gokul Chand Narang : They are not all in one place. They are in a very large number of institutions and it will mean writing letters to every institution, every headmaster compiling that information and sending it to the Director of Industries. The Director of Industries will then have to communicate it to the Secretary, and the Secretary to communicate to me and then I shall have to communicate it to the honourable member. All this means a lot of waste of time and money.

Khan Bahadur Malik Zaman Mehdi Khan : I think there will not be more than 30 such industrial schools or even less. I do not think the labour will be disproportionate.

The Honourable Dr. Sir Gokul Chand Narang : That is a matter of opinion. The honourable member wants something more than that, that is the number of Muslim and non-Muslim students in each class in each institution.

ENQUIRY REGARDING DEMOLITION OF SHAHIDGANJ.

***5578. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

(a) whether the Government is aware of the fact that the Central Jamiat-ul-Ulma-i-Hind, the All-India Muslim League, the All-India Muslim Conference, the Majlis-i-Ahrar-i-Islam, the Anjuman-i-Himayat-i-Islam and other Muslim organisations have passed resolutions urging upon the Government the desirability of conducting an independent enquiry re the demolition of the Shahidganj mosque ;

(b) if so, whether the Government is prepared to conduct the proposed enquiry ; if not, why not ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) No. The reasons for not holding an enquiry were explained by me in this House on the 15th November, 1935, when discussing the Government demand for supplementary grants.

SUPERINTENDENTS, MATRICULATION EXAMINATION.

***5579. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education kindly state—

(a) the number of superintendents, community-wise, appointed for the next matriculation examination of the Punjab University ;

(b) if the number of superintendents belonging to a certain community is far below the representation to which they are entitled, whether Government proposes to invite the attention of the Punjab University to this deficiency ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

LIQUOR CONTRACTS AND EXCISE OFFENCES.

***5580. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture kindly state with regard to the last five years—

- (a) the total number of liquor contracts granted in the whole of the province ;
- (b) the total quantity (in gallons) of liquor sold ;
- (c) the total amount of money realised by Government in the form of excise duty on the above ;
- (d) the total number of prosecutions launched against illicit distillers of liquor ;
- (e) the total number of cases in which the accused were convicted ;
- (f) the total amount of fine realised from the convicted persons ;
- (g) the reasons for increase in the number of excise offences ?

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

(g) Better supervision, mainly the result of the employment of whole-time Excise Superintendents who have ensured greater vigilance on the part of the Excise staff.

Statement.

Serial No.	Year.	TOTAL NUMBER OF LIQUOR CON. TRACTS.		TOTAL QUANTITY (IN GALLONS) OF LIQUOR CONSUMED.		TOTAL AMOUNT REALIZED ON ACCOUNT OF DUTY AND LICENSE FEES.		Total number of prosecutions launched against illicit distillers of liquor.	Total number of cases in which the accused were convicted.	Total amount of fine realized in all excise cases.
		Country liquor.	Foreign liquor and Malt liquor.	Country liquor.	Foreign liquor and Malt liquor.	Country liquor.	Foreign liquor and Malt liquor.			
						Rs.	Rs.			Rs.
1	1930-31 ..	667	383	293,074	776,172	49,28,361	8,64,035	500	252	17,261
2	1931-32 ..	661	418	241,339	709,367	42,59,345	9,93,225	931	522	26,539
3	1932-33 ..	652	440	281,842	660,936	40,82,076	11,03,056	1,264	769	36,272
4	1933-34 ..	674	441	313,116	507,211	40,17,755	10,39,244	1,310	824	32,068
5	1934-35 ..	690	440	376,045	564,320	45,87,006	10,10,411	1,329	890	35,366

EXCISE CONVICTS.

***5581. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that persons convicted of excise offences come into contact with habitual offenders in jail ;
- (b) if so, what action the Government propose to take with a view to their complete segregation from habitual offenders ?

The Honourable Sir Donald Boyd : (a) Not unless they are themselves classified as habituals. The principles governing the classification of prisoners as "habituals" or "casuals" are explained in clause (h) in paragraph 3 of the Punjab Jail Manual. Cases in which excise offenders are classified as habituals must obviously be rare.

- (b) No action is contemplated.

SADAR BAZAR, MUNICIPAL COMMITTEE, AMBALA.

***5582. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the population of various communities in the Sadar Bazar Municipal Committee, Ambala ;
- (b) the number of voters of each community in the new list of voters of the said committee ;
- (c) whether on the strength of population and the number of voters the Muslims are entitled to five out of twelve seats ; if so, whether they have been given the requisite number of seats ;
- (d) whether it is a fact that separate electorates were in vogue in the said Municipal Committee ;
- (e) if so, the reasons for introducing joint electorates in the said Municipal Committee ;
- (f) whether it is a fact that by the introduction of joint electorates the Muslims would not be able to obtain more than three seats in the Municipal Committee ;
- (g) if so, whether the Government propose to take any action for making up the deficiency in Muslim seats by nomination ; if not, why not ;
- (h) whether the Government has any special objection to the introduction of separate electorates in the said Municipal Committee ; if so, what ?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) A statement showing the population and voting strength of each community is laid on the table.

(c) No. The Muslims are entitled to 4 elected seats. Their voters have a clear majority in three wards.

(d) No. The Committee came into existence in October 1934 and since then there has been no election.

(e) Does not arise.

[Hon. Dr. Sir Gokul Chand Narang.]

(f) If voting proceeds on purely communal grounds, the Muslims cannot secure more than three elected seats.

(g) The suggestion will be recommended to the Commissioner, Ambala division.

(h) Yes, it has been the policy of Government since 1923 that communal electorates should not be newly introduced in any municipality except for some special reasons.

Statement showing the population and voting strength of each community.

Community.					Population.	Voting strength.
Muslims	..	..	..	..	9,327	2,661
Sikhs	..	..	..	..	778	161
Christians	..	..	..	..	169	29
Hindus and others	..	..	..	..	16,243	4,770

CIVIL PRISONERS.

***5583. Makhdumzada Sayad Muhammad Raza Shah Gilani :**
Will the Honourable Finance Member be pleased to state—

- (a) whether he is aware that the Indian Jails Committee of 1919-20 in paragraph 462 of its report strongly condemned the existing practice of confining civil prisoners in criminal jails ;
- (b) whether he is aware that the same Committee in paragraph 463 recommended that the civil prisoners should be in civil prisons subject to the control of the Senior Civil Sub-Judge ;
- (c) whether Government is aware that the arrangement alluded to above is already in vogue in Bombay Presidency ;
- (d) whether his attention has been drawn to the fact that the said Committee in paragraph 464 further strongly recommended that unless and until it is possible to make over civil prisoners to the care and control of the civil judge, it is absolutely necessary that they should be as far as possible cut off from access to or communication with criminal prisoners, and that the Committee has gone so far as to recommend in paragraph 466 that the practice of employing convict officers to guard civil prisoners should be prohibited ;
- (e) whether his attention has been drawn to section 27 (4) of the Prisons Act, 1894, which provides that civil prisoners shall be kept apart from criminal prisoners ;
- (f) whether he is aware that paragraph 779 of the Punjab Jail Manual, and Civil Procedure Code also provide that where there is a separate building outside the main jail for civil prisoners, such prisoners should be detained in that building and in no case should be associated with criminals ;

- (g) whether it is a fact that notwithstanding the above recommendations and orders on the subject, civil prisoners in some jails in the Punjab are still confined inside the jail in association with criminals even in some of those jails where there is a separate building alluded to in (f) above ;
- (h) whether it is a fact that in some jails such separate buildings are misused as godowns, etc. ;
- (i) whether it is a fact that these defects have already been brought to the notice of the authorities by a member of the Jail Standing Committee but so far no action appears to have been taken in the matter ;
- (j) if reply to the above from (a) to (i) is in the affirmative, whether he intends to enforce the above recommendations and orders in respect of the jails where separate buildings for such prisoners already exist and take steps to provide such buildings in other jails ?

The Honourable Sir Donald Boyd : (a) to (e) Yes.

(f) No. The law is not correctly stated in this part.

(g) and (h) It is correct that even in those jails where special buildings have been built for civil prisoners they are not invariably used for the purpose. The reasons for their non-use are various. In some cases the special buildings are structurally unsuitable and expensive modifications would be necessary before they could be rendered fit for their purpose. In other cases it has been found that if prisoners were put in the special buildings extra warder staff would be necessary to guard them, and it has been thought unnecessary to incur that additional expense when the number of civil prisoners was very small. On other occasions, when there has been only a single civil prisoner in a jail, the use of the special buildings has been avoided as it would have meant that the prisoner would have been kept virtually in solitary confinement. Every effort is, however, made to give effect to the spirit of the recommendations of the Indian Jails Committee, and in no case are civil prisoners allowed to associate with convicted criminals.

(i) One of the members of the Standing Committee recently drew attention to defects in the arrangements in the Gurdaspur district jail. The buildings in this jail intended for the accommodation of civil prisoners are not satisfactory, and extensive structural alterations would be necessary before they could be regarded as fully fit for their intended purpose. In actual practice they are used for the housing of civil prisoners in the day time but at night these prisoners are moved into another part of the jail.

(j) Yes, so far as financial considerations permit.

SCALE OF CLOTHING AND BEDDING FOR CIVIL PRISONERS.

***5584. Makhdumzada Sayad Muhammad Raza Shah Gilani:** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that recently the Inspector-General of Prisons has prescribed a scale of clothing and bedding for civil prisoners with a fixed price to be recovered from the decree-holder ;
- (b) the details of the scale of clothing fixed by the Inspector-General ;

[Makh. Sayad Muhammad Raza Shah Gilani.]

- (c) whether it is a fact that the price of a woollen coat is fixed at Rs. 8 only ;
- (d) whether it is a fact that in some jails the superintendents were unable to get a warm coat at the above said price and thus prisoners could not get any warm coats up to the middle of January, 1936 ;
- (e) whether it is a fact that the Inspector-General of Prisons ultimately got woollen *kurtas* with half sleeves from Montgomery Central Jail exactly similar to the ones supplied to convicts ;
- (f) whether it is proposed to revise the scale of clothing and bedding ?

The Honourable Sir Donald Boyd : (a) Yes. The honourable member doubtless realises that civil prisoners are permitted to wear their own clothing and use their own bedding if they so desire. The new scale comes into operation in those cases only where the prisoner is unable to provide clothing and bedding for himself.

(b) The honourable member is asked to refer to paragraph 790 of the Punjab Jails Manual and the notes appended thereto. A copy of the new note 3, containing the prescribed scale, is laid on the table.

(c) Yes.

(d) The Superintendent of the Gurdaspur District Jail is understood to have experienced difficulties in this connection. There have been no complaints from any of the other jails in the province.

(e) and (f) No.

Note 3.—The following scales of clothing, bedding and other necessities are prescribed for the use of civil prisoners :—

FOR ALL SEASONS.						Rs. A. P.		
Kurtas 2 at Re. 0-10-0 each	..	..	..	..	..	1	4	0
Pyjamas 2 at Re. 0-8-0 each	..	..	..	..	..	1	0	0
Pugrees 2 at Re. 1-0-0 each	..	..	..	..	..	2	0	0
Chadar 1	..	..	..	..	..	1	0	0
Cotton Durrie 1	..	..	..	..	..	1	0	0
Towel 1	..	..	..	..	..	0	4	0
Munj mat 1	..	..	..	..	..	1	0	0
Cup and platter 1 each	..	..	..	..	..	1	0	0
Total						8	8	0
ADDITIONAL DURING WINTER.								
Quilt 1	..	..	..	..	..	4	0	0
Blanket 1	..	..	..	..	..	4	0	0
Woollen coat 1	..	..	..	..	..	3	0	0
Straw mat 1	..	..	..	..	..	0	1	0
Total						11	1	0

In jails where the cold is intense a second blanket at Rs. 4 may be added at the superintendent's discretion to the winter scale given above.

Cooking utensils and water vessels will be supplied free of charge from jail stock.

Clothing, etc., on the person of and with the civil prisoner shall be regarded as a part of the above scales. The decree-holder will be required to deposit or pay for these articles only in respect of which the civil prisoner is found to be deficient.

The above prices are subject to market fluctuations but will not be altered without the Inspector-General's previous sanction.

COMPLAINT BY A CIVIL PRISONER, GURDASPUR JAIL.

***5585. Makhdumzada Sayad Muhammad Raza Shah Gilani :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that one civil prisoner, a man of position, Government pensioner and title holder was admitted into the Gurdaspur Jail on 20th August, 1935 ;
- (b) whether it is a fact that the said civil prisoner was unlawfully kept in a separate cell for about 24 days, not provided with any necessary furniture for over a month, and ill-treated in many other ways ;
- (c) whether it is a fact that a written complaint to the above effect was made by the said prisoner to a member of the Jail Standing Committee who visited the Jail in the middle of October 1935 ;
- (d) whether it is a fact that the said complaint with another complaint by a convict official was reported to the authorities ;
- (e) whether it is a fact that so far no open independent enquiry in the presence of the complainants has been made ;
- (f) if the reply to the above from (a) to (e) be in the affirmative, what action Government intends to take ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) No.

(c) Yes.

(d) Yes.

(e) The complaints were carefully examined and considered by the Superintendent of the jail.

(f) Does not arise.

OFFSET MACHINE IN CENTRAL JAIL PRESS.

***5586. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that some offset machines were installed in the Central Jail Press somewhere in the year 1935 ;
- (b) whether it is a fact that the printing of vernacular forms and the work of a very coarse nature is being done at the Central Jail Press ;
- (c) whether it is a fact that offset machines are specially meant for the production of good quality lithographic work ;
- (d) whether Government proposes to instal the direct rotary machines ?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) Mostly vernacular forms are printed at the Central Jail Press. The work is not of a very coarse nature.

(c) Not necessarily.

(d) Not at present.

HEAD READER, PUNJAB GOVERNMENT PRESS.

***5587. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Reading Branch of the Press (Punjab Government Press) is the most highly paid staff in the Press ;
- (b) whether it is a fact that the post of the Head Reader has been held by Europeans and Anglo-Indians since the foundation of the Press with the exception of a short interval of the last one year and-a-half ;
- (c) the academic qualifications of the present Head Reader ;
- (d) whether it is a fact that he does not hold any permanent post in the Punjab Government Press but has been shown acting against a permanent vacancy since 1925 ;
- (e) whether it is a fact that he has exceeded the age of 55 years and has since been granted extensions ;
- (f) whether it is a fact that there are even graduates in the present staff of the Reading Branch ;
- (g) if the answers to parts (c) to (f) above are in the affirmative, the special reasons for granting the present incumbent extensions ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Probably.

(c) Completed National School education and obtained a Schoolmaster's certificate from the Drumcondra College, Dublin.

(d) Yes.

(e) Yes.

(f) Yes.

(g) In the interest of public work and in view of the approved service of the present incumbent.

OFFSET MACHINES IN CENTRAL JAIL PRESS.

***5588. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the offset machines in the Central Jail Press are in an unserviceable condition ;
- (b) whether it is a fact that the manufacturers have submitted an estimate of £ 700 for the repairs of each machine ;
- (c) if the answers to questions (a) and (b) are in the affirmative, whether he will mention the name of the officer who is responsible for the ruin of these machines ;
- (d) whether it is a fact that an order for another machine of the same make has been placed and the arrival of the machine is expected shortly ;
- (e) if the answers to parts (b) and (d) are in the affirmative, why another order for the same kind of machine was placed in the presence of such an unfavourable experience ?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) No.

(c) Does not arise.

(d) Yes.

(e) Does not arise except regarding (d).

Past experience shows that these machines are best suited for the class of work executed at Central Jail Press and for the class of labour employed on working these machines. The offset machines have rendered very satisfactory service in speedy execution of printing work considering the enormous increase in the printing work undertaken by the Jail Press since its transfer to this Department in 1924.

OUTPUT OF THE CENTRAL JAIL PRESS.

***5589. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the output of the Central Jail Press during the years 1934-35 and 1935-36 was much more than those of the previous years ;

(b) whether he will lay on the table the figures of the cost of output for each of the last ten years ?

The Honourable Nawab Muzaffar Khan : (a) For 1934-35, no. For 1935-36 figures are not yet available.

(b) A statement is laid on the table.

Cost of work done during the last ten years is given below :—

							Rs
1934-35	..	..	..	..	..	..	1,26,888
1933-34	..	..	..	..	..	..	1,17,961
1932-33	..	..	..	..	..	..	1,20,303
1931-32	..	..	..	..	..	..	1,28,434
1930-31	..	..	..	..	..	..	1,36,406
1929-30	..	..	..	..	..	..	1,38,094
1928-29	..	..	..	..	..	..	1,11,941
1927-28	..	..	..	..	..	..	1,01,631
1926-27	..	..	..	..	..	..	99,249
1925-26	..	..	..	..	..	..	79,193

ANGLO-INDIAN SENIOR READER, GOVERNMENT PRESS.

***5590. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that an Anglo-Indian was appointed as a copy-holder on Rs. 25 in the Punjab Government Press some five or six years back ;

(b) the academic qualifications that he possesses ;

(c) whether it is a fact that he was appointed as a reader in the Borstal Institution Press in the grade of Rs. 60—4—100 in supersession of many senior members of the staff ;

(d) whether it is a fact that he has now been appointed as a senior reader in the Government Press ;

[Ch. Afzal Haq.]

(e) if the answers to parts (a) to (d) above are in the affirmative, the special reasons for such a rapid promotion to this young man ;

(f) whether he will lay on the table a statement showing the names of persons whom he has so far superseded and why ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Studied up to Junior Cambridge.

(c) He was appointed Reader at the Borstal Institution Press with effect from the 7th May 1931, in an officiating capacity and was allowed Rs. 60 against the fixed pay of the post which was at the time Rs. 100.

(d) No. He was appointed only as a 2nd grade Reader in Government Press with effect from the 7th May 1931 ;

(e) Because no better fitted applicants were available ;

(f) A statement showing the names of persons superseded is laid on the table. It would not be in the interest of Government service to state reasons for supersession in individual cases.

Statement showing the names of persons superseded.

1.	Lala Kidar Nath	..	..	..	Reader 3rd Grade.
2.	Sh. Allah Ditta	..	..	..	Ditto.
3.	Lala Hira Lal	..	..	..	Ditto.
4.	Chaudhri Muhammad Shafi	..	..	..	Ditto.
5.	Lala Rattan Lal	..	..	..	Ditto.
6.	M. Nur Ahmad	..	..	..	Reviser.
7.	L. Baboo Ram	..	..	..	Do.
8.	Th. Munshi Ram	..	..	..	Do.
9.	M. Din Muhammad	..	..	..	Do.
10.	M. Nabi Bux	..	..	..	Do.
11.	M. Ghulam Muhammad	..	..	..	Do.
12.	S. Iqbal Hussain	..	..	..	Copyholder.
13.	Lala Rullia Ram	..	..	..	Do.
14.	M. Karim Bakhsh	..	..	..	Do.
15.	Lala Sohau Lal	..	..	..	Do.
16.	S. Mumtaz Ali	..	..	..	Do.
17.	Lala Durga Das	..	..	..	Do.
18.	Lala Duni Chand	..	..	..	Do.
19.	M. Muhammad Rafiq	..	..	..	Do.

SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

***5591. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the present Superintendent, Government Printing, Punjab, officiated as Superintendent in the year 1928 ;

(b) if so, whether he will lay on the table of the Council the remarks recorded by the then Secretary to Government, Punjab, Finance Department, about him ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) It would not be in the interest of public service to comply with the request.

DISTRICT TOURNAMENTS.

***5592. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether Government is considering the desirability of opening up the possibilities for the holding of district tournaments in all the districts of the province again ;

(b) if the answer to (a) is in the negative, the reasons for the same ?

The Honourable Malik Sir Firoz Khan Noon : (a) District tournaments were never discontinued under any order of Government.

(b) Does not arise.

The attention of the honourable member is, however, drawn to the answer to question No. *4146¹ by Shrimati Lekhwati Jain given in 1935.

PRACTICAL VOCATIONAL EDUCATION.

***5593. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(i) whether he is aware that the All-India Advisory Board of Education lately appointed by the Government of India has recently proposed to give a practical vocational turn to the present system of education ;

(ii) if the answer to (i) is in the affirmative, what steps the local Government propose to take in this matter ?

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

(ii) The Central Advisory Board of Education has appointed committees to investigate the various aspects of educational reconstruction. On receipt of their recommendations the Board will decide the line of action to be adopted. When the considered views and proposals of the Board are known Government will take appropriate action.

RECOMMENDATIONS OF UNIVERSITY ENQUIRY COMMITTEE.

***5594. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state when the recommendations of the University Enquiry Committee will receive the attention of the Government ?

The Honourable Malik Sir Firoz Khan Noon : The recommendations of the Punjab University Enquiry Committee have been considered. The Standing Committee on Education has, however, advised that the matter should be taken up when the new Council is constituted and Government has accepted the advice.

LESSONS ON MORAL INSTRUCTION AND CIVICS.

***5595. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether lessons on moral instruction and civics are incorporated in the readers which are prescribed for Schools by the Punjab Text Book Committee ;

(b) if the reply is in the negative, reasons for the same ?

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

(b) Does not arise.

JHATKA MEAT IN CENTRAL TRAINING COLLEGE HOSTEL.

***5596. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that *jhatka* meat was not allowed to be cooked in the Central Training College Hostel in the past ;
- (b) whether it is being cooked now-a-days ;
- (c) whether a report was made to the Superintendent of the Hostel ;
- (d) if the answer to (a) is in the affirmative what action Government has taken or proposes to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) Out of four kitchens for Hindus and Sikhs there is only one meat kitchen where *jhatka* meat is allowed. This meat kitchen for Sikhs and Hindus was sanctioned by the Principal in the year 1925-26.

(b), (c) and (d) do not arise.

ANGLO-INDIAN READER, PUNJAB GOVERNMENT PRESS.

***5597. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that in addition to the one referred to in my Council question No. *5590,¹ there is another Anglo-Indian in the reading branch of the Punjab Government Press who is acting as a reader and is drawing Rs. 75 since his appointment ;
- (b) whether he was overage at the time of his appointment ; if so, his age at the time of his appointment ;
- (c) the reasons why he has not been confirmed ;
- (d) the academic qualifications that he possesses ;
- (e) whether he has been allowed any increment since his appointment ; if not, why not ;
- (f) whether any arrangement has been made whereby he shall be enabled to draw his annual increments hereafter ;
- (g) whether any graduates or double graduates were available at the time of his appointment ;
- (h) whether the post was advertised at the time of his recruitment ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Yes. 40 years.

(c) Being overage.

(d) Passed High Standard Examination.

(e) No. Persons appointed on technical establishment on a salary below the minimum of the scale are not allowed increments in the usual manner.

(f) Yes. He has, with effect from 1st February 1936, been appointed on temporary establishment as a Reader, in the grade of Rs. 75—84—110, where he will be entitled to annual increments when they fall due.

(g) Yes.

(h) No.

EXTRA ASSISTANT COMMISSIONERS IN KANGRA DISTRICT.

***5598. Mr. Muhammad Din Malak;** Will the Honourable Finance Member kindly state—

- (a) the number of extra assistant commissioners in the Kangra district;
- (b) the names of the present incumbents and dates when they joined the district;
- (c) whether it is a fact that ordinarily the extra assistant commissioners are transferred after three years from one place to another;
- (d) whether it is a fact that some of the extra assistant commissioners posted in the Kangra district have been there for the last 4 or 5 years continuously;
- (e) what action Government propose to take in the matter?

Mr. F. H. Puckle (Chief Secretary): (a) Three.

(b) Name.	Dates.
1. Lala Diwan Chand Marwaha ..	13-10-32
2. Sardar Raghbir Singh ..	1-5-35
3. An Extra Assistant Commissioner has been withdrawn without a substitute and the post is vacant at the moment.	

(c) There is no such settled practice.

(d) No.

(e) Does not arise.

CONSOLIDATED STATEMENT FOR 1936.

***5599. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Education be pleased to state with respect to the figures against item (d) under the "clerical establishment" for the Public Health Department at page 24 of the consolidated statement for 1936, whether the total of "29" is an incorrect figure or whether the figures in the other column in respect of this entry are incorrect and what the correct figures are giving also the correct figures of the grand total in view of these corrections?

The Honourable Malik Sir Firoz Khan Noon: There is a typographical error in column 5 of the statement under the head "Sikhs-others" against item (d) referred to by the honourable member, where figure "1" should have been printed instead of the figure "8." This error does not however affect the figures shown in other columns of the statement against the item in question.

CONSOLIDATED STATEMENT FOR 1936.

***5600. Chaudhri Muhammad Abdul Rahman Khan :** With reference to the number of temporary gazetted officers in the Department of Agriculture as detailed at page 16 of the consolidated statement for 1936 and the error patent on the figure of 'temporary gazetted officers', will the Honourable Minister for Agriculture be pleased to point out in which figure the error lies and what the correct figures are?

The Honourable Sardar Sir Jogendra Singh : The figure 3 in column 5 under the heading "Sikhs—Members of Notified Agricultural Tribes" has, due to an error in print, been omitted from some, not all, of the printed copies issued?

TEACHERS, HEADMASTERS AND INSPECTORS IN LAHORE DIVISION.

***5601. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education kindly state community-wise—

- (a) the number of district inspectors, headmasters and teachers of schools imported in the Lahore division from the Julundur division during the last three years ;
- (b) the number of assistant district inspectors of schools in the Lahore division reverted or transferred to teaching line during the last three years ;
- (c) the number and year of experience of assistant district inspectors of schools appointed in place of those mentioned in (b) above ;
- (d) the number of district inspectors, assistant district inspectors and headmasters of schools in the province punished, reprimanded or warned during the last three years ;
- (e) the reasons for (a) and (b) above ?

The Honourable Malik Sir Firoz Khan Noon :

(a)		District Inspectors of Schools.	Head Masters.	Teachers.
Hindus	..	1	..	3
Muhammadans	..	1	..	4
Sikhs	..	..	..	1
(b)				
Hindus	..	..	..	..
Muhammdans	..	6	..	..
Sikhs	..	..	..	..
(c)				
Muhammdans	..	5	with teaching experience of about 11, 6, 8, 8, and 8 years.	
Sikh	..	1	with teaching experience of about 13 years.	

(d)	District Inspectors of Schools.	Head Masters.	Assistant District Inspectors of Schools.
Hindus	3	5	5
Muhammdans	3	4	3
Sikhs .. ..	..	3	..

(e) (a) Interest of public service.

(b) Either in the interest of public service or at officials' own requests.

SUB-TREASURERS IN CHARGE OF TAHSIL SUB-TREASURIES.

***5602. Lala Jyoti Prasad:** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that sub-treasurers in charge of tahsil sub-treasuries get any increment, pension and privilege leave;

(b) if not, why not?

The Honourable Sir Donald Boyd: (a) Sub-Treasurers are the servants of the contracting Treasurers and as such Government is not concerned with the conditions of their service;

(b) does not arise.

PEONS.

***5603. Lala Jyoti Prasad:** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that generally peons in Government offices get Rs. 14 a month with all the facilities of pension and leave;

(b) whether it is a fact that the treasury peon gets only Rs. 11 a month without any right of pension and leave;

(c) if answers to (a) and (b) are in the affirmative, the reasons for this differential treatment?

The Honourable Sir Donald Boyd: (a) Yes.

(b) Treasurers, peons are not Government servants and Government are therefore not concerned with their conditions of service, pay, etc.

(c) does not arise.

LAHORE CIRCLE VOTERS, LAHORE DISTRICT BOARD.

***5604. Khan Bahadur Mian Mushtaq Ahmad Gurmani:** Will the Honourable Minister for Local Self-Government be pleased to state whether he is aware of the fact—

(i) that one of the District Board constituencies in the Lahore district is called the "Lahore Circle";

[K. B. Mushtaq Ahmad Gurmani.]

- (ii) that territorially the said constituency consists of the Lahore jail minus that area of the jail which is within the limits of the Lahore Municipal Committee ;
- (iii) that in the voters' list of the said constituency, prepared about a couple of months ago, out of 110 voters in all, the names of such 45 persons are entered as are not eligible as voters ;
- (iv) that the Deputy Commissioner of Lahore, when he came to know the above fact, deputed the Tahsildar of Lahore to enquire and report ;
- (v) that the Tahsildar of Lahore made the requisite enquiry and reported that 45 voters out of 110 voters of the Lahore Circle constituency, were actually not eligible as voters ;
- (vi) that the Deputy Commissioner forwarded the said report of the Tahsildar to the Revising Officer, appointed by him for entertaining and disposing of claims and objections for or against the lists of the Lahore District Board voters ;
- (vii) that three different objectors duly questioned the eligibility of the 45 voters referred to above ;
- (viii) that one of the objectors questioned the eligibility of 17 voters while the other two questioned the eligibility of the remaining 28 voters ;
- (ix) that the two objectors, who had questioned the eligibility of 28 persons improperly registered as voters, withdrew their objections ; while the third objector, against the eligibility of 17 persons, remained firm to the last ;
- (x) that none of the persons, whose eligibility as voters was questioned, appeared before the Revising Officer, though notices were duly served upon all of them ;
- (xi) that the Revising Officer despite the Tahsildar's report which had been sent to him by the Deputy Commissioner, and despite the non-appearance of a single wrongly-registered voter, dismissed the objection applications against 17 persons ;
- (b) if the answers to the above questions are in the affirmative, what action the Honourable Minister proposes to take to prevent the bogus voters from using their votes in the election and thus making the election, which will probably take place in the last week of April, a farce ?

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

(ii) Yes.

(iii) An allegation was made to the Deputy Commissioner that the names of some persons who were not eligible for voting had been entered as voters.

(iv) Yes.

(v) The Tahsildar reported that 34 persons entered as voters were not eligible.

(vi) No.

(vi) to (ix) Three different objectors filed objections against 99 voters. The first objection related to 8 persons; the second to 13 and the third to 18. The first objector did not withdraw his objections but the other two did.

(x) Yes.

(xi) The revising authority dismissed 8 objections on merits.

(b) The local officers are being consulted.

SHORT NOTICE QUESTION AND ANSWER.

APPOINTMENT OF PRINCIPAL, MEDICAL SCHOOL, AMRITSAR.

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

(a) whether it is a fact that the post of Principal, Medical School, Amritsar, was one of the fifteen posts released from the Indian Medical Service under the *communiqué* of 1928 of the Government of India;

(b) whether it is a fact that the Government of India had informed the Punjab Government that no Indian Medical Service Officer of protected rights was available to fill the post of Principal, Medical School, Amritsar;

(c) whether it is a fact that the Punjab Government, in spite of this, has asked the Government of India to lend an Indian Medical Service officer for this post?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) Principalship of the Medical School, Amritsar, is no longer reserved for I.M.S. officers. The hands of the Punjab Government are free to appoint anyone they consider most suitable.

(c) The Punjab Government asked the Government of India to suggest three names of I.M.S. officers, one of whom may be appointed as Principal of the Medical School, Amritsar. The Government of India appointed a Board of three senior I.M.S. officers who selected three names which were communicated to the Punjab Government. One of them has been appointed as Principal of the Medical School, Amritsar. It is exceedingly desirable that the standard of education should be kept at a high level. The Punjab Government were desirous of appointing the very best person available as Principal of the Medical School. The cases of all possible Provincial Civil Medical Service officers have been fully considered.

I myself received a deputation of the P.C.M.S. officers on the subject. His Excellency the Governor also received the same deputation and the claims of P.C.M.S. officers were fully considered.

It is not in the public interest that I should disclose names of officers who were considered but not held suitable. Rather I feel it my duty to defend the honour and reputation of all P.C.M.S. officers who are rendering excellent service to the province. One of them is already a full professor at the Medical College and I have no doubt that in future there will be more who by their qualifications and merits will rise to high places in the Department. Even in this case Punjab Government offered this appointment to a P.C.M.S. officer and when he declined the offer the Punjab Government decided to appoint Captain Malik, I.M.S.

[Hon. Malik Sir Firoz Khan Noon.]

The House would like to know something about Captain Malik's qualifications. He is an agriculturist Muslim, by caste Awan, who passed his M.B., B.S. examination from the Lahore Medical College in 1924. He took honours in three or four subjects and he was a merit scholarship holder for four years. He was a member of the Indian Defence Force and the University Training Corps for six years. He held a commission for three years. He went to England where he secured the degree of M.R.C.S. from Guys Hospital. He also secured D.P.H. from the University College Hospital. He was commissioned in the I.M.S. in 1927. In 1928 he was appointed to the Research Institute at Kasauli. He was serving as Assistant Director when he was posted to Amritsar. In 1933 he went to Mil Bank, London for senior officers course. He stood first in Medicine, first in Entomology, first in Clinical Medicine. He received a medal for standing first in Medicine and was also awarded a cash prize of £12. He has also worked in London with Burrough and Wellcome for two months on Yellow fever. He secured the degree of M.R.C.P., London, in 1933, which is a very rare distinction. I understand that out of 612 I.M.S. officers there are only about 22 who hold this degree. He also went to Denmark for certain medical studies. He has written about 20 papers in the Indian Medical Research Journal. He officiated in the Government of India as Secretary of Indian Research Fund Association when the Public Health Commissioner was on leave in 1934.

The House will realise that this young officer is by merit and administrative experience thoroughly qualified for the responsible post to which he has been appointed. I feel that the province are very lucky in securing the services of a man of his rare qualifications.

Sardar Jawahar Singh Dhillon : Will the honourable Minister kindly state whether this post was advertised and if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : No, it was not advertised because we secured the services of a good officer through the Indian Medical Service.

Sardar Sahib Sardar Ujjal Singh : Is it not a fact that the *communiqué* of 1928 definitely stated that fifteen posts were released for the Provincial Civil Medical Service?

The Honourable Malik Sir Firoz Khan Noon : I do not remember the exact wording, but what the *communiqué* stated was that so many posts had been released by the Secretary of State for provincial services. There is only one provincial service, the Provincial Civil Class II Medical Service. There is a proposal to create a class I Provincial Civil Medical Service. The rules are being framed but the Service has not yet been created. The deputation argued with me on this point for one hour and with His Excellency the Governor for another hour. The deputation was quite wrong in thinking that the posts were reserved for the existing Provincial Civil Medical Service. The hands of the Punjab Government are entirely free in this matter.

Chaudhri Afzal Haq : May I ask whether Dr. Malik was at any time a professor in any college?

The Honourable Malik Sir Firoz Khan Noon : No, he has done no teaching in any college.

Chaudhri Afzal Haq : Then why was he selected?

The Honourable Malik Sir Firoz Khan Noon : Because we considered him the best qualified person. It is for Government to select and Government selected him.

Chaudhri Afzal Haq : May I know whether there was any other Provincial Service man who had the same qualifications ?

The Honourable Malik Sir Firoz Khan Noon : No, there was none under consideration.

Chaudhri Afzal Haq : May I ask whether Dr. Ahmad Hasan had the same qualifications?

The Honourable Malik Sir Firoz Khan Noon : I have never heard of the fellow. His name has never been under consideration. The Inspector-General of Civil Hospitals never mentioned his name as being fit for this post.

Chaudhri Afzal Haq : We do not know that. Will the honourable Minister be pleased to make enquiries?

The Honourable Malik Sir Firoz Khan Noon : I shall not. What is the use of making an enquiry?

Mian Nurullah : May I ask whether when the *communiqué* was issued the question of a class I Provincial Service was under consideration. According to the interpretation of Sardar Ujjal Singh, apparently it was not.

Sardar Sahib Sardar Ujjal Singh : When these posts were definitely released for the Provincial Service was there any proposal of creating a class I provincial Service?

The Honourable Malik Sir Firoz Khan Noon : There has been a proposal for creating a senior provincial service for several years. I cannot tell the honourable member the exact date when that proposal started.

Sardar Sahib Sardar Ujjal Singh : When the *communiqué* was issued in 1928 was there any such proposal?

The Honourable Malik Sir Firoz Khan Noon : I cannot tell the exact date. I require notice of the question.

Sardar Sahib Sardar Ujjal Singh : The reference in the *communiqué* about the provincial services could not be to any other Service than the existing Provincial Civil Medical Service.

The Honourable Malik Sir Firoz Khan Noon : We have fully considered that point and I am thoroughly satisfied as to the position we took.

Sardar Jawahar Singh Dhillon : Has not the action of the Minister deprived the Council of its right of voting the pay of the officer concerned?

Mian Nurullah : If the post had been filled by an officer of the Provincial Civil Medical Service, we would in future be voting the pay of that officer. Is that not so?

The Honourable Malik Sir Firoz Khan Noon : Yes, it is true that the House votes the pay of provincial service men.

Mian Nurullah : Was that not the idea of the *communiqué*, that the pay should be votable by the House?

The Honourable Malik Sir Firoz Khan Noon : I cannot say what the idea was.

Chaudhri Afzal Haq : May I know whether any provincial service man was offered this appointment?

The Honourable Malik Sir Firoz Khan Noon : Yes. One was offered the post.

Chaudhri Afzal Haq : Was there no other who was offered it?

The Honourable Malik Sir Firoz Khan Noon : No, none.

Mian Nurullah : Does the Honourable Minister mean to say that there is no other man in the provincial service excepting only one who was capable of holding this post?

The Honourable Malik Sir Firoz Khan Noon : I have informed the House already that within the Provincial Civil Medical Service we considered only one man suitable for the place.

Mian Nurullah : Why?

The Honourable Malik Sir Firoz Khan Noon : It is difficult to answer this. Government exercised their discretion.

Chaudhri Afzal Haq : The Honourable Minister has to explain his position here. It is not a question of discretion. Why did not the Honourable Minister ask other provincial service men whether they would accept the post?

The Honourable Malik Sir Firoz Khan Noon : Opinions differ.

Mian Nurullah : The Honourable Minister at one time says that the provincial medical service men are all quite good and now he says that he does not consider them good for this place. May we know what is the position?

The Honourable Malik Sir Firoz Khan Noon : We looked at the claims of all Provincial Civil Medical Service men for the place. The only man who was considered fit was offered this job. He refused and we offered it to this man.

Chaudhri Afzal Haq : My position is that there were officers who were equally qualified as this man and I ask why were they not offered the post?

The Honourable Malik Sir Firoz Khan Noon : It is a great presumption on the honourable member's part to say that they were qualified. In our opinion they were not.

Mian Nurullah : The Honourable Minister mentioned that the offer was made to one man. On what date was the offer made and when was the reply received?

The Honourable Malik Sir Firoz Khan Noon : I require notice.

Mian Nurullah : Was it within a few hours that he sent his reply?

THE PUNJAB DEBTORS' PROTECTION BILL.

Mr. President : The Punjab Debtor's Protection Bill has been returned by His Excellency the Governor with the following message. Honourable members will 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 Debtors' Protection Bill, and do hereby return it, for reconsideration of item (8) of clause 2, of clause 9 and of sub-clause (2) of clause 10. I enclose a schedule of the amendments which I recommend for adoption."

The amendments are being printed and will be in the hands of the honourable members within an hour. The question is when they should be taken up.

(*After ascertaining the wish of the House.*) As the majority of honourable members desire that they shall be taken up on Monday the 30th, they will be taken up on that day after the financial business, appearing in the list of business for that day, is disposed of.

THE PUNJAB CATTLE LIFTING PREVENTION BILL.

Sardar Sahib Sardar Gurbachan Singh (Jullundur, Sikh, Rural) : I understand that the Government proposes to appoint a committee to examine the whole question involved in my Bill. It will, no doubt, be of advantage if the report of this committee is available to the Council before I proceed with my Bill. Therefore, I do not move the motion for reference of my Bill to a select committee for the present.

THE PUNJAB FREE PRIMARY COMPULSORY EDUCATION FOR GIRLS BILL.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (*Urdu*) : I beg to move—

That the Punjab Free Primary Compulsory Education for Girls Bill be referred to a select committee consisting of the following :—

The Honourable Malik Sir Firoz Khan Noon,
Mr. J. E. Parkinson,
Mr. Manohar Lal,
Lala Chetan Anand,
Sardar Sampuran Singh,
Chandhri Afzal Haq,
Khwaja Muhammad Euseof,
A nominee of the Honourable President, and
The mover.

Just as there is no doubt about it that two and two make four, similarly there is no doubt about the urgent necessity of the Bill that I have moved. I believe that there is no one in the Punjab, nay in India at this time who is prepared to say that there is no need of imparting education to girls. I think that every one believes that female education is as necessary as the education of boys. I, therefore, hope that no one in this House will oppose this Bill. I am confident that it will be supported by one and all in this Council. I fear, however, that there may be a few members here who

[Sh. Lekhwati Jain.]

would perhaps object to compulsion being introduced in the education of girls, but I would like to tell them that without introducing the element of compulsion in the education of girls, we cannot hope to make much progress in spreading education amongst our girls. I need hardly say that the present Honourable Minister for Education is taking a keen interest in the matter of education of girls, but the House will be surprised to know that in spite of his efforts in this direction, the number of educated girls in the province as in the whole of India has not exceeded $1\frac{1}{2}$ or at the most 2 per cent. of the population. And I need hardly add that the reason for this disappointing state of affairs is that compulsion has not been introduced so far as the education of girls is concerned. It will, therefore, be seen that so long as compulsion is not introduced in the education of girls also we cannot expect any improvement in this unhappy state of affairs. I am aware that all young men of to-day favour the education of girls and if anybody is opposed to this reform, it is the old type of men who have deep-rooted prejudices against this reform, who are opposed to it. But here again I am sure that the number of such men is very small and in my opinion so small that we can altogether ignore them. A large majority of our population do want that girls should also be educated and as I have said, we can attain this object only if we introduce the element of compulsion in the education of girls as well. You know that the Sikhs want that their women should read Granth Sahib. So do the Hindus and Muslims desire that their women should read their respective religious books. For example Hindus want that their women should read Gita and Ramayan and the Muslims want that their women should read the Holy Quran. If you will not give education to women, how can you expect them to read their religious books? Women without education cannot know what is going on in India nor will they be able to know that in India men of the calibre of Bhim, Arjan and Sivaji flourished in the past. Some men think that education is necessary for women, but they are not in favour of giving them education in schools. They want to educate them at their homes. On the one hand you say that Indian people are very poor and on the other you say that education should be imparted to women at homes. How is it possible? A man who is poor cannot afford to educate his daughter at home with the help of a tutor. How can all men afford to give education to their daughters at home without spending? If you introduce the system of compulsory education for girls all men will be forced to send their girls to schools. There are many men who do not send their daughters to schools but keep them at home in order that they may work there. If the education for girls is made compulsory such people will also be forced to send their daughters to schools. Whenever you want to marry your sons you require that the girl should be educated. You also want that your own daughters should be educated. But why do you not think of those who are poor and who cannot afford to send their daughters to schools? If daughters of rich parents want to be educated the daughters of poor parents also want to be educated. But poor parents cannot afford to educate them. For the benefit of such girls it is necessary that education should be made free. Then there are those who do not want to spend any money on the education of their daughters. Such men will be forced to educate their daughters if compulsory education is enforced.

Then, it is not necessary that the Government should enforce this Bill after it becomes an Act in the whole of the Punjab. It can be enforced in particular localities, for example in Lahore or Amritsar. Moreover the Government can amend it in the select committee if it so desires and if there are any defects in it. So far as opinions on the Bill are concerned, half of them are in its favour and even those who have opined against it have not said that this measure is bad in itself. They have only said that there are some defects in it which ought to be removed. Those who have criticised the Bill have only criticised the system of education and not compulsory education for girls.

In addition I have mentioned the necessity of education amongst village girls. One of the main reasons for the backwardness of the rural population is the lack of education. If village girls are given education I am sure villagers can also progress. There are some opinions which are against imparting education to village girls. It is very disappointing to read them. The sahkukars go to villages, advance loans and by unlawful methods charge more interest. If our village girls are given education, sahkukars will not be able to deceive the villagers, for the women, if educated will not allow the sahkukars to practice deception. Every one would like to see his wife or daughter possess sufficient knowledge to read or write or do a little arithmetic. Do my rural brethren desire that their women should remain illiterate and with no ideas of how to keep their houses clean? If women are illiterate, men whenever they go out leaving the women at home feel anxious about the safety of those women. But if women are educated men will be relieved of such anxiety. Uneducated women are often unreasonable. Often they insist on having costly dresses made of silk or muslin whether the man is to beg, borrow or steal for providing the same. Often men borrow simply because the women of their houses want them to do so either to spend it on marriages or on deaths. In order to relieve the zamindars from the burden of indebtedness a Bill was brought in but my Bill also helps the zamindars indirectly so far as indebtedness is concerned. Why should you not then lend your support to it? If education is imparted to girls on a very large scale it will help to produce better men. We often read in papers and magazines that India no longer produces great men. The reason of this is that there is no education amongst women. If you educate your women you will produce men of the calibre of Bhim and Arjan. You often say that in the past great women like Sita and Rukmani lived in India. Such great women were all educated and it is education which can bring into existence great women and great men. It is very necessary that compulsory education should be introduced in India. The Honourable Minister for Education has been doing his best to increase the percentage of the educated, but notwithstanding all his efforts he has not succeeded in raising the percentage of literates. The obvious reason for this is that our women are not educated. If mothers are educated, children will automatically receive education. When you have admitted the principle of compulsory education for boys, why do you not admit it in the case of girls? If a mother is educated she educates all the members of the family. Even for the discharge of household duties you require educated ladies. Some honourable members of the House might be thinking that the women's work lies within their homes and they should attend to household duties.

[Sh. Lekhwati Jain.]

Even for household duties women are required to be educated. In the interest of domestic duties you require your women to be educated. Some people might be labouring under the idea that educated women will shirk work and they will not go out to work in the fields and that they will also refuse to discharge domestic duties. If there are any people who entertain such ideas I can assure them that they are wrong. A woman who has received education up to the primary standard cannot think of shirking work or refusing to do household work. A woman throughout her life renders service. When she is in the house of her father she serves him and looks after him. When she gets married she becomes devoted to her husband and in every way looks after him. When she becomes a mother she devotes all her time to her children's caretaking. If it is argued that there is danger in educating women, I say that that danger will not be due to education but to the system of education. Education is always good. It is only the system of education which can be defective. The system of education should be such that such defects as are often pointed out will not have the chance of appearing. The education should be such that women, notwithstanding the fact that they are educated, should have no defects. Reading, writing and a little arithmetic are very necessary for our women. They should be able to read books like the *Itihas* so that they may be able to know who Ramchander or some other hero was.

Furthermore, this House will do well to bear in mind that English is not taught even to the 5th class students. So, honourable
 3 P. M. members need not fear that after receiving education in English girls will become impertinent. I do not think that anybody is justified in denying ordinary literacy to girls on the ground that they will become independent if they are educated. This is no argument and honourable members of this House should refuse to be swayed by such meaningless talk. Although I have moved this Bill with the intention of helping women, its benefit will accrue to men also. They will have educated wives and educated mothers, if education in this country is made compulsory for women.

I do not propose to take much of the time of this House, but I should like to quote certain opinions which have been expressed on my Bill; The learned Commissioner of Rawalpindi says:

In my opinion, there is nothing in the Bill, to which any objection could be raised on administrative grounds. The Bill would not come into force in any area unless it were made applicable to such area by the Local Government.

2. With regard to the principles underlying the Bill, I have nothing but approval to give. If compulsory education can be a good thing for boys, it must be so in the case of girls. The fact that a non-official member of the Punjab Legislative Council has brought forward such a proposal is a most encouraging sign of the times.
3. In cases where there is a suitable school available in the village itself, I see no objection to compulsion being applied to ensure attendance of all girls of school-going age at that school.

The District Inspector of Simla says:

The importance of the education of the girls is recognised by everybody who wishes well both of the nation and the country.

I strongly am of opinion that a Bill to provide free primary education to the girls is very necessary for the upliftment of the women and the land.

The Assistant Inspectress of Schools, Shahpur, has opined :

- (1) Compulsion will prove a cure to the ignorance, poverty, and old prejudices of the masses to some extent.
- (2) Rural up-lift work cannot be a success unless the future village mothers are educated.
- (3) To improve the attendance of the village girls' schools.
- (4) To remove illiteracy.
- (5) To raise the village elementary schools up to the upper primary schools.
- (6) To have some concrete results for the money that is being spent by the local bodies.

Then the District Inspector of Schools, Muzaffargarh, has expressed his opinion in a rather lengthy letter. I will quote only a few sentences from his opinion. He says :

There was prejudice against this at the time of its introduction and it exists even now. It will be more so in the case of compulsion for girls. This, however, should not damp our spirits for taking a bold step. The Act, if introduced, is sure to bring real advancement for the province.

He concludes with the following remarks :

Summarising the above, I am of opinion that the province needs a compulsory education act for girls and its introduction after modifications suggested above would result in sure advancement for the province.

The opinion of the Deputy Commissioner, Simla, is not less encouraging. He records :

The Bill to provide for the free primary compulsory education for girls in the Punjab is a step in the right direction ; and so far as the Simla district is concerned, I do not anticipate any violent controversy or open hostility to its introduction.

The learned Deputy Commissioner of Ambala has expressed his opinion in the following words :

I strongly support the above Bill, as its promulgation will greatly aid the early removal of illiteracy from the province.

The Deputy Commissioner, Hissar, says :

In my opinion the principles of the Bill are sound and the proposed provision will be suitable if carefully applied.

The Secretary of the Punjab Merchants Association writes :

I am directed to inform you that my association offers warmest support to the Bill and respectfully suggests the following amendments in the Bill.

If you read these opinions, you will be convinced that the Bill has been approved by all sections of the public. Now, I should like to refer you to the long list of the supporters of this Bill among whom you will find :

The Commissioner, Rawalpindi,
The Commissioner, Multan,
District Inspector of Schools, Simla,
District Inspector of Schools, Rohtak,
Assistant Inspectress of Schools, Shahpur,
District Inspector of Schools, Muzaffargarh,
Deputy Commissioner, Hoshiarpur,
Deputy Commissioner, Simla,
Deputy Commissioner, Rohtak,
Deputy Commissioner, Ambala,
Deputy Commissioner, Hissar,
Deputy Commissioner, Montgomery,
Deputy Commissioner, Sheikhupura,
Deputy Commissioner, Attock,
Deputy Commissioner, Muzaffargarh, and
Deputy Commissioner, Mianwali.

[Sh. Lekhwati Jain.]

Among those who oppose my Bill the most prominent are the District Inspector of Schools, Karnal, the Deputy Commissioner of Gujranwala and the Deputy Commissioner of Amritsar. Summing up, I find that as many as two commissioners, ten deputy commissioners, fifteen district inspectors of schools, twenty-eight municipal committees, four notified area committees and twenty-two small town committees have lent their support to my Bill. Furthermore, although the common belief about the Sanatanists is that they are opposed to the idea of female education, the Sanatan Dharam Priti Nidi Sabha, the representative body of Sanatanists, has supported this Bill. (*Interruption.*) If the honourable member wants to oppose my Bill he is at liberty to do so, but he should not interrupt me like that.

Lala Bhagat Ram : The honourable lady member has said that Sanatan Dharmis are opposed to female education. She should withdraw these words.

Shrimati Lekhwati Jain : Then, public bodies like Sri Guru Singh Sabha, The Punjab Merchants Association and the Anjuman-i-Islamia, Punjab, have supported this Bill.

The objections which have been raised about my Bill, are, first, there are some defects in the drafting of the Bill. But these defects can very well be removed by the select committee. Secondly, the age-limits ought not to be seven to twelve years. In this connection some people have suggested 6 to 11 and some 5 to 10 to be the age-limit for the purpose of the Bill. This question, again, can be attended to by the select committee. The third objection raised is that sufficient number of teachers and good buildings will not be available for girls schools. The greatest difficulty in this connection is pointed out in the case of villages. But I want to tell the honourable members that the Government will not be so silly as to enforce compulsory education of girls in those areas where there are no girls schools at present. Moreover, I am not inclined to share the common view that in order to establish a school, a very costly building is necessary. On the other hand, I am sorry to find that much of the money allotted by the Government to the Education Department is being spent on costly buildings. This policy ought to be discouraged by all sane people. We want schools where good education can be imparted. The schools may be housed in huts. So, the objection of there being no very magnificent buildings for girls schools ought not to discourage us. Then there is the question of want of sufficient number of female teachers. I think, the Honourable Minister for Education must be knowing that many educated women send applications to his office for the posts of *ustanis* and they do not get jobs. So, honourable members need not worry on that score either. Then, it has been urged that there are certain prejudices in the minds of the people of the province which will stand in the way of introducing compulsory education for girls. But such prejudices have remained and will remain for ever. Whenever anything new has been attempted it has been done in total disregard of such meaningless prejudices. Besides these considerations, language difficulty has been pointed out as a great obstacle. But this exists in the case of boys as well. This difficulty will be solved in course

of time. Another objection has been raised in connection with the poverty of the people. But the very title of my Bill is sufficient to silence all objections on that score. My Bill is intended to provide free primary compulsory education for girls. The poor people who cannot afford to send their daughters to schools will be able to do so when education is given free to their girls after the passage of this Bill. Moreover, you can make some arrangement for those girls whose parents cannot afford to give them proper clothing to appear at school. The girls will not be obliged to purchase costly books for primary education. Up to the primary class, education is quite free and expenses in the courses in the elementary classes are so small that no parents can say that they cannot afford to send their daughters to school on that ground.

Now, I will refer to the opinion of the Commissioner, Ambala division. I think that this is not his own opinion. Probably, somebody wrote out that opinion and got his signature to it. He says that there will be scandals in schools. I say evils are present everywhere. If there will be any scandals, they can be checked and put an end to. Bad girls can be turned out of school, but it does not mean that for fear of scandals we should refuse to impart education to our girls and keep them ignorant and illiterate. It cannot be reasonably argued that there is no need of education. Again, in most of the opinions it has been stated that the time is not ripe for this measure. This is a hackneyed and threadbare argument which is advanced again and again. The British have been ruling this country for 150 years, but still it is urged that the time is not ripe for this measure. If the time is not ripe now, I think it will never be ripe. How long should we wait for that time and when will that time come? When the principle of compulsory education for boys was being introduced, the same argument was advanced and it was said that the time was not ripe. Now that this principle is suggested to be applied to girls, the same argument is again being put forward. But I would submit that whenever any measure is brought forward, there is bound to be a difference of opinion. If there are some opinions against this Bill, no importance should be attached to them. Furthermore, it has been argued that the penalty of fifty rupees is far too much. But this matter is entirely left to the discretion of the magistrate. He may fine a defaulter, Rs. 5, ten rupees or he may let him off simply with a warning. It is not essential that he must inflict some penalty on a person who fails to send his daughter to school. For instance, a girl is sick. If her parents do not send her to school, no magistrate can inflict any penalty on her parents.

It has been suggested that a new law for this purpose is not necessary. The Director of Public Instruction also told me the same thing. I would submit that I am ready to agree to this proposal. If the word "Girls" is added to the word "boys" in the existing rule, my purpose will be served and I will have no objection. However, I would submit that the education of girls is entirely different from that of boys and their requirements are also different. Therefore, by doing so the government will have to face a great many difficulties. I do not want to say anything more and I will not occupy the time of the House any longer, but I would request that this Bill be referred to a select committee.

Mr. President : Motion moved—

That the Punjab Free Primary Compulsory Education for Girls Bill be referred to a select committee consisting of—

The Honourable Malik Sir Firoz Khan Noon,

Mr. J. E. Parkinson,

Mr. Manohar Lal,

Lala Chetan Anand,

Sardar Sampuran Singh,

Chaudhri Afzal Haq,

Khwaja Muhammad Eusooof,

A nominee of the Honourable President, and

The Mover.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): I have heard the argument advanced by the honourable lady member of the House so far as the motion for referring this Bill to a select committee is concerned. I am sorry to say that my position, so far as her proposals are concerned, is the same, that is, in spite of these arguments, I feel inclined to say that I must oppose the Bill. She has been dwelling all the time on the point whether female education is necessary at all. Well, that is not the question. She has been pointing out that an illiterate mother or an illiterate wife will be disposed to take her child to some *faqir* instead of taking it to a doctor; that she will be given to the evil customs of buying clothes and other necessities of the house when they are not required; and that she will be duped by the village shopkeeper or the *sahukar*, because she is so ignorant and illiterate. Well, that is not the question. Nobody denies that there should be some enlightenment or education for women. But the question is whether compulsion should be applied, and whether the stage has been reached when we should apply compulsion in this matter. That is the main point at issue. So far as the coercive methods are concerned, I say, let us exhaust all other methods before we have anything to do with compulsion in this matter. Everybody here knows, that the other Act to which the lady member has made a reference, has been in force since the year 1919 and in spite of the fact that full sixteen years have passed since the passing of this Act, I would say that it is still in its experimental stage and we are not in a position at this moment to say whether this method of compulsion has had any effect on the education of boys, not to talk of education of girls. The question before us is, whether compulsion is desirable at all, and if compulsion is desirable at all, whether it is practicable and, again, if it is practicable, whether the Bill in its present form is satisfactory. So far as the first question is concerned, I think I have made it perfectly clear that in view of all the opinions expressed by the district authorities, by the education authorities—say the Principal of the Training College, the Vice-Principal of the Training College, and the various district inspectors of schools, that is to say, all those people who have to deal with this question—I do not think that our province is at present in a position when we can have recourse to compulsion. I think that this is a premature step. The next thing is, if compulsion is desirable at all, whether it is practicable or not. I will deal with it rather in detail. The first point in this respect is the financial aspect of the question. Of course, if we have to ask every girl of every household to go to a school, then may I know if

there are sufficient schools in the province to house all those girls? Is there sufficient teaching staff—I mean women teachers—to teach all those students? Is there sufficient inspecting staff to examine and to inspect all these schools? If there is difficulty in this respect, I do not know how, practically speaking, we can in any way help the passing of this measure. Again, so far as the other Act is concerned, it is provided there that a student is required to go to a school within a radius of two miles. Now, is it possible at all for a girl, so far as this Act is concerned, that she should be allowed to go to a school within a radius of two miles or three miles or five miles? Can any parent allow this? I know that there is difference of opinion on this aspect of the case. With regard to the age prescribed in this Bill I do not think that any parent will agree that a sufficiently grown up girl, of 11 or 12 or even a younger one should go to a school which is far away from the girl's house. So many crimes are committed as regards property and person that as things now stand in our province, it is extremely unsafe for any girl to go to a school even within a radius of two, three or four miles. Then, another difficulty which would arise is that our local bodies, I should say, are not in a position to shoulder this burden. Have they sufficiently coped with the question of laying down roads and drains, of equipping hospitals, metalling roads or making satisfactory arrangements for sanitation, for education, water supply, conservancy, etc., etc.? Can they meet all these modern amenities of life, which are so urgent for the present-day life, as the Honourable Minister for Education told us the other day? As they have not got sufficient funds to meet these necessary things, I wonder if they will have any funds to meet the cost of free compulsory education of girls.

The education, I should like to remark here, might be free, but it is more impracticable to make it compulsory so far as the case of girls is concerned. The next important difficulty in our way is the medium of education. You know, that even in the case of boys, up to this stage we are still discussing as to what should be the medium of education and of training the various students, and in spite of the fact that the education in the case of men is being imparted for the last hundred or two hundred years, we have not yet decided definitely what should be the medium of education. Communities on the one hand will say that they can send their girls only to a school where Urdu may be the medium of education. Others will say that they can send their girls only to a school where the medium of education is Gurmukhi, while the third will say that they can send their girls only to that school where the medium is Hindi. This again will create divisions into compartments and sub-compartments so far as the working of this Act is concerned and this is again a very great difficulty which will stand in the way of the smooth working of this Act. Another thing—and that too is very important—is that taking into consideration the financial position of this country and the poverty which is prevailing all over the rural world, I do not think that it is possible to ask all those zamindars—the rural people, the manual labourers, those *changars* and other people who are working in the fields,—to allow their girls to go to schools. These girls help their parents in their various professions of cultivation like the picking of cotton and sometimes of fuel. People are

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so poor that they send their girls to look after their cattle. The girls help them in the plantation of nursery plants. They help them sometimes in working their wells. All these little girls are helping their poor parents in this province of agriculture. They cannot afford to have paid servants in their houses. So it will be very difficult for those people if we deprive them of the help which these little children of theirs are rendering them. They cannot afford to have servants and in this way also, it is totally impracticable that we should ask every little zamindar or a manual labourer to allow his child who helps him in making his both ends meet, to leave him alone and go to school, and if she does not go to school subject him to a fine say up to a limit of Rs. 50.

Then, another important thing which I want to mention is this. If you make a reference to the various opinions received on this Bill and printed in this book—I am not reading it out *in extenso*—you will be pleased to note that out of those deputy commissioners who have expressed an opinion on the Bill, 13 are against it and 7 are in favour. The commissioners are equally divided. Among district inspectors of schools, 7 are against and 6 are in favour and as I have already remarked there are the opinions of the Principal and the Vice-principal of the Training College, against the Bill. Among district boards 16 are against and 10 in favour and those who are in favour, I would like to remark here, only favour it with two conditions, as the lady member herself remarked, (1) that it should be applied only to very limited and urban areas, and (2) that the age limit should be reduced. They go to support my theory that the Bill in its present form is impracticable of being adopted. I would make a brief reference to opinions Nos. 45, 47 and 56 only to show that they are in favour with certain “ifs.” But they are very big “ifs.” District Board, Sheikhpura (Opinion No. 45), says “Compulsory education for girls should be enforced if schools can be established.” This single “if” is sufficient to throw out the Bill. District Board, Dera Ghazi Khan (Opinion No. 47), says “Approved except for Bilochi or rural girls at present.” I do not know what other girls are left. Opinion No. 56, the only municipal committee which favours the Bill, says “the committee has no objection to the Bill, if the benign Government gives full grant for the staff and the building.” How will the Government be able to finance this? If it had been able to do so, it would have done so long ago. Of course it has been helping education. But how can it help the local bodies wholesale in this matter? This is totally impracticable and the Bill is premature.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): It is late in the day to talk of the desirability of giving education or of the duty of the State to give education to its nationals, whether boys or girls.

The Honourable Malik Sir Firoz Khan Noon: It may be convenient and may save the time of the House if I say at this stage that the Bill is divided into two parts, one deals with free education and the other with compulsory education of the girls. As far as the free part of it is concerned, even now the education of girls in the primary stage is absolutely free. Let us therefore confine ourselves to the compulsory part of it. This may save the time of the House.

Sardar Arjan Singh : It is admitted that countries in the west have realised their duty in the matter of imparting education to its children and they have spent large sums of money on this question. But the difficulty, so far as this Bill is concerned, is this. I am afraid I have made up my mind to oppose it. I am doing so not with a light heart. I have considered the various aspects of this problem. And therefore it is that I have decided to oppose the Bill. It has been seen that Free Compulsory Education Act for Boys has been in force in this province since 1919. It is doubtful, in spite of the figures quoted by the Punjab Government in their review of the report of the department, whether it has succeeded. I do not say that it has not succeeded, but I cannot at the same time say that it has not failed. Various causes have been enumerated which have contributed to its failure. In the first place the question is whether the people themselves are willing to send their children to school, whether it should be compulsory or whether it should be voluntary. Where there is the question of local opinion I am afraid I must say that the authorities or the local bodies have not taken the interest that they should have taken in this matter and they have not embarked upon wholesale prosecutions of the defaulting parents. Similarly in the case of boys the impetus of service, whether Government or private, is there. But in the case of the girls there is not the same impetus and it must be conceded that the Bill as it has been sponsored cannot but be a dead letter, though it may achieve some success in some select urban areas. The first thing which we have to consider is that prejudices are there, that is, life long prejudices and they die hard. There is a prejudice against female education in the minds of the countryside people and a good deal of progress has to be made by way of persuasion to create public opinion before people could be compelled to send their children, boys or girls, to schools. That persuasion has not yet been made. What I suggest is there should be something in the nature of a crusade on the part of the public to educate public opinion in this respect. Then the question is whether in the economic depression through which we are passing, any local body would be in a position to finance this education of girls in the local areas within their jurisdiction. Then there is the question of providing proper accommodation. Again though the honourable lady member has stated that there is no paucity of good women teachers, I think she has not realised the full implication of introducing free compulsory education for girls, that is the inadequacy of the proper staff that is needed for this big project. These are some of the difficulties in the way of compulsory and free primary education for girls. Of course the Honourable Minister for Education has remarked that free education in the primary stage is already there for girls. The only question is one of making it compulsory. Therefore the issue is whether the time has come when we can with advantage introduce compulsion to the girls. My submission is to create in the first place public opinion and to see that Government or the local bodies earmark some amount in their budget estimates for the education of girls alone. In their review the Government point out that no more than 3 per cent. of the amount that is spent on education is spent on the education of girls. This is unfair and unjust. Therefore the Government should try to allot and earmark larger sums for this purpose. Girls need a larger share of the funds for their education. In the same way Gov-

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ernment should also insist that local bodies should allot more funds for the education of girls than they have been doing now. These are some of the directions which must precede the Bill being taken up into consideration and when people are prepared to send their girls voluntarily to schools there would arise no necessity of having resort to compulsion, because public opinion would be created in the villages and the villagers would induce the other people who are not sending their girls to schools, to send them. The question of compulsion will arise only when 50 or 60 per cent. of the girls are now attending the schools and the rest do not. But now it is only 5 or 6 per cent. that go to school. Therefore it is unjust to adopt compulsion at present. Therefore in my opinion time has not yet come when we can introduce legislation of the nature which has been introduced by the lady member. Of course it has been rightly pointed out in the various opinions that have been received on the subject that there are certain other difficulties in the Bill. But it has been pointed out by the lady member that if there are any defects they can be remedied in the select committee. But there are some fundamental objections which I have pointed out. I, therefore, oppose the motion.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural): I am very glad that the lady member has brought forward this Bill. But I am sorry to note that some honourable members have spoken against the Bill. I would have joined those members who opposed the Bill had there been any date fixed in the Bill as to when it is to come into force. There is no date specified therein and it is left to the option of the Government as to when it would like to enforce it in any area, whether within one year or two years or three years. So, that objection does not arise and if Government feels that there is a necessity, say within a year or after a year, to enforce the Bill it can do so. But if the Government thinks that the time is not ripe to enforce the Bill, it is at liberty to postpone its enforcement.

The second point is that even the area is left to be specified by the Government and it is the Government which is to decide whether certain municipal or small town areas are fit for the enforcement of the provisions of the Bill when it becomes law. So even that question does not arise at this stage. Government has absolutely a free hand in this matter. Then there remains the question of age. The honourable lady member has fixed a very reasonable limit and there should be no objection to it.

Where then is the harm in allowing the Bill to go to a select committee? So long as no one has introduced the Bill it would be very well for us to say that there is no need for it. Now that a Bill has been introduced we should examine what objections there can be to it. There is one objection raised that the time is not yet ripe for the Bill, that in the coming elections the people returned to the Council would be better able to decide the matter. But I would urge that the time is now ripe to enforce a law of this kind. Why should the matter be left to a future Council? The question was then raised whether there should be compulsion when a majority of the people of a particular area was against the Bill. Even in that case Government can make rules that unless 55, 60 or 70 per cent. of the people of that area are willing for compulsion, the law will not be enforced in that area. I

think there is absolutely no harm in allowing the Bill to proceed. Its provisions are salutary and harmless and even if there be some which have to be looked into, the scrutiny can be done in the select committee. From the objections raised it is apparent that the Bill has not received sufficient attention of this House.

With these words I support the motion that the Bill be referred to a select committee.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : I have the greatest pleasure in supporting the principles of the Bill. Whenever such questions as are involved in the Bill before us come up there is always some honourable member opposing it, of course with the best of intentions. When the compulsory education Bill for boys came up in the old Punjab Council there were people who opposed it tooth and nail and they were all highly educated persons. The same talk then about cost, the difficulty of boys having to walk for miles and miles and so on. I ask, now that we have had this Bill in the form of an Act working for the last ten or fifteen years, is there any doubt that even though we have not fully applied the Act we have at least made a good beginning? I think the Director of Public Instruction who is here will support me in this statement. That Act has been brought into force in places where the people can afford it and where it is possible for its provisions to be applied. In places where it cannot be enforced, it has not been put into operation. In the same way in regard to the Bill now before us, all that we want to do now is that the House should accept the principle of the Bill. There is no harm in doing it and in sending the Bill to a select committee. As one honourable member pointed out you can enact that unless there is a three-fourths majority in favour of it the provisions of the Act shall not be applied to a particular area. If, for instance, the people of Amritsar are ready and willing to pay the piper, ready to tax themselves and meet the expenses, how does it hurt my honourable friend from Gujranwala? If the people of Gujranwala themselves are willing to find the money, why should he object to it? The principle is absolutely good that the boys along with the girls should be educated. Can it be expected that in future our girls would remain uneducated? *Zahin* parents will bring forth *zakin* children. Sanitation, health and hygiene which are very important things in civic life largely depend upon the mothers who bring up their children in good ideals. If the mother is unlettered, if she has not read anything, what will she impart to her children? We all know that the education imparted in schools being of a stereotyped kind does not take the children very far, but more important than that is the knowledge imparted to them by the parents, the knowledge that the boy gets at the knee of his own mother, aunt or some woman relative of his. It is therefore, highly necessary that women should be educated. Again in the coming reforms with votes extended to women we cannot say that they need not be educated as we have not the necessary funds to educate them, as we have only enough money to educate our boys. I ask my honourable friend from Gujranwala, is a girl any the less better than a boy? Has she not got a greater responsibility than the boy for the future of the country? The man goes out the whole day to earn his living while the woman is there looking after the children. To say in the twentieth century

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for the simple fear of cost that girls need not be educated is indeed surprising. We have achieved greater reforms in other directions. A lot of things used to be said of us in India ten or twenty years back, that we were not fit for self-government, not fit for municipal administration, not fit to be Governors, Executive Councillors and the like, and not fit to receive military education. By and by the course of events has proved them to be false prophecies and history has proved that we are fit for anything, ready for anything, which Europe is ready and fit for. We are in no way less fitted for desirable changes than any civilised European country. We have got heroines in our history like Razia Begum, Nur Jahan, and the Rani of Jhansi. There are hundreds of ladies who have fought for the country, who have worked for the country and who were also the best educated. We are not now concerned with progressive reform as in the matter of the purdah and the like, but the question for the present is education for our girls.

My honourable friend then pointed out the lack of accommodation for girls. The idea is a foolish one that every school must have a big pucca building built according to a type design. That notion is urban and our country fortunately is a peasant country. We live in kucha houses in the countryside and it is unnecessary to stick to the type of accommodation which is indeed a costly one. What would be spent on putting up one such school can help us in the creation of twenty schools in cheap but nonetheless healthy dwellings. I have myself been to many villages and I have found that pucca buildings in which the boys are seated in the schools become like ovens in summer and the old kucha houses are healthy, cheap and comfortable. Even then there will have to be some cost involved in accommodating the schools. But there are certain costs which we must face. We do not however wish that with one stroke of the pen the Honourable Minister should fill the country with girls' schools and introduce compulsory education all at once throughout the province. Let the principle be accepted now and gradually when funds become available, we can start setting up new buildings and as soon as new buildings are erected we shall ask if the people of the area want compulsion. We are not forcing the Government by this Bill to spend money from their funds, because it should be the look out of the district boards and the local bodies to find means for giving effect to this reform. Even when the Act is brought into force it need not be brought into operation over an entire district at one and the same time. Rules can be made that a girl will not be forced to attend a school if the school is situated two miles away from her residence. Education for girls can be arranged in villages where they actually live. Our object in introducing compulsion is not to enact a measure like the law of the Medes and Persians; It is not a Changez Khan's order punishing indiscriminately every offender. We work up gradually but let the principle be laid down. If we help to lay this Bill on the statute book it will be an unforgettable act and when all the work of this Council for the past five years will fade from people's memory, this measure will live and will be remembered for a long time. The question of a few places for Muhammadans here, for Hindus or Europeans there and for any other community elsewhere will soon be forgotten. But it is a widespread change in a matter vitally affecting the country that will live in the pages of history. And if the Honourable Minister in charge of

Education now were to assist the progress of the Bill, unlike his predecessors in office who were always complaining of want of money, his name would go down to posterity as having achieved a great thing. I ask my honourable friend from Gujranwala (Khan Sahib Chaudhri Riasat Ali) what he would be if his parents had not applied compulsion in the matter of his education. He would not be a Khan Sahib Chaudhri Riasat Ali, M. L. C. but he might probably be Chaudhri Riasat Ali sitting in a village home smoking his hukka along with his friends who would call him by a pet name. I doubt very much whether he would have been a Khan Sahib, an M. L. C. with a collar, necktie and a pair of boots and a lawyer. Our parents had the courage to put pressure on us in our younger days and I daresay that but for such compulsion ninety per cent. of our boys would have bidden good-bye to all education. If we actually find in our own cases that we are benefiting by the wisdom of our parents, why should we not put pressure on the unthinking fathers and ask them to raise the status of their womenfolk. Look at the condition round about us. Every woman now-a-days hears the radio; and imagine a food recipe is given on the radio. Would not our womenkind get the benefit of it if they were educated? Would not my honourable friend, Chaudhri Riasat Ali, like his wife if she is educated to listen to the radio talk, take notes cook the dishes, probably a nice halwa, for him where now she is probably giving him *churi* to take? The point is that now everything turns round upon education. There is a paper showing how to make articles of dress, how to embroider fabrics, how to keep a house clean, how to keep the home sweet and sanitary, how to grow flowers and fruit trees, vegetables and a hundred other things. All this knowledge is denied to an uneducated girl. If a man goes home, it is our ideal of life all over the country, that he should feel happy and cheerful and it is possible to realise this ideal only with an educated wife. Of course there might be a legitimate complaint from those who are husbands amidst us. They might be afraid that their superiority inside the home will not be the same as that which they might command with an uneducated wife. Whenever the poor girl differs, the husband might reproach her with being uneducated and might lord it over her.

I would therefore make an earnest appeal to the Honourable Minister to go ahead. Let him not be afraid of those who would always be croaking ill omen at each bold step of advance. There is enough scope, enough money in the country to introduce this salutary measure. If there be no money, ask every parent to bring one *pau* of *atta* towards the pay of the mistress and the mistresses will have enough to live upon. Let not the scale of pay be high. You pay your chaprasi Rs. 13 a month. Let the *ustani* get Rs. 15 and that will suffice. In some cases raise the figure to Rs. 20 or even Rs. 30. Let people put two annas or even one anna a month; they waste their money in litigation; they pay their lawyer so much; they pay the police, the zilladar and many others so much. All these people are robbing the poor peasant. Now when we are doing something good for the women of the country, they should willingly bear the burden. My object in speaking in this strain is not to chastise any one. I know many honourable friends here are probably frightened about the progress; they have not got the same courage as some of us have to forge ahead.

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I think we can spare some money from the boys' side, from boys' colleges and schools and give that money to help the education of our girls. I hope some members and my honourable friend sitting opposite can accept this as a principle and take the Bill to a select committee at once and make it such a law that it should not oblige Government to enforce it at once. We need not force the municipalities and district boards to apply compulsion at once, but we may give them some latitude that they may apply it gradually, say after one year, two years, five years or twenty years. Do not reject this Bill which has been brought in by a lady member. I say she has done justice to women-folk by bringing in this Bill. If you do not give your support to it now, to-morrow you will feel sorry that you had not passed a Bill which was really a good measure moved by a lady member of this House. I say again, accept the principle, and take the Bill to the select committee. I request the Honourable Minister for Education to get the Bill redrafted in such a manner that it may be acceptable to those local bodies who can meet the expenses of compulsory education for girls.

As regards buildings, well, gradually we can build, we can use our mosques, our private houses and thus can have cheaper education. This is not the time to reject this Bill but it is the time, in a statesman-like way, to redraft it in such a way in the select committee, that it should be a foundation on which our future education for women should be laid down. I, therefore, hope that most of the Members of the Government will support this Bill.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): I have stood up to make a few observations on the subject under consideration. It is all very well to say that the Gujrat District Board supported this Bill but one should pay due consideration to the circumstances in which the district board lent its support to the Bill. Its support has been hedged round by so many conditions on which Chaudhri Biasat Ali has thrown so much light. It is very easy to stand up here and call upon the Government to build schools here and educational institutions there. But it requires money to set up such institutions and to run them successfully. We all know how the work of compulsory education for boys was begun in the district board areas. Some years back in Gujrat we used to start a new school in villages every year which boys were compelled to attend but during the last 5 or 6 years we have been unable to start a school even in a single village on account of paucity of funds. I daresay that every district board is experiencing this difficulty. I say, if we have not achieved appreciable success in the direction of enforcing compulsory education upon our boys it is idle to talk of making education compulsory for girls. The poet has very well said :—

تو برون دچہ کودی کہ درون خانہ آئی

Have we finished with the work of educating boys that we should now divert our attention to girls? My honourable friend who has just resumed his seat has said that we should pass this Bill and then wait for its enforcement. There is already a complaint that so many laws made by the Government are proving no more than a mere dead letter. If we pass this

Bill now and wait for its enforcement, we will be only adding to the number of such measures. Just as has been said before, the new Council will come into existence very soon. It will be a more representative body than the present Council. Rural, urban, agricultural and non-agricultural interests will all be represented in it. Further, a large number of people from rural area are also expected to be returned at the next election. It will be only fair and just that people of all shades of opinion are consulted on matters of such vital importance as the present one of enforcing compulsory education upon girls. It is no use playing to the gallery. We should not make speeches in order to make a momentary stir. We should calmly consider whether the people in the country are prepared to agree to our proposals. I am afraid people in the countryside are not yet prepared to agree to such proposals. I know what happened when the question came up before the Gujrat District Board. I did support the proposal. But when it was done by me, people from Phalia tahsil rose and said, "Pooh, Pooh, what are you doing? We will never agree to this proposal." And only when they were assured that the district board was proposing that the age limit for girls would be fixed from 5 to 9 and a two-thirds majority would be made essential to enforce this rule in any area that they were inclined to vote in favour of the proposal. Then, all the members of the district board held that the board should not be called upon to make any contribution towards the expenditure which is to be incurred in connection with the compulsory education of girls. Now, it is for us to see how the money is to be found. Is it to descend upon us from heavens? There are difficulties which I see in my way. Otherwise as a Muslim I cannot oppose the idea of spreading education among females. There is a well known *hadis* of our Holy Prophet (Peace be upon him) which makes it obligatory for every man and woman to acquire knowledge. But under the present circumstances we have to weigh the situation fully and bear all the aspects of the question in mind. Time and again we are reminded of the work done by illustrious women like Chand Bibi and Ahlia Bai. We have been hearing the names of these prominent women from our childhood. But besides these two or three instances one cannot go further. One cannot conclude from these instances that only educated women can do wonders. Nobody can say that the mother of Sir Syed Ahmad Khan was educated in any institution; still she made her son what he was. I am not minimising the importance of education. What I want to emphasise is only this: the time is not opportune for taking this step. The Arab sage has well said:—

كل امرء مرهون باوقاته

I want this House to realise that haste makes waste. Do not run at a break-neck speed even if you are in pursuit of a laudable object. Address yourself to this task with all seriousness. There is no use making impossible suggestions sitting comfortably in your *kothis* and complacently smoking cigarettes. Like a practical statesman one has to keep in mind the stern realities of the situation. For instance, is it possible for anybody to compel daughters of *majha* people to attend schools? Their parents will bitterly resent this compulsion and make it impossible for the Government to enforce compulsory education in that area. The same is the case of people living in Phalia. We cannot go against the sentiments of the people, otherwise

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there will be a very sad conflict between the people and the state. Cannot you take a lesson from the case of poor Aman Ullah? He tried to bring about reforms in his country, no doubt with a laudable object, but they were not acceptable to the people. The result was that he was turned out of his country in such a manner that it is not possible in our country to turn out a *kamin* like that. So, we have got to examine the conditions of our country before embarking on such schemes. We have to see whether or not our proposals will be acceptable to the people. We have before us the case of the compulsory education of boys. How is that working? So far as my experience goes there are difficulties even there. Cases in connection with the Compulsory Primary Education Act were tried by different magistrates but the result was not satisfactory. The parents did not attend courts. Notices were served on them not once or twice but four times and at last warrants had to be issued for producing them before courts. Now these cases are being sent to my court. I find that it is very difficult to compel parents to send their boys to schools. Even after promising that they will send their sons to schools they do not fulfil their promises. So, if compulsory education of boys is not working well, how can one expect that it will be workable in the case of girls? We should bear in mind such facts. It is no use making very stirring speeches in this Council in order to win the praise of people outside. We should think before we speak. We should put proposals before the people which they may be able to appreciate.

آلم الناس عى نذر قريهم

It is in the interest of the peace of our country that we should abstain from making such proposals which may be resented by the people. First of all let us see what the honourable members have done to promote female education non-officially. If our non-official efforts have met with considerable success we can reasonably ask the Government to help us. But if female education is yet in its infancy in the country we should think a thousand times before making it compulsory. If we antagonise public opinion we should be prepared to face the consequences.

I will give you an instance to illustrate my point. According to rules and regulations of the Education Department, district boards can only maintain schools in rural areas and pecuniary aid can only be granted to schools in urban areas where boys or girls of rural areas are reading. Phalia and Kharian are small towns and they asked for help, but it was not possible to give any help because there was not even a single female student in those schools as the girls do not attend a school at a distance of one or one and a half miles. From this instance you can very well see that rural girls have no chance of being educated to a large extent. It is idle, under these circumstances, to think that it is possible to enforce compulsory education of girls throughout the province.

Then, some honourable members have argued that as money is available in the country to be spent on marriages and litigation and such other things sufficient money will be available for education of females. But this argument does not appeal to me. If I spend Rs. 1,000, it does not follow that I am in a position to spend Rs. 5 more. It is just possible that I might have exhausted all my resources by spending Rs. 1,000. First of all, it is our duty

to bring the cities and villages to the same intellectual and economic level and after that it would be proper to introduce institutions in villages which have been introduced in cities. You cannot ignore the fact that what is considered to be a blessing in Lahore is understood to be a curse by the people of Phalia. It is all very well to say that in the matter of such laws the magistrates may be instructed to pass lenient sentences. At the most you can ask the magistrate to impose a fine of five rupees whereas the maximum punishment is Rs. 50. You cannot do more than that. But the imposition of fines for not sending girls to schools will be greatly resented by the villagers. You cannot compel them to send their daughters to schools. If you do, they will rise against you.

It is not necessary to pass such compulsory laws. Instead of wasting our time on these coercive measures we should try to diffuse learning and remove ignorance. When ignorance is removed, people will themselves realize the advantages of education and they will themselves take a keen interest in the education of their sons and daughters. At that time it will not be necessary to compel people to educate their children. The present state of affairs is such that if a school is started somewhere, no teachers are to be found for them and even those schools have to be closed for want of teachers. It is really a great mistake to overlook these things and if some honourable member invites the attention of the House to these important things he should not be slighted and mocked at. The problem of education is not the problem of one person. It is the problem of all of us and it affects all of us. If some honourable member sincerely feels that a measure is impracticable and if he opposes that measure, we should not hold him up to ridicule. There can be a difference of opinion on every subject and every honourable member has a right to express his views. I am very sorry to note that an honourable member has particularly singled out my honourable friend Khan Sahib Chaudhri Riasat Ali and has tried to laugh at him. I think that is extremely unfair and impolite. Every member of this honourable House has a right to express his views in an independent manner on every subject. In this connection I am reminded of the saying of a well-known poet—

اے راست دہلی کیا فہر ہے تو
اے حق می تہم کیا زہر ہے تو

Chaudhri Riasat Ali is being abused for making statements which are quite true. The habit of those who cannot advance any argument in their support is to taunt their adversaries.

One thing more before I sit down. There are some people who have a two-fold purpose before them. They talk a good deal to show their sympathy with the people. If they do not succeed in their efforts they think that they are still gainers as people admire them saying that they have done well. But if they succeed in getting a law passed which is against the feelings of the common people of the country they make the people stand against the Government and then these people regard it as their own victory, because they feel that they have succeeded in arousing the people against the Government. But in reality it is a wrong policy. With these words, I oppose the motion under consideration.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadan, Rural): I congratulate Shrimati Lekhwati on the excellent speech which she made in support of her motion. I also congratulate her on her keen desire to see as great a diffusion of knowledge and education among her sex as possible. Beyond that I am sorry I cannot go, and as usual I have to perform the painful duty of opposing her motion. I should like to request the members of this House to apply their mind to the implications of the Bill. The idea of free compulsory education for boys and girls has a strong appeal to educated people, but let us try to understand the implications of the Bill. My friend Shaikh Muhammad Sadiq was referring to the persuasion and compulsion, which is used by the parents towards their children in order to send them and to keep them at school for their education. But that has absolutely nothing to do with what is suggested in this Bill. Compulsion or persuasion by parents stands on an entirely different footing from statutory compulsion, from compulsion which is used by the State. The principle which is embodied in this Bill is the application of compulsion under a statute, State compulsion applied to girls for the purposes of education. While I can sympathise with the desire to see a greater spread of education among girls, I am dead opposed to the principle of compulsion by the State in respect of the education of girls. This is one point which should be borne in mind. It is not persuasion, it is not ordinary compulsion applied by the relations of a girl but compulsion applied to girls by the State under a statute made by Government.

Another point to which I should like to draw the attention of the members of this House is—how far have we been successful in applying the principle of compulsion to boys? Let us have a look at the statute which relates to the application of compulsion in the case of boys. There the principle adopted is that of voluntary compulsion, not compulsion which has not the sanction of the people of the area to which compulsion is to be applied. Now if we apply only voluntary compulsion in the case of boys, is it sound to apply a principle of compulsion without any reference to the volition of the parents in the case of girls? I will say, decidedly no.

Again, I will draw the attention of the House to another point which probably has not struck any one. Has the application of the principle of qualified compulsion succeeded in the case of boys? Those who have never gone outside the bigger towns of Lahore, Amritsar, Rawalpindi and Multan do not know that the principle of compulsion—voluntary compulsion, mind you—has failed miserably even in the case of boys. There is a very large number of voluntary compulsion areas in the Rohtak district and I find that school buildings in the villages comprised within those areas are vacant, without a single boy reading in them. Those buildings have been made over, at least offers have been made by the district board to make them over to the village on rent or for maintenance. Nobody is prepared even to take over those buildings for maintenance. If that is the state of things in respect of boys, can we really expect better results from the application of the principle of compulsion in the case of girls? Have we ever seriously considered what will happen if a parent refuses to send his or her daughter to a school? Will anybody like that a parent who has conscientious objection to the sending of his or her daughter to school under

compulsion should be prosecuted? Will anybody really like a prosecution to be launched in respect of every parent because he refuses to send his daughter to school? A thousand times 'no'. We have failed to apply this principle on any large scale even in the case of boys. There is a natural revulsion against the application of compulsion or the consequent penalties even in the case of boys. Are we going to apply compulsion and consequent penalties in the case of failure of parents to abide by compulsion in the case of girls? I think not, I hope not. If in the case of boys voluntary compulsion has failed, in the case of girls compulsion, statutory compulsion, is bound to fail, still more grievously. I hate the principle of compulsion, whether compulsion proceeds from parents or from the State. I hate compulsion being applied to girls just as much as I hate the application of the principle of *thikri pehra* to my village. I deny that anybody is a better judge of the welfare of my children than myself. If I take interest in my daughter, I will send her to school whether there is any compulsion by the State or not. Is there anybody or anything which can prevent parents from sending their daughters to school under the present state of things, except their own will or their own economic or social condition? If greater facilities, apart from a compulsion, are offered on behalf of the State and local bodies to spread primary education among girls, there is no reason why parents should not take advantage of those facilities, and if they fail to take advantage of those facilities, the conclusion is obvious that the atmosphere is not prepared for the experiment which has been suggested in this Bill.

Again, have we really considered the financial implications of this measure? If this measure is applied on any large scale, then the consequent financial commitments are bound to give a fright to any member of this House who feels any responsibility about the finances of the province. We are unable to maintain our roads under existing conditions, we are unable to maintain our schools and hospitals under existing financial conditions. We are unable to undertake any programme of development or expansion on account of financial stringency. Where is the money to come from for introducing compulsion on any large scale for girls? Where are school mistresses to come from? There is a curious reluctance on the part of women to get themselves trained and serve as teachers in schools. But if you offer them larger salaries than you offer to male teachers, the result would be a still greater strain upon the finances of the province, a strain which cannot be borne by the finances of the province. In the case of boys I learn from a report which was issued by the Department of Education a few days ago that over a crore of capital expenditure will be required for buildings and more or less the same amount will be required by way of recurring expenditure. We all know that there is a larger percentage of boys of school going age attending schools, and in the case of girls we shall find on inquiry that a much larger number of girls than boys has to be provided for if compulsion is applied. This means that a larger capital expenditure will be needed and a larger recurring expenditure will be needed. It is all very well to say that we can save some money here and some money there and a certain amount here and a certain amount there, and then hand over those savings to the authorities for promoting the cause of girls' education. But will those savings materialise? Let us see what particular quarter there is where a saving can be effected. We tried our level best to scrutinise the

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budget. We discussed it in great detail and finally passed an expenditure of over ten crores, but have we been able to suggest any savings anywhere? No. If educated people and experienced politicians who represent the electorate in this House are unable to suggest practical ways of saving money, what prospects are there of savings being made by departmental heads of their own free will? The failure of this House to make any saving or to effect any retrenchment in the budget that was presented only a few days ago can suggest only one of two things—either there is no room for savings to be made or that the members of the House are unwilling to make suggestions for saving. If the members of this House are unable to find any practical ways of saving money or they are unwilling to give effect to their desire for saving money, how can ordinary local bodies be expected to effect savings?

Again, it is probably not known to many people that so far as local bodies are concerned their finances are very severely limited. I know a good deal about district boards. These boards have imposed every tax which they are empowered under the District Boards Act to levy. They cannot now add a single penny to their annual income under the law as it stands. What are they to do? Where are they to find the money? I do not think the provincial Government is in a position to incur any very large expenditure from its own funds without a corresponding expenditure being undertaken by local bodies; and I am absolutely sure that local bodies have not a penny to spare for this purpose, however laudable the purpose may be. Therefore, the only result of passing this Bill into law will be that it will remain a dead letter. Will it do any good to place a dead law on the statute book? We know that voluntary compulsion has failed in the case of boys. Under the circumstances we have no reason to believe that compulsion in the case of girls will succeed. I do not think it will be any good to anybody to pass the law when we know for a fact that we cannot give effect to it on any appreciable scale. Under the circumstances I am sorry I have to oppose the motion. It is much better that the motion is defeated here than that the Bill should be allowed to go to a select committee involving a lot of expenditure of money and time. It is no use giving consent to the principle of the Bill when we know that we cannot take action on the Bill after it is passed by the Council. Lastly the Bill is particularly hateful to me because it means compulsion by the State in the case of girls.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhamadan, Rural) (*Urdu*): I rise to oppose this Bill and I may say at once that I oppose this Bill not because I am of the view that female education is bad or is not desirable. On the other hand I believe with those, who are in favour of this reform and who in their zeal for this cause are prepared to go even to extremes because education makes the girls just like boys better citizens and better fitted to serve their country and its people. I also realise that like our boys our girls also can prove more useful in their own sphere of life if they are educated. However I must not be taken to mean that I am in favour of the present system of education or that I am one of those who advocate the element of compulsion being introduced in the education of girls. I am rather one of those who strongly deprecate the present system of education because I believe that it is this present system of education

which has produced the type of girls whose requirements can only be met by foreign countries (*Hear, hear*). These girls, if I may so describe them, are a sort of moving propaganda for the very expensive foreign goods which we are too poor to purchase.

But this is by the way. Coming to the subject before the House I say, as I have said already, that I do not favour the idea of compulsion in the education of girls and I do so for more than one reason. In the first place the financial position of the district boards and other local bodies which will be required to work this Bill if it becomes a law, is very weak. It is so weak that any more burden on them will prove the last straw on the camel's back. I know from my personal experience that every year at the time the budget is prepared the members of district boards have to ask the District Inspector of Schools to reduce his demand for education although every time the District Inspector has to say in reply that he cannot be expected to reduce his demand every year. It is a fact that the district boards are not in a position to allot as much money for education as they allotted last year. Every year they have to ask the District Inspector of Schools to ask for less grant and when the District Inspector is unable to reduce his demand, efforts are made to meet it at the cost of some other departments. This is the financial position of the district boards and in fact all local bodies. Under the circumstances it is no use passing this Bill into law because if it is passed at all, it will remain a dead letter as some of the honourable members have already said.

My other objection to this Bill is on behalf of the rate-payers. Those who have any experience of the working of district boards will be aware that whenever the question of opening girls schools in rural areas is raised, the members concerned are silenced by saying that no teacheresses are available for such schools in the rural areas. These members who represent the rate-payers and who are anxious to benefit those who actually fill the coffers of the district boards, are told on such a question being raised that no teacheress is willing to go and take up the work of teaching girls in any school in rural areas. Lest there should be some misunderstanding I may make it clear that these teacheresses do not like jobs in schools in the rural areas not because they are afraid that they will not be treated well by the villagers. They on the other hand know that better treatment will be accorded to them in the villages. But the difficulty is that generally the teacheresses like to remain at the headquarters or somewhere near the headquarters so that their sons or their other relations living with them may not be deprived of the educational facilities and other similar facilities that are so easily available at the headquarters. This is the reply that the representatives of the tax-payers receive from the District Inspector of Schools whenever he is pressed to open girls schools in rural areas. Therefore if compulsion is introduced and in consequence girls' schools are opened by local bodies, the benefit will go not to those who pay the rates and cesses but to those who contribute little to the funds of local bodies. On this ground the tax-payers do not want that this Bill should be passed into law. While on this point I may also say that right type of teacheresses are very seldom found, if they may be found at all for some schools in rural areas and the result is that there are scandals in such schools of which we hear so much these days. Then these teacheresses do not keep sufficient control over these girls and do

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not take as must interest in everything concerning these girls as they should take and consequently the character of the girls reading under them is spoiled. If this is what these schools are to do and if these schools are to show such results, as in fact they are showing, we are better off without these schools. I, therefore, oppose this Bill even at its first stage.

Rao Bahadur Chaudhri Chhotu Ram : I move—

That the question be now put.

The motion was carried.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadan, Urban) (Urdu) : I may at the very outset assure the House that I shall not take much of its time in replying to the criticism that has been made against my Bill. In fact I anticipated almost all these objections that have been raised in regard to this Bill and I tried to meet them all even in my opening speech. However I think it necessary to say a few words again with regard to some of these objections in order to make the position more clear.

The opposition to this Bill was led by the honourable member for Gujranwala and his main objection was that for certain reasons he did not like the education of girls being made compulsory. He admitted that imparting of education to girls was not bad, but he did not favour the ideas of introducing the element of compulsion in their education. Let me tell him once again, as I told the House in my first speech, that so long as you do not compel the parents to send their daughters to schools up to the primary education, you cannot hope to achieve the results that you desire to achieve. Make the education of girls compulsory and then and then alone you can spread education amongst the females. The prejudices against female education are so strong that you can overcome them only by compulsion. Therefore if you are anxious to carry out this reform, give up this policy of vacillation. Then another objection was raised by another honourable member and that was that the number of teacheresses was at present too small to meet the demand that must be made on the education of girls being made compulsory. But the honourable member who raised this objection forgot that it was not intended to enforce this proposed law in every town and in every village at once. He should have known that this Bill, if it becomes law, will be enforced in a few places, say in two or three towns in the first instance and I am sure that he will agree with me that for these two or three places, a sufficient number of teacheresses can be found. The honourable member, Sardar Arjan Singh, also opposed this Bill, but I need not take the time of the House in answering his objections because they have already been answered by me and also by the honourable member for Hoshiarpur (Chaudhri Afzal Haq). This honourable member for Hoshiarpur while supporting the Bill rightly reminded the House of the fact that if there were any defects in the Bill in its present form, they could be removed by the select committee to which this Bill is proposed to be referred. To set at rest the fears of some of the honourable members he also said that a provision could be made in the Bill making it necessary for the Government to enforce this law only in places where the people desired it to be enforced. That assurance should have been sufficient to satisfy most of the honourable members who have opposed

this Bill. But it appears to me that these members are apposing this Bill merely for the sake of opposition. Otherwise what the honourable member for Amritsar (Shaikh Muhammad Sadiq) said should not have been lost on their ears. He very pertinently pointed out that such a Bill was necessary to meet the need of the times and that if the present council refused to bless this Bill, the time is not far off when such a Bill will be brought forward again and when in obedience to the wishes of the people their representatives will have to support that Bill.

There is another point which I want to mention and it is that the Honourable Minister for Local Self-Government said that all ladies should be given the right to vote whether in the rural constituencies or the urban constituencies, and I say that if that is so then it becomes necessary that ladies should be given education at least to the primary standard to enable them to record their votes properly and to the proper candidates. Sardar Arjan Singh while opposing my motion said that although education is necessary for rural areas it should not be compulsory. Other members also said that the education for girls should not be made compulsory. The main reason for making this statement was that in rural areas women help men in their work in the fields and they also attend to the domestic duties and that if they are to be given compulsory education the work that they do in their houses and in the fields will suffer. This is selfishness. For the sake of work, how can you keep your daughters uneducated? All women if not for any other reason at least for the sake of intelligent voting should be given education, and it is on account of this that I hope the House will support the Bill now before it. Honourable member Chaudhri Fazl Ali said that when such a Bill was put before his district board he thought it a very necessary one, but he can never advocate the cause of compulsory education. According to him all should receive education but no one should be compelled to do so. He further stated that Aman Ullah tried to introduce such reforms in his country and failed. Not only he failed but the people became his enemies and he had to quit the country. I say look at Turkey and also consider what Mustafa Kamal has done for it. He introduced compulsory reforms and raised Turkey high up in the eyes of the world. Religion is not against the introduction of compulsory education. A Muslim Sabha supported my Bill and also Muslim members admit the necessity of education but still many of them have opposed it. Even Rao Bahadur Chaudhri Chhotu Ram opposed it on the ground that there were no funds with the Government for the enforcement of this Bill. I cannot believe that there are no funds with the Government for the enforcement of this measure. When Government has funds for paying fat salaries to its servants and also for opening Universities why should it be thought that it has no funds for this beneficial work? One honourable member said in the course of his speech that the buildings of primary schools in the villages are very small and poor. We want education for our girls and not buildings. You can start a school even in a cottage. You have to spend very little on such a school. To school mistress you can pay Rs. 10 a month and she will be satisfied. You need not give a fat salary to her as you give to the principals of colleges. The honourable member only used it as an excuse. Then, some honourable members opposed this Bill on the ground that it lays down a fine of Rs. 50 to be imposed upon those who will not send their daughters to

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schools. They said that the zamindars are poor and can ill afford to pay such a heavy fine. You can reduce it in the select committee. All such defects if there are any can be removed in the select committee. Honourable member, Kanwar Mamraj Singh, also opposed this Bill and talked about tax-payers. It is not necessary that only those should be made to give education to their daughters who pay taxes. We have in view the education of all the girls in the Punjab. We want to give education to the daughters of all whether they pay taxes or not. Compulsory education is very necessary for the girls. When I brought forward a resolution for allowing women to stand for elections to district boards and municipalities honourable members opposed it. It was very bad on their part, and it will be worse now if they opposed this Bill. It would be as unreasonable for them to oppose this Bill as it was when they opposed my motion for allowing women to be elected for district boards and municipalities. Is it not unreasonable that women can become members of the Legislative Assembly but cannot seek election to district boards or committees? If you reject this Bill I assure you soon a day will come when all will realise their mistake and deem compulsory education necessary. I hope the House will agree to refer it to the select committee and then after it has emerged from the select committee the House will be at liberty to consider it in the way it likes.

Mr. President : The question is—

That the Punjab Free Primary Compulsory Education for Girls Bill be referred to a select committee.

The motion was lost.

THE PUNJAB ALIENATION OF LAND (AMENDMENT) BILL.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Nominated non-official) : It has been pointed out to me that the scope of my Bill is limited and it does not fulfil the aim in view i.e. it only includes the fruit trees and not all trees in the definition of land. I find that the amendment proposed to be moved by Rao Bahadur Chaudhri Chhotu Ram will not be in order as it extends the scope of the Bill. I, therefore, propose to get further sanction of the Governor-General to extend the scope of the Bill and I shall not, therefore, move the motion standing in my name during this session.

RESOLUTION.

IMPORT DUTY ON WHEAT.

Rao Bahadur Chaudhri Chhotu Ram (South East Rohtak, non-Muhammadan, Rural) : I beg to move the following resolution—

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.

It is a truism that our country as a whole is essentially an agricultural country, and in India the Punjab is even more so. Therefore, if there is anything which affects the prices of our agricultural produce, naturally every Punjabi feels a grave concern about it. During the last four or five days a rumour has been current and has found mention in the press, that the

Government of India propose to lower the present import duty on wheat to Re. 1 per hundredweight. This has naturally filled all Punjabis with concern. It is hardly necessary for me to say that the Punjab is already hard hit in the matter of the prices of the wheat which it produces. The Government of India, in its department of Railways, has been generally speaking, very unsympathetic to the claims of the Punjab. The scale of freight for wheat, which has been devised by the Railway Department, is a great impediment in the way of the free export of wheat from the Punjab to other provinces. The House will be surprised to hear that the freight on wheat from Australia to Calcutta is lower than the freight on wheat from Lyallpur to Calcutta. That in itself gives us a very legitimate source of grievance against the Government of India. Now, to that legitimate grievance, the Government of India seems to be contemplating to add another. If the import duty on wheat is further reduced, the result will be that prices of our wheat will go lower still. When the Abiana Committee was enquiring into the question as to how far abiana rates could be lowered, certain facts came to light in the course of investigation. Certain notes were also prepared by certain members of that committee on the basis of their own figures of produce and cost of production of wheat and sugar-cane. I remember that one of the members of that committee, viz., Colonel Bruce, who keeps regular accounts of his expenses and his income from his farm, told the committee that Rs. 2-8-0 per maund for wheat was barely an economic price. Now an ordinary zamindar who does not keep accounts would not

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be believed if he were to make a statement of that character. But when a man in the position of Colonel Bruce who has a very large farm to look after and who keeps regular accounts of every penny that he spends and of every penny that he receives, says that Rs. 2-8-0 per maund of wheat is a barely economic price, no fair minded person will be able to suggest that that statement should not be accepted as sound. Again, I may draw the attention of the members of this House to a remark which was made by Mr. Puckle in his note on the finances of the province. That remark occurs on page 6 of Appendix IV attached to the report of the Abiana Committee: Mr. Puckle says:—"The depression teaches some lessons which have an important bearing on the future finances of the province. It seems to me that when the price of wheat is Rs. 2-8-0 a maund or over Government dues can be recovered without very much difficulty. As soon as the price begins to drop appreciably below Rs. 2-8-0 the effect in revenue begins to be felt." The implication of this remark is quite clear. It means that so long as the level of the price of wheat is Rs. 2-8-0 per maund or over Government does not find much difficulty in the collection of land revenue. I think I can reasonably draw an inference from this remark that even then there is some difficulty in the realisation of land revenue; but if there is a drop then there is a distinct difficulty in the collection of land revenue. Now if that note were not prepared under the circumstances under which it was prepared perhaps one would not have been justified in adding a little more meaning to it. But as that note was prepared in order to make out a good case before that committee for keeping the scale of water rates at its original level, we can reasonably infer that this remark contains, if anything, an under-estimate of the result which is likely to follow if prices of wheat became lower than Rs. 2-8-0 per maund. Now during the last 5 or 6 months the price of wheat has centered round the

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figure of Rs. 2 per maund. There was a time during the last twelve months when the price of wheat came down to as low a figure as Rs. 1-13-0 per maund. If with the present import duty the prices of wheat are not at a level when it is easy to collect Government dues, what will happen when that import duty is further reduced? I need not state the effect. It can be easily perceived by any Punjabi that the difficulties in the collection of land revenue will increase distinctly. But that is not the only point of view from which we should judge the effect of a reduction in the import duty on wheat. We must not forget, as a matter of fact we must give a primary place in our minds to the effect which it will produce upon the prosperity of the province and upon the prosperity of the zamindar classes. Even at the present level of wheat prices this province is not in a very happy condition. So far as agricultural classes are concerned, so far as those are concerned who derive a major portion of their income from land, they are in a more or less hopeless economic plight. If there is further drop in the prices of wheat, their economic condition will become still worse. Therefore, I think this House has every reason to urge upon the attention of the Government the need of raising the import duty to Rs. 2 per cwt. We must press our point of view with as much vigour and earnestness as we can command. I am sure that this resolution will command the support of every section of this House because every Punjabi is deeply interested in the agricultural prosperity of the province and the agricultural prosperity of the province will suffer a severe set-back if the prices of wheat drop still further. (*Applause*).

Mr. President : Resolution moved—

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.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I will be failing in my duty if I fail to support this resolution. (*Hear, hear*). It will be surprising indeed if the Government of India at the present stage decided to lower the duty on wheat. Punjab as you can easily see depends entirely for its prosperity on agriculture and agricultural prices are of the greatest importance not only to agriculture but to all the other allied industries and trades of the Punjab. Now, you know the province contributes nearly 10 crores to the provincial revenue, while on the other hand the income-tax tables show that it yields only 80 lakhs a year and income-tax of salaries of Government and other servants contributes about 40 lakhs. Therefore the dependence of the province on agriculture is clear. Then again, I am quite sure the Government of India will not make the mistake of holding that their own budget does not depend on provincial prosperity. It is true that for the present distress gold supports our imports and keeps our trade balances on the right side. But it can be said without fear of contradiction that the flow of gold cannot continue for ever. It will dry up and if it dries up, I do not know how the Government of India is going to balance its budget. The Government of India budget is no index of the prosperity of the country. It is the provincial budgets that show in what conditions the people live and so far as this year's budgets presented by the provinces are concerned, there is hardly a province that has been able to show a surplus budget. In fact all the budgets are on the wrong side, which is a clear evidence that the people

in the province are not prosperous. Now, a duty on wheat is not such an extraordinary feature of Indian Finance as some people think. There is no country which has been a stronger advocate of free trade than England. But in England also, there is a duty on wheat and that duty has been used to give a subvention to producers to improve prices. I think provinces expected special measures to be taken to control catastrophic fall in prices. On the other hand my friend says there are rumours that the duty is to be lowered. I strongly feel that we should raise our voice in protest that the Government of India should be asked to take the provinces into their confidence in such matters. If land revenue cannot be collected, if water rate cannot be realised, conditions will arise which it will be difficult for the provinces to meet. This aspect of the matter should receive more consideration at the hands of the Government of India than any formulas to which they seem at present committed. With these words I support the resolution moved by my honourable friend. (*Applause*).

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): I give my cordial support to the resolution which has been moved by my honourable friend, the leader of the Unionist Party. For once we are agreed. I have observed that during the last ten years there have been marked uncertainties of weather in the Punjab. The weather becomes so very variable that just about the time of ripening of the crop, there may be any calamity. The import duty on wheat was introduced, as far as I remember, in 1934 for the first time and though at the time when this duty was imposed we apprehended a marked fall in prices the prices did not go down to the extent that we anticipated. Last year the duty was slightly lowered and its effect on the prices was appreciable. That is to say, the prices fell. In these days I find that although the crop is far from being harvested, the price of wheat is about Rs. 2-4-0 in the mandis and I fear that unless special measures are adopted the price may go down to something like Rs. 1-12-0 or even Rs. 1-8-0 at the time of the harvest. Punjab is a province in which the big land-owner as well as the peasant proprietor are affected by slight variations in prices. It is a province of peasant proprietors and even in the case of big land-owners they receive a share of the produce. This is not the case in other provinces. In the United Provinces and Bihar and perhaps in the Central Provinces and also in Bengal, cash rents are received by big land-owners and slight variations of prices do not affect cash rents. But in the Punjab where the *batai* system prevails every one suffers by fall in prices and every one gains by the rise in prices.

The system introduced in the Punjab for the first time in Lyallpur of varying Government revenue with the variations in prices has not yet been introduced in all districts. It is to be found in force only in Lyallpur. How far it will ameliorate the condition of the tiller of the soil and the peasant proprietor or the big landlord remains to be seen. But surely this sort of relief cannot be expected or looked for by the landlords in other districts. I therefore think that we should take special measures to raise the price of wheat, and one of those measures is by raising the duty on imported wheat. I give my hearty support to the proposal that has been made and I hope the Government will also support us, and recommend to the Government of India a rise in duty on import of wheat.

Professor W. Roberts (Nominated, non-official): In supporting this resolution I should like to draw attention to two or three points which in my opinion vitally affect the question. The first is that in this province the wheat area is four times the cotton area. At least on the average the Punjab grows four acres of wheat for every acre of cotton. Therefore this crop and its price is a very vital factor in the economics of farming in this province. The second point I should like to make is that some people say that the Punjab or India ought to be able to compete against Australia. The Australian continent is fertile or is cultivated only along the edges. In other words the railway lead to the water or to the sea, is comparatively small. They have therefore only the sea freight to contend with and for that reason they are able to land wheat in Calcutta and Bombay and even in Karachi at a much lower cost than we can do from the colonies of the Punjab. This gives them a decided advantage—as my honourable friend the Rao Bahadur has partly pointed out—of practically fifty per cent. on freight alone. Another point is that even during the last year with the duty at Rs. 1-8-0 per cwt. there was about 7,000 tons of Australian wheat imported into Bombay. This is a small quantity but the indirect effect of even a small shipment is bad on prices upcountry. It is quite possible and in fact it is often done, that speculators at the ports buy a shipment of Australian wheat. This is recorded in the news and immediately there is a fall of two to four annas in the price upcountry, in Lyallpur and in the colonies generally. These speculators then buy wheat in the Punjab after the fall in price and then deflect the ship to a port in Europe. The ship often does not actually land its cargo in Bombay or Calcutta, but the object of putting the transaction on paper, has been achieved in reducing the price temporarily, and thus disturbing the market, causing loss to the farmers in this part of India. I think the reduction of this tax last year was detrimental to us in the Punjab. And not only is the farmer here dependent on a reasonable price for wheat but the Government of the Punjab is also very vitally interested. I hope therefore that we shall pass this resolution unanimously. (*Cheers*).

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Since the depression seized the world there has been a catastrophic fall in prices and the price of wheat has fallen more compared to the prices of other commodities. In 1931 the price of wheat fell to Rs. 1-13-0. This price was even below the economic level as from the entire receipt by the sale of his wheat a zamindar was not able to recover his cost of production. It was felt that the price remained low on account of competition by foreign wheat. And the Government of India was well advised in imposing an import duty to the extent of Rs. 2 per cwt. of wheat and Rs. 2-8-0 per cwt. of flour. As has already been pointed out we are not able to compete with foreign wheat because the freight from Australia to Calcutta and other ports is less than the railway freight from Punjab markets to Calcutta and Bombay. Besides, Australia has an additional advantage, as I had pointed out once before in this House, in having a depreciated currency of 25 per cent. That was a distinct advantage to the Australian farmer. It was on that account that the Punjab zamindars could not stand in competition with the Australian wheatgrower. The Government was therefore well advised to impose

an import duty. After some time although the prices did not rise very much there was certainly a check on the fall in price which remained stationary at about Rs. 2 to Rs. 2-4-0. Last year and the year before last the price rose a little and went up to Rs. 2-12-0. Government then thought that there was a distinct improvement in the situation. And last year from the 1st of April they reduced the import duty from Rs. 2 to Rs. 1-8-0 per cwt. in the case of wheat and from Rs. 2-8-0 to Rs. 1-8-0 per cwt. in the case of flour. The effect, I do not say the immediate effect, but certainly the ultimate effect of that was that prices fell. The fall in price was due to the fact that a greater quantity of wheat was imported into India as a result of lowering of import duty than was done in the previous year as the figures indicate. In 1935-36, from 1st April 1935 to the 8th of February 1936, the total quantity of wheat imported into Bombay, Calcutta and Karachi was 11,285 tons as against 7,432 tons in the previous full year. The effect of that was that prices fell again to Rs. 2-1-0 to Rs. 2-6-0 in various markets. As has already been pointed out the prosperity of this province depends upon the prices of agricultural produce and the fall in prices has had a very detrimental effect not only upon the prosperity of the zamindar but upon the revenues of the Government. If the import duty is altogether abolished I think the effect on prices would be catastrophic. In this view not only the zamindars but also the trading classes are in agreement. The import duty if it is not to be raised, must at any rate be allowed to remain at the present level and should not be abolished. But the commercial classes and the zamindars want that the import duty should be enhanced to its original figure of Rs. 2 per cwt. The Northern India Chamber of Commerce which is a very important body of businessmen have represented the matter to the Government of India. On this point they equally feel with us that the effect of lowering of the import duty last year was a fall in the level of prices of wheat. If the duty is abolished there is no doubt that Australian wheat will be dumped on the Indian market and the zamindars will not be able to stand the competition and will suffer tremendously. The Government of the Punjab must therefore make a very strong representation to the Government of India to raise the import duty rather than abolish it.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I rise to give my wholehearted support to the resolution. Before 1929 India used to export her wheat but in that year it was found that much of the wheat had been imported into India. It was then brought to the notice of the Government of India and it was in 1931 that the Government of India said that it was the accepted policy of the Government not to tax foodstuffs. They made a departure in the case of wheat in order to protect the producer of wheat. Since 1931 the Government of India have been passing year by year the Indian Finance Bill. In 1932 our late Governor when he made a speech in this House from his throne pointed out that he had been fighting the case of the producer of Punjab wheat singlehanded. The Punjab Council then began to take a keen interest in the matter. But His Excellency himself was very anxious that all the protection that could be given to the producer of wheat should be given because the Punjab was primarily an agricultural province and wheat was the primary produce of the province and any fall in price would certainly be extremely detri-

[S. Arjan Singh.]

mental to the interests not only of the zamindar but of the province as a whole. Therefore in the opinion of this House the Punjab Government should on the present occasion take a strong step and make a very strong representation to the Government of India that they should continue to protect wheat as they have been doing in the past.

The Honourable Nawab Muzaffar Khan (Revenue Member): I am very glad to see that there is something on which we all can be unanimous—the benches opposite, the benches on the right and the Government. It is a great pleasure for me to notice it. It is hardly necessary for me to say that Government has already taken necessary steps. His Excellency the Governor took personal interest in the matter and we have already represented to the Government of India as strongly as it is possible for any local Government to do in the interest of a province which is primarily agricultural. We have already moved in the matter and as soon as this resolution is passed I will ask the Secretary to communicate it to Government of India and say that it represents the unanimous wish of the whole House.

Mr. President: The question is—

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.

The resolution was carried nem con.

Mr. President: As there will be no meeting of the Council to-morrow, questions put down for to-morrow will be asked and answered on the 30th instant.

The Council then adjourned till 2 P. M. on Monday, 30th March, 1936.

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PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 30th March, 1936.

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

OATH OF OFFICE.

✓ Mr. Ram Chandra (Secretary, Finance) was sworn in.

STARRED QUESTIONS AND ANSWERS.

MORAL INSTRUCTION IN SCHOOLS.

***5605. Lala Bhagat Ram :** Will the Honourable Minister for Education kindly state—

- (a) what steps he has taken so far to give effect to the assurance given by him in the Legislative Council on November 1st, 1935, in replying to the speech of Sardar Sahib Sardar Gurbachan Singh, which he made at the time of moving his resolution on "Moral Instruction in Schools";
- (b) whether he has placed the matter raised in the resolution before the Standing Education Committee of the Council;
- (c) how many meetings of the Standing Education Committee were held to discuss this important matter and what decisions have been arrived at by the Honourable Minister as a result of the deliberations of this Committee;
- (d) if the answer to (b) is in the negative, the reasons which have been preventing him from placing this matter before the said Committee?

The Honourable Malik Sir Firoz Khan Noon : (a) The matter was laid before the Standing Education Committee of the Council on February 11, 1936, but the consideration of the item was postponed to another meeting, which Sardar Sahib Sardar Gurbachan Singh will be invited to attend.

- (b) Yes.
- (c) One. No decision has yet been arrived at.
- (d) Does not arise.

* NAWAB SAJJAD ALI KHAN, HONORARY MAGISTRATE, KARNAL.

***5606. Mr. Nanak Chand Pandit :** Will the Honourable Member for Finance kindly state—

- (a) whether Nawab Sajjad Ali Khan, Honorary Magistrate, 2nd class, Karnal, knows English or not;

[Mr. Nanak Chand Pandit.]

- (b) whether he passed the departmental examination prescribed for honorary magistrates ;
- (c) if answers to (a) and (b) above be in the negative, the reasons why the District Magistrate, Karnal, recommended him for 1st class powers ;
- (d) whether it is a fact that the Chief Secretary did not accept the proposal of the Deputy Commissioner for giving 1st class powers to the said magistrate ;
- (e) whether it is a fact that in spite of this the District Magistrate has once more recommended him for the grant of 1st class powers ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) No.

(c) to (e) It is not in the public interest to disclose the contents of correspondence between Government and its officers on such subjects.

NAWAB SAJJAD ALI KHAN, HONORARY MAGISTRATE, KARNAL.

***5607. Mr. Nanak Chand Pandit :** Will the Honourable Member for Finance be pleased to state—

- (a) whether he is aware that Nawab Sajjad Ali Khan, Honorary Magistrate, 2nd class, Karnal, holds his court at irregular hours and does not observe the High Court rules and orders in this matter ;
- (b) whether it is a fact that he takes an unnecessarily long time in disposing of the cases and that the Additional District Magistrate, Karnal, who inspected his court, made a report that there was considerable delay in the disposal of his cases ;
- (c) whether it is a fact that the said magistrate holds his court not in the Government court house, but at his own house, which is about a mile from the district courts ?

The Honourable Sir Donald Boyd : (a) No.

(b) I am laying on the table a copy of the remarks in which the Additional District Magistrate summed up the results of his inspection. The honourable member will see that they were generally very favourable.

(c) The honorary magistrate holds court in a building of his own, set apart for the purpose. It is less than half-a-mile from the district court.

Copy of remarks.

I also examined some decided cases and went through about six judgments written by the magistrate. I found that the judgments were well reasoned and methodical and the magistrate supported his findings by giving good reasons. I also noticed that the magistrate wrote the first statement of the complainant in his own hand. Excepting the fact that some adjournments could have been avoided, there was no other serious defect found by me. The magistrate understands his work very well, is intelligent and industrious. He writes a beautiful hand and has certainly disposed of a large number of cases and deserves credit for it.

NAWABZADA FAYAZ ALI KHAN, MAGISTRATE, KARNAL.

***5608. Mr. Nanak Chand Pandit :** Will the Honourable Member for Finance kindly state—

- (a) whether he is aware that Nawabzada Fayaz Ali Khan, Magistrate, 8rd class, Karnal, is heavily indebted ;
- (b) whether he is aware that the said magistrate recently raised a fresh loan of about Rs. 50,000 to pay off his old debts ;
- (c) whether it is a fact that the said magistrate raised this loan by mortgaging the whole of his jagir and one of his villages ?

The Honourable Sir Donald Boyd : (a), (b) and (c) No.

DEBT CONCILIATION BOARD, KARNAL.

***5609. Mr. Nanak Chand Pandit :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that a Conciliation Board under the Punjab Relief of Indebtedness Act has been formed in Karnal district ;
- (b) if so, how long it has been functioning and whether the Deputy Commissioner has reported to the Commissioner against the conduct of the members of this Board ;
- (c) if so, whether the Government intends to abolish this Board or form a new one in its place ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Since October 1935. The Deputy Commissioner has made no such report.

(c) Does not arise.

WATER RATE UNDER SHAHPUR INUNDATION CANALS.

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

- (a) 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 ;
- (b) whether it is a fact that full rates are levied in case of such lands at present ;
- (c) whether it is a fact that this is causing great hardship to owners of lands in the *ilaga* ;
- (d) if so, whether Government proposes to consider the restoration of rule in force previous to 1922 ; if not, why not ?

The Honourable Nawab Muzaffar Khan : Government regrets that the reply to this question is not yet ready.

MUSLIMS IN POLICE DEPARTMENT.

***5611. Chaudhri Asadullah Khan :** With reference to the answer to part (d) of question No. *4121¹ asked on 1st March, 1935, will the Honourable

¹Volume XXVI, pages 217-18.

[Ch. Asadullah Khan.]

Finance Member kindly state the action taken by Government to give effect to the policy enunciated therein and whether any Muslims have been appointed to the posts mentioned in parts (a), (b) and (c) of that question; if not, why not?

The Honourable Sir Donald Boyd : Three of the five inspectors holding charge of police stations in the Lahore headquarters area are Muslims. The particular appointments mentioned in part (c) of the honourable member's earlier question are still held by non-Muslims. As regards the question of policy I have nothing to add to my former reply.

MUSLIMS IN GOVERNMENT SERVICES.

***5612. Chaudhri Asadullah Khan :** Will the Honourable Finance Member kindly state—

- (a) whether in any department of Government the proportion of Muslims exceeds 40 per cent. except in the lower ranks of the Police Department;
- (b) whether the Government has issued orders to the effect that 50 per cent. of vacancies in the cadre of constables should in future be given to Sikhs alone and the remaining 50 per cent. should be distributed amongst the other communities;
- (c) whether Government has issued orders to the heads of various departments to take early steps to give their due share to the Muslims in all departments where they are in a minority; if not, why not;
- (d) whether the Government proposes to issue such orders at all; if so, when; if not, why not?

The Honourable Sir Donald Boyd : (a) The honourable member is referred to the consolidated statement showing proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January 1936, a copy of which has been supplied to each member.

(b) No.

(c) and (d) No. It is not proposed to issue such orders in view of the present policy of Government which was enunciated by the Honourable Member for Finance on the 19th July, 1927, in this House,—*vide* pages 873 to 877 of the Punjab Legislative Council Debates, Volume X-B.

MUSLIMS IN POLICE DEPARTMENT.

***5613. Chaudhri Asadullah Khan :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that the proportion of Muslims in the clerical staff of the office of Inspector-General of Police and the offices subordinate to it is as follows :—

Office of Inspector-General of Police	..	9 out of 80
Office of Deputy Inspector-General of Police,		
Ambala	..	2 out of 8

Office of Deputy Inspector-General of Police, Lahore	2 out of 8
Office of Deputy Inspector-General of Police, Rawalpindi	1 out of 7
Office of Assistant Inspector-General, Railway Police	1 out of 15

- (b) if so, what action Government has taken to give the Muslims their due share in the offices mentioned above ?

The Honourable Sir Donald Boyd : (a) The figures quoted by the honourable member are not complete. The full figures are given in a statement laid on the table.

- (b) Does not arise.

Statement showing the number of Muslim clerks in the Punjab Police Clerical cadre.

Office of Inspector-General of Police	11 Muslims out of 31.
Office of Deputy Inspector-General, Eastern Range	2 Muslims out of 8.
Office of Deputy Inspector-General, Central Range	2 Muslims out of 8.
Office of Deputy Inspector-General, Western Range	1 Muslim out of 7.
Office of Assistant Inspector-General, Government Railway Police	1 Muslim out of 14.
Office of Deputy Inspector-General, Criminal Investi- gation Department	18 Muslims out of 37.
Motor Vehicle Inspection staff	3 Muslims out of 5.
Stenographers attached to offices of Superintendents of Police	3 Muslims out of 5.
Total	41 Muslims out of 115.

CLASSIFICATION RULES, SECRETARIAT OFFICES.

***5614. Chaudhri Asadullah Khan :** Will the Honourable Finance Member kindly state—

- whether it is a fact that Classification Rules have been framed for the clerical services of the various Secretariat offices of the Punjab Government ;
- whether it is a fact that appointments to certain posts by promotion of officials already in the services are made strictly by selection and no official has any claim to such appointment as of right ;
- whether Government have so far issued any subsidiary rules or general instructions to regulate the method of selection ;
- whether an appointing authority is required to give due consideration to seniority, educational qualification, past records of officials concerned, etc., and to give definite reasons for debarring a senior official from such promotion in favour of a junior member of the service ;
- whether an appeal or application for revision lies against an order of appointment made by selection, as being equivalent to withholding promotion ;
- if the answer to part (e) above is in the negative in the case of certain services, and in the affirmative, in the case of others, the reason for this distinction ;

[Ch. Asadullah Khan.]

- (g) where the answer to parts (c), (d) and (e) is in the negative, what steps the local Government proposes to take so that the power of selection is not exercised in an arbitrary manner, and the appointing authority passes final orders after discussing the merits and demerits of the persons concerned?

Mr. F. H. Puckle (Chief Secretary): (a) Yes, except in the case of Irrigation Branch Secretariat. The rules for that Secretariat are still in draft form and under audit scrutiny.

(b) Yes.

(c) No.

(d) The rules do not specifically provide for this, but in actual practice these matters are invariably given due consideration at the time of making a selection. The reasons for selecting a junior in preference to a senior are kept confidential and not communicated to the persons concerned.

(e) No.

(f) Does not arise.

(g) Government does not consider it necessary to issue any instructions.

DISTRICT JAIL GURDASPUR.

***5615. Khwaja Muhammad Eusoof**: Will the Honourable Finance Member kindly—

- (a) lay on the table the report made by Chaudhri Faqir Husain Khan, M.L.C., non-official jail visitor, to the Inspector-General of Prisons, Punjab, in regard to the inspection of Gurdaspur District Jail, done by him on 19th October, 1935;

- (b) state what action, if any, was taken by Government on the aforementioned report?

The Honourable Sir Donald Boyd: (a) A copy of the report is laid on the table.

(b) No action was taken as the allegations made in the report were not found proved.

Copy of the report by Chaudhri Faqir Husain Khan, dated the 31st October, 1935.

On my recent visit to the Gurdaspur Jail on 19th October, 1935, I was handed a written statement by Khan Sahib Abdul Ghafur Khan, retired jailor, now a civil prisoner in that jail. I enclose a copy of his statement. In this he complains of the treatment accorded to him by the jail officials from 20th August, 1935, to 26th August, 1935. A glance at the statement leaves the impression that most of the trouble caused to the prisoner was due to the non-observance of the rules by the jail officials. He was kept in a solitary cell for a considerable time and forced to sleep inside during summer nights. He could properly be accommodated in the civil ward which contains two cells. He should have been sent there for the quarantine, instead of keeping him with other prisoners. This was, however, not done though one of the cells was stocked with grain and the other was vacant. As a result of the hardships endured by him, the prisoner has lost 10 lbs. in weight. I would request you to enquire whether all such civil prisoners are treated like this or it was Khan Sahib Abdul Ghafur Khan only who was treated so badly.

If his allegations are correct improper restrictions were imposed upon the prisoner's interviews with his legal advisers. The rules do not contemplate such restrictions on civil prisoners. As far as I can make out, the detention of a civil prisoner is not meant by law to be penal. Its object is merely to deprive a defaulting judgment-debtor of his liberty.

The prisoner thinks that the attitude adopted by the jail officials from 20th August, 1935, to 26th August, 1935, was due to some special reason. He had been treated with proper consideration by Mr. Mathews. It was only when Mr. Mathews went on leave and Lala Ram Narain officiated for him that the prisoner was subjected to these hardships.

Now the prisoner had nothing to complain about and is all praise for the courtesy with which he is being treated by Mr. Mathews. He, however, requests that enquiry may be made into his allegations which has caused him so much suffering. The prisoner is a retired jailor and was awarded the title of Khan Sahib for his services to the jail department. He should have been treated with more courtesy by the jail officials.

I would request you please to direct an enquiry into the allegations and take suitable action against the officials who might have disregarded all the rules in their treatment of this civil prisoner.

Another prisoner named Thakri, son of Kishan, stated to me that he apprehended to be troubled by the Deputy Superintendent against whom an enquiry was being held in connection with the misappropriation of one maund and 15 seers of oil. The prisoner gave information about this and now requests that he may be transferred to another jail.

A copy of his statement is attached herewith, the original having been sent to the Home Secretary, Government, Punjab.

MUNSHIS IN UPPER CHENAB CANAL CIRCLE.

***5616. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please lay on the table a statement showing the number of permanent munshis in the Upper Chenab Canal Circle who retired on pension in the year 1935 and who are due to retire in the years 1936 and 1937 ; and how many out of these who retired in 1935 had got extensions of service and for what period and on what grounds ?

The Honourable Nawab Muzaffar Khan : No permanent munshis in the Upper Chenab Canal Circle retired on pension in 1935. No permanent munshi is due to attain the age of 55 years in 1936, and two will attain that age in 1937. In 1935, three munshis were given extension of service of one year under the Rules.

MUNSHIS IN UPPER CHENAB CANAL CIRCLE.

***5617. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- (a) whether Government have issued general instructions that extensions of service be not granted to its employees in view of the menacing problem of unemployment ;
- (b) if the answer to part (a) above be in the affirmative, why these instructions were not followed in the case of munshis in the Upper Chenab Canal Circle to whom extension of service was granted in the year 1935 ?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) Does not arise.

LUMSDEN COMMITTEE'S REPORT.

***5618. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance be pleased to state—

- (a) whether the Governor in Council in paragraph 7 of Resolution No. 15619, dated the 28th May, 1926, accepted therecommendations of Lumsden Committee's report as enumerated in paragraph 23 of its report ;

[S. Jawahar Singh Dhillon.]

- (b) if so, why these recommendations were entirely ignored in the case of five District Jails, viz., Gurdaspur, Rohtak, Hissar, Dera Ghazi Khan and Jhang ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) The Resolution itself stated that the introduction of this reform must be a gradual process, and financial stringency has delayed completion of the scheme for the appointment of whole-time Superintendents in all District Jails.

JAIL COMMITTEE REPORT.

***5619. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance be pleased to state whether paragraph 58 of the report of Indian Jail Committee which deals with the recoveries to be made from superintendents of jails is observed in practice and whether recoveries are made from the pay of the staff ?

The Honourable Sir Donald Boyd : According to the Punjab Jail Manual (paragraph 176) a recovery from pay is to be regarded as a departmental punishment, and it is intended that the punishment should be ordered only against the particular official who may have been found, after proper inquiry, to be at fault. It must be admitted that these principles have not always been followed strictly and instructions have recently been issued on the subject.

CONSTRUCTION OF BRIDGES KHUDIAN.

***5620. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that about Rs. 2,200 have been demanded from zamindars of Khudian, tahsil Chunian, district Lahore, by Public Works Department (Irrigation Branch), as cost of construction of bridges ;
- (b) whether the zamindars were summoned by Tahsildar of Chunian, district Lahore, for its payment ;
- (c) whether the bridges were constructed at the request of zamindars of Khudian ;
- (d) if the answer to part (c) above be in the negative, why the cost of those bridges were demanded from the zamindars of Khudian ?

The Honourable Nawab Muzaffar Khan : (a) Rs. 2,140 have been demanded from zamindars of proprietary non-perennial areas on account of construction of culverts.

(b) Yes.

(c) Bridges were constructed to allow water-courses to cross certain roads ; without these bridges irrigation cannot be done in the areas concerned.

(d) Owners of proprietary lands are liable for the cost of construction of watercourse crossings over roads because a specially low acreage rate

بخدمت جناب ڈپٹی کمشنر صاحب بہادر

ضلع لاہور

جناب عالی۔ سائل حسب ذیل استدعا کرتا ہے۔

(۱) یہ کہ بوسن بوقت شام معد لواز کنسٹیبل پولیس تھانہ بھکھی ونڈ تحصیل قصور۔ ضلع لاہور نے من سائل کو ٹھیکری پہرہ کھانے حکم دیا۔ من سائل، فوراً تیار ہو گیا۔ مگر کنسٹیبل مذکور کو میرے ساتھ بدین وجہ دیرینہ دشمنی تھی۔ کہ اس امر واقعہ سے چند روز پہلے تو وہ ہمارے گاؤں میں آیا اور ہر ایک کو خاکروب کے ذمہ تین پنڈ گھاس لگا دیا۔ تقریباً تمام خاکروب نے کچھ نہ کچھ گھاس بلا اجرت پولیس کھانے جمع کر دیا اور اس طرح تقریباً ۵۶ ۶۰ پنڈ گھاس پولیس نے جمع کر لیا۔ میں نے اس قسم کی جیگر کی مخالفت کی اور لوگوں کو مزید گھاس دینے سے منع کر دیا۔ اور بیگار نہ دینے بواسطت سپدار سجن سنڈک کندن سنڈک اودھم سنڈک مکھی خورد پرچار کیا۔ اس وجہ سے پولیس کنسٹیبل مجھے سخت عداوت تھا۔ جب میں پہرہ کی خاموشی جا رہا تھا۔ تو پولیس کنسٹیبل نے میرے ہاتھ سے کریان چھین لی اور مجھ سے سخت زدوکوب کیا۔ مغربی دازھی اس قدر فوجی کہ left side کے بہت سے بال اکھڑ گئے۔ اس کے علاوہ اس نے مجھے اپنی حراست میں کر لیا۔ اور بوقت سب محض مجھے تنگ کرنے کی نیت سے اپنی گھڑی کے آگے دوڑنے کے لئے مجھے کھینچا۔ کلسیان کلان سے اس نے دیکھے آگے رکھ کر مجھے الٹوں کی کوٹھی تک اور وہاں سے کلسیان تک خوب دوڑایا۔ سب سے زیادہ میں آگے چلا تو وہ مجھے کریان کی ہچکچاتا اور میں خوف کے مارے بہر دوڑتا۔ وہ گھڑی میرے پیچھے دوڑتا۔ کل صبح اس نے مجھے چھوڑا اور وہ بھی بہت مدت ساجت کرتے پر۔

(۲) مجھے اپنی اس سخت بے عزتی کا سخت رنج ہے۔ میں اس قدر غریب ہوں کہ ذاکتری ملاحظہ می فیس ادا کرنے کی طاقت نہیں رکھتا۔ اور نہ ہی دالتی چارہ جونی کا خرچ برداشت کرنے میں استطاعت ہے۔ لہذا آپ سے استدعا ہے کہ کنسٹیبل مذکور کے خلاف مناسب کارروائی کی جاوے۔

عرض

چندن سنگھ۔ مذہبی سکا

کلسیان کلان۔ تھانہ بھکھی ونڈ

ضلع لاہور

(دعا انوٹہ)

has been fixed for proprietary non-perennial areas for the construction of watercourses only. The rate does not include the cost of bridges which naturally has to be paid for by the owners of land concerned.

TRANSFER OF OPIUM SHOP, KOTLA.

***5621. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Agriculture please lay on the table the Excise Officer, Kangra's order, dated the 20th March, 1935, relating to the transfer of the opium shop, Kotla, district Kangra ?

The Honourable Sardar Sir Jogendra Singh : No such order is traceable.

BEGAR IN VILLAGE KALSIAN KALAN.

***5622. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that Bhai Chanan Singh of village Kalsian Kalan, tahsil Kasur, District Lahore, complained in writing to the Inspector-General of Police and Deputy Commissioner, Lahore, against the police, for forcibly taking *begar* at his village in the month of October, 1935 ;
- (b) if so, whether he will lay on the table a copy of the complaint ;
- (c) whether it is a fact that the Deputy Superintendent, Kasur, made enquiry on the complaint mentioned in (a) above ;
- (d) the result of the enquiry and how long the enquiry remained pending ;
- (e) whether it is a fact that pending the disposal of the complaint, the depressed class residents of village Kalsian Kalan were maltreated and challaned by police under section 107, Criminal Procedure Code ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) A copy is laid on the table (*See opposite page.*)

(c) and (d) A preliminary inquiry was begun on the 10th October by the Deputy Superintendent of Police. (This inquiry was actually undertaken as the result of complaints received by the local officers from other sources ; the complaint by Chanan Singh did not reach the office of the Additional Superintendent of Police, Kasur, until a later date). The preliminary inquiry was followed by a regular departmental inquiry, which was completed on the 22nd November. The Station House Officer of Bhikhiwind was severely censured as a result of the proceedings.

(e) No.

APPLICATION FROM DR. HARI SINGH CHAKWALIA, FOR
GRANT OF LICENCE FOR PISTOL.

***5623. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member please state—

- (a) whether any application, dated the 15th May, 1935, from Dr. Hari Singh Chakwalia, Editor, "The Naujawan Mazdoor," an Urdu

[S. Jawahar Singh Dhillon.]

weekly of Amritsar, for the grant of a licence for a pistol or a revolver, was received by the District Magistrate, Amritsar ;

- (b) whether any order was passed by the District Magistrate granting or refusing the licence prayed for in the application ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) An order of refusal was passed and communicated to the applicant.

MUNICIPAL COMMITTEE, PANIPAT.

***5624. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether he is aware that 9 out of 12 elected members of the Municipal Committee, Panipat, including the 2 Vice-Presidents have resigned their offices as a mark of protest against the misbehaviour of the Secretary and the partisan attitude taken by the official President of the Committee ;
- (b) if so, what action, if any, has been taken by Government in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) It is a fact that 9 out of 12 elected members of the Municipal Committee, Panipat, have submitted their resignations.

(b) The matter is under consideration.

SECRETARY, MUNICIPAL COMMITTEE, PANIPAT.

***5625. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Local Self-Government kindly state whether it is a fact that the Municipal Committee, Panipat, had recently suspended the Secretary twice for certain serious allegations of mal-administration against him and had once passed a resolution dismissing him, but the Deputy Commissioner, Karnal, suspended the operation of all these resolutions ?

The Honourable Dr. Sir Gokul Chand Narang : The Secretary was suspended by the Municipal Committee in September 1933 and ultimately dismissed in April 1934 but was re-instated on appeal by the order of the Commissioner. He was again suspended in July 1935 but the Committee's resolution was suspended by the Deputy Commissioner. The Municipal Committee discharged the Secretary in December last but the Committee's resolution was again suspended by the Deputy Commissioner.

SECRETARY, MUNICIPAL COMMITTEE, PANIPAT.

***5626. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that one of the allegations made against the Secretary, Municipal Committee, Panipat, was that he had drawn Rs. 800 from the municipal fund for payment to some British firm for their bill for medicines purchased for the Civil

Hospital and mis-appropriated the same for his personal use, which amount was paid to the firm concerned after 8 months when considerable pressure was brought to bear upon him ;

(b) what action he proposes to take in the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) A sum of Rs. 825-6-0 was drawn from the Panipat Municipal fund on a cheque, dated the 11th April, 1927 for payment to Messrs. Ferris and Co., Ltd., Bristol (London), on account of the cost of medicines for the Civil Hospital at Panipat, and was kept with the municipal treasurer until its remittance on 10th July, 1927, to the Imperial Bank of India, Delhi, for payment to the actual payee. This matter was one of the charges against the Secretary of the Panipat Municipal Committee, who was suspended and subsequently dismissed by the Committee in April 1934, on appeal he was however re-instated by the Commissioner.

(b) The whole case of the Secretary is under consideration.

CHARGES AGAINST MUNICIPAL COMMISSIONER, PANIPAT.

***5627. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether he is aware that charges of taking undue advantage of his position as a Municipal Commissioner against one of the Municipal Commissioners of Panipat, were made in writing by the Secretary of the Motor Drivers Union, Panipat, to the President of the Committee, and that it was subsequently proved that the said Municipal Commissioner had been successfully evading the payment of octroi on large quantities of goods, which he had been importing in town by the lorries which he is running ;
- (b) whether it is a fact that the said Municipal Commissioner had not paid even the terminal tax that was due to the Committee, on the two motor buses which he is still running ;
- (c) if so, what action, if any, has been taken against the said Municipal Commissioner ;
- (d) whether he proposes to make necessary enquiries in the matter and take action under section 16 (e) of the Punjab Municipal Act ?

The Honourable Dr. Sir Gokul Chand Narang : It is regretted that the reply is not ready.

HOLI FESTIVAL, PANIPAT.

***5628. Mr. Nanak Chand Pandit :** Will the Honourable Member for Finance be pleased to state—

- (a) whether he is aware that last year, i.e., 1935, the Hindus of Panipat had refused to celebrate the Holi festival as a mark of protest against the notice that had been issued by the Additional District Magistrate, Karnal, under section 144, Criminal Procedure Code ;

[Mr. Nanak Chand Pandit.]

- (b) whether he is aware that subsequently the matter was amicably settled as a result of the negotiations between the Commissioner, Ambala division, and Messrs. Sham Lal, M.I.A., and Deshbandhu Gupta, Managing Director of the Tej, Delhi ;
- (c) whether he is aware that the Commissioner had undertaken to place on the official record of the district the terms of the agreement that had been arrived at between him and the gentlemen referred to in part (b) for future guidance ;
- (d) whether he is aware that Mr. Deshbandhu Gupta undertook upon himself full responsibility on behalf of the Hindus of Panipat for the peaceful removal of the unburnt Holi pyres to the river Jumna and that he discharged the same to the satisfaction of the authorities ;
- (e) whether he is aware that the President of the Hindu Sabha, Panipat, wrote to the District Magistrate, Karnal, on 3rd April, 1935, requesting him to place on record the terms of the agreement that had been arrived at between the Commissioner, Ambala, and Messrs. Deshbandhu Gupta and Lala Sham Lal, M.L.A. ;
- (f) whether the Deputy Commissioner, Karnal, observed the terms of this compromise ;
- (g) whether he will lay on the table the correspondence which passed between the office bearers of the Hindu Sabha, Panipat, and Messrs. Deshbandhu Gupta and Sham Lal, M.L.A., on the one hand, and the Commissioner, Ambala division, and the Deputy Commissioner, Karnal, on the other hand ;
- (h) whether he is aware that no Holi and Phag festivals were celebrated by the Hindus of Panipat this year (1936) and *hartal* was observed by the Hindus for two days ?

The Honourable Sir Donald Boyd : (a) Yes.

- (b) No.
- (c) No.
- (d) No ; necessary arrangements were made by the local authorities.
- (e) No ; the President of the Hindu Sabha, Panipat, merely asked the Deputy Commissioner, Karnal, for an explanation of the meaning and import of the order under section 144, Criminal Procedure Code.
- (f) Does not arise.
- (g) Copies of the correspondence in question are laid on the table.
- (h) Yes ; partial *hartal* was observed on the occasion of Holi at Panipat this year.

Copy of a Demi-official letter No. 1413-C., dated the 31st March, 1935, from Khan Bahadur Mian Abdul Aziz, M.A., C.B.E., Commissioner, Ambala division, New Delhi, to the Deputy Commissioner, Karnal.

I enclose copies of three letters addressed to me by Mr. Deshbandhu and a copy of an order sent by me to the Tahsildar of Panipat as also a copy of my reply to Mr. Deshbandhu.

Copy of a letter No. nil, dated the 31st of March, 1935, from Mr. Deshbandhu Gupta, Managing Director, Daily Tej, Ltd., to the Commissioner, Ambala division.

I am very grateful to you for the opportunity given to me to explain things personally to you yesterday. It was so good of you indeed to have given me a patient hearing. I regret I could not send you the promised letters yesterday evening as the necessary preliminary consultation with a few leading Hindus of Panipat which was considered desirable, was a little delayed.

I am glad, however, to be able to convey to you that I have succeeded in the mission. You will be pleased to observe from the two letters enclosed herewith that except for a very mild and immaterial addition in the draft explanation of section 144, Criminal Procedure Code. I have been able to prevail upon them to agree to the proposed arrangement.

On receipt of your formal sanction I shall proceed to Panipat and see through personally the disposal of the Holi pyres.

I need hardly assure you that I am fully conscious of the responsibility which I am undertaking as a public worker in this connection, and that you will have no cause for complaint.

I hope I shall be able to receive the necessary co-operation of the local authorities in the matter and succeed in the disposal of the Holi pyres quietly and without any untoward incident, by to-morrow evening.

Thanking you again and with kind regards.

Copy of a letter No. nil, dated the 31st of March, 1935, from Mr. Deshbandhu Gupta, Managing Director, Daily Tej, to the Commissioner, Ambala division.

As you are aware some Holi pyres which had been removed from the city under orders of the authorities are lying outside the tahsil and their early disposal is desirable, I suggest that these may be removed by the Government to the Devi Temple so that the Hindus of Panipat may be able to perform the religious *prayashchit* ordained by their Shastras at the Devi Temple, and thereafter remove them to the River Jumna.

I undertake that there will be no demonstration of any kind to injure the feelings of anybody and that the removal of the Holi pyres to Jumna will be quietly done without letting the lorries pass through any *abadi*.

As regards the few small Holi pyres that are still lying in few places in different Hindu muhallas, these will also be quietly removed after the *prayashchit* without any demonstration, procession or parading through the streets.

I hope the suggestion will meet with your approval and necessary instructions will soon be issued to the local authorities in this behalf.

Copy of a letter No. nil, dated the 31st of March, 1935, from Mr. Deshbandhu Gupta, Managing Director, Daily "Tej," Ltd., to the Commissioner, Ambala division.

With reference to the interview I had with you yesterday along with Mr. Sham Lal, M.L.A., may I request you to kindly confirm if the Government position in regard to the order issued under section 144, Criminal Procedure Code, on the 19th March, 1935, in connection with the Holi festival was as stated below and oblige :—

- (a) That the intention of the order was not to permit innovations of any kind and it was wrong to interpret that the order imposed new restrictions on the observance of the Phag festival.
- (b) That the passage through the streets of Panipat of small parties of Phag players was never disallowed except through the Jamia Masjid streets which the Hindus were agreeable not to use, provided that these small parties passed individually and did not coalesce into a procession anywhere accompanied by any regular band.
- (c) That in purely Hindu localities the Phag players were free to play Phag in accordance with the usual practice of the town, this of course being understood that nothing was done to provoke other communities.
- (d) That in view of the difficulty in defining the expression "a band" and the expression "a procession" in very strict legal terms, the authorities could not in their order use any other terms, but they were quite willing to allow small Phag parties

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of 15 to 20 persons accompanied by one or two musical instruments provided, of course, there were no unseemly or provocative demonstration and the small parties passed through different routes individually.

- (e) I also understood that this had already been explained to the Hindus of Panipat on the spot, before the Phag festivities were to take place and that in this connection the authorities had also taken precautions to remove obstructions wherever these existed from the streets.

I shall be obliged to have your confirmation of the above at your earliest convenience.

Order dated 31st March, 1935, by the Commissioner, Ambala division, to the Tahsildar, Panipat.

If the Ilaga Magistrate is not present in Karnal you should please at once take steps to do the following :—

The firewood, etc., stored outside the tahsil should be removed at Government expense very quietly and immediately to the Devi's Temple beyond Ibrahim Lodhi's Tomb. The Hindus of Panipat can then perform their religious prayers at the Devi's Temple and after the prayers can remove this firewood to the river Jumna provided there is no demonstration of any kind to injure the feelings of anybody and that the removal of these dismantled pyres to the Jumna will be done very quietly without letting the lorries pass through any *abadi*. If there are any unburnt Holi pyres still lying in different Hindu mohallas the Hindus should also be permitted to remove these quietly and without any demonstration or parading through the streets. A copy of this order is being sent to the District Magistrate, but you should at once communicate with the Superintendent of Police if any special precautions are necessary and you should also arrange that this order is communicated immediately to the Ilaga Magistrate. You are being addressed in order to save time and because the District Magistrate may not yet have returned from casual leave.

Copy of a Demi-official letter No. 1412-C., dated the 31st March, 1935, from the Commissioner, Ambala division, to Dr. Deshbandhu Gupta, Managing Director, the Daily Tej, Delhi.

I acknowledge the receipt of your letter of to-day's date and I enclose an order to the Tahsildar of Panipat, which, as understood, you can deliver to the Tahsildar there. As regards your second letter giving the gist of the conversation in the interview I confirm that your impression is well founded and I am sending a copy of the whole correspondence to the Deputy Commissioner, Karnal.

Copy of a letter, dated the 3rd April, 1935, from Lala Dharam Singh, Pleader, President, Hindu Sabha, Panipat, to the Deputy Commissioner, Karnal.

With reference to the correspondence passed between the honourable Commissioner, Ambala division, and Lala Deshbandhu Gupta, Director the Daily Tej in connection with the Phag celebrations this year at Panipat, I, on behalf of the Hindus of the town beg to request you to kindly explain the meaning and import of the order promulgated under section 144, Criminal Procedure Code, on the 19th March, 1935, so as to leave no room for ambiguity on any point. This request is made with a view to understand clearly the position and intention of the authorities with regard to the Holi and Phag celebrations.

In view of the importance of the question, I hope you will please do the needful at your earliest convenience and oblige.

Copy of a letter No. C-34, dated the 17th April, 1935, from the Deputy Commissioner, Karnal, to Lala Dharam Singh, Pleader, President, Hindu Sabha, Panipat.

Reference your letter, dated the 3rd April, 1935. The full meaning and import of the order issued under section 144, Criminal Procedure Code, in Panipat on the 20th of March, 1935, was explained that very day to all concerned by various officials and there should have remained

no doubt as to what the import of the order was. It was not intended to object to Phag parties of 15 or 20 persons, nor was it intended to object to the use of one or two musical instruments by each party. Provocative demonstrations were banned, but what may be grossly provocative in one place may not be so in another place. What the order did not prohibit remained permissible.

Copy of a letter, dated the 9th May, 1935, from Lala Dharam Singh, Pleader, to the Deputy Commissioner, Karnal, district Karnal.

I am in receipt of your letter No. C/34, dated the 17th April, 1935, and beg to submit on behalf of the Hindus of Panipat the following for your consideration :—

(1) That the correspondence that passed between the honourable the Commissioner, Ambala, and Mr. Deshbandhu Gupta, referred to in our last letter explaining the full meaning and import of the order issued under section 144, Criminal Procedure Code, in Panipat on the 20th of March, 1935, were clearly understood to be :—

(a) That the intention of the order was not to permit innovations of any kind and it was wrong to interpret that the order imposed new restrictions on the observance of the Phag festival.

(b) That the passage through the streets of Panipat of small parties of Phag players was never disallowed except through the Jamia Masjid street which the Hindus were agreeable not to use, provided that these small parties passed individually and did not coalesce into a procession anywhere accompanied by any regular band.

(c) That in purely Hindu localities the Phag players were free to play Phag in accordance with the usual practice of the town, this of course being understood that nothing was done to provoke other communities.

(d) That in view of the difficulty in defining the expression "a band" and the expression "a procession" in very strict legal terms, the authorities could not in their order use any other terms, but they were quite willing to allow small Phag parties of 15 to 20 persons accompanied by one or two musical instruments provided of course, there were no unseemly or provocative demonstration and the small parties passed through different routes individually.

(2) That in your letter under reference, some of the clauses, particularly clauses Nos. (a), (b) and (c) are not mentioned.

(3) That these commissions were likely to give some cause for misunderstanding in future.

(4) That since it could not be your intention to give a different interpretation of the order issued under section 144, Criminal Procedure Code, referred to above than what had been given and confirmed by the honourable the Commissioner in his letter demi-official No. 1412/C., dated the 31st March, 1935, written to Mr. Deshbandhu Gupta, and further since it is most desirable in the interest of peaceful celebrations of Holi, in future, that the Hindus should understand clearly what is required of them, it is earnestly requested that it may kindly be further confirmed and placed on official record, for the guidance of both the Hindus of Panipat as well as the district and local authorities, that the terms and conditions to be observed in connection with the Holi and Phag festivals in future are to be and will be the same that have been quoted above.

I trust you will be pleased to accede to this request and the needful will be done at an early date.

Copy of a letter No. 3085, dated the 18th May, 1935, from the Deputy Commissioner, Karnal, to Lala Dharam Singh, Pleader, and President, Hindu Sabha, Panipat.

Reference your letter of the 9th instant regarding Holi celebrations, Panipat.

I have nothing to add to what has already been communicated in my memorandum No. C/34, dated the 17th April, 1935.

Copy of a Demi-official letter No. C-114, dated the 14th June, 1935, from the Deputy Commissioner, Karnal to the Commissioner, Ambala division.

Reference your demi-official letter No. 22/C, dated the 1st June, 1935. I have seen the President as desired, and discussed the matter with him. According to him clause (c) means

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that there is to be no limitation on the number of Phag players and of musical instruments in localities other than the Chauk Kalandar. Subsequently he modified his statement by saying that there should be no limitation on the number of Phag players or musical instruments in the public streets situated in purely Hindu localities. I told him that I could not subscribe to this view, as our records showed that the Phag had never been played anywhere in the town except in small parties and with one or two musical instruments accompanying each party. The clause as it stands does not bear out the President in his interpretation of it, but he said that he derived his information from Mr. Deshbandhu who had drawn up the clause after his interview with you.

With regard to (a) and (b), I made it clear to Lala Dharam Singh that my Memorandum No. C/34, dated 17th April, 1935 (copy enclosed for ready reference), was absolutely clear and left nobody in doubt that the past practice (about the Phag being played in small parties and with one or two musical instruments accompanying each party) was to be fully permitted and that the only street banned for the purpose was the Jamia Masjid Gali. All he seemed to be anxious about was my confirming clause (c) and thereby declaring that in the streets lying in purely Hindu localities there would be no restriction on the number of Phag players or musical instruments. As you know this will be tantamount to authorising what is not a past practice.

The enclosures to your demi-official letter under reference are returned herewith.

Copy of a Demi-official letter No. 71-C., dated the 17th June, 1935, from the Commissioner, Ambala division, to the Deputy Commissioner, Karnal.

I enclose a copy of the reply sent by me to Mr. Deshbandhu Gupta. You have quite correctly interpreted clause (c) in your demi-official No. C/114, of 14th June, 1935.

Copy of a Demi-official letter No. 70-C., dated 17th June, 1935, from the Commissioner, Ambala division, Simla-E., to Mr. Deshbandhu Gupta, Editor, Daily Tej, Delhi.

Reference your letter of the 16th June, 1935. I understand from the Deputy Commissioner of Karnal that he has explained the position carefully to the President, Hindu Sabha, Panipat. It appears that clause (c) is being interpreted by you and by the President in a way different from what was intended. Clause (c) of your letter of 31st March, 1935, runs as under:—

“(c) That in purely Hindu localities the Phag players were free to play Phag in accordance with the usual practice of the town, this of course being understood that nothing was done to provoke other communities.”

The words “usual practice of the town” do not mean and never were meant to mean any departure from the past practice. The past practice does not contemplate that in Hindu localities the number of Phag players and the number of musical instruments would be unlimited. As regards the position taken up by you that you want to publish the whole correspondence I have no objection if you publish the whole correspondence with this letter. I should, however, advise you not to take this step. You yourself are aware of the strong desire that I have permanently to improve the communal situation at Panipat and any fuss made about the interpretation of clause (c) will defeat that very object. I repeat that so far as my information goes the usual practice in the Panipat town about the celebration of Phag has never varied. It is simply this that small parties with a few musical instruments celebrate the Phag. It would be an innovation to permit processions or large parties or an unlimited number of musical instruments in the public streets situated in the purely Hindu localities.

Copy of a letter No. nil, dated the 25th of June, 1935, from Mr. Deshbandhu Gupta, Managing Director, Daily Tej, Ltd., Delhi, to the Commissioner, Ambala division.

I am in receipt of your Demi-official No. 70/C, dated 17th June, 1935. I am sorry I could not reply to you earlier owing to Mrs. Deshbandhu's illness.

I have never doubted your strong desire to permanently improve the communal situation at Panipat. In fact, it was this very consciousness on my part, which impelled me to intervene and to place my services at your disposal to ease the communal situation which had then arisen in Panipat, as a result of the official order. But for that feeling, I would have never interfered in this matter. I assure you, I still entertain that view about your goodness and that is the reason why I have been appealing to you not to allow the closed chapter to be reopened.

As to the question of interpretation of clause (c) of my letter of 31st March, 1935, I would submit that in the first place, there was no occasion to raise this question, before incorporating the terms of the Agreement made by your goodself on the official record; secondly, the information supplied to you as to the usual practice of the town about celebration of Phag in purely Hindu localities, is not correct. Being a resident of Panipat myself, I am in a position to deny the allegation most emphatically, on the basis of my personal knowledge, on this point. It was with full knowledge of this fact that clause (c) was introduced in the agreement, otherwise there was no necessity at all for that clause. I may also add that the Hindus of Panipat are ready to lead any amount of evidence in support of the above contention before you, if it is considered necessary by your goodself.

It is known to you that the demand of the Hindus was that no restrictions should be placed on the Phag parties, passing through Kalandar Chauri, and other mixed localities as well, but as a matter of compromise I persuaded them with considerable difficulty to agree to clause (d) of the Agreement. Moreover if the interpretation which the Deputy Commissioner seeks to place on clause (c) of my letter under reference is examined carefully from a practical point of view, it will be easily manifest to you, that the playing of Phag becomes a practical impossibility. You are well aware that there are several big localities in the town, each containing more than one hundred houses, inhabited purely by Hindus. At the time of the Phag celebration youngsters from almost all houses collect in their mohallas to play Phag with one another, which means that, even if no outsiders are admitted, the number of the Mohalla Hindus themselves, is bound to go beyond one hundred, which will at once constitute an offence according to the new interpretation of clause (c) of the Agreement.

I would further urge that no useful purpose can be served by placing such uncalled for restrictions on Phag celebration. You will agree, there can surely be no danger of any communal trouble in purely Hindu localities.

In view of all this, I would request you once more not to allow the closed chapter to be opened again. Permit me to say that there are parties who did not like the manner in which the situation was handled by you. Not only that, there were certain elements who even resented that, and I have a strong suspicion in my mind that these elements are now trying to assert themselves by misleading the Deputy Commissioner, and wish to undo the whole settlement by finding fault with one thing or the other. It would, therefore, be playing in the hands of these elements, if a fresh controversy was allowed to be raised about the interpretation of any clause or clauses of the Agreement, which were drafted after such careful consideration.

I trust you will give your best consideration to the matter, in the light of all that I have urged above and will be able to persuade the Deputy Commissioner to abide by the same.

Hoping to hear from you at an early date.

Copy of a demi-official letter No. 123-C., dated the 28th June, 1935, from the Commissioner, Ambala division, to the Deputy Commissioner, Karnal,

I enclose for your information a copy of a letter that I have received from Mr. Doshbandhu Gupta, Managing Director of the Daily Tej, Limited, Delhi, and also a copy of the reply that I have sent to him.

Copy of a demi-official letter No. 122-C., dated the 28th June, 1935, from the Commissioner, Ambala division, to the Managing Director, the Daily Tej, Ltd., Delhi.

Reference your letter of the 28th June, 1935 regarding Holi and Phag in Panipat town. I regret that I cannot carry on this correspondence any further.

HOLI FESTIVAL, PANIPAT.

*5629. Mr. Nanak Chand Pandit: Will the Honourable Member for Finance be pleased to state—

(a) whether he is aware that the Additional District Magistrate, Panipat, recently issued an order under section 144, Criminal Procedure Code, on 21 Hindu citizens of Panipat and other members of the public prohibiting them from taking part in Holi and Phag celebrations in the public streets of Panipat.

[Mr. Nanak Chand Pandit.]

- (b) whether he will lay on the table of the Council a copy of this order ;
- (c) whether it is a fact that the Muhammadan leaders of Panipat made a representation to the Deputy Commissioner that this order of the Magistrate was likely to embitter the good relations of the Hindu and Muslim population of the town ;
- (d) whether he will lay on the table of the Council a copy of this representation ;
- (e) what Government proposes to do in the matter ?

The Honourable Sir Donald Boyd : (a) and (b) A copy of the order issued under section 144, Criminal Procedure Code, by the Additional District Magistrate, Karnal, on the 6th March, 1936, is laid on the table.

- (c) No.
- (d) Does not arise.
- (e) No action is necessary.

*Order of the Additional District Magistrate under section 144,
Criminal Procedure Code.*

To—

- (1) Lala Phul Chand, Municipal Commissioner,
- (2) Pandit Chandar Bal, Municipal Commissioner,
- (3) Lala Jai Kaur Singh, Municipal Commissioner,
- (4) Lala Jai Bhagwan, Pleader,
- (5) Pandit Kundan Lal, Pleader,
- (6) Lala Dharam Singh, Pleader,
- (7) Lala Baij Nath, Petition-writer,
- (8) Lala Sital Parshad, son of Naniat Mal, Mahajan,
- (9) Lala Basdeo Mal, son of Parshada Mal, Mahajan,
- (10) Lala Banarsi Dass, son of Prabhu Mal, Mahajan,
- (11) Lala Hari Ram, son of Kanshi Ram, Mahajan,
- (12) Lala Brahma Nand, son of Bishambar Dass, Mr
- (13) Lala Brahma Nand, son of Narain Dass, Mahajan
- (14) Lala Moti Ram, son of Tulsu Ram, Saraf,
- (15) Lala Joti Parshad, son of Baij Nath, Mahajan.
- (16) Lala Sumer Chand, son of Kanshi Ram, Mahajan
- (17) Lala Bahari, son of Bishambar, Mahajan,
- (18) Lala Sohan, son of Ganga Ram, Mahajan,
- (19) Lala Lal Chand, son of Lijja Ram, Mahajan.
- (20) Lala Sher Singh, son of Jaggan Nath, Mahajan,
- (21) Lala Shugan Chand, son of Daci Mal, Mahajan,

and the other members of the public generally, which may join in the Phag celebrations in Panipat city on the 8th March, 1936.

Whereas it has been made to appear to me that you and a number of other persons (Holi and Phag players) are to meet and proceed with the Phag festivities on the 8th March, 1936, along the public streets of Panipat city, and that there is grave and imminent danger that the conduct of some of the members forming these festive groups is likely to lead to a riot or an affray or to a disturbance of the public tranquility, I hereby order you as follows :—

- (1) That the Phag players must not enter or use the Jamia Masjid Gali in Panipat city.

(2) That the said players shall not move about in parties of more than 20 persons each—
No party shall carry more than two musical instruments.

(3) That the said players shall not indulge in any provocative demonstration.

This order is being issued under section 144 Cr. P. C. Given under my hand and the seal of Court this 6th day of March 1936.

APPOINTMENTS IN DEPUTY COMMISSIONER'S OFFICE, AMBALA.

***5630. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) how many candidates have been given appointments in the Deputy Commissioner's office, Ambala, in the last 10 years ;
- (b) how many of them were Hindus ;
- (c) how many of the Hindus were statutory agriculturists ;
- (d) what Government intends to do in order to give a fair representation to the statutory agriculturists in the cadre mentioned in (a) ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (c) The information is not readily available and the amount of time and labour involved in its collection would not be commensurate with the results obtained.

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

DAMAGE BY HAILSTORM, LYALLPUR DISTRICT.

***5631. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the Government is aware that during the last few days hailstorm has caused a lot of damage to the crops in many parts of the Lyallpur district ;
- (b) if so, in which portions and the extent of damage done ;
- (c) whether a belt of villages suffered (i) near Salarwala and (ii) near Kanjwani ;
- (d) if the answer to the above be in the affirmative, the number of chaks affected therein ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (d) Yes, in Chaks Nos. 126, 127, 132, 142, 162, 167, R. B. of the Lyallpur tahsil, and chaks Nos. 416, 500, 544, 545, 547, 550, 556 and 558 G. B., of the Samundri tahsil. As the lists of damage done by hail are under preparation, information regarding the extent of the damage done is not available.

(c) Yes.

***5632. Cancelled.**

ADMISSION INTO MEDICAL COLLEGE.

***5633. Mian Nurullah :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the Punjab students who pass F.Sc. Medical Group Examination at Aligarh University are not admitted to the King-Edward Medical College, Lahore ; if so, reasons for this ;

[Mian Nurullah.]

- (b) whether Government is aware that Aligarh and Benares are all-India institutions inasmuch as they receive grants-in-aid from the Government of India ;
- (c) the reasons for refusing a student who is a permanent resident of the Punjab, admission into the Medical College simply because he has received his preliminary education in Aligarh or Benares ?

The Honourable Malik Sir Firoz Khan Noon : (a) Students who are *bona fide* residents of the Punjab and who have passed their F. Sc. (Medical Group) examination from the Muslim University, Aligarh, are allowed to compete on equal terms with the students who have passed the same examination from the Punjab University.

(b) Yes.

(c) As regards the Benares University the attention of the honourable member is invited to the reply given to part (c) of the starred Council question No. 4840.¹

Rai Bahadur Mr. Mukand Lal Puri : Are the students of the Benares University offered the same privileges ?

The Honourable Malik Sir Firoz Khan Noon : I require notice for that.

CHAUDHRI ABDUL AZIZ AND CO-OPERATIVE SOCIETY OF TEH
GHULAM NABI.

***5634. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the Co-operative Society of Teh Ghulam Nabi (District Gurdaspur) passed an award against Chaudhri Abdul Aziz, lambardar of the village, in his absence ;
- (b) whether on his return from Karachi he made numerous applications to Circle Registrar and Deputy Registrar, requesting that an inquiry should be instituted as he suspected that more money had been realised from him than was due ;
- (c) whether it is a fact that the said Abdul Aziz, debtor of the said Co-operative Society, wanted to see the bonds on the basis of which money was due, the Rokar and Khata of the Society, the Proceedings Book and Qist-Bandi Register, but was refused an inspection ;
- (d) whether it is a fact that on 11th March 1928 when the account of the society was being audited, Chaudhri Abdul Aziz wanted to see his account and the auditor expressed his willingness to show the account, but when these registers were seen it was found that the pages containing the accounts of said Abdul Aziz were missing from the Rokar and Khata Register, the bonds of Abdul Aziz could not be traced in Bond-Register, and all the pages concerning Abdul Aziz's account were torn from the Proceeding Book and Qist-Bandi ;
- (e) whether it is a fact that the Circle Registrar and other high authorities received complaints regarding the occurrence ; if so, what action they have taken so far ;

- (f) if answers to (a), (b) and (c) be in the affirmative, whether Government is now prepared to give the said Abdul Aziz a statement of his account, money due and the rate of interest charged?

The Honourable Sardar Sir Jogendra Singh : I regret that the answer to this question is not ready.

TUBERCULOSIS CASES, CANAL CIRCLE, AMRITSAR.

***5635. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- the number of Tuberculosis cases which occurred in the Canal Circle, Amritsar, during the last five years ;
- the cause of these cases ;
- what assistance Government gave ;
- what action Government proposes to take to help the victims ?

The Honourable Malik Sir Firoz Khan Noon : (a) Two. One official was invalided out of service and the other died while on leave.

(b) It is perhaps possible that one official contracted the disease from another who had it in office but it is not possible to prove this.

(c) and (d) Pension admissible under the rules is being granted to the official who was invalided while the question of the grant of compassionate gratuity in the case of the official who died while on leave is under consideration.

GOVERNMENT COLLEGE, HOSHIARPUR.

***5636. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- whether it is a fact that Government has decided to close the Government College at Hoshiarpur ;
- if the reply to (a) is in the affirmative, the reasons for the same ;
- the date appointed to close the college ?

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

(b) and (c) Do not arise.

STRIKE IN INDUSTRIAL SCHOOL, LAHORE.

***5637. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- whether it is a fact that all the students (Hindu, Muslim and Sikh) of the 8th class of the Industrial School, Lahore, went on strike in the month of March 1936 ;
- whether the Director of Industries received a deputation of the students ;
- what the grievances of the students were ;
- what action Government has taken so far in the matter ;
- what instructions Government has issued to the Headmaster of the school, to stop the recurrence of such strikes ;
- whether Government is prepared to make an investigation into the matter ?

The Honourable Dr. Sir Gokul Chand Narang : (a) No. It was only a case of protest on the part of certain students against alleged harsh treatment on the part of the Superintendent of Industrial Final Examination in the Government Technical School, Lahore.

(b) Two students came to see the Director of Industries in this connection.

(c) The students alleged —

(i) that the question papers were issued late and answer books taken before time ;

(ii) that the atmosphere of the examination hall was objectionable due to smoking by the invigilators and the closing of the doors and windows.

(d) The matter is receiving the attention of the Director of Industries.

(e) Does not arise at this stage.

(f) The matter is already under investigation and suitable action will be taken in due course.

MUSLIMS IN PROSECUTING BRANCH.

***5638. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state—

(a) the total number prosecuting deputy superintendents, inspectors and sub-inspectors of police in the province ;

(b) the total number and percentage of Muslims among them ;

(c) whether the figures show that the percentage of Muslims in the above posts is not proportionate to their population in the province ;

(d) if so, whether the Government propose to take any action for making up the deficiency ?

The Honourable Sir Donald Boyd : (a) 134.

(b) 47 ; that is, 35·0 per cent.

(c) Yes.

(d) No special action is contemplated. The honourable member has heard Sir Geoffrey deMontmorency's " formula " frequently quoted during the current session of the Council. Population percentages cannot be the sole guide in the filling of official appointments.

MUSLIM ASSISTANT OR DEPUTY SUPERINTENDENT OF POLICE, LAHORE.

***5639. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state whether there is any Muslim Assistant Superintendent or Deputy Superintendent of Police in Lahore ?

The Honourable Sir Donald Boyd : There is one Muslims officiating as a Deputy Superintendent of Police at Kasur ; none at Lahore itself.

MUSLIMS IN OFFICES OF SUPERINTENDENTS OF POLICE.

***5640. Mr. Muhammad Din Malak :** Will the Honourable Member for Finance please state—

- (a) the respective representation of Hindus, Muslims and Sikhs in the offices of the superintendents of police of the various districts in the province ;
- (b) whether it is a fact that the percentage of Muslims in the above offices is not proportionate to their population in the province ;
- (c) if so, what action the Government propose to take in the matter ?

The Honourable Sir Donald Boyd : (a), (b) and (c) The offices of superintendents of police are staffed by men of the executive force, in which the proportion of Muslims is fully adequate. Figures are not available at the headquarters of Government showing the communal percentages in the offices, and in the circumstances I scarcely think that it is necessary to collect them from the districts.

MUSLIMS IN PROSECUTING BRANCH, LAHORE.

***5641. Mr. Muhammad Din Malak :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the prosecuting branch of the Lahore district practically consists of non-Muslims and whether some of them have been holding the posts for the last 12 years ;
- (b) if the reply to above is in the affirmative, what Government propose to do in the matter ?

The Honourable Sir Donald Boyd : (a) No. Out of the thirteen officers who form the police prosecuting staff in the Lahore district (including four at Kasur) five are Muslims. None of them have held their appointments for as long as twelve years.

- (b) Does not arise.

CLASSIFICATION RULES, SECRETARIAT OFFICES.

***5642. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that Classification Rules have been framed for the clerical services of the various Secretariat offices of the Punjab Government ;
- (b) whether it is a fact that appointments to certain posts by promotion of officials already in the services are made strictly by selection and no official has any claim to such appointment as of right ;
- (c) whether Government have so far issued any subsidiary rules or general instructions to regulate the method of selection ;
- (d) whether an appointing authority is required to give due consideration to seniority, educational qualifications, past records of officials concerned, etc., and to give definite reasons for debarring a senior qualified member of the service from such promotion in favour of a junior member ;

[Ch. Muhammad Abdul Rahman Khan.]

- (e) whether an appeal or application for revision lies against an order of appointment made by selection, as being equivalent to withholding of promotion ;
- (f) if the answer to clause (e) above is in the negative in the case of certain services and in the affirmative in the case of others, the reason for this distinction ;
- (g) if the answer to any or all of clauses (c), (d) and (e) is in the negative, what steps Government proposes to take in the matter ?

Mr. F. H. Puckle (Chief Secretary): The honourable member is referred to the answer given by me to Council question No. *5614,¹ put by Chaudhri Asadullah Khan.

INDIAN CHRISTIANS IN EXECUTIVE SERVICE.

***5643. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state the number of Indian Christians serving in the Executive Branch of the Punjab Civil Service ?

Mr. F. H. Puckle (Chief Secretary): Five.

INDIAN CHRISTIAN DEPUTY SUPERINTENDENT OF POLICE.

***5644. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state—

- (a) whether recruitment to the posts of deputy superintendent of police is direct or by promotion from lower ranks ;
- (b) if direct, when recruitment took place last ;
- (c) when recruitment is likely to take place next ;
- (d) whether any Indian Christian was appointed deputy superintendent of police during the past ten years ; if so, when ?

The Honourable Sir Donald Boyd : (a) Twenty per cent. by direct appointment and 80 per cent. by the promotion of inspectors.

- (b) The last direct appointments were made in January, 1936.
- (c) Probably in July, 1937.
- (d) No.

INDIAN CHRISTIAN INSPECTOR OF POLICE.

***5645. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state—

- (a) whether any Indian Christian is working as inspector of police in the province ;
- (b) if so, whether he was appointed by direct recruitment ; if so, when ?

The Honourable Sir Donald Boyd : (a) Yes ; one.

(b) No.

INDIAN CHRISTIAN SUB-INSPECTORS OF POLICE.

*5646. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state how many of the 5 police sub-inspectors shown as others in the consolidated statement are Indian Christians?

The Honourable Sir Donald Boyd: All five.

RECRUITMENT OF SUB-INSPECTORS OF POLICE.

*5647. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state when the recruitment of sub-inspectors of police is likely to take place next?

The Honourable Sir Donald Boyd: No direct appointments are now made in the rank of sub-inspector.

ASSISTANT SUB-INSPECTORS OF POLICE.

*5648. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state whether the 2 assistant sub-Inspectors of police, shown as "others", in the consolidated statement are Indian Christians?

The Honourable Sir Donald Boyd: Yes.

INDIAN CHRISTIAN ASSISTANT SUB-INSPECTOR OF POLICE.

*5649. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state—

- (a) the total number of posts of assistant sub-inspectors of police;
- (b) whether Government proposes to consider the question of recruiting Indian Christians in case any vacancy occurs in the ranks of assistant sub-inspectors?

The Honourable Sir Donald Boyd: (a) 400.

(b) There is no bar to the appointment of Indian Christians under the existing rules, and the Inspector-General of Police recently drew attention to their eligibility for appointment. No further action is contemplated.

INDIAN CHRISTIAN SUB-INSPECTORS OF POLICE.

*5650. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state—

- (a) the total number of posts of sub-inspectors of police;
- (b) the number of these posts held by Indian Christians;
- (c) what steps Government proposes to take to remedy the under-representation of Indian Christians, if any?

The Honourable Sir Donald Boyd: (a) 820.

(b) 5.

(c) The Inspector General of Police has recently drawn attention to the eligibility of Indian Christians for appointment in the police. Direct appointments are not made in the rank of sub-inspector, but Indian Christians appointed in the lower ranks have the same chance of promotion to sub-inspectorships as members of other communities.

INDIAN CHRISTIAN HEAD CONSTABLES.

*5651. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state—

- (a) the number of head constables;
- (b) the number of Indian Christians among them;
- (c) what steps Government proposes to take to remedy the under-representation of Indian Christians in the cadre, if any?

The Honourable Sir Donald Boyd: (a) 3,050.

(b) 3.

(c) Vacancies in the rank of head-constable are filled not by direct appointment but by promotion from the rank of constable. The Honourable Member has doubtless already seen the memorandum lately issued by the Inspector-General of Police inviting the attention of Superintendents of Police to the fact that Indian Christians are eligible for enrolment as constables.

INDIAN CHRISTIAN CONSTABLES.

*5652. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state—

- (a) the number of police constables in the province;
- (b) the number of Indian Christians among them;
- (c) what steps Government proposes to take to remedy the under-representation of Indian Christians in the cadre, if any?

The Honourable Sir Donald Boyd: (a) 17,764.

(b) The honourable member will see in his copy of the Consolidated Statement that the total number of constables includes 29 "Others." I believe that I am correct in saying that most if not all of these are Christians.

(c) As the honourable member has probably heard, the Inspector-General has recently drawn the attention of Superintendents of Police to the eligibility of Indian Christians for enrolment.

POLICE MEDAL TO PAUL HAYAT KHAN.

*5653. Mr. E. Mayadas: Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that about 2 years ago an Indian Christian police constable was granted a Police Medal;
- (b) whether his name is Paul Hayat Khan;
- (c) if so, the circumstances under which this medal was granted?

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

(c) The honourable member is asked to refer to Government of India (Home Department) Notification No. F-114/XXX/34—Police, dated the 21st August, 1934.

ENGINEERING SERVICE, IRRIGATION DEPARTMENT.

***5654. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state to which community the one subordinate shown under the head "others" in the Engineering Service in the Irrigation Department in the Consolidated Statement, belongs?

The Honourable Nawab Muzaffar Khan : Anglo-Indian.

INDIAN CHRISTIAN ZILLADARS.

***5655. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that out of 238 posts of zilladars in the province not one is held by Indian Christians;
- (b) during the past 5 years how many Indian Christians applied for the posts of zilladar, their names, and if some applications were made, whether none of the applicants possessed the minimum qualifications;
- (c) if any of them did possess minimum qualifications, the circumstances under which none of them was appointed;
- (d) whether at the present time there are any applications of Indian Christians pending with any Superintending Engineer; if so, how many and with whom;
- (e) when the recruitment of zilladars is going to take place next?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b), (c) and (d) It is regretted that the information is not available.

(e) Recruitment of the next batch is under consideration now.

INDIAN CHRISTIANS IN FOREST SERVICE.

***5656. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of—
 - (i) rangers
 - (ii) deputy rangers,
 - (iii) foresters, in the province;
- (b) the number of Indian Christians among them;
- (c) whether Government intends to take any steps to give Indian Christians their proper representation in these services?

The Honourable Nawab Muzaffar Khan : (a)—

Forest Rangers	..	..	..	63
Deputy Rangers	..	..	..	37
Foresters	..	..	..	109

(b) Nil.

(c) Indian Christians will be given due consideration in accordance with the policy stated by the Honourable Member for Finance in the Punjab Legislative Council on the 19th July, 1927.

INDIAN CHRISTIAN TAHSILDARS.

***5657. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of tahsildars in the province ;
- (b) the number of Indian Christians among them ;
- (c) when recruitment was held last, and whether any Indian Christian was among the candidates ; if so, how many possessed the minimum qualifications required for this office ;
- (d) if one or more possessed the minimum qualifications, the reasons that prevented any of them being accepted ?

The Honourable Nawab Muzaffar Khan : (a) 120.

(b) 1.

(c) 1935. Yes, there were five Indian Christian candidates who all possessed the minimum qualifications required for the office.

(d) They were not considered suitable in all respects.

INDIAN CHRISTIAN TAHSILDARS.

***5658. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) whether Government maintains a list of approved candidates for the post of tahsildars ;
- (b) if so, whether there is any Indian Christian on that list ;
- (c) if so, the number of such names ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) None.

(c) Does not arise.

INDIAN CHRISTIAN NAIB-TAHSILDARS AND KANUNGOS.

***5659. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of—
 - (i) naib-tahsildars,
 - (ii) kanungos ;
- (b) the number of Indian Christians among them ;
- (c) what Government intends to do to give Indian Christians their proper representation in these services ?

The Honourable Nawab Muzaffar Khan : (a) (i) 189.

(ii) 778.

(b) None.

(c) A copy of this question and reply will be sent to the local officers for consideration with reference to the policy of Government in this regard as cited in paragraph 3·15 of the District Office Manual.

PERSONS INTERNED DURING SHAHIDGUNJ AGITATION.

*5669. **Khwaja Muhammad Eusooif** : Will the Honourable Member for Finance kindly state—

- (a) the names of persons interned in connection with the Shahidgunj agitation, who were offered detention allowance ;
- (b) the amount of detention allowance offered to each internee ;
- (c) the names of the internees who declined to accept the detention allowance which was offered to them ;
- (d) the grounds, if any, on which such allowance was declined by the internees ;
- (e) whether the allowance was declined by reason of its being too low and inadequate to the status of the internees ; if so, what steps Government took in the matter ?

The Honourable Sir Donald Boyd : (a) and (b) A statement giving the required information is laid on the table ;

- (c) (1) Malik Lal Khan of Gujranwala,
- (2) Malik Lal Din Kaiser of Lahore, and
- (3) Maulana Zafar Ali Khan of the Zamindar, Lahore.

(d) and (e) Maulana Zafar Ali Khan and Malik Lal Khan did not inform Government of the reason for their refusal. Malik Lal Din Kaiser, refused the allowance sanctioned on the grounds that it was inadequate. As it had been originally sanctioned after careful enquiry, no further action was necessary.

Statement showing the amount of allowances sanctioned for internees in the Shahidganj agitation, 1935.

Serial No.	Name of Internee.	Place of internment.	Allowance sanctioned.	Date from which sanction is accorded.
1	Feroze-ud-Din Ahmad, son of Nur Din Kada, Mochi Gate, Lahore.	Montgomery ..	Rs. per mensem. 75	15th July, 1935.
2	Sayid Habib, son of Saidullah Shah, of Sigant, Lahore.	Do. ..	120	Ditto.
3	M. Zafar Ali Khan, son of M. Siraj-ud-Din Ahmad, of Zamindar, Lahore.	Karnahad, Wazirabad, Gujranwala.	120	Ditto.
4	Malik Lal Khan, son of Mast Ali Khan, originally of Gujrat and now of Gujranwala.	Mirjan, Gujrat district.	75	Ditto.
5	Lal Din Kaiser, son of Chiragh Din, Lahore.	Rohtak ..	50	11th September, 1935.
6	M. Khuda Bakhsh Azhar, son of Ilahi Bakhsh, of Amritsar, and now of Rawalpindi.	Hansi, Hissar ..	35	17th September, 1935.

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Serial No.	Name of Internee.	Place of internment.	Allowance sanctioned.	Date from which sanction is accorded.
7	Ghulam Mustafa Shah Gilani, of Rawalpindi.	Hissar ..	Ra. per mensem. 40	12th September, 1935.
8	Sayyed Zain-ul-Abidin Shah, son of Pira Shah, of Multan.	Sirsa ..	100	11th September, 1935.
9	M. Sher Nawab, Kasur, Lahore ..	Bhiwani (Hissar)	60	10th September, 1935.
10	Sufi Inayat Muhammad, son of Miran Bakhsh, Pasrur and Rawalpindi.	Jhajjar, Rohtak, Pasrur, Sialkot.	35	16th September, 1935.
11	Ghulam Muhammad, alias Aziz Hindi, son of Madho, Amritsar.	Zafarwal, Sialkot	50	12th September, 1935.
12	Sayyed Sarwar Shah Gilani, originally of Shahpur district now of Lahore.	Sargodha, Shahpur district.	30	11th September, 1935.
13	M. Akhtar Ali, son of M. Zaffar Ali of Zamindar, Lahore.	Kaithal (Karnal)	100	10th September, 1935.
14	Abu Said Anwar, son of Fazal Karim, Amritsar.	Karnal ..	40	11th September, 1935.
15	M. Muhammad Ishaq, Manshrvi, son of Muhammad Gul, Rawalpindi.	Raipur, Ambala..	80	12th September, 1935.
16	Mir Muhammad Din, Lahore ..	Rupar (Ambala)..	35	11th September, 1935.
17	Ghulam Nabi Ansari, son of Fazal Karim, Chak Isa, Jhelum.	Naraingarh, Ambala.	50	15th September, 1935.
18	Muhammed Shah of Sialkot ..	Sialkot ..	30	17th July, 1935.

MUNSHI AHMAD DIN, SHAHIDGUNJ PRISONER.

***5661. Chaudhri Afzal Haq:** Will the Honourable Finance Member be pleased to state—

- whether it is a fact that Munshi Ahmad Din was sentenced to two years' imprisonment at Lyallpur for making a speech in connection with the Shahidgunj affair;
- whether it is a fact that all Shahidgunj prisoners have been released;
- whether Munshi Ahmad Din also has been released;
- if not, why not?

The Honourable Sir Donald Boyd: (a) M. Ahmad Din was sentenced to 2½ years' rigorous imprisonment and fined Rs. 100.

(b) Prisoners convicted of offences directly connected with the Shahid-gunj agitation and not involving serious violence to person or property or abetment of such violence have been released.

(c) Yes.

(d) Does not arise.

MUNSHI AHMAD DIN SHAHIDGUNJ PRISONER.

***5662. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that Munshi Ahmad Din was sentenced to two years' imprisonment at Lyallpur for delivering a speech in connection with the Shahidgunj affair ;

(b) whether it is a fact that Munshi Ahmad Din was given C class ;

(c) whether it is a fact that the said Munshi Ahmad Din in his last previous conviction was treated as a B class prisoner ;

(d) if so, the reasons for the different treatment meted out to the same person on two occasions ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Yes.

(c) Ahmad Din, Qasab, was convicted in the Lahore district in April 1929, on a charge under section 124-A., Indian Penal Code and again in Amritsar in August, 1933, under sections 332/324, Indian Penal Code. On the first occasion he appears to have been placed by the convicting court in the special class as it was then termed. It has not been possible, in the limited time available, to verify whether or not the magistrate's classification was confirmed by the local Government. So far as I have been able to ascertain at short notice, he was not given the superior classification on the occasion of his conviction in 1933.

(d) As I have indicated, it has not been verified whether the local Government accepted the proposal of the court in 1929 to place the prisoner in the special class. In any case the rules on the subject then were different in several respects from those now in force.

MURDERS FOR REASONS OF SEX.

***5663. Rai Sahib Lala Gopal Das :** Will the Honourable Finance Member kindly state the number of murders committed for reasons of sex in this province year by year during the last 5 years ;

(a) of boys ;

(b) of unmarried women ;

(c) of married women ?

The Honourable Sir Donald Boyd : I regret that the answer to this question is not yet ready.

INSPECTION ROADS ON PATTI-RAJBABA.

***5664. Chaudhri Faqir Husain Khan:** Will the Honourable Revenue Member kindly state—

- (a) the width of the Patti rajbaha from burji No. 20 to 80 on the Jandiala division;
- (b) whether the width mentioned in (a) differs at different places;
- (c) whether it is a fact that the Irrigation Department is constructing an inspection road on the Patti Rajbaha at a higher level than the ground level;
- (d) the width of the inspection road and whether the construction of this road would involve an encroachment upon the lands of zamindars;
- (e) whether generally speaking the whole of the Patti Rajbaha is on a higher level than the ground level;
- (f) the width of the Patti Rajbaha and the width of the inspection road between Bharowal and Kot Muhammad Khan;
- (g) whether it is a fact that earth for the inspection road is being taken from the lands of zamindars;
- (h) whether any compensation has been paid to the zamindars mentioned in (g); if so, when and where;
- (i) whether it is a fact that owing to the removal of earth, the lands of zamindars around Bharowal and Kot Muhammad Khan have been rendered uncultivable;
- (j) whether the Irrigation Department is prepared to take steps for the levelling up of the lands mentioned in (i) at its own expense; if not, whether it is prepared to pay compensation to the zamindars concerned for the same;
- (k) the rules regarding the removal of earth from the lands of zamindars for annual repairs and for the construction of inspection roads?

The Honourable Nawab Muzaffar Khan: (a) The land-width of the Patti Distributary from R. D. 20,000 to R. D. 80,000 varies between 80 and 110 feet.

- (b) Yes.
- (c) Yes.
- (d) 12 feet: no.
- (e) Not more than other distributaries in the locality; it crosses two depressions each about one mile wide.
- (f) At Bharowal the land-width is 80 feet and at Kot Muhammad Khan it is from 100 to 110 feet. The width of the road is 12 feet throughout.
- (g) Some of the earth is being taken from zamindari land.
- (h), (i) and (j) No.
- (k) The honourable member is referred to paragraphs 4.10 and 4.11 of the Irrigation Manual of Orders.

DEEPENING OF PATTI RAJBABA.

***5665. Chaudhri Faqir Husain Khan :** Will the Honourable Revenue Member kindly state—

- (a) the names of places where the Patti Rajbaha has been deepened by the removal of *bahl* and the depth of such *bahls* ;
- (b) the discharge of water before the removal of *bahl* at the head and tail, respectively ;
- (c) the discharge of water at the head and tail, respectively, after the removal of *bahl* ;
- (d) the reduction in the discharge of outlets at places wherefrom the *bahl* was removed and the amount of loss sustained thereby by the zamindars ;
- (e) the names of villages which have suffered owing to the removal of silt ;
- (f) whether it is a fact that 8 feet of silt have been removed from the rajbaha opposite the road bridge near Bharowal ?

The Honourable Nawab Muzaffar Khan : (a) R. Ds. 25,000—37,000 and 50,000—55,000. Depth 1·0 foot.

			At Head. Cusecs.	At Tail. Cusecs.
(b) Before silt clearance	..	..	170	8·6
(c) After silt clearance	..	..	170	8·08
(d) Nil.				
(e) Does not arise.				
(f) No.				

REPAIRS TO UPPER BARI DOAB CANAL HEADWORKS.

***5666. Chaudhri Faqir Husain Khan :** Will the Honourable Revenue Member kindly state—

- (a) the dates on which the headworks of the Upper Bari Doab canal were last repaired ;
- (b) the date on which the Jandiala division was closed and the date on which it was re-opened ;
- (c) whether the Irrigation Department is prepared to conduct an enquiry into the extent of loss suffered by the wheat crop owing to a long closure of the canal, taking special note of the fact that there had been no rains when the canal closure took place ;

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(d) whether it is a fact that as a rule the repairs of canal headworks are not taken in hand until the rains have fallen ;

(e) if the answer to (d) above be in the affirmative, why a departure from the rule was made this year ?

The Honourable Nawab Muzaffar Khan : (a) 18th January, 1936 to 3rd February, 1936.

(b) Kasur Branch Upper was closed on 31st December, 1935, and was reopened on 15th February, 1936.

(c) No.

(d) In deciding a closure, the condition of the weather and state of crops is taken into consideration, but it is not necessary that there must be a rain before a closure is ordered.

(e) Does not arise.

MIRZA HAMIDULLAH BEG OF PATTI AND BREACH IN RASULPUR RAJBABA.

***5667. Chaudhri Faqir Husain Khan :** Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that Mirza Hamidullah Beg of Patti, district Lahore, sent two notices on different dates to the Executive Engineer, Jandiala division, informing him that the border of the Rasulpur Rajbaha was weakening at certain points and that in the event of a breach on the said rajbaha his land would become uncultivable ;

(b) whether it is a fact that the rajbaha breached at the points mentioned in the notices and that Mirza Hamidullah Beg has given notice to the Secretary of State for the grant of damages ;

(c) whether it is a fact that the Executive Engineer has proposed a reduction in the water supplied to the garden attached to the bungalow of Mirza Hamidullah Beg and the canal permit granted to Mirza Hamidullah Beg has been cancelled ;

(d) if the answers to (a), (b) and (c) above be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) One such notice only, on 18th August, 1934, was received by the Executive Engineer alleging that the bank of Rasulpur Distributary in portions between R. Ds. 59,000 and 62,000 was weak.

The bank was found to be sufficiently strong.

(b) The Distributary was breached in this reach in 1933 ; again at R. D. 59,520 on the night of 17th-18th October, 1934, and yet again at R. D. 59,475 on the night of September 10th-11th in the following year.

On 19th February, 1935, and 18th October, 1935, respectively, notices were received claiming damages of Rs. 948-2-6 and Rs. 1,500. Both were subsequently withdrawn.

(c) It is not proposed to reduce the permissible supply to the garden in question which is less than one acre in area but an amalgamation of the outlet at R. D. 58,747 with that at R. D. 58,085 is contemplated. A canal permit has not been renewed for the current year.

(d) None.

SMALL TOWNS ELECTRIC SUPPLY SYNDICATE, MUZAFFARGARH.

***5668. Lala Jyoti Prasad:** Will the Honourable Member for Revenue be pleased to state whether the attention of Government has been drawn to the request of the inhabitants of Muzaffargarh regarding the affairs of the Small Towns Electric Supply Syndicate, Muzaffargarh, as reported by the Urdu papers, the daily *Vir Bharat* of 15th January, 1936, page 15, columns 1 to 4, lower half of the page and the daily *Hindu* of 20th January, 1936, page 10, columns 1 to 2; if so, what action, if any, Government proposes to take to safeguard the interests of the public?

The Honourable Nawab Muzaffar Khan: Yes. I have now seen the article in the *Vir Bharat*, dated the 15th January and the *Hindu*, dated the 20th January, 1936. A licence has already been granted to the Small Towns Electric Supply Syndicate, Multan, and Government do not propose to take any further action.

SMALL TOWNS ELECTRIC SUPPLY SYNDICATE, MUZAFFARGARH.

***5669. Lala Jyoti Prasad:** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the Small Towns Electric Supply Syndicate did not lodge the usual security deposit required under the provisions of the Muzaffargarh Electric Licence, 1935, in due and proper time, but lodged it about 6 weeks later;
- (b) whether it is a fact that the Syndicate is extracting payment from the local bodies of Muzaffargarh, the District Board and the Municipal Committee, for its compulsory lines, which procedure is against the provisions of the Indian Electricity Act, 1910, an all-India measure, this Council being precluded from altering their ruling;
- (c) if answers to (a) and (b) be in the affirmative, whether Government proposes to consider the question of revoking the licence granted to the Syndicate?

The Honourable Nawab Muzaffar Khan: (a) Yes.

(b) It is a fact that the District Board, Muzaffargarh, have, subject to certain terms and conditions, agreed to defray the cost of some of the Compulsory Lines. This was a matter of private arrangement between the

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Syndicate and the District Board and Government are not aware of any provisions of the Indian Electricity Act, 1910, which preclude the arrangement.

(c) Does not arise

TUBERCULOSIS CASES, LUDHIANA CITY.

***5670. Khwaja Muhammad Eusoof:** Will the Honourable Minister for Education kindly state—

- (a) whether tuberculosis cases in Ludhiana city have tended to increase during recent years ;
- (b) whether tuberculosis cases in large numbers are treated in the Memorial Hospital and the Garden Sanatorium attached thereto, both being in the city ;
- (c) whether it is a fact that the treatment of tuberculosis cases inside the city is considered to be injurious to the general health of the town ;
- (d) whether the Municipal Committee, Ludhiana, recommended to Government that the Ludhiana Fort may be made over to Dr. Edith Brown, D.B.E., who is willing to establish a tuberculosis hospital and sanatorium in the fort ;
- (e) the steps Government intends to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon: (a), (b) and (c) Yes.

(d) No such proposal has been received from the Municipal Committee, Ludhiana. The Inspector-General of Civil Hospitals, Punjab, has, however, addressed Government in the matter.

(e) The Hosiery Institute of the Industries Department, which occupies the Fort at present, cannot surrender it unless some other suitable building at Ludhiana is made available for the Institute. There is at present no such building available.

Khwaja Muhammad Eusoof: Is Government trying to get any building for the Institute ?

The Honourable Malik Sir Firoz Khan Noon: I am afraid I cannot answer that question. The building is not in my charge and I cannot provide the funds. The Fort is in the charge of my colleague on the left.

The Honourable Dr. Sir Gokul Chand Narang: I cannot surrender the Fort ; I shall hold it (*Laughter*).

RECRUITMENT FOR THE PROVINCIAL SERVICE.

***5671. Diwan Bahadur Raja Narendra Nath:** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the system of recruitment for the Provincial Service by competition was introduced by Sir Charles Aitchison, more than 50 years ago ;

(b) if so, the proportion of these appointments thrown open to competition in the first 10 years of the introduction of the system and the proportion of posts recruited by competition during the last 10 years;

(c) what system of recruitment for subordinate judges is now observed by the High Court?

Mr. F. H. Puckle (Chief Secretary): (a) Yes.

(b) Fifty per cent. in the first ten years of the introduction of the system. The proportion of appointments thrown open to competition during the last 10 years is on an average 15 per cent., but it is now the definite policy of Government to fill up 25 per cent. of the vacancies in the P.C.S. (Executive Branch) cadre by competition.

(c) The honourable member is referred to—

(i) the rules contained in Chapter 20-A of Volume I of the High Court Rules and Orders, a copy of which is in the Council Library; and

(ii) the reply given to question No. *4591¹ asked by Rao Bahadur Chaudhri Chhotu Ram in the last session of the Council.

DEBT CONCILIATION BOARDS.

***5672. Diwan Bahadur Raja Narendra Nath:** Will the Honourable Member for Finance be pleased to state—

(a) how many Conciliation Boards have been appointed under the Punjab Relief of Indebtedness Act;

(b) the personnel of each Board;

(c) in how many cases these Boards have brought about a settlement between the creditor and the debtor by cash payment;

(d) what proportion the amount paid in cash in each case bore to the amount claimed;

(e) how the money paid in cash by the debtor in each case was raised; if by loan, whether the new creditor in each case was a statutory agriculturist?

The Honourable Sir Donald Boyd: (a) Four.

(b) The honourable member is asked to refer to the reply given to question No. *5336,² asked by Rao Bahadur Chaudhri Chhotu Ram in the current session of the Council.

(c) Forty.

(d) Details are given in the attached statement.

(e) No information is available on these points.

¹Volume XXVII, page 100.

²Page 293 ante.

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Statement showing cases in which Debt Conciliation Boards have brought about settlement by cash payment (up to 29th February 1936).

Serial No.	Name of Board.	Proportion of cash payment to the amount claimed.	Serial No.	Name of Board.	Proportion of cash payment to the amount claimed.
1	Panipat ..	15 %	22	Amritsar ..	62%
2	Do. ..	100%	23	Do. ..	58%
3	Do. ..	100%	24	Do. ..	94%
4	Do. ..	2%	25	Do. ..	55%
5	Do. ..	10%	26	Do. ..	70%
6	Do. ..	16%	27	Do. ..	65%
7	Do. ..	2%	28	Do. ..	83%
8	Do. ..	40%	29	Do. ..	44%
9	Do. ..	71%	30	Do. ..	80%
10	Do. ..	11%	31	Do. ..	57%
11	Do. ..	10%	32	Do. ..	98%
12	Do. ..	7%	33	Do. ..	33%
13	Do. ..	9%	34	Do. ..	78%
14	Do. ..	56%	35	Do. ..	44%
15	Do. ..	8%	36	Do. ..	89%
16	Do. ..	66%	37	Do. ..	33%
17	Do. ..	13%	38	Do. ..	45%
18	Do. ..	24%	39	Do. ..	54%
19	Do. ..	60%	40	Do. ..	44%
20	Do. ..	11%	41	Jhang ..	} No settlements brought about by cash payment.
21	Do. ..	25%	42	Garh Shankar	

RAI BAHADUR LALA ARJAN DAS, DEPUTY COMMISSIONER, HISSAR.

***5673. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Revenue Member kindly state—

(a) the period during which Rai Bahadur Lala Arjan Das was Deputy Commissioner of the Hissar district;

- (b) the number of zaildars and lambardars suspended or dismissed community-wise ;
 (c) the number of new zaildars and lambardars appointed ;
 (d) the number of Muslims murdered ;
 (e) the number of murders that remained untraced ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (c) A statement is laid on the table.

(d) and (e) The honourable member's question appears to imply that Rai Bahadur Arjan Das was responsible for the murders remaining untraced. Such an implication is unwarranted and should not have been made by the honourable member.

(a)

From 16th April 1931 to 16th December 1933.

(b).

	SUSPENDED.			DISMISSED.		
	Hindus.	Muham- madans.	Total.	Hindus.	Muham- madans.	Total.
Lambardars ..	7	6	13	9	8	17
Zaildars.. ..	1	3	4	..	..	..

(c).

	APPOINTED.		
	Hindus.	Muhammadans.	Total.
Lambardars	35	16	51
Zaildars	7	7	14

ARABIC IN BANGA SCHOOL.

***5674. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Arabic is no longer taught in Banga school, tahsil Nawanshehr, district Jullundur ;
 (b) whether it is a fact that the Muslims of Banga protested against this action of the school authorities and that a number of resolutions to this effect were forwarded to the Government ;
 (c) if so, what action the Government propose to take in the matter ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

ROAD TO KULU.

***5675. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether the attention of Government has been drawn to the letter "The road to Kulu" in the *Civil and Military Gazette* of 25th December, 1935;
- (b) if so, what action, if any, has been taken on the suggestions made in it?

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

(b) The whole question of communications in this area has been dealt with in the Road Development Programme which is under consideration of Government and it is yet too early to make any statement on the subject.

ROAD TO KULU.

***5676. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that the proposed motor road from Simla to Oot and thence on to Kulu is not practicable because of the high cost of construction and the Jalori pass being under snow for four months in the year;
- (b) if so, whether Government proposes to consider the advisability of adopting the alternative route of Rupar, Nalagarh, Suket, Mandi, Oot and Kulu which will cost comparatively less than the Simla route?

The Honourable Sardar Sir Jogendra Singh : (a) The Road Development Programme is under consideration of Government and it is too early yet to make any definite statement on the subject.

(b) The question does not arise in view of the reply to (a) above.

GHATTA-MANDI MOTOR ROAD.

***5677. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the present position with respect to the negotiations with Mandi State regarding the present Ghatta-Mandi motor road;
- (b) what sum or sums of money, if any, are due and for which periods, with respect to the maintenance or construction of any road in the Mandi State;
- (c) what steps have been taken to recover any sums due to the local Government?

The Honourable Sardar Sir Jogendra Singh : (a) Negotiations with the Mandi Durbar for taking over the Ghatta-Mandi Road have broken down.

(b) Rs. 16,000, at the rate of Rs. 1,000 a year for the last sixteen years.

(c) The Durbar is being approached through the Agent to the Governor-General, Punjab States.

AGRICULTURAL IMPROVEMENTS, KULU VALLEY.

***5678. Lala Jyoti Prasad:** Will the Honourable Minister for Agriculture be pleased to state whether it is a fact that the Agricultural Department have practically given up hopes of improving agricultural matters in the Kulu Valley until something is done to settle the Ghatta-Mandi motor road question and bring down transit charges?

The Honourable Sardar Sir Jogendra Singh: No.

STUDENTS IN LAW COLLEGE.

***5679. Lala Jyoti Prasad:** Will the Honourable Minister for Education be pleased to state—

(a) the number of scholars community-wise in the Law College on 21st January, 1935, and 1936;

(b) the amount of income from students of different communities from fees, etc., during the years ending with 31st December, 1935, and 1936?

The Honourable Malik Sir Firoz Khan Noon: (a) The number of scholars community-wise was as follows:—

	Hindus.	Muslims.	Sikhs.	Christians.	Parsis.	Depressed class Hindus.
Number on 21st January, 1935	661	300	183	5	2	2
Number on 21st January, 1936	549	291	205	8	1	2

(b) The following is the approximate amount of income from fees, etc., received from students of different communities during the year ending with 31st December, 1935:—

	Rs.
Hindus	91,800
Muslims	46,713
Sikhs	30,569
Christians	1,183
Parsis	187
Depressed class Hindus	Nil

Figures regarding income for the year ending with 31st December, 1936, will be available in the beginning of January, 1937.

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 Junior Vernacular and Senior Vernacular classes of different normal schools in the province community-wise;
- 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 Malik Sir Firoz Khan Noon: (a) and (b) A statement giving the required information is laid on the table.

(c) The information is being collected and will be supplied later on.

Statement showing admission made to J. V. and S. V. classes during 1935-36.

Class.	HINDUS.			MUSLIMS.			SIKHS.			OTHERS.		
	Total.	Agriculturists.	Non-Agriculturists.	Total.	Agriculturists.	Non-Agriculturists.	Total.	Agriculturists.	Non-Agriculturists.	Total.	Agriculturists.	Non-Agriculturists.
Junior Vernacular.	44	24	20	135	123	12	7	4	3	6	3	3
Senior Vernacular.	19	10	9	64	61	3	6	4	2	1	..	1

PRIMARY SCHOOLS.

***5681. Lala Jyoti Prasad:** Will the Honourable Minister for Education be pleased to state—

- the number of primary schools, and of those middle or high schools situated in the urban and rural areas respectively in which there are primary departments;
- the number of students reading in the primary departments of the various schools separately;
- the number of teachers working in the various schools in the primary departments separately;
- the annual demand for trained teachers by these schools separately?

The Honourable Malik Sir Firoz Khan Noon: The time and labour required to collect the information would be out of all proportion to its value.

If the honourable member can state why he requires the information or what particular point he wishes to emphasise, an attempt will be made to satisfy him.

JUNIOR VERNACULAR AND SENIOR VERNACULAR TEACHERS.

***5682. Lala Jyoti Prasad :** With reference to his reply to question No. *8548¹, will the Honourable Minister for Education be pleased to state—

- (a) the number of Junior Vernacular and Senior Vernacular teachers serving in towns and cities in the province community-wise ;
- (b) the total number of students reading in (i) urban schools, (ii) rural schools ;
- (c) whether there is any arrangement for training Junior Vernacular and Senior Vernacular teachers specially to handle urban students ;
- (d) if answer to (c) is in the negative, what action Government proposes to take in the matter in view of the large number of students in the urban schools ?

The Honourable Malik Sir Firoz Khan Noon : (a) The information is being collected and will be supplied when ready.

(b) (i) *Urban—*

Primary	..	..	..	..	97,699
Middle	..	..	..	..	34,998
High	..	..	..	..	18,056

(ii) *Rural—*

Primary	..	..	..	..	270,057
Middle	..	..	..	..	410,807
High	..	..	..	..	17,566

(c) and (d) The scheme of studies followed in schools in rural and urban areas is much the same and the present type of Junior Vernacular and Senior Vernacular teachers are competent to teach students in urban schools.

—

RECOGNITION OF SANATAN DHARAM SCHOOL, GUJARKHAN, AND ISLAMIA HIGH SCHOOL, KUNJAH.

***5683. Lala Jyoti Prasad :** With reference to question No. *8550², will the Honourable Minister for Education please state—

- (a) whether Rai Sahib Lala Rattan Lal merely forwarded the application of Islamia High School, Kunjah, or expressed any opinion thereon and whether that opinion was in favour or against the school being recognised ;
- (b) the opinion in the matter of Mr. Barry, who succeeded him as Inspector of Schools, Rawalpindi division ;
- (c) whether there was any adverse report from the Deputy Commissioner about the recognition of Sanatan Dharam High School at Gujarkhan ;
- (d) the proportion of Hindu students to the total number in the Gujarkhan tahsil ;
- (e) how many institutions under each community there are in the Gujarkhan tahsil ?

¹Volume XXV, page 379.

²Volume XXV, page 380.

The Honourable Malik Sir Firoz Khan Noon: (a), (b) and (c) The opinions expressed by officers referred to in the question put by the honourable member are regarded as confidential. The Government (Ministry of Education) do not think it in the public interest to disclose them.

(d) and (e) The information is not available and is being obtained.

LITERACY.

***5684. Lala Jyoti Prasad:** With reference to his reply to question No. *3551¹, will the Honourable Minister for Education kindly state—

- (a) the percentage of literacy in each division of the province ;
- (b) whether Government proposes to take any steps to encourage education in the divisions where the percentage is comparatively low ?

The Honourable Malik Sir Firoz Khan Noon: (a)—

Ambala	..	..	..	..	4.2
Jullundur	..	..	..	..	6
Lahore ..	..	..	..	..	6
Rawalpindi	..	..	..	..	5.6
Multan ..	..	..	..	..	4.4

(b) Government is doing its best to achieve the object but is handicapped by lack of funds.

COMPLAINT BY MURARI LAL SAIGAL AGAINST INSPECTOR OF POLICE, HANSI.

***5685. Lala Jyoti Prasad:** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that one Murari Lal Saigal of Hansi in the Hissar district submitted a complaint in writing, dated the 1st February, 1936, to the Deputy Commissioner, Hissar, against the maltreatment meted out to him by the Inspector of Police at the Hansi thana ;
- (b) if so, whether he will lay a copy of it on the table ;
- (c) whether any enquiry was made by the Deputy Commissioner, Hissar, into the allegations made in that complaint and the result of that enquiry ;
- (d) if no enquiry has been made, the reasons for the same ?

The Honourable Sir Donald Boyd: (a) Yes.

(b) A copy is laid on the table.

(c) Yes. It was ascertained that Murari Lal Saigal is one of the accused in the case known as the Hansi torture case, which has now been sent for

trial. He was not illegally arrested or detained in the lock-up. Further enquiry is being made regarding the allegations made in his petition.

(d) Does not arise.

Copy of an application, dated the 1st February, 1936, from Murari Lal, Saigal, of Hansi, in the Hissar District, to the Deputy Commissioner, Hissar District.

Most humbly and respectfully I beg to submit the following few lines for your kind and immediate consideration :—

On 29th January, 1936, at 7-20 P. M., I was about to take my evening meals when a foot constable came to my house and told me that I was wanted by the sub-inspector, police station Hansi, immediately, for a few minutes and that I should accompany him forthwith as I would be allowed to return soon. I asked him to wait a while so that I might take my meals but he insisted on my accompanying him without taking food. I enquired if I was wanted by the inspector but the constable told me that he was not there at all and only the sub-inspector wanted to make some enquiry. As a precautionary measure I picked up Lala Gulab Singh and Lala Uttam Chand, pleaders, Hansi, on the way from their places and they waited outside the police station. When I went in I found the Inspector of police also there who informed me that I was under arrest. I told him that I had not been given any opportunity to take my meals even and I had distinctly been told by the constable that you were not here and that the sub-inspector only wanted to make some enquiry. However I told him that the two lawyers were sitting outside in a tonga and that they might be sent for to stand as my sureties. One foot constable went outside and asked them to go away and even shut the doors of the police station. I remained waiting for about 5 minutes but finding that they had not turned up I asked for permission to go out with a constable to call them but permission was refused. I was thus detained for a pretty long time and I eventually told the Inspector that it was a very strange position which the police was adopting towards me. I was being kept Under detention when my sureties were standing outside. On this after some delay another foot constable was sent and the lawyers came in. They informed the Inspector of the treatment meted out to them and even the tonga driver being threatened and ordered to go away. They also told him how the doors were shut upon them and they were refused admission in the thana. They also protested against the humiliating treatment meted out to them. The Inspector sent for the foot constable who told him that he had done so under the orders of the Diwan. It is much to be regretted that the Inspector very lightly passed over the incident.

On my return after having furnished bail I found that the tonga had been sent away by the constable and we had therefore to come on foot to the town. It is respectfully submitted that the whole affair was a contrivance to deprive me of an opportunity to furnish bail and put me in the lock-up and was done in pursuance of a deliberate design, as the local police bears great enmity towards me for having brought to light their several misdoings through the press and having complained against them to the higher authorities. I am an eye-sore to them on this account and they are anxiously trying to seize an opportunity to put me in the lock-up. This is how matters are going on in Hansi police station and there seems to be no security of the dignity of respectable persons in this police station.

I shall, therefore, feel highly obliged if you kindly order immediate enquiry into the matter and take suitable action against the persons at fault.

Hoping my application will receive favourable consideration at your hands.

DISAPPEARANCE OF THE DAUGHTER OF TULSI RAM, HANSI.

***5686. Lala Jyoti Prasad :** Will the Honourable Member for Finance kindly state—

(a) whether it is a fact that one Tulsi Ram, tailor, son of Mohkam of Hansi, in the Hissar district, submitted a representation

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to the effect that his daughter, Mussammat Bhagwati, aged about 10 years, who was missing with one other girl of Hansi since 11th January, 1935, had not died as the police stated ;

- (b) if so, whether he will lay a copy of it on the table ;
- (c) whether it is a fact that one of these girls with some thirty other girls was traced and found in the jungles of Montgomery, Multan, Lyallpur and Sheikhpura from the gangs of *bazigars*, by a Sub-Inspector of Police, Hissar ;
- (d) whether any further efforts have been made by the police or the Criminal Investigation Department after the representation mentioned in (a) to find out any clue of Tulsi Ram's daughter ;
- (e) if no efforts have been made, the reasons for the same ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) A copy is laid on the table.

(c) Yes. The whole matter has been under investigation by a special police staff and a number of cases have been sent for trial.

(d) Yes. Enquiries of the Criminal Investigation Department established the fact that the girl died a natural death at village Mustafabad in the Montgomery district (police station Hujra).

(e) Does not arise.

Representation, dated the 23rd January, 1936, from Tulsi Ram to His Excellency the Governor, Punjab.

With due respect and humble submission I beg to submit as follows :—

- (1) That on 11th January, 1935, at about 4 P. M., my daughter named Bhagwati then aged about 9½ years and another girl, named Sita, daughter of Jotipershad Mahajan, were kidnapped from this place at one time. My above said daughter bears a big scar on her forehead, another scar on her belly, has her name tattooed in Devanagiri script on her hand and possesses a fair complexion.
- (2) That Sita, daughter of Jotipershad Mahajan, and one of the kidnapped girls has been recovered by the Police of the Hissar district in November last from certain jugglers in the Montgomery district but my daughter Bhagwati has not been recovered yet.
- (3) It is alleged by the Police as a result of their investigation, that my daughter has died of pneumonia after an illness lasting for about 15 days in village Mustafabad, police station Hujra in Montgomery district. It is also said that this information has been given by some Amir Ali Shah, zaildar of the said village. To fix the identity of the girl it is also alleged that the girl who has died was the daughter of a tailor of Hansi and her name was given out as Thukri, and the dead body of the girl was buried in that village according to Muhammadan rites.
- (4) The circumstances of the case are so suspicious that it does not appeal to a reasonable mind that my daughter has died. It was the duty of the said Amir Ali Khan as a zaildar to report the matter to the local police before burial when a stranger girl had died in his village. But no such report was given. In fact this is for the first time that this information was given out. It appears that the story of the death and burial of the girl is all a got-up affair, invented for the purpose of hushing up this serious matter. The fact that he states that the girl was the daughter of a tailor of Hansi shows that he was fully in the know of the whole affair of kidnapping or at least it should have raised a suspicion in his mind as to how a minor Hindu girl of Hansi happened to come there. Burial of a Hindu girl according to Muhammadan rites also raises a strong suspicion. The fact that the other kidnapped girl has been recovered from this very district strengthens the doubt that the other girl has been disposed of under suspicious circumstances.

- (5) It is my honest and firm conviction that my daughter has not yet died. The story has been invented by the said Amir Ali Shah with a view to screen himself and other accomplices. It appears that either the girl has been murdered or has been disposed of to somebody else or is being concealed somewhere. The circumstances are so suspicious as call for a searching enquiry into the matter. The said Amir Ali Shah seems to have an active hand in the matter and drastic action should immediately be taken against him. If suitable action is taken against him it is very likely that the girl may be recovered.

I, therefore, humbly pray that as the said Amir Ali Shah is said to be an influential and a rich man and will not easily let things come to light some honest, strong and responsible officer, preferably some Criminal Investigation Department officer be specially deputed to make a thorough and a searching enquiry into the matter. I shall ever pray for your long life and prosperity.

EDUCATION DEPARTMENT.

***5687. Lala Jyoti Prasad :** Will the Honourable Minister for Education please—

- (a) place on the table the following statistics :—

The annual expenditure incurred by the Education Department of the Punjab Government in respect of—

- (i) Primary education ;
 - (ii) Secondary education ;
 - (iii) Arts colleges ;
 - (iv) Professional colleges ;
 - (v) Supervision and management during the years 1921-22, 1922-23, 1923-24, 1924-25, 1925-26, 1926-27, 1927-28, 1928-29, 1929-30 and 1930-31 ;
- (b) state the number of students who passed their examinations in the primary, secondary and arts colleges and professional colleges annually during the period mentioned in (a) ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the answer to this question is not ready.

JAILS COMMITTEE REPORT.

***5688. Chaudhri Afzal Haq :** Will the Honourable Member for Finance kindly state—

- (a) whether his attention has been drawn to paragraphs 50, 53 and 54 of the Indian Jails Committee Report, 1925, recommending :—

- (1) the separation of all executive from clerical work throughout ;
 - (2) relieving the jailor (deputy superintendents) of clerical work and of direct responsibility of stores and maintenance of books and registers ;
 - (3) prohibiting the practice of making retrenchments and recoveries from the deputy superintendents ;
- (b) if the replies to (1), (2) and (3) be in the affirmative, whether Government proposes to give effect to these recommendations ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) Government have accepted in principle the recommendation made in paragraph 50 of the report of the Indian Jails Committee, 1919-20, for the division of jail staff into two branches, executive and clerical, and have carried out the division in the Lahore Central Jail, the Rawalpindi and Ludhiana District Jails and the Amritsar Subsidiary jail. Proposals for extending the scheme to other jails are under preparation. It will not be possible to make the necessary amendments in the Punjab Jail Manual until the new scheme has been brought completely into operation. The ultimate effect of the scheme will be to relieve the Deputy Superintendent of most of the clerical work in connection with stores and accounts, but he will continue to be responsible as before for supervising these branches of the jail administration.

JAILS COMMITTEE REPORT.

***5689. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the Indian Jails Committee in paragraph 50 and the Enquiry Committee in paragraphs 27 and 28 strongly recommended the separation of the executive and clerical staff ;
- (b) whether the above recommendation was experimentally tried in some jails for a couple of years or so ;
- (c) whether Government is contemplating to extend the clerical scheme in other jails also ?

The Honourable Sir Donald Boyd : This has been dealt with in the reply to the preceding question.

JAILS COMMITTEE REPORT.

***5690. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the Indian Jails Committee in paragraph 54 and the Enquiry Committee in paragraphs 27 and 28 strongly and in detail condemned the duties and responsibilities which the existing Jails Manual places upon the jailors (deputy superintendents) and recommended that by carefully revising the details of duties he should be so relieved of clerical work that he may be able to spend a large portion of his time outside his office on direct administration and control of the jail ;
- (b) whether the Punjab Jails Manual was revised in 1932 or 1933 ;
- (c) whether, while revising the Jails Manual, the above recommendations were ignored and the duties and responsibilities (clerical and stores) of a jailor (deputy superintendent) are practically the same which were before 1919 when the Indian Jails Committee reported on the matter and made recommendation thereon ;

- (d) whether the deputy superintendent by virtue of his office only is held responsible for all stores, maintenance of accounts and registers?

The Honourable Sir Donald Boyd : (a) and (c) This has been dealt with in the reply to question *5688¹.

(b) Yes.

(d) The honourable member is invited to refer to paragraph 224 of the Punjab Jail Manual.

DOGARS OF ROHTAK DISTRICT AS AGRICULTURISTS.

***5691. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the Dogars of the Rohtak district are not notified as agriculturists ;
- (b) whether the Dogars all over the rest of the province are classified as agriculturists ;
- (c) whether the Mahtam tribe is a notified agriculturist tribe and whether ten persons from the Mahtam tribe in the Jullundur district are classified as agriculturists ;
- (d) whether it is a fact that even one person of the Taga tribe in Ambala district is classified as a notified agriculturist ;
- (e) if so, why the Dogars of the Rohtak district are not notified as agriculturists ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) No.

(c) Mahtams are notified in seven districts only. As regards their number in the Jullundur district a reference is invited to the census report of 1931.

(d) No.

(e) The honourable member is referred to the reply given to part (d) of his question No. *3470².

DEMOLITION OF BUILDINGS BELONGING TO MUSLIMS.

***5692. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that certain buildings in possession of the Musalmans outside Ram Bagh, Amritsar, were demolished and sites taken possession of by the Amritsar Municipality, under orders of the Deputy Commissioner, Amritsar ;
- (b) whether it is a fact that the Deputy Commissioner, Amritsar, now proposes to demolish some of the other buildings in possession of the Musalmans situated outside Hathi Gate, Amritsar ;

¹Prepage.

²Volume XXV, pages 245-46.

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(c) whether it is a fact that the Government and Municipality have dealt leniently in case of similar buildings in possession of other communities ;

(d) whether Government proposes to mete out to Muslims the same treatment in respect of such buildings as they have meted out to other communities ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not yet ready.

DEMOLITION OF BUILDINGS BELONGING TO MUSLIMS IN AMRITSAR.

***5693. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that certain buildings in possession of Musal-mans outside Ram Bagh, Amritsar, were demolished by order of the Deputy Commissioner, Amritsar ;

(b) whether it is a fact that some of the buildings so demolished included those which were used as sacred places by the members of the Shia community for taking out *Alam* and the licence to that effect was shown to the officers who came to demolish the buildings ;

(c) whether there are any other similar buildings rented out to the members of other communities for a nominal rent ;

(d) if so, why Government did not rent out those buildings to the Shia community as was done in the case of other communities in similar cases ?

The Honourable Nawab Muzaffar Khan : I regret that the answer to this question is not yet ready.

VOTERS IN BAGHBANPURA-cum-BHOGI WAL MUNICIPALITY.

***5694. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government kindly state—

(a) whether it is a fact that there is a wide disparity in the numbers of voters in the different wards of Baghbaupura-cum-Bhogiwal Municipality ;

(b) whether it is a fact that some wards of the said Municipality have 1,000 voters whereas others have only 250 ;

(c) what action Government proposes to take in order to remove this inequality in the number of voters in the various wards ?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) A list containing the number of voters in each ward is laid on the table.

(c) The Commissioner is being asked to look into the matter.

A list containing the number of voters in each ward.

Ward No. 1	..	..	..	..	276
Ward No. 2	..	..	..	..	414
Ward No. 3	..	..	..	..	843
Ward No. 4	..	..	..	..	492
Ward No. 5	..	..	..	..	859
Ward No. 6	..	..	..	..	781
Ward No. 7	..	..	..	..	204
Ward No. 8	..	..	..	..	568
Ward No. 9	..	..	..	..	879

OCTROI IN BAGHBANPURA-cum-BHOGI WAL MUNICIPALITY.

***5695. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government kindly state—

- whether it is a fact that the residents of the Baghbanpura-cum-Bhogiwal Municipality have for the last five years been repeatedly requesting Government to substitute octroi in place of house tax in order to rehabilitate the finances of the Municipality which are at present in a deplorable state ;
- whether Government has agreed to the substitution ;
- if the answer to above be in the affirmative, what action is being taken and how much time will be required to bring the octroi system in force in the said Municipality ;
- if the answer to the above be in the negative, on what grounds Government has refused to accede to this request ?

The Honourable Dr. Sir Gokul Chand Narang : (a), (b), (c) and (d) No such request has been received from the residents of the municipality, but the Municipal Committee sent up a proposal for the imposition of terminal tax in place of the house-tax. The sanction of the Government of India is required for the imposition of terminal tax in a municipality where octroi was not in force on or before the 6th July, 1917, but as such sanction had recently been refused in a similar case, the Government of India was not asked to sanction it in the case of Baghbanpura. The possibilities of introducing octroi were also explored, but the local officers were of opinion, and the Government agreed with them, that the proposal is inappropriate. The municipality includes within its limits a portion of the Grand Trunk road and the erection of octroi barriers in addition to the Lahore municipal terminal tax barrier would create an intolerable nuisance for through traffic. The possibility of making a joint terminal tax area by combining the Baghbanpura municipal area with the Lahore terminal tax area was also considered, but was rejected as the Lahore Municipal Committee would not agree.

SANITATION IN BAGHBANPURA-cum-BHOGI WAL MUNICIPALITY.

***5696. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government kindly state—

- whether it is a fact that there are no arrangements in the Baghbanpura-cum-Bhogiwal Municipality for the disposal of

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night-soil and cattle refuse and the zamindars have made private sheds for storing cattle dung;

- (b) what action Government propose to take to end this state of affairs in the interests of good sanitation?

The Honourable Dr. Sir Gokul Chand Narang: (a) No.
(b) Does not arise.

HONORARY MAGISTRATES, HOSHIARPUR.

***5697. Chaudhri Afzal Haq:** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that the Deputy Commissioner, Hoshiarpur, has recommended the appointment of three new honorary magistrates;
- (b) whether it is a fact that all of those persons so recommended are non-agriculturists;
- (c) what steps Government proposes to take in the matter to give proper representation to the agriculturists of Hoshiarpur?

The Honourable Sir Donald Boyd: It is not in the public interest to disclose the contents of correspondence between Government and its officers on such subjects.

REWARD GRANTS.

***5698. Mian Nurullah:** Will the Honourable the Revenue Member be pleased to state—

- (a) the object underlying the civil non-official reward grants;
- (b) whether it is a fact that the reward grants were made in lieu of services rendered with a view to extend a helping hand to those persons who had helped the administration in one form or another;
- (c) the total amount, a reward grantee in Rakh Pir Mahal is required to pay per square for—
(i) acquiring occupancy rights,
(ii) acquiring proprietary rights;
- (d) in case the payment of *nazrana* is not suspended any year, the amount of annual instalments of *nazrana* per square that is chargeable from the reward grantees;
- (e) the average amount of annual lease money per square which Government received for its land in Rakh Pir Mahal, leased out on tender system in the years—
(i) 1933-34,
(ii) 1934-35;
- (f) the average amount of land revenue, *abiana* and *malikana* per square which a reward grantee has to pay every year besides the *nazrana* instalments;
- (g) whether Government is aware of the grievance that the *nazrana* instalments cannot be paid out of the income of the grants;

- (h) whether Government is aware that in many cases of reward grantees in Rakh Pir Mahal, orders for confiscation of grant lands and attachments of standing crops were issued and are being issued for non-payment of *nazrana* instalments ;

- (i) what action Government intends to take to meet the situation ?

The Honourable Nawab Muzaffar Khan : As the answer is lengthy I lay it on the table.

Mian Nurullah : I would suggest that the answer be read as otherwise I may not be able to put supplementary questions to elucidate any further information arising from the answer.

Mr. President : The honourable member may give another notice of the question.

(Answer to Question No. *5698.)

(a) and (b) The grants were given as a reward for service to Government and the administration and for other forms of public service.

(c) (i) Rs. 1,668-12-0.

(ii) Rs. 2,085-15-0, if paid in a lump sum,

Rs. 1,668-12-0, if paid by instalments,

in addition to the sum payable for the acquisition of occupancy rights.

The amounts stated above exclude charges on account of *malikana*, which forms a part of the price payable by these grantees for acquiring occupancy rights, and continues till the full amount for acquiring proprietary rights has been paid.

(d) Rs. 278-2-0. This payment is a step towards the acquisition of proprietary rights.

(e) (i) Rs. 102.

(ii) Rs. 106. These payments are on account of rent only. Moreover, the land leased was much inferior to that granted to the reward grantees.

(f) This depends upon the area matured each harvest.

The rate of land revenue is Rs. 3 per matured acre.

Occupiers' rate is the same as in the rest of the province.

The sanctioned rate of *malikana* is Rs. 3 per allotted acre per annum during the first ten years, and Rs. 5 per allotted acre per annum from the 11th year, but it has been charged on matured area during the following harvests at the rates noted against each harvest—

		Per matured acre.		
		Rs.	A.	P.
Rabi 1981 to rabi 1982	.. ..	1	8	0
Kharif 1982 and rabi 1984 to kharif 1985	.. ..	3	0	0

(g) Government has no information.

(h) Yes ; in some cases, under clause 17 of the statement of conditions applicable to these grants. The confiscated grants are, however, restored on payment of Government dues.

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(i) The attention of the honourable member is invited to the answer given to part (j) of question No. *5511¹.

AUCTION OF LAND IN RAKH PIR MAHAL.

***5699. Mian Nurullah :** Will the Honourable the Revenue Member be pleased to state—

(a) whether any Government land was auctioned for agricultural purposes in Rakh Pir Mahal outside the limits of Pir Mahal and Kamalia town in the years—

(i) 1933,

(ii) 1934,

(iii) 1935 ;

(b) the average bid per square of the land mentioned in (a) above at the time of the auction in the years—

(i) 1933,

(ii) 1934,

(iii) 1935 ?

The Honourable Nawab Muzaffar Khan :

(a) (i) A few scattered plots.

(ii) None.

(iii) Two squares.

(b) (i) Rs. 4,700.

(iii) Rs. 6,897.

DISTRICT BOARD ELECTIONS AND ALLOWANCE TO PATWARIS

***5700. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government kindly state—

(a) the names of districts where district board elections took place during the year 1935 ;

(b) the names of districts, where patwaris were given an allowance for preparing the lists of voters in connection with these elections ;

(c) whether all the patwaris mentioned in (b) have been treated similarly in the matter of the grant of an allowance ; if not, why not ;

(d) what Government propose to do in respect of those who have not been paid any allowance ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to this question is not ready.

GURDWARA ELECTIONS AND ALLOWANCE TO PATWARIS.

***5701. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that a number of patwaris were called upon not only to prepare the lists of voters for the next Punjab

Legislative Assembly, but also to prepare the lists of voters for the Gurdwara elections ;

- (b) whether Government is aware of the fact that the patwaris concerned have been paid an allowance for preparing the lists of voters for the next Punjab Assembly ;
- (c) whether Government is also aware of the fact that the patwaris have not been paid any allowance for preparing the lists of voters for the Gurdwara elections ;
- (d) if the answers to (a), (b) and (c) be in the affirmative, whether Government propose to pay an allowance to the patwaris concerned for the extra work put in by them in connection with the Gurdwara elections ? If not, why not ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) The patwaris have been paid an allowance for the preparation last summer of the provisional roll, and will be paid another allowance for the preparation of the regular roll now being made. The amount involved for the former was included in the supplementary estimates for 1935, and was passed by the Punjab Legislative Council in its session of November, 1935. Provision for the latter has been made in the budget for the financial year 1936-37, and will be paid in due course.

(c) The amount necessary for paying allowances to patwaris for the Gurdwara electoral rolls was passed by the Punjab Legislative Council in its session of November, 1935. After necessary calculations, orders for the actual payment to patwaris were issued by Government on February 26th, 1936.

(d) Does not arise.

LAHORE MUNICIPAL ELECTIONS AND ALLOWANCES TO PATWARIS.

***5702. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that during the Lahore Municipal Committee elections held in November-December, 1934, 74 patwaris of the Lahore tahsil were posted at different polling stations and that they had to come to Lahore for learning their work twice or thrice before the elections took place ;
- (b) whether Government is aware of the fact that the patwaris concerned were not paid any halting or travelling allowance ;
- (c) if so, whether Government propose to call upon the Lahore Municipal Committee to pay compensation to the patwaris concerned ; if not, why not ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Seventy-three patwaris of the Lahore district were posted at various polling stations during the Lahore Municipal elections held in 1934. They were also called to headquarters for a rehearsal on the 24th November, 1934.

(b) Yes.

(c) The patwaris concerned are being instructed by the Deputy Commissioner, Lahore, to submit travelling allowance bills which will be dealt with according to rules.

PAY OF PATWARIS.

***5703. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue kindly state—

(a) whether the revenue patwaris recently held a conference in which Government was requested to (1) increase the pay of patwaris and also to (2) grant them the benefit of pension ;

(b) if so, what action Government propose to take in the matter ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) (1) Yes.

(2) No. So far as Government know the resolutions passed by the conference do not ask for pensions.

(b) None ; for the reasons fully stated by myself and Mr. Latifi, Financial Commissioner, Revenue, in reply to Mr. Abdul Ghani's cut motion on demand No. 1—5-D—Land Revenue ii (a) District Charges Patwaris Establishment on 11th March, 1936, in this House.

TRAVELLING ALLOWANCE TO PATWARIS.

***5704. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue kindly state—

(a) in how many tahsils of the Punjab the patwaris were paid travelling allowance when they came to tahsil headquarters in the month of September, 1935, to submit their four-yearly *jama-bandis* ;

(b) whether there are any tahsils in the province where during the last five years the patwaris have not been paid their travelling allowance ;

(c) whether Government propose to take any steps for the regular payment of travelling allowance to patwaris ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The time and labour involved in the collection of the information sought will not be commensurate with the advantages to be gained in making this enquiry. Consequently Government is not prepared to undertake it. If the honourable member has any particular cases in view he is of course at liberty to bring them to the notice of the Government.

(c) Does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

SCOUTS AND GUIDES.

1363. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to lay a statement on the table showing the number of troops of Boy Scouts, Cubs, Kings Scouts, Tender Foot Scouts, Girl Guides and Blue Birds by districts and, if possible, by schools ?

The Honourable Malik Sir Firoz Khan Noon : Statements containing the requisite information are laid on the table—

*Statement containing information regarding the troops of Boy Scouts,
Packs and Crews, etc., district-wise.*

Name of district.	Troops of Boy Scouts.	Packs of Wolf Cubs.	Crews of Rover Scouts.
Ambala	60	31	..
Amritsar	31	21	2
Campbellpur	31	..	..
Dera Ghazi Khan	55	..	..
Ferozepore	51	4	1
Gujrat	45	6	4
Gujranwala	25	3	1
Gurdaspur	33	2	..
Gurgaon	78	50	..
Hissar	45	15	..
Hoshiarpur	35	22	3
Jhang	41	10	..
Jhelum	39	..	..
Jullundur	47	59	4
Kangra	58	47	..
Karnal	34	29	..
Lahore	37	55	16
Ludhiana	32	4	1
Lyallpur	70	49	..
Mianwali	11	2	..
Montgomery	54	9	..
Multan	51	9	2
Muzaffargarh	27	59	1
Rawalpindi	34	11	3
Rohtak	41	14	..
Shahpur	54	5	1
Sialkot	46	6	3
Sheikhupura	34	30	..
Simla	26	19	1
Total	1,234	571	43

Kings Scouts.—The total number in the Punjab is 850.

Tender Foot Scouts.—All members of the Boy Scouts Association whether boys or men must pass the Tender Foot Tests, therefore the full total of Scouts, Cubs, Rover Scouts and also Scouts shows the total number of Tender Foot Scouts in the various institutions in the province, that is, 44,674.

[Hon. Malik Sir Firoz Khan Noon.]

Statement showing information regarding Blue Bird Flocks, Girl Guide Companies and Ranger Companies district wise.

Name of District.	Blue Bird Flocks.	Guide Companies.	Ranger Companies.
Ambala	5	3	..
Amritsar	4	2	1
Campbellpur	2	1	1
Dera Ghazi Khan .. ..	..	..	..
Ferozepore	3	3	..
Gujrat	1	1	..
Gujranwala	1	1	..
Gurdaspur	3	4	1
Gurgaon .. ..	..	1	..
Hissar	1	1	..
Hoshiarpur	2	1	1
Jhang .. ..	..	1	..
Jhelum	1	1	..
Jallundur .. ..	..	..	..
Kangra	14	8	..
Karnal	1	1	1
Lahore	14	8	8
Ludhiana	7	3	2
Lyallpur	2	2	..
Mianwali .. ..	..	..	..
Montgomery	2	1	..
Multan	1	2	1
Muzaffargarh .. ..	..	..	..
Rawalpindi	5	6	1
Rohtak .. ..	..	..	..
Shahpur	2	..	..
Sialkot	3	2	..
Sheikhpura	2	2	1
Simla	8	6	1
Total	84	61	19

OUTBREAKS OF FIRE IN MUNICIPAL TOWNS.

1364. Mr. E. Mayadas: Will the Honourable Minister for Local Self-Government be pleased to lay a statement on the table showing the number of outbreaks of fire reported in municipal towns during 1935, where the damage caused in each case was worth over Rs. 500?

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

Statement showing the number of outbreaks of fire reported in Municipal towns, during 1935, where the damage caused in each case was worth over Rs. 500.

No.	District.	Number of outbreaks.	Name of municipal towns where the outbreak of fire was reported.
1	Hissar	2	Hissar (twice).
2	Rohtak	Nil	..
3	Gurgaon	Nil	..
4	Karnal	2	Panipat (twice).
5	Ambala	Nil	..
6	Simla	Nil	..
7	Kangra	Nil	..
8	Hoshiarpur	Nil	..
9	Jullundur	4	Jullundur (four times).
10	Ludhiana	1	Ludhiana.
11	Ferozepore	Nil	..
12	Lahore	10	Not reported.
13	Amritsar	11*	Amritsar.
14	Gurdaspur	Nil	..
15	Sialkot	5	Sialkot.
16	Gujranwala	1	Hafizabad.
17	Sheikhupura	1	Sheikhupura.
18	Gujrat	Nil	..
19	Shahpur	10	Sargodha.
20	Jhelum	2	Jhelum.
21	Rawalpindi	6	Not reported.
22	Attock	Nil	..
23	Mianwali	2	Mianwali.
24	Montgomery	1	Montgomery.
25	Lyallpur	2	Lyallpur and Jaranwala.
26	Jhang	Nil	..
27	Multan	2*	Khanewal and Mian Channu.
28	Muzaffargarh	Nil	..
29	Dera Ghazi Khan	Nil	..
Total		62	

*NOTE.—In one of these cases the damage is reported to be Rs. 500.

MUNICIPALITIES POSSESSING FIRE ENGINES.

1365. Mr. E. Mayadas: Will the Honourable Minister for Local Self-Government be pleased to lay a statement on the table showing names of municipalities that do not possess a fire engine?

The Honourable Dr. Sir Gokul Chand Narang: A statement giving the required information is enclosed—

[Hon. Dr. Sir Gokal Chand Narang.]

Statement.

NAMES OF MUNICIPAL COMMITTEES.

Keeping fire engines.	Keeping fire pumps.	Not keeping any fire appliance.
	Bhiwani	Hissar.
	Sirsa	Hansi. Rohtak. Jhajjar. Ber. Bahadurgarh. Gohana. Sonapat. Rewari. Palwal. Hodal. Firozpur-Jhirka. Ballabgarh. Faridabad.
*Panipat		Karnal. Kaithal. Shahabad. Thanesar.
	Ambala City	Sadr Bazar, Ambala Cantonment. Jagadhri. Sadhaura. Buria. Rupar. Kalka.
Simla	Simla Dharamsala†.	Kasumpti.
Hoshiarpur	Hoshiarpur	Urmur Tanda.
Jullundur	Jullundur	Kartarpur. Nakodar. Phillaur. Normahal. Banga. Rahon.
Ludhiana		Raikot.
Jagraon		Khanna.
Ferozepore	Ferozepore	Moga.
	Abohar	Zira. Muktsar. Fazilka.
Lahore	Lahore	Kasur. Chumian. Patti. Khem Karan. Baghbanpura-cum-Bhogiwal.
Amritsar		Jandiala. Tarn Taran.

*Possesses Bernard fire-fighting appliances.

†Keeps a fire hydrant.

NAMES OF MUNICIPAL COMMITTEES—concluded.

Keeping fire engines.	Keeping fire pumps.	Not keeping any fire appliance.
Batala	Batala	Dalhousie. Gurdaspur. Dinanagar. Dera Baba Nanak. Pathankot.
Sialkot	Sialkot	Pasrur. Narowal.
Gujranwala	Gujranwala	Hafizabad.
	Wazirabad	Eminabad. Sheikhupura. Sharakpur. Nankana Sahib.
Gujrat .. ..	.. ..	Dinga. Kunjah. Jalalpur Jattan.
Sargodha	Bherra	Khushab.
Phullarwan .. ..	.. ..	Sahiwal. Miani.
Jhelum	Jhelum	Chakwal.
	Pind Dadan Khan .. ..	.. ..
Rawalpindi	Rawalpindi .. ..	.. ..
Murree	Murree .. ..	.. ..
Campbellpur .. ..	.. ..	Pindigheb.
Hazro .. ..	.. ..	.. ..
		Mianwali. Bhakkar. Isakhel. Kalabagh. Montgomery*. Pakpattan. Okara*.
Lyallpur	Gojra	Kamalia. Jaranwala. Chak Jhumra. Jhang-cum-Maghiana. Chiniot.
Multan .. ..	.. ..	Shujabad.
Khanewal .. ..	.. ..	Mian Channu*. Muzaffargarh. Alipur. Khangerh. Leiah. Karor. Dera Ghazi Khan. Jampur. Dajal. Rajanpur. Mithankot.

*Have placed orders for the purchase of fire-fighting appliances.

PROSECUTIONS UNDER PREVENTION OF CRUELTY TO ANIMALS ACT.

1366. Mr. E. Mayadas : Will the Honourable Member for Revenue be pleased to lay a statement on the table showing the number of prosecutions under the Prevention of Cruelty to Animals Act, by local bodies in the province during their last financial year?

The Honourable Nawab Muzaffar Khan : During the year 1934-35, 5,173 prosecutions under the Prevention of Cruelty to Animals Act, 1890, were initiated in the six towns—Lahore, Amritsar, Rawalpindi, Gujranwala, Jhelum and Simla—where there are branches of the Society for the Prevention of Cruelty to Animals. There have doubtless been some prosecutions in other parts of the province, but the number is probably not large.

EXPENDITURE ON EDUCATION.

1367. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

- (a) the amount of expenditure by Government on education during the last financial year;
- (b) approximately what proportion of this was on—
 - (i) males;
 - (ii) females?

The Honourable Malik Firoz Khan Noon : (a) Rs. 1,59,92,885.

- (b) (i) Females, Rs. 17,68,295 or 11 per cent. (approximately).
- (ii) Males, Rs. 1,42,29,590 or 89 per cent. (approximately).

CONSOLIDATION OF HOLDINGS.

1368. Mr. E. Mayadas : Will the Honourable Minister for Agriculture be pleased to state—

- (a) the expenditure incurred on the work of consolidation of holdings during the last financial year;
- (b) the extent of area that was consolidated in each case;
- (c) the average cost per acre?

The Honourable Sardar Sir Jogendra Singh : (a) Rs. 1,09,998 during the co-operative year ending 31st July, 1935.

- (b) It is not clear what is meant by 'in each case.' The area consolidated during the year ending 31st July, 1935, was 63,534 acres.
- (c) Re. 1-11-8.

INDIAN CHRISTIANS IN PROVINCIAL CIVIL MEDICAL SERVICE.

1369. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in the Provincial Civil Medical Service there are 150 posts;
- (b) the number of Indian Christians in the Provincial Civil Medical Service on 1st January, 1935;
- (c) whether it is a fact that towards the end of last year a selection was held;

(d) if so, whether any qualified Indian Christians were among the candidates; if so, what was their number;

(e) whether any of the Indian Christians was appointed; if not, why not?

The Honourable Malik Sir Firoz Khan Noon: (a) No, the total number of appointments sanctioned for Civil Assistant Surgeons in the Punjab is 151.

(b) Two.

(c) Yes.

(d) Yes; there were 3 Indian Christians amongst the candidates.

(e) No Indian Christian was appointed as the Christian placed No. 1 by the Selection Board was a European, who was appointed.

INDIAN CHRISTIANS IN PROVINCIAL CIVIL MEDICAL SERVICE.

1370. Mr. E. Mayadas: Will the Honourable Minister for Education be pleased to state—

(a) the number of posts reserved for the Indian Christian community, including weightage, in the Provincial Civil Medical Service;

(b) the number of Indian Christians in the Provincial Civil Medical Service on 1st January, 1931, 1932, 1933, 1934, 1935 and 1936;

(c) if the number of Indian Christians on 1st January, 1936, was less than their share, what Government proposes to do in the matter;

(d) when the next recruitment is likely to take place?

The Honourable Malik Sir Firoz Khan Noon: (a) No percentage is fixed for Indian Christians but due regard is always paid to their claims.

(b) The number of Indian Christians in the Punjab Civil Medical Service on the 1st January of the following years was as under:—

1931.	1932.	1933.	1934.	1935.	1936.
1+2*	1+2*	2+2*	2+1*	2	2

(c) Does not arise in view of the reply given to part (a).

(d) This is not yet known.

*Civil Surgeons of the Punjab Civil Medical Service, since retired.

RECRUITMENT TO PROVINCIAL CIVIL MEDICAL SERVICE.

1371. Mr. E. Mayadas: Will the Honourable Minister for Education be pleased to state the total number of candidates accepted for the Provincial Civil Medical Service at the time of recruitment held in November, 1935, and whether all of those selected were better qualified than the Indian Christian candidates?

The Honourable Malik Sir Firoz Khan Noon: Eleven. Government accepted the recommendations of the Permanent Board of Selection who must have selected the best persons available from each community. One European Christian was taken into the Provincial Civil Medical Service in accordance with the advice of the Selection Board.

INDIAN CHRISTIAN CANDIDATES FOR PROVINCIAL CIVIL MEDICAL SERVICE.

1372. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

(a) the number of the Indian Christian candidates for Provincial Civil Medical Service that applied at the time of the last recruitment ;

(b) the number of such of them as possessed minimum qualifications ?

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

(b) Three.

PROVINCIAL CIVIL MEDICAL SERVICE.

1373. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state the number of those serving in the Provincial Civil Medical Service on 1st January, 1936, community-wise, with the prescribed percentage of each community against each, respectively, and by what per cent. each community was over-represented or under-represented in the service ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is referred to the printed statement on the subject, dated the 1st January, 1936.

INDIAN CHRISTIAN IN CASUALTY DEPARTMENT OF MAYO HOSPITAL, LAHORE.

1374. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that during the past twenty years or so no Indian Christian has been taken in the Casualty Department of the Mayo Hospital, Lahore ;

(b) whether it is because no Indian Christians were available or whether it was due to some other cause ;

(c) whether Government is prepared to consider the application of an Indian Christian when next the occasion arises, for appointment as Casualty Medical Officer ; if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : (a) The Casualty Department of the Mayo Hospital, Lahore, came into existence for the first time in September 1926 and no Indian Christian medical graduate has been appointed to this Department since then.

(b) Only one Indian Christian candidate applied for the post of the Medical Officer of the Casualty Department but he was not considered suitable.

(c) No particular post can be earmarked for a particular community though Government tries to give full weight to claims of all when fresh recruitment takes place.

APPOINTMENTS IN GOVERNMENT POSTS.

1375. Mr. E. Mayadas : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that Government has passed orders that no one appointed to a Government post subsequent to some date in 1981 is to be made permanent ;
- (b) if so, for what length of time this order is to remain in force ;
- (c) whether Government is considering its revision ; if not, why not ?

The Honourable Sir Donald Boyd : (a) The orders were that no substantive appointments should be made after the 31st December, 1980, to any vacant posts in any of the services to which appointments could be made by the Local Government or any subordinate authority.

(b) and (c) The question of revising these orders will be considered as soon as Government have arrived at a decision in regard to revised rates of pay for new entrants.

INDIAN CHRISTIANS AMONG ADDITIONAL POLICE.

1376. Mr. E. Mayadas : Will the Honourable Member for Finance be pleased to state—

- (a) the number of Additional Police recently recruited, community-wise ;
- (b) the number of Indian Christians amongst those appointed ;
- (c) if no Indian Christian has been appointed, the reasons for the same ?

The Honourable Sir Donald Boyd : (a) A statement is laid on the table.

(b) None.

(c) Enlistment was restricted to *ex*-soldiers and *ex*-policemen. As the honourable member was informed by the Inspector-General in November last, in reply to a personal letter of inquiry, Indian Christians with these qualifications were at liberty to apply, but no suitable candidates from the community appear to have done so. I may mention that instructions have recently been circulated by the Inspector-General stressing the eligibility of Indian Christians for enrolment in the police.

	Inspector.	Sub-Inspectors.	Assistant Sub-Inspectors.	Head Constables.	Foot Constables.
Muslims	1	2	2	8	100
Hindus .. ..	..	2	4	8	100
Sikhs .. ..	..	2	2	8	100
Total	1	6	8	24	300

WATER HOUSE CONNECTION IN MUNICIPAL AREA, PATHANKOT.

1377. Lala Ramji Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the water house connection in the municipal area of Pathankot is done by the Municipal Committee through its own plumber and the applicant is required to deposit the estimated cost in advance in the municipal fund for payment to the plumber;
- (b) whether it is a fact that on completion of the work no account is rendered to the applicant of his deposit even on his application to that effect;
- (c) if the reply to the above be in the affirmative, what action Government intends to take in the matter?

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

(b) No. The account is shown and explained to the applicant and a copy of the bill is supplied to him if so desired by him.

(c) Does not arise.

MOTION FOR ADJOURNMENT.**PRINCIPALSHIP OF AMRITSAR MEDICAL SCHOOL.**

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) : I ask for the leave of the House to move the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the action of the Punjab Government, Ministry of Education, in appointing an Indian Medical Service officer to be the Principal of the Amritsar Medical School, a post which was released by the Secretary of State for India from the hold of the Indian Medical Service.

Mr. President : The adjournment motion moved is for the discussion of a definite matter of urgent public importance, namely, the action of the Punjab Government, Ministry of Education, in appointing an Indian Medical Service officer to be the Principal of the Amritsar Medical School, a post which was released by the Secretary of State from the hold of the I. M. S.

The Honourable Malik Sir Firoz Khan Noon : I object to leave being granted.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official nominated) : Sub-clause (ii) of Article 45 of the Manual of Business and Procedure lays down that an adjournment motion must be restricted to a specific matter of recent occurrence. The appointment of the Principal of Medical School, Amritsar, to which this adjournment motion relates, was made long before this session of the Council began and the honourable member, who wishes to move the adjournment motion, had enough time and opportunity to bring in a resolution on the subject. As the matter referred to in the adjournment motion is not of recent occurrence, it should be ruled out of order. The restriction referred to in Article 45 aims at avoiding any misuse of the time of the House, which this adjournment motion will involve.

Khan Sahib Chaudhri Riasat Ali: I also object to the leave being granted. My point is that under Article 46 of the Business Manual it is only when there is a definite matter of urgent public importance that such leave should be granted. My contention in this respect is that the motion does not form a "matter of public importance" as contemplated by Article 46. It is after all a question of an individual appointment which is decided by certain rules and according to certain principles which have been laid down. Besides even if discretion has been used in this matter, that discretion has not been illegally used. If the Government has used that discretion legally, then this matter does not come under the provision of Article 46.

Moreover this matter was thoroughly thrashed on the floor of this House the other day by means of several supplementary questions. Therefore, there is no need to waste the time of the House by granting leave to the honourable member to move the adjournment motion.

Thirdly, this must be considered as an individual case and as not affecting any class of individuals and so not being a case of public importance. If to-day this leave is granted, then to-morrow another motion might come up to discuss the appointment of an I. C. S. officer as a deputy commissioner in preference to a P. C. S. officer. This matter, as I already stated, being a case of an individual appointment, should not be allowed to be discussed on the floor of the House in the form of an adjournment motion.

Mr. President: Had not the last 13 words¹ been omitted by the honourable mover of the motion, on the face of it it would have been out of order. But the motion as moved by the honourable member appears to be in order. As to the objections against urgency, more than once I have ruled from this chair that generally speaking the judge of urgency is the mover of the motion himself. In 1924 and again in 1931 I ruled as follows:—

I would like the honourable members to note that no member of the House is the judge of urgency. That is a matter which rests entirely with the Chair. Parliamentary practice on this point is as follows:—"The urgency of the matter which forms the occasion for the motion is not taken too literally. It is enough that the mover considers his subject to be urgent and is able to give it a plausible appearance of urgency, provided always that the nature of the subject is not of such a kind as plainly to make such a description an abuse of language. The speaker has no general power of suppressing motions for adjournment. His authority only rests to prevent an abuse of the rule by refusing to accept a motion which he considers improper. On the whole the Speaker's practice in exercising his discretion is lean towards favouring the minority." So in view of the parliamentary practice I should say that urgency is to be judged by the Speaker and to a certain extent by the mover. (See Volume XII, page 1224 and Volume XIX, page 198).

I, therefore, hold that the motion is not open to objection on the ground of want of urgency. (*Cheers*).

The question is whether the honourable member has the leave of the House to move this motion. (*After ascertaining the sense of the House*).

As more than twenty members are in favour of leave being granted, the motion will be taken up for discussion to-morrow at 11 A.M.

¹And to insist that this order of the Punjab Government be revoked forthwith.

SUPPLEMENTARY GRANTS.

The Honourable Sir Donald Boyd (Finance Member): I have to communicate to the Council that all the demands in the Order Paper are moved on the recommendation of His Excellency the Governor.

IRRIGATION ESTABLISHMENT (RESERVED).

The Honourable Nawab Muzaffar Khan (Revenue Member): I beg to move—

That a supplementary sum not exceeding Rs. 85,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1936, in respect of Charges on Irrigation Establishment (Reserved).

The motion was carried.

REFUNDS (RESERVED).

The Honourable Sir Donald Boyd (Finance Member): I beg to move—

That a supplementary sum not exceeding Rs. 6,510 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, 1936, in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED).

The Honourable Sir Donald Boyd: I beg to move—

That a supplementary sum not exceeding Rs. 28,880 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, 1936, in respect of Refunds (Transferred).

The motion was carried.

EXCESS GRANTS.

IRRIGATION ESTABLISHMENT (SUTLEJ VALLEY PROJECT.)

The Honourable Sir Donald Boyd: I beg to move—

That an additional sum not exceeding Rs. 29,336 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1934, in respect of Charges on Irrigation Establishment—Sutlej Valley Project.

The motion was carried.

IRRIGATION (CAPITAL).

The Honourable Sir Donald Boyd: I beg to move—

That an additional sum not exceeding Rs. 1,40,301 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1934, in respect of Irrigation (Capital).

The motion was carried.

MISCELLANEOUS (RESERVED).

The Honourable Sir Donald Boyd: I beg to move—

That an additional sum not exceeding Rs. 3,437 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1934, in respect of Miscellaneous (Reserved).

The motion was carried.

**PUBLIC WORKS DEPARTMENT (BUILDINGS AND ROADS)
ESTABLISHMENT.**

The Honourable Sir Donald Boyd : I beg to move—

That an additional sum not exceeding Rs. 50,535 be granted to the Governor in Council and Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March, 1934, in respect of Charges on Public Works Department, Buildings and Roads Establishment.

The motion was carried.

HYDRO-ELECTRIC SCHEMES—ESTABLISHMENT CHARGES.

The Honourable Sir Donald Boyd : I beg to move—

That an additional sum not exceeding Rs. 19,003 be granted to the Punjab Government (Ministry of Local Self-Government) to meet excess expenditure incurred during the year ended the 31st of March, 1934, in respect of Hydro-Electric Schemes—Establishment Charges.

The motion was carried.

**EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE HIGH
COMMISSIONER FOR INDIA.**

The Honourable Sir Donald Boyd : I beg to move—

That an additional sum not exceeding Rs. 1,854 be granted to the Governor in Council and 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, 1934, in respect of Expenditure in England (other than stores) under the control of the High Commissioner for India.

The motion was carried.

THE PUNJAB DEBTORS' PROTECTION BILL.

Mr. President : The list of amendments recommended by His Excellency the Governor has already been printed and circulated. Those amendments will now be taken into consideration by the House. The question is—

That item (8) of clause 2 be omitted.

The motion was carried.

Mr. J. D. Anderson (Legal Remembrancer) : May I, Sir, with your permission, move a purely consequential amendment which follows from this amendment which the House has accepted? It is necessary to re-number item 9.

Mr. President : The consequential amendment moved by the honourable Legal Remembrancer is that, as in consequence of this amendment, there is an omission of item (8) of clause 2, the subsequent item be re-numbered. The question is—That the amendment be accepted.

The motion was carried.

Clause 9.

Mr. President: The second amendment recommended by His Excellency the Governor is clause 9. It reads as follows:—

That clause 9 as passed by the Council be omitted and that in its place the following clause be substituted:—

"9. When custom is the rule of decision in regard to succession to immovable property, then notwithstanding any custom to the contrary, ancestral immovable property in the hands of a subsequent holder shall not be liable in the execution of a decree or order of a court, relating to a debt incurred by any of his predecessors in interest:

Provided that, when the debt has been expressly charged by way of mortgage on ancestral immovable property by a predecessor in interest, the court shall determine the liability of such land as if this section had not been passed:

Provided further and subject to the foregoing proviso, that, in respect of a debt incurred before the commencement of this Act, ancestral property in the hands of a subsequent holder may be liable, only if all the following conditions are satisfied:—

First.—That before such liability is determined, the judgment-debtor shall be given sufficient opportunity to show cause against such liability.

Second.—That such liability was permitted by the rule of custom applicable to the judgment-debtor immediately before the commencement of this Act.

Third.—That the decree-holder is able to show to the satisfaction of the court that, at the time the debt was originally incurred, there was a subsisting judgment or order of a competent court, not in *ex-parte* proceedings, holding that such a custom was applicable to the sub-tribe in the tahsil to which the judgment-debtor belongs.

Fourth.—That the judgment-debtor is not able to show to the satisfaction of the court that, at the time the debt was originally incurred, there was a subsisting judgment or order of a competent court, not in *ex-parte* proceedings, holding to the contrary and subsequent to the judgment relied upon by the decree-holder.

The question is—

That the original clause 9 in the Bill as passed by the Council be omitted.

The motion was carried

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

In the third line of clause 9 as recommended by the Governor, for the words 'immovable property' the word 'land' be substituted.

As per the papers supplied to us it should be 6th line instead of third line.

The object of this amendment is apparent from the words which I have proposed. I wish to substitute the word 'land' for the words 'immovable property', so that this exemption should only extend to ancestral land and not to ancestral immovable property which would also include houses. A large number of persons governed by custom own palatial houses and shops in Lahore, Amritsar and other principal towns of the province and most of these houses are usually ancestral. At best the avowed object of the present legislation is not to restrict credit of persons who own immovable property in towns and commercial areas although they may be governed by custom in matters of succession. It is well known that arains own palatial houses and big commercial buildings in Lahore and if the amendment proposed by me is accepted, these houses, ancestral though they may be, will be available as assets in their hands for them to raise some credit without the necessity of having to create

3 P. M.

a mortgage. If this amendment is not accepted, it will be highly unsafe to advance any sum to a person governed by custom, except on a mortgage even if he owns houses and shops worth lakhs in the towns of Lahore, Amritsar, etc., and these towns as the House knows abound with persons who are governed by custom in matters of succession. It will restrict their credit far too much if the creditors came to know—unfortunately in most cases they do not know—that these palatial houses existing on the Mall are not available or would not now be available as security for a small advance which any creditor or a bank may have made to the owner of such palatial building without creating a charge on it. Therefore, if this amendment is accepted, the principle of the Act which is to afford relief to the agricultural classes or at any rate which has not so far been declared to be in any way intended to restrict the credit of commercial or urban classes, would not at all be affected. Ordinarily exemption is not claimed on the ground of houses which are situated in towns, but under this statute which makes no distinction, exemption extends equally to towns and urban property. Therefore, this amendment, if accepted, would only secure more effectively the object which the framers of this legislation have in view and would not in any case contravene any principle of the Bill if there is any principle underlying this legislation except that of finding devices to evade payment of just debts by propertied classes.

Mr. President : Clause under consideration amendment moved is—

In the third line, for the words 'immovable property' the word 'land' be substituted.

Rao Bahadur Chaudhri Chhotu Ram (South East Rohtak, non-Muhammadian, Rural) : In point of principle there is absolutely no distinction between ancestral immovable property whether it consists of agricultural land or of houses. Therefore, I oppose the amendment.

Rai Bahadur Mr. Mukand Lal Puri : An argument has been advanced that in point of principle there is no distinction between land and other immovable property. But in point of principle there is no distinction between ancestral immovable property and ancestral movable property, and yet the provision does not extend to movable property. If there is any reason to exclude ancestral immovable property the same reason extends to ancestral movable property. But no one has ever contended that this rule of custom ever extended or should extend to movable property. The obvious reason is that custom is not logical. When a custom is found to exist which exempts land there is no reason why that rule of exemption should be extended. The same reason applies to the exclusion of these palatial buildings on the Mall as applies to the exclusion of movable property or a valuable jewel or a fixed deposit receipt. Therefore, the question of principle is not involved at all. There are no *a priori* grounds in favour of such a rule, which is opposed to, as I pointed out last time, to every known system of civilised law. We are only giving a statutory recognition to a rule of custom which is supposed to exist and we should not, while giving that statutory recognition, extend that rule of custom in any way, and should try to limit it to cases, for which some justifiable reason can possibly be advanced.

Mr. President : The question is—

In the third line for the words 'immovable property' the word 'land' be substituted.

The motion was lost.

Mr. President : Mr. Mukand Lal Puri's alternative amendment¹ will now be out of order.

Rai Bahadur Mr. Mukand Lal Puri : These two amendments stand absolutely on different footings. By asking the House to accept the words 'landed property' I am asking them to follow the language of Punjab Record 4 of 1913 without in any way extending or restricting the scope. When I asked the House to substitute the word 'land' my definite motion was to exclude houses. But "landed property" would not necessarily exclude houses but would prevent unnecessary confusion in the minds of the courts by having to interpret words different from those with which they are so far familiar.

Mr. President : Would it not be inconsistent to a certain extent, if not entirely, with the amendment which has been turned down by the House?

Rai Bahadur Mr. Mukand Lal Puri : No, the object of the second amendment or the alternative amendment is to obtain uniformity and certainty without any desire to change the law. The object of the previous amendment was definitely a slight change from the law which was enunciated in Punjab Record 4 of 1913. But the words used in that judgment are "landed property".

Mr. President : Are not these two amendments to a certain extent identical?

Rai Bahadur Mr. Mukand Lal Puri : No. This amendment only reproduces the language of P. R. 4 of 1913, while the previous one aimed at limiting its scope. There is not any difference worth the name between landed property and immovable property, but a change of phraseology might create difficulties.

Mr. President : I think they overlap to a certain extent. What does the Legal Remembrancer say?

Mr. J. D. Anderson : I cannot distinguish between these terms. I do not see in what respect the difference can lie, unless in some arbitrary manner. So far as I know the ordinary definition of land is a very wide one; it includes buildings and hereditaments. I would say that they are the same for this purpose.

Mr. President : I hold that the alternative amendment is out of order.

Rai Bahadur Mr. Mukand Lal Puri : I move—

That in line 4 for the word "subsequent", the word "next" be substituted.

The object of the amendment is to reproduce the phraseology of Punjab Record 4 of 1913. In that judgment the words "next holder" occur. The Punjab Government is reproducing the principle of the law laid down in that judgment. Not only in that judgment but in all the subsequent judgments which deal with this matter the words "next holder" occur.

¹In the third line for the words "immovable property" the words "landed property" be substituted.

I refer to Punjab Record 89 of 1915, and 12 of 1918 and gain 17 of 1919. Here the Punjab Government has put down the words "subsequent holder." I have not been able to see any distinction between these two phrases and it would unnecessarily confuse or encourage the courts to read different meaning into the changed words which does not appear to have been intended by the Punjab Government. If a different meaning is in fact intended by the Punjab Government the House would be glad if some member of the Government would say so that by making a change in the phraseology the Punjab Government intends to change the law. As far as I have been able to see, the words used mean the same as the old words. If no change in meaning is intended, as is indicated by the attitude of Government, then why not stick to the old phraseology with which the courts are familiar and which has been the subject of adjudication in so many judicial decisions? The new words are in no sense an improvement upon the old. These are, in a few words, my reasons for moving this amendment.

Mr. President : Clause under consideration amendment moved—

That in line 4 for the word "subsequent" the word "next" be substituted.

Mr. J. D. Anderson (Legal Remembrancer) : The honourable mover of the amendment, has, I understand, moved it with the single desire of bringing this clause into strict conformity with the ruling quoted as 4 P. R. 1918 and other rulings which may have followed the language of that ruling. I do want to say a few remarks about that ruling. That ruling is the cause of our whole trouble. It is because of that ruling that it has been necessary to bring this particular clause before this House. Various honourable members have referred at times to this ruling as though it were one of the rulings which particularly protected the rights of the members of agricultural classes. I want to point out that that is very far from being the truth. Custom is a matter of fact. It is not a matter of mere theory and it cannot be established or extended by logical process or upon theoretical generalisation or by an *a priori* method. 4 P. R. of 1913 begins with these words :—

The question referred to the Full Bench is abstract and has no reference to the facts of any particular case.

That is not the way I venture to say in which any court should deal with a question of custom. If the Honourable Judges of the Chief Court had not treated themselves as legislators but had stuck to their proper function of being the interpreters of the law this trouble would never have arisen. It is because of the wide terms of reference and of the decision in 4 P. R. of 1913 that of necessity 17 P. R. of 1919 had to be passed. There again the Honourable Judges fell into the same trap. They laid down a general proposition which was not supported by evidence. They criticised what they thought were the principles underlying custom without considering any evidence and the whole of this trouble, the whole of the necessity for this legislation has come from these rulings. I see myself no particular reason why we should follow the wording of those rulings in this respect or in any other. I want to point out that it is because of that that the clause as recommended to the House so far as I know does not follow the wording of those rulings at all.

Rai Bahadur Mr. Mukand Lal Puri : I was waiting to see if the learned Legal Remembrancer or any other member of the Government would get up to suggest that they intended to create any difference in the

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

law by substituting the word "subsequent" for "next" That has not been asserted, and I take it, that my position is accepted that the words "next holder" and "subsequent holder" mean the same thing. After all the courts have to interpret the words of a statute and by this time the courts and the lawyers know what "next holder" means. If for the word "next" a new word is substituted the courts might legitimately be led to think that the Government or the legislature perhaps intended to convey a meaning different from that which was conveyed by the words "next holder". I am not wedded to the phraseology of P. R. 4 of 1913 which is by no means a very happy phraseology as the honourable the Legal Remembrancer has pointed out. But I do wish to reiterate and emphasise that when no change in meaning is intended change in phraseology is superfluous and should not have been resorted to, specially when no defect in phraseology is pointed out. I beg leave to withdraw the amendment.

The motion was by leave withdrawn.

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

That in the fifth line for the word 'debt' the word 'loan' be substituted.

There seems to be a general impression that co-operative societies, joint stock banks and loan to traders are excluded from the purview of the indebtedness legislation which has been passed by this Council and which is again before us for consideration. That impression prevails not only among persons who have not studied this new legislation but among the most well-informed members of this Council. Only day before yesterday I was discussing this matter with a member of this Council who takes interest in banks, and industry and who is one of the most well-informed members of this House and he boldly asserted that joint stock banks and co-operative societies were exempt from the provisions of the present Bill.

That impression has been created by the definition of the word 'loan' for the purpose of this Act. Loan has been defined in chapter 1, clause 2, sub-clause (6) of this Bill. The definition reads:—

6) "Loan" means an advance whether of money or in kind at interest and shall include any transaction which the court finds to be in substance a loan, but it shall not include:—

- (i) a deposit of money or other property in a Post Office Savings Bank or any other bank, or in a company or with a co-operative society;
- (ii) a loan to or by, or a deposit with any society or association registered under the Societies Registration Act, 1860, or under any other enactment for the time being in force;
- (iii) a loan advanced by the Local Government or by any local body authorized by the Local Government;
- (iv) a loan advanced by a bank, a co-operative society or a company whose accounts are subject to audit by a certificated auditor under the Indian Companies Act, 1913;
- (v) a loan advanced to a trader;

etc., etc., Therefore a debt is not a loan within the meaning of this Bill if it is advanced by a bank or a co-operative society or if it is advanced to a trader. If provision is enacted as has been formulated in the proposed section 9 the banks and the co-operative societies do not get any exemption and the clause would equally apply to them, as the word used in the present

section is debt and not loan. And therefore it is necessary to remove the wrong impression which prevails in this province even amongst very highly educated persons and among honourable members of this Council that joint stock banks as such are excluded from the purview of this enactment. It is a matter which I would ask the House to reconsider whether they should not with respect to this provision adopt the same definition of debt which they have adopted with respect to some other provisions. I make this proposal not in the interests of any money-lender nor of any creditor but in the interests of those persons who are governed by custom and who may stand in need of credit. It is time that these joint stock banks included in their applications for loans a provision asking the debtor to specify whether he is governed by agricultural custom or not; and whether he is a member of a statutory agricultural tribe. Otherwise these banks are liable to be misled and in fact they have been misled by granting overdrafts and cash credit to arains and other persons governed by custom who may own palatial buildings on the Mall and whose properties are not under the present legislation available as assets for the banks. It is true that these big banks made themselves familiar with the present legislation, otherwise they may be placed in difficulty. It is however in the fitness of things that these banks are excluded in the interests of sound trade, sound banking and in the interests of those very people whose interests we are asked to protect and whose interests will be jeopardised if the ordinary facilities for credit which the respectable and rich classes enjoy at the hands of banks are denied to them. If my proposal is not accepted and the import of this legislation is brought to these joint stock banks, will there be any joint stock bank or co-operative society who would be willing to grant an overdraft of say a paltry sum of a few thousands to any propertied gentleman who owns palatial buildings in Lahore, when the banks realise that even houses situated in towns and commercial areas, if ancestral and if not mortgaged are not available as assets for recovering these overdrafts, or shortfalls of advances against grain and other agricultural produce? Perhaps the House is aware that the English banks advance a considerable amount against agricultural produce.

Further, I make this proposal in the interest of the richer members of this class, who follow agricultural custom, who live in towns and own urban houses and who still want to retain certain amount of credit with these financial institutions. I beg to move that this amendment be accepted.

Mr. President : The question is—

That in the fifth line for the word 'debt' the word 'loan' be substituted.

The motion was lost.

Mr. President : I propose that the different parts of the amendments recommended, be put to the vote of the House separately. That the first part of the amendment, that is—

When custom is the rule of decision in regard to succession to immovable property, then notwithstanding any custom to the contrary, ancestral immovable property in the hands of a subsequent holder shall not be liable in the execution of a decree or order of a court, relating to a debt incurred by any of his predecessors in interest.

be adopted.

The motion was carried.

Mr. President : The question is—

That the first proviso as recommended, that is,

Provided that, when the debt has been expressly charged by way of mortgage on ancestral immovable property by a predecessor in interest, the court shall determine the liability of such land as if this section had not been passed :

be adopted.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadian, Rural) : I beg to move that—

In lines 11 and 12, for the words "in respect of a debt incurred," the words "in respect of a decree passed" be substituted.

Khan Sahib Chaudhri Riasat Ali : Sir, what about the amendment which proposes the total deletion of the clause ?

Mr. President : The honourable member is apparently under the impression that the omission or deletion of a clause is an amendment. But, strictly speaking a motion to omit, delete or negative a clause under consideration, is not an amendment, as the proper course in such a case is to vote against the clause standing part of the Bill. According to Parliamentary Practice, upon which our Standing Order No. 49 (see paragraph 93 of the Manual of Business and Procedure) is based, when a Bill is considered clause by clause the President has to call or read the number of each clause separately and it is only when the number of a clause is called or read that the clause is brought under the consideration of the Council. Thus, when a clause is brought under the consideration of the House, the first thing the President will see is whether any notices of amendments to the clause have been received. If no notices have been received and no amendments are offered to any part of the clause, he will at once propose the question "That this clause stand part of the Bill". On the other hand, if any members have given notices of amendments to the clause and wish to move their amendments, the President will take up the amendments one by one and call upon the members, who have given notices of amendments, and when all amendments have been disposed of, he will put the question "That this clause (or as the case may be that this clause as amended) stand part of the Bill." It is only at this stage, that is to say, when no amendments are tabled or offered, or all of them are disposed of and the question "That this clause (or as the case may be that this clause as amended) stand part of the Bill" that members are at liberty to oppose the clause as a whole ; but not at an earlier stage.

If instead of following the aforesaid procedure a motion to omit or delete a clause is put to the vote of the House without or before allowing any amendments to be moved to the clause under consideration, the result shall be that after the motion to omit or delete the clause is negatived, i.e., after the House decides in favour of the retention of the clause as it is, it shall have no power to omit or replace by amendment a single word of the clause passed by it. The only amendments it can make thereafter will be by insertion of words. In other words, it will have no power to amend the clause by omitting or replacing any of its words after it is passed by the House.

Khan Bahadur Malik Zaman Mehdi Khan : On a point of order. After these amendments have been discussed, can we then move Nos. 4 and 5 ?

Pir Akbar Ali : On a point of order, Sir. Then you are taking by parts the whole section. We will not be in a position to oppose the whole section and if we want to oppose a portion, which is very, I should say, important—

Mr. President : That question does not arise at this stage. I will decide it when it arises.

Rao Bahadur Chaudhri Chhotu Ram : The object of this clause, as a whole, is to abrogate the special custom, which is generally alleged and relied upon by decree-holders, while they seek to execute their decrees against ancestral immovable property in the hands of an heir. The universal custom of the province originally was that ancestral immovable property in the hands of the subsequent holder was immune from attachment in the execution of a decree for a debt incurred by a previous holder. Later on, in some cases a plea was raised that a special custom allowing such attachment prevailed. Some cases were decided in original courts and other cases went up to the high court with the result that in certain cases the existence of special custom was held proved. That was felt to be contrary to actual custom. Therefore, in order to see that this special custom should be abrogated, this clause has been inserted in this Bill. Now, if the words of my amendment are not adopted, the result, it is apprehended, will be that this imaginary special custom will continue to be pleaded by decree-holders and adjudicated upon by courts generally in favour of creditors for an indefinitely long time. The contention of the Government, so far as I have been able to judge, is that the word "originally" is quite sufficient to eliminate any danger of special custom being set up after 3 years of the date on which a loan is taken. This seems to be a reasonable contention, but, unfortunately, there have been cases before, and there might be cases again, in which courts take a view which is contrary to the intention of the legislature. Therefore, in order to ensure that special custom will not be allowed to be pleaded after a reasonably short time, I wish to introduce the words of my amendment. The words of my amendment, if adopted, will ensure that special custom will only be allowed to be pleaded in the execution of those decrees which have been passed before the commencement of this Act. With this object in view I have moved my amendment. I hope it will not prove unacceptable to the Government.

Mr. President : Clause under consideration, the amendment moved is—

In lines 11 and 12, for the words "in respect of a debt incurred", the words "in respect of a decree passed" be substituted.

Mr. J. D. Anderson (Legal Remembrancer) : I regret, that the honourable member, by his proposed amendment, seeks so to narrow the scope of this proviso, that it will be impossible for the Government to accept it. He wishes to limit the possibility of proving the cases to which a decree is in existence. This draft, I think, is intended in the main to meet the intentions of the majority of the House, which passed the original clause 9. The intention was, so far as possible, to get rid of special custom which has grown not only in the villages but is a creation of the civil courts. This

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special custom, so far as I have understood the rulings, is based mainly on a mis-interpretation of the customary laws of the different districts. I have with me a number of those customary laws. With your permission I should like to read one question and answer.

In the Rohtak district, the question is No. 37 and runs as follows—

Is a minor, whose father is dead and who has inherited the father's estate, liable for the father's debts?

If such debts are not payable till the minor comes of age, can the property inherited be alienated in the interval?

And the reply of all tribes given to it was that he is liable in the proportion in which he has inherited the estate. If such debts are not payable till the minor attains majority, the property inherited cannot be alienated in the interval but sometimes immovable property is alienated by the guardian permanently or for the period of minority.

Pir Akbar Ali : In the case of Ferozepore also the wording is the same.

Mr. J. D. Anderson : Yes, the intention is the same. The questions so far as I know were framed by some Financial Commissioner in the far off days when it was still believed that persons in this province who follow custom in matters of inheritance who inherit their estate not from their immediate predecessor, not from their father, that they were entitled to take over the land free of any encumbrance upon it unless that encumbrance was an express charge by a mortgage. I believe that the rulings which have given an entirely different meaning to this question and the answer do not correctly represent what I might call for convenience the general custom of the province. I am fortified in saying that on consideration of a ruling of a division bench of the High Court which has very recently been published in the Lahore Series. It is quoted as 17 Lahore 139. In that ruling the Honourable Judges, Mr. Justice Sir James Addison and Mr. Justice Din Muhammad have given an exposition of the correct meaning of this question and answer. I submit that it will in future be almost impossible for any subordinate court to follow such a ruling as 14 Lahore 365 where a different view was taken of the scope and meaning of the customary laws of the different districts. But, there is no universal custom for the province as a whole. As I have pointed out before, you cannot theorise about custom. You cannot say there is one custom about any particular matter which governs all persons throughout the province. There are exceptions to custom. For all I know and for all the members of this House may know, there may somewhere be a legitimate custom which allows a creditor to pursue the land in the hands of a subsequent holder even when there is no express charge upon that land. For all I know there may be a genuine custom made in the village and not made in the courts which allows that custom, and I think that it is necessary in this legislation, in clause 9 to make provision for any creditor who is not in a position of having any genuine custom of that kind in his favour, and the amendment which has been tabled by the honourable the leader of the Unionist Party would deprive such creditor of his remedy. To do so, mind you, is to do an act of confiscation and confiscatory legislation is a thing which ought to be avoided at any

cost. I think that a study of the four conditions which have been attached to the second proviso of the recommended clause should make it clear to honourable members that it is only in the event of real custom, the custom followed in the villages being available to the creditor that he has any chance of executing his decree against land in the hands of a subsequent holder. I appreciate the reasons which have led the honourable leader of the Unionist Party to move his amendment, but I do suggest that those reasons in view of this very recent ruling have now no longer the force which they had before. It is possible to prove the existence of custom immediately before the commencement of this Act, not by rulings but only by a reference to the customary Law. I earnestly ask the mover of the amendment not to try to turn this clause into a confiscatory clause for which I know there is no precedent, because he proposes to take away the remedy and without putting anything at all in its place, a thing which has not been done even by such measures as the Punjab Land Alienation Act. I resist the amendment.

Rao Bahadur Chaudhri Chhotu Ram : I quite realise that so far as debts incurred after the commencement of this Act are concerned, the plea of special custom will not be allowed under this clause as it stands. But so far as debts incurred before the commencement of this Act are concerned, special custom will still be allowable under the existing wording of this clause, and as there are ways in which a debt can be kept alive for a number of years it is apprehended that these pleas of special custom may, by certain courts, be held permissible for a long time to come. However, I think that the word 'original' may be of some help. I also realise that the latest rulings on the question go a long way to reassure the tribes which follow custom in matters of inheritance. I am sure that the two rulings which have been published in Indian Law Report, 1936, Lahore, will be very helpful in execution proceedings whenever an attempt is made to have ancestral immovable property attached in execution, but in view of the fact that nobody can say what view courts may take and what interpretation they may seek to place upon the wording of this clause, it is best to keep oneself free to move such an amendment and pave the way for a further Bill if one becomes necessary.

Mr. President : The question is—

In lines 11 and 12, for the words 'in respect of a debt incurred,' the words 'in respect of a decree passed' be substituted.

The motion was lost.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) :
I beg to move :—

That in second proviso, lines 2 and 3, between the words 'Act' and 'ancestral' the following be inserted :—

but not acknowledged by the judgment-debtor or his representatives in interest after the enforcement of this Act.

The amendment which has just been lost was rather wide because according to that it was meant to restrict it only to those cases in which a decree had been passed. What I want to bring before the House is that in all new contracts based upon old contracts, that is, in all cases of *novatio* as we call it in law this provision should not apply. For instance, suppose a man incurred a debt some five years back. It was then Rs. 500. After

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the commencement of this Act that debt has to be acknowledged along with interest, etc. That will be a new contract altogether not covered by the previous stipulations and there is no reason why the provisions of this Act should shut out this new contract which under the law is a new contract and all the courts would interpret it to be a new contract. Without making any long speech I would commend this to the attention of the Honourable Finance Member and the Legal Remembrancer to give their thought to it because after all it is only just and consistent that the ordinary principles of law should apply. In an altogether new contract we must have conditions which are understandable by the debtor and because you pass this Act, therefore he has to abide by those conditions, he cannot get out of them. Once a debt is contracted, it may be kept alive for generations, by balance after balance being struck and by acknowledgment after acknowledgment being made. The result would be that to-day we are passing an Act which in the case of a particular debtor may never affect the transaction at all for generations. Again you can very well imagine that the agriculturist debtors whom it is sought to protect are already in debt; their contracts are there. They are not in a position to-day to pay up their debts. You are legislating for them, but by their very condition—poverty and all that—they are not in any way able to profit by this Act because of the acknowledgments and the striking of balances—those very salutary provisions, will be defeated and this Act will as a matter of fact in ninety-nine cases out of a hundred would have nothing to do with the actual debtors whom you want

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to protect. I would very respectfully commend it to the notice of Government that in a way we are doing a thing which is not of very great use so far as the actual working of the Act is concerned.

The Honourable Sir Donald Boyd: May I ask the honourable mover of this amendment to explain what he means by the word 'acknowledged'.

Shaikh Abdul Ghani: 'Acknowledgment' is a legal term. If a man acknowledges a debt which is due from him, that acknowledgment is in a way a new contract. If he does not acknowledge that debt, the result would be that the creditor is left to the ordinary remedies, that is, he may proceed to courts and institute a case against him, get a decree and proceed to execute that decree against the debtor. But if the debtor acknowledges the debt, then the limitation period is revived, the creditor is not forced to go to a court within a particular time, and his original contract is kept alive. Acknowledgment of a debt always revives the limitation period, it may be for twenty years, sixty years or even one hundred years, by successive acknowledgments. The creditor in such a case is not a loser.

Mr. President: Clause under consideration, amendment moved—

In second proviso, lines 2 and 3, between the words 'Act' and 'ancestral' the following be inserted:—

'but not acknowledged by the judgment-debtor or his representatives in interest after the enforcement of this Act.'

The Honourable Sir Donald Boyd (Finance Member): We have had very little notice of this amendment and it has not been possible to

foresee within this short notice the effects of this amendment, if it becomes law. I understand that by the word 'acknowledgment' the mover of the amendment means an acknowledgment such as striking a balance. There seem to be other forms of acknowledgment also, such as acknowledgment in court of the existence of a debt claimed against a debtor. But I cannot see why you should exclude debts which have been acknowledged after the coming into force of this Act. According to this amendment, so far as I understand it, if a balance is struck after this Act comes into force, then the particular clause of section 9 will not apply to it, at any rate the proviso will not apply. I fail entirely to see any reason for excluding such debts from the effect of the proviso and for that reason I must oppose it.

Mr. President : The question is—

In second proviso, lines 2 and 3, between the words 'Act' and 'ancestral' the following be inserted :—

'but not acknowledged by the judgment-debtor or his representatives in interest after the enforcement of this Act'.

The motion was lost.

Mr. President : The question is :—

That the second proviso without parts 1, 2, 3 and 4 be adopted.

The motion was carried.

Mr. President : The question is—

That part 1 of the second proviso be adopted.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadian, Rural) : I beg to move—

That in sub-clause second of the second proviso the full stop at the end be changed into a comma and the following be added after it :—

"and nothing in this section shall prevent the judgment-debtor from proving the contrary".

The object of this amendment is to make it perfectly clear that a judgment-debtor shall not be prevented from pleading and proving any custom which is to his advantage. The parts as they stand may convey the impression that after these four conditions have been fulfilled the judgment-debtor shall not be allowed to plead or prove any custom to the contrary. But so far as custom is concerned, the law is that the existence of a custom must be held proved or disproved according to the evidence that is produced in each individual case. But in view of the four conditions mentioned in this clause courts may come to the conclusion that a judgment-debtor should not be allowed to plead or prove the authority of the general custom as soon as a judgment of a competent court to the contrary is produced before it. Such a conclusion will, no doubt, be in contravention of all law and of the existing practice of courts. Still in order to make the whole thing quite clear and to place it beyond all manner of doubt these words have been proposed to be added at the end.

Mr. President : Clause under consideration, amendment moved :—

In sub-clause second of the second proviso the full stop at the end be changed into a comma and the following be added after it :—

"and nothing in this section shall prevent the judgment-debtor from proving the contrary".

Pir Akbar Ali : I should like to have a piece of information from the honourable mover of the motion. If the creditor proves a custom by a subsisting judgment of a court and that judgment has not been upset or in any way varied by any other subsequent judgment, then that will be the custom proved. Will the addition of these words nullify the proof by the creditor of a custom by producing the judgment of a court ?

Mr. President : Whom does the honourable member expect to answer his question ?

Pir Akbar Ali : Either the Legal Remembrancer or the honourable mover of the amendment.

Rao Bahadur Chaudhri Chhotu Ram : So far as I can judge, the insertion of the words which I have suggested will allow a judgment-debtor to plead any custom which is to his advantage in spite of anything that may occur in any other part of this clause.

The Honourable Sir Donald Boyd : The words which the honourable mover of this amendment wishes to add seem to me to be totally unnecessary and at the same time they seem to be totally innocuous. Government will not therefore oppose the amendment.

Mr. President : The question is—

In sub-clause second of the second proviso the full stop at the end be changed into a comma and the following be added after it :—

“and nothing in this section shall prevent the judgment-debtor from proving the contrary”.

The motion was carried.

Mr. President : The question is—

That the second part of the second proviso as amended be adopted.

The motion was carried.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) :
I beg to move—

In the third sub-clause of the second proviso, line 1, the words ‘among other things’ be inserted between the words ‘decree-holder and ‘is’.

My only anxiety is to safeguard the interests of the judgment-debtor and to see that by the passing of this Act he is not inadvertently thrown into a worse position by laying it down as the sub-clause does, namely, “that the decree-holder is able to show to the satisfaction of the court that, at the time the debt was originally incurred, there was a subsisting judgment or order of a competent court”. If he produces one single instance courts may not be misled by wrong interpretation of this section. All that the judgment-debtor has to do is to put in a copy of judgment, it may be that of an execution court ; it may be against a minor who is represented by a guardian who does not care to fight that application in the execution court. Whatever that copy is, by putting in a copy of that particular judgment, which would be of no consequence in an ordinary case of custom, he may over-ride the established standards of proof or might succeed in persuading

a court to over-ride the ordinary provisions of the law and in that case the judgment-debtor whom it is sought to protect, may not be in the very unhappy position after the passing of this Debtors' Protection Bill. My fears are, that the section, as it stands, the sub-section to which we are referring just now, as it stands, would work very hard, and would be a very great derogation from the existing law of the land so far as the particular proof of a particular custom is concerned. I imagine that the Government is anxious to make the law in a way beneficial to the interests of the judgment-debtor, but in that anxiety, we may not be enacting a law which in its working may prove injurious to the debtor. By saying "among other things" I mean that the court will bear in mind that it will apply its mind as it does in an ordinary question of law and it will be open to the parties to let in full evidence and they would not rest contented by merely putting in a copy of a judgment and the judgment would proceed upon a thorough adjudication of all the facts involved in the case.

Mr. President : Clause under consideration, amendment moved :—

That in the third sub-clause of the second proviso, line 1, the words "among other things" be inserted between the words "decree-holder" and "is".

The Honourable Sir Donald Boyd (Finance Member) : I must oppose this amendment because I think that the words "among other things" are unnecessary. If these words were included, I foresee great trouble in the drafting committee. I do not see why we should have any more drafting committee. I am opposed to including the vague words "among other things" which may mean anything or nothing. I also see no reason whatever why you should compel the judgment-debtor to prove 'other things' in addition to proving what is mentioned in this third sub-clause. If he proves this and that is sufficient in the opinion of the court, the thing is done. Why put him to the necessity of proving for instance that the moon is shining or not shining?

Shaikh Abdul Ghani : In order to fulfil the meaning of His Excellency. This clause burdens the decree-holder and not the judgment-debtor.

The Honourable Sir Donald Boyd : Why should you compel him to prove the things that you may not want to prove? I, therefore, oppose the motion.

Mr. President : The question is—

That in the third sub-clause of the second proviso, line 1, the words "among other things" be inserted between the words "decree-holder" and "is".

The motion was lost.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : I move—

That in the third sub-clause of the second proviso, line 4, the words "of appeal" be inserted between the word "court" and the comma.

I specially commend my amendment to the members sitting opposite. There are very serious objections to the draft of the Bill and particularly this particular provision which is before the House. All that the Government says in this provision is that the decree should be of a competent court and it should not be *ex-parte*. Now, we have just to consider what other decrees are possible, but, as a matter of fact, when we scrutinise those decrees, they

[Sh. Abdul Ghani.]

are as ineffectual or even worse than an *ex-parte* decree. For instance, it takes no notice of decrees that are collusive altogether. You are to-day engaged in drafting this Bill. The astute *bania* has a hint from you. I know not when, as a matter of fact the Government would be finally passing this measure into law. It might be four months, six months or a year hence. Supposing the money-lender to-day begins having collusive decrees—what is there to prevent him from doing that—and when a copy of that decree is, after the passing of this Act, put into court that would be within the meaning of this clause which you propose to legislate and it would be a farce. Again, suppose that there is a decree; the defendant was not alert enough and there might be several reasons for that, for instance, a blind man was sued by a money-lender in a court of justice; the blind man was not in a position to appoint his representative in suit who was intelligent enough or who was arduous enough to take pains on his behalf; and the result was that there was a decree although it was not an *ex-parte* decree. Take the case of a minor again. He has a guardian. The guardian does not take enough care to fight that particular point of custom and the decree is passed. In all these cases the so-called decrees are not real adjudications so as to form instances on an involved question of custom. I would submit most respectfully that the official benches should take note of it. Those decrees bind only the parties in the case. What are you going to do here to-day? You pass a decree against a particular man and you bind me, who was not a party to that suit in any way and you say, "I am bound by a particular decree against A because I happen to belong unfortunately to a particular tribe." That is what you are doing here.

The Honourable Sir Donald Boyd : Sub-tribe.

Shaikh Abdul Ghani : True but that would not make any difference. You are modifying the existing law of the land. Your solicitude does not help much. Decrees *in rem* can only bind all persons. By enacting this particular Act, you are limiting it to only one instance. One single copy of a particular judgment against any one of that tribe or sub-tribe would be binding upon every individual residing in a particular tahsil. That is, I would say the least of it, not legal and not the right way of looking at the law on the point. Now, as you will be all aware, in a case under the customary law, pending in a court of justice, twenty instances are put in. Twenty copies of various judgments from the highest tribunal in the province to the lowest are put in. Both parties litigate the point and in many cases a dozen or half a dozen instances are found insufficient to declare a custom. The court would simply follow the *ritaj-i-am* in many cases and discard conflicting decisions. There are all sorts of decisions on custom on different points with respect to a particular tribe. You cannot lay down quantum of evidence to prove a particular custom. How can you in defiance of the law of the land—a law administered by the highest tribunal of the province—set up a different law, a strange standard of evidence? My submission is that it might worsen the position if the Government does not accept the amendment, and as we are not in a position to oppose it successfully I have taken the most moderate course. If one judgment is to suffice, this should be the judgment of at least a court of appeal. In actual working people do not say in documents that because there is a particular custom in

the tribe, my ancestral land would be liable. People know—the creditors know—that in a particular tribe there is the custom and when the decree is passed, the creditors proceed against the ancestral property of the debtor only in execution. The decree is purely a money decree in such suits. The question whether the ancestral property of a particular person of a particular tribe is liable for ancestral debts is to be gone into in the execution court. You enact that a copy of the judgment of any competent court would do—the execution court is a competent court—the point is litigated upon in the execution court as you know very cursorily. We are in effect laying down that the copy of a judgment of any executing court which is a competent court, and which may not be *ex-parte*, should suffice to prove a particular custom. This is considerably whittling down the existing law. I can see that certain other safeguards are provided, but in actual working the court will be led to the belief that as the legislation specifically limits the proof to one instance, it need not bother itself to find other or better proof. The worst is that in an execution court generally, this point has to be gone into. In an execution court people do not take enough care. They do not take enough trouble. Courts are not so vigilant in deciding these points. If there is no appeal and the point has been hastily decided in an execution court all the same it is an authority binding enough. If there is an appeal in a particular case that would show that the judgment debtor at least was interested in fighting out the case and he was interested in safeguarding his interests and took pretty good care to go to the higher court, but as a matter of fact he failed—at least this sanctity should be there. With these remarks I respectfully commend this to the notice of the Government and the House.

Mr. President : Clause under consideration, amendment moved—

That in the third sub-clause of the second proviso, line 4, the words "of appeal" be inserted between the word "court" and the comma.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*) : I rise to support this motion and in supporting it I may say that the zamindars of the Punjab are being looted and robbed in the broad daylight, and if I may say so, the Unionist Party is responsible for their being so robbed.

Mr. President : The honourable member will please speak to the motion.

Pir Akbar Ali : I say that the zamindars are being plundered without any protest on the part of the zamindar members because what they possess already and what has been given to them by the rulings of the High Court is being taken away from them by the proposed clause 9 of the amended Bill now before the House. According to this clause a *riwaj* or rule of custom decided upon even by a lower court will be given the sanctity of an established rule of custom and will be considered sufficient to prove the liability of the debtors concerned. And as you are aware, there will be any number of such decisions by the lower courts. I will illustrate my point by an example. Supposing a Jat, a Virak Jat is sued against by the sahukar and a decree is given against him by the court concerned. That court also decides that because there is rule of custom according to which the property inherited by the defendant can be attached in execution of the money decree passed against him for debts incurred by the ancestor of the defendant, the property of the defendant should be attached. Supposing further that that decision is not

[Pir Akbar Ali.]

challenged because the debtor concerned happens to be a poor man and is unable to go to a court of appeal or does not care to appeal because the property involved does not exceed a kanal or two in area. In other words that decision is allowed to stand. Now according to the clause which is now under consideration that decision will be enough to establish a rule of custom and will be cited to prove the liability of the debtors concerned. I may here also remind the zamindar members, who appear to have taken no notice of this very serious problem, that a rule of custom is not applicable to a sub-tribe alone as some of them appear to think. Such a rule of custom becomes applicable to the whole of a tribe and even to the locality concerned. This is why I say that if this clause is allowed to be passed as it is, it will bring ruin to many families. It is to say the least a serious encroachment upon the rights of the zamindars already recognised as I have said, by the High Court. It is now a settled law of the province that the ancestral land in the hands of the son of a deceased father is not liable to attachment or sale in execution of a decree for debts incurred by the father. There is more than one ruling of the High Court on this point. Even in the case of Shahpur district where the zamindars have got more extensive power than the zamindars of other districts in the province to alienate their lands, a judgment to that effect was passed by the High Court.

I know that judgments have been passed by the High Court up to 1931 ruling that such lands are liable to attachment and sale in execution of money decree in respect of debts incurred by the predecessor-in-interest and I also know that these judgments were based on the special custom supposed to have been created on the answer in the affirmative by the tribes concerned to the set question alleged to have been put by the settlement officers in the settlement of the various districts. I think I shall do well if I read that question to the House to which the honourable Legal Remembrancer also invited our attention. That question is as follows :—

Is a minor whose father is dead and who has inherited the father's estate liable for the father's debts? If such debts are not payable till the minor comes of age can the property inherited be alienated in the interval?

This is the question which the settlement officers were instructed to put to the zamindars and this is the question which was put in the settlement of the Jhang, Jullundur, Ferozepore and Rohtak districts. It is strange that the same question was repeated every time and it is also strange that one and the same answer was given by the zamindars of all districts concerned. But I may say that after the settlement of the Ferozepore district in 1914, I found on verification that no such question was put to the zamindars and no reply was, therefore, given. It appears that the answer to that question was put on record in every case by the settlement officers themselves or was suggested by the Financial Commissioner. As I have said already it was on the basis of this answer to this question that special custom was supposed to have been created and it was on the basis of this question and its answer in the affirmative that Mr. Justice Dalip Singh decided in a case in regard to Jhang district in 1929 that ancestral land could be attached and sold. This judgment was followed by two other similar judgments by Mr. Justice Jai Lal in 1930 and 1931 in regard to cases relating to Jhang and Jullundur districts. But that judgment was reversed by a judgment of a Division

Bench of the High Court in which it was also pointed out that question No. 32 to which reference has already been made and its answer related more to the factum of guardianship than to that of ancestral property. I think I shall do well to read the relevant portion of the two judgments by which the previous judgments are reversed. They are as follows :—

The reversioner or a major son, who is in possession of the ancestral land, is not liable to pay the debts of the last holder out of the ancestral land which came to him through the common ancestor and such land cannot be attached or sold in their hands to meet those debts.

The other relevant portion from the judgment of Mr. Justice Abdul Rashid is as follows :—

Answer to question No. 32 does not show that there is a special custom in the Ferozepore district which makes ancestral property in the hands of sons liable to attachment and sale in the execution of a money decree against their deceased father.

These judgments have the sanctity of law and in them the rights of the zamindars have been clearly recognised. But this clause 9, as I have already said and as has been explained by the honourable member from Sargodha, will ruin the zamindars. It is no use asking us to wait and see the results and the effects of this clause. That will not and should not satisfy us if we are here to safeguard the interests of the zamindars. How long can we wait? At least one generation, i.e., about twenty years. In twenty years' time all land will pass out of the hands of the zamindars and then there will be no need for such a legislation, or proving the existence of any such special custom. I inform the zamindar members that they will be mistaken in getting this clause passed. The first portion of the clause may be retained; but the latter portion should be dropped. But this clause cannot be broken up into pieces and, therefore, the whole of this clause ought to be dropped. I have brought this matter to your notice and my duty has been discharged. This clause will affect the interests of the zamindars so adversely that it is difficult to imagine the harm that it will do.

Mr. President : There should be a limit to irrelevancy.

Pir Akbar Ali : I will be relevant, so far as I can understand relevancy. Everybody cannot understand relevancy. The law of relevancy is very difficult to understand. An ordinary sub-judge of a tahsil like Muktsar should not be allowed to give a judgment in such cases. The judgment ought to be that of an appellate court. Although it will not undo all the harm that this clause is expected to do but still the chances of harm will be decreased.

The Honourable Sir Donald Boyd (Finance Member) : It may shorten the debate a little if I explain that so far as I can understand, the mover of this amendment and the supporter are both under a total misapprehension of the meaning of the clause; otherwise they would not have moved or supported it. The clause nowhere states that one judges' opinion shall be a sufficient proof of the existence of a custom. It says that nowhere. The effect of the clause is this. It is to prevent a creditor from coming into court to attach and sell the property of a judgment-debtor unless he can prove to begin with that he had some kind of justification for thinking that that property would be security for his debts at the time that he advanced it. That is all. That is the effect of the section or that part of the section. What he has got to prove is contained in the second clause. He must

[Hon. Sir Donald Boyd.]

prove that such liability was permitted by the rule of custom applicable to the judgment-debtor immediately before the commencement of the Act. He has got to prove that there is an existing custom at the commencement of the Act under which the land can be attached. Now the section nowhere prescribes the manner in which he is to prove it. He has to prove it just as he proves any other contention in a court of law. The third clause does not state that it is enough for him to prove that a judgment of competent court subsisted at the time that the debt was incurred. It does not say that at all. But it says that he must before he is allowed even to plead that the custom exists show that there is at least one judgment in existence at the time the debt was incurred which led him to assume that there might be a custom. It does not prove the custom at all.

Pir Akbar Ali: That will be the interpretation of the courts.

The Honourable Sir Donald Boyd: It cannot possibly be. The intention to my mind is plain. That is to say, the amendment of this clause has been recommended so as to avoid confiscation. Otherwise there would be clear confiscation. For, if at the time a loan was made or goods were advanced on credit the creditor had good cause to believe that the loan of his debtor would be secured, then if we took away the security from him there would be confiscation. This clause of the proviso requires some proof that he had reason for thinking there was security for the money advanced or the goods advanced. The simplest way of his proving that is to show that there was a subsisting decree to that effect. If he cannot show that, his whole case goes and he is not even allowed to prove that that custom exists. He is not allowed to start proving it. He is first to prove that there was a subsisting decree; otherwise he has no right to go to the stage of proving the existence of custom. I think it is as clear as it can be that the clause does not say that the existence of one single judgment of a court shall be proof. It does not say that at all and I do not think that any court could possibly assume that that is the meaning of the clause.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural): Unfortunately our experience in the past with regard to adjudication in courts in relation to custom has been very sad and disappointing. And it is that sad experience which fills us with fears and apprehensions. Otherwise perhaps there would not have been the same need of putting forward these amendments one after the other. I have discussed the whole clause with the representatives of Government and while I realise that there are several safeguards in this clause I still share the apprehensions of my comrades here that actual adjudication of courts may go against us. The safeguards to which reference has been made are contained, first, in the second proviso which says that ancestral property in the hands of a subsequent holder *may* be liable. This means that even after all the four conditions laid down in this clause have been fulfilled, the courts are under an obligation to hold that ancestral immovable property *shall* be liable. That is one safeguard. Another safeguard is the insertion of the words of the amendment which I proposed a few minutes ago and which has been carried, that the judgment debtor shall not be prevented from proving any custom which favours him on the issue with regard to the

attachability of ancestral immovable property. Then there is a further safeguard in the fact that the judgment-debtor is at liberty to produce any number of judgments which favour his own point of view. I also realise that unless all the four conditions laid down here are fulfilled, the court shall not hold ancestral immovable property to be liable to attachment at all. If the decree-holder is unable to produce a judgment which specifically relates to the sub-division of the tribe to which the judgment-debtor belongs and to the particular tahsil in which the judgment-debtor resides, he will be out of court. These are the safeguards contained in the clause under discussion. They ought, in the ordinary course of things, to be sufficient to prevent a wrong view of the law being taken by courts. But our experience in the past has been rather sad and it is that sad experience which makes us over-apprehensive, over-anxious. The amendment moved by my honourable friend is so reasonable that I do not understand why the Government should have any hesitation in accepting it. After all what it wants to secure is that the judgment relied upon should not be a judgment by an executing court which may have been given in the absence of any proof or in an inadvertant manner. Evidence may not have been produced and the order itself may have been the result of a collusion between the decree-holder and the judgment-debtor. If there is an appeal and the judgment relied upon is by an appellate court there will be some guarantee that the judgment-debtor had taken some trouble to have his point of view supported by evidence and considered by the court. I think this amendment is so reasonable that we can easily carry it. What we are afraid of is that the Governor may withhold his assent if we carry an amendment opposed by Government. In that event the whole Bill will go. If that apprehension had not been there we would have pressed this amendment to a division, and would have had every chance of carrying it.

Mr. President : The question is —

That in the third sub-clause of the second proviso, line 4, after the word 'court' the words 'of appeal' be inserted.

The motion was lost.

Shaikh Abdul Ghani : May I request your permission to move an amendment at this stage? It might perhaps be acceptable to Government. I wish to have the words "there was a subsisting judgment or order of a competent court not being an execution court".

Mr. President : The honourable member's amendment has not been handed over to the Chair nor has it been circulated to members.

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

That in sub-clause third of the second proviso for the words "sub-tribe in the tahsil," the word "tribe" be substituted.

If the amendment is adopted, the sub-clause will read thus :

That the decree-holder is able to show to the satisfaction of the court that, at the time the debt was originally incurred, there was a subsisting judgment or order of a competent court, not in *ex-parte* proceedings, holding that such a custom was applicable to the tribe to which the judgment-debtor belongs.

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

I was very glad that the honourable Rao Bahadur Chaudhri Chhotu Ram moved an amendment to sub-clause 2, which lays down that nothing in this section shall prevent a judgment-debtor from proving to the contrary, and he has rightly pointed out that if a person can prove a thing, it should be placed beyond doubt that his right to do so has not been taken away by implication. That amendment was accepted by the Leader of the House and has been incorporated in the Bill.

But we are now, however, discussing the proviso. The main section lays down that in future it shall not be possible for any one to prove a custom by which ancestral property in the hands of next holder can be made liable for the debts of a deceased judgment-debtor. The Government, however, appear to have realised that if they pass a legislation of this kind, they will be doing grave injustice if they gave this legislation a retrospective effect. The present section therefore permits such a custom to be proved with respect to debts which had been borrowed before the enactment of this provision and lays down that with respect to the existing debts, which have been borrowed before coming into force of this Act, it would be possible for a creditor to prove the custom by which such property was liable for the payment of that debt. Now, having done that it appears that, as a result of pressure, they have been made to modify the salutary provision by adding provisos to it, which, I should not say merely practically, but I make bold to say, totally negative the effect of the provision. Let us see what the provisos are. They are that with respect to debts existing before the Act came into force, no creditor will be entitled to proceed, according to the present law, that is unamended law, unless he fulfils four conditions. The provisos read—

Provided, further, that in respect of a debt incurred before the commencement of this Act, ancestral property in the hands of a subsequent holder may be liable, only if all the following conditions are satisfied :—

First, that before such liability is, etc.

Mr. President: The honourable member will please speak to the amendment.

Rai Bahadur Mr. Mukand Lal Puri: I am speaking to the amendment. I will just explain that what is laid down is that it is open to a creditor to prove by a custom applicable to the judgment-debtor himself, not to the tribe or tahsil or zail in which he lives, that the ancestral property is liable for the debt of the deceased. When he has succeeded in establishing a personal custom in those precise terms, would any person expect anything more from him?

Now, sub-clause 3 says that when the decree-holder has established his entire case, when he has established to the satisfaction of the court, not by one judgment, but perhaps by producing 20 judgments, not by one instance, but perhaps by hundred instances, perhaps also supported by *riwaj-i-am*, when he has satisfied the court beyond the least shadow of doubt that by custom, the judgment-debtor's ancestral property is liable for the debt, the Government says, "No, even then we shall not help you, unless you produce something else," which in 99 cases, it is impossible for you to produce. After the unfortunate decree-holder has established the custom,

his right, in addition he is required to bring a judgment relating to the sub-tribe and relating to the tahsil, in which it should have been held that this custom is prevalent. The custom may be so universally acknowledged that no person may have ventured to litigate about it, and there may be no judgment in existence although custom may be recorded in *riwaj-i-am* and supported by 200 instances. The proviso says, "you must bring a judgment of a court, which should relate, not to your tribe, but should relate to your sub-tribe." Sub-tribes are nowhere defined. It will be a difficult task for courts to determine what is the sub-tribe. You know very well that there is a division of tribe into sub-tribe and still there is a further sub-division of sub-tribes. If you produce a judgment relating to a Jat of the same tahsil and of the same district, the objection may be that it does not relate to a particular sub-class of Jat. If you produce a judgment of a Variach which is one of the sub-castes of Jats, objection may be raised that the judgment does not relate to say Kalun Variach to which the judgment-debtor may claim to belong, and if you produce a judgment of a Kalun Variach, another further sub-division may be pointed out. Again, it is most novel that you must produce a judgment, not of the same sub-tribe, but the sub-tribe living in a tahsil. Government is fully aware that *riwaj-i-ams* are prepared with respect to districts and not to tahsils. Therefore, I say again that this proviso is dictated not by any principle or by any reasons of sound sense or by any intelligible reason, but dictated at the point of bayonet, with the sole object of nullifying the rule which has been laid down in the main section. The Government having taken up the correct position should not have added these absurd provisos to the enactment. They should have either abandoned the main enactment with respect to existing debts, or not yielded to the pressure to put in these provisos which nullify the effect of the main provisos. The provisos require the production of a document in addition after a decree-holder has proved his whole case. That document in 99 cases would not be available. I have proposed an amendment to this clause which will come at a later stage. I have, however, asked for much less, not for the total omission of the provisos, but for amendment of the provisos which would make them at least look reasonable. If it is necessary to produce a judgment after a person has established a custom, let him produce a judgment relating to a *tribe* in the *district*. What is the object of insisting upon a judgment relating to a *sub-tribe* in the *tahsil*? It is quite obvious that you want to nullify the effect of what is laid down in the preceding clauses. These are my reasons for this omission. I know very well the fate of my amendment but still it is my duty to expose the camouflage, which is attempted in these provisos.

Mr. President : Clause under consideration, the amendment moved, is that—

In sub-clause third of the second proviso, for the words "sub-tribe in the tahsil," the word "tribe" be substituted.

Mr. J. D. Anderson (Legal Remembrancer) : May I say a few words in reply to the honourable member who has moved this amendment? He has pointed out with regard to the difficulties before the courts in the way of determining what is a sub-tribe, and the difficulty of delimiting sub-tribes by tahsils. I would point out that in the ordinary customary law of a district, the distinction is already made. I have in my hand the customary

[Mr. J. D. Anderson.]

law of the Ferozepore district, which I consult at random from a number which I have here, and at random I find that there are Dhaliwals of the Moga tahsil, Gils of the Moga tahsil, Gil of the Fazilka tahsil, Sandhus of Muktsar tahsil and miscellaneous Jats of Moga and miscellaneous Jats of Ferozepore. Already this distinction is recognised in the books to which courts will have access. The reason why this condition has been laid down in these comparatively narrow terms is that the onus be placed on a decree-holder of showing that at the time when he entered into the bargain, he had a reasonable ground for believing that he could proceed against the land even in the hands of a subsequent holder. It would defeat the purpose of this provision if the scope of it were extended so widely as to include, say, any decree against all Rajputs. There are Rajputs, for example, in the Kulu tahsil of the Kangra district and there are Rajputs in the south of the Dera Ghazi Khan district and if a decree relating to either of these were produced in the other district, it would really be meaningless. So, I oppose the amendment.

Rai Bahadur Mr. Mukand Lal Puri: The honourable Legal Remembrancer has only pointed out a fact which is well-known to every one who is conversant with the *riwaj-i-ams*. The *riwaj-i-am* is prepared by settlement officers for each district and enquiries are made from zamindars according to various tahsils. Zamindars of different tahsils are gathered on different occasions. But that does not meet the point which I have raised.

Now, there may be a judgment with respect to the jats of Sonapat, but there may not have been any judgment with respect to the jats living in an adjoining village which for official purposes may be attached to another tahsil of the Rohtak district. And the customs of the jats may be identical in both the villages not only because the *riwaj-i-am* is the same, but because it may be judicially ascertained that the customs of the jats of the Rohtak tahsil is the same as the custom of the jats of Sonapat tahsil. My objection is that even when a person has established such custom with respect to the jats of the Rohtak tahsil and he has also established that the custom of the jats of Rohtak tahsil is the same as stated in the *riwaj-i-am* and also it has been judicially ascertained that their custom is the same as the custom of the jats of Sonapat, even then, the decree-holder will fail because, on account of absence of litigation amongst the jats of Rohtak tahsil, a judgment from that tahsil cannot be produced. He is only able to produce a judgment of a jat of Sonapat tahsil. Therefore, I submit that after a person has established his case, to lay down such a condition is absolutely negating the effect of the main provision which has been enacted. Again look at another proviso. It should be not only a judgment relating to the sub-tribe of the particular tahsil, but should have been in existence when the debt was advanced. The absurdity of these provisos would be transparent from the fact that these conditions would not be satisfied by producing a judgment which was passed, say, four or five years back. It can only be satisfied if that judgment had been delivered before the date when the debt was incurred. There could be no such judgment in almost all cases to which it could apply. The Government is therefore giving a retrospective effect to this provision.

These provisos mean nothing less than that. They are an entire negation of the main provisions. The House should not be a party to this camouflage. Abolish the main provision, if you like. I have proposed a very modest amendment. I respectfully submit that this House should agree to the proposed amendment of the proviso.

Mr. President : The question is—

That in sub-clause third of the second proviso, for the words 'sub-tribe in the tahsil,' the word 'tribe' be substituted.

The motion was lost.

Mr. President : The question is—

That part 3 of the second proviso be adopted.

The motion was carried.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) : I move—

That in sub-clause fourth of the second proviso, lines 2 and 3, the words 'at the time the debt was originally incurred' be omitted.

This is no time for lengthy speeches. The omission of the word 'at the time the debt was originally incurred' will bring the debtor to prove the custom which prevails at the present time, that is when the question will be discussed or will be called in question. It will be very difficult for the judgment-debtor to go back to the time when the debt was incurred. In the light of the rulings of the High Court which I have already quoted before you, he can say to the court that this is the ruling and that this is the law at present, ruling not of any small court but of the highest court in the province. Therefore I submit that these words should be omitted.

Mr. President : The question is—

That in sub-clause fourth of the second proviso, lines 2 and 3, the words 'at the time the debt was originally incurred' be omitted.

The motion was lost.

Mr. President : The question is—

That the fourth part of the second proviso be adopted.

The motion was carried.

Mr. President : The question is—

That the recommended amendments of clause 9 as amended stand part of the Bill.

The motion was carried.

Mr. President : The question is —

That in sub-clause 2 of clause 10 the words 'apart from the land on which they stand' be inserted between the words 'standing trees' and the words 'shall not be liable.'

The motion was carried.

The Honourable Sir Donald Boyd : Sir, does this mean that the Bill as recommended has now been passed and no further procedure is necessary ?

Mr. President : The Council has considered and passed, not the Bill, but the amendments, which were recommended by His Excellency the Governor.

The Honourable Sir Donald Boyd : May I know what the effect will be if I do not present the select committee's report on the Punjab Control of Public Utility Services Bill and move that it be taken into consideration ?

[Hon. Sir Donald Boyd.]

Can we proceed to the next Bill without this Bill lapsing? The point is this that the other Bill with one small amendment is word for word the same as the Bombay Act and it is possible that the House might let the second Bill through quickly. If I remain silent about the first Bill and proceed with the second Bill, the Punjab Entertainments Duty Bill, what will be the effect?

Mr. President : The Honourable Member may first present to the House the report of the select committee on the Entertainments Duty Bill, and then move consideration of the Bill.

THE PUNJAB ENTERTAINMENTS DUTY BILL.

The Honourable Sir Donald Boyd (Finance Member) : I present the select committee's report on the Punjab Entertainments Duty Bill.

The Honourable Sir Donald Boyd : I move—

That the Punjab Entertainments Duty Bill as reported by the select committee be taken into consideration.

Mr. President : Motion moved—

That the Punjab Entertainments Duty Bill as reported by the select committee be taken into consideration.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I wish to oppose this motion which has been moved by the Honourable Member. I do not think that time has arrived when we should try to limit the people's entertainments or enjoyments. As a matter of fact it is well known that so far as the Indians are concerned, they have very few entertainments and they do not as a rule resort to them. There should be every opportunity afforded to people living in the Punjab that they should take full advantage of the entertainments in the city. As a matter of fact in the rural areas there are up to this time no entertainments worth the name and it would really be a pity if the Government came forward and stood in the way of their entertainments by levying a tax on the cinemas, theatres, and such other entertainments, which are to be found in our cities. That is my first ground on which I wish to oppose the Bill.

The second is that cinema and theatre industry in the Punjab is yet in its infancy. We have got a large number of small companies now cropping up in the Punjab which are taking up the cinema and theatre industry and it would not be a proper thing to throttle that industry in its infancy by levying this taxation. I submit that on account of this industry a large number of people find employment and it is a well-known fact that even the educated people are taking interest in the new cinema companies that are being floated and this industry is affording the educated young men and women an opportunity to take their proper share in the economic development of the province. This is the second ground on which I wish to oppose this taxation.

The third ground is this. This is really not a tax which the provincial Government should impose. If this taxation should be levied at all it must be done by local bodies. The amount that may be realised by this tax will not be much from the point of view of the Government while it will

make a substantial addition to the revenues of a local body to enable it to improve the roads and sanitation of the city. On these three grounds I oppose the motion for consideration of this Bill.

Mr. President : The question is—

That the Punjab Entertainments Duty Bill as reported by the select committee be taken into consideration.

The motion was carried.

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

Clause 3.

Professor W. Roberts (Nominated, non-official) : I beg to move—

In clause 3, the words "exceeds four annas but does not exceed eight annas	..	..	..	..	One anna.
Exceeds eight annas but does not exceed one rupee	..	..	..	..	Two annas."
be omitted.					

The object of this amendment is to show that the House is taking a reasonable attitude in its points of view, with regard to the entertainments duty. We should not, I think, approach this question in a vindictive manner. After all, people who can only afford to pay eight annas for a seat are not the people who ought to be partially deprived of the small amusement in their life. Another aspect of the question which appeals to me is the case of soldiers in cantonments, both British and Indian, who may like to have pleasant evenings. It is in the interest of sane and orderly management of the military community, that it is necessary that they should have some entertainment, and we should not put any obstacles in their way of evening entertainments. I therefore, wish, in this amendment, to give this very deserving class of people a chance of enjoying the cinema without being penalised. I should like in this connection to emphasise the point which was put forward by Mr. Nanak Chand Pandit. The cinema industry has a great future in the Punjab. This industry like the railway will in the future depend very largely on cheap seats. I think therefore that we will be hampering the development of this industry if at this stage we introduce a tax on the lower classes of seats. Besides on purely humanitarian grounds we should exempt the lower class seats from this entertainment duty.

Mr. President : Clause under consideration, amendment moved :—

In clause 3, the words "exceeds four annas but does not exceed eight annas	..	..	..	..	One anna.
Exceeds eight annas but does not exceed one rupee	..	..	..	..	Two annas."
be omitted.					

The Honourable Sir Donald Boyd (Finance Member) : I am sorry to say that I cannot accept this amendment. I understand that a great part of the money taken by cinemas comes from the eight annas seats. If we exempt

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them we are going to sacrifice a great deal of the receipts which we hope to get from this Bill. I am not quite sure what that will amount to, but our district officers estimate it at about two lakhs. Two lakhs is very precious indeed and that too when you can get it by taxing what is purely a luxury, that is, something without which people can manage to carry on. For this reason I cannot accept the amendment.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): I wish to support whole-heartedly the amendment proposed by Professor Roberts. I think it is a very reasonable proposal that he has made. As a matter of fact the Honourable Finance Member should have known that those people who generally go and spend about four annas or eight annas on cinemas are very poor people. On the one hand it is said, and rightly so, that the poor people in this country have got no amusements and when somehow or other they manage to find four annas in order to visit the cinemas, then the Government comes in and wishes to levy a tax of one anna on them. (*An honourable member*: Four annas seats are exempted from this tax.). The imposition of this duty means denying to the poor people the enjoyment of an entertainment. The Honourable Finance Member said that this tax would bring about two lakhs. These two lakhs are nothing compared to the benefit to the health of the people derived by such recreation. The Government should therefore either have stated that this money will be handed over to local bodies or they should not impose this duty. It will give no relief to anybody, while on the other hand it would be a burden on the poor people who want to recoup their health by such recreation. As I have already stated the cinema industry is in its infancy and the Government instead of giving a subsidy to it is trying to kill it by this taxation.

Mr. F. H. Puckle (Chief Secretary): I only propose to take one minute in order to make clear one point. Clause 8 empowers the local Government "to make rules for securing the payment of the entertainments duty and generally for carrying into effect the provisions of this Act and in particular... for the exemption from entertainments duty of British and Indian soldiers, sailors and airmen in uniform." This I think meets the objection raised by my honourable friend opposite.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): I will not take even half a minute. There are just two points which require to be constantly borne in mind. There is the imperative need for lightening the burden of the class of people who now bear more than their fair share of taxation. That is the class which owns or cultivates land. The second imperative need is for a programme of expansion and development, particularly, in areas where development and expansion have had to be stopped on account of financial stringency. If either of these two imperative needs is to be fulfilled, money has to be found from somewhere. I think the source which has been tapped under this Bill is one of the best sources that can be tapped. I, therefore, support the motion for consideration whole-heartedly.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): In the first place there can be no objection to this duty because it is the universally recognised principal method of getting revenue. So far as the poor

are concerned, sufficient margin has been left, because no tax is proposed on four annas tickets. It is only when a person buys a ticket costing more than four annas that this tax is proposed to be imposed on him. This in a way puts an obstacle in the way of the poor people wasting their money on higher class seats. For these reasons I oppose the motion.

Mr. President : The question is—

That in clause 3, the words "exceeds four annas but does not exceed eight annas One anna.
Exceeds eight annas but does not exceed one rupee two annas;" be omitted.

The motion was lost.

Mr. President : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Clauses 4 to 6.

Mr. President : The question is—

That clauses 4, 5 and 6 stand part of the Bill.

The motion was carried.

Clause 7.

Mr. President : Clause 7.

Rao Bahadur Chaudhri Chhotu Ram : Clause 7 consists of two parts I am opposed to part 2 which empowers the local government by general or special order to exempt any entertainment or class of entertainments from liability to entertainments duty.

Mr. President : If the honourable member is opposed only to part 2. I will put part 1. The question is—

That sub-clause (1) of clause 7 stand part of the clause.

The motion was carried.

Mr. President : Sub-clause (2) of clause 7.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, non-Muhammadan, Rural): My object in opposing sub-clause (2) of clause 7 is that the local Government can always be approached—and approached successfully—by those who are quite rich and can very well afford to pay entertainments duty. It is this class which should not be allowed any exemption. Those who are not in a position to approach the local Government may continue to pay entertainments duty even though they are less able than others to pay it. The danger of this law being eluded arises from influential managers of certain entertainments or powerful people interested in certain entertainments. Therefore, I beg to oppose the local government being invested with the discretionary power to exempt any particular entertainments from payment of entertainments duty.

The Honourable Sir Donald Boyd (Finance Member): The honourable member is opposing sub-clause (2). He wants to have it omitted, that is to say, to take away from the local Government all power of exempting particular entertainments. That will be a most dangerous thing to do. It is very difficult indeed to foresee what sort of entertainments may crop up besides those which are actually exempted in the Act and to prevent

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Government from exempting them might have very serious effects indeed. There is especially Mr. Roberts' amendment of which he has given notice. I am particularly anxious not to do any harm to horse racing, at least not to wipe it out of existence. At the present moment I am not certain whether the imposition of an entertainments duty on horse-racing will wipe it out of existence in the Punjab or not. I rather suspect that it will. I think it will be extremely unwise in the interests of the zamindars in this province to deprive the Government of the power of exempting an industry, such as horse-racing, which is directly connected with horse-breeding, from the imposition of this tax. If Mr. Roberts fails later to get horse-racing exempted from this duty and in the meantime Rao Bahadur Chaudhri Chhotu Ram's opposition has taken away from Government the power of exempting it, it is quite possible—I think it is probable, because I have seen the accounts of the Lahore Race Club for the last three years—that they may have to shut up shop. If they shut up shop, they are going to give a very severe blow to horse-breeding in the Punjab. This industry has kept many zamindars going during the depression. They have made money out of the young stock, when there was little to be made out of agriculture. I think it would be a great mistake to inflict a blow of this kind upon the horse-breeding industry. I sincerely hope that members will not oppose sub-clause (2) of clause 7.

Mr. E. Mayadas (Nominated, non-official): I wish to know whether entertainments for philanthropic and charitable purposes will also be liable to the entertainments duty. I would point out that charitable entertainments should not be liable to duty.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I think, the honourable member, in the interests of the zamindars will not press the motion. It is in the interest of the zamindar that the Government should have the power to exempt an entertainment from liability to entertainments duty. There may be charitable entertainments, there may be horse-racing, there may be rural reconstruction entertainment, all these the Government should have the power to exempt from payment of entertainments duty. Why oppose a clause which is in the interest of the zamindars and the public?

Chaudhri Bansi Lal (Lahore city, non-Muhammadan, Urban) (*Urdu*): There is no doubt that the Government will be able to increase their revenue by taxing cinema goers. But there is another aspect of this question to which I want to draw the attention of this House. Cinema affords the people a very cheap recreation. If cinema is made prohibitively expensive, the people of limited means will begin to visit houses of ill-fame. So, we should not be a party to making cinema prohibitively expensive.

Mr. President: The question is—

That sub-clause (2) of clause 7 stand part of the clause.

The motion was carried.

Professor W. Roberts (Nominated, non-official): I beg to move—

That in clause 7 (2) the following be added:—

"Horse racing under approved conditions are excluded from the provisions of this Act."

The object of this amendment is that in our taxation, we should not do harm to an important industry in the province. During the agricultural depression, which the province has been going through since the last six years, apart from wheat crop, probably horse-breeders, are the greatest sufferers. It is well recognised in all civilized countries that racing has a very important effect on horse-breeding. During the Great War, although sports such as rugby association, football, etc., were completely stopped, racing was still allowed, because it was felt that the stoppage of racing would result in permanent injury to the horse-breeding industry in Great Britain. Now the position of racing in Northern India is a very bad one. There are practically two places where racing is carried on, i.e., in Rawalpindi and Lahore. If these two racing clubs disappear, the incentive of improving horse-breeding is taken away and it will inflict permanent injury to a very vital industry for the agriculturists. Some of my friends are taking rather a moral point of view in respect of racing. In this respect, I think it will do all of us a great deal of good if we want racing more often and enjoyed a perfectly harmless sport.

Mr. President : Clause under consideration, the motion is—

That in clause 7 (2) the following be added :—

"Horse-racing under approved conditions are excluded from the provisions of this Act."

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : To help the agriculturists, it is to a certain extent necessary that they should have other resources of income as well. I quite appreciate the point that at the present stage of the horse industry in the Punjab, agriculturists are not taking full advantage of the facilities available in this province for breeding horses; but the times are coming when the country-bred horses will be competing well with the thorough-bred English and Australian horses and it may not be very far when we may be able to supply enough horses for the necessity of whole of India. I think in view of this future industry in this province, it is absolutely necessary that horse-racing should be encouraged and patronised by the Government because in order to improve the breeding of horses, it is necessary that horse races should be encouraged. With this point of view I give my wholehearted support to Professor Roberts.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I wish to oppose the amendment which has been moved by Professor Roberts. As a matter of fact, if you look into the history of horse-racing and find how horse-racing goes on, you will find that it is a purely gambling concern and nothing beyond that. (Voices : No.) Horse-racing is a luxury and it should, therefore, be taxed. I am entirely at one with the honourable member who moved this amendment that horse-breeding should be encouraged, but this is not the method of encouraging horse-breeding. As a matter of fact you will find that wherever there are motors and motor-lorries, there horses have begun to disappear. If the Government puts higher taxes upon the motor cars and motor lorries, they can help horse-breeding. As a matter of fact, ten or twelve years ago, we found a large number of horses in the villages. Now they are not to be found. It cannot possibly be argued that because there is no horse-racing going on, therefore, there is not enough of horses, and therefore the horses have disappeared. As a matter of fact, one method of encouraging horse-breeding is that the Government should either

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ask the zamindars or other horse-owners to have good horses and not encourage gambling in a different way. If we look to France, England and any such modern countries, we find that race courses are the greatest gambling places where men and women go and lose thousands and millions of their hard-earned money. It would be a very wrong thing if the Government, by any method give any encouragement to horse-racing which is in other words gambling. There was a time when in several districts, people resorted to what is called *neza bazi* (tent pegging) and prizes were offered. The same sort of thing should be done here and prizes offered. That would lead to the encouragement of horse-breeding in the villages. Sardar Sampuran Singh, I know, is an owner of very good horses and goes to races and he, therefore, has got some sort of attachment to horse-racing, but he will find that horse-racing under present conditions—which is introduced by the Europeans—would not fit in with the Indian conditions. Therefore, I wholeheartedly oppose this motion.

Khan Haibat Khan Dahi (Multan East, Muhammadan, Rural) (Urdu): The grievances of the zamindars have been brought to the notice of the Government several times and various proposals have been agreed

upon to help the zamindars. Sometimes these proposals
6 P. M. related to reduction of land revenue and sometimes remissions of water rates. Government to help the zamindars have in some districts given land to them on horse-breeding conditions. The zamindars benefit themselves by breeding race-horses. Even the Government has been encouraging the breeding of race-horses. I support Professor W. Robert's amendment and request that horse races ought to be exempted from the application of this measure.

The Honourable Sir Donald Boyd (Finance Member): I am sorry to say that the Government will have to oppose this amendment for a technical reason. (*Hear, hear*). Personally I am in sympathy with the amendment, but if it is passed it will be necessary to have a drafting committee and our sitting now to consider this Bill will be all useless because it cannot be completed at this session and that is the only reason which induces me at the present moment to oppose this amendment.

Chaudhri Allah Dad Khan (Ambala division, North-East Muhammadan, Rural): I am surprised at the Government's attitude in opposing this motion. If you hold horse races surely the zamindar will bring good horses and they will be benefited. The honourable member from Hoshiarpur has been saying that motor cars and bicycles have taken the place of horses. But if you go to the village on bicycles it will go to pieces. It is the horse that is useful there. There are 1,001 things which a horse can do. Can you perform journeys to houses of debtors in villages on motor cars and bicycles? The utility of the horse is very great. It is a source of income to the zamindar. That being so, why should you try to lessen the income of the zamindar? Why has the Government arranged horse shows and horse races in the various centres of the province? For example, in Ambala there is a horse race and so also in other places. Why should Government spend so much money and allot horse breeding squares if there is

no advantage in horse racing? So the attitude of the Government is inconsistent in this respect. Either they should not give land for horse breeding and should not hold shows and races all over the Punjab or they should impose this tax. These two things cannot be reconciled. As it has been remarked there is a section under which Government can make an exception. But how will the Government make an exception in this case when they are opposing this amendment now? Why should this power be given to the Government at all and be allowed to be worked to the detriment of the zamindars? Those honourable members who are opposing it have not thought about this aspect. It is a great source of income to the zamindar and if to-morrow there is war and it is fought in the deserts of Darawan in Bahawalpur, will you be able to carry motor cars there? (*An honourable member: Aeroplanes.*) You cannot get aeroplanes in sufficient numbers. Only the horse is best fitted. Horse serves the purpose for which motor cars cannot be used. For these reasons Government should not adopt the inconsistent attitude.

Mr. President: The question is—

That the question be now put.

The motion was carried.

Mr. President: The question is—

In clause 7 (2) the following be added:—

“Horse racing under approved conditions are excluded from the provisions of this Act.”

The motion was lost.

Mr. President: The question is—

That clause 7 stand part of the Bill.

The motion was carried.

Clauses 8 to 11.

Mr. President: The question is—

That clauses 8 to 11 stand part of the Bill.

The motion was carried.

Schedule.

Mr. President: The question is—

That the schedule stand part of the Bill.

The motion was carried.

Preamble.

Mr. President: The question is—

That the preamble 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 Sir Donald Boyd : I move—

That the Punjab Entertainments Duty Bill be passed.

The motion was carried.

THE PUNJAB CONTROL OF PUBLIC UTILITY SERVICES BILL.

The Honourable Sir Donald Boyd : May I, before we adjourn present the select committee's report on the Punjab Control of Public Utility Services Bill.

The Council then adjourned till 11 A.M., on Tuesday, 31st March, 1936.

PUNJAB LEGISLATIVE COUNCIL.

6TH SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 31st March, 1936.

The Council met at the Council Chamber, at 11 A. M., of the clock. Mr. President in the chair.

MOTION FOR ADJOURNMENT.

PRINCIPALSHIP OF AMRITSAR MEDICAL SCHOOL.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) :
I move—

That the Council do adjourn for the purpose of discussing a definite matter of urgent public importance, namely, the action of the Punjab Government (Ministry of Education) in appointing an Indian Medical Service officer to be the Principal of the Amritsar Medical School—a post which was released by the Secretary of State for India from the hold of the Indian Medical Service.

Before I discuss this motion I wish to make it absolutely clear that no personal reflection of any kind is intended, on Captain Malik who might come in as the subject of discussion. The first point that I wish honourable members to note in this connection is that after several years of hard struggle the members of the Provincial Medical Service and the medical profession in the whole of this country got a definite concession from the Secretary of State for India. Ninety posts which were ordinarily filled up by the Indian Medical Service were released after the agitation which had been going on for a large number of years from the hold of the Indian Medical Service. Out of these, fifteen fell to the share of the Punjab. And if you will have a look at these posts which were released you will find that they are really the key appointments in the Punjab, for example the post of the Inspector-General of Civil Hospitals was released and in future, if the present principle for which we are contending is accepted by the Honourable Minister then this post will not be within the hold of the Indian Medical Service. The other is the post of the Director of Public Health. Then there are the posts of the Chemical Examiner, the Principal of the Medical School, Amritsar and several professorships in the Medical College, Lahore. These important posts in the past have always been filled by the members of the Indian Medical Service. It was after this agitation which was continuously carried on for the protection of the rights of the Provincial Civil Medical Service and other independent medical men that the people of India and the Punjab got this very valuable right from the Secretary of State. This post of the principalship of the Amritsar Medical School is the first post out of these fifteen posts which is now sought to be filled up on this basis from the Provincial Civil Medical Service or the independent medical men. The second point which I wish honourable members to remember is that the independent medical profession in the Punjab and the Provincial Medical Service men are second to none in their qualifications, so far as medical qualifications go, in the whole world. If you will see their qualifications they have got the highest possible medical degrees both of India and England such as M.D.,

[Mr. Nanak Chand Pandit.]

M.B.B.S., M.R.C.P., and so on. If you will look to their practice you will find that they are enjoying a very large and lucrative practice. They have built up their reputation through half a century in the past with great labour, integrity and by their conscientious work. And it was therefore but fair that when this opportunity came this post should have been filled either by the men who are serving in the Provincial Medical Service or from independent professional men in the Punjab. As a matter of fact we know it for certain that Lahore has become a centre for medical work and Lahore attracts a large number of outsiders as well so far as the treatment of diseases is concerned. Therefore it is essential before we proceed to actually analyse the effect of the appointment made by the Honourable Minister to see how it would be a great handicap, in the way of these men. There would be no incentive for hard and honourable work without the reward which experts seek in every department of life. In 1935 when this post was first released, the question came up how it ought to be filled. As I have already said when these posts were released from the hold of the Indian Medical Service for the first time in the history of the Punjab an opportunity was given to the Honourable Minister who represents popular opinion to show whether he cares for the popular opinion of the province or not, whether he would give back this appointment to the Secretary of State or whether he would safeguard the rights and interests of the Provincial Civil Medical Service men and the independent medical practitioners of the province. It would be no surprise to honourable members who have seen the way in which this post was sought to be filled that no kind of advertisement was made in the papers, no kind of information was made available to the public and no applications of any kind were invited from qualified men for filling this post. I may make it absolutely clear here that it is in the minds of some persons that this post should have gone to a Muhammadan. I should have been glad and I will be glad if it is given to a Muhammadan who is not a member of the Indian Medical Service. I know, I do not want to name them, those gentlemen who are in the Provincial Service and who are outside the service and who have got much better qualifications than the gentleman who is sought to be placed in the post. For example, this post requires experience of teaching. There are men who have been in the teaching profession as medical men. Then, the post requires experience of hospitals. There are men who have been serving the Government in hospitals for a number of years, I mean among the Muhammadans also. There are in all communities men fully qualified to fill up this post which has now been released by the Secretary of State, for the Provincial Service and independent medical men of the province. You kindly remember that when this post was released it was released after a board of very important officials had taken into consideration all the rights of the Indian Medical Service men. When after the board had gone into the question of men in the Indian Medical Service with protected rights it was found that there was no one in the Indian Medical Service whose rights were injured, it was then that this post was released. And now practically the action of the Honourable Minister means that he gives back to the Secretary of State's control what should have been in the control of the Punjab Legislative Council. That is what it comes to. The action of the Honourable Minister is an insult to the Provincial Medical Service men of the Punjab; it is an insult to the independent practitioners

of this province. He said that he found nobody excepting one person who possessed the qualifications that were needed for filling up the post. That is a statement which is entirely wrong and groundless. If the Honourable Minister had taken into consideration the several fully qualified men serving in the department and others who were in the profession working as independent practitioners he would have found that any number of men, twelve, thirteen or fifteen could be found who fulfilled and in a sense were better qualified than the gentleman he has chosen to fill this place. It means in other words that the Honourable Minister has set up a precedent that if in future any of the fifteen appointments such as the post of the Inspector-General of Civil Hospitals or the Director of Public Health or any other which I have just mentioned falls vacant, men in the independent medical profession or men in the Provincial Civil Medical Service are to be regarded as unfit to fill these places. How else is the Honourable Minister if he remains in charge of this department going to fill these appointments when they fall vacant? I submit he has trodden over the rights of the representatives of the Punjab because if this post had been made over to the Provincial Civil Medical Service it would have been a voted item and it would have been within the province of the Punjab Legislative Council to call to account the various persons who might be filling this post from time to time. It is therefore in a way as one of the leading papers of Lahore said a retrograde step so far as the much vaunted provincial autonomy is concerned. I have made this point that there are in the profession men with superior qualifications. I say to the Honourable Minister who has trotted out this matter before the Council many a time that even if qualified men with perhaps less qualifications than the gentleman whom the Honourable Minister has chosen had been competitors, the choice of the Honourable Minister should have been from the former class and a man possessing the less qualification that was required for this post should have been selected. That has been the main ground for filling several posts and it is not essential that we should take up the highest qualified man. Even if there were men with less qualifications than Captain Malik, the Honourable Minister should have given this post to such men if they fulfilled the minimum qualifications that would be required for the place. That has been his guiding principle in other spheres and I do not know with what reason, or with what logic the Honourable Minister now wants to start on a different line altogether. I wish to say this that this should not have been made a personal matter. It is not a personal matter. It is a fight for a principle; it is a fight on the question whether Indians or men who are represented in the Provincial Medical Service and in the independent medical profession are fit to discharge the highest possible job or whether they are going to look to the Indian Medical Service for the purpose of recruitment for these "released posts" as well. From all these points of view the Honourable Minister's assertion that it is within his discretion, that he has exercised his discretion and that therefore nothing more need be said on the point is entirely baseless, because his discretion is after all the discretion of the elected members of the House whose representative he is. He cannot go against the wishes of that service which after a hard struggle got these rights. He has to look to the interests of that service and judged from this point of view he has betrayed the trust that we placed in him. I hope therefore that the House would support me in this motion.

Khan Sahib Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Having heard the arguments put forward by the honourable member from Hoshiarpur to-day and yesterday I still feel that in accordance with the dictates of my conscience, I must oppose this motion. As a matter of principle and as a matter of policy as well, this House should not enter into questions concerning the services. The first thing which we have been observing throughout the general discussion of the budget and the voting of demands for grants by the House is the question of communal representation in various departments, over-representation in one and under-representation in another. Now to-day we have a new procedure, namely an adjournment motion, which should be very rarely resorted to on questions relating to the services. I should submit that this House should avoid entering into discussions of this sort as far as possible if we are to create healthy atmosphere for the new constitution. We have to receive the bare bones of the new constitution in the very near future and it is our bounden duty to cover those bones with flesh and blood of growing and living institutions. If we are to apply ourselves to that task we should not be led astray by these things. After all we must have the fullest confidence in those people whom we have entrusted with offices and we should take the view that if they have used their discretion in any way they must have done so with the best of motives and most honestly. If any of them has erred on a particular occasion—I do not believe in this particular case the Honourable Minister has erred—we should view it in the light of the general rule that to err is human. We should not take the exceptional course of raising a discussion on such questions on the floor of the House. Another thing which I would like to submit is that such a thing will increase our mutual bickerings and will rather widen the gulf which we want to bridge over. As far as it is possible we should discourage this practice.

Next it has been said that the Honourable Minister has set a bad precedent by appointing an I. M. S. man to a post which has been recently released by the Secretary of State from the hold of the I. M. S. I would say that the honourable member himself has set a bad precedent inasmuch as he has moved the adjournment motion over such a thing and over a matter of services and classes of service, that is, the Provincial Medical Service and the Indian Medical Service.

Next he said that the Minister had trampled under foot the rights of people. I would like to remark that Sir Firoz Khan Noon has been one of the most constitutional ministers we have ever had. (*Cheers.*) He has never transgressed our rights. As a matter of fact it is the policy of the Punjab Government to take into confidence people in matters which are purely to be decided by the Governor in Council. It is my experience for the last 5 years at least, that they have taken people into confidence and as far as possible they have always acted according to the advice of the people. In fact, the Minister is a creature of the people.

Next, Sir, he asked why in this respect a verdict should not be given. If this House passes by a majority or gives expression to its views by a majority that whatever he has done is quite all right, then, I think that statement that he has trampled over the rights of people, should be withdrawn.

Another thing, which he grumbles about is that the Honourable Minister has taken the control from our hands by giving the post to an Indian Medical Service man, whose pay cannot be voted upon by this House. Now, this alone is not a sufficient ground for grumbling, because by a mere look at our budget estimates we can see how many posts in this province are voted and how many of them are non-voted. So, this alone should not be the reason. In the course of general discussion of the budget and when moving various cuts in the grants, we can criticise the policy of the Government and such grievances can be pointed out.

Then, again another point is that the matter, as pointed out yesterday, was the subject of a question in this very House and that was further elucidated by so many supplementary questions on the floor of this House. I would remark that that information should have been considered sufficient to clear any doubts in the minds of any of us, and we should not have made a mountain out of a molehill. Suffice it to say that it is very difficult to lay down hard and fast rules in a matter of service and to regulate the discretion to be used. Discretion must be used according to the principle established by practice and convention. A Minister must apply his free mind to all matters and not under any influence. A thing which seems to be right under a particular set of circumstances if judged by some other standard might seem quite different. It is quite possible, rather probable, that a thing may seem right under one set of circumstances while if judged by another, it may seem quite wrong. It is always a question of standard by which it is judged. With these words I oppose this motion.

Dr. (Mrs.) M. C. Shave (Nominated non-official): I am constrained as a member of the independent medical group in this province, to support the motion of the honourable Mr. Nanak Chand Pandit. I agree with the honourable member, who has pointed out that it is not a good thing to move adjournment motions against the Minister, delay the work of the Council in this way and create trouble. But this is a matter of vital importance. The question and answers asked and given in this Council the other morning Mr. Riasat Ali referred to as being sufficient investigation into this matter, but that is not a fair argument, because those answers were most unsatisfactory. The Provincial Medical Service in this province has raised itself to an honourable position with great labour and when the Honourable Minister said that there was only one officer in that service to whom the post could be offered it was a direct insult to the service. He said there was only one member of the Provincial Medical Service, whose qualifications were considered sufficient to enable him to fill the post. I would ask the Honourable Minister if he was aware that that particular member of the profession had already been appointed to a post which would make it absolutely certain that he would refuse the offer of this particular post and the Honourable Minister completely ignored the claims of the independent medical profession and after this offer to one member of the Provincial Medical Service the post was not advertised but a member of the Indian Medical Service was appointed without delay. I have no prejudice against the Indian Medical Service nor any desire to injure its members. But this is a post which was definitely released for the benefit of the Provincial Medical Service and could have been filled either from that service or from the independent medical profession. Their claims as I said before have been ignored completely.

[Dr. (Mrs.) M. C. Shave.]

The manner in which this appointment has been made, makes one very doubtful of the way in which things will be done in future when this Council is free. If a Minister can do a thing like this now, what will happen in the future? This adjournment motion, in my opinion, is a right step and the necessary step. Unless we begin to take notice of these things and put up a big fight against these things, our Council by and by will be working in the most terrible fashion and we will have nothing but manoeuvres of this description, whenever a post of this nature is to be filled. I must enter a very strong protest about this post. I hope the Government will rectify matters and wipe out the wrong which has been done both to the independent medical group and the Provincial Medical Service.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban): Every one should think that these are unfortunate incidents. It is really a trifling matter and one should not stand face to face with these unfortunate incidents. We had the Shahidganj affair. It is hardly finished when this budget session commenced and in this budget session there were series of cuts which accentuated communal feelings and as if not satisfied with all that, to-day we have an adjournment motion by one of the leaders on the other side. It is most unfortunate that he brought forward a motion of censure of this nature. Thus for the 5 or 6 months that are between now and the session that has to come, there will be a sort of regular *jihad* in the papers with bold head-lines of communal feelings. I ask the honourable member through you, whether he has not, during the course of past years, come across such instances in which lifts have been given without justification to persons who never deserved them? I do not impute motives. It is not at all understandable why in a trifling matter of this nature, the leader of a particular party should get up and ask permission of the House for an adjournment motion and raise a debate for discussing a purely discretionary matter with the Government? As you will see, it was advocated by my learned friend over there that it was in 1935 that this post was released from the hold of the Indian Medical Service. If my facts are correct, it was in 1928 that this post along with other posts was released. That is the most important point to note in this connection. After the release of this post in 1928, Colonel Anand, an Imperial Service gentleman, was appointed to the very important post in the college here in 1929, the very next year. In 1931 Colonel Nutt, another gentleman of the Imperial Service, was again taken here as Professor of Anatomy. Now a Muhammadan has been taken and we find that my learned friend over there is hot over it. The reason is that before this so long as non-Muhammadans had been taken in, it never occurred to him to put a single question on this subject.

Now that a Muslim has been taken in, you see that my learned friend is upset over it and has brought forward this motion. When he put in this motion I thought that he had really some laudable object in view but the cat was soon out of the bag. You have simply to scratch a so-called nationalist to find a rank communalist underneath. These are real facts.

Now, it has been said that the rights of people in the service and of those who are outside it and who are in plenty in Lahore, have been ignored. The gentleman who is acting now-a-days in charge of the office temporarily is a Sikh. I might disclose his name, but I do not think that would be

right. He is not a senior all the same. The other gentleman who is senior to him is a Hindu. Under the circumstances you can very well imagine that the gentleman who is actually acting is not senior to the gentleman who is actually senior and this has been done to fill a temporary vacancy. But if legitimately a Muslim is to come in it would not look nice to promote a Muslim over the heads of these all. Supposing the senior men were ignored and a junior man was appointed, would it not create bickering? Supposing the man who is considered to be unfit was put in charge of the institution, what would have been the result? In the circumstances the best compromise was for the Minister to import an Indian Medical Service man and I think the Minister was quite right in doing so, for in doing it he was righting a wrong that had been done to the Muslims since 1928, in that other communities were being taken and the Muslims were being ignored. And if a Muslim Minister, of course with the kind aid of His Excellency the Governor and the Government takes courage in his hands and attempts to right a wrong that is being done to his community for which object he is there—he is there to safeguard our rights and interests—if he summons up courage and does a thing like that he is criticised. It is a pity that we always lose sight of the real meaning of the so-called nationalists who are really communalists, and we follow them like lambs. I think the Minister has only done that which any gentleman in his position would have done, and in doing so he has not in any way ignored the rights of anybody.

It is all very well to say that now these posts have been released. It is very unfortunate that the matter has been brought in now but, when we are discussing the matter, it would be dishonest if I were not to give vent to my own inner feeling on this point. I have always imagined, apart from other things, that the Medical Department in this province owes immensely to the gentlemen who have made it what it is to-day, distinguished men from abroad have taught you to conduct institutions and have taught you to perform very difficult operations and have as a matter of fact brought the respect which now-a-days this profession is commanding in the province. Is it honest to lose sight of it all and to grudge the people belonging to that distinguished service who have made this department what it is to-day and to shut them jealously out of the province? Is it fair and just? I have always felt for them, and the other day I read a note in the *Civil and Military Gazette* when Colonel Harper-Nelson retired from service wherein it was rightly pointed out that the policy of excluding medical men of experience who have been trained abroad, from important posts in the Medical Department should be very cautiously pursued and that is a note which I would specifically commend to the notice of this honourable House. It is all very well to say, India for Indians and the Punjab for Punjabis, but you cannot ignore the fact that these are the people who have helped you to stand on your legs and that they deserve certain considerations at your hands even though your own interests may not demand it.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): I wish to assure the Honourable Minister for Education, if any assurance is needed, that this part of the House is supporting the adjournment motion for no ulterior motive or for any personal grievance. In fact our relations with him have been the happiest. It is not a question of an individual appointment. It

[S. S. S. Ujjal Singh.]

is most unfortunate that communal colour has been given to this motion. I can assure the honourable members that I myself and my friends on this side would not have lent their support to this motion if even the hidden objective had been communal. It is a matter of principle. The issue before us is the infringement of the rights of provincial services, the encroachment on the rights of this legislature and the curtailment of the rights of the provincial Government. If one were to look carefully at the *communiqué* of 1928, one would find that that *communiqué* stated that certain posts, ninety in number, throughout India were to be released for the provincial services. That was done after a long and persistent agitation by members of the provincial services whose rights were being ignored. The plea on which the Honourable Minister seeks to have acted is this, that although these posts were released for provincial services, the local Government was free to fill the vacancies in any manner it liked. Leaving alone the question whether the Minister was bound to fill the posts with men from the provincial service and taking his own point of view that the Government was free to fill them in any manner it liked, I would ask him whether he would not act in the spirit of the *communiqué*, whether he would ignore the first part of the *communiqué* and would only act on the latter part of it. Even then he cannot be excused. The freedom was given to the local Governments to make their choice in the open market if no suitable men were available in the provincial services. What use does my honourable friend make of that freedom? The only use that he makes of it is that he would not make use of that freedom at all. He asks the Government of India to fill that vacancy. It is stated that no suitable provincial service man was to be found. Comparisons are odious and they are more so if one were to speak in public and on the floor of this House. But is it not a fact that the Honourable Minister offered this job to one of the provincial service men and that that gentleman refused? Is it not also a fact that in one of the deputations that waited upon him he offered that post to another gentleman who happened to be a member of that deputation and that gentleman accepted that offer, but later on the offer was not made to him at all? It is not a question of communal representation, because nobody from amongst provincial service men or from the public outside ever made any grievance on that score, and the only people who were put forward as suitable candidates for the principalship of the medical school from amongst the provincial service men were Muhammadans. Is it true that no capable man was found from even amongst the independent medical services? Supposing the Honourable Minister was not able to find a suitable man from the provincial service, did he go out to find someone from the independent medical services? If he had done so, at any rate he would have brought in a man with the requisite qualification and that man would have been under the full control of the provincial Government and his salary would have been votable, but he did not do anything of that sort either. The chief qualifications that are required for the principal of a medical school are teaching experience and hospital experience, apart from high academic attainments. As I have already said it does not sound well to make comparison, but is it not a fact that the gentleman who has been appointed possesses no teaching experience and has no practical experience

of hospitals? As far as academic qualifications are concerned, I do not say that he does not possess them, but I do say that there are persons in the medical profession of the province and in the provincial medical service who possess higher academic attainments and have teaching experience and have clinical experience as well. The rights of all these men were ignored and a man from the Government of India was imported. It is a great slur on the whole provincial medical profession that it should not be able to produce a man equally capable as the man who has been appointed as principal of the medical school. (*An honourable member*: That is not the highest post in the department.) I do not say that, but it is one of the highest posts released for the provincial service and they are very jealous that posts which have been released after persistent agitation should not be given back to the I.M.S. people. I would ask the members to disabuse their minds of the fact that there is any personal motive behind this motion or that there is any communal question underlying the motion. It is a matter of principle, it is a matter of the rights of the provincial service, it is a matter of the rights of the provincial legislature and I would ask the members to consider the matter in a dispassionate manner.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): Any stick is good enough for my friend from Hoshiarpur to beat with. A few days back he was castigating us for asking for certain rights for the provincial services and to-day he is angry with us, because a certain important job has been given to one who belongs to the imperial service. I cannot understand his mentality. I have tried for twelve years but I have miserably failed. (*Mr. Nanak Chand Pandit*: I never thought you were so dense.) It seems that my friend's principles change with the weather. His principles always change with his own mind and not according to the fixed principles of the world. He has been speaking so much about this motion and I think he has forgotten the real text of the general motion which was read in this House. I do not think any member has got a copy of the text of the motion and I am afraid they have been discussing things which do not form part of the motion. The motion reads: "the action of the Punjab Government, Ministry of Education, in appointing an I.M.S. officer to be the Principal of the Amritsar Medical School, a post which was released by the Secretary of State from the hold of the I.M.S." Not a word is mentioned that it was ever reserved for the P.C.M.S. Not a word is mentioned that it was ordered by the Secretary of State that it should be given to a private medical practitioner or one of the provincial medical service.

The *communiqué* of 1928 was referred to, but nobody told the House what that *communiqué* was. It is the bounden duty of the member who refers to that *communiqué* to read it for the information of honourable members. (*Interruption.*) No, it is not the duty of the Honourable Minister. Then again, what is it that the Secretary of State has done? Under Act of Parliament he has transferred the control of the Provincial Civil Medical Service to the provincial Government. Is it proposed that that service should come under the control of the Secretary of State? In the first place that cannot be done because he is so far away that he must rely on somebody and secondly because medical service is now a transferred subject. The constitutional position is this. When a post falls vacant it is for the

[Sh. Muhammad Sadiq.]

Minister to decide what policy he is going to adopt. (*Interruption.*) The Honourable Minister asked the Government of India to suggest three or four names from the I.M.S. to fill the post, and the Minister has chosen the best man according to his best judgment. Evidently certain disgruntled persons have taken it into their head to start trouble by approaching the members of this legislature to bring this motion. Such act on the part of these people is certainly condemnable. The legislature should condemn such persons who approach the members of this House with their personal motives to bring vote of censure. This practice should be strongly discouraged. (*Interruption.*) The honourable mover of the motion knows full well that I never ask communal questions.

Now coming to the motion under consideration, not a word has been said about the gentleman who has been chosen for the principalship. Is he not a competent man? Is he not properly qualified? Is there anything in his character, so far as his profession goes, or otherwise, which disqualifies him for the post? Not a word has been said about all these points. Is it contended that he is an old man and not fit to control the school? There is no answer. The only complaint against the Minister, so far as I gather, is that the Minister has appointed a person who belonged to the I.M.S. and that he should not have been appointed because he belonged to that service. If this is to be the guiding principle in our administration, if Indians are to be excluded from certain appointments because they belong to a higher class of services, then it is a very bad day for this country. It is contended that a member of the provincial service has not been appointed. I say that in such cases discretion should be left to the Minister. If not, what else are we to do? Are we to issue a referendum? Are we to ask for applications? If we did that, perhaps we will get more than five hundred applications and it may take more than two years to examine their qualifications and make a selection. In such matters, therefore, the Minister should be guided by his technical advisers. If anything untoward happened in the schools immediately honourable members will blame the Minister for not making the best choice. Recently when executive officers had to be appointed to the municipal committees, barring one notable exception, namely, Amritsar, every other municipal committee had a P.C.S. officer as its executive officer. It was claimed that this office would be a training ground for non-officials, but not a single non-official was appointed for this post. All my friends have been sleeping over this point and did not raise even a little finger. I do not want to make this a communal question. It should not be made a communal question. But one cannot forget, when all my friends without one exception get up and support the motion that there is *kala kala* in the matter. (*Sardar Sahib Sardar Ujjal Singh: There is honestly none.*) I always believe my honourable friend *in toto*, but time comes when you begin to have some doubts about the *bona fides* of friends. My point is that both the I.M.S. and the P.C.M.S. officers should be kept in the same level, they should be treated alike and the best men taken. If that is done there will be no harm done. If an Indian of experience and ability is imported from outside the P.C.M.S. I do not think that we should make so much fuss about it. It is not stated anywhere either in the rules or in the *communiqué* that the Minister should make

appointments only from the P.C.M.S. Nor has the Secretary of State issued orders that certain appointments should be made only from either of the services. In fact, he has no legal right to issue such orders. Therefore the Minister is perfectly justified in selecting any officer for the post in question. If we are going to attack the Honourable Minister for Education on this issue, then we will have to attack the other Honourable Ministers for the policy they have been pursuing for the last six years.

Mr. President : Departments under the control of other Honourable Ministers are not under discussion at present.

Shaikh Muhammad Sadiq : Very well, Sir. My friends have not made out any case at all and they are simply making a fuss just to satisfy a few disgruntled employees of the medical profession. This is only doing propaganda for certain members of the P.C.M.S. It is really very bad that we should allow such questions to come up before the Council especially when we are on the threshold of a new system of Government.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I rise to support the adjournment motion. The question involved is a question of importance. It is a question of principle and no amount of manceing matters by trying to side-track the issue will do. If members so desire they can make this a communal issue, but the facts are there and any attempt to make it a communal issue is sure to fail. One member from these benches got up and tried to make this question parallel to the Shahidganj affair. Another got up and said that this was a question relating to a petty job. A third got up and gave us a sermon that he has never been communal. Communal turn has been given to this question by those very people who have been condemning communalism.

Briefly the facts are these. Just as in the case of other provincial services, there has been a strong agitation that some of the posts of the medical department should be left open for recruitment from the P.C.M.S.

Mr. President : I think the argument of reservation of posts for the P.C.M.S. has already been put forward by other speakers.

Sardar Arjan Singh : It was in deference to the wishes of these people that 90 posts were released, posts which were hitherto a monopoly of the I.M.S. The quota for the Punjab is 15. One of the honourable members pointed out that the Honourable Minister for Education is perhaps the most constitutional Minister. If the sweetness of the pudding is in the eating thereof, this is an instance where he ought to have used his constitutional rights. The question was simple. The post of the Principal of Amritsar

12 noon.

Medical School fell vacant and it was up to the Honourable Minister to make a choice from amongst the service men or from the non-service men in the Punjab. One honourable member stated that we should not grudge the I.M.S. people because we owe so much to them. I put a question, "Do we not owe much to the I.C.S. people and still do we not agitate day in and day out that there should be some posts left for the P.C.S. people"? It is no argument, that because we owe so much to the I.M.S. people, therefore, there should be no cry that P.C.M.S. people should be given their due share. It is exactly because I.M.S. people have given so

[S. Arjan Singh.]

much and it is exactly because they have taught so much to the provincial people that there is a legitimate desire on the part of the P.C.M.S. people that they should also be given some responsible posts so that they may give good account of what they have learnt from the I.M.S. people. The question, therefore, is a simple question of appointment. The requisite qualifications for the principalship of the medical school are that the gentleman concerned should have teaching experience and he should have got previous experience as a house surgeon or a house physician as he is to be put in charge of an important hospital in the province. I am told and this is of course subject to correction, that the gentleman, who has been selected has absolutely no teaching experience and that recently he had been holding a certain post which prevented him from practising as a physician. Thus, I am afraid he lacks both qualifications. But as compared with him, there are people with necessary qualifications in the cadre of the service people and among the independent medical practitioners in the province.

The Honourable Malik Sir Firoz Khan Noon : If you will very kindly read the wording of the adjournment motion, you will see that it reads as follows :—

The action of the Punjab Government, Ministry of Education, in appointing an Indian Medical Service officer to be the Principal of the Amritsar Medical School, a post which was released by the Secretary of State for India from the hold of the Indian Medical Service.

As far as the wording of the motion goes, the objection is merely to a question of principle, namely, that an Indian Medical Service Officer should not have been appointed and a man from some other service should have been taken. I, therefore, suggest that we shall be wasting the time of the House if we went into a consideration of the qualifications of various candidates. Let us confine ourselves to one point and that is the question of the principle, namely, whether in future Indian Medical Service Officers should come to this province for the released posts or not (*Cheers*). The gentleman is discussing qualifications of the Provincial Civil Medical Service Officers and other persons.

Sardar Arjan Singh : I agree with the Honourable Minister, but the Honourable Minister should have proposed these restrictions even before the other speeches had been made. Many speeches have been made condemning the Provincial Civil Medical Service officers and now the Honourable Minister gets up and suggests that we should confine ourselves to the narrow wording of the adjournment motion. However, I will confine myself to the wording of the motion itself. I think that when the Punjab Government failed to make a proper choice for the post themselves and they had to approach the Government of India, I think they have made their incompetence quite clear to the Government of India. They have, as a matter of fact, stultified themselves by approaching the Government of India to help them to make a selection for this post. If the bitterest critic of the Government had undertaken to bring into disrepute and contempt the Punjab Government, I think he would not have acted differently from what the Honourable Minister for Education has done in this case, because by acting in the way in which

he has done, he has done injustice, I should say, to the Punjab Government itself. It is a question in which the honour of this House is also at stake, because of the scant regard with which this House was treated the other day by the Honourable Minister when he made a statement that the Government had made their choice, the Government had exercised their discretion and there was an end of it. My submission is that that statement smells of a bluff of Mussolini—a dictator—and not of a responsible minister responsible to a legislature. The facts which have been regarded as settled facts, have been unsettled. My submission is that this appointment is an insult to the medical profession. It is an insult to the province because an insult has been offered to the accredited leaders of the public in this House. It is an insult to the Punjab Government itself. Therefore, I support this motion whole-heartedly.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): It is very unfortunate that this adjournment motion has been brought in at this time, when the relations of different communities are far from happy and by the very gentleman who the other day was condemning wholesale the Provincial Civil Service. I cannot understand the mentality and the principle on which he is acting. It was with great vehemence that he was saying the other day that the Provincial Civil Service officers should be replaced by Indian Civil Service officers and so on. He said, "they are most corrupt, most inefficient" and so on and so forth, but when it suits him, like a weather cock, he changes his principle. It has been said that all this fuss is being made as a matter of principle, but if you scratch all these people a little, you will find them rank communalists. Hundred and one motions during the time of the discussion of the budget were devoted to these communal questions and as you are aware it was in order to avoid these bickerings and the tension of feeling, that we gave up this game. We did not move those motions at all. We wanted to create a better atmosphere in the Council as well as in the province but unfortunately this time has been chosen by the honourable Pandit to revive these bickerings and the tension of feeling between the communities. It is all very well to say that we are fighting for principle. But the Minister there who is in charge of this portfolio has the backing of his whole community and they have got full confidence in him. As every one knows, in the medical service, there is great disparity of numbers as far as the Muslims are concerned. Therefore when he had to appoint a Muslim to make up the number, it was his duty to find out the best possible man in the community. Besides, the question is whether by appointing this gentleman, he has shut the door against the Provincial Medical Service. That is not the case. The only *communiqué* to which we have been referred to, lays down, "that certain services have been released from the Imperial Services." It does not follow that these posts have been reserved for Provincial Medical Service. In making a selection, it should be the duty of a minister or the government to find the best possible man for the post.

As regards this particular post, it is not the post of a professor or a lecturer. It is the post of a Principal. More qualities are wanted in a principal than in a professor. He should have plenty of breadth of outlook, tact and sportsmanlike spirit and as regards his medical and professional qualifications, he should possess them in abundance. As far as I know,

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that gentleman, who has been selected for the post, possesses all these qualifications and he does not lack any one of them and for the short time he has been in the office, he has created a very good impression amongst his alumni. It is all very well to say "we do not open these communal questions", but everyone who has been in the council, if only for a short time, is well aware that the whole fight is going on for the loaves and fishes and members are approached by the members of various services that their grievances have not been removed and so on and so forth. I am afraid it is an attempt to overawe the minister so that in future he may not safeguard the interests of his own community. Very shortly a post of a *materia medica* professor is going to fall vacant and probably that may be filled up by a Muslim and, therefore, for that reason, it is an attempt to overawe him and threaten him so that he may not have the courage to fill that post by a Muslim. It has also been said that the Honourable Minister ought to have advertised the post. Several members from these benches have said that the post was not advertised. Have we got any list of posts which have been so far advertised by the Government or the various ministers in charge? All these posts are filled up by the ministers according to the best of their discretion and to the best of their ability. No such post has ever been advertised. As regards principle, that does not also seem to be any reason for this adjournment motion because, as was pointed out by one honourable member, immediately after the issue of the *communiqué* in 1928, two posts were filled up by Indian Medical Service men, posts which were open to the provincial service. Why was not a hue and cry raised at that time if it is a matter of principle?

Mr. President : It is a repetition of what the honourable member has already said.

Khan Bahadur Malik Zaman Mehdi Khan : I say this to emphasise my point. It has been said that the Honourable Minister ought to have selected a man from the independent profession, that is, private practitioners. May I ask what practical experience of teaching these private practitioners have? Have they got the experience to control an institution like the Amritsar Medical School? For these reasons I oppose this motion.

The Honourable Malik Sir Firoz Khan Noon : Sir, the question may now be put.

Shaikh Abdul Ghani : I move, Sir, that the question may now be put. It is already past 12 and we have to be here again at 2 P.M.

Professor W. Roberts (Nominated, non-official) : I hesitate to intervene in this debate, but I had myself been the principal of a college and I should like to say one or two words because I feel that this matter is being discussed from the wrong perspective. The post of the principal of a college is a very very important one from the point of view of the status of the college and from the point of view of hundreds of students who have joined the college and who will be joining in that college. (*Hear, hear*). It is far more important, therefore, than the petty claims of provincial service men or Indian Medical Service men. I hold no brief for the Indian Medical Service men. In deciding on a post of this kind, if the matter was

in my hands, and the claims were equal, I shall not hesitate to appoint provincial service men. But, I appeal to the House that in future you will have to carry on without the government opposition and you must learn to give your ministers some independence. (*Hear, hear*). You should not sacrifice your personal relations for the sake of agitation for various services and various interested parties. I think this question of a particular appointment is much bigger and I, therefore, oppose the motion.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): It is really regrettable that the Government benches have not presented their point of view on this question. They have refrained from expressing their ideas about it. Not a single word has been said from that side of the House. It is for them to consider whether they should or should not express their opinion on the matter now before the House. If they say that they do not consider there is anything worth mentioning on this matter then I would not hesitate to say that in reality they have not got anything to say in their defence. First of all, I would like to say that a communal tinge has been given to this matter of importance. I am sure it is not a Hindu-Muslim question. I am sure it is a question which has a great bearing on the welfare of this country and its people. It is a question which is most intimately related to the poverty stricken people of this country. Why did politically minded people make so many sacrifices? Why did they go to jails and why did they struggle against the Government? They did it all for the sake of the country and for getting more in the way of posts, etc., from the hands of the Government in order that the people's lot may ameliorate. Those good people suffered all that they could to wrench concessions from the hands of the Government while you people remained in the Councils doing little. Even all your posts are due to the efforts of those people who struggled in the open for their people. It was to-day that I heard why Provincial Civil Service men should not be given higher posts, and that for all higher posts only men of the Indian Civil Service are most suited. You cannot make it a communal question. Some honourable members did try to give it a communal colouring. But believe me it is not a communal question. A deputation waited upon the Honourable Minister and requested that some man from the P. C. M. S. be taken for the post of the principal of the Medical School, Amritsar, even though it may be a Muslim. Can the Honourable Minister deny it? But notwithstanding this some of the honourable Muslim members have tried to make it a communal question. I may mention here how these posts were released by the Secretary of State for India. This concession which we now enjoy was due to the efforts of that venerable person whom we still respect and for whom we have a great regard, I mean Mian Sir Fazl-i-Husain. It was due to his superior character and impressive personality. When he was in charge of this department he openly told the Inspector General of Hospitals that all superior posts had become the monopoly of the Indian Medical Service and that this could no longer be tolerated. He also made His Excellency agree with him. It was the first time when the Government yielded. It was due to him that these posts were released by the Secretary of State for India. A Muslim Minister got this concession for us. The Government of India with the full concurrence of the Punjab Government and also with the consent of the Home Government had specified this

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post for the Provincial Medical Service men and it is one of those 15 posts which were released by the Secretary of State for India. An honourable member had said that this post was a very important one and as such only a member of the Indian Medical Service should be appointed to it. The House has heard what the Honourable Minister has said with regard to the Provincial Medical Service. He has praised the P. C. M. S. and as such you cannot say that the provincial medical service men are not fit to hold charge of this post. This is not a Hindu-Muslim question. This is also not a question of Indian Medical Service or Provincial Medical Service. It is a question of principle, and one must stick to it on principle. The honourable member from Sargodha said that His Excellency had approved of this appointment. I would say that it is the duty of our representatives on the Government Benches that they should see that those agreements which have been made with us are carried out in practice.

If to-day a high officer stands up and says that this country should not be given a further instalment of reforms, will it be proper for our Ministers to say ditto to his suggestion and treat it as the word of God or of the Prophet? Certainly not. On the other hand, they should revolt against such a suggestion. So, if the Honourable Minister puts before us the word of a man of high position in justification of his action, he cannot be absolved of the responsibility which lies on his shoulders. It was in 1928 that after a long struggle extending well over thirty-three years we succeeded in getting fifteen posts released from the possession of the Indian Service. This was naturally resented by the Indian Medical Service people. (*Pir Akbar Ali*: Have you received special information from the Secretary of State to that effect?) You have no information yourself. Now, the right thing would have been to hand over all these posts to the Provincial Service. But the Indian Service resisted the proposal and the Government agreed to appoint Provincial Service men to vacancies as they occurred in course of time. So, it is after fifty years, since the Provincial Medical Service came into being and since the inception of the school only one post has fallen vacant and even that has not been filled by a Provincial Service man.

I want to make one thing quite clear. The Honourable Minister may say that a Hindu-Muslim question has been raised in order to bring discredit upon him. But I want to point out that nothing is farther from my mind. In fact if I knew it to be a Hindu-Muslim question I would have been the last person to raise it. (*The Honourable Malik Sir Firoz Khan Noon*: Question). First of all I invited the attention of the Government to this problem by asking a question.

Pir Akbar Ali: You are very clever but you are apt to misunderstand.

Chaudhri Afzal Haq: You are always in the dark. Then, thrice the Provincial Civil Medical Service men assured the Government and intimated their assurance to His Excellency the Governor that they would have no objection to a Muslim being appointed so long as he is appointed.

out of the Provincial Service. In that case the Government had no difficulty in appointing a Provincial Service man. But as the poet has said:—

قائد کے آئے آئے خط اک اور لکھ رکھوں
میں جاننا ہوں جو وہ لکھیں گے جواب میں

the Government anticipated another objection. They said that there was a Sikh Vice-Principal. If a Muslim from the Provincial Civil Medical Service had been appointed he would have been junior to the Sikh Vice-Principal as the pay of the latter was much more than that of an ordinary member of the Provincial Service because he was fairly senior. But the question of appointing other than a Muslim does not arise as the Honourable Minister has already made an offer to Provincial Medical Service. Under these circumstances if a Muslim member of the Provincial Civil Medical Service had been appointed nobody would have taken exception to it. The Vice-Principal has already given his consent to the appointment of a Mussalman and a representation has already been made to His Excellency the Governor that the Provincial Service would take no exception to the appointment of a Muslim.

Then, a reference was made to the appointment of two Hindu members of the Indian Medical Service. If that was done, I attribute it to the weakness of the Minister. Moreover, the posts to which Hindus were appointed were not those which were released by the Government. This is the first time when a vacancy has occurred in one of the released posts and it is for the Honourable Minister to see that the post goes to the Provincial Service. The Minister has to show to the people that the attitude of the Government is to encourage recruitment from the Provincial Service. I have always said that the Honourable Minister for Education has been showing respect to the wishes of this House and I am prepared to repeat it here but I am very sorry to note that he has given us cause of a genuine grievance in this matter. (*The Honourable Malik Sir Firoz Khan Noon*: After you have heard me you will be satisfied that I have committed no mistake). I would appeal to him to recognise his mistake even now. It is never too late to mend matters. And for the future he should guard against such mistakes. I am sure by the present policy he will neither benefit the community nor the country. If I had thought that his policy with respect to this question would benefit either the community or the country I would not have supported this motion.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): Before I state anything about the facts relating to the motion under discussion, I should like to express my gratefulness to the honourable member Chaudhri Afzal Haq for the very good certificate for the first and perhaps the last time in his life that he has given me towards the end of his speech, to the effect that I have always abided by the wishes of this Council in the past. Let me assure this house that I owe my position as a Minister to this House and I shall continue to occupy it so long as I have the confidence of this House. Every action of mine in the past has been to the best of my ability, and keeping in view the best interests of the administration, in conformity with the wishes of honourable members of this House. And in future that will continue to be my course. Some honourable members said that because in answering some supplementary questions

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yesterday I said that it was my discretion to appoint a certain officer, it was a sort of effrontery on my part to have used my discretion. Let me make it plain that no government in any country can work without a certain amount of discretion, being vested in it by the authority of the legislature. If there is a discretion vested in me as a Minister it is a discretion given to me by the House and not inherited by me. Therefore, do not let anybody be mistaken that if a Minister of Government exercises his discretion it is a discretion apart from the authority given to him by this honourable House. One more point I wish to make clear and that is that as far as the Provincial Civil Medical Service is concerned I can count among the service some of my very best personal friends. My family doctors are Provincial Civil Service Medical men. They are serving me, my people, my friends day and night. And it will be ingratitude on my part to say that the Provincial Civil Medical Service men are not doing good work in this province. I know that, because I am myself indebted to the Provincial Civil Medical Service men. So are some of my colleagues here. Let me, however, make it clear that personal connections are one thing and official responsibility, another. As a friend I would like to do my best to help my friends, particularly those who are in the Provincial Civil Medical Service. But as a Minister responsible to this House it is my duty to ignore my personal feelings and to keep in view one thing and one thing only and that is the best interests of the administration and my people.

My honourable friend who moved this adjournment motion, possesses the rare distinction of being able to change coats very quickly. I have a speech of his in my possession, a speech that he made only a few days ago on the floor of this House and which will be fresh in the memories of all honourable members. I wish to read a few words from that speech. Speaking of the Provincial Civil Service men, the honourable member, Pandit Nanak Chand said :—

I am submitting that the Provincial Civil Service men cannot be given charge of these various districts for this reason that as their recruitment is mainly through nomination therefore they cannot be entrusted with these duties.

Let me remind the same honourable gentleman that every member of the Provincial Civil Medical Service is nominated by the Government. The honourable member uses one argument for the Provincial Civil Service and he contradicts it in the case of the Provincial Civil Medical Service. There ought to be some consistency even in my honourable friend over there. Let me again say that I have the honour to be the son of a gentleman who has been a distinguished member of the Provincial Civil Service. I am proud of the fact. And therefore it does not lie in the mouth of any honourable member here to come forward and say that I have no respect for the provincial services.

I would just like to draw the attention of honourable members to one or two definite facts. The time is short and I am therefore unable to deal with all the arguments put forward, nor am I able to answer the various allegations by way of propaganda which have been made behind the stairs for two or three days in order to win over certain votes by one false argument or another. I will, therefore, confine myself to one or two definite facts.

In the year 1928 the Secretary of State issued a *communiqué* by which he released certain posts from the hold of the Indian Medical Service. He did not need them any longer for the purposes of the Army. There are certain professorships in the Medical College also the principalship of the Medical School which are included among the released posts. This was in the year 1928. In the year 1929 the Punjab Government imported an Indian Medical Service officer who is still holding a professorship and that professorship is one of the released posts, but it happens that nobody has objected to it or even thought of it. Then in the year 1931, the Punjab Government imported another Indian Medical Service officer. He is also holding one of these released posts. You have got two instances of officers—both of them are Sikhs—of the Indian Medical Service imported into the Punjab by the Punjab Government and holding these released posts. If you will look at the wording of the adjournment motion, namely, the appointment of an Indian Medical Service officer to the principalship of the Medical School, a post which was released by the Secretary of State, you will find that if the honourable member had great and high motives of standing up for the Provincial Civil Medical Service or for his people he should have come forward with a motion objecting to the appointment of Indian Medical Service officers to these released posts. I should have then understood his consistency and respected his claims to non-communalism. The present motion is nothing short of this, that if you appoint a Muslim to one of these released posts I object, and the posts that are already held by non-muslims ought not to be objected to. Let me make it clear to the House that I am bound by the verdict of the House so that if the House wishes and orders that no Indian Medical Service officer should be imported into any post released including the two posts which are already held by the Indian Medical Service men, I may assure the House that all the three will go and not one. An honourable friend of mine over there—I can claim him to be a friend I think—has gone about since yesterday and in order to win over some votes for the motion has made allegations which will not stand examination. Three false allegations were made. One was that Sir Firoz Khan Noon had appointed this man, a Muslim, because the next man, the Vice-Principal of the School was a Sikh, and if this Muslim had not come in a Sikh would have been appointed. That is absolutely and totally false. There is no Sikh who is the vice-principal. There is a Sikh gentleman but he is lower down. The second allegation was that the Minister had done nothing for the Sikhs in any way. I would like to contradict that on the floor of the House because taking the appointments made by me in the Provincial Educational Service direct or by promotion the percentage of Sikhs is 21·4 as against their population claim of 18 per cent. Again, in the Provincial Civil Medical Service the Sikhs have been given by me a percentage varying between 16 and 20, the total average working out at 16·4 per cent. All these allegations have been used as dirty propaganda to win over votes for the motion made by certain interested persons. They are entirely false and malicious. I want to make it clear to my friends over there that I have not betrayed the rights or interests of the Provincial Civil Medical Service. I wish only to appeal to the House that as far as recruitment is concerned, keep the hands of Government free. If they wish to recruit a man from the Indian Medical Service or from the provincial service or from the open market let them choose the man they

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select. The House should lay down no condition as to who should be appointed. Do not restrict the discretion of the Punjab Government if you want to keep up the standard of education in your educational institutions which I think is essential in the interests of our youth. If you want to restrict the appointments to the provincial services why not appoint sub-assistant surgeons, why confine the places to the Provincial Civil Medical Service men? I think that the House will make a great mistake if it were to restrict the powers of the future Government with regard to their discretion in picking out the most suitable and the best men qualified for teaching the young men of the province. (*Cheers*).

Mr. Nanak Chand Pandit : I am simply astonished at the strictures of communalism that have been made in opposition to this motion. Honourable members who have spoken on the other side have really tried to make it a purely communal question. But from the very beginning of my speech I made it absolutely clear that we were fully prepared that this post might go to a Muslim who was either chosen from the independent medical profession or from the Provincial Civil Medical Service serving in this province. And the Honourable Minister is guilty of a misstatement when he said that at the back of my mind there was any communal consideration. He knows that. It is an entirely wrong statement which he has made on the floor of this House and I wish to fling it back to him. The Honourable Minister has told us that in 1931 and in some previous year he gave these posts to non-Muslims. If he betrayed the rights of the Provincial Civil Medical Service then, is that an argument that he should do so again now? So far as I am concerned I did not know anything about these previous appointments. My information is—and let the Honourable Minister contradict me if he can—that this post which has been released from the hold of the Indian Medical Service for the first time is now being given over to the Indian Medical Service. Those posts to which the Honourable Minister made reference, so far as my information goes, were not released from the hold of the Indian Medical Service and this is the first occasion that a released post has been thus given over to Indian Medical Service. The Honourable Minister has mixed up two things. When certain posts were released from the hold of the Indian Medical Service there were certain members of the Indian Medical Service who were men with protected rights. Perhaps it was in consideration of those rights that the Honourable Minister or whoever was responsible gave those two posts to men of the Indian Medical Service. It was made absolutely clear in 1935 or even earlier that this post was released from the hold of the Indian Medical Service and that there was no Indian Medical Service man with protected rights who could be appointed to the post. Honourable members should distinguish between posts which are released from the hold of the Indian Medical Service and those where you must take into consideration the rights of the Indian Medical Service with protected rights. The post which is meant to be released from the hold of the Indian Medical Service must be given Indian Medical Service men with protected rights. This distinction the Honourable Minister has either kept down or he does not know. And I say then that if two posts previously filled up were released from the hold of the Indian Medical Service unconditionally, the Minister is not guilty for the first time but this is the third time

he has betrayed the interests of the independent medical profession in this province and those of the Provincial Civil Medical Service, and there could be no excuse that because he had made mistakes twice before, the Council should permit him to make a third mistake. That is no argument and it will not appeal to any sane person, with any sense of logic and fairness. And if the Honourable Minister had the guts in him he should have come forward and stated without any hesitation that there are no Provincial Civil Medical Service men or men in the independent medical profession who are fit to hold this post. The Honourable Minister has gone off the track when he says that he has got men in the Provincial Civil Medical Service who are his personal friends, that there are men in that service to whom he should be grateful, men who hold high qualifications, men with large practice and for whom he has got very high regard. He says all these nice things but when the opportunity comes then he forgets all those claims to his gratitude, the claims to distinction, claims which as I have said at the beginning these men have earned by practice and by possessing high medical qualifications.

Honourable members who have charged me with communalism, know very well in their hearts that the day is not far off when they will appeal to communalism when they go out to seek votes, but the Muslim electors outside will also know from to-day's debate that those members of the Council, who have opposed my motion, have ignored the rights of the Muslim doctors and medical practitioners. They will know this. Let me remind them that a deputation of the Provincial Medical Service men waited upon the Minister, when he had associated with him various other important gentlemen. I was told that the deputation pressed that there were many qualified Muslim officers who were available for this post. But the Honourable Minister is said to have stated to the deputation that waited upon him that the post was offered to two Muslim officers but both had refused it. That is not true; one of the gentlemen expressed his willingness to accept the appointment; and later on the appointment was not offered to him. This is a fact. Can the Honourable Minister challenge the statement that even in his estimation there were two Muslim officers?

Mr. President : Is the honourable member reading a written speech?

Mr. Nanak Chand Pandit : No, Sir, I have read a note of my speech. Now, what I am going to say is that the honourable members on the Muslim side, knowing fully well that they are trodding over the Muslim rights, are opposing my motion. According to the Honourable Minister himself there were two Muslim officers from the Provincial Service fully qualified even in his estimation. He offered the post to one of them, because he knew that he would refuse, but to the other he never offered the post because he knew he would accept. That is the position. That is understood very clearly by the Honourable Minister himself and by the Muslim public outside. Not only were there two Muslims but there were 6 Muslims with equal qualifications and better qualifications than the gentleman who was asked to fill this post. I can give their names if the Honourable Minister wants me to give him the names. I will give their names outside and not in the Council, otherwise they may be visited with the wrath of the Honourable Minister. This is what I said from the Muslim point of view, purely Muslim point of

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view, that the Honourable Minister has ignored the claims of various Muslim gentlemen in the service, who are better qualified, with teaching experience and with the experience that one gets in hospitals and by practice, than the one whom he has chosen. This post should have been given to those gentlemen, but he has not done so. The path of advancement of those gentlemen has been thus blocked. I am at one with Mr. Roberts that this is an important post. It should be given to a man who possesses proper qualifications. What are the qualifications needed for a principal or a professor? He must have an experience which comes by practice. He must have experience of teaching. Mr. Roberts should know that the gentleman who has been asked to fill the post has no such experience.

The Honourable Minister said that he used his discretion in appointing that particular gentleman and that that discretion was not inherited by him. It has been given to him by the Council, it has been given by the representatives of the people. If that is so, he should have advertised the post in the papers. It is a post which is meant for a Punjabi. He should have invited applications and appointed a committee to select a candidate from among the applicants. The committee could have taken into consideration all the qualifications of the various candidates. The Honourable Minister could have gone further and I would have been satisfied had he advertised that a Muslim would be preferred or that this post would be open only to Muslims. It would have been the right way of exercising his discretion. Had there been 2, 3, or 5 members from the Provincial Service or from outside the service with equal qualifications, then the Honourable Minister should have been justified in saying "I would not take A or B, but I would take C." That is an exercise of discretion. But it is a matter of regret when he said, "That is my discretion. Here is a man with no teaching experience, no experience of practice, I am over the head of this department and in defiance of the order of the Secretary of State and in defiance of the rights of the people, I am going to get a particular man, or I want to oblige certain man from the Indian Medical Service." It is an arbitrary use of the discretion, if this is a discretion at all. It is completely a betrayal of the best interests of the province. It is a betrayal of the rights of the people. It is a betrayal of those people who have been struggling for their rights for the Provincial Service. Honourable members opposite may not support my motion. I know that the Honourable Minister went from house to house asking people not to vote in support of my motion and so they do not dare to support me.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Is that not a reflection on the honesty and impartiality of the honourable members of this House? I protest against the remarks and request you to ask the honourable member to withdraw them.

Mr. Nanak Chand Pandit: Honourable members, therefore, dare not stand and support my motion. A great pressure was put upon them. (Voices: Quite wrong).

Mr. President: The honourable member should not have said what he has said.

Mr. Nanak Chand Pandit : I am not insulting. What I said was that a great canvassing was going on from end to end of the House against my motion. I think that is not unparliamentary.

Chaudhri Afzal Haq : Sir, I want to ask only one question, whether these two posts mentioned by the Honourable Minister were released posts or not ?

The Honourable Malik Sir Firoz Khan Noon : I have already made it clear that both of them were released posts.

Sir, what I wish to say is this. The honourable member has referred to a deputation which waited upon me. Well, I do not wish to state what happened in the course of discussion, but I must say that whatever the honourable member said is quite wrong.

Pir Akbar Ali : Sir, is the Honourable Minister for Education in possession of the House or myself ?

Mr. President : The Honourable Minister has a right of reply.

The Honourable Malik Sir Firoz Khan Noon : So far as the Medical College is concerned, I personally have appointed a Provincial Medical Service officer to be a permanent professor of the College, and he is Rai Bahadur Dr. Jiwan Lal. At present Dr. Yar Muhammad and Dr. Nanda are both Provincial Service men, who are already officiating as principals. Therefore, you cannot say that the Provincial Civil Medical Service have not had their share.

Mr. President : The question is—

That the Council do now adjourn.

The motion was lost.

The Council then adjourned till 2 p.m.

The Council re-assembled at 2 p.m. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

COUNTERFEIT AND BAD COINS.

***5705 Shrimati Lekhwati Jain :** Will the Honourable Finance Member please state—

- how many counterfeit and bad coins of all denominations were received at the different Government treasuries and law courts or other Government offices where payments are received on behalf of Government, during the year 1985 ;
- whether Government is aware of the fact that bad coins are current in the market to an alarming extent thereby causing great inconvenience and trouble to the general public ;
- what steps Government proposes to take to check this evil ?

The Honourable Sir Donald Boyd : (a) According to information collected by the police 4,546 base coins were presented at banks and Government treasuries in the Punjab during the period from July to December 1985. No statistics are available in regard to law courts and other Government offices.

[Hon. Sir Donald Boyd.]

(b) Yes.

(c) A special staff of police was sanctioned for some months in 1934-35 to investigate the subject of coining, with the result that a number of successful prosecutions were launched. The question of reviving this special staff is under consideration.

REGISTRATION OF LEASES.

***5706. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government kindly state—

(a) whether leases for a period less than a year or monthly tenancies are required to be compulsorily registered under section 107 of the Transfer of Property Act recently applied to all municipalities in the province, and whether it is the intention of the Government that such leases should be compulsorily registered ;

(b) whether the Municipal Committee, Simla, have addressed Government on this subject ; if so whether a copy of this representation will be laid on the table of the Council together with the reply of Government ;

(c) whether Government is aware that such leases in the United Provinces and other provinces in India are exempt from compulsory registration and a special notification has been issued by such provincial Governments ;

(d) whether Government is aware that the absence of a similar notification is causing great hardship and inconvenience to all those tenants who want to take leases for periods less than a year ;

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

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

(ii) The question as to whether such leases should be compulsorily registered is still under consideration.

(b) No such representation has been received.

(c) The matter is under inquiry from other provinces. In the Central Provinces and Bengal such leases are not exempt from compulsory registration, while in the United Provinces agricultural and non-agricultural leases of *nazul* and notified committee lands but not others are exempt from it. Replies from other provinces are still awaited.

(d) Yes.

(e) The question is still under consideration.

PUBLIC LIBRARIES AND READING ROOMS.

***5707. Shrimati Lekhwati Jain :** Will the Honourable Minister for Education please state—

(a) the names of cities and towns which have public libraries and reading rooms maintained at Government expense ;

- (b) the names of municipalities and district boards which maintain and keep public libraries and reading rooms ;
- (c) the number of circulating libraries in the province under the control of Government, if any ;
- (d) the number of libraries and reading rooms which receive grants from Government and local bodies ;
- (e) whether Government proposes to ask the various local bodies that do not maintain public libraries to start public libraries within their jurisdictions ;
- (f) whether Government proposes to allot a sufficient amount from village uplift fund to start circulating libraries for the benefit of villagers who generally cannot afford to buy books and newspapers ?

The Honourable Malik Sir Firoz Khan Noon : (a) Government does not maintain any public libraries or reading rooms in the province, though Government gives grants to several.

(b) All district boards and the following municipal and small town committees :—

1. Gujranwala.	13. Kartarpur.	25. Jhang.
2. Wazirabad.	14. Jagraon.	26. Kamalia.
3. Sialkot.	15. Phillaur.	27. Dera Ghazi Khan.
4. Batala.	16. Nawanshahr.	28. Khanewal.
5. Chunian.	17. Banga.	29. Mianwali.
6. Majitha.	18. Muktsar.	30. Bhakkar.
7. Sheikhupura.	19. Sadhaura.	31. Chakwal.
8. Jandiala.	20. Jagadhri.	32. Gujrat.
9. Gurdaspur.	21. Panipat.	33. Pindibahauddin.
10. Kasur.	22. Thanesar.	34. Jalalpur Jattan.
11. Abohar.	23. Pakpattan.	35. Kunjah.
12. Jalalabad.	24. Muzaffargarh.	36. Khushab.

(c) Nil.

(d) 42 libraries receive grant from Government. Information regarding reading rooms and libraries receiving grant from local bodies is not available.

(e) The attention of the honourable member is invited to C. M. No. 5830-G., dated the 20th May, 1920 (copy laid on the table).

(f) At present there is no such proposal under consideration.

Copy of a letter No.5830-G., dated the 20th May, 1920, from the Honourable Mr. W. T. Wright, M.A., I.R.S., Offg. Under-Secretary to Government, Punjab, Home (Education) Department, to all Commissioners in the Punjab.

His Honour the Lieutenant-Governor has had under consideration the fact that there is in small towns of the Punjab a large number of inhabitants, e.g., school masters, subordinate officials, pleaders, students and others who can speak and read English, but possess few, if any, facilities for obtaining access to any large number of English books.

2. With a view, therefore, to afford greater facilities for reading and self-culture, His Honour the Lieutenant-Governor has decided to make a beginning in encouraging the establishment of small libraries in selected towns.

3. I am directed to state, therefore, that after consultation with the Education Committee of the Legislative Council the following scheme has been sanctioned by Government, and to request that you will kindly invite applications from such small towns in your division as are in your opinion suitable centres and are prepared to agree to the conditions of the scheme. For the present no town should be selected which is not a municipality or notified area.

[Hon. Malik Sir Firoz Khan Noon.]

4. The conditions are as follows:—

- (1) Government will provide a nucleus of English books to a value not exceeding Rs. 500 to selected small centres at which at least an equal amount is guaranteed from local sources.
- (2) The amount contributed from local sources may be spent entirely on English books or partly on English and partly on vernacular books.
- (3) Government will also provide a small maintenance grant of Rs. 50 per annum for each such library.
- (4) Government retains the right of inspecting all such libraries with a view to satisfying itself that they are efficiently managed and maintained.
- (5) Newspapers and periodicals, other than monthly magazines, will not find a place in these libraries.
- (6) Except in very special cases the library should be under the management of the local municipal or notified area committee, which may appoint a special library sub-committee for the purpose.
- (7) The library should be housed in a suitable room, preferably in the municipal building.

5. A sum of Rs. 2,200 as detailed in the margin is allotted to you for your division for the year 1920-21, and it will be for you to distribute this sum as you think suitable. The initial contribution should be allotted in the form of books which should be ordered by you direct from the booksellers. A list of books considered suitable by the Education Department is enclosed, but you will be at liberty to select from it or diverge from it as you think fit.

	Rs.	
*Recurring ..	200	
Non-recurring ..	2,000	
†Not attached.		

Mr. Richey's Note on Small Libraries.

One of the chief objects of Education should be to instil in students a taste for reading and self-improvement when they leave school or college. But it is of no use to inspire the taste if the means to satisfy it are not forthcoming. There is an increasing number of English speaking educated young men in small towns in the Punjab, e.g., school masters, subordinate officials, pleaders, etc. Their means are usually not sufficient to enable them to purchase English books for themselves. It appears to be a legitimate extension of our educational system to help such small communities to obtain good reading material and thus to keep and improve their education.

It is suggested that Government might assist small towns to establish libraries. The following scheme is submitted for discussion:—

- (a) Government will provide English books to the value of Rs. 500 to selected small centres where the local people are willing to contribute an equal amount.
- (A useful list of books costing about Rs. 500 has been drawn up by Lala Durga Prasad, Secretary, North-West India Library Association).
- (b) Government will further contribute a small maintenance grant, say Rs. 50 per annum and have the right to inspect the library at intervals to see that it is properly kept, e.g., that the books are not being stolen.
- (c) Newspapers and periodicals other than monthly magazines might be excluded.
- (d) Possibly the difficulty of accommodation might be got over by obtaining the permission of the local municipality or district board for the use of one of the rooms in the local Middle school. The reading room would presumably only be needed for use after the ordinary school hours when the building is vacated. An advantage of this arrangement would be that chaulidari and conservancy charges would be saved for the library and one of the staff of the school would act as librarian.

COW PROCESSION IN JHANG MAGHIANA.

***5708. Sayad Mubarak Ali Shah:** Will the Honourable Finance Member please state—

- (a) whether it is a fact that on the occasion of the recent Bakar-'Id the Hindu Sabha, and the Congress Committee, Jhang Maghiana complained to the authorities concerned, that the Muslims

of Jhang Maghiana wanted to take out cows in procession for sacrifice and that therefore the Hindus had closed their shops in order to avoid any mishappenings ;

- (b) whether the statements made by responsible persons representing these bodies and certain other Hindu gentlemen have been recorded by the police in this connection and whether in these statements they have mentioned the names of any particular persons who had suggested these *hartals* to them ;
- (c) if so, the result of the police investigation so far as it concerns
 - (i) the alleged proposal of the Muslims to take out the cow procession, (ii) the name of the person or persons who suggested *hartal* to the Hindu Sabha and the Congress Committee ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) and (c) It is not in the public interest to give this information.

FACILITIES TO MUSLIM GOVERNMENT SERVANTS FOR PRAYERS.

***5709. Chaudhri Muhammad Abdul Rahman Khan :** With reference to the resolution passed by the Punjab Legislative Council in 1922, regarding the provision of facilities to Muslim Government servants for saying their prayers and the assurance given by Government to the effect that as in the past the Government would be prepared to give facilities to Muslims for saying their prayers (*vide* page 1535, volume IV of Punjab Debates), will the Honourable Member for Finance be pleased to state whether the Government has issued a circular to all departments on the subject ; if so, whether a copy thereof will be laid on the table ?

The Honourable Sir Donald Boyd : I regret to have to inform the Honourable Member that the assurance given by Government in March 1923, *viz.*, that the orders contained in its circular letter No. 1272-H.—Genl., dated the 8th July, 1918, about facilities for Muslim Government servants to say their Jumma prayers on Fridays would be incorporated in one of its Consolidated Circulars does not seem to have been carried out. I am taking steps to have the necessary orders issued at once. In the meanwhile I can assure the Honourable Member that the orders contained in the letter of 1918 are still in force and that Government has no reason to believe that they are not observed.

CHINIOT-JHANG ROAD.

***5710. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that there is a service road between Pindi Bhattian and Chiniot ;
- (b) whether there is a service road between Jhang, Shorkot and Kabirwala, and thence there is a metalled road to Multan ;
- (c) whether there is no service road from Chiniot to Jhang along the same arterial road ;

[B. Mubarak Ali Shah.]

- (d) if the answer to the above be in the affirmative, whether Government proposes to consider the advisability of constructing a service road along the Chiniot-Jhang road thereby (i) connecting the Chiniot tahsil headquarters, with the headquarters of its district and also with the headquarters of the other tahsil, namely, Shorkot of the same district; (ii) connecting the northernmost part of the Multan division with its headquarters; and if not, why not?

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

(b) Yes.

(c) This is a District Board road along which there is no service road.

(d) A road programme has recently been drawn up which is at present under consideration. It is, therefore, too early to make a statement as to what road work will be undertaken in various parts of the province.

CLOSURES IN JHELMUM CHENAB CANALS.

***5711. Sayad Mubarak Ali Shah :** (i) Will the Honourable Revenue Member please state whether it is a fact—

- (a) that there have been frequent closures in the Lower Jhelum and Lower Chenab Canals which irrigate a greater part of Jhang district;
- (b) that there have been excessive rains, generally accompanied by hailstorm, thunder and lightning and cold wind during the last two weeks in the *ilagas* mentioned in (a);
- (c) that the excessive rains have caused floods in the Jhelum and Chenab rivers, resulting in great damage to the *rabi* crops in the *kachas* as well as the low lands lying along either banks of these rivers;
- (d) that the zamindars concerned have brought these unfortunate happenings to the notice of the revenue officials as well as the canal officials by verbal and written requests?

(ii) If the answer to the above be in the affirmative, what steps do Government intend to take in order to give relief to the poor zamindars of the *ilaga* concerned?

The Honourable Nawab Muzaffar Khan : (i) (a) The Lower Jhelum Canal was actually closed for a less number of days in the current *rabi* than in the last *rabi*. On the Lower Chenab Canal the closures this year have been normal.

(b) In the Lower Chenab Canal part of the Jhang district no excessive rain and no hail is reported. On the Lower Jhelum Canal there has been good rainfall occasionally accompanied by hailstorm. Some damage was caused to the gram crop.

(c) No. Only two villages along the Jhelum River have suffered damage from floods in the river.

(d) Yes. Some applications have been received, but as in (c) above no extensive damage is reported to have occurred.

(ii) No special action is considered necessary. The ordinary Kharaba Rules are considered sufficient to give relief, where necessary.

RANIWAH DRAINAGE.

***5712. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

- (a) the names of the villages in the Jhang district through the areas of which the Rani Wah drainage is proposed to pass before reaching the Jhelum river;
- (b) the area of land to come under the Rani Wah drainage in the respective villages;
- (c) whether the owners of the lands in (b) were consulted before making these proposals, as to (1) whether they agree to the passing of the proposed drainage through their villages and splitting up the lands of individual landowners, (2) whether they prefer to take land in compensation for their lands which come under the drainage, (3) whether they wish to take money for their lands mentioned in (c) (2);
- (d) if they are prepared to take lands, whether Government is prepared to agree to their wishes and give them lands in the adjoining chaks (in the Lower Jhelum colony), where already some of these land-owners have lands; if not, why not?

The Honourable Nawab Muzaffar Khan : (a) and (b) Mari, 9.9 acres; Bhero, 17.99 acres; Dhoriwala, 15.98 acres; Lang, 6.92 acres; Dhaulka, 10.12 acres; Attoana, 4.48 acres; Kot Khushal, 1.21 acres; Kolar, 7.26 acres, Thatti Panju, 10.80 acres.

(c) (1) No. A drain alignment is decided on the basis of consideration of the configuration of the area through which the drain is to pass.

(2) No.

(3) No.

It is usual to award money in compensation for areas acquired for drainage works.

(d) Government award the market value of acquired land, plus 15 per cent. extra—in compensation for the compulsory nature of the transaction. This arrangement allows a land owner to purchase land elsewhere—if he so desires.

SARDAR HARNAM SINGH CHADA, ASSISTANT GENERAL FOREMAN, PUNJAB GOVERNMENT PRESS.

***5713. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member be pleased to state—

- (a) the date of appointment of S. Harnam Singh Chada, Assistant General Foreman of the Punjab Government Press, and the capacity in which he was first appointed in Government service;

[S. Mubarak Ali Shah.]

- (b) when he joined the Printing Department ;
- (c) the reasons of his transfer from the Central Jail Press to the Punjab Government Printing (Secretariat Press) ;
- (d) the grade of Assistant General Foreman in the Punjab Government Printing Press (Secretariat Press) and what salary he was granted as Assistant General Foreman and why ;
- (e) whether he had any chance in the whole of his service to do any practical work in respect of composing, machines, binding, lino or mono ;
- (f) if the answer to (e) above is in the negative, why he was appointed as officiating General Foreman in the Government Press in contravention of the rules published with the Punjab Government notification No. 5169, dated 20th February, 1933, which clearly lay down that the General Foreman should possess a practical knowledge of composing, printing, binding, etc. ;
- (g) the previous practice in making officiating arrangements to the post of General Foreman ;
- (h) whether the ex-Superintendent, Government Printing, Punjab, ever appointed S. Harnam Singh Chadha to this post ;
- (i) whether there is any one in the Punjab Government Printing Press with the requisite practical knowledge of typographical printing and adequately possessed the qualifications required in a General Foreman ?

The Honourable Nawab Muzaffar Khan : (d) Originally appointed on 17th August, 1907, as a clerk in the office of the Inspector-General Prisons, Punjab.

(b) 3rd April, 1924. He was posted to the Central Jail Press, Lahore, on the 15th July, 1910, when this press was under the Jail Department. He was transferred to the Printing Department from 3rd April, 1924, when the control of the Jail Press was taken over by that department.

(c) In the interests of public service.

(d) Rs. 60—4—100. On transfer of Sardar Harnam Singh to the Secretariat Press, the post of Assistant General Foreman was transferred to the Central Jail Press in exchange for the post of General Foreman there held by him. Sardar Harnam Singh was thus allowed to draw his substantive fixed pay of Rs. 130 per mensem plus compensatory allowance of Rs. 20 per mensem in lieu of certain privileges enjoyed by him at the Central Jail Press. This interchange of posts was made in the interests of public service.

(e) No.

(f) He was considered to be the fittest man for the job of General Foreman as he had worked as General Foreman, Central Jail Press, for several years prior to his transfer to the Secretariat Press as Assistant to the General Foreman. From the latter post he was placed on foreign service as Superintendent of the Jodhpur State Press for 5 years. He thus possesses a varied experience in the printing craft and is capable of supervising the large staff

in the Press Room. He has officiated as General Foreman from time to time with credit.

(g) By selection from among the members of the Press establishment.

(h) Yes.

(i) Nobody with necessary approved experience in control of labour, the supervision of which is the chief duty of the General Foreman.

OFFICIAL RECEIVER, JHANG DISTRICT.

***5714. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

(a) whether it is a fact that the post of Official Receiver, Jhang district, has been held by a non-agriculturist Hindu since it was established ;

(b) whether it is a fact that on the occasion of appointment of the said Official Receiver representations were made by the Muslims to appoint a Muslim Official Receiver at Jhang ;

(c) whether these official receivers are appointed for a certain number of years from time to time ;

(d) if the answer to the above be in the affirmative, on which date the term of the present Official Receiver is due to expire ;

(e) whether Government is prepared to invite the attention of the High Court to consider the claims of a Muslim when the post falls vacant in the Jhang district which has about eighty-seven per cent. Muslim population ; if not, why not ?

The Honourable Sir Donald Boyd : (a) The present incumbent, who has held the appointment since its creation in 1930, is a Hindu. Government have no definite information whether he is a member of an agriculturist tribe, but it is probable that he is not.

(b) and (c) Yes.

(d) 8th September, 1940.

(e) So far as can be seen, the question will not arise for nearly five years to come, and I can make no promises at this stage.

SUB-DIVISIONAL OFFICERS, LOWER JHELMUM CANAL.

***5715. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) the total number of Sub-Divisional Officers, Canals, along with their names, posted at the Shahjiwana sub-division of the Lower Jhelum Canal since its establishment there ;

(b) their numbers, community-wise ;

(c) for how many years no Muslim sub-divisional officer has been posted to the above-mentioned division ?

The Honourable Nawab Muzaffar Khan : (a) 18. Names are given in the list attached :—

(b) Europeans	..	..	..	..	4
Muslims ..	..	..	..	..	2
Hindus ..	..	..	..	..	11
Sikh ..	..	..	..	..	1

(c) Since 29th June, 1915.

List of Sub-Divisional Officers, Canal.

1. Lala Sri Kishan Dass, Sub-Engineer.
2. Lala Rattan Chand, Overseer.
3. M. Muhammad Yusaf, Sub-Engineer.
4. M. Karim Bakhsh, Supervisor.
5. Mr. H. F. Ashton, Executive Engineer.
6. Mr. T. R. F. Fitzherbert, Temporary Engineer.
7. Lala Ratan Chand, Supervisor.
8. Lala Parmeshri Das, Temporary Engineer.
9. Lala Shakumbri Dass, Temporary Engineer.
10. Mr. W. S. Hall, Assistant Executive Engineer.
11. Lala Ram Kanwar Batra, Assistant Engineer.
12. Bh. Ranjit Singh Madan, Apprentice Engineer.
13. Lala Sri Kishan Das, Apprentice Engineer.
14. Chaudhri Thakar Das, Assistant Engineer.
15. Mr. A. E. Baptist, Assistant Engineer.
16. Lala Devi Ditta Mall, Overseer.
17. Lala Nil Kanth Shori, Assistant Engineer.
18. Lala Sri Narain, Assistant Engineer.

DEPUTY SUPERINTENDENTS, JAILS.

***5716. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

- (a) the total number of Deputy Superintendents, Jails, in the Punjab, serving at present ;
- (b) their number, community-wise ;
- (c) the number of the members of the statutory agricultural tribes among them ;
- (d) the number of statutory agriculturist Muslims in this service ;
- (e) whether any Muslim statutory agriculturist from Jhang district has ever been taken in this service ; if so, how many ?

The Honourable Sir Donald Boyd : (a) (d) The honourable member is invited to refer to the Consolidated Statement supplied to all members of the Council.

(e) No.

PROSECUTING SUB-INSPECTORS OF POLICE.

***5717. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

- (a) the number of Prosecuting Sub-Inspectors of Police in the province ;

(b) the number of statutory agriculturist Muslims serving in this line;

(c) the number of statutory agriculturist Muslims from Jhang district in this cadre?

The Honourable Sir Donald Boyd : (a) 99.

(b) 25.

(c) None.

ASSISTANT SUB-INSPECTORS OF POLICE.

***5718. Sayad Mubarak Ali Shah :** Will the Honourable Finance member please state—

(a) the total number of Assistant Sub-Inspectors of Police in the Punjab;

(b) the total number of statutory agriculturist Muslims in this cadre;

(c) the number of statutory agriculturist Muslims of Jhang district in this cadre?

The Honourable Sir Donald Boyd : (a) 400.

(b) 212.

(c) This information is not on record at provincial headquarters, and Government do not think that any useful purpose would be served by collecting it from the districts.

DEPUTY SUPERINTENDENTS, POLICE.

***5719. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

(a) the total number of Deputy Superintendents, Police, directly recruited since this cadre was created;

(b) the number of statutory agriculturists so recruited in this cadre;

(c) the number of Muslim statutory agriculturists directly recruited in this cadre;

(d) whether any Muslim statutory agriculturist was ever taken from Jhang district in this cadre?

The Honourable Sir Donald Boyd : (a) 10.

(b) 6.

(c) 5.

(d) No.

SUPPLY OF CANAL WATER TO FACTORIES IN UKLANA MANDI.

***5720. Lala Bhagat Ram :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that several firms of Uklana Mandi in the Hissar district, at the end of 1935, submitted applications, to the

[L. Bhagat Ram.]

Executive Engineer, Western Jumna Canal, Hissar division,
for the supply of canal water to their brick-kilns to be started
by them ;

- (b) whether it is a fact that all these applications were rejected by the Executive Engineer ;
- (c) whether it is a fact that there is one cotton factory with steam engine at Uklana Mandi and canal water is supplied to it for running it ;
- (d) whether it is a fact that the above factory did not work at all in the months of December, 1935, and January, 1936, and is not working even now ;
- (e) whether it is a fact that canal water is supplied to the factory even when it is not required ;
- (f) when water was supplied to the factory in December, January and February ;
- (g) whether it is a fact that this water supplied to the factory is utilised for preparing bricks in his brick-kiln by one of the applicants who is also a lessee of the factory ;
- (h) what steps, if any, Government proposes to take to stop the misuse of the canal water in view of the fact that other applicants were not allowed its use ?

The Honourable Nawab Muzaffar Khan : (a) Yes ; 3 persons applied for the supply of water for bricks.

- (b) Yes.
- (c) Yes ; canal water is supplied to this factory under agreement for the supply of water in bulk.
- (d) No ; the factory was working during the season.
- (e) No ; water is supplied only on a written application by the factory owners.
- (f) Water was supplied to the factory twice on 25th December, 1935, to 27th December, 1935, and 25th February, 1936, to 27th February, 1936.
- (g) No ; under clause 10 of the agreement, the consumer may use the water for any purpose after it has been delivered in the tank.
- (h) Does not arise.

VACANCY IN THE PUNJAB HEALTH SCHOOL OF THE POST
OF ASSISTANT INSPECTRESS.

***5721. Mr. Nanak Chand Pandit :** Will the Honourable Minister for Education kindly state—

- (a) whether there is a vacancy in the Punjab Health School of the post of assistant inspectress, created by Government from 1st April, 1936 ;
- (b) whether it is a fact that the two posts—one of inspectress and the other of assistant inspectress—already existing in the Health School, are occupied by Muhammadan ladies ;

- (c) if the reply to part (a) be in the affirmative, how he intends to fill up the post of the assistant inspectress, which is to be created from 1st April, 1936 ?

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

(b) No.

(c) The matter is still under consideration.

ELECTRICAL INSPECTOR.

***5722. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue please state—

- (a) whether the Electrical Inspector to Government, Punjab, possesses any diploma or degree in Electrical Engineering from a recognised university ;
- (b) whether it is a fact ;
 - (i) that the application of the present Electrical Inspector to the Punjab Government for Corporate Membership of the Chartered Institution of Electrical Engineers, London, was not accepted, and
 - (ii) that he is not a Corporate Member of the Chartered Institution of Electrical Engineers, London ;
- (c) whether the Government is aware that the Senior Assistant to the Electrical Inspector possesses better qualifications than him and has also been accepted as a Corporate Member of the Chartered Institution of Electrical Engineers, London ;
- (d) whether the present Electrical Inspector to the Punjab Government has had at least 5 years' practical experience in an electrical or mechanical workshop or power station as required by Rule 8 of the Indian Electricity Rules, and if so, whether he will state the name of such workshop and power house together with the dates when he was there, the position which he held therein and also whether the period of his apprenticeship was a non-break period of 5 years as required by the above rule ;
- (e) whether after acquiring such experience referred to in (d) above, the Electrical Inspector, prior to his appointment with the Punjab Government, was regularly engaged for a period of not less than 5 years in the practical work of electrical engineering as required by Rule 8 of the Indian Electricity Rules ; if so, the position, place and dates of his regular appointment in such capacity?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) (i) No. His application is under disposal.

(ii) Yes.

(c) The reply to the first part of the question is in the negative. The reply to the second part is in the affirmative.

Hon. Nawab Muzaffar Khan]

(d) The reply to the first part of the question is in the affirmative. The details of Mr. Stowers' practical experience are given below :—

1914-15—at the works of Messrs. Crompton and Company, Electrical Engineers, Chelmsford,—as an apprentice.

1915—19,—war service—in charge of workshops with Motor Machine Gun Service, Tank Corps and Armoured Cars on Western Front (France).

Two periods of six months each in workshops belonging to Messrs G. A. Spencer and Company, Electrical and Mechanical Engineers, South-end-on-Sea.

These periods of practical training formed part of the technical course of 4 years duration at the Northampton Polytechnic Institute, London (1919—1923).

The period of the practical work was broken on account of intervention of the war.

(e) The reply to the first part of the question is in the affirmative. The details of Mr. Stowers' appointments which he held under agreement with Messrs. Martin and Company, Calcutta, are given below :—

Assistant Resident Engineer, Jubbulpore Electric Supply Company,—1927—29.

Resident Engineer, Muttra Electric Supply Company, United Provinces Electric Supply Company,—1929-30.

Resident Engineer, Jubbulpore Electric Supply Company,—1930-31.

Resident Engineer, Agra Electric Supply Company, Benares Electric Light and Power Company,—1931-32.

Khan Bahadur Malik Zaman Mehdi Khan : Was no other regularly qualified person available for filling up this post ?

The Honourable Nawab Muzaffar Khan : Mr. Stowers has been officiating before and his work was found satisfactory.

Khan Bahadur Malik Zaman Mehdi Khan : If he does not possess any diploma, can he be called a well-qualified man ?

The Honourable Nawab Muzaffar Khan : Judging from his practical experience, I think he is very efficient.

Sardar Jawahar Singh Dhillon : Is the Honourable Member prepared to reconsider the case?

The Honourable Nawab Muzaffar Khan : This cannot be done. We have already appointed him on probation for one year.

DISTRICT ENGINEER, ATTOCK AND RAWALPINDI DISTRICT
BOARDS.

***5723. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government kindly state—

(a) the minimum qualifications fixed for the post of district engineers to be employed by local bodies ;

- (b) whether the district engineer employed jointly by Attock and Rawalpindi district boards fulfils the required qualifications ;
- (c) whether he holds any degree or diploma from a recognised university or college ;
- (d) whether the said district engineer holds the combined charge of the Rawalpindi and Attock district boards ;
- (e) on what grounds Government approved of one man holding combined charge of the post of District Engineer of two big districts ;
- (f) whether the attention of the Government has been drawn to the remarks of Mr. Ranson, I.C.S., Deputy Commissioner, in his annual inspection report of the District Board, Attock ;
- (g) whether Government will lay on the table of the Council a copy of that report ;
- (h) what action Government has taken on that report ;
- (i) if no action has been taken, the reasons for the same?

The Honourable Dr. Sir Gokul Chand Narang : (a) The qualifications are given in rule 10 of the District Works Rules, 1926.

(b) No, but the requirement of the said rule was fulfilled as proper sanction was taken when he was appointed District Engineer of Attock and also when he was appointed District Engineer of Rawalpindi District Board.

(c) No, but the District Engineer concerned has risen from the rank of overseer by dint of merit, honesty and character and was declared competent by the Superintending Engineer, 1st Circle, Rawalpindi, when he was appointed District Engineer of the Attock District Board.

(d) The District Engineer concerned resigned his post under the District Board of Attock in 1934 and then was taken into the service of the District Board, Rawalpindi. Subsequently that board allowed him to work for ten days in each month as District Engineer of Attock. This arrangement has now been terminated.

(e) Government did not approve of the arrangement as the matter was not brought to Government's notice presumably under the impression that sanction for such arrangement was not required.

(f) Not yet.

(g) The report when received will be laid on the table.

(h) and (i) Do not arise.

CLERKS IN THE OFFICE OF COMMISSIONER, RURAL
RECONSTRUCTION.

***5724. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Member for Revenue please—

- (a) lay on the table a statement showing the number of clerks community wise in the office of the Commissioner, Rural Reconstruction ;

[S. Jawahar Singh Dhillon.]

(b) state, if the figures show that there is a paucity of Sikhs in this office, what action Government intends to take to redress the just grievance of this community in the matter of their proportionate representation on the staff of this office?

The Honourable Nawab Muzaffar Khan : (a) A statement is laid on the table.

(b) Government would in future adhere to the policy stated by the Honourable Member for Finance in the Punjab Legislative Council on the 19th July, 1927.

Statement showing the proportionate representation of the various communities serving in the office of the Commissioner, Rural Reconstruction, Punjab, on 1st January, 1936.

Total number of appointments.	Europeans and Anglo-Indians.	Muslims.	Hindus.	Sikhs.	Others.
9*	1	7	2	..	..

*Of these four have been recruited from other offices.

CLERKS IN THE OFFICE OF REFORMS COMMISSIONER.

***5725. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Member for Revenue please—

(a) lay on the table a statement showing the number of clerks communitywise in the office of Reforms Commissioner ;

(b) state, if the figures show that there is a meagre representation of a certain community in this office, what action Government intends to take to remedy the grievances of that community in the matter of its proportionate representation on the staff of this office?

The Honourable Nawab Muzaffar Khan : (a) The present strength communitywise of the clerical staff of the Reforms Commissioner is as follows :—

(1) Muslims	..	..	..	98, i.e., 56 per cent.
(2) Hindus	..	..	..	53, i.e., 30 per cent.
(3) Sikhs	..	..	..	22, i.e., 12.5 per cent.
(4) Indian Christians	..	..	..	2, i.e., 1.1 per cent

(b) Does not arise.

Sardar Jawahar Singh Dhillon : Is it not a fact that kanungos also are included in the category of clerks?

The Honourable Nawab Muzaffar Khan : I cannot tell off-hand whether they are so included or not.

INSPECTORS, SUB-INSPECTORS AND ASSISTANT SUB-
INSPECTORS OF POLICE.

***5726. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Member for Finance please—

- (a) lay on the table a statement showing the number of inspectors, sub-inspectors and assistant sub-inspectors of police communitywise in this province;
- (b) state, if the Sikh community is under-represented in the above-mentioned cadres, whether Government proposes to adopt measures to remedy the grievances of this community in the matter of their proportionate representation in the above-mentioned cadres?

The Honourable Sir Donald Boyd : (a) and (b) The honourable member is invited to refer to the consolidated statement which is supplied to all members of the House.

CLERICAL, TECHNICAL AND INFERIOR ESTABLISHMENT IN
PUNJAB GOVERNMENT PRINTING PRESS.

***5727. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Member for Revenue please—

- (a) lay on the table a statement showing the number of clerical, technical and inferior establishment in Punjab Government Printing Press;
- (b) state, if the figures show that there is paucity of Sikhs in these establishments what action Government proposes to take to redress the just grievance of the community in the matter of its proper representation on the staff of these establishments?

The Honourable Nawab Muzaffar Khan : (a) Attention of the honourable member is invited to pages 9-10 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936.

(b) If the members of the community who possess all the required qualifications come forward their claims will be considered.

DRAFTSMEN IN THE PUBLIC WORKS DEPARTMENT (BUILD-
INGS AND ROADS BRANCH).

***5728. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Minister for Agriculture please—

- (a) lay on the table a statement showing the number of draftsmen (not on regular cadre) in the Public Works Department (Buildings and Roads Branch) communitywise;

[S. Jawahar Singh Dhillon.]

- (b) state, if the figures show that there is a meagre percentage of Sikhs in the above-mentioned establishment, what steps Government proposes to take to remedy their grievances in the matter of their proper representation in the establishment mentioned in (a) above?

The Honourable Sardar Sir Jogendra Singh : The attention of the honourable member is invited to the reply to question No. *5466¹.

SUPERINTENDENTS, HEAD CLERK AND CLERKS IN THE
EDUCATION DEPARTMENT.

***5729. Sardar Jawahar Singh Dhillon :** Will the Hon'ble Minister for Education please—

- (a) lay on the table a statement showing the number of superintendents, head clerk and clerks (subordinate offices) in the Education Department communitywise ;
- (b) state, if the figures show that there is paucity of Sikhs in these establishments, what action Government intend to take to remedy their grievances in the matter of their proportionate representation in the establishment mentioned in (a) above?

The Honourable Malik Sir Firoz Khan Noon : (a) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1936, which contains the required information and a copy whereof is placed in the Council Library.

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

ELECTRICAL INSPECTOR.

***5730. Khwaja Muhammad Euseof :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the Electrical Inspector, Punjab, has applied for a third assistant ;
- (b) whether in his letter he recommended the post being filled through Public Service Commission ;
- (c) whether he recommended the Degree of Electrical Engineering and Corporate Membership of a Chartered Institute of Electrical Engineers as qualifications necessary for the post of his third assistant ;
- (d) if so, whether the same qualifications are not at least equally essential in the case of electrical inspector's post ;
- (e) what step Government proposes to ensure that a man with these qualifications is appointed as an electrical inspector?

¹Pages 533-34 ante.

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) No.

(c) No.

(d) and (e) Do not arise.

MALIKANA.

***5731. Professor W. Roberts :** Will the Honourable Member for Revenue please state—

(a) what legal basis there is for enhancement of *malikana* at settlement periods ;

(b) whether *malikana* is on the same basis as land revenue as regards liability to enhancement or decrease at settlement time?

The Honourable Nawab Muzaffar Khan : (a) Under the statement of conditions applicable to grants of Government land in canal colonies *malikana* is payable at such rate, or rates, as may be fixed from time to time by the Punjab Government. Thus the rate is liable to be varied at any time, after due notice, but it is convenient to vary the rate at settlement.

(b) No.

ACREAGE RATE.

***5732. Professor W. Roberts :** Will the Honourable Member for Revenue be pleased to state—

(a) the legal basis under which acreage rate is levied ;

(b) whether acreage rate is being collected now on any canal other than the Sutlej Valley Project ; if so, where?

The Honourable Nawab Muzaffar Khan : (a) The attention of the honourable member is invited to the answer given to part (a) of question No. 1170¹.

(b) Yes, on the areas irrigated by the Lower Chenab Canal Extensions in the Lyallpur district, and on the Government land coming under irrigation for the first time owing to extensions of the Lower Bari Doab Canal in the Khanewal tahsil.

GRANT OF PROPRIETARY RIGHTS TO WIDOWS.

***5733. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Revenue Member be pleased to state—

(a) whether the Government grants proprietary rights to widows with a life-estate only in the various canal colonies of the Punjab and particularly those of Montgomery and Lyallpur ;

¹Volume XXVII, page 40.

[K. B. Malik Zaman Mehdi Khan.]

- (b) whether it is a fact that proprietary rights are not granted to widows in the presence of reversioners ;
- (c) whether it is a fact that colony officers have lately, without enquiry into the existence of reversioners, been granting proprietary rights to such widows ;
- (d) the number of cases of this kind in the colonies of Montgomery and Lyallpur, respectively in 1935 and 1936 ;
- (e) what steps Government propose to take to rectify the illegality mentioned in (b) and to stop the recurrence of it in the future?

The Honourable Nawab Muzaffar Khan : (a) Montgomery—Yes. Lyallpur—Yes, except in the following tenancies :—

- (1) Rakh Branch peasants.
- (2) Rakh Branch Mazhabi peasants.
- (3) Jhang Branch peasants.
- (4) Gugera Branch peasants.

The statement of conditions governing these tenancies did not entitle the tenants to purchase proprietary rights. The privilege was extended by executive orders of Government. The view taken by Government is that as privilege of acquiring proprietary rights was extended to these tenants by executive orders as a matter of grace, it could be withheld by executive orders of Government. Orders were accordingly issued that widows succeeding to these tenancies should not be allowed to acquire proprietary rights. Government believe that public opinion in the colony approves the orders passed, which are intended to give effect to the same policy as that upon which section 59 (3) of the Punjab Tenancy Act is based.

(b) In the Lower Chenab Canal Colony, in respect of certain tenancies as explained under (a) above.

(c) Yes, in view of the Financial Commissioner's ruling in Malan and others *versus* the Crown and *Mst. Basant Kaur*, reported on page 15 of Volume XII (1933) of the *Lahore Law Times* ; but this has come to an end under the Financial Commissioner's rulings in Amarsingh and others *versus* Karamsingh and others, reported on page 19 of volume XIV (1935) of the *Lahore Law Times*, and *Mst. Husain Bibi versus* Fazal Ahmad and others, reported on page 5 of volume XV (1936) of the *Lahore Law Times*.

(d) Montgomery district is not concerned. For the Lyallpur district, the information is not available, and cannot be obtained without much labour and time which will not be commensurate with the results achieved in view of reply given to parts (c) and (e) of this question.

(e) The matter has been set right by the Financial Commissioner's rulings of 1935 and 1936 mentioned in (c) above. The course of appeal, review and revision, is still open to the aggrieved parties.

GRANT OF PROPRIETARY RIGHTS TO Mst. HUSAIN BIBI
IN LYALLPUR DISTRICT.

***5734. Khan Bahadur Malik Zaman Mehdi Khan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that proprietary rights were granted some time ago to one Mst. Husain Bibi in Chak No. 226-G.B., Lyallpur district ;
- (b) whether any enquiry was made into the existence of reversioners and if not, why not, and the designation of the officer who was responsible for this omission ;
- (c) whether it is a fact that the Financial Commissioner in revision set aside the order granting proprietary rights to Mst. Husain Bibi and that thereupon Mst. Husain Bibi served the Secretary of State with a notice claiming damages for alleged breach of contract of the Secretary of State as the Financial Commissioner had set aside the order granting her proprietary rights ;
- (d) whether it is a fact that since Mst. Husain Bibi served this notice, authorities are not interfering in cases where widows with life-estates only, without proper enquiry into the existence of reversioners, have been granted proprietary rights ;
- (e) the number of cases of this kind in Multan division in 1935 and 1936 ?

The Honourable Nawab Muzaffar Khan : (a), (b) and (c) The Honourable Member's attention is invited to the Financial Commissioner's judgment in Revenue Appeal No. 20 of 1934-35, *Mst. Husain Bibi versus Fazal Ahmad* and others, reported on page 5 of part I of volume XV of the *Lahore Law Times*.

Mst. Hussain Bibi has instituted a civil suit against the Secretary of State.

(d) If, as appears to be the case, this question enquires whether the authorities concerned are influenced in their disposal of these cases by the fact that Mst. Husain Bibi has served the notice in question, the answer is that there is no indication of this.

(e) Does not arise.

LABORATORY OF THE ELECTRICAL INSPECTOR.

***5735. Khwaja Muhammad Eusoof :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the laboratory of the Electrical Inspector to the Punjab Government is maintained for testing electric meters disputed under section 26 (6) of the Indian Electricity Act ;
- (b) how many meters were tested in that laboratory—
 - (i) in 1933, 1934 and 1935 ;
 - (ii) how many meters have been tested since November 2, 1935, the date on which the inspectorate was separated from the engineering side ;

[Kh. Muhammad Eusoof.]

- (c) whether Government is aware that section 26 (6) lays down that this work can be done by the electrical inspector or by a competent person specially appointed by Government in this behalf ;
- (d) whether Government is aware that there are nearly half a dozen people on the staff of MacLagan Engineering College, who possess high academic qualifications in electrical engineering and are Corporate Members of the Institution of Electrical Engineers, London, and who are by education and experience fitted to do this work more efficiently than the the electrical inspector, who does not possess any of these qualifications ;
- (e) whether the Principal of the MacLagan Engineering College has made a representation for the transfer of this laboratory to the College, for which an up-to-date laboratory is a necessity and whether he has suggested that he and his staff will carry out testing work besides carrying out technical research in the laboratory?

The Honourable Nawab Muzaffar Khan : (a) Not expressly for this purpose but certain instruments, which form part of the laboratory equipment, are used for testing meters either at consumers' premises or in the laboratory if meters are sent to the Electric Inspector at Lahore.

(b) (i) 1933	25
1934	3
1935	3
	31

(ii) 2.

(c) Yes.

(d) Government are aware of the existence of such staff on the electrical engineering side of the MacLagan Engineering College, but it is not a necessary conclusion that the staff can do the work more efficiently than the electric inspector.

(e) Yes.

MUTATION FEES.

***5736. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether his attention has been drawn to an article published in the *Patwar Gazette*, Lahore, dated the 18th February 1936, on page 8, column 2 under the caption "*Fees Dakhil Kharaj wa Haq-i-Patwar*" ;
- (b) if so, what action Government proposes to take for redressing the the grievances mentioned therein ?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) Attention of the honourable member is invited to paragraph 7-34 of the Land Records Manual. Government does not propose to take any action in the matter.

PATWARIS.

***5737. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether a patwari is a Government or a non-Government servant ;
- (b) if he is a Government servant, whether he is entitled to pension like other Government servants ; if not, why not ;
- (c) whether it is a fact that a patwari is entitled only to railway fare when he appears as a witness in a court of law and that he is not paid any diet money ;
- (d) whether it is a fact that some years ago the patwaris were paid diet money ;
- (e) whether the Government intends to treat the patwaris as Government servants and to grant them pensions at the time of their retirement ; if not, why not ;
- (f) the reasons for which a patwari is not considered a Government servant ?

The Honourable Nawab Muzaffar Khan : (a) A patwari is not a Government servant in the full sense of the term.

(b) Does not arise.

(c) *First part.*—No. A patwari is entitled to travelling allowance whether in the form of railway fare or otherwise according to the nature of the journey performed.

Second part.—Yes.

(d) This information is not available.

(e) and (f) The honourable member is referred to the statement made by myself and by Mr. Latifi, Financial Commissioner, Revenue, in reply to Mr. Abdul Ghani's cut motion on demand No. 1—5-D—Land Revenue (ii) (a) District Charges Patwaris Establishment on 11th March, 1936, in this House.

QANUNGO CANDIDATES.

***5738. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that under Survey Standing Order No. 19, qanungo candidates sent up for training in connection with settlement operations are confirmed in their posts as soon as vacancies occur in their home districts ;
- (b) if so, the number of qanungos confirmed and sent back to their home districts since the time settlement operations were started in the Lyallpur district ;
- (c) whether it is a fact that some of the qanungos, in spite of the fact that they had been confirmed in their districts long ago, have not been sent back to their districts, and they are still working in the Lyallpur district ;

[Ch. Muhammad Abdul Rahman Khan.]

- (d) if so, the reasons for the retention of these qanungos in the Lyallpur district and for not sending up new men for training ;
- (e) whether it is proposed to retain such qanungos in the Lyallpur district till the settlement operations are over ; if so, whether it is proposed to amend the standing order mentioned in (a) above ;
- (f) the special qualifications of the permanent qanungos sent back to their districts?

The Honourable Nawab Muzaffar Khan : (a) Yes.

(b) 23, of whom 11 have been sent back to their home districts.

(c) Yes.

(d) They were retained because the settlement officer represented that their immediate removal would interfere with the settlement operations.

(e) *First part.*—Yes.

Second part.—No.

(f) None.

COMMUNAL REPRESENTATION IN JAGRAON MUNICIPAL COMMITTEE.

***5739. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the basis of representation of the various communities in the Punjab Municipal boards ;
- (b) if it is based on population basis whether all communities are receiving their due share as regards nominated and elected seats ;
- (c) whether it is a fact that the population of Jagraon in Ludhiana district consists of 13,132 Muslims and 10,902 non-Muslims ;
- (d) whether it is a fact that the 10,902 non-Muslims are represented by six members, each representing an average of 1,817 persons, whereas the Muslim majority surplus of 2,230 people is entirely deprived of any representative, the total Muslim representation being only six members ;
- (e) whether it is a fact that the Government acknowledged in a letter during June, 1930, that according to certain recognised formula the Muslim majority should be represented by one additional member in the Jagraon Municipal Committee ;
- (f) whether it is a fact that the official president of the said committee also in one of his letters during July, 1931, laid stress on the rights of the Muslims to an additional seat ;
- (g) whether it is a fact that the local Government received recommendations from the Commissioner, Jullundur, also, in favour of an additional Muslim seat ;
- (h) if answers to (c), (d), (e), (f) and (g) be in the affirmative, the reasons for not giving as yet an additional seat to the Muslims ;

- (i) whether Government proposes to make up the deficiency in the coming election and whether it proposes to award the Muslims their due share of representation?

The Honourable Dr. Sir Gokul Chand Narang : (a) The elected seats of municipal committees are divided between the three principal communities on the mean of population and voting strength. The appointed seats are divided on this basis as far as possible.

(b) Does not arise.

(c) and (d) The attention of the honourable member is invited to the reply given to Council Question No. 5545¹ asked by him in the current session of the Council.

(e) to (i) The strength of the Committee was fixed at 8 elected, and 4 appointed, members in 1922. According to the then population and voting strength figures Muslims were entitled to 4.23 and Hindus and others to 3.76 seats. Each community was therefore given 4 seats. This constitution, however, offended against the proviso to Section 12 of the Municipal Act under which the number of appointed members should not be more than $\frac{1}{2}$ of the total members, unless the local Government otherwise directs. It was, therefore, proposed that the number of elected seats be raised to 9 out of which Muslims would be entitled to 4.7 or 5 and Hindus and others to 4.17 or 4 seats. It is believed that the honourable member is referring to this decision in part (e) of the question. These calculations were based on the census of 1921 and the voting strength of 1930. In 1932 the question of excluding the Mandi and converting it into a Notified Area was taken up, but the Commissioner suggested that instead of excluding the Mandi the number of elected seats be raised to 10. This suggestion was accepted, and the calculations showed that on the basis of population of 1931 and the voting strength of 1933 each of the two communities was entitled to 5 seats. In view of these facts the question of giving one more seat to the Muslims does not arise.

EXECUTIVE OFFICER, GUJRAT MUNICIPALITY.

***5740. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the maximum age-limit under the Fundamental Rules for appointments under the Punjab Municipal Executive Officers' Act (II of 1931) and the Fundamental Rule which prescribes this limit;
- (b) the Fundamental Rules relating to the recruitment of retired Government officials as executive officers and the contents thereof;
- (c) whether the Fundamental Rules stated in reply to (a) and (b) were observed in the recent appointment of the executive officer of the Gujrat Municipality; if not, for what reasons;
- (d) the date on which the meeting for the appointment of the Executive Officer prescribed by section 3 (1) of the Punjab Municipal Executive Officers' Act (II of 1931) was held by the Municipal Committee of Gujrat;

Ch. Muhammad Abdul Rahman Khan.]

- (e) whether the name of one Hasan Din was proposed and voted on for the appointment in the meeting held under section 3 (1) and whether it is a fact that the President refused to allow this resolution being recorded in the Minutes Book of the Municipal Committee;
- (f) the rules, if any, and the circumstances, if any, under which the President seeks to justify, if at all, his refusal to permit this resolution being recorded;
- (g) the date on which the next meeting for the appointment of the Executive Officer was held;
- (h) whether it is a fact that this latter meeting was held without a requisition in writing by one-third of the total number of members constituting the committee, as required by section 3 (2) of the Punjab Municipal Executive Officers' Act (II of 1931);
- (i) whether any complaints were received by the Ministry from certain municipal commissioners that certain officials were taking personal interest in the appointment of the Executive Officer in the matter of canvassing members; if so, what action the Ministry has taken on these complaints?

The Honourable Dr. Sir Gokul Chand Narang : (a) and (b) The honourable member is referred to Fundamental Rule 56 and articles 520 and 521 of the Civil Service Regulations.

(c) Yes.

(d) A preliminary meeting was held on the 19th June, 1935, but no election for the appointment of the Executive Officer was held on that date.

(e) The name of Hasan Din was, as reported to Government, not proposed in the meeting held on the 19th June, 1935.

(f) Does not arise.

(g) 5th July 1935.

(h) No meeting under section 3 (2) of the Executive Officers Act was held.

(i) Yes. Inquiries were made about the facts mentioned in these complaints.

STATIONERY FOR PATWARIS.

***5741. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that in 1931-32, the patwaris were paid 4 annas per mensem for stationery;
- (b) whether it is a fact that this stationery allowance has since been stopped;
- (c) if so, why, and what arrangements have been made by Government for the supply of stationery to patwaris?

The Honourable Nawab Muzaffar Khan : (a) and (b) Yes.

(c) It was stopped with a view to effect economy. Government expects patwaris to meet the cost of stationery from their share of the fees they realize in connection with the records in their custody.

REVENUE PATWARIS' EXAMINATION.

***5742. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that revenue patwaris have to obtain 80 per cent. pass marks in some of their examination papers ;
- (b) if so, whether it is a fact that such a high percentage of marks is not insisted upon in any other departmental examination ;
- (c) if the answers to (a) and (b) above be in the affirmative, the reasons for so high a percentage ?

The Honourable Nawab Muzaffar Khan : (a) No.

(b) and (c) Do not arise.

TENDERS FOR RUNNING MOTOR CARS AND LORRIES ON THE HOSHIARPUR-DHARAMSALA ROAD.

***5743. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the public of Hoshiarpur strongly protested against the monopoly of a single company to run motor cars and lorries on the Hoshiarpur-Dharamsala road ;
- (b) whether it is a fact that the Deputy Commissioner, Hoshiarpur, has called for tenders from motor driving firms ;
- (c) the names of the tenderers and the rates quoted by them ;
- (d) the date by which this matter will be decided and whether it has been decided to give preference to the tenderers belonging to Hoshiarpur district ;
- (e) whether Government have decided that the least rate tendered for will be accepted ; if not, why not ?

The Honourable Nawab Muzaffar Khan : (a), (b), (d) and (e) Information on these points has already been given to the Council in the replies to questions 1239¹ and *5576², to which the honourable member is invited to refer.

(c) These particulars will be obtained from the Deputy Commissioner and communicated to the honourable member subsequently.

MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.

***5744. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture kindly lay on the table a statement

¹Volume XXVII, pages 483-84.

²Page 882 ante.

[Hon. Nawab Muzaffar Khan.]

giving the following details regarding the Maclagan Engineering College, Moghulpura, from the date of its establishment—

- (i) the number and names of students admitted community-wise to each of the two classes annually;
- (ii) the number and names of successful students each year;
- (iii) the number of old boys of the institution who are employed by Government and the salary drawn by each one of them?

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

- (i) the number of students admitted communitywise.
- (ii) the number of successful students each year.
- (iii) the number of old boys who are employed by Government as far as this information is available. The pay drawn is not known.

The amount of labour and time involved in collecting the names of students is not commensurate with the object to be achieved and serves no useful public purpose. It is regretted, therefore, that they cannot be supplied.

(i) *Number of students admitted communitywise.*

Year.	Ordinary admissions.	Special admissions.	Total.	Muslims.	Hindus.	Sikhs.	Christians and others.
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"A" CLASS.

1925 ..	10	3	13	2	8	1	2
1926 ..	13	3	16	1	13	1	1
1927 ..	13	3	16	2	11	3	..
1928 ..	9	4	13	2	9	2	..
1929 ..	11	3	14	4	5	5	..
1930 ..	12	Abolished	12	1	8	3	..
1931 ..	17	Do.	17	3	8	5	1
1932 ..	17	2	19	2	11	6	..
1933 ..	16	3	19	5	10	4	..
1934 ..	19	11	30	5	16	7	2
1935 ..	20	Abolished	20	4	13	3	..

"B" CLASS.

1925 ..	40	5	45	11	11	11	12
1926 ..	42	5	47	6	18	12	11
1927 ..	40	7	47	17	21	4	5
1928 ..	40	5	45	9	24	9	3
1929 ..	20	6	26	8	12	6	..
1930 ..	22	Abolished	22	8	7	5	2
1931 ..	35	Do.	35	13	11	7	4
1932 ..	20	1	21	8	7	4	2
1933 ..	22	3	25	10	9	4	2
1934 ..	25	3	28	12	8	8	..
1935 ..	25	Abolished	25	11	8	6	..

(ii) Number of successful students.

Year of completion of course.	"A" Class.	"B" Class.
1926 .. .. .	..	15
1927	13	14
1928	12	14
1929	12	24
1930	13	24
1931	15	38
1932	13	38
1933	11	29
1934	5	35
1935	7	30
Total ..	101	271

(iii) Number of old boys employed by Government.

Government of India Technical Departments.	Punjab Government Technical Department.	North-Western and other Railways.	Other Governments Departments.
23	39	170	6

PATWARIS AS GOVERNMENT SERVANTS.

***5745. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Member for Revenue kindly state—

(a) whether his attention has been drawn to an article published in the *Patwar Gazette* of Lahore, dated the 18th February, 1936, on page 8, under the caption "*Patwari Mulazim-i-Sarkar ki haisiyat men*";

(b) if so, what action the Government propose to take for redressing the grievances mentioned therein?

The Honourable Nawab Muzaffar Khan: (a) Yes. I have now-read the article.

(b) None.

INDIAN CHRISTIAN DEPUTY SUPERINTENDENTS AND SUPERINTENDENTS
IN THE JAIL DEPARTMENT.

***5746. Mr. E. Mayadas :** Will the Honourable Member for Finance kindly state—

- (a) the number of posts of deputy superintendents and assistant superintendents in the Jail Department ;
- (b) how many among them are Indian Christians ;
- (c) what measures Government is prepared to adopt to give them their due representation in these cadres ?

The Honourable Sir Donald Boyd :

- (a) Deputy superintendents Twenty-four.
Assistant superintendents Ninety-two.
- (b) Deputy superintendent One.
Assistant superintendent One.

(c) Appointments in these ranks are made by the local Government on the advice of a selection board. I can only assure the honourable member that the claims of Christian candidates will receive fair consideration in comparison with those from other communities.

INDIAN CHRISTIAN JAIL WARDERS AND MATRONS IN JAIL DEPARTMENT.

***5747. Mr. E. Mayadas :** Will the Honourable Member for Finance be pleased to state—

- (a) the number of jail warders and matrons ;
- (b) how many of them are Indian Christians ;
- (c) what measures Government is prepared to adopt to give them their due representation in this cadre ?

The Honourable Sir Donald Boyd : (a) 1,652.

(b) 18.

(c) The instructions regarding the recruitment of warder establishment will be found in paragraph 270 of the Punjab Jail Manual. In recruiting no discrimination is made against Christians.

INDIAN CHRISTIANS IN THE OFFICE OF COMMISSIONER, RURAL RE-
CONSTRUCTION.

***5748. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of clerks in the office of Commissioner, Rural Reconstruction ;
- (b) how many of them are Indian Christians ;
- (c) if the number be negligible or nil whether Government is prepared to give them their due representation in the staff of the office ?

The Honourable Nawab Muzaffar Khan : (a) Nine.

(b) None.

(c) Government would in future adhere to the policy stated by the Honourable Member for Finance in the Punjab Legislative Council on the 19th July, 1927.

INDIAN CHRISTIAN CLERKS IN FINANCIAL COMMISSIONERS' OFFICE.

*5749. **Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of clerks in the office of the Financial Commissioners, Punjab ;
- (b) how many of them are Indian Christians ;
- (c) if their number be very small whether Government is prepared to give them their due representation in these establishments ?

The Honourable Nawab Muzaffar Khan : (a) Ninety-five.

(b) One.

(c) Clerks are recruited by holding an examination with due regard to the policy of Government in regard to the representation of the various classes of the community. If duly qualified Indian Christians apply for admission to the examination and are successful, they will be considered for appointment.

INDIAN CHRISTIAN CLERKS IN OFFICES OF COMMISSIONERS.

*5750. **Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of clerks in the offices of Commissioners, Lahore, Jullundur, Multan, Rawalpindi and Ambala ;
- (b) how many of these are Indian Christians ;
- (c) if the number be small or nil, whether Government is prepared to give them their due representation in these establishments ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The attention of the honourable member is drawn to the required information as given on pages 11—13 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936.

(c) A copy of this question and reply will be sent to the officers concerned for consideration with reference to the policy of Government in this regard cited in paragraph 3·15 of the District Office Manual.

INDIAN CHRISTIAN CLERKS IN OFFICES OF DEPUTY COMMISSIONERS.

*5751. **Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of clerks in the offices of Deputy Commissioners in the Punjab ;
- (b) how many of them are Indian Christians ;
- (c) if their number be very small, whether Government is prepared to give them their due representation in these establishments ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The attention of the honourable member is drawn to the required information as given on pages 11—14 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936.

(c) Does not arise.

INDIAN CHRISTIANS IN THE PROVINCIAL CIVIL SERVICE (EXECUTIVE).

***5752. Mr. E. Mayadas :** Will the Honourable Member for Finance be pleased to state—

- (a) the number of posts in the Provincial Civil Service, Executive Branch ;
- (b) the number held by Indian Christians ;
- (c) whether Government is prepared to give them their due representation in this branch of public services ;
- (d) when recruitment is likely to take place next ?

Mr. F. H. Puckle (Chief Secretary) : (a) 232, including the ten Listed posts.

(b) 4, excluding one on deputation.

(c) Their representation in the Punjab Civil Service is 1·7 per cent while they form 1·4 per cent. of the population. The question does not therefore, arise at present.

(d) Early in 1937.

INDIAN CHRISTIANS AS DEPUTY SUPERINTENDENTS OF POLICE.

***5753. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state—

- (a) the number of deputy superintendents of police in the province ;
- (b) how many of them are Indian Christians ;
- (c) if the number be negligible or nil, what action Government is prepared to take in the matter ?

The Honourable Sir Donald Boyd : (a) 55.

(b) None.

(c) Appointments to the provincial police service are made by the local Government on the recommendation of a selection board. I can only promise that the claims of Indian Christians will be given fair consideration in comparison with those of candidates from other communities.

INDIAN CHRISTIAN REPRESENTATION IN POLICE DEPARTMENT.

***5754. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state—

- (a) the number of inspectors, sub-inspectors, assistant sub-inspectors and head constables of police in the province ;
- (b) how many among them are Indian Christians ;

- (c) if their number be very small, whether Government is prepared to take some action ; if so, what ?

The Honourable Sir Donald Boyd : —

(a) Inspectors	..	..	..	141
Sub-inspectors	..	..	..	820
Assistant sub-inspectors	..	..	..	400
Head Constables	..	..	..	3,050
(b) Inspector	..	..	..	1
Sub-inspectors	..	..	..	5
Assistant sub-inspectors	..	..	..	2
Head Constables	..	..	..	3

(c) There is no bar to the appointment of Indian Christians under the rules and the Inspector-General of Police recently drew attention to their eligibility for appointment. No further action is contemplated.

INDIAN CHRISTIANS AMONG POLICE CONSTABLES.

***5755. Mr. E. Mayadas :** Will the Honourable Finance Member be pleased to state—

- the number of police constables in the province ;
- whether it is a fact that the total number of Indian Christians among them is less than 30 ; if not, what is the number ;
- if the community is under-represented in the abovementioned cadre, whether Government is prepared to take some action ; if so, what ?

The Honourable Sir Donald Boyd : The honourable member is asked to refer to the reply given to the question *5652¹ on the same subject.

INDIAN CHRISTIANS AMONG ZILLADARS.

***5756. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- the number of zilladars in the province ;
- how many of them are Indian Christians ;
- in case the number of Indian Christians is nil or next to nil, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) 238.

(b) Nil.

(c) Government cannot take any action. It is for members of the community who possess all the required qualifications to come forward and apply, when their claims will be considered along with those of others.

INDIAN CHRISTIAN APPLICANTS FOR ZILLADARS.

***5757. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state whether any Indian Christians have applied for the post of zilladars ; if so, how many such applications were pending on 1st March, 1936 ?

The Honourable Nawab Muzaffar Khan : It is regretted that the information is not available.

INDIAN CHRISTIAN CLERKS IN IRRIGATION DEPARTMENT.

***5758. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of clerks in the Irrigation department ;
- (b) how many among them are Indian Christians ;
- (c) if the community is under-represented in the cadre, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The honourable member is referred to the consolidated statement showing the representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936.

(c) If suitable Indian Christians come forward for such appointments their claims will be considered.

INDIAN CHRISTIANS AMONG PATWARIS IN IRRIGATION DEPARTMENT.

***5759. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

- (a) the number of patwaris (including mirabs) in the Irrigation department of the Punjab ;
- (b) how many among them are Indian Christians ;
- (c) if the community is under-represented in the cadre, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1936.

(c) Government cannot do anything. It is for Indian Christians who are qualified in all respects to come forward when their claims will be considered along with those of others.

INDIAN CHRISTIAN MUNSHIS IN IRRIGATION DEPARTMENT.

***5760. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of Munshis in the Irrigation Department ;

(b) how many among them are Indian Christians ;

(c) if their number be very small, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1936.

(c) Government cannot take any action. It is for Indian Christians who are qualified in all respects to come forward when their claims will be considered along with those of others.

INDIAN CHRISTIAN SIGNALLERS IN IRRIGATION DEPARTMENT.

***5761. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

(a) the number of signallers in the Irrigation Department ;

(b) how many among them are Indian Christians ;

(c) if their number be very small, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) and (b) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January, 1936.

(c) Nothing. Unless Indian Christians come forward for such appointments, they cannot expect to be employed.

INDIAN CHRISTIAN FOREST OFFICIALS IN THE FOREST DEPARTMENT.

***5762. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

(a) the number of forest rangers, deputy rangers, foresters and forest guards in the Province ;

(b) how many among them are Indian Christians ;

(c) if their number is small or negligible, what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a)—

Forest rangers	..	..	..	63
Deputy rangers	..	..	..	87
Foresters	..	..	..	109
Forest guards	..	..	..	762

(b) Only one forest guard.

(c) Indian Christians will be given due consideration in accordance with the policy stated by the Honourable Member for Finance in the Punjab Legislative Council on the 19th July, 1927.

**INDIAN CHRISTIAN TAHSILDARS, NAIB-TAHSILDARS, KANUNGOS AND
PATWARIS.**

***5763. Mr. E. Mayadas :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of tahsildars, naib-tahsildars, kanungos and patwaris in the province ;
- (b) how many among them are Indian Christians ;
- (c) if their number is small or negligible , what action Government is prepared to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a)—

Tahsildars	..	..	..	..	120
Naib-tahsildars	..	..	..	..	189
Kanungos	..	..	..	..	778
Patwaris	..	..	..	..	9,270

(b) 4 (one tahsildar and three patwaris).

(c) A copy of this question and reply will be sent to the local officers concerned for consideration with reference to the policy of Government cited in paragraph 8.15 of the District Office Manual.

INDIAN CHRISTIAN MUKADDAMS IN THE AGRICULTURE DEPARTMENT.

***5764. Mr. E. Mayadas :** Will the Honourable Member for Agriculture be pleased to state—

- (a) the number of Mukaddams in the Agricultural Department ;
- (b) how many among them are Indian Christians ;
- (c) if their number be very small, what action Government is prepared to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) 253.

(b) 2.

(c) Indian Christians of required qualifications are not available, otherwise there is no bar to their recruitment.

**INDIAN CHRISTIAN INSPECTORS AND SUB-INSPECTORS IN CO-OPERATIVE
SOCIETIES DEPARTMENT.**

***5765. Mr. E. Mayadas :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the number of inspectors and sub-inspectors in Co-operative Societies Department ;
- (b) how many among them are Indian Christians ;
- (c) if their number be very small, what action Government is prepared to take in the matter ?

The Honourable Sardar Sir Jogendra Singh :

(a) 180 inspectors.

Sub-Inspectors are employees of the Punjab Co-operative Union, with the exception of 19 industrial sub-inspectors and 104 temporary sub-inspectors for consolidation of holdings.

(b) Two inspectors.

Two sub-inspectors paid by the Punjab Co-operative Union.

(c) Government would in future adhere to the policy stated by the Honourable Member for Finance in the Punjab Legislative Council on the 19th July, 1927.

INDIAN CHRISTIAN INSPECTORS AND SUB-INSPECTORS IN EXCISE DEPARTMENT.

***5766. Mr. E. Mayadas :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of inspectors and sub-inspectors in the Excise Department ;

(b) how many of them are Indian Christians ?

The Honourable Sardar Sir Jogendra Singh : (a) 160.

(b) Three.

SHORT COURSES IN THE AGRICULTURAL COLLEGE, LYALLPUR.

***5767. Mr. E. Mayadas :** Will the Honourable Minister for Agriculture be pleased to state—

(a) what short courses are taught in the Agricultural College, Lyallpur ;

(b) generally during what time of the year ;

(c) in what newspapers the particulars of these courses are advertised ;

(d) how many times the notices are inserted ;

(e) generally what margin of time is allowed for sending in of applications ?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table giving the required information as far as it is available.

[Hon. Sardar Sir Jogendra Singh.]

Statement showing particulars of the short courses held at the Punjab Agricultural College, Lyallpur.

(a)	(b)	(c)	(d)	(e)	REMARKS.
Name of the course.	Time of the year during which generally held.	Newspapers in which particulars of the courses are advertised.	Times of insertion of the notices.	Time generally allowed for sending in applications.	
1. Six months' Vernacular Courses	1st April to 30th September 1st October to 31st March.	No advertisement. Selections made by deputy directors of agriculture.	..	One month.	
2. Six months' Dairy Course	1st October to 31st March	Press notes issued through the Information Bureau, Punjab.	Once	Ditto.	
3. Lokar Class	Six weeks during January or March as the Principal and Agricultural Engineer may decide between themselves.	No advertisements. Deputy commissioners and district boards recommend suitable applicants.	..	Ditto.	
4. (i) Fruit Culture	Two weeks during February or March.	Press notes issued through the Information Bureau, Punjab.	Once	Ditto.	
(ii) Fruit and Vegetable Preservation.	Two weeks in July	Ditto ditto	Do.	Ditto.	
(iii) Fruit and Vegetable Preservation.	Ten days in continuation of (ii) above during February or March.	Ditto ditto	Do.	Ditto.	
5. Milk Class	1st October to 30th September	Ditto ditto	Do.	Ditto.	
6. Teachers' Training Class	20th July to 21st May	No advertisement. Nominated by Education Department.	..	Two months.	
7. Post-graduate Course in Sugar Chemistry.	1st October to 31st March	Press notes issued through Information Bureau, Punjab.	Once	About one month.	No class held in 1935.

Mr. E. Mayadas : Will the Honourable Minister please give the names of newspapers in which these courses are advertised ?

The Honourable Sardar Sir Jogendra Singh : They were not advertised in the newspapers. Notices were issued through the Information Bureau.

HYDRO-ELECTRIC CURRENT IN FEROZEPORE CANTONMENT.

***5768. Mr. E. Mayadas :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the approximate date by which Ferozepore cantonment is likely to receive hydro-electric current ;
- (b) whether Ferozepore cantonment has a separate sub-station, if not, from where it will receive current ;
- (c) whether the Military Dairy farm is included in the current-receiving area ;
- (d) whether it is a fact that the canal colony adjoins the Military Dairy Farm, if not, what is the distance between them ;
- (e) whether Government proposes to do away with the Hoosainiwala canal colony transmission line and obtain current for the canal colony from the Military Dairy Farm direction when the current has reached the Military Dairy Farm ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Probably by the end of May, 1936.

- (b) A separate sub-station is under construction.
- (c) No.
- (d) No ; approximately $\frac{3}{4}$ mile.
- (e) The matter has not yet been considered.

INDIAN CHRISTIAN CLERKS IN THE PUBLIC WORKS DEPARTMENT.

***5769. Mr. E. Mayadas :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the strength of the clerical establishment in the Public Works Department, Buildings and Roads Branch ;
- (b) whether it is a fact that Indian Christians do not hold more than six out of these posts ; if not, how many they hold ;
- (c) if on population basis Indian Christians are entitled to a larger number whether Government is prepared to make up the deficiency ?

The Honourable Sardar Sir Jogendra Singh : The attention of the honourable member is invited to the reply to question No. *5466.¹

INDIAN CHRISTIANS IN THE SUBORDINATE EDUCATIONAL SERVICE.

***5770. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of appointments in Subordinate Educational Service (Anglo-Vernacular Section) ;
- (b) the number of those held by Indian Christians ;
- (c) if on population basis Indian Christians are entitled to a larger number than the number of posts they hold, what action Government is prepared to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) 970.

(b) 9.

(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.

INDIAN CHRISTIANS IN THE SUBORDINATE EDUCATIONAL SERVICE.

***5771. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of appointments in Subordinate Educational Service (Class and V. Section) ;
- (b) whether it is a fact that Indian Christians do not hold more than one post out of these ;
- (c) if on population basis Indian Christians are entitled to a larger number, what action Government is prepared to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) 933 (including one temporary post sanctioned for ten months).

(b) Yes.

(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.

INDIAN CHRISTIAN CLERKS IN THE EDUCATION DEPARTMENT.

***5772. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of clerks in subordinate ranks in the Education Department, clerical establishment ;
- (b) whether it is a fact that Indian Christians hold only one of these posts ;
- (c) if on a population basis Indian Christians are entitled to a larger number, what action Government is prepared to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on 1st January, 1936, which contains the required information and a copy¹ whereof is laid on the table.

(b) Yes ;

(c) The policy of Government in the matter has been explained time and again on the floor of this House. It was explained by Honourable Member, Finance, on 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.

INDIAN CHRISTIAN DISPENSERS IN THE MEDICAL DEPARTMENT.

***5773. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

(a) the number of (male) dispensers in the Medical Department ;

(b) whether it is a fact that the number of Indian Christian male dispensers is not more than 2 ; if not, how many ;

(c) if on a population basis Indian Christians are entitled to a larger number, what action Government is prepared to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) The number of male dispensers employed in the Medical Department is 253.

(b) Yes.

(c) No separate communal ratio has been fixed for Christians.

INDIAN CHRISTIANS CLERKS IN THE MEDICAL DEPARTMENT.

***5774. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

(a) the number of clerks in the Medical Department ;

(b) whether it is a fact that the number of Indian Christians among them is only one ; if not, what is the number ;

(c) if on a population basis Indian Christians are entitled to a larger number of posts than what they hold, what action Government is prepared to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) The number of clerks employed in the Medical Department is 163.

(b) The number of Indian Christians among them is 2.

(c) No communal percentage has been fixed for clerical service in the Medical Department but recruitment is now made after consideration of the claims of the various communities.

INDIAN CHRISTIAN VACCINATORS IN DISTRICT BOARDS.

***5775. Mr. E. Mayadas :** (a) Will the Honourable Minister for Local Self-Government be pleased to lay a statement showing the number of vaccinators employed by the various district boards of the province ?

(b) how many among them are Indian Christians ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that answer to this question is not ready.

INDIAN CHRISTIAN CLERKS IN PUBLIC HEALTH DEPARTMENT.

***5776. Mr. E. Mayadas :** Will the Honourable Minister for Education be pleased to state—

(a) the strength of the clerical establishment in the Public Health Department ;

(b) how many among them are Indian Christians ;

(c) if on population basis they are entitled to a larger number of posts than they actually hold, what action Government is prepared to take ?

The Honourable Malik Sir Firoz Khan Noon : (a) 41.

(b) None.

(c) Applications from duly qualified Indian Christians for clerical jobs will be considered when fresh recruitment is made.

INDIAN CHRISTIAN FOREST GUARDS IN FOREST DEPARTMENT.

***5777. Mr. E. Mayadas :** Will the Honourable Revenue Member be pleased to state—

(a) the number of forest guards it is proposed to appoint during the next financial year by districts ;

(b) the existing number of forest guards and how many among them are Indian Christians ;

(c) if the number of Indian Christians be less than their due share, whether Government is prepared to make up the deficiency when next forest guards are appointed ?

The Honourable Nawab Muzaffar Khan : (a) There will be four vacancies due to the retirement of forests guards which will be filled in 1936-37 in the following Forests Divisions. Other vacancies due to dismissal, etc., cannot be foreshadowed—

1. Hoshiarpur division, which comprises the Civil Districts of Hoshiarpur, Kangra, Jullundur, Amritsar, Gurdaspur, Ferozepore.
2. Lower Bashahr division, which comprises the Civil District of Simla.
3. Rawalpindi west division, which comprises the Civil Districts of Rawalpindi and Attock.

4. Depôt west division, which comprises the Civil Districts of Rawalpindi, Jhelum, Shahpur, Jhang, Gujranwala, Gujrat and Sialkot.

(b) There are 762 forest guards out of whom only one is an Indian Christian.

(c) If suitable Indian Christians are available and apply for these posts their cases will be considered on merit.

READER TO THE SECRETARY, DISTRICT BOARD, JULLUNDUR.

***5778. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the agenda of the meeting of the Jullundur District Board to be held on 22nd March 1935 contained a resolution (No. 38) regarding the retrenchment of M. Muhammad Ali, Reader, to the Secretary of the district board ;
- (b) whether the chairman of the District Board wrote a note regarding the above-mentioned resolution to the effect that the post of a reader does not exist in any other district board in the province ;
- (c) if so, whether enquiries regarding the existence of such a post were made from other district boards in the province ; if so, whether the Honourable Minister will kindly place the result of these enquiries on the table, together with the Secretary's note regarding M. Mohammad Ali ;
- (d) whether the Secretary has spoken highly of M. Muhammad Ali in his note ; if so, why he was brought under reduction ;
- (e) whether it is a fact that M. Muhammad Ali was senior to many employees of the District Board ; if so, why he was brought under reduction ?

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

(b) Yes.

(c) Of the 5 district boards consulted, 3 were found to have readers. There are several such reports of the Secretary and if the honourable member indicates the particular one required, it will be laid on the table in due course, if considered desirable.

(d) The Secretary has reported that M. Muhammad Ali was efficient, but as his post was considered redundant by the Board it was abolished.

(e) M. Muhammad Ali was brought under reduction as his post was abolished. He was, however, re-employed on the occurrence of the first vacancy after his reduction.

Chaudhri Afzal Haq : Will the Honourable Minister please say on what pay he has been re-appointed ?

The Honourable Dr. Sir Gokul Chand Narang : I have no information.

Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister please say whether while bringing him under reduction the question of seniority was taken into consideration ?

The Honourable Dr. Sir Gokul Chand Narang : I have no more information than what I have given to the honourable member. If he requires any information he must give notice.

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 District Board, Jullundur, 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 : I regret that answer to this question is not ready.

EXTENSION OF SERVICE TO EMPLOYEES OF DISTRICT BOARD, JULLUNDUR.

***5780. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the number of applications from the employees of the Jullundur District Board for extension of service during the last two years ;
- (b) the number of applications for extension of service granted community-wise and the period of extension granted in each case ;
- (c) whether it is a fact that no Muslim has been granted extension of service ; if so, why ?

The Honourable Dr. Sir Gokul Chand Narang : (a) Ten such applications were considered by the District Board since January, 1934.

(b) Of the 10 applications, 3 (2 from Hindus and one from a Muslim) were rejected. Three Hindus and 3 Muslims were granted extension of one year while one Muslim was granted extension for six months.

(c) No, four Muslims were granted extensions.

TENDERS FOR PRINTING OF FORMS OF HOSPITALS, DISTRICT BOARD, JULLUNDUR.

***5781. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that tenders were called for the printing of forms of the hospitals under the management of the Jullundur District Board ;
- (b) whether it is a fact that the quotations submitted by the Chanda Press, Ambala, were the least cumbersome ; if so, whether the Chanda Press tenders were accepted ; if not, why not ;
- (c) whether it is a fact that the tenders submitted by Rai Sahib Munshi Gulab Singh and Sons of Lahore exceeded by Rs. 250 the quotations submitted by the Chanda Press ;
- (d) if so, why the tenders submitted by Rai Sahib Munshi Gulab Singh and Sons were accepted and whether the Government propose to take any action in the matter ; if not, why not ?

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

(b) The rates quoted by the Chanda Press were lower than those of the accepted tender. The District Board wished to entrust the work to a well-established and reliable firm and the tender was accepted of a firm considered to be such.

(c) No. The difference amounted to Rs. 120-9-0 only.

(d) Government does not disapprove the action of the Board.

EMPLOYEES OF DISTRICT BOARD, JULLUNDUR.

***5782. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the number of employees of the Jullundur District Board suspended or dismissed during the last five years, community-wise ;
- (b) whether it is a fact that only Muslim employees have been suspended or dismissed ; if so, why and whether the Government propose to take any action in the matter ; if not, why not ?

The Honourable Dr. Sir Gokul Chand Narang : I regret that the answer to this question is not ready.

EDUCATION GRANTS, DISTRICT BOARD, JULLUNDUR.

***5783. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the Jullundur District Board has stopped the education grants of all private schools from the beginning of this year ;
- (b) if so, the number of schools thus affected community-wise ?

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

(b) Does not arise.

ARABIC CLASSES IN SCHOOLS.

***5784. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education kindly state—

- (a) whether the Government is prepared to open Arabic classes in schools, where there are at least fifteen students desirous of acquiring a knowledge of the language ;
- (b) whether the Government will kindly lay on the table a copy of the rules, if any, regarding the opening of Arabic classes in schools ;
- (c) whether the Government is prepared to frame new rules in case there are no rules already existing on the subject ?

The Honourable Malik Sir Firoz Khan Noon : (a) Financial stringency does not at present permit the course suggested by the honourable member.

(b) There are no Government rules.

(c) Does not arise.

Chaudhri Muhammad Abdul Rahman Khan : Whether any application was received from the inhabitants of Bhangian to make arrangements for the teaching of Arabic in the Bhangian School ?

The Honourable Malik Sir Firoz Khan Noon : I do not remember. If you send it in writing I will try to find out.

Chaudhri Muhammad Abdul Rahman Khan : If 20 or 25 students were desirous of learning Arabic, do the Government make arrangements for teaching Arabic to them ?

The Honourable Malik Sir Firoz Khan Noon : If you send an application I will send it to the Director of Public Instruction and he will consider it and find out whether any money could be found for making arrangements for teaching Arabic to those boys.

Chaudhri Muhammad Abdul Rahman Khan : If you give an allowance of Rs. 2 or Rs. 3 to some teacher of a school he can teach it.

The Honourable Malik Sir Firoz Khan Noon : Please send it in writing.

SAFEGUARDING OF MUSLIM INTERESTS IN SERVICES.

***5785. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance kindly state—

- (a) the number of circulars issued by the Government from time to time for safeguarding the interests of Muslims in the departments under his control ;
- (b) the extent to which these circulars have been given effect to and whether any action has been taken against officers responsible for the non-observance of these circulars, if not, why not ?

The Honourable Sir Donald Boyd : (a) A circular explaining Government's general policy in regard to the communal composition of the services was issued in 1932.

(b) First part : Government are not aware that the principles laid down in the circular mentioned in the answer to (a) have been disregarded.

Second part : Does not arise.

MUNICIPAL ELECTORAL ROLLS, HOSHIARPUR.

***5786. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that in the Municipal Electoral Rolls, Hoshiarpur, the number of Muslim voters recorded exceeds about 2,000 their total male population ;
- (b) whether the Deputy Commissioner, Hoshiarpur, has given sanction for the Muslim voters being recorded on the basis of joint family system ; if so, whether Government has passed any such orders ;
- (c) whether the lists so prepared have been checked by the inspector, tahsildar and the city magistrate as required by Municipal Act and are being alphabetically arranged in hot haste for publication ;
- (d) what action Government has taken or proposes to take to check the bogus lists of Muslim voters in the Hoshiarpur Municipality ;
- (e) whether it is a fact that the number of Muslim voters according to the new lists, exceeds that in the previous lists rejected by the Deputy Commissioner as bogus ?

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

(b) On the request of certain Muslims the Deputy Commissioner, Hoshiarpur, issued directions that the names of adult members of joint families, possessing the necessary qualifications, whether Hindus or Muslims, should be entered in the voters' lists in red ink till the matter was decided by Government. Government are looking into the matter.

(c) The lists have not so far been checked by any officer, but they are being arranged alphabetically.

(d) Government have issued orders that the final lists should not be published till further orders.

(e) Yes.

MUNICIPAL ELECTORAL ROLLS, HOSHIARPUR.

***5787. Shrimati Lekhwati Jain :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that in the Municipal Electoral Rolls, Hoshiarpur, the number of Muslim voters recorded exceeds about 2,000 their total male population ;

[Shrimati Lekhwati Jain.]

- (b) whether the Deputy Commissioner, Hoshiarpur, has given sanction for the Muslim voters being recorded on the basis of joint family system; if so, whether Government has passed any such orders;
- (c) whether the lists so prepared have been checked by the inspector, tahsildar and the city magistrate as required by Municipal Act and are being alphabetically arranged in hot haste for publication;
- (d) what action Government has taken or propose to take to check the bogus lists of Muslim voters in the Hoshiarpur Municipality;
- (e) whether it is a fact that the number of Muslim voters according to the new lists, exceeds that in the previous lists rejected by the Deputy Commissioner as bogus?

The Honourable Dr. Sir Gokul Chand Narang : The honourable member is referred to the reply given to starred question No. *5786.¹

MUNICIPAL ELECTORAL ROLLS, HOSHIARPUR.

***5788. Rai Bahadur Lala Sewak Ram :** (i) Will the Honourable Minister for Local Self-Government kindly state whether his attention has been drawn to the fact that—

- (a) a large number of bogus voters of Muslims have been included in the electoral roll of the Municipal Committee, Hoshiarpur;
 - (b) Muslims have been enrolled as voters on the basis of joint family system;
 - (c) Muslim voters as enrolled exceed the total adult male population of Muslims in the Hoshiarpur municipality?
- (ii) If the reply to the above is in the affirmative, what action Government has taken to prevent bogus voters being enrolled?

The Honourable Dr. Sir Gokul Chand Narang : The honourable member is referred to the reply given to question No. *5786.¹

RETRENCHMENT OF STAFF, DISTRICT BOARD, JULLUNDUR.

***5789. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that a number of employees of the District Board, Jullundur were brought under reduction in 1934-35;
- (b) if so, whether he will lay on the table a statement showing—
 - (i) the number of employees brought under reduction community-wise;

¹ Prepage.

- (ii) the names of posts brought under reduction and the amount of salary carried by each such post ;
- (iii) the period of service of each of the employees brought under reduction ;
- (iv) whether any compensation was awarded to the employees brought under reduction ;
- (c) whether it is a fact that a majority of those brought under reduction were Muslims ;
- (d) if so, why ;
- (e) whether it is a fact that members of the District Board protested against this reduction and that the Commissioner, Jullundur division, also concurred in the matter ;
- (f) if so, whether the suggestions made by the Commissioner were acted upon, if not, why not ;
- (g) whether in the event of filling up the posts brought under reduction, preference will be given to 'axed' employees of the District Board, if not, why not ?
- (h) the reasons why the above-mentioned posts were brought under reduction ?

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

(b) to (h) Do not arise.

SHORT NOTICE QUESTION AND ANSWER.

Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Sardar Teja Singh Sutantar, of Akalgarh, district Gurdaspur, has been arrested and confined in the Lahore Fort ;
- (b) whether it is a fact that the said Sardar Teja Singh has been removed very recently to some unknown place ?
- (c) whether it is a fact that the relatives of the said prisoners were not informed about his whereabouts ;
- (d) if so, where the prisoner is confined and under what offence he is arrested, and how long Government proposes to detain him in custody ?

The Honourable Sir Donald Boyd : (a) Yes.

(b) He was removed from the Fort, Lahore, and sent to the District Jail, Campbellpur, on the 20th March, 1936.

(c) and (d). The Superintendent of Police, Political, Criminal Investigation Department, informed Sardar Kirpal Singh on 27th March, 1936, that his son Teja Singh Sutantar, had been arrested under Regulation III of 1818 and had been sent to the District Jail, Campbellpur, to be detained there at the pleasure of the Governor-General in Council.

UNSTARRED QUESTIONS AND ANSWERS.

MOGA TAHSIL.

1378. Guru Jaswant Singh : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Moga tahsil is proposed to be attached to Ludhiana district ;
- (b) if so, when and for what reason ;
- (c) whether Government has received any representation from the public of Moga tahsil against such a proposal ;
- (d) if so, what action Government has taken in the matter ?

The Honourable Nawab Muzaffar Khan : (a) No such proposal is under the consideration of Government.

- (b) Does not arise.
- (c) No.
- (d) Does not arise.

CRIMINAL TRIBES, MAMDOT.

1379. Guru Jaswant Singh : Will the Honourable Revenue Member be pleased to lay on the table a statement for the years 1930 to 1935 showing—

- (a) the number of persons included yearly in the list of criminal tribes and the number of persons whose names were struck off the list during these years in the Mamdot thana, district Ferozepore ;
- (b) how many of these were enlisted in the criminal tribes—
 - (i) who had not committed any crime ;
 - (ii) against whom no complaint had been recorded in the Police thana, Mamdot, district Ferozepore ;
- (c) if there are any such persons who have not committed any offence and against whom there are no complaints in the thana, whether Government proposes to strike their names off the criminal tribes list of Thana, Mamdot, district Ferozepore ?

The Honourable Nawab Muzaffar Khan : (a) and (b). A statement is laid on the table.

(c) The persons here in question were registered as they belonged to criminal tribes notified under the Act and had attained the registerable age. Under rule 24 of the rules made under section 20 of the Act they cannot be de-registered until the expiry of ten years from the date of registration.

STATEMENT.

Year.	NUMBER OF CRIMINAL THIEVES NEWLY REGISTERED OR RE-REGISTERED AS SUCH IN THE MANDOT POLICE STATION AREA.			Died.			Exempted.			NUMBER OF PERSONS STRUCK OFF THE REGISTER.					
	Mabrams.	Baurias.	Samsi.	Mabrams.	Baurias.	Samsi.	Mabrams.	Baurias.	Samsi.	(i) Who had not committed any crime.			(ii) against whom no complaint had been recorded in the Mandot Police Station.		
										Mabrams.	Baurias.	Samsi.	Mabrams.	Baurias.	Samsi.
1930 ..	4	12	..	1	..	..	..	1	..	2	..	..	2	..	..
1931 ..	68	..	1	2	..	..	..	2	..	47	..	1	47	..	1
1932 ..	22	..	..	3	1	..	..	3	..	13	..	..	13	..	..
1933 ..	14	2	..	..	..	..	2	4	..	8	2	..	8	2	..
1934 ..	9	..	..	2	..	..	..	..	..	6	..	..	6	..	..
1935 ..	1	..	..	7	..	..	8	12	..	..	..	..	..	..	..
Total ..	118	14	1	16	1	..	10	22	..	76	2	1	76	2	1

CRIMINAL TRIBES MAMDOT.

1380. Guru Jaswant Singh : Will the Honourable Revenue Member please state—

- (a) the names of persons who were entered in the list of criminal tribes in the months of January and February, 1936, in the Thana Mamdot, district Ferozepore ;
- (b) for what reason their names were entered in the criminal tribes list ;
- (c) whether they had committed any offence ;
- (d) whether there are any reports against them in the thana, if not, any other reasons for entering their names in the criminal tribes list ;
- (e) if so, whether he proposes to strike their names off the list of criminal tribes from the Thana Mamdot, district Ferozepore ?

The Honourable Nawab Muzaffar Khan : (a), (b), (c) and (d) A statement is laid on the table.

(e) No. Under rule 24 of the rules made under section 20 of the Criminal Tribes Act, 1924, these persons can be de-registered only after the expiry of a period of ten years from the date of registraion.

STATEMENT.

Serial No.	Names of persons entered in the register of Criminal Tribes in the months of January and February, 1936. in Police Station Mamdot.	Reasons for entering.	Offence committed, if any.	Whether there are any reports against them in the Police Station if not any other reason for entering their names in the Criminal Tribes Registers.
1	2	3	4	5
1	Jagga, son of Sain Ditta, Mahtam, of village Hazara Mahtam, on 18th February, 1936.	Convicted under section 109, Criminal Procedure Code in the Lahore District on 26th April, 1935 and bound down for one year.	..	See column 3.
2	Lakhi alias Lakha alias Lakhu, son of Ramu, Mahtam of village Atuwala, on 26th February, 1936.	Was notified and restricted under the Act,—vide Punjab Government Notification Nos. 43652, dated 23rd December, 1935 and 43653, dated 23rd December, 1935.	1. 333/148, Indian Penal Code, 2 years' rigorous imprisonment on 23rd August, 1915. 2. 148/353, 3 months' rigorous imprisonment on 14th January, 1924. 3. Recorded suspicions .. 8 4. Unrecorded suspicion .. 1	See column 4.
3	Maulu, son of Rehana, Mahtam of village Atuwala, on 26th February, 1936.	Ditto ditto ..	1. 110, Criminal Procedure Code, bound down for 3 years on 16th June, 1913. 2. 148/332, 6 months' rigorous imprisonment on 20th March, 1926. 3. Recorded suspicions .. 10 4. Unrecorded suspicion .. 1	Ditto.
4	Nagar, son of Raman, Mahtam, of village Atuwala, on 26th February, 1936.	Was notified and restricted under the Act,—vide Punjab Government Notification Nos. 43652, dated 23rd December, 1935 and 43653-Judicial, dated 23rd December, 1935.	1. 333/148, Indian Penal Code, 2 years' rigorous imprisonment on 23rd August, 1915. 2. 225/148/353, Indian Penal Code, 6 months' rigorous imprisonment on 14th January, 1924. 3. Recorded suspicions .. 11 4. Unrecorded suspicion .. 1	Ditto.

[Hon. Nawab Muzaffar Khan.]

Serial No.	Names of persons entered in the register of Criminal Tribes in the months of January and February 1936 in Police Station Mandot.	Reasons for entering.	Offence committed, if any.	Whether there are any reports against them in the Police Station ; if not, any other reason for entering their names in the Criminal Tribes Registers.
1	2	3	4	5
5	Waryam, son of Dhaghane, Mah-tam, of village Atuwala, on 26th February, 1936.	Was notified and restricted under the Act, — Vide Punjab Govern-ment Notifications Nos. 43652, dated 23rd December, 1935 and 43653-Judicial, dated 23rd Dec-ember 1935.	<ol style="list-style-type: none"> 1. 147/353, Indian Penal Code, 2 years' rigorous imprisonment on 23rd August, 1915. 2. 147/353/225, Indian Penal Code, 6 months' rigorous imprisonment on 14th January, 1924. 3. 61/1/14, Excise Act, 6 months' rigorous im-prisonment, fine Rs. 200 on 20th March, 1926. 4. 61/1/14, Excise Act, fined Rs. 50 on 12th August, 1932. 5. Recorded suspicions .. 11 6. Unrecorded suspicion .. 1 	See column 4.
6	Nagar, son of Jinda, Mah-tam, of village Raote Hithar, on 26th February, 1936.	Ditto ditto ..	<ol style="list-style-type: none"> 1. 110, Criminal Procedure Code, bounddown for one year on 27th April, 1918. 2. 148/325, Indian Penal Code, fined Rs. 15 on 11th March 1923. 3. 17/5/18 (Habitual Offenders Act), restricted for 3 years on 23rd February, 1927. 4. 107/151, Criminal Procedure Code, bound down for one year on 6th June, 1928. 5. 109, Criminal Procedure Code, bound down for one year on 27th August 1930. 6. 148/324, Indian Penal Code, fined Rs. 15 on 5th January, 1931. 7. 411, Indian Penal Code, 3 months' rigorous imprisonment on 26th March, 1931. 8. 61/1/14 (Excise Act), 6 months' rigorous imprisonment on 9th March, 1932. 9. 110, Criminal Procedure Code, bound down for one year on 7th April, 1932. 	Ditto.

7	Bahna alias Bachi, son of Jinda, Mahtam of Raake Hithar, on 26th February, 1936.	Ditto	ditto	10. 225/148/353, one month's rigorous imprisonment on 22nd July, 1932. 11. Recorded suspicions .. 29 12. Unrecorded suspicions .. 20 1. 110, Criminal Procedure Code, bound down for one year on 12th June, 1930. 2. 148/324, Indian Penal Code, 2 months' rigorous imprisonment on 5th January, 1931. 3. 110, Criminal Procedure Code, bound down for 1 year on 7th April, 1932. 4. 225/148/353, Indian Penal Code, 1 month's rigorous imprisonment on 22nd July, 1932. 5. 61/1/14, (Excise Act) 3 months' rigorous imprisonment on 22nd August, 1932. 6. 353/332, Indian Penal Code, 6 months' rigorous imprisonment on 22nd August, 1932. 7. 61/1/14 (Excise Act), 6 months' rigorous imprisonment and Rs. 20 fine on 27th April, 1934. 8. Recorded suspicions .. 15 1. 148/324, Indian Penal Code, fined Rs. 15 on 5th January, 1931. 2. 110, Criminal Procedure Code, bound down for 1 year on 7th April, 1932. 3. Recorded suspicions .. 5 4. Unrecorded suspicions .. 6	Ditto.
8	Bahadur, son of Jinda, Mahtam, of Raake Hithar, on 26th February, 1936.	Ditto	ditto	1. 17/5/18, (Habitual Offender Act) restricted for one year on 4th June, 1923. 2. 17/5/18 (Habitual Offender Act), restricted for three years on 22nd February, 1927. 3. 107/151, Criminal Procedure Code, bound down for one year on 6th June, 1928. 4. 61/1/14 (Excise Act), six months' rigorous imprisonment on 23rd November, 1929. 5. 61/1/14 (Excise Act), six months' rigorous imprisonment on 7th August, 1931. 6. 61/1/14 (Excise Act), one year's rigorous imprisonment on 30th July, 1934. 7. Recorded suspicions .. 9 8. Unrecorded suspicions .. 5	Ditto.
9	Ladhu alias Gaga, son of Bura, Mahtam of village Raake Hithar, on 26th February, 1936.	Ditto	ditto		

[Hon. Nawab Muzaffar Khan.]

Serial No.	Names of persons entered in the register of Criminal Tribes in the months of January and February, 1936, in Police Station Mamdot.	Reasons for entering.	Offence committed, if any.	Whether there are any reports against them in the Police Station : if not, any other reason for entering their names in the Criminal Tribes Registers.
1	2	3	4	5
10	Dogra, son of Jaimal alias Bager, Mahtam, of village Raake Hithar, on 26th February, 1936.	Was notified and restricted under the Act,—vide Punjab Government notification No. 43632, dated 23rd December, 1935, and 43653-Judicial, dated 23rd December, 1935.	<ol style="list-style-type: none"> 1. 147/325, Indian Penal Code, fined Rs. 15 on 11th March, 1932. 2. 110, Criminal Procedure Code, bound down for one year on 7th April, 1932. 3. Recorded suspicions .. 9 4. Unrecorded suspicions .. 5 	See column 4.
11	Kishna, son of Ghena, Mahtam, of Raake Hithar, on 26th February, 1936.	Ditto	<ol style="list-style-type: none"> 1. 110, Criminal Procedure Code, bound down for one year on 7th April, 1932. 2. 353, Indian Penal Code, 6 months' rigorous imprisonment on 22nd August, 1932. 3. 61/1/14 (Excise Act), 3 months' rigorous imprisonment on 28th August, 1932. 4. Recorded suspicions .. 3 5. Unrecorded suspicions .. 6 	Ditto.
12	Ladhu, son of Ghena, Mahtam, of village Raake Hithar, on 26th February, 1936.	Ditto	<ol style="list-style-type: none"> 1. Under section 110, Criminal Procedure Code, bound down for one year on 7th April, 1932. 2. 225/147/353, Indian Penal Code, one month's rigorous imprisonment on 22nd July, 1932. 3. 411, Indian Penal Code, 9 months' rigorous imprisonment and Rs. 10 fine on 38th September, 1933. 4. Recorded suspicions .. 3 5. Unrecorded suspicions .. 9 	Ditto.

DISTRICT BOARD DAK BUNGALOWS, KANGRA DISTRICT.

1381. Thakur Pancham Chand : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the number of District Board dāk bungalows in the Kangra district which have been converted into rest-houses ;
- (b) the names of the stations where there are combined dāk bungalows and rest-houses ;
- (c) whether Government is aware that gentlemen travelling with their families feel great difficulties of accommodation especially where the District Board dāk bungalows have been either auctioned or converted into Government rest-houses ;
- (d) what action Government proposes to take in the matter ?

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

- (b) There are combined Dak bungalows and rest-houses at Shahpur, Dehra and Baijnath.
- (c) No such complaints have reached Government.
- (d) Does not arise.

DISTRICT BOARD PRIMARY SCHOOL, KOTLA.

1382. Thakur Pancham Chand : Will the Honourable Minister for Education be pleased to state—

- (a) the number of male and female students of the District Board Primary School, Kotla (Nurpur), Kangra ;
- (b) whether in view of the number of students Government propose to—
 - (i) raise the school to the lower middle standard ;
 - (ii) open a separate school for girls at Kotla ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) The District Board and not the Government has the authority to initiate proposals for the raising of the standard of District Board schools or for the creation of new schools.

SHAMILAT LANDS AND FORESTS DEPARTMENT, KANGRA DISTRICT.

1383. Thakur Pancham Chand : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the forest guards or *rakhas* do not permit the zamindars to take away the soaked wood for burning, etc., in the Kangra district ;
- (b) what right the Forest Department have over the shamilat lands in the Kangra district ;
- (c) why the supervision over the shamilat lands produce is exercised by the Forest Department ;
- (d) what action Government proposes to take in the matter ?

The Honourable Nawab Muzaffar Khan : (a) It is not known what is meant by the expression " soaked wood ". If the honourable member means "*sokhtani*" dry fuel wood, then the answer is in the negative.

(b) and (c) The *shamilat* lands are the common property of the people, but Government owns the spontaneous growth of trees thereon and all trees

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planted by itself. For this reason the supervision of the shamilat lands produce is exercised by the Forest Department. A sufficient number of rights and privileges are allowed to the people to meet their requirements.

(d) No action appears to be necessary.

ROADS.

1384. Sayad Mubarak Ali Shah: Will the Honourable Minister for Agriculture please lay a statement on the table showing therein—

- (a) the names of those district headquarters which can be approached through metalled road, from Lahore the headquarters of the province, along with the distance to be travelled in this connection in each case;
- (b) the names of the district headquarters in the province, which cannot be approached by metalled road from Lahore, along with their distance from the headquarters of the province;
- (c) the names and distances of the headquarters of the tahsil, which are connected by roads with the headquarters of their respective districts;
- (d) the names and distances of the headquarters of tahsils which are not connected with the headquarters of their respective district?

The Honourable Sardar Sir Jogendra Singh: Statements giving the required information are laid on the table.

Statement showing the information required in clause (a) of the question.

(a). Name of District Headquarters.						Distance from Lahore.
						Miles.
Ambala	..	..	..	..	..	190
Amritsar	..	..	..	..	..	36
Campbellpur	..	..	..	..	..	223
Dera Ghazi Khan	..	..	..	..	..	300
Dharmasala	..	..	..	..	..	158
Ferozepore	..	..	..	..	..	60
Gujranwala	..	..	..	..	..	42
Gujrat	..	..	..	..	..	72
Gurdaspur	..	..	..	..	..	79
Gurgaon	..	..	..	..	..	331
Hissar	..	..	..	..	..	379
Hoshiarpur	..	..	..	..	..	109
Jhelum	..	..	..	..	..	104
Jullundur	..	..	..	..	..	86
Karnal	..	..	..	..	..	238
Ludhiana	..	..	..	..	..	122
Lyallpur	..	..	..	..	..	87
Montgomery	..	..	..	..	..	103
Multan	..	..	} Via Burewala and Jahanian			240
Muzaffargarh	..	..				261
Rawalpindi	..	..	..	..	..	170
Rohtak	..	..	..	..	..	321
Sialkot	..	..	..	..	..	80
Sargodha	..	..	..	..	..	107
Sheikhpura	..	..	..	..	..	24
Simla	..	..	..	..	..	278

Statement showing the information required in clause (b) of the question.

(b). Name of District Headquarters.	Distance from Lahore.
	Miles.
Jhang	135
Mianwali	191

Statement showing the information required in clause (c) of the question.

(c). Name of District headquarters.	Name of Tahsil headquarters connected with through metalled roads.	Distance.
		Miles.
Ambala	Kharar	42
	Jagadhri	61
	Rupar	59
Amritsar	Taran Taran	16
	Ajnala	15
Campbellpur	Attock	15
	Fatehjang	59
Dharmosala	Kangra	11
	Nurpur	42
	Palampur	30
Ferozepore	Zira	28
	Moga	25
	Muktesar	49
		(Via Faridkot and Kot Kapura).
Gujranwala	Hafizabad	30
	Wazirabad	20
Gujrat	Kharian	21
Gurdaspur	Batala	20
	Pathankot	23
Gurgaon	Palwal	33
	Nuh	28
	Ballabgarh	41
	Firozpur-Jhirka	51
Hissar	Hansi	16
	Fatehabad	30
	Sirsa	58
	Bhiwani	87
Hoshiarpur	Garhshankar	25
	Una	24
Jullundur	Nawanshahr	36
	Phillaur	29
	Nakodar	15
Karnal	Kaithal	39
	Thanesar	23
	Panipat	21
Ludhiana	Jagraon	26
	Samrala	21
Lyallpur	Samundri	30
	Jaranwala	22

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(c). Name of District headquarters.	Name of Tahsil headquarters connected with through metalled roads.	Distance.
		Miles.
Montgomery	Okara	24
	Dipalpur	33
	Pakpattan	29
Multan	Khanewal	36
	Mailai	52
	Kabirwala	28
Rawalpindi	Gujarkhan	29
	Murree	39
	Kahuta	23
Rohtak	Sonapat	32
	Jhajjar	21
	Gohana	19
Sialkot	Pasrur	20
	Daska	22
Sargodha	Khushab	27
	Shahpur	18
Sheikhupura	Nankana Sahib	62
	Shahdara	19

Statement showing information required in clause (d) of the question.

(d). Name of District headquarters.	Name of Tahsil headquarters not connected with through metalled roads.	Distance.
		Miles.
Ambala	Naraingarh	22
Campbellpur	Pindigheb	48
	Talagang	76
Dera Ghazi Khan	Sanghar (Taunsa)	51
	Rajanpur	72
	Jampur	32
Dharmala	Dehra Gopipur	34
	Hamirpur	56
	Kulu	132
Ferozepore	Fazilka	54
Gujrat	Phalia	32
Gurdaspur	Shakargarh	22
Hoshiarpur	Dasuya	26
Jhang	Chiniot	52
	Shorkot	34
Jhelum	Pind Dadan Khan	52
	Chakwal	61
Multan	Shujabad	24
	Lodhran	48
Muzaffargarh	Leiah	68
	Alipur	51
	Kot Adu	34
Sialkot	Narowal	37
Sargodha	Bhalwal	20
Simla	Kot Khai	31

PANEL OF CHAIRMEN.

Mr. President : Mr. J. D. Anderson, who was nominated to the panel of chairmen, ceased to be in the panel owing to his resignation from the Council. As he has come back to the Council I again nominate him to the panel.

RESOLUTIONS.

MINIMUM SALARY OF GOVERNMENT AND *quasi*-GOVERNMENT SERVANTS.

Mr. M. A. Ghani (Nominated non-official) : When the Council adjourned at 6 o'clock in the evening of the 27th February, 1936, I was appealing to the Government in the name of justice to pay to its whole-time and petty servants a minimum salary of Rs. 30 and I was also going to cite the instances of certain countries which have adopted the principle of minimum wages or salaries. In dealing with this question, I will not refer to Russia or those countries which have adopted communistic or socialistic principles because a reference to Russia or these countries is not liked by certain honourable members of this House. (*Certain honourable members : Why not ?*) I will confine myself to those countries which have not adopted these principles. I will refer to England, Canada, Australia, France, United States of America, Norway, Holland, Turkey and so forth. I refer to the French Home Work Act of 1915, the Norway Home Work Act of 1918 and the German Home Work Act of 1923. (*Pir Akbar Ali : Name some non-European countries.*) In all these countries, minimum salary has been provided for the workers. At page 93 of Mr. Richardson's book on the "Minimum Wages" it is said—

In New Zealand, most of the Australian states, and a number of States or Provinces in the United States and in Canada, the living wage, defined in various terms, is taken as the basis on which minimum wages are fixed.....For example, the Massachusetts Minimum Wage Act provides that the financial condition of the occupation as well as the needs of the workers shall be taken into consideration in fixing minimum rates.....In New Zealand the law specifies no basis, but in practice, in making an award, the Arbitration Court takes into account the economic and financial conditions affecting the trade and industry.....The Australian Commonwealth Arbitration Court has played an important part in the development of the principles for fixing of the minimum wages. Although not laid down in the statute which set up the Court, the living wage basis has, in practice, been adopted.....

Several Acts are referred to in this book which relate to different countries of the world where it has been laid down that nobody is allowed to pay to his or her servants a certain wage below the fixed minimum wage. I do not propose to read all these Acts and their sections relating to the various countries, but I would like to refer to the British Agricultural Wages Act of 1924 in which the principle of the living wage has been recognised by the British Parliament. It will be seen that in all these countries the principle of minimum wages has been accepted. Now the question is how the minimum wage is to be fixed. The minimum wage is fixed according to a certain data and it is elastic in reference to different countries. It depends upon the wealth of the nation of a particular country and also the standard of living of the people there. In calculating the amount of a living wage, we have to take into consideration the amount of food, housing, accommodation, clothing, fuel, light, footwear, headware and other necessities of life.

[Mr. M. A. Ghani.]

After having calculated the cost of all these bare necessities of life, we come to a certain conclusion as to what a living wage is. In my opening speech I invited the Government—(Voices : What is this speech ?) In my opening speech, I invited the Government to appoint a special officer who should find out what is a living wage in this province. Now, this can be done in this way. The officer should go to the houses of different petty government servants and should find out the way in which they live, the amount of food which they consume, the cost of the clothing which they wear and the rent of the houses which they pay and different other things which they require and then having enquired into say fifty houses, he will come to a certain conclusion as regards the standard of minimum expenses of those people. From that data he can come to the conclusion as to the average living wage of these people. The officer should not go to the houses of big officers ; he should confine himself to the houses of poor peons, teachers, constables, soldiers and other government servants who are paid less than Rs. 30 a month and then, he should come to the conclusion as to what is the bare necessity of these people and what is the living wage on which these people can live. I assure you that if such an enquiry is made, he will come to the conclusion that no less than say, Rs. 25 are required for these people to live and below that it is impossible for them to live.

Mr. Nanak Chand Pandit : Why are you deducting Rs. 5 ?

Mr. M. A. Ghani : Rupees five are for exigencies or certain items which one cannot foresee. For instance the education of the children or the doctor's fee or the price of medicine or some such thing. I went to Anarkali and other bazars in Lahore the other day and made inquiries from the ordinary hotels or what are known as "Tandurs" as to the monthly rate that they charge for providing food to ordinary poor people. The majority of them told me that it was Rs. 5 per head. The food consists merely of dal and roti, no ghee and no luxury. (Mr. Nanak Chand Pandit : Does it include meat ?) No. My friend need not be afraid of it. (An honourable member : No sweets ?) No. (An honourable member : Ghee ?) We cannot get ghee ourselves, how can they get it ? So, if my information is correct then, it is clear that Rs. 5 is charged for bare food for one man in Lahore. It may be a little less in other towns and outside Lahore. At any rate we can take it as Rs. 4 on an average which is the minimum required for food for one man in the province. Now I have already pointed out that a family consists of no less than 4 persons and at this rate the whole cost will come to Rs. 16 or Rs. 18 per family for merely providing food. So at least Rs. 20 is required for a man to exist in this province with his family.

Mr. President : As the honourable member has already taken more than half an hour I request him to wind up his speech.

Mr. M. A. Ghani : I, therefore, submit that Rs. 18 or Rs. 20 are required for mere food for one family in this province. Add to it the educational expenses of children, medical expenses, clothing, housing and other necessities of life. I think Rs. 30 is the minimum amount which ought to be paid by the Government to its employees. Then it may be said that the question of supply and demand and the question of freedom of contract

arise. These two theories have often been exploded on the floor of this House when we were dealing with debt legislation. So, I need not now enter into those questions. Various commissions and various committees appointed by the Government have come to the conclusion that at least a living wage ought to be given to the employees and they should be given a decent amount of salary. Then if you were to raise the salary of your Government servants, they will be able to do more work and they will do it more efficiently. As my time is up I appeal to the Government in the name of justice to raise the salaries of its servants. (*Interruption.*) Yes, a certain amount of corruption also will be done away with. (*Cheers.*)

Mr. President : Resolution moved—

This Council recommends to the Government to so arrange the conditions of service of all petty and whole-time Government and quasi-Government servants that the minimum salary paid to them should not be less than Rs. 30 a month.

The Honourable Dr. Sir Gokul Chand Narang : I did not want to speak on this resolution. But the other day when the honourable member made his opening speech moving the resolution he indirectly cast a fling on the Executive Officer of Lahore and accused him of having promoted the tonga strike.

Mr. M. A. Ghani : That is correct.

The Honourable Dr. Sir Gokul Chand Narang : He is repeating it. I called for an explanation of the Executive Officer because an allegation against the Executive Officer of a Municipal Committee like that of Lahore that he promoted the tonga strike in Lahore was a very serious one.

Mr. M. A. Ghani : On a point of order, Sir, you stopped me on that day from dealing with this question as you thought I was irrelevant. How can the Honourable Minister now refer to it?

Mr. President : An irrelevant statement was made and it forms a part of the proceedings of the Council. It is not expunged ; it is yet there.

Mr. M. A. Ghani : Shall I be given an opportunity to rebut the allegation of the Honourable Minister?

Mr. President : No.

The Honourable Dr. Sir Gokul Chand Narang : If the honourable member withdraws his statement, I will not go further.

Mr. M. A. Ghani : I am not prepared to withdraw.

The Honourable Dr. Sir Gokul Chand Narang : The explanation of the Executive Officer says " the statement made by Mr. M. A. Ghani that I made the tongawalas go on strike is false " and he has given the circumstances to show that the statement made on the floor of this House by Mr. M. A. Ghani accusing the Executive, Officer, Lahore, of having promoted the tonga strike was absolutely false. I am fortified in this I am prepared to believe the Executive Officer because his statement is supported by the report which the Deputy Commissioner made in connection with it.

Mr. President : The Honourable Minister is making a speech.

The Honourable Dr. Sir Gokul Chand Narang : No. I am only saying that the explanation given by the Executive Officer is supported by the official report of the District Magistrate of Lahore.

Mr. M. A. Ghani : I can prove the allegation to be correct if a proper inquiry is held into the matter. Are you prepared to hold an inquiry?

Dr. (Mrs.) M. C. Shave (Nominated non-official) : Though I am well aware that the proposal of the honourable member is an utter impossibility in the present state of the finances of the province, I cannot help feeling a great deal of sympathy with him in what he is trying to do. (*Mr. M. A. Ghani : Mere lip sympathy ?*) I have laboured in this province amongst the very poor for 27 years and I have always felt that the standard of living in this country is terribly low and if Government can do something to improve the working conditions of its employees by raising their salaries, it will be a good thing. But I do not want to embarrass the Government. When money is available they should make this their first care. I have been told by a provincial member of this House that servants are paid by some Indian families at the rate of Rs. 6 a month. In a province with such extremes of climate as the Punjab for a man to feed himself keep himself clean and clothe himself, let alone to provide for a family or anybody else, this is logically inadequate and the sooner we think about helping the poor and improving their condition, the better. There is unrest all over the world and that unrest must reach this country before very long. When the poor wake up to their condition and begin to demand better things from us it will be very much worse for us. It will be wise if we look into this question early and begin to put things right ourselves. I have another reason for desiring to raise the standards of living in this country. My people are being steadily impoverished. Anglo-Indian boys are being employed on railways on wages of 4 annas a day (Sundays and holidays excepted !). It is a perfect scandal ! I draw the attention of this House and of the public to this. Oh ! You must raise the standard of living. We have to live amongst you and we cannot live under these conditions. Oh I could give you details of living ! For the Indian coolie who sits in the sun picking the vermin off his clothing you are responsible. There are no facilities for bathing for poor people in the cold weather.

Their food is contaminated by dust and flies. They sleep in hovels. You must not remain indifferent to such conditions of living. I beg you to consider these problems. It is for the general good and if Government sets an example as soon as money is available and raises the pay of its servants, it will be a great help in this direction. (*Applause.*)

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural) : I rise to give support to the resolution under consideration. There is no doubt that in the present state of the budget it is very difficult to find money, and we should, instead of increasing expenses try to curtail them as far as possible. But the question is a very serious one and those who have experience of these low paid employees of the Government, municipalities and district boards will surely support me when I say that even with a deficit budget it is absolutely necessary that we must

move in the matter and make some provision for giving them a living wage. The honourable mover who has moved the resolution has drawn a vivid picture of the way in which the poor people live and if one thinks of the small pittance they get it as a matter of surprise how these people are living. These people on account of the low pay cannot perform Government work satisfactorily for, as Sadi has said :—

خداوند مکتب بحق مشغول - پراگنده ر و زی پراگنده دل

If the living of a man is not satisfactory he can perform no satisfactory work. That is a principle which has been accepted all over the world. These people are to do responsible duties. There was a friend of mine. He was a Mahajan and he used to call these chaprasis of tahsildars and district offices as courts of appeal. For, even if you pass a decree it is for him to execute it or not. Whatever the orders of the courts are these people who are so much pinched for living take a little money and everybody knows that if a judgment-debtor pays money he will not be arrested. That applies also to police constables. What havoc they are doing is well known to everybody. On account of this the public suffer. The people spend a lot of money on counsel and on witnesses, for providing stamps, etc., in suits. But the result is in many cases they are denied their right indefinitely.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

These people have it in their power to improve the tone of the administration of the country and that improvement cannot be effected if they are not offered even a living wage. It is not my wish that they should be provided with luxuries but the pay that is now given to them is absolutely insufficient. A minimum of Rs. 25 a month will be a fair figure and should meet the necessities of all cases. It may be urged that the cost of living has gone down, that all necessities have become cheap so that the pay at present given to these people should be considered sufficient. But that is not a sound argument. For besides food, soup, water, fuel and other necessities, there are other things for which they require hard cash. Even the bare necessities of life in the case of these men should come to much more than Rs. 14 or Rs. 16 a month, the figure at which their pay stands on an average. When they find themselves unable to lead a comfortable life with this small pay, they are not to blame if they resort to other means of adding to their income. By giving them a better wage Government would certainly be improving the standard of administration for which so much money is paid by the zamindar in the shape of land revenue and by non-zamindars as well. Then these people continue serving the Government till they are sixty or seventy years of age. They are then paid only Rs. 4 a month as pension. The rule which fixes this low figure as their pension on retirement is really an iniquitous provision and as in the case of other services, the pension should be half of the monthly pay calculated on the average for the last three years. The grades of pay in service fixed by Government remind me of the saying that he who hath shall

3 P. M.

[Ch. Allah Dad Khan.]

have more given unto him and he that hath naught, the naught shall be taken away from him. The higher the pay, the higher the pension. The rule should be quite the other way, namely, the higher the pay the lower the pension. Why? Because the men on high pay have generally laid by sufficient sums during their years of active service. I know of a case where an Indian died some years ago leaving Rs. 27 lakhs which was divided among his four sons. He was a member of the Indian Civil Service, and a man who amasses Rs. 27 lakhs in the course of his service does not need Rs. 10,000 a year by way of pension. Perhaps he did some speculation business. About other members of the Indian Civil Service I cannot be certain but I know that they also amass if not so much at least Rs. 6 lakhs. So they do not require so much pension. These poor people who have served on low pay are left helpless in their old age. They are left to beg their food or exploit the kindness of their relatives or friends. It is a very pathetic picture. Look at an old chaprasi. Unless he has got a son who is making money and supporting him his lot is miserable. These people may well say—

چونڈل تو کردم جوانی خویش بهنگام پیری مرازم زپیش

I have spent the best years of my life in your service, why are you now driving me away in this poor and depraved condition? Surely Government ought to make provision for them on a more liberal scale and the rule regarding the low pension should go. I admire the honourable member, Mr. Ghani, for taking up the cause of these poor people. Rich people are allowed access to officers of Government but not these poor folk. They cannot represent their grievances in any way. They deserve to be treated as human beings and as I believe that an improvement in their conditions will lead to an improvement in the tone of the general administration of the country I give my hearty support to the resolution and trust that the Council will pass it. (*Cheers.*)

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural), (*Urdu*): I support the resolution moved by Mr. M. A. Ghani. Through you I would like to point out to the Government that the Honourable Members and Ministers though each of them draws five thousand rupees per mensem consider their salaries to be quite insufficient for the maintenance of their personal dignity and that it has never occurred to them how petty servants of Government drawing twelve rupees a month can make their two ends meet. While describing the condition of our country I would like to narrate a story which runs as follows:—

Once upon a time a king granted a contract of keeping, feeding and training a certain number of elephants to a company. The company's servants neglected their duty imposed on them by this agreement and the result was that the animals became very thin and weak. The company's servants took all articles of food and other things to their own country and began to keep the animals half-starved. On inspection the agents of the king took the company's servants to task and remarked that their work was absolutely unsatisfactory. The latter like our Government being very

clever and active retorted that because fodder crops failed for want of rainfall that year they could not do better and that the former should rest assured that in future Veterinary Assistants and Supervisors would be appointed to look after the animals provided a further period of one year is granted to them. To this the king's agents agreed. Thereupon the company's servant thought that if they were to keep the animals well fed, they would not be able to benefit their own country or at any rate to make any saving. However it occurred to them to select some clever animals and keep them well fed. Consequently they selected a few of them and began to feed them well on condition that the latter would not allow other elephants to make noise. In a short time the selected animals became fat and looked as stout and well fed as our Ministers. (*Loud Laughter.*) On the next occasion when the king's agents came on inspection they were greatly pleased to see these animals. Similar is the condition of our country. Our Government have also prepared a few elephants that is the Ministers for inspection. Whenever a public man of England or of any other country visits India these Ministers are there to receive him. Our white elephants are well fed. They wear collars and ties. Our Honourable Ministers for Agriculture though he has a long beard is a fashionable gentleman and uses a tie. (*Laughter.*) These responsible gentlemen are leading a luxurious life but are utterly unmindful of the fact that their countrymen are passing a very miserable life.

The Honourable Nawab Muzaffar Khan : Just look at the honourable member, how thin he is !

Chaudhri Muhammad Abdul Rahman Khan : Yes, we are feeding fat at the tea parties given by you. I was saying that when responsible men of England come on a visit to India they put up at the bungalows of these Ministers and are greatly impressed with the furniture, the flower pots and lawns and come to the conclusion that the Indians in general are well off. And when Indians go to England and in most cases only big men like our Ministers can afford to go there, they are called Nawabs and Rajas because where an English man would pay one rupee the Indian would pay five rupees. I do not say that all Englishmen are ignorant of the real condition of Indians. As a matter of fact there are some responsible and honest Englishmen who know the real state of affairs prevailing in this country. Whenever we raise our voice these Ministers and other sycophants take steps that it should not be heard over there. They are serving their own ends at our cost. It is unfortunate that such sort of men are sent to Councils. Our condition is most pitiable. These big people take tea and hazris many times a day but are unmindful of the miserable plight of the people in general. Once the people of a certain native state were migrating on account of starvation. The Nawab of the state who was at the time eating *zarda* and *pulao* asked why the people were migrating. A person present at the table replied that they were migrating on account of starvation. The Nawab expressed his surprise and remarked why to migrate when one could have *zarda* and *pulao* to eat. Similar is our case. These big people lead a luxurious life and think that all their countrymen are well off. Just imagine

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how a person drawing 15 or 16 rupees a month can keep his body and soul together. The poor chaprasis stand all the time before office doors. It has never struck you how the petty government servants drawing 15 or 16 rupees a month can keep up their health and maintain themselves and their families. It is very difficult for a person drawing 18 rupees a month to maintain his wife, his children and his aged parents. It appears that you have no fear of God. Just imagine how hard it would be for such a person to pass his winter. He cannot protect himself and his family against the inclemencies of weather. He has no means to purchase warm clothes. In times immemorial the kings used to be watchful at nights and go round in disguise in order to find out whether any of their subjects were in trouble. And when they found any of their subjects in trouble they tried to remove it. They used to write books in order to defray their personal expenses. But here on a single visit of His Excellency the Viceroy lakhs of rupees are spent. The kings of to-day are unmindful of the welfare of the poor. With these words I strongly support the resolution now before the House.

Shrimati Lekhwati Jain (North-East Towns, non-Muhammadian, Urban) (*Urdu*): I rise to support this resolution whole-heartedly. I am very glad to find that all the members who have so far spoken on this resolution have supported it and have expressed their sympathies with the petty servants of the Government who really deserve our sympathy. It is a matter of common knowledge that these petty servants of the Government have to work very hard and for a greater number of hours. This must also be known to all that the number of children born to these poor people is usually very large. But the pay that they get is very meagre. It is Rs. 10 or Rs. 14 or Rs. 18 at the most per month. Now it is not very difficult to understand that a man who has a very large family to support and also a widowed mother and who has to work from morning till evening and work very hard and who for all his labours gets only 10, 14, or 18 rupees a month, cannot be expected to pull on very well for many years. Under these trying circumstances he must drop down very early. Therefore, it is our duty to see that he gets sufficient remuneration to support himself and his family. I hope that all the members of the Council will very gladly support this resolution.

I know that there may be some members who would perhaps hesitate to give their support to this resolution on the ground that the budget this year is already a deficit budget and it will not be possible for the Government to give effect to this resolution. To them I will say that the Government can give effect to this resolution by cutting down the salaries of the officers who are in receipt of fat salaries. Supposing an officer is getting Rs. 3,000 or Rs. 4,000 a month and there are a number of officers who are getting so much salaries, now if you reduce their pay not by one thousand a month, although that can also be safely done, but by Rs. 100 only, you can increase the salaries of a number and in fact of nearly all the petty servants of the Government. This reduction of Rs. 100 in the salaries of big officers will not be very material from their point of view and it will go to help a deserving class of public servants. May I now hope that none of the honourable

members of the House will oppose this resolution. And even after what I have said some of them do oppose the resolution, they will prove that the following Hindi proverb is too true because they are themselves very rich and they are not aware of the sufferings of the poor.

جس کی پھٹی نہ ہو پواٹی
وہ کیا جائے پیر پواٹی

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Muhammadan, Rural) (*Urdu*): So far as the principle underlying the resolution now before the House is concerned, it deserves consideration at the hands of all the members of the House. We should all support that principle because it is really very difficult, nay impossible, for any man with the meagre pay, that the petty servants of the Government are getting, to support himself and his family. But beyond that we cannot go at present. Before we insist on the pay of the petty servants being increased to Rs. 80 at least as has been suggested in the resolution, we must first raise the status of the general public. That will have to be done before we can reasonably insist on the Government to increase the pay of the petty Government servants. The members of this House are fully aware of the fact that at present there is a large number of persons outside Government service who cannot earn more than two annas a day and it will also be known to the House that any number of men are prepared and do accept Rs. 9 a month in the villages. That shows that the general economic condition of the country is far from satisfactory and unless steps are taken to improve that general condition, we will have to remain content with the present state of affairs.

A question may be asked as to when such a step will be taken and for how long one should wait for the improvement in the general condition of the people. In reply to that question I may say that we cannot expect the present Government to take any steps in this direction. Of course, I believe that the future Government will have to do something to raise the standard of life of the people because, as I have said, the general economic condition of the province and for the matter of that of the country is so bad that no Government can afford to sleep over it for a very long time. The standard of life of the general public will have to be raised sooner or later and if by this resolution it is meant to get this principle established that the standard of life should be raised, I have nothing to say against it. On that ground I whole-heartedly support the resolution.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): The resolution before the House is such that one is tempted to say that we generally do not do what we say or profess to do. I ask, how many of us are prepared to keep with them only as much as is sufficient for their own needs and give the rest of it for the poor? I know that none of us will be prepared to do that. It is said that we should have sympathy for the petty and poor Government servants. But may I ask whether those who advocate the cause of these servants of the Government, have ever cared to know that in the villages there are any number of people who do not get even

[Pir Akbar Ali.]

two meals a day. The mover of the resolution has proposed that the minimum salary of petty Government servants should be fixed at Rs. 30 a month which means that they should get at least Rs. 360 annually. But I say, and say without any fear of contradiction, that more than 80 per cent. of the people in the villages are not able to earn even as much as Rs. 80 a year.

Mr. M. A. Ghani : They should have all died by this time.

Pir Akbar Ali : They are more dead than alive. Then the honourable mover of this resolution and his supporters have not suggested any source from which the Government will be able to meet this liability in case this resolution is passed and is given effect to. In the Retrenchment Committee, when it was proposed that a cut should be imposed on all Government servants getting even Rs. 40 per mensem, it was calculated that the saving will come to about 16 lakhs of rupees. That was the figure calculated if my memory serves me right. With that figure before me I am inclined to think that the amount of pay that all these petty servants are getting at present comes to about one crore of rupees and if their pay were to be doubled, because it will be nearly doubled, the present scale of pay being at the average of Rs. 15 a month, the Government will have to meet a liability to the extent of one crore of rupees. Now it can be naturally asked as to wherefrom this money will come. At least the mover has suggested no source whence to get this huge sum of money.

Chaudhri Muhammad Abdul Rahman Khan : I suggest that the pay of the higher officers should be reduced to increase the pay of the low-paid servants of the Government.

Pir Akbar Ali : If the resolution had been worded to mean that the pay of the higher officers should be reduced in order to increase the pay of the low-paid servants of the Government, I would have very gladly supported that resolution. I know and I feel this defect very much in the services that higher officers are paid very high salaries while the lower officials are paid very low salaries. I also deprecate the present arrangement of things because under that arrangement some are able to earn lakhs of rupees while others are not able even to earn enough to enable them to live quite decently. But we cannot help it, in fact we ourselves are to blame for this arrangement of things. I ask, how many of us are prepared to treat our private servants in a better way? Is it not a fact that many relatives of the rich people are starving while they themselves are enjoying caring little for their needy relatives. I, therefore, say that it is no use bringing forward such a resolution which, in my opinion, is impossible of adoption. On the one hand we want that education should be spread, hospitals should be opened and up-to-date roads should be constructed and that too in fact in a very short period, we want possibly in one day that all those facilities should be provided which some of us who have been to Europe or who have learnt about the condition in European countries have seen or heard of having been provided in those countries. I wonder how all these things can be done simultaneously. There are only two main sources of income of the Government, one abiana and the other land revenue. Other sources of income are such that we can ignore them while counting the

sources of the Government. Now you cannot expect that these two sources which are nearly exhausted can bring in so much money as to enable the Government to do all these things at once.

Is the honourable mover prepared to bring a motion for the provincial income-tax in addition to the existing income-tax and will the other honourable members support him? If this is done this income may be spent for the purpose under discussion. If the House is not prepared to bring any such motion for obtaining additional income the honourable members should not say things which are impracticable.

The suggestion made in this resolution is foolish and the honourable member is not well advised in bringing forward such proposals.

Mr. M. A. Ghani : The honourable member has used unparliamentary language. He should withdraw it.

Pir Akbar Ali : I did not say anything about anybody. My remarks referred to myself. It has been recommended that the pay of the petty Government servant should be enhanced to Rs. 80 at least by a single stroke of the pen but no means have been suggested to increase our income in order to be able to do it. Zamindars generally think that there is no lack of funds with the Government. They usually think that the Government can manufacture currency notes at any time. If they find that there is less money in the treasury they can increase the value of a five rupee note to six rupees. This is the zamindar's idea about Government currency. I think the honourable mover is also thinking in the same way. Government do not keep their money hidden. All that they have got comes before us. Here they have not hoarded any treasure. All their surplus money goes to England in various forms. If you want to keep that money within the country you better put some men on duty at Bombay so that they may see that nothing leaves the shores of India. You cannot even fix the highest limit for pay, for such an attempt cannot succeed. If you double the pay of a small salaried Government officer you will be increasing your budget expenditure by one crore at least. The Chief Secretary will explain to you how it will be increased by one crore. The whole expenditure of the Government on different services amounts to four crores. Out of this only one crore is spent on these services. I have every sympathy with the low-paid Government servants. And if it is possible for you to find money for increasing their pay I have no objection to it and in that case I would be only too glad to support this resolution.

The Honourable Sir Donald Boyd (Finance Member) : After the speech of the last speaker there is very little for me to say because he has answered the resolution in a very clear and very excellent speech. The resolution has to take the form of a recommendation to Government and therefore the resolution has to be directed towards raising salaries of the lower-paid Government servants. Otherwise I have no doubt whatever the honourable mover would have liked to propose a resolution to raise the pay of every one all the world over who is getting less than Rs. 80 a month, and I think our sympathies would be with him just as they are in his present resolution.

[Hon. Sir Donald Boyd.]

But until the social system changes it is quite clear I think that any idea that everybody in this world should have at least Rs. 30 per mensem is out of the question, at any rate unless the value of money alters. The appointment of servants is a matter of supply and demand. You can get as many servants as you like of the poorer paid classes at the present rates of salary, and the question is, is Government justified in spending more public money than it must do in order to secure the services of its lower paid servants? I think quite clearly Government owes a debt to the public and that is to pay a living wage but not an excessive wage. How are we to test the living wage? The honourable mover suggested that we should prepare a family budget and find out the minimum amount upon which a man with a reasonable family could live. Many attempts to do that have already been made. I have seen some very interesting results myself. They almost invariably indicate that the men with regard to whom the inquiry has been made, could not possibly live on their pay and yet they are living on their pay.

Mr. M. A. Ghani : May I know who made this enquiry?

The Honourable Sir Donald Boyd : An enquiry into family budgets has been conducted by the Board of Economic Inquiry and by various other institutions for a great many years past. As regards the dwellers in Lahore the first inquiry I remember was made as long ago as 1908-09. Since then I have seen several family budgets and in almost every case the result brings out something practically absurd.

Mr. M. A. Ghani : May I ask whether the honourable member is aware that Mrs. Richards made an enquiry on behalf of the Board of Economic Inquiry into the family budgets of the clerks and she found that the minimum budget of a clerk was Rs. 40 per month?

The Honourable Sir Donald Boyd : I have admitted that a great many inquiries have been made and they almost always result in saying that the person who is the subject of inquiry could not possibly live upon his pay. I cannot say that I have put any very great faith upon the results because they always turn out to be impracticable. I do not think that you can judge the minimum wage by an inquiry into the family budgets, though undoubtedly such inquiries do throw some light on the subject and do help to some extent. But you must judge by the actual salary which is being given by the public generally to their servants, to the people they employ. I wonder if there is any member in this House who does not employ some servant on less than Rs. 30. I very much doubt whether there is a single member here who does not pay less than Rs. 30 to some servants and if a private man is living in perfectly good health discharging his duties properly and is apparently contented on less than Rs. 30, what right have Government to spend public money on over-paying, when all things are considered, these public servants? I would not for a second be taken to be without sympathy for the poor. If I thought that by any sudden revolution tomorrow one could be assured that everybody would have a fair share of the wealth and the happiness of this world, I would join the revolutionaries like a shot. But I think any average man of

common sense knows that there is no short cut to universal happiness or universal equality. Things being as they are I am bound to resist the resolution.

Pir Akbar Ali, I do not know whether it was by chance or by careful study of the previous debates, hit upon what I think a very nearly exact figure when he said that to raise the salaries of the poorer paid servants to Rs. 30 a month would entail an expenditure of about a crore of rupees. Here is the speech of Mr. Puckle delivered in February, 1933, giving certain figures which help us to see the result of this resolution if it were put into effect. Mr. Puckle showed us that the aggregate of salaries ranging from Re. 1 to Rs. 35, that is Rs. 5 above Mr. Ghani's limit, came to one crore and eleven lakhs. As Pir Akbar Ali said, many of these servants get Rs. 12 or probably Rs. 18. That is the lowest limit for menial servants of Government. Some get Rs. 15, Rs. 16 and so on. But to raise their salaries to Rs. 30 would probably mean very nearly doubling the existing expenditure and it would come to round about a crore of rupees. Pir Akbar Ali asked, where is this crore of rupees to come from? At the present moment, as he said—I am sorry I have to repeat his arguments, but they are so extremely good that they are worth repetition—land revenue and abiana are the main sources of Government income and Government derives about $8\frac{1}{2}$ of its $10\frac{1}{2}$ crores of income from these sources and another crore from excise. Where are you to get the extra crore for giving effect to this resolution? One suggestion has been to reduce the pay of higher paid Government servants. At the present moment I take Mr. Puckle's figures and I find that the aggregate of salaries given to Government servants drawing Rs. 833 per mensem and above comes to Rs. 78 lakhs. So, even if you wipe out their salaries entirely, still you cannot implement the recommendation contained in this resolution. The proposition is quite obviously an impossible one and I do not think anything more need be said about it.

Mr. M. A. Ghani: I am extremely grateful for the lip sympathy expressed by certain honourable members for the low-paid employees of the Government. It is our experience that whenever any motion is brought forward in this House for the betterment and amelioration of the most wretched lot of the poor people, nothing is done except that lip sympathy is expressed by certain honourable members. This resolution has been opposed on three or four grounds. The first ground is that there is not enough money to implement the recommendation contained in this resolution; the second is that if the salaries are raised to the extent of Rs. 30, one crore of rupees will be required and this amount will eventually fall on the payers of the land revenue and water rates. The third is the question of supply and demand and lastly this resolution has been opposed on the ground that various enquiries have been made into the family budgets of these people and it has been found that the salaries paid to them are quite adequate. A question was also asked, 'how much we pay to our private servants'? I shall answer these points *seriatim*. The first question is how much money would be required to raise the salaries of these low-paid Government servants to Rs. 30? I think the Honourable Finance Member is quite correct when he says that one crore of rupees would be required.

[Mr. M. A. Ghani.]

He is in a dilemma as to how to get that money. Various speakers who have spoken on this motion have pointed out that the salaries of highly paid officers should be cut down and the money thus saved should be given to these poor people. The Honourable Finance Member has not said a word on this suggestion.

The Honourable Sir Donald Boyd : That is absolutely wrong. I answered that argument. Probably the honourable member did not listen to me. I showed that if you cut down all salaries above Rs. 833 a month, you get only Rs. 78 lakhs. Even if you wipe out these salaries you cannot implement the resolution.

Mr. M. A. Ghani : Thank you for correcting me. So 78 lakhs or say Rs. 50 lakhs can be saved by reducing the salaries of these highly paid officers. This sum can be utilised for raising the salaries. Apart from this, it is for the Government to find out ways and means of implementing this resolution. It is not for me to suggest. In my speech I made it clear that Government should start an enquiry into this question and see how much money would be required, and if the money required to raise the salaries of these servants to Rs. 30 could not be found then at least their pay should be raised to Rs. 25 or at least Rs. 20. The Government can increase the pay of these servants by Rs. 2, thus people getting Rs. 13 will get Rs. 15 ; people getting Rs. 16 will get Rs. 18 and so on. An increase in salaries by Rs. 2 will not materially add to the Government expenditure. The Honourable Finance Member has not told us how much money would be required to raise the pay of these poor servants by Rs. 2 or by Rs. 5.

Next, it was said that the money so required will have to be paid by those who pay land revenue and abiana. This is an argument which is often put forward to oppose all such resolutions intended for the benefit of the poor people. Land revenue and abiana are not the only sources of revenue. There are a lot of other sources. Why should not the rich people be taxed heavily ? Only recently we have passed the Entertainments Duty Bill. I am told that it will bring in some lakhs. I read in the reports sent in by the Deputy Commissioners, Rawalpindi, that Rs. 50,000 can be raised from this source from Rawalpindi alone.

Pir Akbar Ali : The resolution which is at present under consideration was taken up about a month ago. There are other more important resolutions to be considered. I would therefore suggest that there should be some time limit for speeches ; otherwise we may not be able to proceed with other resolutions.

Mr. Deputy President : There is a time limit fixed in the Business Manual. The honourable member will not be allowed to exceed that time limit.

Mr. M. A. Ghani : The Honourable Finance Member brought in the question of supply and demand. As I said in my speech, this question has been thrashed out so often not only in this House but in different parliaments of the world. Nobody has been able to say that because people are

coming forward to accept low salaries of Rs. 12 therefore they should be paid this amount. I may refer here to the judgment of an Australian Court where Mr. Justice Brown has laid down certain principles on the question of supply and demand. That judgment is quoted in this book from which I will read :—

The relative character of a living wage is clearly expressed by Mr. Justice Brown of the South Australian District Court in 1916 in the Plummer's case as follows—
'The studied definition of living wage is the wage adequate to meet the normal and reasonable needs of the worker. In other words the conception is ethical rather than economic. The court is not to determine the value of the services rendered but to determine what is necessary to meet the normal and reasonable needs.'

So the question is what is normal and reasonable for these poor people. It is not a question of supply and demand. It was asked how much we pay our private servants. Take it that we pay Rs. 10 or Rs. 12 but in addition to that we give them clothing, quarters and so forth. If the Government undertakes to provide free clothing and free quarters to their servants also I shall be glad to withdraw my resolution.

The Honourable Sir Donald Boyd : In a great many cases we do.

Mr. M. A. Ghani : But not in all cases.

The Honourable Sir Donald Boyd : Not in all cases, but in many.

Mr. M. A. Ghani : This resolution has been discussed at great length and no case has been made out by Government for not accepting this resolution. I therefore most earnestly appeal to the House to accept it. With these words, I commend it to the House.

Mr. Deputy President : The question is—

This Council recommends to the Government to so arrange the conditions of service of all petty and whole-time Government and quasi-Government servants that the minimum salary paid to them should not be less than Rs. 30 a month.

The Council decided : Ayes 8, Noes. 47.

AYES.

Allah Dad Khan, Chaudhri.
Bhagat Ram, Lala.
Chetan Anand, Lala.
Faquir Husain Khan, Chaudhri.
Ghani, Mr. M. A.

Lekhwati Jain, Shrimati.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Eusoof, Khwaja.

NOES.

Abdul Ghani, Shaikh.
Akbar Ali, Pir.
Anderson, Mr. J. D.
Arjan Singh, Sardar.
Askwith, Mr. A. V.
Bahadur Khan, Sardar.
Bishan Singh, Sardar.
Boyd, The Honourable Sir Donald.
Bradford, Mr. W. G.

Darling, Mr. M. L.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazl Nahi, Khan Sahib Shaikh.
Firoz Khan Noon, The Honourable
Malik Sir.
Gokul Chand Narang, The Honour-
able Dr. Sir.
Gopal Das, Rai Sahib Lala.

NOES.

Gurbachan Singh, Sardar Sahib Sardar.	Narendra Nath, Diwan Bahadur Raja.
Janmeja Singh, Captain Sardar Bahadur Sardar.	Noor Ahmad Khan, Khan Sahib Mian.
Jogendra Singh, The Honourable Sardar Sir.	Nur Khan, Khan Sahib Risaldar Bahadur.
Labh Chand Mehra, Rai Sahib Lala.	Parkinson, Mr. J. E.
Latifi, Mr. A.	Puckle, Mr. F. H.
Malak, Mr. Muhammad Din.	Rahman, Khan Bahadur Dr. K. A.
Manohar Lal, Mr.	Ram Chandra, Mr.
Mayadas, Mr. E.	Riasat Ali, Khan Sahib Chaudhri.
Mohindar Singh, Sardar.	Roberts, Professor W.
Mubarak Ali Shah, Sayad.	Salisbury, Mr. C. V.
Muhammad Hayat Qureshi, Khan Bahadur Nawab.	Sampuran Singh, Sardar.
Muhammad Sarfraz Ali Khan, Raja.	Sewak Ram, Rai Bahadur Lala.
Muhammad Yasin Khan, Chaudhri.	Shah Nawaz Khan, Nawab Khan.
Mukand Lal Puri, Rai Bahadur Mr.	Shave, Dr. (Mrs.) M. C.
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Tate, Mr. T. B.
Muzaffar Khan, The Honourable Nawab.	Zaman Mehdi Khan, Khan Bahadur Malik.

JUBILEE RED CROSS SANATORIUM, SAMBLI.

Khan Sahib Risaldar Bahadur Nur Khan (Rawalpindi, Muhammadan, Rural) (*Urdu*): I beg to move—

This Council recommends to the Government that a substantial grant for the maintenance of the Jubilee Red Cross (Muhammad Husain) Sanatorium, Sambli, may be sanctioned in order to permanently benefit the tubercular patients of the province and arrangements may be made to run it on lines approved by the Public Health Department of the Punjab Government in consultation with the Indian Red Cross Society under whose management it has been inaugurated.

I am sure that there is no one here among the honourable members who is unconscious of the salubrious and wholesome climate of Murree, and who is not aware of the fact that it is an important hill station. There was a time when Murree used to attract so large a number of Europeans and Indians that it was difficult to get accommodation there. But of late its climate has been so much liked that people suffering from tuberculosis have been going to Murree and its suburbs from different parts of the province. For the treatment and residence of such people there was neither any special place nor any special hospital. Wherever they got any place they stayed there. The natural result of this was that the germs of tuberculosis began to spread in the whole area of Murree and gradually sensible people stopped going to that hill station. At least, a short time ago, Khan Sahib Sayad Muhammad Husain Shah on the score of his wide experience, fearing the spread of the disease in the whole area, founded a sanatorium at Sambli for the treatment of tubercular patients. But it was

beyond the power of one man to carry on this institution in a satisfactory way. Therefore it was either the good fortune of the patients of this province or the mercy of God that at that time through the efforts of Mr. King, the Deputy Commissioner of Rawalpindi, and Mrs. King, the President of the Red Cross Society, the inhabitants of the area began to take an interest in this question and they began to feel that under the Red Cross Society a proper sanatorium should be established at Sambli which should meet all medical requirements. As the cause was a noble one and the motive was philanthropic, everybody welcomed this idea and expressed a keen desire to help the undertaking. Many successful meetings were held at different places in the district under the auspices of the Red Cross Society and the high and low all contributed to the fund according to their means. In the short time of one year a sum of Rs. 78,368 in cash was collected and lands, furniture, gifts, etc., worth Rs. 80,000 were also given. Thus the foundation of the Red Cross Muhammad Husain Jubilee Sanatorium was laid and buildings worth one lakh of rupees were completed. In May last the Honourable Nawab Muzaffar Khan, Revenue Member, very kindly performed the opening ceremony of this sanatorium. At the present time in the sanatorium there are 18 beds for female patients and 54 for male patients. For European, and Anglo-Indian patients 8 wards are under construction. Up to this time 55 patients have been under treatment in the sanatorium. Out of them 37 patients have recovered and left the hospital. The remaining patients are undergoing treatment and are progressing satisfactorily. For the benefit of the patients a dairy farm and a poultry farm have been started under the supervision of a European officer. The patients can easily get milk, eggs and fowls from there at a cheap rate at all times. Special arrangements have been made for water supply. A separate *dhobi ghat* and a post office have also been established. For the outlet of water strong watercourses of cement have been constructed according to the advice of civil and military officers and officers of the Public Health Department. Moreover, a road about a mile and-a-half long has also been constructed for the patients to reach the hospital conveniently. In support of the facts stated by me I have a map with me which the honourable members can see and which will show them how this grand building with its necessary equipment has been completed in so short a time. The maintenance of this hospital is very essential for the welfare of the people. In view of this necessity I am sure all the honourable members of this House will agree with me that the Sambli Sanatorium is useful not only for this province but for the whole country. It is the first hospital of its kind which has been started in Northern India under the Red Cross Society. Everybody irrespective of his caste, creed and country can benefit by it, and it is the moral duty of the Government to bear its annual expenses. Whatever amount the Punjab Government may be pleased to allot annually for this purpose, will be a good expenditure in the interest of the people of this province who will very much appreciate this kind help and support. I would, therefore, request that the Punjab Government may kindly provide a reasonable annual sum in its budget for the upkeep and maintenance of this hospital. It will interest honourable members to know that after the inauguration of this hospital Sardar Sir Sikandar Hyat Khan, Deputy Governor, Reserve Bank, Khan Bahadur Khawaja Abdul Rahman, O.B.E., Director

[K. S. Risaldar Bahadur Nur Khan.]

of Public Health, Punjab, Major-General Sprawson, I.M.S., Director-General, Indian Medical Service, Miss Norah Hill, Organising Secretary, Indian Red Cross Society, Mr. Macnab, Commissioner, Rawalpindi Division, and several other officers of the Medical and Public Health Departments, have visited the sanatorium. They have remarked that it is satisfactory and useful from every point of view and its maintenance is very essential. I should like to give now the summary of the opinions of some of those personages who have paid a visit to the sanatorium.

(۱) آنریبل خان بہادر۔ نواب مظفر خان صاحب رہنویو ممبر گورنمنٹ پنجاب تحریر فرماتے ہیں۔ "ہم نے فقط پنجاب گورنمنٹ بلکہ تمام پنجاب و صوبہ سرحد کے جمہ خیر خواہان خلق خدا کی امداد کا مستحق ہے۔ اور اس کا محل وقوع نہایت شاندار اور مریضان پنجاب و صوبہ سرحد کے لئے نہایت موزوں ہے۔"

(۲) خان بہادر خواجہ عبد الرحمان صاحب اویسی۔ ای۔ ڈاکٹر محکمہ حفاظت صحت پنجاب۔ رقم فرماتے ہیں۔ "کہ سائنسدانی کی آپ و ہوا۔ مریضان تپ دق کے لئے نہایت مفید ہے۔ مریضان اور ان کے لواحقین بغیر کسی قسم کی تکلیف و غیر ضروری اخراجات کے باسانی یہاں پہنچ سکتے ہیں انتظام وافر سیلائنی نہایت تسلی بخش ہے اور اس کا محل وقوع بڑا موزوں ہے۔"

(۳) میجر جنرل۔ سی۔ ای۔۔ میجر اس صاحب بہادر۔ میڈیکل سروس انڈیا آئی۔ ایم۔ ایس۔ ڈاکٹر جنرل ایچ۔ ریمارکس مورخہ ۱۸ اکتوبر ۱۹۳۵ء میں تحریر فرماتے ہیں۔ "کہ صوبہ پنجاب میں تپ دق کے انسداد کے لئے ایسی کامیاب کوشش کو پایہ تکمیل تک پہنچاتے ہوئے دیکھ کر بیحد مسرت ہوئی۔ سنیکورم ایک ایسی موزوں اور پرتوا جگہ پر واقع ہے کہ اس سے مرض تپ دق کی روک تھام نہایت آسانی سے ہو سکتی ہے۔"

Moreover a number of letters have been received from the patients who have had their treatment at this sanatorium. They have greatly appreciated the excellent management of this institution and they have spoken very highly of the staff and the attitude of the officials of the hospital. It shows that this institution is proving a great boon to the public and abundantly deserves the kind help and patronage of our benign government.

Mr. Deputy President : Resolution moved is—

This Council recommends to the Government that a substantial grant for the maintenance of the Jubilee Red Cross (Muhammad Husain) Sanatorium, Sambli, may be sanctioned in order to permanently benefit the tubercular patients of the province and arrangements may be made to run it on lines approved by the Public Health Department of the Punjab Government in consultation with the Indian Red Cross Society under whose management it has been inaugurated.

The Honourable Nawab Muzaffar Khan (Revenue Member) (Urdu):
There is a Persian proverb:—

اے مردان بکوشید تا جامہ زنان نہ پوشید

“Oh, ye men do not wear the garb of women.” But considering the splendid work done by Mrs. King with regard to Sambli sanatorium I would read the proverb a little differently and say—

اے مردان بنوشید و جامہ این چنین زنان بیوشید

Oh, ye men don the garb of women like Mrs. King. We are proud of this institution. I think it has no parallel in northern India and unless my colleagues now sitting on my right and my left come forward and help, I am afraid I shall have to fight them both. On being asked by Mr. King I had the proud privilege of performing the opening ceremony of this sanatorium last year. It is a great achievement of Mrs. King. I would say it is a miracle. The whole scheme was completed within six months. A well-equipped hospital, separate cottages for well-to-do patients, general wards for poorer classes, a female ward, a recreation room, residences for the medical officer, nurses and the rest of the staff, outhouses for servants, a perfect drainage system, a *dhobi ghat* and roads sprang up as if by a magic wand. Excellent drinking water has been brought from a long distance. The forest, the trees, other climatic conditions and the scenery are most charming. It is a splendid example of what official and non-official co-operation can do. Sardar Sohan Singh, a leading Rais of Rawalpindi, and many other public spirited gentlemen have contributed liberally towards the hospital funds, but its maintenance requires Government help. I would make an earnest appeal to both the Government and the honourable members of this House to render all possible help to this very deserving institution.

Rai Bahadur Mr. Mukand Lal Puri (Punjab Industries): I have great pleasure in supporting this important resolution which asks for support for an institution which is calculated to do real good to the suffering public of this province. Tuberculosis is a great scourge of humanity which has unfortunately gained a firm foothold not only in the towns of India but also in the countryside. The only way to combat this disease is by isolation and proper care of the patients in hospitals who otherwise are a source of great danger to their relatives and friends as the patients throw out in their spits innumerable germs daily. It is estimated that one patient of phthisis or tuberculosis of the lungs throws out in 24 hours 2 to 4 billions of tuberculosis germs which when inhaled by people sow the seed of this fell disease in the body of other healthy persons. The economic loss to the public from this disease is enormous as the disease period continues over years and leads to incapacity of the patient and entails high expense during the long period of illness. Although no age is exempt from this fell disease it mostly attacks the earning young men of a family and after a protracted misery takes away the fairest flowers of the family leaving old persons and young children and widows destitute and helpless. This poverty in its turn provides favourable conditions for the development of the infection contracted during the illness of the previous victim among the remaining members of the family and in course of time the whole family is wiped out. The only proper remedy for this disease is that the infected persons should be prevented from infecting

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

others and sanitary homes and hospitals should be established in various suitable parts of the province, to save our population from the dangers of the fell disease, in suitable surroundings and in open air. The hospital at Sambli for which this resolution has been moved fulfills all these conditions. It is situated in the Murree Hills in one of the best surroundings possible for tuberculosis patients and one of the immediate benefits that would accrue from it would be that the hill station of Murree where houses were gradually becoming infected would be saved from this increasing danger.

Mr. King the Deputy Commissioner of Rawalpindi and his noble wife, Mrs. King, deserve our thanks for taking the lead in this connection and providing a hospital at Sambli in the Murree hills. They have taken in hand the management of this hospital with a religious zeal and fervour which is worthy of the best missionaries. And the Punjab Government would be failing in its duty if it did not recognise this humanitarian work by the grant of a subsidy and financial help on an adequate scale. The Government cannot make a better use of the money at their disposal for this purpose than by giving a suitable grant for this institution and I wholeheartedly recommend it for acceptance.

While on this point I wish to bring to the notice of the House another institution here in Lahore, namely the Gulab Devi Tuberculosis Hospital for Women. This hospital is the outcome of the philanthropy and generosity of a great Punjabi, the late Lala Lajpat Rai. Just before his death he endowed a sum of Rs. 2 lakhs to form a nucleus for the establishment of a tuberculosis hospital for women of all castes and creeds and created a trust which includes among the trustees some of the most prominent medical men of Lahore. I would invite the members of this Council by appointment with the president Rai Bahadur Dr. Maharaj Kishen or Dr. Bhagat Ram Khanna, the Secretary, to visit this hospital and see for themselves the useful work which this hospital is doing. It is situated on the Ferozepore Road only at a distance of a stone's throw from the Model Town. Government in this matter has a great opportunity of directing private charity in right channels. In this country people are in the habit of endowing mosques, temples, dharamsalas and even schools and colleges. But unfortunately private charity in this country has not taken to establishing hospitals. In western countries almost all the hospitals are endowed hospitals and it is time that the Government took the lead here in directing private charity in right channels and inducing people to give funds for founding hospitals. Since this hospital has been founded by private charity it is the duty of Government to encourage these people who have established hospitals by giving them further financial assistance. It would be a good thing indeed if other deputy commissioners in other districts were to follow the noble example of Mr. and Mrs. King and during their term of office in their respective districts which extends to four or five years normally founded a beneficent institution like this built by private subscriptions before they gave over charge of their districts.

With these words I wholeheartedly recommended this institution as well as other similar institutions to the help of the Government.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : I associate myself wholeheartedly with the expressions of opinion with respect to this very useful institution. As you know Dharampore is far away from north-west and north-east Punjab and it was a real necessity for the people residing in northern Punjab to have a sanatorium of the sort that has been established at Sambli. And it is all the more gratifying that a noble European lady of an officer who is always very busy with his own duties should find time for this which I submit must be a very arduous task for a lady and to collect so much funds and to devote them to the cause as she has done. It is only befitting that we here should request the Honourable Finance Member that he should very kindly go into the matter thoroughly himself and give as much help as he possibly can. After all, it is a real necessity and people residing in those parts of the country are resorting to it and are deriving benefit from it. It is the duty of the Government to pay its own quota towards the improvement and upkeep of this very useful institution. I happened to be at Murree last year and I know from personal experience that a very large number of people were simply grateful to Mrs. King for diverting her energies in this very beneficent direction. I have one submission to make and that in a very, very friendly spirit. While I was there at Murree last year certain labourers from that ilaqa came up to sell wood, milk or articles of that nature. I often had a talk with them and I concluded from their talk that patients who were not far advanced and who were in a position to go about generally resorted to villages on the outskirts of the Sambli area. Of course the villagers do not realise it but from a talk with them I came to the conclusion that this was a thing which was perhaps not being noticed or had not been brought to the notice of Mrs. King or other authorities on the spot. While making an earnest appeal to the Government to help as much as they can this beneficent institution I would humbly bring this fact to the notice of the authorities there that it would be very well if they made certain rules that able bodied patients should not leave the precincts of the hospital and should not roam about in the villages. These patients go there, they smoke their hukka there, they spit there, they drink from their utensils and the result is that the disease might spread to those adjoining villages.

With these remarks I wholeheartedly support the motion before the House.

Khan Bahadur Dr. K. A. Rahman (Director of Public Health) : Tuberculosis has been called 'the great white plague', 'the captain of the men of Death.' Various causes have been described as responsible for the spread of this disease, bad housing, malnutrition, overwork, worry, lack of adequate clothing and so on. Poverty, purdah system and even the joint family system have each received its share of blame. But in my opinion, based on the practical experience of years of service in this province, I would say that so far as the Punjab is concerned the determining factors responsible for the spread of this fell disease are four in number, and they are: first, ignorance; second, ignorance; third, ignorance; and fourth, lack of timely treatment based on scientific knowledge. I have laid emphasis on ignorance and I have done it purposely. There may be various factors at work in the spread of this disease in different parts of the world. All the causes I have mentioned though perhaps contributory are not of equal

[K. B. Dr. K. A. Rahman.]

vital importance everywhere. The vital ones are a few, the others are mere accessories.

Nature has given this province a bracing climate, plenty of sunshine and abundance of fresh air. It is only then when the sturdy Punjabi refuses or fails to take advantage of utilising these sure enemies of the disease that he exposes himself to a successful attack of this fell disease. They are his best weapons supplied by Nature to fight this disease. It is only through ignorance, want of right knowledge and true appreciation of the causative factors that he does not seek their aid. What is needed is propaganda, spread of knowledge how to fight this fell disease, intensive propaganda day in and day out to inform people how to prevent infection, propaganda even amongst the educated, for, it is they who through their ignorance invite if not welcome the germs of this disease to come and lodge within their body, poison their system and eat into the vitals of their body. They build houses so that their living rooms receive as little of fresh air and sunshine as their ignorance will allow. Not that open, freely ventilated houses cost more. In fact they cost less if more open space is left and less area is built over. We are now carrying on intensive propaganda for ventilators and open spaces in the rural and urban areas with some success. But still more extensive work in this connection is necessary to remove prejudice, to dispel ignorance and to improve ways of living. Then there is lack of timely treatment based on scientific lines. There are far too many quacks in the field to whom people resort for treatment. In the early stages it is very difficult to diagnose the disease. It has a slow insidious origin in a vast majority of cases. And people go on spreading the infection and do considerable mischief before the infection is diagnosed, and when the disease is advanced cure becomes well-nigh impossible. The disease must be rightly diagnosed and scientifically treated in the early stages when cure may be possible. It is the patient himself who spreads the disease and gives it to his wife or the wife to her husband, to the children, to the family, to the neighbour and to the friend and associate.

It is because I hold these views that I welcome this sanatorium at Sambli, opened about a year ago with the efforts mostly as you have heard from the Honourable Revenue Member and my friend Shaikh Abdul Ghani, of the residents of the Rawalpindi district under the auspices of the Rawalpindi Red Cross Society. It is a monument of the strenuous endeavours put in by Mrs. King. It will perform its functions in such a manner that it will not only afford best treatment on scientific lines to the victims of tuberculosis but its healed patients will go out doing propaganda for prevention of the infection which they have learnt practically as the inmates of the sanatorium. I find that the sanatorium is gaining popularity (I was there only about three months ago.) day by day since its inception. There is an increasing demand for accommodation by both male and female patients not only from Rawalpindi but from other parts of the province as well. The institution is the first of its kind in North-Western Punjab. It is ideally situated. Although accommodation for 46 beds is provided at present, it is capable of further expansion. It promises to develop into an institution of provincial importance. Owing to the fact that most of the funds were raised locally, the poor patients from Rawalpindi district are admitted free of any charge

while those from other districts are admitted at a charge of Rs. 15 a month which just covers the diet charges. It would be possible to provide free diet to poor patients from other parts of the province if a substantial grant is given for the maintenance of this excellent institution which I am sure we all desire. Tuberculosis is not so widespread in this province as in other parts of India—may be its correct incidence is not yet known but the signs are ominous and owing to reasons which I cannot here dilate to-day, perhaps its occurrence is more widespread than is reported to us. This is all the more a reason why effective measures must be adopted to find out and eradicate this disease before it assumes alarming proportions. This is then a still more important reason why the institution deserves our whole-hearted support.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): I need not say much on this subject after the learned speech of the honourable Khan Bahadur. But I think it would be an act of grace to say something in support of this resolution. This institution owes its existence to the untiring efforts of the good Mrs. King who has a sort of mania to establish and encourage such beneficent institutions. It is mainly due to her efforts that the institution is proving such a great success in a short time. It has been suggested that more beds should be made available for patients who will come unfortunately in greater and greater numbers. It is not a question of merely anticipating a difficulty. The difficulty is already there. So, we have to face realities and provide for a greater number of beds for this sanatorium. It is a virtuous act to help such an institution. If we set to work to give this institution the necessary help God will help us and I pray that He may help us. Personally I believe in what the poet has said:—

یہی ہے عبادت یہی دین و ایمان کہ کام آئے دنیا میں انسان کے انسان

I will again say that Mr. and Mrs. King deserve our heart-felt thank^s for starting and helping such an institution.

Khan Bahadur Nawab Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): I think it is needless to say any more on this resolution. It has been supported whole-heartedly by all sections of this House. The Government have paid very little attention to this institution so far. This year only a sum of Rs. 1,000 has been given. When the question of giving this sum first came up before the Finance Committee I pointed out that this grant was not sufficient for the Sambli Sanatorium and that more money should be given and I am very glad to note that what I said at that time has found the support of all sections of the House to-day. The most important thing in this connection is to note that, as my honourable friend Rai Bahadur Mr. Mukand Lal Puri, has pointed out, people think that it is the duty only of the Government to build hospitals. This is the first instance of its type when poor people have collected funds, established a hospital and then asked the Government to render necessary help. Now, if the Government gives sufficient help it can improve the condition of the hospital to a great extent. In this way the Government will have to spend considerably less than what it has got to spend on

[K. B. Nawab Muhammad Hayat Qureshi.]

institutions set up by itself. So, it is a very sound policy to help such institutions. I hope the Government will see its way to give more help to this hospital.

The Honourable Malik Sir Feroz Khan Noon (Minister for Education): I do not think that there can be two opinions about the fact that it is exceedingly desirable that something should be done for tubercular patients in this province. As a matter of fact for some years past, Government have been considering building of sanatoria in dry places like salt range for this class of patients. But unfortunately the financial stringency has prevented us from doing so. I take this opportunity of congratulating Mrs. King most heartily for the excellent work that she has done in collecting money by private subscriptions for this hospital, a thing, which Government should have done, if funds had permitted. Secondly I feel that the hospital is needed in the locality where it has been built and that it is the wealth of the spot.

The House will be pleased to learn—and I may draw the attention of the honourable members to it, because the budget was guillotined and they may have not noticed in the budget, which they have just passed that they have sanctioned grant-in-aid of Rs. 1,000 per annum for this hospital. I have an idea, but I am not certain, that the total expenditure of this hospital per annum is likely to be Rs. 12,000. There is bound to be a certain amount of income from paying patients. I feel that there is need in this country of having institutions like this, where people can spend the money which they usually give away by way of charity. The House will also be pleased to learn that the Silver Jubilee Sub Committee, who have made recommendations with regard to disbursement of the Silver Jubilee fund, have recommended that a sum of Rs. 7,500 should be given to this sanatorium. My friend Rai Bahadur Mr. Mukand Lal Puri—I am sorry he is not here—will also be pleased to learn that the same Sub-Committee have recommended a grant-in-aid of Rs. 5,000 for the Gulab Devi Tuberculosis Sanatorium in Lahore. We are already giving grants of Rs. 7,500 per annum to the K. E. T. B. Sanatorium in Dharampur and we have recently sanctioned a certain amount of expenditure connected with the tuberculosis out-door dispensary in the Mayo Hospital, Lahore. That dispensary is being built with the generosity of Rai Bahadur Lala Amar Nath of Lahore City. The only question has been the question of funds. If funds are available, nothing will be given greater preference than these sanatoria. But I also hope that people will come forward and give financial aid to deserving institutions like this. It is very difficult for me to make any promise, because whatever extra grant-in-aid is asked for, it is sanctioned by the Finance Department. I suggest to the honourable gentleman, who has moved this resolution, to have recommendations by his local officers in support of his suggestion that further grant-in-aid should be given for this sanatorium, and I will do my best to try and support the proposal to a reasonable extent and send up that proposal to the Finance Department.

(At this stage Mr. President resumed the chair).

The honourable member has my full sympathy and support for the good object that he has in view. I hope that with this assurance, it is not necessary for him to press his resolution.

Khan Sahib Risaldar Bahadur Nur Khan (Urdu): In view of the Honourable Minister's reply I beg leave to withdraw the resolution.

The resolution was by leave withdrawn.

PROVINCIAL LAND MORTGAGE BANK.

Professor W. Roberts (Nominated non-official): I beg to move—

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.

In the Reserve Bank of India Act, provision was made, after a great deal of discussion, to assist agricultural credit. This is a recommendation that the State has some duty towards the main industry of the country. I am given to understand also, on a reliable authority, that the Reserve Bank are proceeding as rapidly as they can in the development of their agricultural credit section. I understand that they have actually addressed the Punjab Government, asking for their proposals for implementing this intention under the Act. I beg to suggest this that the provision of the Land Mortgage Bank is one way of increasing agricultural credit.

The facts of the matter are that the income of the Punjab Government depends to the extent of about 85 per cent. on agriculture, that is, the prosperity of the Government depends in the main on the prosperity of agriculture. You get the anomalous position that while the credit of Government

which derives its income from agriculturists is under 3 per cent., that of the agriculturist varies between 9 and 24 per cent. This is quite the wrong thing. You may say that all this credit is on wheat security but even that is not correct. During the recent years when gold and valuable securities had to be pledged it is common knowledge that in a large number of districts interest rates on loans ranged from 10 to 18 per cent.—even on gold and other solid securities. When this is the case, there is very sound reason for getting some bank established which will tackle this question in a more direct manner. Another very good reason was given on the floor of this House on a previous occasion. One very important bank operating in Lahore was reported to have said that they could not lend against wheat under 7 or $7\frac{1}{2}$ per cent., so that the Punjabi farmer or merchant, whichever it was, had to pay $8\frac{1}{2}$ per cent. for a security which was really as good as gold, with a margin of probably not more than 70 per cent. being advanced against it. The gap therefore between the interest which Government has to pay on its loans and that which the farmer has to pay is at present too wide.

What are the difficulties in the formation of a land mortgage bank? The main one, I admit, is the Land Alienation Act. This undoubtedly narrows the usefulness of a bank in the ordinary way. It is impossible for the agriculturist to pledge his land for more than twenty years. I would therefore suggest one or two things inside which such a bank must operate. I do not think a land mortgage bank in the Punjab will be any use unless

[Prof. W. Roberts.]

it tackles the question of giving loans to the agriculturists. It can also give loans to non-agriculturists against land, but it must face the main problem, that is, of giving loans to agriculturists. Within the frame work of this Act a mortgage bank would have to work under certain limitations. These limitations, I would suggest, are, in the first place, that the loan should not be granted for more than ten years, though a further extension of five years may be given if there is failure in the payment of interest and principle. The second condition is that the sum lent should be less than ten years' income from the land mortgaged. This is very necessary because if there is failure in the payment of interest there must be some time for recovering the capital. The third condition is that the rate of interest must definitely not be more than 2 per cent. above the usual bank rate. If these conditions are strictly adhered to, I see no difficulty in making the money advanced safe. I am aware that the Punjab Government have made some small experiments with loan mortgage banks, but I do not think that they stuck strictly to the ordinary financial obligations which should have been kept up in making their loans.

In Madras the Government have come to the help of this movement by co-ordinating debentures enabling the bank to raise their money which Government guaranteed. In Bombay most of the capital, I believe, was found by private enterprise, but Government have shown their goodwill and sympathy by giving an annual subsidy for three years and various other concessions mentioned in the prospectus of which I sent one copy to the Punjab Government when I first received it. I think that Government should give the same terms. They should help the movement by either starting some form of land mortgage bank in this province, or, at any rate, if they cannot do it themselves they can give the necessary assistance to private individuals to show that they have the backing of Government behind them.

I consider that the case is an urgent one and that the condition of the agriculturists is very miserable and one deserving of the sympathy of Government and of the members of this Council.

Mr. President : Resolution moved is—

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.

Khan Bahadur Malik Zaman Mehdi Khan (Sheikhupura, Muhammadan, Rural): When the Punjab Land Alienation Act was passed there was no doubt that owing to certain rumours which were afloat, the credit of the zamindar fell for some time, and then in order to improve this credit, Government came to the rescue of the zamindars and passed the Co-operative Societies Act which gave some relief to the zamindars; but no one can deny and it must be admitted by Government that the zamindar is in need of further relief. The Co-operative Credit Societies Act of 1904, the Zamindar Improvement Loans Act or the Taqavi Act touch the fringe of the problem. It is absolutely necessary in the case of zamindars that there should be some credit for them in order to meet their daily needs in connection with the agricultural problem. In all European countries such as Czecho Slovakia, Roumania, Germany and some other countries, there are land mortgage

banks to finance the zamindars. Why should we go to European countries, even in Rhodesia Government has established a land mortgage bank. It has practically wiped out the loans of the zamindars. All over the world the plight of the zamindars is so pitiable, their resources are so meagre that it is impossible for them to carry on without this credit. Even in Palestine the Arabs have been put to such straits that Government has under consideration some sort of land mortgage bank. I do not know whether it has materialised yet or not, but I know that for the last two or three years this problem has been under the consideration of the Palestine Government. Any one who has got the knowledge as to what resources the zamindars have must agree with me that such a land mortgage bank is absolutely necessary. In 1870 Mr. Dadabhai Naoroji carried out an inquiry into the resources of the zamindars and estimated that the annual income of an Indian—not a zamindar but an Indian—was Rs. 20 a year. After that there was another inquiry made by Mr. Barber. He came to the conclusion that the annual income of an Indian was only Rs. 27. In the time of Lord Curzon another inquiry was made and Rs. 30 was found to be the average annual income of an Indian. Then in 1921 the average annual income *per capita* was found to be Rs. 40, and even if you take the rise and fall of prices into account the present income *per capita* cannot be more than between Rs. 40 and Rs. 60 a year. In these circumstances it is absolutely necessary that either Government should come to the rescue of the people by establishing mortgage banks or if they cannot afford to do so themselves they should patronise such a scheme and encourage private individuals to establish such a bank. But there is one thing which may rather frighten the zamindars, and that is that Government must not touch even a comma of the Punjab Land Alienation Act. If this is done, the zamindars would rather forego this relief than agree to the tampering with the Punjab Land Alienation Act. That is a question which can be tackled by Government or by a committee consisting of officials and non-officials. There is absolutely no difficulty which cannot be surmounted and for which there cannot be any remedy. I, therefore, for these reasons, strongly support the resolution moved by Mr. Roberts.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : During the last few years we have adopted several measures to relieve the indebtedness of the agriculturists, but we have to see how far we have really succeeded in achieving our object. No doubt we have decreased the indebtedness by limiting or, I may say, altogether removing the credit of the agriculturists. The condition of the people was really very bad on account of the high rates of interest and the machination of the sahukar which simple people could not understand and could not safeguard themselves against. But you cannot deny this fact that the net result of all this legislation is to remove the credit of the agriculturist to a very great extent, if not altogether. Now the position before us is, that on the one hand there is any amount of money lying in banks, so much so that people who want to invest money cannot get more than 2½ or 3 per cent. on their capital and on the other hand this great industry of agriculture which, according to Professor Roberts gives 85 per cent. of the income of Government, is starving on account of there being no credit and people not getting money for carrying on this profession. He has very modestly put that the interest which an agriculturist has to pay ranges between 9 and 24 per cent. I think Professor Roberts has really

[S. Sampuran Singh.]

created such an atmosphere about him by his own benevolence and on account of his efforts to help the zamindars in his neighbourhood that the interest may be so low in that neighbourhood, but I know that about 40 per cent. is a common rate of interest in villages, that is, two pice per rupee per month is a common rate in the villages. (*An honourable member* : In spite of the Act ?) Yes. What I mean to say is that zamindars have either to pay a prohibitive rate of interest or they cannot raise any loans in villages at all. The result is this that the people have to sell their land very cheap. There are very few people who are men with restraint or character.

The result is that most of the people sell their lands very cheap while some of the zamindars who happen to have a little money deprive them of their little patrimony. (*Hear, hear*). To bridge over this great difficulty between the rate of interest at which the State can get money from people and the rate of interest at which the agriculturists can get money in the villages is to organise land mortgage banks. Government started co-operative banks and co-operative societies, but to-day they have become useless. They have invested their money and now all their efforts are in getting that money back. They no longer invest any considerable amount of money in these societies. Consequently that source is also drying up. The intentions of Government are no doubt very good, but owing to lack of funds this source is getting dried up. No doubt the Land Alienation Act will be in the way of running these mortgage banks successfully ; but as observed by the honourable member who just resumed his seat that difficulty can be overcome by some sort of arrangement. One of the ways in which that difficulty can be overcome is to give these banks all the rights and privileges of a statutory agriculturist as defined in the Land Alienation Act. The advantages of land mortgage banks are so great that the disadvantages can be easily overlooked. We can provide that land mortgage banks will have a prior right to the lands mortgaged to them. By making some such provision we can remove the difficulties in the way of the successful working of these banks. With these few words I endorse the views of Professor Roberts and support the resolution.

Sayad Mubarak Ali Shah (Jhang, Muhammadan, Rural), (*Urdu*) : First of all I must say that Professor Roberts has put us under a great debt of gratitude by drawing the attention of Government to a very urgent need of the times. He has referred to the mortgage bank established in Bombay and also to that set up in Madras. I should like to refer you to a mortgage bank which was established and is still working in the Punjab. In 1922 the Government had sufficient money at its disposal. At that time Sayad Zahur Hussain Shah (circle registrar, co-operative societies) who was a resident of Jhang was posted as Inspector of Co-operative Societies at Jhang. Naturally, he was conversant with all the local conditions. He knew that a very large area of lands of many zamindars were mortgaged and most of the mortgages were about to expire with the result that the mortgaged lands were to become the property of the mortgagees permanently and mostly non-agriculturist Hindus. In addition to his official duties he carried out a survey of the district and recommended to the Registrar, Co-operative Societies, Punjab, that a mortgage bank should be set up in Jhang. So, the bank was established and during the period 1922-1929 before the

coming in of the general economic depression, it did a lot of useful work and vast pieces of land which would have slipped out of the possession of zamindars, if the bank had not been established, were restored to their legitimate owners. The bank is still working very well in Jhang although the general depression has affected its activities to a great extent. However, the poor zamindars of Jhang district are greatly indebted to this bank for the restoration of their ancestral land to them which could never have taken place, had not this very useful bank been established in Jhang. If you collect facts and figures you will find that thousands of acres of the zamindars' lands are in the hands of money-lenders even at present, as they were mortgaged with them long ago, and in most cases the time limit is nearing expiry, after which these lands will not be redeemed according to the condition of the mortgage deed. These lands can be restored to their owners if mortgage banks are established at a very early date. As a matter of fact thousands of acres of zamindars' lands have gone into the hands of the money-lenders simply because the mortgages expired. There is no doubt that the Government has passed the Land Alienation Act in order to protect the zamindars and keep their lands from going into the hands of non-agriculturists. But so long as nothing is done to restore the mortgaged lands of zamindars to the original owners by establishing a mortgage bank, the object of the Land Alienation Act will continue to be frustrated, because I am certain that considerable areas of these mortgaged lands are quietly slipping away into the hands of non-agriculturists money-lenders yearly in spite of all these legislations. I do not press upon the Government that mortgage banks should be opened in all the districts all at once. They should first of all prepare statistics about every district and find out how much land has already passed into the hands of money-lenders; and how much land is at the verge of going into the hands of the money-lenders, if timely action in the shape of establishing these mortgage banks is not taken. The banks may be opened only in those districts where they are most needed. Although there is not much capital at our disposal in the Jhang district our mortgage bank is working well. Therefore there is no reason why banks in other districts will not be able to work efficiently. The demand for money in this direction is so great that we are not in a position even to sanction five per cent. of applications which we receive from the zamindars to redeem their mortgaged lands. This shows the popularity of the bank and need of the poor zamindars. We advance money to very deserving cases, but it is very difficult to select these as every case demands sympathetic treatment. We charge very low rate and make easy instalments generally extending over 10 years and sometimes even to 15 years. This House will be interested to know that when the Debtors Protection Bill was under discussion and I came to participate in the discussion and returned to my constituency in Jhang district the zamindars used to ask me very anxiously if anything was being done to restore their mortgaged lands to them. This is the case in a district in which a mortgage bank is already working (though not with much money at its disposal), what to say of the rest of the province, where this is lacking. (*Rai Bahadur Mr. Mukand Lal Puri*: Restoration without repayment of the loan, you mean?) No, with payment of the legitimate sum, but not the sums which have been filled up by the crafty money-lenders. Another situation has

[Sayad Muharak Ali Shah.]

been created by the passage of laws meant to protect the debtors. The credit of the zamindars being restricted the non-agriculturist money-lenders are chary of advancing loans to the agriculturists. So the statutory agriculturists cannot get money from the bania money-lenders (on the credit of the lands with them) to get their mortgaged lands redeemed in future. Under these circumstances the Government should take the earliest steps to establish mortgage banks and advance money on easy terms to agriculturists to enable them to get their mortgaged lands redeemed. There should not be much difficulty to get funds for establishing a provincial mortgage bank, with its branches in different districts, when there is a provision in the Reserve Bank of India Act, to provide facilities for the rural population to get money for agricultural purposes. With these words, I would again request the honourable members to lend their support to this resolution in order to help those zamindars whose lands are mortgaged and whose mortgages are about to expire. I strongly support the resolution moved by Professor Roberts.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I wish to say just a few words on this resolution as Mr. Darling who has studied the whole field of agricultural credit in India will deal with the subject more fully. Mr. Roberts has rendered a service to the agriculturists of the Punjab by raising this question. (*Hear, hear*). I may tell the House that when I assumed office, I was anxious to start a Mortgage Bank and to construct a workshop at MacLagan Engineering College. I am sorry to say I have so far failed to achieve success in securing that. My successor, when he sees the file, will observe how year by year the file has been growing and is still baffling decision. The trouble about the agricultural credit problem is this. Owing to the legislation which we have recently passed and owing to the Land Alienation Act, the risks are so great that the agriculturist cannot raise a loan at any reasonable rate of interest. The rates of interest are so high that even within a few years the capital doubles itself and it is not possible for the agriculturist to pay his debt from his meagre resources. One of the foremost necessities of agricultural credit is that it should bear a low rate of interest, say, one per cent. above the bank rate. The other essential condition to its success is that the payment should be spread over a long period. Leaving India, in western countries such as Germany and France repayments are sometimes spread over from forty to sixty years. That is how the problem of agricultural credit has been solved in France and Germany. Not long ago in England the Government took up the problem, and I think Mr. Darling will tell you what they have done to secure large agricultural credit there.

I will close my speech with only one more remark. If we are to deal with this urgent problem, we cannot do it piecemeal. We have to take into consideration the demand for money which the agriculturist requires and try to meet it. We will require not only Government's assistance, but we will require much of private enterprise. If private enterprise were forthcoming I have no doubt that the needs of the agriculturists could be met. There is no reason why credit should not be developed against the deposit of grain, which is as good as gold. Anyhow I am sorry it will not be in my time that this problem will be solved, but this much I must say that

unless honourable members devote their attention to the creation of agricultural credit they will be throwing the agriculturists and their interests away, because on account of the new legislation no one can be expected to lend money even at the rates at which loans could be raised before, and if peasants have to pay even higher rates of interest they will surely be ruined.

Mr. M. L. Darling (Financial Commissioner, Development): I am myself in a difficulty in having to address this House on a difficult and technical subject. However, I will ask the House to hear me with such patience as they are capable of.

First of all I should like to join with the Honourable Minister in thanking Professor Roberts for bringing this very important question before the House and personally I am glad that his resolution has met with so much support from different benches as it shows that the importance of the subject is recognised. I must now ask the House to allow me to give them some idea of how land mortgage banking is faring in different parts of India, otherwise we shall be in danger of not seeing this question in its proper perspective. If I may be allowed to say something personal, I should like to explain that I have studied land mortgage banking on and off ever since I was fortunate enough to see a couple of land mortgage banks in Germany, that was in 1920, shortly after the war. In 1927, I became closely associated with them in this province as Registrar, and in 1929 I had the opportunity of seeing the system in Austria, and finally last year, I had the great good fortune of being able to see what is being done in a number of different provinces in India.

The first mortgage bank in India was started in the Punjab by Khan Bahadur Malik Fateh Khan Noon, whom the Co-operative Department, I am sorry to say, are losing after 29 years of faithful and devoted service (*Hear, hear*). I regret to say that though we were the first to take the lead in this very important field, we have now completely lost it to Madras. We have at the present moment only twelve banks, and two of these will probably have to be liquidated, and only two have recently made any advances. On the other hand, Madras has about seventy banks and promises to make a success of land mortgage banking. At the same time, the experience of Madras shows that there are certain limitations of which I would remind the House, because they are commonly forgotten by those who debate the subject on the platform or in the Press. The first is that the ordinary small holder cannot be helped by land mortgage banking. His margin of income is too narrow in most cases for a land mortgage bank to advance him money with any security for a long period. This is a very important lesson for us in the Punjab because from about $\frac{1}{3}$ to $\frac{2}{3}$ of our cultivators have only one plough, which means that land mortgage banking on a co-operative basis—and no other line has yet been tried in any part of India—cannot probably help more than $\frac{1}{3}$ to $\frac{2}{3}$ of our cultivators.

The second limitation suggested by the experience of Madras is that land mortgage banks, anyhow in the experimental stage, must be confined to comparatively secure tracts. So far as our experience in the Punjab goes, we must endorse that. We started a mortgage bank in Gurgaon and that, I fear, is one of the two banks likely to go into liquidation. Madras, perhaps taking advantage of our experience, has so far confined their banks to secure

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tracts, and even there, they will not advance entirely upon the security of barani land.

The third limitation is that, if land mortgage banking is to be of any use to the good cultivator, as one or two speakers this evening have pointed out, the rate of interest must be low. It should not, in my opinion, exceed seven per cent. and it would be much more attractive if it could be cut down to six per cent. Now, that is only possible if money can be raised at $3\frac{1}{4}$ to 4 per cent. The reason for this is, if you have any extended system of land mortgage banking, it must be based—again I am quoting from what I saw in Madras—upon a central land mortgage bank; it is only a central bank that is likely to command the necessary confidence and be able to raise the debentures on which land mortgage banking must be based at sufficiently low rates. The central bank must in turn pass on the money it raises to the primary bank, operating in a tahsil or some such area, and a margin must be kept between two banks. But that is not all; the primary bank must keep a margin in lending to cover its expenses and provide for a reserve. Madras shows that together these two margins, even with the help of Government, are not less than $2\frac{1}{2}$ per cent. It follows, therefore, that if you can raise your money at four per cent., even if Government contributes to the expenses, you will not be able to lend at less than six and a half per cent. At the present moment our provincial bank is lending at five and a quarter per cent. and the primary banks are lending at seven and a half to eight per cent. In Madras they have been able to issue debentures at three and a half per cent., but that is only because Government has guaranteed them in respect of both principal and interest. There is a certain risk involved in this, but Government has decided to take it because at the same time it has insisted upon a strict control being maintained over the operations of both the central bank and the primary banks, particularly over the latter. Now, the exercise of official control costs money and in the case of Madras, where land mortgage banks have a staff of inspectors and assistant registrars to help them, it is costing Government Rs. 45,000 a year, and in addition to that it has, I think, contributed Rs. 15,000 for two—if not three—years towards the working expenses of the central bank. It follows, therefore, that there is a limit to the number of banks that can be established, for the more banks there are the more money is required for their control. Further, it has been found that special powers must be given to the banks and the Registrar to facilitate action against defaulters.

In addition to these limitations, there are certain difficulties in the actual application of mortgage banking. The chief difficulty, and it is one we have experienced in the Punjab, is the difficulty of assessing the borrower's repaying capacity in regard to a loan which may cover a period of fifteen or twenty years. It is a comparatively easy matter to decide how much should be advanced to a particular man for a year or two or even for five years. But when you take into consideration all the changes and chances of life in India, it is very difficult to estimate the repaying capacity of a loan given for fifteen or twenty years. I will give you an example of what I mean. In examining a bank in Madras, I found in one case that the borrower was a pleader and that his income as pleader had been taken into consideration in estimating his repaying capacity, but no consideration had been

paid to the possibility that during the next 20 years the pleader's income might be affected by death or illness. It is very difficult indeed to deal with income which is necessarily of a somewhat transient character. Even in regard to land, it is not easy to estimate how much it will be producing ten, fifteen or twenty years hence. If we were to go by the experience of the last five years, one might say it was impossible; but, so far as land is concerned, that is a risk that one would advise a land mortgage bank to take, provided the necessary precautions were taken.

There is another difficulty in the operations of these banks, and it is to my mind the greatest difficulty of all, namely, the character of the borrower in this country. In Austria I was struck by the fact that land mortgage banks had been carried on upon the basis of deposits taken in many cases for only two or three months. I enquired how it was possible to advance money for ten or fifteen years on the basis of money which was repayable within a few months. The answer given me was this; the borrower in Austria is so honest that one can be pretty certain of his repaying his money and loan upon the appointed date if not before and this is so generally known that people trust the banks with their money, and as soon as one depositor takes away his deposit, another depositor comes in. Now, that is impossible in a country like India, and to secure punctual repayment the measure of control found necessary in Madras will certainly be necessary in the Punjab.

Well, even so, inspite of the limitations and difficulties that I have mentioned, Madras shows there are great possibilities, and they are confident there that they have passed out of the experimental stage and have a good hope of being able to relieve good dealers of the burden of debt. They have raised about eighty lakhs of debentures, all guaranteed by Government, and twenty lakhs have already been repaid. As I said just now, the rate of interest of the last debentures is $3\frac{1}{2}$ per cent. and the rate for borrowers is only six per cent. That is an achievement which makes one's mouth water. Why then cannot we do the same in the Punjab? The answer to that question has been given indirectly by more than one member. There is only one reason and that is the Land Alienation Act. The Land Alienation Act has been of immense benefit to the peasantry of this province. I do not question that for a moment. It has protected them like a cactus hedge, but though a cactus hedge is a very good protection it is not a very inviting thing to approach, and when the creditor is asked to approach it, he naturally looks at it with suspicion and wonders, whether, when the time comes for him to recover his money, he will be able to get through it.

It will perhaps be as well to remind the House how thick the hedge is that surrounds the zamindar. It is not only that the Land Alienation Act makes it impossible to sell his land in execution of a money decree, but also he cannot be evicted by a civil court without the intervention of the revenue authority. His plough cattle, implements and seed cannot be attached. If he is sued, his interest charges can be examined, and if excessive they can be reduced, and when he dies his ancestral land is not liable for payment of dues unless they are a charge on it. The question, therefore, is not so much to give him better credit, as one or two speakers have suggested, but rather to give better security to the lender. This point is of

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importance to this House, because it is the guardian of the revenues of the province, and the revenues of the province that will be concerned if land mortgage banking is to be established on the basis of a low rate of interest. And no other basis to my mind is possible for this reason that, if a land mortgage bank is going to raise money in the open market without a guarantee from Government, anyhow in regard to interest, it is unlikely to raise it at less than 5, if not 6, per cent., and if it does that, it will not be possible to lend to the borrower at less than 8 or 9 per cent. Such rates will only attract the spend-thrift borrower, but what a good bank must wish to do is to attract the good borrower. The good borrower in this province can already borrow at 9 to 12 per cent., and if he is prepared to mortgage his land with possession—and a great many people in this province do that—he can raise his money at 6 to 9 per cent.

I must now explain how the Land Alienation Act operates as an obstacle and to show that it is not merely my personal opinion, I should like to quote the opinion given by one of the banking experts who came out to advise the Indian Central Banking Enquiry Committee in 1930-31. Mr. A. P. McDougall then wrote as follows :—

In the Punjab and elsewhere the Alienation of Land Act makes it impossible to recognise land mortgages as a sound gilt-edge investment. Mortgage Banks can only recoup themselves against loss by letting the land to a tenant. This is not a sufficient safeguard. It is not for a bank to act as landlord on a large scale. The cost involved is too great.

The pith of this passage is in the words "It is not for a bank to act as landlord on a large scale." When I went round India last year I saw how difficult it was for banks to act as landlords. In one province I found that owing to rather spend-thrift finance a number of central banks were saddled with 50,000 acres of land which they were quite unable to sell at any reasonable figure and much of which they were even unable to let out at an economic rent. In some cases they were unable to obtain the land revenue payable upon the land. In another province I found almost exactly the same position with about 60,000 acres in the hands of the banks, and even in a corner of the Bombay Presidency where they manage their affairs prudently, there were much the same difficulties. The difficulties will be realised if one thinks of a bank being saddled with land scattered over at least a tahsil, and that land often fragmented, and the bank unable perhaps to get an economic cash rent and compelled, therefore, to let it out on batai, which is the customary form of rent in the province. Batai rents, too, if they are to be realised at all fully, require close supervision—a supervision which no land mortgage bank can give with any ease. This is not a satisfactory position to put a land mortgage bank into, and if I were asked whether I could advise the Punjab Government to guarantee debentures in respect of both principal and interest, as has been done in Madras, I should have to say "no."

To sum up, the position is this. We have in the Punjab a peasantry as hardy and as progressive and as enterprising as any peasantry in India, but probably more burdened with debt. We are all, I think, agreed that every effort should be made to relieve them of that debt and, as one speaker rightly pointed out, every country in Europe has now a system of land

mortgage banking ; and speaking from my own personal experience I should say that this is the best, perhaps the only possible, means of liquidating in any degree the heavy debt which burdens our peasantry. Moreover, the moment is singularly propitious for starting a system of land mortgage banking. Money is cheap, cheaper than it has been for 30 years past. Large sums are seeking sound investment. The Reserve Bank, as the honourable member pointed out, is prepared to explore every possible avenue by which it can help the agriculturist, and one of its deputy governors is a distinguished Punjabi. Land values are lower than they have been for many years and, so far as we can see, they are more likely to rise than to fall. Finally the peasant's credit is severely curtailed, so severely that it is a question whether he will be able to meet his legitimate needs by borrowing, as agriculturists have sooner or later to do in every country in the world. Further, we have in the Punjab at the present moment a co-operative department which is more highly trained than any other co-operative department in India and as keen as possible to supply the peasant with a better system of credit, and at the head of it there is a registrar who is as able as any registrar in India and who is supported by a banking adviser of long experience, an advantage that no other province has. But unfortunately we have one stumbling block, the Land Alienation Act. I yield to none in regarding that Act as the Magna Charta of the peasantry. But at the same time I cannot myself feel that it is so sacred that it must for ever remain untouched. Whether the time has come to touch it for the single purpose of removing the one obstacle to the establishment of a sound system of land mortgage banking in the province, fortunately it is not for me, but for this House to decide and by their decision I am content to abide. (*Applause*).

An Honourable Member : I move—

That the question be now put.

The motion was carried.

Mr. President : The resolution moved is—

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.

The question is that this resolution be adopted.

The motion was carried.

LICENCES TO LEGAL PROFESSION.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I move—

This Council recommends to the Government that a limit be placed on the number of licences granted annually to the new entrants to the legal profession in the Punjab.

So far as this question of limitation of the number of lawyers is concerned, this is a part of the general question of unemployment. The number of lawyers in 1917 was only 1,698 and the figures available for the year 1926

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are 3,613. That is to say that during the period 1917 to 1926 the number had more than doubled and I will not be incorrect if I say that the number during the last ten years has risen to the neighbourhood of 6,000. (*An honourable member*: Population has also increased). But litigation has gone down. The question is a very important one when you take into consideration the fact that litigation has considerably gone down. The numbers on the rolls of our college in 1933-34 was 1,022 and 557 out of this number appeared for the final LL.B. examination, the rest going in for the first examination. The result for 1933 is as follows: Those for the first year 63·5 per cent. and those for the final year 81·4. The income from examination fees was Rs. 1,64,498 as against an expenditure of Rs. 1,18,805. This shows that the University or the Law College is collecting some revenue from the Law College admissions.

The Council then adjourned sine die.

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Final answers to questions for which *ad interim* replies are printed in Volume XXVIII of Council Debates.

ANSWERS TO STARRED QUESTIONS.

CROWN LANDS IN POSSESSION OF OCCUPANCY TENANTS AND TENANTS-AT-WILL.

(Answer to question No. *2341, page 19 ante).

The Honourable Nawab Muzaffar Khan : A statement is laid on the table.

Crown lands in possession of occupancy tenants and tenants-at-will.

Total area under cultivation.	AREA IN CULTIVATING POSSESSION OF			
	Occupancy tenants.	Percentage to the total area under cultivation.	Tenants-at-will.	Percentage to the total area under cultivation.
Acres.	Acres.		Acres.	
4,306,132	964,156	22.4	1,530,375	35.5

TERMINAL TAX, RAILWAY MANDI, LUDHIANA.

(Answer to question No. *4499, pages 22-23 ante.)

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

(b) Yes.

(c) Yes.

(d) The committee did suffer loss which, however, does not appear to have been appreciable. This loss was not due to the negligence of the official in charge of the terminal tax department but was due to the fact that the notification bringing the Railway Mandi within municipal limits was received in the municipal office during the Christmas holidays and also to the fact that some time was taken in demarcating the correct boundaries of the area newly added to the municipality.

(e) The committee has already made an enquiry and no further enquiry is, therefore, necessary.

ARRESTS UNDER THE PUNJAB RELIEF OF INDERTEDNESS ACT.

(Answer to question No. *4592, page 24 ante.)

The Honourable Sir Donald Boyd: The required information is contained in the attached statement. This is for the period from the 19th April, 1935, to the 15th September, 1935.

District.	(a) Number of arrests in execution of decrees.	(b) NUMBER OF HOUSES ATTACHED OR SOLD IN EXECUTION OF DECREES.		(c) Number of cases in which notices to judgment debtors have been issued calling upon them to show cause why they should not be arrested.	(d) NUMBER OF CASES IN WHICH OBJECTIONS AGAINST THE ATTACHMENT OF HOUSES OF AGRICULTURISTS HAVE RESPECTIVELY BEEN ALLOWED OR DISALLOWED.	
		Attached.	Sold.		Allowed.	Disallowed.
Hissar ..	6	117	34	149	29	..
Gurgaon ..	12	552	100	866	36	16
Karnal ..	8	233	100	252	52	14
Rohtak ..	12	401	97	192	106	33
Ambala ..	29	226	105	195	25	5
Simla ..	16	7	3	186	..	..
Hoshiarpur ..	5	397	150	370	67	64
Kangra ..	12	55	6	36	11	3
Jullundur ..	18	855	429	457	130	134
Ludhiana ..	7	317	117	453	44	25
Ferozepore ..	23	239	117	536	46	19
Lahore ..	53	243	94	546	13	11
Amritsar ..	20	395	249	967	69	80
Gurdaspur ..	30	339	111	1,115	25	34
Sialkot ..	17	313	73	356	27	10
Gujranwala ..	17	124	26	363	4	3
Gujrat ..	7	112	28	245	3	..
Shahpur ..	15	20	5	871	2	1
Jhang ..	18	73	30	508	..	..
Jhelum ..	2	120	64	146	16	10
Rawalpindi ..	23	256	58	424	11	8
Attock ..	5	115	55	132	10	12
Mianwali ..	6	95	53	233	19	11
Montgomery ..	7	26	11	289	..	..
Lyallpur ..	10	46	6	1,253	8	5
Sheikhupura ..	18	112	37	480	18	29
Multan and Muzaffargarh.	64	93	44	1,479	5	3
Dera Ghazi Khan ..	34	39	38	152	3	2

LEVEL CROSSING NEAR HISSAR RAILWAY STATION.

(Answer to question No. *4854, page 30 ante.)

The Honourable Nawab Muzaffar Khan: (a) Yes.

(b) Yes.

(c) Yes.

(d) No. The gates do not usually remain closed for more than 10 to 15 minutes at a time, but on occasions they remain closed for longer periods.

(e) Yes.

(f) Yes.

(g) In the absence of an overbridge the frequent closures of the level crossing gates must and do cause inconvenience to public.

(h) The provision of an overbridge is the subject of correspondence between the Agent, Bombay-Baroda and Central India Railway, and Government.

PATWARIS' SCHOOL, JULLUNDUR.

(Answer to parts (g) and (h) of question No. *5182, pages 86—88 ante.)

The Honourable Nawab Muzaffar Khan : The attention of the honourable member is invited to the answers given to parts (a) (ii) and (a) (iii) of Council Question *5181¹ on the 25th February, 1936. The particular orders on the subject of the admission of candidates to the patwar school are contained in the last sentence of clause (iii) (a) of paragraph 3.10 of the Land Records Manual read with paragraphs 3.7 and 3.8 thereof. It is a matter for regret that these instructions were, to some extent, lost sight of on this particular occasion. The Financial Commissioner, Revenue, has, however, taken adequate steps to prevent any such irregularity in future.

DASKA CO-OPERATIVE BANK.

(Answer to question No. *5208, page 51 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) Yes ; but he has been given the necessary powers under bye-law 20.

(b) Does not arise.

DEBTORS SENTENCED TO CIVIL IMPRISONMENT.

(Answer to question No. *5218, page 88 ante.)

The Honourable Sir Donald Boyd : (a) 259.

(b) The debt owed varied between Rs. 11-15-9 and Rs. 6,069.

MR. PARTAP CHAND, MANAGER, CO-OPERATIVE BANK, DASKA.

(Answer to question No. *5220, page 84 ante.)

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

(b) Because the arbitrator, in consequence of whose award he was reinstated, expressly directed this.

CONVICTIONS FOR UNNATURAL
(Answer to question No. *5221,
The Honourable Sir Donald

	TOTAL NUMBER OF CONVICTIONS FOR UNNATURAL OFFENCES AGAINST BOYS UNDER 16 IN THE PROVINCE DURING THE YEARS 1933-34 AND 1934-35.		CASES OF CONVICTIONS IN WHICH SCHOOL TEACHERS WERE THE OFFENDERS.		NUMBER OF CASES TRIED BY MAGISTRATES WITH SPECIAL POWERS UNDER SECTION 30 AND NUMBER TRIED BY OTHER MAGISTRATES.			
					Section 30 Magistrates.		1st Class Magistrates.	
	1933-34.	1934-35.	1933-34.	1934-35.	1933-34.	1934-35.	1933-34.	1934-35.
1. Hissar ..	1	3	..	..	..	..	1	3
2. Karnal ..	1	5	..	2	..	3	1	2
3. Ambala ..	1	1	..	..	..	..	1	1
4. Hoshiarpur ..	1	1	..	..	..	1	1	..
5. Jullundur ..	4	4	..	..	2	2	2	2
6. Ludhiana ..	1	1	..	..	1	..	..	1
7. Ferozepore ..	2	2	..	..	2	2	..	..
8. Lahore ..	8	11	..	..	5	8	3	3
9. Amritsar ..	6	8	..	..	4	7	2	..
10. Gurdaspur ..	..	1	..	..	..	1	..	..
11. Sialkot ..	1	3	..	..	1	..	..	3
12. Gujranwala ..	7	4	1	..	5	1	2	3
13. Shahpur ..	1 3	1 2	.. ..	.. 1	1 ..	.. ..	.. 3	1 2
14. Jhelum ..	..	6	..	..	..	2	..	4
15. Rawalpindi ..	2	4	..	..	2	4	..	..
16. Attock ..	5	4	..	..	2	2	3	2
17. Mianwali ..	..	4	..	..	..	2	..	2
18. Montgomery ..	1	2	..	..	..	1	1	1
19. Lyallpur ..	2 3	2 1	.. ..	.. ..	1 2	.. 1	1 1	2 ..
20. Multan ..	5	10	..	..	3	4	2	6
21. Dera Ghazi Khan ..	6	2	..	..	3	1	3	1
Total ..	61	82	1	3	34	42	27	40

OFFENCE AGAINST BOYS.

pages 84-85 ante.)

Boyd: A statement is enclosed.

CASES IN WHICH SENTENCES OF LESS THAN 2 YEARS RIGOROUS IMPRISONMENT WERE AWARDED.		CASES IN WHICH WHIPPING WAS GIVEN, IN CONJUNCTION WITH TERMS OF IMPRISONMENT.		CASES REFERRED TO THE HIGH COURT FOR AN ENHANCEMENT OF THE SENTENCE.		Result in each case.
1933-34.	1934-35.	1933-34.	1934-35.	Number of Cases.		
..	3	<p>*Originally the accused, on conviction by Honorary Magistrate, 1st Class, Nurpur, was directed by order, dated 25th May, 1934, under section 562 of the Criminal Procedure Code to be bound down for a period of one year. On referring the case to the High Court it was sent for retrial to a Section 30 Magistrate, who sentenced the accused to 4 years rigorous imprisonment (on 9th March, 1935).</p> <p>†One case "Crown versus Amin Chand" was referred to the High Court for enhancement of sentence. The accused was awarded 3½ years' rigorous imprisonment on each count by the lower court under sections 376 and 377, Indian Penal Code, with the direction that both the sentences should run concurrently. The High Court by its order, dated 31st October 1934, maintained the convictions and sentences, but directed that the sentences should run consecutively instead of concurrently.</p> <p>‡The decision of the lower court was maintained. One case was referred to the High Court for enhancement of sentence and the sentence was actually enhanced from 1½ to three years' rigorous imprisonment.</p>
..	2	1	..	..	..
1	1	..	..	..	..
..	..	1	(Whipping only).	..	I*	
3	2	..	..	..	..
1	1	..	..	..	..
1	2	..	..	..	I†
2	3	..	..	..	..
2	5	1	..	..	..
..	
..	3	..	..	..	..
3	..	1	1	..	..
..	..	1	(Whipping only).	..	I‡	
..	..	..	1	..	..
..	6	..	2	..	1	
2	4	..	1	..	..
5	4	..	..	..	..
..	2	..	..	..	..
1	1	..	..	..	..
1	2	1	..	..	..
2	..	(Whipping only).	..	..	..
5	6	1	1	..	..
3	1	2	..	..	..
32	48	9	6	1	3	

(Whipping only).

(Whipping only).

(Whipping only).

†One case "Crown versus Amin Chand" was referred to the High Court for enhancement of sentence. The accused was awarded 3½ years' rigorous imprisonment on each count by the lower court under sections 376 and 377, Indian Penal Code, with the direction that both the sentences should run concurrently. The High Court by its order, dated 31st October 1934, maintained the convictions and sentences, but directed that the sentences should run consecutively instead of concurrently.

†The decision of the lower court was maintained. One case was referred to the High Court for enhancement of sentence and the sentence was actually enhanced from 1½ to three years' rigorous imprisonment.

{ *5222.
*5223.

REMISSIONS OF SCHOOL FEES.

(Answer to question No. *5257, pages 147-48 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) 44.

(b) Most of the scholars belonging to the scheduled castes of the depressed classes get half-rate concessions because only such concessions are reserved for them. But the children of these classes are also considered along with other poor children for poverty concessions under article 120, Punjab Education Code.

(c) No further action in the matter is considered necessary.

HINDUS IN THE EDUCATION DEPARTMENT.

(Answer to question No. *5259, page 148 ante.)

The Honourable Malik Sir Firoz Khan Noon :

(a) (i) Government Normal Schools :—

Agriculturists	..	..	..	90
Non-agriculturists	..	..	..	176

(ii) Central Training College, Lahore :—

Agriculturists	..	..	..	34
Non-agriculturists	..	..	..	201

(b) Agriculturists 8
Non-agriculturists 24

(c) Urban areas 71
Rural areas 12

(d) Agriculturists 22
Non-agriculturists 30

(e) The information is not available in the Census Report, 1931.

(f) No such proportions have been fixed.

SALARIES OF TEACHERS OF BOARD SCHOOLS.

(Answer to question No. *5266, page 151 ante.)

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

(b) The Deputy Commissioners concerned have been addressed in the matter.

ASSISTANT DISTRICT INSPECTORS OF SCHOOLS HAVING HOME RESIDENCE IN RURAL AREAS

(Answer to question No. *5271, page 153 ante.)

The Honourable Malik Sir Firoz Khan Noon : 16 per cent.

STUDENTS FROM DEPRESSED CLASSES.

(Answer to part (b) of question No. *5274, page 154 ante.)

The Honourable Malik Sir Firoz Khan Noon : (b) 872.

CONCILIATION BOARDS UNDER THE PUNJAB RELIEF OF INDEBTEDNESS ACT.

(Answer to question No. *5292, page 166 ante).

The Honourable Sir Donald Boyd :

	Jhang.	Amritsar.	Garhshan- kar.	Panipat.
(a)	1,500	583	198	859
(b)—				
Agriculturists	1,684	1,343	504	512
Non-agriculturists	3,846	1,143	620	1,593
Total	7,530	2,486	1,124	2,105
(c)—				
Inqilab (Lahore)	442	139	31	..
Al Fazal (Qadian)	227	..	16	..
Advocate (Lahore)	156	63	42	..
Hindu (Lahore)	35	44	16	..
Qaumi Daler (Amritsar)	26	61	..	..
Urooj-i-Jhang	112	..	..	..
Jat Gazette (Rohtak) .. ..	..	..	..	583

(d) No.

(e) Yes.

(f) On a previous occasion when figures of newspaper circulations were given in answer to a question in Council, objections were afterwards raised by the newspapers concerned. I think it better, therefore, to refrain from any attempt to answer this part of the question.

(g) No action is contemplated by Government.

REVENUE REMISSION, LYALLPUR DISTRICT.

(Answer to question No. *5294, page 211 ante.)

The Honourable Dr. Sir Gokul Chand Narang : It will be convenient to answer the four parts of the question all together.

It is a fact that in the Lyallpur district in *rabi* 1935 the local rate was not remitted along with the general special revenue remission. Prior to 1932, when such special remissions were made the local rate was remitted in the Lyallpur district. The honourable member is referred to paragraph 578 of the Punjab Land Administration Manual, from which it will be seen that the general principle is that the local rate is not suspended or remitted proportionately with suspensions or remissions of land revenue, except in cases of great emergency. When Government first allowed special

remissions of land revenue over wide areas of the province, it was decided that in cases of land assessed to fluctuating land revenue the local rate should be charged on the land revenue actually collected and not on the land revenue assessable under the ordinary rules for fluctuating assessment. It was subsequently found that these orders were likely to cause embarrassment to district boards of districts where the greater part of the land was subject to fluctuating assessment. Government, therefore, decided that in the areas subject to fluctuating assessment local rate should be collected on land revenue, as assessed according to rates fixed at the settlement irrespective of any remission; that is the local rate should not be affected by grant of special remissions in the case of fluctuating land revenue. It will be noticed that this decision re-affirmed the principle which already held good as regards fixed land revenue. It was as a result of these orders that the local rate in the Lyallpur district was not remitted with the revenue remission for *rabi* 1935.

ASSESSMENT OF LAND REVENUE, MONTGOMERY DISTRICT.

(Answer to parts (g) and (h) of question No. *5805, pages 224—26 ante.)

The Honourable Nawab Muzaffar Khan: A statement showing the estimated demand for each assessment circle in the Okara and Montgomery tahsils under the current settlement, as also the corresponding demand under the previous settlement, is laid on the table.

The percentage of remission on the new demand allowed during the last three years has already been furnished to the honourable member, who will be able to find out with the help of these figures what the amount of remission was in each year from the theoretical demand and from the old demand.

Estimated demand for each assessment circle in the Okara and Montgomery tahsils. (Lower Bari Doab Canal).

Tahsil.	Assessment circle.	Estimated demand under the current settlement.	Demand under the previous settlement.
1	2	3	4
		Rs.	Rs.
1. Okara ..	Bet ..	61,156	43,270
	Gugera Branch ..	3,08,627	1,86,951
	Ganji Bar ..	5,66,658	3,10,200
	Beas ..	1,27,820	84,485
	Total ..	*10,64,261	6,24,906
2. Montgomery ..	Bet ..	1,40,389	86,256
	Ganji Bar ..	9,24,043	5,34,626
	Beas ..	2,62,251	1,62,071
	Total ..	*13,26,683	7,82,953

*NOTE.—No account has been taken in these figures of the reduction made on appeal in the assessment of 2 estates in the Okara and 26 estates in the Montgomery tahsil.

TIME-SCALE OF VETERINARY ASSISTANTS.

(Answer to question No. *5312, page 235 ante.)

The Honourable Sardar Sir Jogendra Singh: (a) and (b) Clerks are on a time-scale of pay, but peons are not. Veterinary assistants are divided into three grades as under:—

	Rs.
1st grade	90 per mensem.
2nd grade	75 per mensem.
3rd grade	60 per mensem.

No revision of these grades has been possible owing to the prevalence of financial stringency in the province.

(c) Yes.

(d) He submitted no recommendations to Government.

(e) Yes.

(f) As veterinary assistants are still eligible for promotion to higher grades, no special action is contemplated.

ROAD ALONG BARI DOAB CANAL NEAR AMRITSAR.

(Answer to question No. *5313, pages 235-36 ante.)

The Honourable Nawab Muzaffar Khan: (a) The honourable member is perhaps referring to the inspection road along the left side of the canal. If so, it is a fact that this road has occasionally been used in the past by the local zamindars.

(b) Yes, because the road was becoming unfit for inspection purposes.

(c) and (d) As a temporary arrangement the zamindars have been allowed to continue using the left inspection road. As a permanent arrangement it has been decided to let them use the road along Chabal distributary.

GARNISHEE SUITS.

(Answer to question No. *5339, page 297 ante.)

The Honourable Sir Donald Boyd: A statement is enclosed.

District.	Number of garnishee suits during the last 12 months.	The amount of court-fees lost to public revenue in consequence of such suits.
		Rs. A. P.
Hissar .. .. .	..	..
Gurgaon .. .. .	..	..
Karnal	5	179 6 0
Rohtak	199	9,566 6 0
Ambala .. .. .	..	..
Simla .. .. .	..	..
Hoshiarpur	6	100 0 0
Kangra .. .. .	..	..
Jullundur .. .. .	..	..
Ludhiana .. .. .	..	..
Ferozepore	4	35 10 0

District.	Number of garnishee suits during the last 12 months.	The amount of court-fees lost to public revenue in consequence of such suits.
Lahore .. .. .	..	..
Amritsar .. .. .	..	..
Gurdaspur .. .. .	..	..
Sialkot	2	360 0 0
Gujranwala .. .. .	..	..
Gujrat .. .. .	..	..
Shahpur	1	405 0 0
Jhang .. .. .	..	..
Jhelum .. .. .	..	..
Rawalpindi .. .. .	..	..
Attock .. .. .	..	..
Mianwali .. .. .	..	..
Montgomery	3	251 4 0
Lyalpur	2	183 12 0
Sheikhupura .. .. .	..	..
Multan .. .. .	..	..
Muzaffargarh .. .. .	..	..
Dera Ghazi Khan	582	14,605 14 0
Total	804	25,687 4 0

PANCHAYAT OFFICERS.

(Answer to question No. *5342, page 297 ante.)

The Honourable Dr. Sir Gokul Chand Narang : A statement is enclosed.

Name of Panchayat Officers.	Tribes.	Place of residence.	District to which appointed.
1. Chaudhri Ramji Lal Lamba.	Jat (Agriculturist) ..	Daulatpur, tahsil and district Hissar.	Hissar.
2. Chaudhri Atta Muhammad.	Araia (Agriculturist) ..	Bahadurpur, tahsil Dasuya, district Hoshiarpur.	Hoshiarpur.
3. Shaikh Muhammad Iqbal, M.A.	Shaikh (Non-agriculturist).	Lahore ..	Ferozepore.
4. S. Milkha Singh ..	Jat Sikh (Agriculturist).	Hoshiarpur ..	Jullundur.
5. Bhai Gureharan Singh.	Ditto ..	Daroh Bhai, district Ferozepore.	Ludhiana.
6. Lala Hargopal Khanna.	Aryan Hindu (Non-agriculturist).	Lahore ..	Gujranwala.
7. S. Natha Singh ..	Jat Sikh (Agriculturist).	Amritsar ..	Amritsar.

Name of Panchayat Officers.	Tribe.	Place of residence.	District to which appointed.
8. Chaudhri Muhammad Abdullah.	Gujjar (Agriculturist)	Gumtala, tahsil Shakargarh, Gurdaspur district.	Gurgaon.
9. Chaudhri Gureharan Singh.	Hindu Rajput (Agriculturist).	Sujawal, tahsil Shakargarh, Gurdaspur district.	Gurdaspur.
10. Mian Barkat Ali Khan.	Muslim Rajput (Agriculturist).	Batala, district Gurdaspur.	Sialkot.
11. Chaudhri Nathu Singh.	Jat Hindu (Agriculturist).	Loa' Kalan, tahsil Jhajar, district Rohtak.	Sheikhupura.
12. Chaudhri Fazal Karim.	Gujjar (Agriculturist)	Monian, tahsil Kharian, district Gujrat.	Gujrat.
13. M. Ali Muhammad	Awan (Agriculturist).	Tarlai Kalan, tahsil and district Rawalpindi.	Rawalpindi.
14. Malik Khan Beg.	Awan (Agriculturist).	Lawa, district Attock	Attock.
15. S. Jagjit Singh	Jat Sikh (Agriculturist).	Chak No. 118-G. B., tahsil Jaranwala, district Lyallpur.	Lyallpur.
16. Khan Muhammad Abdullah Khan.	Sadozai of Durrani tribe (Agriculturist).	Lahore	Multan.
17. Khan Faiz Muhammad Khan.	Babar Pathan (Agriculturist).	Khangarh, district Muzaffargarh.	Muzaffargarh.
18. Lala Sant Bakhsh	Arora (Aryan) (Agriculturist).	Lode, Daska tahsil, Sialkot district.	Rohtak.
19. Honorary Lieutenant Thakur Singh.	Jat Sikh (Agriculturist).	Badhana village, Lahore district.	Lahore.

**AUDIT OF ACCOUNTS OF THE GOVERNMENT PRINTING PRESS,
LAHORE.**

*(Answer to question No. *5378, page 365 ante.)*

The Honourable Nawab Muzaffar Khan : The Government Press accounts are audited by the Local Audit Department, Punjab, as a part of its Outside Audit Department work the cost of which is a charge on Central Revenues. The discretion for making suitable arrangements for the audit therefore rests with the Accountant-General.

EDUCATION DEPARTMENT.

*(Answer to question No. *5896, page 417 ante.)*

The Honourable Malik Sir Firoz Khan Noon : (a) None.

(b) A statement giving the requisite information is enclosed.

List of teachers appointed temporarily in Government Schools in the Lahore Division from 1st April 1935 up-to-date with the duration of their appointment.

Serial No.	Name and qualifications.	Appointment.	Period.
1	Chaudhri Abdul Hamid, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Ajnala, vice M. Muhammad Ghani on leave.	18th April 1935 to 15th July 1935.
2	Shaikh Abdul Hamid, B.Sc., B.T.	Officiating Senior English Master, Government High School, Dera Baba Nanak, vice Chaudhri Faqir Ahmad on leave.	15th May 1935 to 13th July 1935.
3	Mir Muhammad Sultan, B.A., B. T.	Officiating Senior English Master, Government High School, Sheikhupura, vice Pandit Guru Dass on leave.	16th May 1935 to 9th July 1935.
4	Mr. Franklin Budh Singh, S. V.	Officiating Vernacular Teacher, Government High School, Kasur, vice Pandit Ram Chand on leave.	27th May 1935 to 28th June 1935.
5	Lala Jawand Lal Bhalla, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Akalgarh, vice M. Muhammad Ramzan on leave.	1st June 1935 to 13th July 1935.
6	Mir Muhammad Sultan, B.A., B.T.	Officiating Senior English Master, Government High School, Amritsar, vice Lala Shankar Lal, 2nd Master, on leave.	16th September 1935 to 23rd September 1935.
7	S. Amar Singh Pannu, M. Sc., B.T.	Officiating Assistant District Inspector of Schools, Sialkot, vice Chaudhri Muhammad Ibrahim on leave.	31st August 1935 to 25th October 1935.
8	Lala Indar Narain, B.A., B.T.	Officiating Senior English Master, Government High School, Sialkot, vice S. Rajindar Singh on leave.	2nd September 1935 to 26th October 1935.
9	Lala Jawand Lal Bhalla, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Pindi Bhattian, vice Lala Daya Ram Mohan on leave.	26th August 1935 to 8th November 1935.
10	M. Maula Bakhsh, S. D. M.	Officiating Drawing Master, Government High School, Dera Baba Nanak, vice M. Abdur Rahman on leave.	25th September 1935 to 30th November 1935.
11	Lala Mobindar Nath, S. V.	Officiating Vernacular Teacher, Government High School, Ajnala, vice Lala Babu Ram on leave.	19th September 1935 to 18th November 1935.

List of teachers appointed temporarily in Government Schools in the Lahore Division from 1st April 1935 up-to-date with the duration of their appointment—continued.

Serial No.	Name and qualifications.	Appointment.	Period.
12	Mr. Franklin Budh Singh, S. V.	Officiating Vernacular Teacher, Government High School, Sheikhpura, vice M. Fazal Karim on leave.	5th September 1935 to 3rd October 1935.
13	S. Amar Singh Panu, M.Sc., B.T.	Officiating Senior English Master, Government High School, Zafarwal, vice M. Nazir Ahmad, officiating as Headmaster.	3rd December 1935 to 23rd December 1935.
14	Mr. Gyan Swarup, M.A., B.T.	Officiating Commercial Teacher, Government High School, Amritsar, vice Lala Sukh Dyal on leave.	4th September 1935 to 3rd October 1935.
15	Ditto ditto ..	Ditto ditto ..	25th October 1935 to 3rd December 1935.
16	Chaudhri Maqbool Khan, B.A., B.T.	Officiating Senior English Master, Government High School, Akalgarh, vice M. Nasir-ud-Din, officiating as Headmaster.	15th September 1935 to 3rd October 1935.
17	Mir Muhammad Sultan, B.A., B.T.	Officiating Senior English Master, Government High School, Sharapur, vice Mir Muhammad Sadiq on leave.	14th October 1935 to 18th February 1936.
18	M. Zahur-ul-Haq Faruqi, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Baghbanpura, against a vacant post.	Since 23rd September 1935.
19	Chaudhri Abdul Hamid, B.A., S. A.-V.	Officiating Junior English Master, Government High School, Ajnala, vice Chaudhri Mahbub Alam on leave.	19th October 1935 upto date.
20	S. Raghubir Singh, M.A., S. A.-V.	Officiating Senior English Master, Government High School, Gurdaspur, vice Lala Mukand Lal on leave.	12th September 1935 upto date.
21	M. Rashid Ahmad, M.A., S. A.-V.	Officiating Senior English Master, Government High School, Sheikhpura, vice Lala Kidar Nath on leave.	20th November 1935 to 27th November 1935.
22	Lala Harish Chander, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Gurdaspur, vice Pandit Kishore Chand Jhingan, working at Gujrat.	2nd December 1935 upto date.
23	Lala Vishwa Mittar Suri, B.A.	Officiating Assistant District Inspector for Physical Training, Sialkot, vice Mr. V. N. Kapur, on leave.	Since 3rd December 1935.

List of teachers appointed temporarily in Government Schools in the Lahore Division from 1st April 1935 up-to-date with the duration of their appointment—concluded.

Serial No.	Name and qualifications.	Appointment.	Period.
24	Lala Jawand Lal Bhalla, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Kasur, against a vacant post.	Since 19th November 1935.
25	Panjit Loka Nand, Shastri	Officiating Sanskrit Teacher, Government High School, Sharaqpur, vice Pandit Behari Lal on leave.	20th November 1935 to 3rd March 1936.
26	S. Amar Singh Pannu, M.Sc., B.T.	Officiating Senior English Master, Government High School, Akalgarh, against a vacant post.	Since 2nd January 1936.
27	M. Rashid Ahmad, M.A., S. A.-V.	Officiating Senior English Master, Government High School, Gujranwala, vice M. Muhammad Said, on leave.	From 4th December 1935 up-to-date.
28	M. Muhammad Aslam, B.A., S. A.-V.	Officiating Senior English Master, Government High School, Sheikhupura, vice M. Aziz-ud-Din on leave.	Since 7th November 1935.
29	M. Badrud-ud-Din, M.A., B.T.	Officiating Senior English Master, Government High School, Sheikhupura, vice M. Muhammad Ayub working as Headmaster of the same school.	Since 25th January 1936.
30	Lala Indar Narain, B.A., B.T.	Officiating Commercial Teacher, Government High School, Amritsar, vice Lala Sukh Dyal, on leave.	Since 11th December 1935
31	Chaudhri Nasir-ud-Din Mahmud, M.A., B.T.	Officiating Senior English Master, Government High School, Sangla, vice S. Nur Shah, on leave.	Since 3rd February 1936.
32	Mr. Nasir-ud-Din Siraj, H.P., H.A.O.T.	Officiating Arabic Teacher, Government High School, Sangla, vice M. Faiz Ahmad on leave.	Ditto ditto.
33	Lala Mohinder Nath, S. V.	Officiating Vernacular Teacher, Government High School, Kasur, vice Pandit Ram Chand on leave.	Since 1st February 1936.
34	Pandit Vishwambar Datt Shastri, O.T.	Officiating Sanskrit Teacher, Government High School, Pindi Bhattian, against a permanent vacancy.	Since 18th November 1935.
35	Mir Muhammad Sultan, B.A., B.T.	Officiating Senior English Master, Government High School, Akalgarh, against a vacant post.	Since 18th March 1936.

SEDUCTION OF BOYS BY TEACHERS.

(Answer to question No. *5402, page 419 ante.)

The Honourable Sardar Sir Jogendra Singh : A statement showing the requisite information is enclosed.

Statement showing the number of cases of seduction of boys by teachers during the last five years with punishment given to latter.

Number of cases.	Under consideration.	Transferred.	Fined.	Sentenced to rigorous imprisonment.	Degraded.	Charges not proved.	Dismissed.
53	2	4	One fined Rs. 10 and increments disallowed.	3	2	7 (criminal proceedings were taken up in two cases but they were acquitted.)	34

CHAUK SHOP SITES, JHANG DISTRICT.

(Answer to question No. *5417, pages 465-66 ante.)

The Honourable Nawab Muzaffar Khan : (a) Yes ; but owing to no error in the official record. The correct year is 1934.

(b) Yes in 1934, in order to bring the practice in the Jhang district into line with that in the Lyallpur district.

(c) Yes ; but there was no refusal. As the orders issued in 1934 were not in existence in 1933, the shopkeepers were called upon to pay Rs. 10 per *marla* more and on their failure to do so, they were assessed to pay rent at Rs. 2 per *marla* per annum.

(d) Two representations were received.

(e) In January 1935 the following orders were issued :—

- (i) Those shopkeepers who paid the full price of their shop sites, i.e., Rs. 25 per *marla* for chauk sites and Rs. 15 per *marla* for other than chauk sites and executed, stamped and registered the necessary deeds of conveyance at their expense up to the 1st October 1933, were allowed remissions of all claims of rent outstanding against them.
- (ii) Those shopkeepers who had paid the full price at the rate of Rs. 15 per *marla* for sites declared as non-chauk sites in 1934 were permitted to have the deeds of conveyance registered by the 30th April, 1935. If they did so, all rent due from them was remitted.
- (iii) Those shopkeepers who had paid for their shop sites at Rs. 25 per *marla* but these sites were held to be non-chauk sites under the orders of 1934 were given refund of excess paid by them, i.e., Rs. 10 per *marla*, provided they had their deeds of conveyance registered by the 30th April, 1935.

(f) The orders, referred to above, as the orders of 1934, were issued on 14th June 1934. Thereafter the rent of non-chauk shop sites was reduced to rupee one per marla.

(g) If rent of non-chauk shop sites, which fell due before the 14th June 1934, is being recovered at Rs. 2 per marla, it will be reduced forthwith to Rupee one per marla.

EXECUTION OF DECREES IN FEROZEPUR DISTRICT.

(Answer to question No. *5424, pages 468-69 ante.)

The Honourable Sir Donald Boyd : (a) 23.

(b) 645 (excluding the cases in the Court of the Subordinate Judge, Zira, for which information is not available).

(c), (d) and (e) Attempts have been made to collect this information, but it has been found that it would be impossible to obtain complete figures without an expenditure of time and labour out of proportion to the results to be secured.

(f) No information is available in regard to the court of the Subordinate Judge, Zira. For the other courts the figures are :—

Attached	..	..	..	341
Sold	..	..	..	171

WATERLOGGING IN TAHSILS HAFIZABAD AND WAZIRABAD.

(Answer to question No. *5439, pages 479-80 ante.)

The Honourable Nawab Muzaffar Khan : (a) Some of the owners of the following villages affected by *Sem* were granted land by Government in the years 1915—17 :—

Hafizabad Tahsil.—1. Amra Khurd, 2. Chak Kharal, 3. Kot Sajana, 4. Muradian, 5. Chhanb, 6. Kot Nikka, 7. Pindi Bhattian, 8. Kot Bakhsh, 9. Shori, 10. Ala-ud-Din-ke, 11. Thatha Panah, 12. Chak Sabu, 13. Fatehpur, 14. Chhani Ghulla, 15. Thatha Karim Dad, 16. Thatha Raika, 17. Dauloki, 18. Murali, 19. Virke, 20. Nakki, 21. Mehdiabad, 22. Kotsora, 23. Chak Ghazi, 24. Rehr, 25. Bikan Kalan, 26. Baore Kuhna, 27. Khuram Churera, 28. Kan Madhora, 29. Khuram Ladhi, 30. Ghari, 31. Tahli Guraya, 32. Ghari Mamran, 33. Kotli Daim, 34. Thatha Deoki, 35. Sohyawala, 36. Kot Kadar Bakhsh, 37. Behk Ahmad Yar, 38. Wachhoki, 39. Kassoki, 40. Bukan Khurd, 41. Mogoke, 42. Jaidki, 43. Burj Illahya, 44. Rampur, 45. Wan, 46. Muzaffar Nau, 47. Kariala, 48. Kot Panah, 49. Kot Jan Muhammad.

Wazirabad Tahsil.—1. Chakanwali, 2. Kot Hara, 3. Matwan, 4. Aminpur, 5. Nurpur, 6. Gajargola, 7. Chhani Murad, 8. Chhani Moti, 9. Chhani Jumma, 10. Channi Wali Dad, 11. Jhatanwali, 12. Burj Tosha, 13. Kot Mehr Ali, 14. Plya, 15. Bhagwanpur, 16. Gilwala, 17. Hazrat Kallianwala, 18. Kot Nawan, 19. Bharupgarh, 20. Pathanwali, 21. Rasulnagar.

It cannot be said with certainty that these grants were exclusively given in lieu of waterlogged area as the original records were burnt in the disturbances of 1919.

(b) Yes. Sharakpur is the sub-tahsil of the Shahdara tahsil.

(c) Yes.

(d) Some of the land granted was irrigated by perennial and some by non-perennial canals.

(e) and (f). Certain grants were confiscated on account of non-fulfilment of the conditions, e.g., absence from the chaks, etc.

(g) Parts of the lands granted have been effected by *sem*.

(h) Area damaged.

Total area.	Ghair Mumkin.	UNCULTIVATED.			CULTIVATED.			REMARKS.
		Thur.	Sem.	Free.	Thur.	Sem.	Free.	
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	
8,132	709	4,789	24	183	218	..	2,209	This shows the area of the whole chaks in which the <i>sem</i> sufferers of Wazirabad and Hafizabad were granted land and include other grantees as well.

(i) Yes.

(j) Nili Bar Colony.

(k) and (l) None of the grantees left his grant and came back with the intention not to resume it. But some of the grantees having been selected twice had their grants cancelled by the Colonization Officer which were then granted to other people of the same district on the recommendation of the Deputy Commissioner.

(m) Government do not admit any legal liability to provide compensation to those who have suffered from waterlogging, but they have been anxiously considering the question of providing relief for them as far as possible and having materially helped the sufferers in several ways.

Apart from the drainage schemes undertaken by the Irrigation Department to carry off the surface water, some of the sufferers have been granted land in the Nili Bar Colony while a few have been granted land on temporary cultivation on a nominal rent of one rupee per acre matured, in addition to land revenue and cesses.

GIRLS' HIGH SCHOOL, JHANG MAGHIANA.

(Answer to question No. *5461, page 531 ante.)

The Honourable Malik Sir Firoz Khan Noon :

(a) 238 plus 20 J. V.	Total 258.		
(b) Hindus.	Muslims.	Sikhs.	Christians.
128	94	19	3
J. V. 4	11	5	..

(c) The number of J. V. stipends is 20 at Rs. 9 per mensem which is given according to number as noted above against column No. 2. There is no other stipend or scholarship awarded to any student. The fee concessions are granted as below communitywise :—

Fee concessions community-wise.	HINDUS.		MUSLIMS.		SIKHS.		CHRISTIANS.	
	Full rate.	Half rate.	Full rate.	Half rate.	Full rate.	Half rate.	Full rate.	Half rate.
	6	4	11	4	..	1	1	1
Amount of fee concessions.	Rs. 7-8-0 p. m.		Rs. 13-12-0 p. m.		Rs. 0-12-0 p. m.		Rs. 2. p. m.	
Amount of J. V. concessions	stipends to ..		{ N.-B. Hindus Rs. 81 p. m. Muslims Rs. 99 p. m. }				Rs. 180 p. m.	

(d) No scholarship is being paid to any student. Four students of the statutory agricultural tribes of Jhang district have been granted half fee concessions as under communitywise :—

	Muslims.	N.-B. Hindus.
	2	2
Amount of fee concessions	.. Re. 0-12-0 p. m.	0-12-0 p.m.

GIRLS' HIGH SCHOOL, JHANG MAGHIANA.

(Answer to question No. *5463, pages 531-32 ante.)

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

Statement showing the number of students who have passed their Matriculation examination from the Girls' High School, Jhang-Maghiana, yearly, since the school has been started.

Year.	Number of students who have passed their Matriculation examination from the school.		THEIR NUMBER COMMUNITY-WISE.		Number of such students who belong to the statutory agricultural tribes.
			Hindus.	Muslims.	
1931	4		3	1	..
1932	3		2	1	..
1933	3		3	..	..
1934	2		..	2	..
1935	14		13	1	..

LEGAL PRACTITIONERS.

(Answer to part (ii) of question No. *5490, pages 586-87 ante.)

The Honourable Sir Donald Boyd :

(ii)

		1931.	1932.	1933.	1934.	1935.
Number of Advocates who	(a) died ..	2	4	10	10	12
	(b) gave up practice	6	6	5	2	13
Number of Pleaders who	(a) died ..	9	13	13	12	16
	(b) gave up practice	67	78	95	90	163

UNIVERSITY READERS AND DEMONSTRATORS.

(Answer to question No. *5498, page 591 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) A statement containing the required information is laid on the table.

(b) Efforts are made by the University to secure the services of capable teachers from all communities. It has been a consistent policy of the Syndicate, while maintaining high educational standard, to respect all legitimate communal claims while filling vacancies. The University feels that no exact communal proportion can be fixed in respect of University teachers engaged in the advancement of learning.

Statement showing communitywise, the total number of permanent wholetime Readers and Demonstrators in the various departments of the University, as on 1st January, 1936, and also the total amount received by them by way of monthly salary.

Name of the Department.	Hindus.		Muslims.		Sikhs.		Christians.	
	No.	Rs.	No.	Rs.	No.	Rs.	No.	Rs.
CHEMISTRY.								
Readers ..	..	..	..	..	..	..	..	..
Demonstrators..	4	400 p. m.	..	..	1	150 p. m.	..	..
ZOOLOGY.								
Readers ..	1	1,000 p. m.	..	..	..	..	..	..
Demonstrators..	1	150 p. m.	1	150 p. m.	..	..	..	..
BOTANY.								
Readers ..	1	1,000 p. m.	..	..	..	..	..	..
Demonstrators..	1	150 p. m.	1	150 p. m.	..	..	..	..

The information regarding the number of notified agriculturists is not available in the office of the University of the Punjab.

UNIVERSITY EXAMINATIONS.

(Answer to question No. *5506, page 598 ante.)

The Honourable Malik Sir Firoz Khan Noon : (i), (ii) and (iii).
A statement containing the requisite information is enclosed.

(iv) No specific qualifications are fixed, but as a rule, persons from the following classes are appointed in connection with the supervision of University examinations :—

Superintendents—

- (i) Headmasters of recognised High Schools.
- (ii) In very exceptional cases, 2nd masters or senior teachers in recognised high schools ;
- (iii) Retired officers of the Education Department ;
and
- (iv) Principals and members of the staff of colleges.

They must possess previous experience as superintendent or deputy superintendent.

Sub-superintendents (deputy superintendents)—

- (i) Senior teachers of recognised schools ;
- (ii) Members of the staff of Colleges ;
- (iii) Retired officers of the Education Department ;

Invigilators—

- (i) Teachers of the recognised high schools ;
- (ii) Clerks in Government and other offices ;
- (iii) Other persons considered suitable for this work who have sufficient educational qualifications, i.e., must be at least Matric.

Sub-examiners and examiners.—No definite qualifications are fixed for the sub-examiners. The best qualified persons are appointed.

Community.	NUMBER OF EXAMINERS AND AMOUNT PAID.				NUMBER OF SUPERINTEN- DENTS AND AMOUNT PAID.		NUMBER OF ASSISTANT SUPER- INTENDENTS AND INVIGILATORS AND AMOUNT PAID.	
	Paper setters.	Sub-examiners.	Total.	Amount paid.	Number.	Amount paid.	Number.	Amount paid.
				Rs. A. P.		Rs.		Rs. A.
1. Hindus ..	317	440	757	1,50,098 0 0	128	9,230	851	20,572 4 0
2. Muhamma- dans.	155	367	522	95,801 11 0	87	6,365	512	11,530 8 0
3. Sikhs ..	45	159	204	28,252 5 0	29	1,865	280	5,704 8 0
4. Indian Christians.	16	73	89	37,636 9 0	53	3,810	161	5,285 12 0
5. Europeans	68	15	83					

CASES AGAINST CH. ELAHI BAKHSH, HANSI.

(Answer to question No. *5554, pages 749-50 ante.)

Mr. F. H. Puckle : Chief Secretary (a) Yes.

(b) Yes.

(c) The cases were heard at Hissar and Rohtak from 12th December, 1932, to 14th June, 1933, during which period 9 hearings took place at Hissar and 6 at Rohtak.

(d) (i) Rs. 459-12-0.

(ii) About Rs. 250.

(e) Yes.

(f) (i) Government.

(ii) Does not arise.

ACREAGE RATE IN COLONIES.

(Answer to question No. *5558, page 753 ante.)

The Honourable Nawab Muzaffar Khan : Assuming that the honourable member is referring to colony areas under new canal irrigation in the Sutlej Valley Project, Lower Chenab Canal extensions and the Lower Bari Doab Canal extensions, the whole amount assessed on account of acreage rate is Rs. 51,15,239. This figure is, however, exclusive of the amounts to be assessed on areas (i) irrigated by the Sutlej Valley Canals in the Ferozepore district and (ii) by the Lower Bari Doab Canal extension in the Montgomery district; but includes the assessment on proprietary areas receiving irrigation from the canals mentioned above.

SUPERINTENDENTS, MATRICULATION EXAMINATIONS.

(Answer to question No. *5579, pages 883-84 ante.)

The Honourable Chaudhri Sir Shahab-ud-Din :

(a) Boys' centres—

Hindus	..	..	..	65
Muslims	..	..	..	41
Sikhs ..	..	..	..	20
Christians	..	..	..	9

Girls' centres—

Hindus	..	..	..	2
Christians	..	..	..	12

(b) Government does not propose to take any action as appointments of superintendents are made on the score of efficiency with due regard to the consideration that there is no preponderance of any one community.

The following comparative figures show clearly that a real effort has been to carry out the above policy :—

	1925.	1930.	1936.
Hindus	39	65	65
Muslims	16	27	41
Sikhs	12	10	20
Christians	14	10	9
Total ..	81	112	135

**CHAUDHRI ABDUL AZIZ AND CO-OPERATIVE SOCIETY OF TEH
GHULAM NABI.**

(Answer to question No. *5634, pages 954-55 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) The award was given *ex-parte* because Chaudhri Abdul Aziz was absent from the village and his whereabouts could not be traced.

(b) He submitted the following applications :—

On 11th March, 1928, to the Assistant Registrar.

On 31st May, 1928, to the Inspector.

On 4th August, 1931, to the Deputy Registrar.

(c) Government have no information.

(d) Yes.

(e) Yes. An enquiry was made and it was found that Ch. Rahmat Ali, uncle and surety of Ch. Abdul Aziz, was responsible for the removal of the record.

(f) Yes, he can be given a copy of the account prepared during the enquiry, which he accepted and according to which he paid up the outstanding balance of Rs. 180-6-0 on 4th April, 1931.

MURDERS FOR REASONS OF SEX.

(Answer to question No. *5663, page 965 ante.)

The Honourable Sir Donald Boyd : The required information is given in the enclosed statement.

Statement showing murder committed for reasons of sex in the Punjab Province during each of the last five years.

Persons murdered.	1931.	1932.	1933.	1934.	1935.
(i) Boys	14	15	17	16	22
(ii) Unmarried women	12	26	18	16	20
(iii) Married women	71	91	74	85	105
Total ..	97	132	109	117	147

ARABIC IN BANGA SCHOOL.

(Answer to question No. *5674, pages 973-74 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) The District Board, Jullundur, passed a resolution on the 6th February, 1936, to the effect that the teaching of Arabic be discontinued as from the 1st April, 1936. The Inspector of Schools, Jullundur Division, asked the Chairman of the District Board, to postpone the consideration of the proposal till the end of July, 1936, but the Board declined to do so.

(b) Yes.

(c) Government cannot interfere in the matter.

JUNIOR VERNACULAR AND SENIOR VERNACULAR TEACHERS.

(Answer to part (a) of question No. *5682, page 977 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) The requisite information is noted below :—

			Junior Ver- nacular teachers.	Senior Ver- nacular teachers.
Hindus ..	..	..	1,784	685
Muhammadans ..	..	..	1,665	768
Sikhs ..	..	..	461	220
Christians ..	..	..	16	18
Jains ..	..	..	..	1
Depressed class ..	..	..	1	..
Others ..	..	..	46	25

ISLAMIA HIGH SCHOOL, KUNJAH.

(Answer to parts (d) and (e) of question No. *5683, pages 977-78 ante.)

The Honourable Malik Sir Firoz Khan Noon :

(d) 1 : 15.

(e) Hindus : 1 (Anglo-Vernacular Middle).

Muhammadans : 4. (one High : one A. V. Middle ; two elementary.)

Sikhs : 4. (Three high, one Anglo-Vernacular Middle).

EDUCATION DEPARTMENT.

(Answer to question No. *5687, page 981 ante.)

The Honourable Malik Sir Firoz Khan Noon : The following statement gives the requisite information.

Year.	PRIMARY SCHOOLS.		SECONDARY SCHOOLS.		ARTS COLLEGES.		PROFESSIONAL COLLEGES.		Expenditure on supervision and management, <i>&c.</i> , Inspection and Direction.	REMARKS.
	Expenditure.	No. of students passed.	Expenditure.	No. of students passed.	Expenditure.	No. of students passed.	Expenditure.	No. of students passed.		
	Rs.		Rs.		Rs.		Rs.		Rs.	
1921-22	19,16,563	*	25,11,724	8,871	4,19,983	1,746	6,82,280	613	1,80,198	*The information is not available.
1922-23	20,38,194	*	28,76,238	8,796	4,62,159	1,770	7,29,613	726	7,99,852	The collection of it would entail great labour and expense.
1923-24	22,06,736	*	32,41,686	11,613	4,67,539	1,892	7,92,140	717	7,52,632	
1924-25	22,76,174	*	36,21,563	13,754	6,34,998	2,077	9,14,457	1,008	7,45,706	
1925-26	24,75,368	*	42,87,645	12,498	6,02,258	1,998	9,52,978	637	7,94,073	
1926-27	25,56,466	*	51,61,313	14,857	6,10,773	2,128	9,56,813	719	9,76,658	
1927-28	24,34,934	*	59,42,318	18,247	6,93,931	2,425	10,04,405	980	10,45,180	
1928-29	27,32,807	*	67,06,908	23,505	7,70,607	2,687	11,17,932	1,051	11,03,907	
1929-30	28,03,731	*	74,91,366	23,072	8,17,491	2,698	11,16,707	1,030	11,33,429	
1930-31	28,63,728	*	78,78,190	27,435	8,36,820	3,171	11,02,039	1,008	11,79,379	

BUILDINGS BELONGING TO MUSLIMS, AMRITSAR.

*(Answer to question No. *5692, pages 988-84 ante.)*

The Honourable Nawab Muzaffar Khan : (a) No. Possession was sought in execution of a decree by the civil court, and not under orders of the Deputy Commissioner.

(b) No.

(c) The question is too vague to permit of a reply.

(d) Does not arise.

BUILDINGS BELONGING TO MUSLIMS, AMRITSAR.

*(Answer to question No. *5693, page 984 ante.)*

The Honourable Nawab Muzaffar Khan : (a) and (b) Possession was sought in execution of a decree by the civil court and not under orders of the Deputy Commissioner. No sacred places have been demolished.

(c) The question is too vague to permit of a reply.

(d) Does not arise.

DISTRICT BOARD ELECTIONS AND ALLOWANCE TO PATWARIS.

*(Answer to question No. *5700, page 988 ante.)*

The Honourable Dr. Sir Gokul Chand Narang : (a) District Board elections were held, during the year 1935, in the following ten districts :—

Hissar, Rohtak, Gurgaon, Sialkot, Sheikhupura, Gujrat, Mianwali, Montgomery, Lyallpur and Jhang.

(b) Sheikhupura, Mianwali, Montgomery, Lyallpur and Jhang.

(c) and (d) As this work is part of the regular duties of patwaris, the grant of honorarium is optional and district boards may give it or not as they think it. The rate at which the honorarium may be given is also within the discretion of each district board. The District Boards must, however, pay travelling allowance.

DISTRICT ENGINEER, ATTOCK AND RAWALPINDI DISTRICT
BOARDS.*(Answer to parts (f), (g), (h) and (i) of question No. *5723, pages 1072-73 ante.)*

The Honourable Dr. Sir Gokul Chand Narang : (f) It is not understood to which remarks of Mr. Ranson the honourable member is referring but there is no mention of the matters referred to in parts (a) to (e) of the question in Mr. Ranson's inspection report.

(g) The report is very voluminous and it is not necessary in the public interest to make and place on the table of the Council a copy of the whole of this report and as stated in (f) above no portion of the report deals with the matter in question.

(h) and (i) Do not arise in view of (f) above.

**TENDERS FOR RUNNING MOTOR CARS AND LORRIES ON THE
HOSHIARPUR-DHARAMSALA ROAD.**

*(Answer to question No. *5749, page 1085 ante.)*

The Honourable Nawab Muzaffar Khan: (a), (b), (d) and (e). Information on these points has already been given to the Council in the replies to questions 1289¹ and *5576², to which the honourable member is invited to refer.

(c) The required information is given in the enclosed statement.

List of tenders received for running motor lorries on the Hoshiarpur-Bharwain Road.

Serial No.	Name of applicant.	Residence.	RATE TENDERED PER MILE.	
			Passenger.	Luggage.
1	2	3	4	5
1	Partap Singh .. Sujan Singh. Amar Singh. Kishan Singh. Ram Chand.	Hoshiarpur ..	6 pies.	
2	Sant Ram, Overseer	Ditto ..	Do. ..	3 ³ pies per maund.
3	Ghulam Nabi .. Nawab Ali .. Nand Lal ..	Dholanwal .. Do. Kakha.	7 ¹ / ₄ pies.	
	Mehar Chand .. Pohlo Ram .. Sundar Singh ..	} Bihala.		
4	Makhan Singh and Sons.	Lahore Cantonment.	1. Front seat Re. 0-1-0 per mile with 20 seers free. 2. Rear seat 9 pies with 20 seers free. 3. Full lorry Re. 1 per mile.	1-5 pies per mile per maund within 4 days. 2. Luggage and fresh fruits 7 pies per mile per maund within 24 hours.
5	Sujan Singh ..	Hoshiarpur ..	7 ¹ / ₄ pies ..	3 pies per maund.
6	Gurdas Ram ..	Abbaypur (Una)	Do. ..	4 pies.

¹Volume XXVII, page 483.

²Page 882 ante.

Serial No.	Name of applicant.	Residence.	RATE TENDERED PER MILE.	
			Passenger.	Luggage.
1	2	3	4	5
7	Sansar Chand ..	Hoshiarpur ..	7½ pies ..	4 pies.
8	Puran Singh ..	Do. ..	Do. ..	Do.
9	Khushi Ram Mali ..	Do. ..	9 pies ..	Do.
10	Chuni Lal Agya Ram	Shahpur (Kangra)	4½ as Monopolists otherwise 5 pies.	Do.
11	Ishar Das Sethi ..	Hoshiarpur ..	7 pies ..	3 pies.
12	Ajit Singh ..	Lethi Kalan ..	6 pies.	
13	Kanwar Ran Bahadur Singh.	Garhi Manawal ..	Do.	
14	Shiv Dev Singh ..	Kamalpur(Kangra)	9 pies ..	6 pies.
15	Shaikh Faiz Ahmad Tufail Muhammad.	Hoshiarpur ..	9 pies. ..	7½ pies.
16	Shaikh Allah Ditta ..	Do. ..	4½ pies as monopolists, otherwise 5 pies.	
17	Iqbal Muhammad Khan.	Do. ..	9 pies ..	6 pies.
18	Pandit Narain Chand, M. B. E.	Una ..	9 pies.	
19	Abdur Rahim for M. Hakim Ali and Sons.	Hoshiarpur ..	7½ pies ..	4 pies.
20	Santa Singh .. Puran Chand. Hari Singh. Pyara Singh. Dhanpat Singh. Budh Singh. Dharma Singh. Abdulla. Bhagwan Singh.	Do. ..	6 pies ..	4 pies.
21	Narain Chand .. Hari Singh. Labb Singh. Partap Singh.	Do. ..	6 pies ..	4 pies.
22	Pandit Thenu Ram, Secretary, Managing Body, "The Doaba Bus Service, Hoshiarpur."	Do. ..	6 pies ..	4 pies.
23	Bhagwan Singh .. Partap Singh.	Do. ..	5½ pies ..	4 pies.

Serial No.	Name of applicant.	Residence.	RATE TENDERED PER MILE.	
			Passenger.	Luggage.
1	2	3	4	5
24	Bakhshi Ram ..	Hoshiarpur ..	7½ pies ..	5 pies.
25	S. Fauja Singh ..	Kangra ..	7 pies, i.e., Re. 0-9-0 from Hoshiarpur to Gagret. Re. 0-1-0 from Hoshiarpur to Bharwain.	Re. 0-5-0 per maund, Hoshiarpur to Gagret. Re. 0-9-0 per maund, Hoshiarpur to Bharwain.
26	Abdul Rashid Butt	Garhshankar. ..	6 pies ..	3½ pies per maund.
27	S. Bhagwan Singh .. M. Parmeshri Chand. P. Baldev Parshad. M. Mehar-ud-Din. P. Thenu Ram. M. Inayat Khan. P. Sant Ram. S. Banta Singh. L. Kundan Lal. L. Bakhshi Ram.	Hoshiarpur ..	6 pies ..	4 pies.
28	Telu Ram, Sufedposh R. K. Soni and Sons.	Darote ..	9 pies ..	6 pies.
29	Partap Singh ..	Langari ..	6 pies ..	6 pies.
30	Shiv Saran Das, B.A., LL.B., Pleader. Ram Das.	Una ..	9 pies ..	6 pies.
31	Telu Ram, Sufedposh Ram Kishan, Retired Assistant Engineer.	Darote ..	9 pies ..	6 pies.
32	Hira Lal and Sons ..	Pathankot ..	6 pies ..	4 pies.
33	P. Kirti Ram, Pleader, and 8 others.	Hoshiarpur ..	7½ pies ..	4 pies.

INDIAN CHRISTIAN VACCINATORS IN DISTRICT BOARDS.

(Answer to question No. *5775, page 1100 ante.)

The Honourable Dr. Sir Gokul Chand Narang : A statement containing the required information is attached.

Statement showing the number of vaccinators employed by the District Boards of the Punjab and the number of Indian Christians among them.

Serial No.	Name of District Board.	Number of Vaccinators employed.	Number of Indian Christian Vaccinators.	REMARKS.
1	2	3	4	5
1	Hissar ..	17	..	
2	Rohtak ..	17	..	13 permanent. 4 temporary.
3	Gurgaon ..	16	..	
4	Karnal ..	14	..	
5	Ambala ..	13	..	
6	Simla ..	..	..
7	Kangra ..	13	..	
8	Hoshiarpur ..	13	..	There are also 2 Superintendents of Vaccination in this district.
9	Jullundur ..	13	..	
10	Ludhiana ..	12	..	There is 1 Superintendent also.
11	Ferozepore ..	17	..	
12	Lahore ..	15	..	
13	Amritsar ..	13	..	
14	Gurdaspur ..	16	..	
15	Sialkot ..	13	..	
16	Gujranwala ..	14	..	
17	Sheikhupura ..	14	..	
18	Gujrat ..	14	..	
19	Sargodha (Shahpur) ..	17	..	
20	Jhelum ..	10	..	
21	Rawalpindi ..	10	..	
22	Attock ..	13	1	12 permanent, 1 temporary.
23	Mianwali ..	6	..	
24	Montgomery ..	24	..	

Serial No.	Name of District Board.	Number of Vaccinators employed.	Number of Indian Christian Vaccinators.	REMARKS.
1	2	3	4	5
25	Lyallpur ..	17	..	
26	Jhang ..	11	..	
27	Multan ..	20	..	
28	Muzaffargarh ..	10	..	
29	Dera Ghazi Khan ..	11	..	

EMPLOYEES OF DISTRICT BOARD, JULLUNDUR.

(Answer to question No. *5782, page 1103 ante.)

The Honourable Dr. Sir Gokul Chand Narang : (a) The number of employees suspended or dismissed during the last five years community-wise is given below :—

Muslims	..	..	..	15
Hindus ..	..	..	..	16
Sikhs ..	..	..	..	7

(b) The reply to the first part is in the negative ; a reply to the second part is not called for.

ANSWERS TO UNSTARRED QUESTIONS.

LAND UNDER BATAI AND CASH RENT.

(Answer to question No. 1355, page 169 ante.)

The Honourable Nawab Muzaffar Khan : A statement is laid on the table.

Statement showing percentage of area under batai land and cash rents for the years 1930-31 to 1934-35 in the Lahore district.

Year.	Total cultivated area.	AREA CULTIVATED BY TENANTS PAYING RENTS.						REMARKS.		
		With and without right of occu- pancy, paying in kind.			With and without right of occu- pancy, paying cash rent.					
		With right of occu- pancy.	Without right of occu- pancy.	Total.	With right of occu- pancy.	Without right of occu- pancy.	Total.			
		3	4	5	6	7	8			
1	2	Acres.	Acres.	Acres.	Acres.	Acres.	Rs.	9	10	11
1930-31	{ 1,187,058 .. Percentage .. }	39,805	439,417	479,222 40.4	3,333	156,407	159,740 13.5	28,90,993	18 7 9	
1931-32	{ 1,186,220 .. Percentage .. }	39,448	446,061	485,509 40.9	3,284	145,896	149,180 12.6	26,04,431	17 13 7	
1932-33	{ 1,183,895 .. Percentage .. }	39,263	450,439	489,702 41.4	3,284	133,501	136,785 11.6	22,43,214	16 12 10	
1933-34	{ 1,190,951 .. Percentage .. }	39,094	458,189	497,283 41.4	3,193	120,184	123,377 10.3	17,90,284	14 14 4	
1934-35	{ 1,184,227 .. Percentage .. }	39,082	467,158	506,240 42.7	2,997	110,764	113,761 9.6	15,15,490	13 10 11	

NOTE.—(1) Figures regarding the rent paid for the area held by occupancy tenants as shown in column 6 are not available.
 (2) Average cash rent in column 10 is given per acre and not per *bigha* as the scale in this district is of different size.

DECREES AGAINST AGRICULTURISTS, LAHORE DISTRICT.

(Answer to question No. 1358; page 170 ante.)

The Honourable Sir Donald Boyd : Efforts have been made to collect the desired information. It has been found, however, that it would not be possible to obtain complete figures without an expenditure of time and labour out of proportion to the results to be obtained.

DEBT OF AGRICULTURISTS, LAHORE DISTRICT.

(Answer to question No. 1360, page 171 ante.)

The Honourable Nawab Muzaffar 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 overstate 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.

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