

PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 8th March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION AMONG TAHSILDARS AND NAIB-TAHSILDARS IN GURDASPUR.

2299. Rai Bahadur Lala Sewak Ram: With reference to the answer given to question No. 1154,* will Government be pleased to state whether the principle of non-interference contained in the answer is to be taken as applying to all Divisions? If so, will Government kindly state the reasons why they do not wish to fetter the discretion of Commissioners?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: The answer to the first part of the question is yes; the answer to the second is that the exercise of such discretion is one of the functions of Commissioners.

Rai Bahadur Lala Sewak Ram: Will Government be pleased to say whether the members of this Council have any right to question Government if they have complaints on the subject?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: I want notice.

HOUSE ACCOMMODATION FOR POORLY PAID GOVERNMENT SERVANTS, ETC., AT LAHORE, SIMLA AND AMRITSAR.

2300. Rai Sahib Lala Ganga Ram: Will the Government consider the possibility of devising a scheme or setting up an agency for providing in big towns like Lahore, Simla and Amritsar house accommodation for such poor people, including poorly paid Government servants, as are constrained by circumstances to live in such towns but are unable to obtain lodgings at a reasonable rate?

The Honourable Lala Harkishan Lal: It is regretted that in the present state of the finances of the Province, it is not possible for Government to consider building schemes for housing low paid Government servants in Amritsar. Government has under consideration schemes for building quarters for Government Clerks in Lahore and Simla, but until the finances of the Province improve, they cannot be proceeded with.

GOVERNMENT PENSIONERS.

2301. Nawabzada Muhammad Irshad Ali Khan: (a) Will Government be pleased to state whether it is a fact that a Government pensioner is required to forfeit a part of his pension if he secures an appointment privately under a Municipal Committee, a District Board, a Native State, a Taluqa or estate or a firm, etc., the pay of which is such that, taken

with his pension, his monthly emoluments exceed the pay of the Government appointment from which he retired?

(d) If the answer to the above question is in the affirmative, will the Government kindly state the authority for this practice?

(e) Will the Government also state whether the rule is also operative in the case of retired British or European officers of the Indian Civil Service and other covenanted services, who retire from India and live in Europe or the Colonies after retirement?

(f) Will Government be so generous and good as to withdraw the existing rule in favour of its pensioners?

The Honourable Sir John Maynard: (a) It is not the case that a Government pensioner is required to forfeit a part of his pension if he secures an appointment under an Indian State or private estate or a firm but article 520, Civil Service Regulations, lays down that a pensioner shall not be re-employed or continue to be employed in service paid from a local fund except on public grounds. When sanction is given to such employment it may be decided by the Local Government or an authority empowered by the Local Government whether the pension should be held wholly or partly in abeyance. But there is no rule to the effect that the pay taken with pension must not exceed the pay of the Government appointment from which the pensioner retired. This rule is a common rule in practice in case of re-employment under Government service but is not usually imposed in case of re-employment under a local Board.

(b) As above stated the authority is article 520, Civil Service Regulations.

(c) The answer is in the affirmative.

(d) The question of withdrawing restrictions in case of employment by a local fund is under the consideration of the Government of India.

REMOVAL OF MAHANT KIRPAL SINGH OF DHARAMSALA BHAI ABNASHA SINGH AT WAZIRABAD.

2302. Sardar Randhir Singh: (a) Has the attention of the Government been drawn to the judgment of Mr. E. R. Anderson, special Sessions Judge at Gujranwala, in the case of the removal of Mahant Kirpal Singh of Dharamsala Bhai Abnasha Singh at Wazirabad?

(b) Is it a fact that the learned judge held that the character of the said Mahant was immoral and highly debased?

(c) Is it a fact that the learned judge recommended to the executive authorities to remove him from his *gaddi* and to withhold the *jagir* money from him?

(d) If the answers to the above are in the affirmative, will Government be pleased to consider the desirability of immediately removing the Mahant and withholding the *jagir* money from him?

(e) If not, will the Government lay on the table the reasons for it?

Mr. H. D. Craik: (a) and (b) Yes.

(c) The learned judge stated in his judgment that he saw no reason why executive action should not be taken for suspension of the *jagir* so long

as the present Mahant persists in holding his office. The judge did not recommend that the Mahant should be removed from office by executive order; nor has the executive Government any power so to remove him.

(d) The payment of the *jagir* has for some time past been withheld and Government has now issued orders that three-quarters of the future payments shall be made over to a committee of five Sikh gentlemen for expenditure on the maintenance of the Dharamsala and the upkeep of the *lingar*; the remaining one-fourth being kept in abeyance pending arrival at an arrangement regarding the Mahant.

RECOGNITION OF SCHOOLS IN THE AMBALA DISTRICT.

2303. Rai Sahib Lala Ganga Ram: Will Government be pleased to state the number of those schools in Ambala District which applied for recognition during the period from September, 1920, up to the present time, and have not been granted it? Will the Government be pleased to ask the authorities concerned to expedite the matter and do the needful?

The Honourable Khan Bahadur Mian Fazl-i-Husain: Necessary information is being collected and will be communicated to the honourable member when ready.

APPOINTMENTS OF MUHAMMADAN HEAD MASTERS AND INSPECTOR OF SCHOOLS IN THE RAWALPINDI DIVISION.

2304. Khan Bahadur Raja Muhammad Akbar Khan: Will Government be pleased to state if it is a fact—

- (a) that Muhammadans form 88 per cent. of the population of the Rawalpindi Division;
- (b) proportion of Muhammadan boys attending schools is far below that of Hindus and Sikhs judged by the total population of the three communities;
- (c) if the answers to the above are in the affirmative will Government be pleased to consider the desirability of appointing Muhammadan Head Masters in accordance with the ratio of the Muslim population and a Muhammadan Inspector of Schools in the said Division?

The Honourable Khan Bahadur Mian Fazl-i-Husain: (a) Yes, approximately.

(b) Yes.

(c) Government does, and will continue to bear in mind the wishes of Muhammadans.

PUNITIVE POLICE AT SHEIKHUPURA, LAHORE AND FERROZPORE DISTRICTS.

2305. Mr. Ganpat Rai: With reference to the answer to question No. 2103,* will Government be pleased to bring the information up to date as regards Sheikhupura, Lahore and Ferozepore Districts and place it on the table?

The Honourable Sir John Maynard: Information regarding punitive police posts throughout the province is given in reply to question No. 1522. In view of the great labour involved in the compilation of further details Government trusts that the answer to that question will satisfy the honourable member.

CONSTRUCTION OF THE DEG DIVERSION BUND.

2306. Mr. Ganpat Rai: Is it a fact—

(a) that by the construction of the Deg Diversion Bund the lands of a number of villages were cut into two or more parts without any compensation for this severance of lands being paid to land-owners affected thereby;

(b) that the lands of a number of villages were cut into two or more parts without paying any compensation for this when the land was acquired to construct the bund;

(c) that the ferry boats ply at chains 51,000, 71,500, and at the crossing of Sharakpur and Faizpur Kalan road;

(d) that the above three places have a large cart traffic in addition to the ordinary wheel traffic;

(e) that ferry boat at chain 71,500 was swamped twice within the current financial year and the ferry boat located at the crossing of Sharakpur-Faizpur Kalan had to be transferred to chain 71,500 without making any arrangements to replace the boat at Sharakpur-Faizpur crossing to the very great inconvenience of the public;

(f) that the Honourable Minister for Agriculture with a local officer visited the two places, i.e., chain 51,000 and chain 71,500, and was not shown the third place, and that he approved of the construction of a bridge at chain 71,500?

(g) If the answers to the above are in the affirmative, will the Government be pleased—

(i) to construct a cart-road bridge at chain 71,500 at once, and make adequate arrangements at two other places,

(ii) to provide a cart-road along the bund from the end of the bund commencing from the bank of River Ravi up to chain 51,000 wherefrom there is a District Board road, and

(iii) to give an undertaking that the works mentioned above will be undertaken during the next financial year and that preference will be given to these works over other less essential ones?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: I regret that the answer to the question is not yet ready. It will be communicated to the honourable member when ready.

Mr. Ganpat Rai: I want to ask as to when the answer is likely to be ready.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: I cannot give you that information just yet.

CIVIL SUIT FILED BY SIR MICHAEL O'DWYER AGAINST SIB SANKARAN NAIR.

2307. Mr. Ganpat Rai : Will Government please state—

(a) whether they were asked by the Government of India to supply any information in connection with a civil suit filed by Sir Michael O'Dwyer against Sir Sankaran Nair in England ;

(b) whether any officer of the Punjab Government was entrusted with the work of collecting this information ;

(c) whether this information was collected on behalf of Sir Sankaran Nair or Sir Michael O'Dwyer ;

(d) whether any expenses were incurred for this purpose ? If so, what were the actual or approximate total expenses and to what head of expenditure they have been debited ?

The Honourable Sir John Maynard : (a) and (c) No.

(b) An officer of the Punjab Government, under the instructions of that Government, collected certain information and papers asked for by Sir Michael O'Dwyer.

(d) No expenses were incurred.

Mr. Ganpat Rai : What grade of officer was put to collect this information and how much time of his was taken up in collecting this information ?

The Honourable Sir John Maynard : I want notice of that question.

INEQUALITY IN THE NUMBER OF HINDU AND MUHAMMADAN GAZETTED OFFICERS IN THE DISTRICT STAFF OF CERTAIN DISTRICTS.

2308. Rai Bahadur Lala Sewak Ram : Is it a fact that among the Gazetted officers on the District staff (Deputy Commissioner and his staff) in Montgomery, Jhang, Multan and Muzaffargarh and Dera Ghazi Khan districts, the number of Hindu officers is much less than Muhammadan officers ; if so, will Government be pleased to equalise the number of Hindu and Muhammadan officers ?

Mr. H. D. Craik : The total number of Gazetted officers on the District staffs of the five districts named in the question is—

Hindus	...	...	...	...	20
Muhammadans	...	...	...	...	25
Sikhs	...	...	...	...	7
Christians	...	...	...	...	8

Government does not consider that any special action is required.

IMPARTING OF RELIGIOUS EDUCATION IN THE SRESHTA NITI GOVERNMENT HIGH SCHOOL, RAWALPINDI.

2309. Rai Sahib Sardar Harnam Singh : (a) Is it a fact that the building and site of the Sreshta Niti Government High School, Rawalpindi, were presented to Government by the late Rai Bahadur Sardar Boota Singh, C.I.E., O.B.E., and accepted by Government on certain terms and conditions ?

(b) If so, was it one of the conditions that religious education be imparted in the school on the same principles as were in vogue in the Aitchison Chiefs' College, Lahore?

(c) If the reply to (b) be in the affirmative, will Government be pleased to state whether religious education in those terms is being imparted in this school at present?

If not, will Government please state what steps they intend to take to remedy the failure to fulfil this condition?

The Honourable Khan Bahadur Mian Fazl-i-Husain :

(a) Yes.

(b) Yes.

(c) At present there is no period on the school time-table for religious instruction. There is no reason why any community should not make arrangements for the religious teaching of its boys inside the school outside the usual school hours.

**CONVICTION OF LALA THAKAR DAS AND LALA JAGAT NARAIN CHOPRA
TWICE FOR THE SAME OFFENCE.**

2310. Mr. K. L. Balia Ram : (a) Is it a fact that on 6th March 1922, Lala Thakar Das of Lahore was convicted by Sheikh Ata Ullahi, Magistrate, 1st Class, under section 117, Indian Penal Code, and section 7, Act X of 1911, and separately sentenced to two years' and five months' rigorous imprisonments, respectively, for committing one offence, viz., managing a procession of ladies on 9th February 1922?

(b) Is it also a fact that Lala Jagat Narain Chopra, B.A., of Lahore, was convicted by Mian Hakim-ud-Din, Magistrate, 1st Class, under the Seditious Meetings Act on 14th February 1922 and the Criminal Law Amendment Act on 16th February 1922 and separately sentenced to six months' and one year's simple imprisonments for committing one offence, viz., leading a procession of volunteers?

(c) If the reply to (a) and (b) is in the affirmative, will the Government be pleased to apply the principle of setting aside one of the two convictions as has already been done in the cases of Lala Gowardhan Das and Sardar Dilawar Singh?

The Honourable Sir John Maynard : (a) Thakar Das was convicted under section 17 (2) of Act XIV of 1908, or in the alternative under section 117, Indian Penal Code, of managing or assisting in the management of an unlawful association. He was separately convicted in another trial under section 7 of Act X of 1911, of having delivered a speech likely to cause disturbance. The convictions were for two entirely distinct offences.

(b) Jagat Narain was convicted under section 72 of Act XIV of 1908, of managing or assisting in the management of an unlawful association. He was also convicted in a separate trial under section 7 of Act X of 1911 of delivering a speech which caused excitement. The convictions were for two distinct offences.

(c) The question does not arise.

SECTION 41, SUB-SECTION (3) 1 OF THE PUNJAB COURTS ACT AND
SECOND APPEALS.

2311. **Malik Firoz Khan, Noon :** (a) Is the Government aware that in a large number of cases the public cannot come up to High Court on account of the existence of section 41, sub-section (3), of the Punjab Courts Act?

(b) Will the Government kindly consider the advisability of a Bill to so amend the Act as to remove this check on second appeals in cases where any question concerning land is involved?

The Honourable Sir John Maynard : (a) Yes.

(b) The period which lapses at present before civil appeals can be heard in the High Court, appears from the Indian Law Reports, Lahore Series, to be very considerable, and the Punjab Government cannot lightly contemplate any step that will increase their number. Statistics show that in case of appeals regarding customary law, the increase of civil appeals involved in the cancellation of clause 3, section 41, of the Punjab Courts Act, would be fourfold. For these reasons the Punjab Government are doubtful of the desirability of introducing amending legislation.

KOT KHUDAYAR-CHINIOT ROAD.

2312. **Rai Bahadur Lala Sewak Ram :** Will Government be pleased to lay the answer to my question No. 1879* regarding Kot Khudayar-Chiniot Road on the table?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The answer to the honourable member's question No 1879 was, when ready, sent to the Secretary, Punjab Legislative Council, for communication to the member. As requested it is now laid on the table.

(ANSWER TO QUESTION NO. 1879).

Inspection Note on Kot Khudayar-Chiniot Road, dated 23rd May 1922.

Road inspected on 23rd May.

Mile 9.—Metalled surface good but weak spots appearing at a few places. Thickness of coat $2\frac{1}{2}$ " on the average. Berms good.

Mile 10.—Metalled surface good but deep ruts appearing at places. Thickness of coat $2\frac{1}{2}$ ". Berms not attended to.

Mile 11.—Metalled surface fair, deep ruts in last furlongs. Thickness of coat $2\frac{1}{2}$ ". Berms not attended to.

Mile 12.—Consolidation inferior, mile breaking up, deep ruts appearing throughout. Thickness of coat $2\frac{1}{2}$ ". Berms not attended to.

Mile 13.—All broken up, consolidation bad. Thickness of coat $2\frac{1}{2}$ ". Raked metal and found mostly inferior: metal so loose that it could be kicked out: a gang was indiscriminately repairing the ruts. Berms fair.

Miles 14, 15, 16.—Need renewal immediately. Soling coat deeply out at places. Metal collected contains about 80 per cent. soft metal. Quality of metal below par. Stacks are under template, need opening, screening and restacking. Budjri very coarse.

General.—Estimates provide 3" thick coat of ballast and 1" Budjri instead of 4½" thick coat of metal and ½" screening. 3" coat will reduce to about 2½" thickness after ramming. This is a bad economy and it will be cut up in a very short time by the heavy and fast traffic running on the road.

Inspection Note on Kot Khudayar-Chiniot Road, dated 15th June 1922.

Road inspected on 15th instant, with the District Engineer.

Mile 9.—Metalled surface good. Weak spots appearing at a few places. Mile renewed some time in December 1921. Berms good.

Mile 10.—Metalled surface good, but deep ruts appearing at places. Mile renewed in December 1921 or January 1922. Berms not attended to. District Engineer arranging to repair ruts.

Mile 11.—Deep ruts in last two furlongs; otherwise metalled surface in fair condition. District Engineer is arranging to repair ruts. Berms not attended to.

Mile 12.—Consolidation bad. About ½ mile has been patched up and the other half is in hand. Patching not done properly for want of water. Mile renewed in February. Berms good.

Mile 13.—Ruts since repaired. Mile not much improved. It requires lot of watering. Mile renewed in February.

Miles 14, 15, 16.—As per last inspection note.

The District Engineer is now taking interest in repairing the miles recently renewed. Hand-ramming in case of stone metal is never successful. Ten or 12 ton Steam Road Roller should have been employed with advantage. The ruts are mostly due to inadequate thickness of the metal coat. The estimate provides 3" thick coat, which is a bad economy. The District Engineer had no 10 or 12 ton Roller, hence was helpless and had to resort to hand-ramming. He further assured me that he is getting the miles put in good order at the expense of the contractor.

No. 7, dated 26th September 1922.

7. Read District Board Resolution No. 25, dated 26th August 1922, regarding inspection notes recorded by the Executive Engineer, Shahpur Provincial Division, Sargodha, in connection with the work of remetalling Chiniot-Kot Khudayar Road. The case was returned to the Public Works Sub-Committee for opinion. The Sub-Committee reports that the District Engineer could not comply with suggestions of the Executive Engineer as the Steam Road Roller mentioned in the note was not available nor could he provide more than 3" thickness against the orders of the Board. Government consider further action unnecessary.

KOT KHUDAYAR-CHINIOT ROAD.

2313. Rai Bahadur Lala Sewak Ram: Arising out of the answer to question No. 1879* regarding Kot Khudayar-Chiniot Road, will Government kindly state the reasons why they consider further action unnecessary?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The inspection notes recorded by the Executive Engineer read with District Board's resolution No. 7, dated the 28th September 1922 (copies of which were already supplied to the honourable member through the Secretary, Legislative Council) are conclusive and make further action unnecessary.

CREATION OF A SUB-DIVISION AT CHINIOT.

2314. Rai Bahadur Lala Sewak Ram : With reference to the answer to my question No. 1821* on the 11th August 1922, will Government be pleased to state whether the suggestion contained therein has been considered? If so, will it please announce its conclusions?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The answer to the first part of the question is in the affirmative. As regards the second, in view of the small size of the Jhang district and the expense involved in constituting a sub-division, Government does not consider that a sub-division should be formed at Chiniot.

SEPARATION OF THE SADDAR BAZAR FROM AMBALA.

2315. Rai Bahadur Lala Panna Lal : (a) Is it a fact that the Cantonment Magistrate, Ambala, recently issued reply post cards to the house-owners of Ambala asking their opinion about the separation of the Saddar Bazar from Ambala?

(b) Is it a fact that out of about sixteen hundred such replies received by the Cantonment Magistrate, 1,367 favoured the separation and only 217 opposed it?

(c) If so, will the Government be pleased to recommend the immediate separation of the Saddar Bazar?

(d) Is Government aware that at a recent mass meeting in Ambala resolution was passed demanding the immediate separation of the Saddar Bazar from Cantonment?

(e) If so, what action, if any, does Government propose to take in the matter that formed the subject of the resolution?

The Honourable Sir John Maynard : (a) Yes.

(b) 2,200 cards issued. Of these 1,382 were received back endorsed in favour of separation, 301 against, and the rest were either not returned or not decipherable.

(c) The matter is under consideration.

(d) Yes.

(e) The answer to part (c) applies to this part also.

MOVE OF THE SUPERINTENDENT OF THE OFFICE OF INSPECTOR-GENERAL OF CIVIL HOSPITALS TO SIMLA.

2316. Lala Atma Ram : (a) Is it a fact that the Inspector-General of Civil Hospitals, Punjab, takes with him to Simla in summer the Superintendent of his office as well as his Personal Assistant?

(b) Is it a fact that the office of the Inspector-General of Civil Hospitals consists of about 40 clerks, and that they are left without any Superintendent to supervise over them in summer?

(c) Is it a fact that, in the absence of the Superintendent when he goes up to Simla there is no responsible officer at Lahore to reply to the enquiries made at the office?

If the answers to (a), (b) and (c) be in the affirmative, will Government kindly consider the advisability of keeping the Superintendent at Lahore in summer?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) The Inspector-General of Civil Hospitals is permitted to take up five clerks to Simla and when he considers it expedient to include the Superintendent in this number he does so, though ordinarily the Superintendent remains in charge of the office in Lahore.

(b) There are altogether 28 clerks in the office of the Inspector-General of Civil Hospitals and when the Superintendent accompanies the Inspector-General to Simla, the senior Head Assistant on duty in Lahore, who is a responsible official, takes charge of the office in the summer.

(c) The answer is in the negative, the Head Assistant in charge is competent to answer all legitimate enquiries that may be addressed to him.

(d) Government is not prepared to act as suggested and thereby fetter the choice of the Inspector-General who is the best Judge of which clerks should be taken up to Simla in the interests of the public service.

APPOINTMENT OF LALA ANANT RAM AS NOTARY PUBLIC AND MEMBER
OF THE CANTONMENT COMMITTEE, AMBALA.

2317. Lala Atma Ram : (i) (a) Is it a fact that Lala Anant Ram, the Manager of Messrs. Mohan Lal and Company, Wine Merchants, Ambala Cantonment, has recently been appointed a Notary Public for Ambala District, although there is already a Notary Public there in the person of Khan Sahib Sheikh Abdul Majid?

(ii) If so, will Government be pleased to state its reasons for making this appointment?

(iii) Will Government be pleased to state what considerations govern such appointments?

(iv) Will Government be pleased to state if "financial status" is a requisite qualification for a Notary Public? If so, was this qualification satisfied in the case of Lala Anant Ram?

(b) (i) Is Government aware that Lala Anant Ram's recent appointment as a member of the Cantonment Committee was condemned by the public of Ambala in its meeting of 29th July 1922?

(ii) Will Government be pleased to state if it is prepared to reconsider his appointment as a Notary Public as well as a member of the Cantonment Committee?

Mr. D. J. Boyd : (a) (i) Yes.

(ii) Lala Anant Ram was appointed to fill up a vacancy caused by the death of the late Rai Sahib Lala Murli Dhar, Pleader.

(iii) Government invariably makes these appointments on the recommendation of the local officers who satisfy themselves that the person selected is generally suitable to discharge the duties that devolve on a Notary Public.

(iv) There is no reason to suppose that the gentleman named is not of satisfactory financial status.

(b) (i) No.

(ii) Government sees no reason to set aside or reconsider the appointment of Lala Anant Ram as Notary Public, Ambala District. The Local Government is not concerned with his appointment as a member of the Cantonment Committee.

PREVALENCE OF 'BEGAR' IN THE KULU SUB-DIVISION.

2318. Mr. Moti Lal, Kaistha : Will the Government be pleased to state—

(a) if *begar* (forced labour) is still prevalent in Kulu Sub-Division of Kangra District?

(b) if the reply to the above is in the affirmative, will Government consider the advisability of abolishing this system altogether? In case the Government are not prepared to abolish *begar*, will they please consider the advisability of raising the rates of daily wages?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes, if by *begar* (forced labour) is meant an obligation to perform labour in return for which full payment is given.

(b) Government has no wish to allow the continuance of this system longer than is necessary, and it is at present considering new rules which will have the effect of alleviating any hardship that is caused by a continuance of the system. It must be pointed out that the obligation to perform certain duties is included in the provisions under which land is held in the Kulu Valley, and if the system is definitely abandoned the revenue demand of landholders of Kulu will be liable to increase.

TAKING OF 'BEGAR' FROM GOLDSMITHS IN KULU SUB-DIVISION.

2319. Mr. Moti Lal, Kaistha : Is it a fact that goldsmiths were exempted from *begar* from time immemorial and *legar* is being taken from them since 1921 in Kulu Sub-Division?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

'BEGAR' AT SEVERAL STAGES IN THE THREE PRINCIPAL ROUTES THROUGH KULU.

2320. Mr. Moti Lal, Kaistha : Is the Government aware that three principal routes run through Kulu—

(1) to Simla,

(2) to Lahul,

(3) to Mandi via Dulchi Pass ;

and that *begaris* are pressed into forced labour at all the stages on these several routes, notwithstanding the fact that contractors to supply coolies, grass and fuel have been appointed at all the stages ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The answer to the first part of the question is—Yes.

Contractors have not been appointed for the supply of labour. Rules are now under consideration for the regularization of the system of supplies in Kulu.

TAKING OF FORCED LABOUR BY DISTRICT OFFICERS AND FOREST OFFICERS OF KULU FOREST EXPLOITATION SCHEME.

2321. Mr. Moti Lal, Kaistha : Will the Government be pleased to state, if the touring District Officers and Forest Officers working in connection with the Kulu Forest Exploitation Scheme take forced labour from the villagers, and, if so, has the Government authorised them to do so ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Labour on full payment may be taken by Government officers on tour in Kulu in accordance with rules, which are at present under revision.

GIVING OF TREES TO RIGHT-HOLDERS IN KULU AT PRIVILEGED RATES.

2322. Mr. Moti Lal, Kaistha : (a) Is the Government aware that the right-holders in Kulu Sub-Division are not given trees at privileged rates at proper times whereas some non-right-holders are being given trees, though not entitled to them ?

(b) Will the Government state how many non-right-holders were given trees, and what is the number of the trees given in 1921-22 ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : (a) Government is not aware of any undue delay in granting trees to right-holders in the Kulu Sub-Division. Trees are ordinarily marked and made over to right-holders within three months of the annual timber distribution to right-holders.

Trees are given to non-right-holders at rates laid down by Government in 1914 and under the orders of the Deputy Conservator of Forests, Kulu, in each case.

(b) This information is being collected.

GRAZING FEES.

2323. Mr. Moti Lal, Kaistha : Is it a fact that persons grazing sheep and goats are required to pay grazing fees twice (once in Kulu and once in Lahul), and will the Government be pleased to charge these fees only once, i.e., either in Kulu or in Lahul ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ISSUES OF GUN LICENSES TO THE ZAMINDARS IN KULU SUB-DIVISION.

2324. Mr. Moti Lal, Kaistha : Is the Government aware that the cultivated lands are surrounded often by thick forests in Kulu Sub-Division

where wild animals abound? If so, will the Government be pleased to issue gun licenses freely to the zamindars for protection both of their persons and crops?

Mr. D. J. Boyd : Government is aware that cultivated lands in Kulu Sub-Division are often surrounded by thick forests where animals of various sorts are fairly numerous. The Arms Act does not apply in Lahaul and Spiti, which form a large part of the area of the Sub-Division. In the remainder in addition to a large number of licenses for sport and crop protection, many temporary licenses are also given for the period during which crops are liable to be damaged by certain animals such as bears. It is the custom to issue these licenses very freely. Owing to religious prejudices there is no attempt made to kill Nilgais, so that though these animals can be scared by firearms, they are not reduced in numbers.

EDUCATION FACILITY TO THE KULU PEOPLE.

2325. Mr. Moti Lal, Kaistha : Is it a fact that there is only one Anglo-vernacular Middle School in Kulu Sub-Division? If so, will the Government kindly consider the question of opening an Anglo-vernacular High School at Kulu and Anglo-vernacular Middle School at Banjar Tahsil to afford education facility to the Kulu people?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) Yes.

(b) The suggestion will be duly considered; but in the present financial stringency fresh expenditure is very difficult.

BUYING OF GRASS BY CERTAIN OFFICIALS OF KULU TAHSIL BY WAY OF 'BEGAR.'

2326. Mr. Moti Lal, Kaistha : Is it a fact that certain officials of Kulu Tahsil buy grass at less than market rates through Lambardars by way of *begar*? If so, will the Government please put an end to this practice?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SUPPLY OF GOODS TO FOREST OFFICERS AT THE FOREST BUNGALOWS.

2327. Mr. Moti Lal, Kaistha : Is it a fact that shop-keepers in Kulu at stages are made to supply goods to touring Forest Officers at the Forest Bungalows which are situated several miles off from the *paros*?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PURCHASE OF CHARCOAL AND OAK FUEL BY THE JAMADAR OF KULU.

2328. Mr. Moti Lal, Kaistha : Is it a fact that the Jamadar of Kulu Tahsil buys charcoal and oak fuel through Lambardars at much less than the fixed Government rates?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

MOTION *RE* EXPRESSION OF CONDOLENCE ON THE DEATH OF RAI BAHADUR RISALDAR SARUP SINGH.

The Honourable Sir John Maynard (Finance Member): Sir, it is with deep regret that we received yesterday the sad news of the death of one of our members Rai Bahadur Risaldar Sarup Singh. I feel sure that this House would like to place on record the expression of its condolence with the surviving members of the family. I therefore move—

"That this House do place on record an expression of condolence with the survivors of the family of the late Rai Bahadur Risaldar Sarup Singh."

Mr. President: The motion before the House is—

"That this House do place on record an expression of condolence with the survivors of the family of the late Rai Bahadur Risaldar Sarup Singh."

The question is that that motion be adopted.

The motion was carried unanimously.

Mr. President: The expression will be duly conveyed to the family.

RESOLUTION.

RESOLUTION *RE* RELEASE OF GURDWARA PRISONERS.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur (Sikh) (Rural)]: (Urdu) Sir, I beg to move—

"That this Council recommends to the Government that all persons arrested in connection with *Guru-ka-Baght* affair, the *Kirpan* cases and *Gurdwara* movement be immediately released."

Sir, in doing so, I do not forget the fate of a similar resolution moved some time ago, in this very Council, by my honourable friend Sardar Dasandha Singh. But being heartened by the honest belief that nothing should deter one from righteousness, I come forward to try once more to put an end to the unfortunate situation in which we all find ourselves to-day. I honestly want it to be made clear at the very outset, that I have got, in bringing forward this resolution before the House, nothing but the purest motives for the end in view. I want to extricate the Government like Sir Ganga Ram from a difficult and an unenviable position, in which it has unconsciously placed itself to-day. Therefore I hope and trust that it will very kindly pay heed to what I submit now.

Sir, there is no doubt that many causes have brought about the present situation. In order to appreciate the real situation it is necessary to refer briefly to the history of the *Gurdwara* reforms. The Sikhs had for a long time been feeling disgusted with the disgraceful management of *Gurdwaras* by the *Mahants* some of whom were exceedingly licentious and profligate. In respect of certain *Gurdwaras* the community also sought the help of Civil Courts and I remember that in a suit for possession of a *Gurdwara* at Sialkot we had to fight for 16 years continuously and yet the object was not gained. In a similar case at Wazirabad the *Mahant's* possession of the jagir of the *Gurdwara* was not disturbed in spite of the fact that he was described by a Magistrate in his judgment as most dissolute and immoral. Sir, it was simply shocking that the help of Civil Courts was, so to say, denied to the Sikhs who were burning with religious zeal to effect a tangible reform in the *Gurdwaras* and to put an end to corruption.

Sir, this was the chief cause which gave rise to the *Akalis* movement and thus the struggle for the reforms of *Gurdwaras* entered upon a new stage. The *Akalis* themselves thereafter began to take possession of their *Gurdwaras*, and they peacefully carried out their intentions at Amritsar, Hassan Abdal and other places. The Government had so far no misgivings about the movement and it must be gratefully acknowledged here, that at this stage it sympathised with the aims and objects of the movement. Since it genuinely believed in the religious nature of the movement, it maintained a strict neutrality. Unfortunately, Sir, the Nankana tragedy happened which changed the Government's angle of vision about the movement. I am free to thankfully acknowledge here the wise and tactful handling of the situation at Nankana by Mr. King and other Government officials. The events following these happenings created some suspicions about the movement in the official mind. Some wicked people who had access to the official ear pictured the *Akalis* as dark as they could. They were described as enemies of law and order and it was stated that the movement was most seditious and hostile to the Government. In short it was impressed upon the Government, that defiance of its authority is one of the aims of the *Akalis*. Thereafter the attitude of the Government changed with the result that arrests were made and convictions secured. Sir, the Sikhs witnessed the Nankana tragedy with agony and pain and were surprised at the unsympathetic attitude of the Government. The work of the movement went on and the *Akalis* demanded the handing over of the management of *Darbar Sahib*, Amritsar, to them. Sardar Sundar Singh, Ramgharia, was then the President of the Managing Committee. The matter was referred to the Court and the *Akalis* were made defendants. The District Judge of Amritsar gave his judgment in favour of the *Akalis* and the keys were handed over to the *Gurdwara Parbandhak* Committee. The Government also released the prisoners who were convicted in connection with the keys affairs. Sir, when all this happened, every well-wisher of peace and order heartily desired to see the former harmony and good will restored between the Sikhs and Government. But unfortunately nothing tangible was then offered to ease the situation. Some half-hearted attempts were made and quite unacceptable Bills were introduced in the Council to secure the reform of the *Gurdwaras*. Not only the Sikh members of the Council and the Sikh community regarded them as unacceptable, but even the moderates thought them to be quite unsatisfactory. After that, Mr. Wilson-Johnston opened negotiations in January 1922, in order to affect a compromise with the help of the Sikh members of the Council. The negotiations went on for two or three months. The *Akalis* during this period did not take possession of any *Gurdwaras* and in one case they actually restored a *Gurdwara* to the *Mahant*, lest it might interfere with the pending negotiations of Mr. Wilson-Johnston. I am grieved to mention that no fruitful result came out of his negotiations. What happened next, Sir, is known to every member of this House. A policy of repression was inaugurated by the Government. Whole-sale arrests again began to be made in March 1922, and thus all hopes of peaceful and amicable settlement fell to the ground. This created a serious misunderstanding and the *Akalis* began to think that Government perhaps wanted to kill the movement for good. This further disappointed the people and the *Gurdwara* Committee thereupon took the matter in its own hands and began to push on the work of reform.

Then, Sir, followed in August last, the Guru-ka-Bagh affair. The *Mahant* had a year ago surrendered everything to the *Gurdwara* Committee.

[S. Randhir Singh].

and a compromise had been effected between him and the *Gurdwara Prabandhak* Committee by which the former had formally gone through the *Amrit* ceremony and had legally married his concubine. No bone of contention had been left between him and the said Committee.

The *Akalis* also had been allowed to cut wood from the Bagh and the *Mahant* took no exception to it. Then *Baba* Kehr Singh sought the Deputy Commissioner's help in the matter. He had come with the definite aim of effecting a settlement, but unfortunately on his visit to Amritsar, his hope of a settlement was lost. The *Mahant* was indirectly induced to refuse to accept any arbitration and fight for his claims. He was also given to understand that *Baba* Kehr Singh would perhaps be arrested there. I wonder how the Government officials were made to believe in the legality of *Mahant's* claims. I still maintain that it was due to some misunderstanding, and I would they had carefully studied the revenue papers. Then happened, Sir, what is known to everybody in or outside the Council. Sir, I honestly believe that all this was the result of misunderstanding. Had the Government seen the revenue documents about the lands connected with *Guru-ka-Bagh*, it would have realized that the lands were not the personal property of the *Mahant* and the tragedy at *Guru-ka-Bagh* would not have happened. It is a pity, that nobody at that time cared to find out the truth and the Government openly wanted to crush the movement. Sir, I do not like to narrate here in the Council, the soul-stirring and blood-curdelling incidents which happened there. It will not, I know, be a pleasant story to hear or to narrate. It is sufficient for my purpose to state here, that thousands of *Akalis* were beaten, arrested and ultimately sent to jails.

Sir, this is a brief statement of the facts of this extremely unfortunate state of affairs. Now I want the Government, after it has understood the movement in its true colours, to make amends for the past wrongs and release all the *Akali* prisoners in jails. These religious-minded people who love their religion better than anything else are not like ordinary criminals. They are not in jails for any crimes involving moral turpitude. They have not earned the sentences through any hostility to the Government. They are not guilty of plunder or arson. Their only fault is that they loved their religion better than their own lives. They have always been loyal to the Government and still want to remain faithful, if it cares for them. Sir, I want to make it clear at this time that the Government need not fear anything from them. To say that they will again try to push on the work of *Gurdwara* reform is quite true. This is religion for them as it is for every other Sikh. Even if they are not released now, the work must go on. It cannot stop owing to the incarceration of some individuals. The Government knows that when, after the visit of *Raja Narendra Nath* and other members of the Council to the *Attok Fort Jail*, it released some prisoners of certain age, nothing untoward came to pass. Then why be afraid of releasing all of them.

Sir, before I sit down I most earnestly and solemnly make an appeal to the Government not to miss this opportunity. It can earn the gratitude of the whole Sikh community by accepting my resolution. The moments are precious and the situation serious without doubt. It is in its power to save the situation and restore the feeling of good will, trust and harmony between the Sikhs and itself. I sincerely trust and hope that it will very kindly accept the resolution. Sir, I would like in the end to appeal to the

House for its support to my resolution and I am sure that it will not treat my request lightly.

Mr. President : The resolution proposed runs thus—

"That this Council recommends to the Government that all persons arrested in connection with Guru-ka-Bagh affair, the *Kirpan* cases and *Gurdwara* movement be immediately released."

The question is that that resolution be adopted.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, I heartily support this resolution, and I support it with a full sense of responsibility after having considered the situation. I fully realise that it is the duty of the Government to maintain law and order. I also admit that it is the duty of every citizen to help the Government in the maintenance of public peace. But at the same time I think it is the duty of every right-minded Indian and Englishman to bring about a better understanding and feeling between the Government and the people of this country. I honestly believe that the Government has not acted with tact, foresight, judgment and wisdom with regard to the Guru-ka-Bagh affair.

Sir, the hard facts of the situation are these. The revenue entries show that some 25 acres of land are entered in the name of the *Gurdwaras* and *Mahant* Sundar Das was shown as the Manager. These grants which are nearly 200 years old, were subsequently confirmed by Maharajas Ranjit Singh, Sher Singh and Dalip Singh. In the year 1856 the *sanads* by which these grants were given were endorsed by Sir John Lawrence, who was the first Chief Commissioner of the Punjab. The *Mahant* knew full well that the Sikh community was carrying on the *Gurdwara* movement with great zeal. He knew full well that it was futile on his part to resist the reformers. Indeed the reforms are very much needed. Hence in January 1921 the *Gurdwaras* to which these lands were attached were handed over by the *Mahant* to the Sikh community, and in February of the same year he along with one of his mistresses took *amrit*, the Sikh baptism, adopted the name of Joginder Singh and agreed to work under a local committee, subordinate to the *Parbandhak* Committee. Apparently no compulsion or pressure was exercised on him. Everything was done quite openly and smoothly and the Deputy Commissioner of Amritsar was duly informed of the settlement. Then, unfortunately came the *Nankana* tragedy. The *Mahant* was upset. He went back on his words and refused to work under the local committee. The *Parbandhak* Central Committee took charge of the religious institution, the *Mahant* was removed from his post and another man was placed in his place. The *Mahant* raised no objection whatever in the first instance. This state of things went on for a few months. The Sikhs were cutting woods from the Kikar grove. The *Mahant* then complained to the police authorities and wanted their protection. The police authorities enquired into the matter and came to the conclusion that the *Mahant* had already arrived at a settlement with the Sikh community and refused to interfere. A few policemen were left on the spot to look after the *Akalis* and to protect them against the *Mahant*. For a full year, mark, Sir, for a full year—from August 1921 to August 1922—the *Akalis* were cutting woods from the Kikar groves and no objection was raised by the *Mahant*. The *Mahant* absolutely kept quiet. On the 9th August 1922, five men were arrested and sent up for trial, not on the complaint of the *Mahant*, but under the orders of the Deputy Commissioner of Amritsar.

[M. Muhammad Shah Nawaz.]

on the report of one zaildar named Brij Lal Singh. These men were convicted and sentenced to six months' rigorous imprisonment. The feelings of the *Akalis* were roused. Then began merciless beating. The *Akalis* bore *lathi* blows with great fortitude and without uttering a single cry of agony or anger. They showed a wonderful spirit of self-possession and self-restraint. The people of this country admired their fortitude and courage. The Government learned wisdom from experience and stopped beating. Eventually Sir Ganga Ram came to the help of the Government and extricated it from a very difficult and awkward situation. I submit, Sir, these are the hard facts of the case and cannot be denied. It is therefore clear that the lands belong to the religious institutions, and that the *Mahant* was only its Manager.

It is said that the *Mahant* claims personal title to the property. It is surprising that Government did not order him to go to Civil Court. The *Mahant* should have been removed. I am supported in this contention by a recent ruling of the Privy Council. I have not brought the ruling, but it is published in Calcutta Weekly Notes. It is laid down therein that if a *Mahant* advances a personal title to endowed property, he ought to be removed at once from his office. The Government should not have disturbed the possession of *Akalis*. Sir, if this Council accepts my view of facts and law, then I submit that all convictions in connection with the Guru-ka-bagh affairs are illegal and unjustifiable and all such prisoners should be released forthwith. Sir, after all the *Gurdwara* movement is a religious movement. Seditious activities no doubt are not desirable. But it is the duty of the Government—a Christian Government—not to interfere in the religious affairs of the people. At least religious toleration ought to have been shown. The Sikhs should have been left to manage their own affairs. There is not the least doubt that the *Mahants* are not managing the *Gurdwaras* with a sense of propriety. That they misbehave goes without saying. Recently I came across a case in which the District Judge of Gujrauwala said that a certain *Mahant*, I don't know his name, was guilty of misconduct, that he was a debauchee and profligate. He has dismissed the suit of the *Akalis* simply on the ground that the plaint was not regular; but at the same time he has advised the Government—I suppose the papers are now before the Government—to hand over the jagir attached to that particular institution to the Sikh Community. I do not know, Sir, what action has been taken by Government. I honestly believe that the Government should not alienate the sympathy of the Sikh community. The Sikhs did very well in the recent Great War. It is more than regrettable that the Government should be on the parting way with the Sikh community. The Sikhs are good agriculturists and firm soldiers. I always admire a good agriculturist and a brave man. I therefore support this resolution most heartily.

Mr. K. L. Rallia Ram (Representative of Indian Christians): Sir, I also rise to lend my heartiest support to the resolution which has been moved and seconded this afternoon. As has been admitted by the speaker who has just preceded me, the question has got more than one aspect and taking a dispassionate view of the whole thing I also agree with him that the Government had to face a very difficult and painful situation. The chief function of the Government no doubt is to preserve law and order and to punish those who defy the law laid down by the State for the welfare of the people. But I dare say, Sir, that the Government failed to grasp the true significance of the movement which had taken hold of the people. In order to accurately grasp

the true meaning of the movement, I might be permitted to draw an analogy from English History. We all know that the sixteenth century in England witnessed a great upheaval of thought and change which was due to the advent of new learning and desire for the reform of religion. Similarly, this has been a period, in my opinion, of renaissance among the Sikhs. They wanted to reform those evils which, according to them, were found to be in existence in their places of worship. Occasions do arise in the history of a nation as well as that of an individual when its or his moral sense so develops and becomes so high and keen that it or he does not care for the ordinary law of the land. I might be permitted, Sir, to draw another analogy from my own religion. We know that Our Lord found in the Temple those that were selling oxen, sheep and doves and the money changers sitting. When he had made a scourge of small cords he turned them all out of the Temple, the sheep and the oxen, and he poured out the changers' money and overthrew the tables and said to them that had doves: "Take these things hence. Make not my Father's House a house of merchandises."

Akin to these were the feelings with which the Sikhs were permeated. They wanted to purge those evils which, according to their belief were found in places of worship. They were moved by a very lofty desire. Of course from the point of view of the Government they were ordinary criminals who wanted to defy the law. They had made up their mind to affect those reforms and every one, even the poorest of the poor and the humblest of the humble, was of the same way of thinking. It had a great purifying influence on their character. In those days, Sir, I might be permitted to add, I met in the ante-room of the Council Chamber a hoary looking gentleman with a martial look about him. I was introduced to him by some of my comrades here and I was told that that man had distinguished himself in more than one war and that on such and such a day he was going to lead a *jatha*. When he left the room, my friend asked me if I knew the man. I said I did not know him. My friend then gave me his history and said that he was a very great man. He used to be a great drunkard once, but after this movement there had occurred in him a wonderful change. He had given up all his evil habits and, now a transformed man, he was going to lead a *jatha* which he considered a great honour. Such was the experience of many who saw those *jathas*, sacrificing the best and the highest and all that they had at the altar of religion. They were all greatly impressed. Their fate was enviable. I have no hesitation in saying that had I been an *Akalt*, I would have done the same thing for my own religion.

Now, Sir, I give two reasons, which should lead the Government to release them. I am not a lawyer and it might be considered a little presumptuous on my part to meddle with the intricacies of the law, but I want to ask from the point of view of commonsense whether those people were really in the eyes of the Government going to take another man's property. It was a national movement. Nobody was going to do it for his own sake. It had permeated them all. Even those people who differed from them at the beginning, also came round and held the same view. Some of the members of this Council who had different ideas altogether in the beginning, even they gave in, because, after all righteousness has a great force behind it and nobody in this world can resist any moral force. They were not criminals. What is the quality of those who have gone to jail and who have been incarcerated. Someone might say they were riff-raffs or ordinary people. There might be some. I do not know. But the best of them, even those

[Mr. K. L. Rallia Ram,]

who have been very loyal to the Government, those who held titles, those who were landlords and lived a life of ease and comfort and who had servants, all these people have gone to jail for the sake of religion, and to-day in the jails they are bearing the hardships willingly, for the sake of religion, and their example is noteworthy and exemplary. That is a thing, Sir, which perhaps the Westerner cannot easily appreciate—the religious instinct of the Easterner.

Then, Sir, as it has been said by my friend, the Government should always bear in mind their past services. The Indian Army has had a splendid record and it is mostly due to the bravery and valour of our Sikh friends. Then, Sir, there is no nation who after having been conquered has been so friendly and willing to serve the conquerors as have been the Sikhs. They have always been loyal. They have always been faithful and straightforward. They have those qualities which only brave people can have and the Government should appreciate that valour, that bravery and that fortitude. That, Sir, is the character which they have manifested.

I am sure and I know that nobody has been more pained than the Government itself, and if the Government now wants to make amends to these people for the mistakes which were committed and the punishments inflicted upon these people perhaps unintentionally, I think Government should be the first now to acknowledge them and one of the ways is to release them unconditionally. They are not criminals, they are not felons, and they cannot be treated as such. And then, Sir, Government should re-establish the past good relations which have existed between the Government and the Sikhs. It is not only that the Sikhs have the feeling of estrangement, but I think everyone in the Punjab and elsewhere has been very indignant at the treatment which was meted out to them by the police at Gurn-ka-Bagh. Everyone, even, I think, the true Englishman, will sympathise with these people.

Then, Sir, it is the foremost duty of the Government to show leniency and clemency after it has achieved its object and I cannot do better than quote from the greatest English poet :

" But mercy is above this sceptred sway,
It is enthroned in the hearts of kings :
It is an attribute of God himself ;
And earthly power doth then show likest God's,
When mercy tempers justice."

Diwan Bahadur Raja Narendra Nath : [Punjab Landholders (General)] (Urdu) : Sir, I rise to lend my heartiest support to the resolution moved by my honourable friend Sardar Randhir Singh. In the opening remarks of his speech, he referred to the fate of a similar resolution, which was moved by my honourable friend Sardar Dasaundha Singh. I want to assure him of the sympathy of the House with his resolution and at the same time give expression to my belief that his resolution will meet with better results. The circumstances at the time when my friend Sardar Dasaundha Singh moved his resolution were quite different from those which exist to-day. Sir, the honourable mover of the resolution has referred to three different classes of prisoners whose release his resolution aims at. First come the Gurn-ka-Bagh prisoners, then *kirpan* prisoners and lastly, all those who have been convicted in connection with the *Gurdwara* movement. When I think of

all these prisoners of different classes, I notice two important points. First come the question of the soundness of the policy underlying their arrests, and then the legal side of the question. This is still unsolved so far as the arrests made at Guru ka-Bagh are concerned. The Kirpan prisoners have their own history. Some of them have been convicted for possessing *kirpans* of prohibited size and some for manufacturing them. The Sessions Judge, Ambala, declared such arrests to be illegal, but the High Court differed from his view. This at least shows that even such responsible courts do not hold one and the same view about the matter. Moreover, I want to draw the attention of the House to one common element of religious zeal in the offences of all these prisoners. I have seen them at Amritsar and in the Attock Jail. I have on both these occasions been highly impressed by the religiousness of these people. Though my stay at Guru ka-Bagh was very short, still I cannot forget the calm resignation and wonderful fortitude displayed by these people. They offered themselves for arrests singing *Shabads* without the slightest resistance. Even in the Attock Jail I witnessed them reciting holy *Shabads* day and night. Their answers to all of my questions were tinged with a feeling of religious zeal. The strongest plea in my opinion which can be put forward for their release is the absolute futility of incarceration upon these prisoners. If they are still determined to continue their religious work after the expiry of their period of imprisonment I do not think that a little more detention will make them abstain from it. The real aim of punishment is not any vindictiveness but mere reformation of the convicted persons.

Then, will it not be better for the Government to show by the release of these prisoners that its actions are quite free from any feeling of vindictiveness and that it is ready to temper justice with mercy when occasion arises. Sir, I have another aim in view too, when I press for the acceptance of the resolution. Some of us have been thinking of drafting a Bill for the Gurdwara reform which may be acceptable to all the parties concerned. But so far some of the Sikhs have refused to join with us for the reason that they cannot do so until their leaders have come out from jail. It is hoped that after the release of their prisoners this party too will join us in our effort to prepare such a Bill, which may satisfy all parties. And moreover, Sir, we cannot relegate the *Akalis* prisoners to the class of political prisoners, since the activities of the former have been entirely directed towards a religious reform. At the same time the latter are far more numerous than the former. And their release is not going, I am sure, to endanger the public tranquillity. Government should also foresee that a policy of tempering justice with mercy will decidedly advance its interests and help in removing all those differences and misunderstandings which of late have been existing between such a loyal class and Government. As I speak on this resolution, Sir, the release of all political prisoners by His Excellency the Governor of the United Provinces comes to my mind. Nobody can forget the feeling of gratitude with which the news was received in the country. We were so very impressed by his inauguration of this policy that some of the members here were contemplating moving a resolution for the same purpose in this Council too. I do not know whether such a thing will come to pass or not, but, however, I cannot deny the fact that the ideal is still there. Then, Sir, I do not know how we can withhold our support from the resolution, when we have got such ideas about the other political prisoners. With these words, Sir, I heartily support the resolution

[D. B. Raja Narendra Nath.]

before the House and earnestly hope that Government will very kindly accept it.

Mr. President: I think there has been a sufficient amount of general discussion on the resolution. We shall now proceed to the discussion of the amendment.

Mr. H. D. Craik (Chief Secretary): I beg to move, Sir—

"That after the word 'released' the words 'on their undertaking to abstain in future from offences similar to those for which they were convicted' be added."

In moving this amendment I hope I shall not have to make a lengthy speech and that the House will not require many words from me to commend this amendment for its acceptance. It seems to me to be so evidently reasonable that I do not anticipate that any member who gives the question his careful and unprejudiced consideration will be prepared to object to the condition embodied in the amendment. It is not, I think, very much to ask this Council to advise Government that they should exact from these men who have been convicted of breaking the law a promise that if they are treated with clemency they will in future obey the law. The very fact that I am moving this amendment shows that Government has no desire to be vindictive in this matter. The exact contrary is in fact the case. Government would be only too glad to be able to release these thousands of prisoners at the earliest possible opportunity (Hear, hear). We recognise that a great many of these men have been misguided, I do not say misguided as to their motives, but misguided in their actions. Apart from that, we will be glad to be relieved of the financial burden of maintaining these thousands of prisoners in jail. Apart from that, we should be doubly glad if we could save the community from the economic loss which is caused by the incarceration of so many men. On all these grounds the Government would be glad to release these prisoners at the earliest possible opportunity.

But, Sir, I venture to ask the Council to consider carefully whether Government would be justified in taking the risk of granting a general unconditional amnesty and to consider what has been our experience in the past in that respect. There are two lines of arguments that may be advanced against making this condition. The first is the one which has been advanced already in this debate and which I was surprised to hear from a lawyer of eminence, Mian Muhammad Shah Nawaz. He said that these men had not broken the law. As a matter of fact these men have been convicted, in some cases by the highest court of the Province, of having broken the law. I think every member with any knowledge of constitutional law will support me in saying that it is not open for this Council, a legislative and deliberative body, to go behind the decisions of courts. We are not a court of appeal and we must, if we wish to preserve respect for the courts, accept their verdicts. In many cases the decisions of the courts convicting these men were open to appeal, in some cases appeals were made, in some they were successful but in most cases they were not. In a great majority of cases no appeals were made. Whose fault was that? Was it the fault of the Government? Certainly not. It was the fault of the men who were convicted and who refused to appeal.

Another line of argument that may be advanced against my amendment is that it is only by a general and unconditional amnesty that good relations can be restored between the Sikh community and the Government. I wish I

could accept that. But I confess I am rather sceptical about it. No one would welcome more than the Government, and if I may introduce a personal note, no one would welcome more than myself, most of whose service has been spent in Sikh districts, the restoration of those friendly feelings which for seventy or eighty years have characterised the relations between the Government and the Sikhs. But I am afraid that my experience of amnesties of this nature has not been that good relations have been resuscitated by an act of this kind. We must judge by past experience and my experience is that people who are released after conviction do not so easily as we are asked to suppose lose their bitterness of feeling. They consider, rightly or wrongly, that they have been unjustly treated. That is not a feeling that is easily forgotten. They regard their release as a mere act of restitution and not as an act of clemency.

I will ask the House to remember that there is another side to this question. The rights of individuals and corporations have suffered by the acts of these men. Those people I say, Sir, will regard the clemency of Government not as an act of indemnity but as an act of weakness and as an incitement to further disobedience to law. That is an important point which I would ask the House to consider carefully.

I would also ask the Council to consider what the sequel of this resolution would be. We are asked to release without any conditions or stipulations men whose offences have been judicially proved against them. What are we to do if those offences are repeated, not necessarily by those men who are released, but by others of the same way of thinking? Does it not follow that we should in future bind ourselves not to prevent the commission of such offences, that we should stand with folded hands and watch the law being deliberately disobeyed? Is that not, Sir, I ask the House, the logical outcome of this resolution? In short, we would be giving a free hand to those persons who assert that because they think that a certain course of action is dictated by their religion, therefore they are entitled to flout the law and assert their rights by force. Does the House seriously ask the Government to adopt that position? Does it not consider that its adoption would lead to grave dangers to the whole body politic?

Force is added to the argument of mine by the fact that at this very moment there is, I would not say danger, but a distinct chance that force may again be used. At this moment, Sir, there are certain shrines in the Ferozapore District where a large number of Akalis are gathered together. They assert that they are entitled as representatives of the Sikh community to take the management of certain shrines. They may be correct or may not be correct; but the persons who have been for generations and who are still in possession of the shrines do not admit the claim. There is a grave danger that if Government stands aside and does not interfere, as in fact this resolution asks it to do, we may have another Nankana tragedy. That is an attitude which the Government can never take. We should be failing in our duty if we were content to take that position. That is a policy that must lead to bloodshed, possibly bloodshed on both sides. In the particular instance I have cited the chances of bloodshed is greater than perhaps any case that has occurred since the Nankana tragedy.

I am aware, Sir, that the leaders of this movement have preached consistently the doctrine of non-violence and I give them every credit for it. I believe that they genuinely mean it and I believe that they

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have done their best by precept and example and by propaganda to instil that doctrine into their followers. But, Sir, there is a very large number of their followers who are not in perfect control. During the Guru-ka-Bagh affair when daily Diwans were held at the Darbar Sahib at Amritsar, speaker after speaker had to be called to order by the Chairmen of the Diwans, that is by the representatives of the Parbandhak Committee who presided at those Diwans, on the ground that they were not speaking on religious subjects, that they were touching on political matters; that their speeches were abusive, and so on. Instances of that kind I can quote by the dozen, and though I admit there may have been some excuse for excitement at that time, I am sorry to say that even recently when there has been no such excitement within the last few weeks, that habit of wild speaking, of what I may call 'incitement to violence' on the part of speakers at these Sikh meetings has not stopped. I can quote to the House passages from speeches delivered during the last few weeks which would I think horrify the House. I will content myself with one or two brief quotations, but I should like the House to appreciate my point, which is this, that however lofty the motives of the leaders of this movement, and I do not for a moment deny that they are the loftiest motives, they are not shared in all cases by their followers and that there is a minority, I dare say a small minority, which is definitely preaching revolution and violence and bloodshed.

There was a speech delivered at Rawalpindi only a few weeks ago. A woman orator urged the people to paralyse the Government and turn the British out of India. She appealed for men to come forward and put an end to the British rule. Is that religion? Is there any religion at the bottom of that? I think not. Then at a speech in the Attock District just two months ago the speaker said this. He said that "the bellies of Europeans should be pierced with swords and their blood should be shed." This alone will satisfy the House.

Now, Sir, these quotations are perhaps from the words of speakers of little weight and little influence, but they do illustrate my contention that there is a side of this movement which is definitely dangerous and which the Government cannot afford to ignore. If we take the advice of the mover of this resolution to release these prisoners unconditionally it may be that it would lead to no revival of violence. I hope that may be so, but the risk is a very great risk and in my opinion a very terrible responsibility would rest on any Government that took that risk at the present moment.

I think it was the last speaker, Raja Narendra Nath who told us that he hoped if Government accepted the resolution, in a very short time they will be able to come to an agreement as to legislation on this question which would satisfy all parties. . . .

Diwan Bahadur Raja Narendra Nath: I said something to that effect. I said that if this was done we could approach it with better chances of success.

Mr. H. D. Craik (continued): I hope the honourable member is right and that there is hope of such a solution, but the chances of finding such a solution have been open to the honourable member and his friends for many months past. I think it was the honourable minister who made the offer when the *Gurdwara* Bill was being discussed in the Council last November. I forget his exact words, but he said that if the Sikhs and the Mahants were prepared to bring forward legislation on which there was general agreement,

Government would be prepared to repeal its own Act and to give every facility for such a Bill. That, Sir, was four or five months ago, but what has been done during all this time to bring about reconciliation? I understand negotiations did take place, but they have failed. . . .

Diwan Bahadur Raja Narendra Nath: The negotiations have failed because of the incarceration of these men. These men

Mr. President: You must not interrupt by a speech.

Mr. H. D. Craik (continued): During these four or five months what have Honourable members done to come to a satisfactory settlement? I cannot accept the plea that the incarceration was responsible for no agreement. I cannot see that the fact that these men have been incarcerated should have proved any obstacle to the solution such as the honourable member has foreshadowed in his speech. As I say I hope it may be successful. Government has all along taken up the attitude that it would welcome any solution of this question by legislation that would be acceptable to both sides, but I do not see how the acceptance by the Government of this resolution would really help matters. Sir, I hope that in giving their verdict on my amendment all members of this House will consider carefully what their votes will mean, and that each member will vote according to his own convictions and will not allow himself to be swayed by extraneous considerations.

Finally, Sir, I make an appeal to this House based on certain wider considerations. The responsibility of accepting or rejecting the advice of this House at present rests with those who sit on these benches, but the time is not far distant when the members of this House who to-day offer us advice may themselves have to make these momentous and far-reaching decisions. Let them think carefully before they offer Government in the form of advice anything that would add to the many and serious difficulties with which the Government is at this moment confronted. Let them remember for example the extreme communal tension now prevalent in the Punjab, a tension more bitter, I think, than at any time within the recollection of any member of this House. The question of the release of Sikh prisoners is not the only grave problem with which Government has to deal, and I ask the House not to recommend to Government anything that would increase its difficulties, that would lessen the respect for courts and the respect for law on which all civilised governments rest: and lastly, not to do anything which may increase the difficulties of those who a few years hence may be called upon to take our places.

Mr. President: The resolution originally proposed to the Council runs as follows:—

"That this Council recommends to the Government that all persons arrested in connection with Gurm-ka-Bagh affair, the *kirpan* cases and Gurdwara movement be immediately released."

To that an amendment has been moved:—

"That after the word 'released' the words 'on their undertaking to abstain in future from offences similar to those for which they were convicted' be added."

The question is that that amendment be made.

Mr. Ganpat Rai: [Lahore and Ferozepore—*ex-om*—Sheikhupura (Non-Muhammadan) Rural] (Urdu): Sir, the honourable members of this House will remember that about two years ago when we were discussing here the Sikh situation I had raised my voice, with

[Mr. Ganpat Rai.]

all the emphasis at my command, against the activities of the Sikhs. I had then submitted that they should not transgress the limits of law, otherwise they would involve themselves in serious trouble.

Sir, these remarks of mine were due to my superficial knowledge of the Sikh movement and I had not studied it very minutely. Ever since then I have been closely watching them and now I have to admit before this House that I was in the wrong, the Gurdwara movement is decidedly a religious activity on the part of the Sikh community. The House need not laugh at me.... I would appeal to the House that the *Akalis* prisoners were all innocent and should be released forthwith.....

Mr. President: From the introductory remarks I gather that you are speaking to the resolution. The question before the House is a simple one whether the extra words referred to in the amendment should be added or not. You should not discuss the question whether release should be made, but the question whether the release should be conditional or not.

Mr. Ganpat Rai: I was making these remarks because at the end the Chief Secretary appealed to us to vote according to our honest convictions, and not on any considerations. I therefore explained my position. I have the same view which he has put before the House.

Mr. President: The mover of the amendment was quite in order in referring to the original resolution. But you are not. You should speak to the amendment.

Mr. Ganpat Rai (continued): Sir, the mover of the amendment has advanced many reasons in its support. He has said that his amendment was reasonable and therefore unconditional release should not be advocated. I beg to disagree with him, because if we wished to bring about peace in the Province, this is not the way to it. Rather, the amendment would mean that the Government does not desire peace. In this way bitterness cannot be removed. The Sikh prisoners are bound to think that a demand for undertakings not to break the law meant that they are considered untrustworthy. They will refuse to make any promise.

The second reason, Sir, which has been advanced is that these people have broken the law. To this, I as a member of the legal profession must answer that so long as legal decisions are not set aside or superseded by opposing decisions, they should command our respect but they cannot sometimes convince our moral sense. There is, Sir, plenty of legal literature which will bear me out in the assertion I have made. The decisions under consideration are, no doubt, legally binding, but not acceptable according to the tenets of moral law. Moreover, Sir, it has been admitted that in the vast majority of cases arising out of the Sikh situation, the convicted prisoners did not put in any defence nor appealed against the decisions. Now, I ask, Sir, whose fault it was? In answer to this question, I must only say that it was owing to a general belief among these people and their friends that they cannot have justice in any court here. This belief even now exists. In such cases therefore the decisions of the courts should not be accepted as lawful. Hence the Government had better not hope to command the conscientious respect of people for these decisions. In this respect, Sir, I would go even so far as to affirm that people who were one with the Government in

matters concerning practical politics, held the same opinion. To illustrate what I have said I might mention my own experience that some of my friends and relatives who are under trial, have refused the services of some of the ablest lawyers, in their political cases, even when these services were offered free. In view of these circumstances, I would maintain that their offences did not warrant any heavy punishments and that they are entitled to be released.

Mr. President : You are still clinging to the original resolution. I have told you already that the Chief Secretary was in order in traversing the whole subject. But you are only permitted to speak on the amendment. You are perfectly entitled to introduce arguments so far as they relate to the insertion of the condition in the solution. But you must not discuss at this stage the whole question of whether release is desirable or not. That is an assumption common both to the resolution and the amendment, and is not now in issue.

Mr. Ganpat Rai (continued) : I was explaining why this undertaking should not be taken.

Sir, In some of these cases there had been no cross-examination of the witnesses for prosecution. This was also a reason why no condition should be attached to the release. It has been said that unconditional release would bring about a repetition of the same offences by the same persons and the Government would have to re-arrest them. But, Sir, I would recommend unconditional release. This would mean, in fact that the request of the Punjab Councillors had been heeded by the Government. Any how the strength of the Government and their courts would be there to cope with the situation. Unconditional release would also mean that the Government had done its part in trusting the convicted Sikhs but these latter if they began their activities again, had failed to do their part. The resolution therefore, Sir, would serve as a warning to the released Sikhs that they are liable to be re-arrested in case they prove unworthy of the trust put in them by the Government, that they have only been released to oblige the members of the Punjab Legislative Council and that they will not be again released whether conditionally or unconditionally, if they disturb the peace again. Another point, Sir, in favour of unconditional release is that these people had always remained wholly non-violent even when the Police beat them with *lathis*. One other aspect of the matter we might consider, Sir, before I conclude. It has been said that in some Diwans, there were delivered inflammatory speeches and the President had to call the speakers to order. I must say that this of itself proved the creditable attitude of the organisers and leaders. In regard to this matter, some extracts from speeches had been cited ; two of which had been delivered by ladies. We should remember that it was quite possible that the brothers or other near relatives of these ladies might have been arrested and as females are easily excited, the Government need not be disturbed by a few words uttered by members of the fair sex. I must say that the Government should not listen to what even a thousand women speak. Rather, their irresponsible utterances and abuse had better be ignored. What effect, after all, did these ladies produce ? I should say nobody took in hand a *lathi* and struck a police officer because of the speech of a mere woman.

[Mr. Ganpat Rai.]

It is possible, however, Sir, that once or twice somebody might have actively resisted the police giving rise to a case under section 353, Indian Penal Code, but did the Sikhs as a class resist the Police?

Sir, in respect of what has been said about the opportunity given by the Government to the Sikhs to propose legislation acceptable to all, and prepared in conjunction with the Udasi Hindus, I must submit that such legislation would have been proposed but the Government themselves put obstacles in its way by carrying through in this House the recent Sikh Gurdwaras and Shrines Act. I had said at the time of its passage through the House that chances for a better legislation would thus be reduced and that it was a good thing that the Government released the Sikh prisoners unconditionally but nobody listened to me. In conclusion, Sir, I feel it my duty to say that at the present moment the vast majority of Hindus entertain honest and heartfelt sympathy with the Sikhs and do not do so because of any political policy. I may say that even the Udasias do not offer any resistance to the Akalis as they did heretofore. They are growing wiser. For these reasons, Sir, I beg to oppose the amendment.

Rai Bahadur Lala Hari Chand [West Punjab Towns (non-Muhammadian) Urban] (Urdu): Sir, I beg to oppose the amendment. The honourable mover of the amendment has not adduced any valid reasons in its support. Had it been proved that keeping the Sikh prisoners in jail would be of some avail, we would have said that it should be done by all means. But as we know that such a course is likely to end in disaster, we urge the release of the prisoners. The bringing about of conditional release is impossible. No Congress, Khilafat or Akali prisoner has ever asked pardon in order to obtain his release. Hence the longer they are kept in jail the worse it would be for all parties concerned. The greatness of Kings consists in treating their enemies well. So, I would urge good treatment, and, if that failed, the Government could always adopt the other course. The Government had better release these prisoners and they would see the agitation ceasing to exist. Also if they were not released as recommended by the resolution, a day would come, after all when they would after serving their sentences, come out of jail with their hearts full of the same zeal for religious reform as ever. But, unconditional release is very likely to temper their passions. This would also mean, Sir, the strengthening of the hands of the Government. With these words I oppose the amendment.

Pandit Daulat Ram, Kalia [East and West Central Towns (Non-Muhammadian), Urban] (Urdu): Sir, I beg to support the amendment. The honourable member, Rai Bahadur Lala Hari Chand has himself confessed that the Sikh prisoners when released, would not stop their activities hence unconditional release should not be recommended. Another untoward effect which such release is bound to produce is that law-breaking will be encouraged. The people at large are bound to think that they too would be similarly released, if they committed the same offences. Again it will be rumoured that these people have not been in the wrong. The mover of the amendment has explained to the House that trainloads of Akalis with *hirpans* were gathering in Muktsar. Although there has been no riot so far, yet the danger is great. Hence if the Udasias give up the shrine it would be owing

to intimidation. Also, Sir, the Sikh prisoners if unconditionally released would believe in the virtue of their behaviour. The requiring of an undertaking from them, therefore, is desirable. Moreover, Sir, a reconciliation demands that both parties should equally heartily come forward to solve their differences. The honourable members of this House therefore, who are speaking in favour of the Sikh prisoners should also ask the latter to give some sort of an undertaking at least. The result of this, I am sure, would be good. This calls to my mind, Sir, the case of Ireland, where unconditional releases were followed by re-arrests which again ended in unconditional releases bringing in their wake further rearrests, and so on. I do not think, Sir, that the repetition here in India of the same thing would do any good. It has been said that in Behar and Orissa and in the United Provinces all political prisoners have been released, but the fact of the matter is that at least in United Provinces not all political prisoners have been released. Following the example of other places is not a sufficient reason in itself for us to release the Sikh prisoners unconditionally. The real point is that these things depend on the local conditions of each place. I, therefore, Sir, support the amendment.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] : Sir, I have very carefully heard the arguments of Mr. Craik, and have come to the conclusion that if the amendment is inserted in the original resolution it will serve no useful purpose, either from the Government point of view or from the Sikh point of view. The Sikhs will not accept the resolution and the Government will be obliged not to let them go without the undertaking which is expected if the amendment is accepted. It will only widen the gulf that is already existing between the Sikhs and the Government. I am, Sir, fortified in my conviction by the opinion expressed by Raja Narendra Nath, Rai Bahadur Lala Hari Chand and Mr. Ganpat Rai. Government wanted that the Hindus' rights should not be trampled on. These are the very men who have given their solemn undertaking that if the Akali prisoners are released, they will find a *via media* of coming to some settlement with Sikhs. By their joint efforts a new Bill will be prepared to repeal the present Gurdwara Act, which will be satisfactory to both parties. This will simplify matters and Government will be out of its difficulties, and when the present agitation will cease to exist the best course for the Government would be to release all these men. People when they are imbued with religious ideas never give any undertaking. They persist in their mistakes. The result of the resolution, if passed as amended, will be that it will remain a dead letter. The best course for Government would be to accept the resolution in its original shape, and translate it into action, and give them a fair play. After all it was only a religious movement pure and simple; but now, unfortunately, on account of some acts or omissions, both from the side of Government and from the side of public, it has assumed a political aspect. We should not allow this to go on; and become a perfect political movement. My friend, Mr. Craik, has admitted that there is only a minority—happily a minority as yet—that wants to resort to violent methods. Would my friend like that this minority to be converted into a majority. We should not allow the minority to become a majority. After all who are these people? These are the people who served the Government so well during the Great War. They were never violent either in word or in action.

I have heard the speech of my friend, Mr. Daulat Ram, Kalia, who said that it would affect the prestige of Government if it accepted the

[S. Muhammad Husain.]

resolution without the amendment; and would be a sign of weakness on the part of Government. Sir, the Government is very strong. The British Government is so strong that by releasing a few thousand Akalis, they will not be losing any prestige. They will be all the more strong.

Sir, this movement was not started to turn out the Government, but simply with the object of the religious reform of their Gurdwaras. Under these circumstances, the best course for the Government would be to accept the resolution in its original form, translate it into action, and reject the amendment, and then give fair play to Raja Narendra Nath, Mr. Ganpat Rai, Lala Hari Chand and others to bring about a settlement between the Mahants and the Akalis. Everybody thinks that if this question is settled amicably, if the efforts of our friends, the Raja Sahib and Mr. Ganpat Rai and Lala Hari Chand, are fruitful, it will be a good omen for us.

With these words, Sir, I oppose the amendment.

Sardar Randhir Singh, Kalaswala [Sialkot-enm-Gurdaspur (Sikh) (Rural)] (Urdu): Sir, I regret, I cannot accept the amendment. Its acceptance would make the condition of my resolution as that of a man whose blood had been extracted from his veins. Nothing short of unconditional release, I am sure, will be of any avail, as these prisoners are possessed of such religious convictions that they will not accept them at all. My object therefore cannot possibly be fulfilled if I am to accept the amendment. Moreover, if the resolution is to be qualified by the amendment, there is no necessity for such a recommendation from this Council, as release of prisoners on giving the undertaking is a recognised principle of the Government. It is conceivable, however, that one or two per cent. of these prisoners may give an undertaking, but this too will not help matters. In this respect I may mention, Sir, the case of 27 prisoners who obtained their release in this way, but they too, after a while, presented themselves at the *Akai Takht*, and confessing to the unrighteousness of their proceedings, promised to offer themselves to be re-arrested at the first opportunity that arose. Thus, I submit, Sir, that the remedy proposed by the amendment does not solve the problem of peace. I therefore, Sir, ask the honourable members of this House not to accept the amendment.

Rai Bahadur Lieut. Balbir Singh [Gurgaon (non-Muhammadan) (Rural)] (Urdu): Sir, I beg to support Sardar Randhir Singh's resolution and oppose Mr. Craik's amendment. It is not to be wondered at that the release of the Sikh prisoners will produce a better effect than their incarceration, not only on themselves but also on the public at large. It goes without saying, as Sardar Randhir Singh has affirmed, that their zeal will not be lessened if they come out after serving their sentences, but if released now, and that unconditionally, they will be grateful, as also their wives and children. As for the future danger, I am of opinion that no such fear need be entertained. As for the sympathy, on the part of the country, which the conduct of these people has evoked, it is mainly on account of the fact that these unarmed men had been beaten with *lathis*, without any good reason. Reading in the papers about the happenings at Gurn-ka-Ragh has convinced the people that the Government was not justified in beating a class of people who were conspicuous for their bravery in war and for the great help they had rendered to the Government in the latter's hour of need. Sir, they have succeeded in creating enormous sympathy for themselves because they have acted according

to the precepts of Jesus Christ, for after receiving blows on their right cheek they have offered their left to their aggressors.

Mr. President : The honourable member is really not speaking to the amendment, but rather to the original resolution.

Rao Bahadur Lient. Balbir Singh (continued) : I therefore, Sir support the resolution for their unconditional release and oppose the amendment.

Maulvi Muharram Ali, Chishti : Am I, Sir, to move my amendment or speak to the original resolution or to the amendment before the House.

Mr. President : No, you cannot move your amendment. You should speak to the amendment before the House.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), (Urban)] (Urdu) : Sir, I confess that the Chief Secretary in introducing his amendment has delivered a learned logical and reasonable speech.

[At this stage the President left the chair which was occupied by the Deputy President.]

But, I must say that our yesterday's experience has told us that logic and advancement of arguments are not everything. We need not follow logic and reasons always. Sometimes unreasonableness also has its effect. However, this does not mean that I will necessarily imitate the officials in their attitude of yesterday. I submit, Sir, that it is better sometimes to follow the dictates of expediency. I am going to confine myself to the consideration of what the Chief Secretary has said. It seems to me that he cares a great deal for law and order. I am also not behind him in this respect. But, how to maintain peace and order is the point at issue. We have to consider whether or not the amendment will help law and order.

The wise man is he who chooses out of two evils the lesser evil. By putting myself in the Government's place I would advocate the lesser evil, that of releasing the Sikh prisoners unconditionally. When the non-official members of this House are recommending to and requesting the Government with all the emphasis at their command to do so, it is up to the latter to do accordingly. In this respect, the fact should not be overlooked that sooner or later these people would come out of jail, and it would be graceful for Government to let them out even now. I might remind the honourable members that yesterday we were considering the matter of the Government, making the municipal committees responsible for imposing direct taxation, while reserving to themselves the part of dealing with indirect taxation. Sir, to-day, the same sort of thing is being done by the Government in regard to this matter. Let me, Sir, make the point clear. The Government when they began their repressive policy against the Akalis did not consult us, and it resulted in the evils that are now being sought to be counterbalanced. But now that that policy is bearing fruit we are asked to help in the way of getting undertakings from the Sikh prisoners.

[M. Muharram Ali, Chishti.]

I am firmly of opinion, Sir, that the Government's policy in dealing with the Sikh situation has been from first to last absolutely wrong. When the movement first began, the Government kept sleeping, and when it assumed enormous proportions, they began to take desperate actions. The fact is that these movements have their ebb and flow just like seas and must be dealt with in time. I should again say that the policy of the Government has been wavering, faltering, halting, indecisive and inconsistent. We do not even know who its author is. The Ministers, I think, are not responsible for it. We the members of the Council, too, were not consulted. The Government themselves created the trouble and now we are asked to give advice. With a full sense of our responsibility we recommend immediate and unconditional release. Again the Chief Secretary has spoken about the risk involved in our recommendation being carried out. But, I submit, Sir, there is always some risk in everything that man undertakes to do. In the beginning the Government took the risk, now we are willing to take it. However, if the risk prove dangerous we will say—"The Government made one hundred mistakes, what if we have made just one." (Laughter). As for the speeches referred to by the Chief Secretary, I can only say that these speeches delivered by ladies should not be taken seriously. Moreover, we the non official members are discussing one question, that of the release of prisoners, while the Government side is preoccupied with a widely different one, that of abuse hurled at them by Sikh-lady speakers. This has no bearing on the question at issue. This reminds me of the case of a Muslim King who wanted to punish a man who did not offer his prayers to God, so that this punishment may prove a warning to others. The man, however, asked the King to punish somebody else in his stead, so that it may serve as a warning to himself. Hence, I must again say, Sir, that it is best to release the prisoners unconditionally. To assert, as has been done, that the integrity and existence of the British Empire, on which the Sun never sets, depended on the incarceration of these prisoners, is, to say the least, wrong. To make mountains out of the mole-hills of the speeches of some ladies and to call them dangerous is not right. We need not be disturbed by loud talk of some ladies. (Laughter). The trouble is that all such ideas on the part of the Government are the result of misunderstanding of the character of Indians, particularly of Indian ladies. In my opinion, the English nation, which is famous for its treatment of the fair sex, should not take seriously the speeches of the ladies in question. In this connection I remember an incident, Sir, that happened in the journalistic career of an Editor of *The Statesman* when he, poor fellow, did not lift his hand against a lady but took refuge under his couch when the latter beat him with a horse-whip. Of course, if you, Sir, wish to delete this part of my speech from the official report you might do so.

The Deputy President: I may inform the honourable member that it is not possible to exclude anything that is said in the Council. Therefore he is running the risk of the utterances that he might indulge in getting recorded.

Maulvi Muharram Ali, Chishti (continued): Very well, Sir, let it also remain along with the other things that I have said. I might also mention, while on the topic, that among us Indians, the ladies of the 'brides' party abuse the bridegroom a good deal when he comes to take his wife home. This is called *sithnian*. Nobody takes it ill. Similarly the speeches of the

ladies need not put us out. Also I must point out, Sir, that in this case there were extenuating circumstances which the Chief Secretary himself has admitted.

In conclusion, Sir, I must say that I propose not to consider the legal side of the arrests and convictions because I have not studied it, but supposing that even if the behaviour of the Sikhs was indeed unlawful, how could we admit as lawful and just the *Danda Bazi* which had been meted out to them? Lastly I submit, Sir, that if we released them unconditionally it would be at least some sort of recompense to them for the *Danda Bazi*, they had endured. After all, these people have not been sentenced to transportation for life. They must need come out of jail some time. I submit, Sir, that when the honourable members of this House assured the Government that unconditional release would not result in the sort of conduct complained of by the Government, it may take this as a sufficient undertaking.

With these words, Sir, I oppose the amendment

Sardar Bakhtawar Singh [Hoshiarpur and Kangra—(Sikh) Rural] (Urdu): Sir, no true Sikh can possibly support the amendment; because it means an admission that those Sikhs who have been imprisoned were common felons, notwithstanding the fact that they have acted in a certain manner in pursuance only of their zeal for religious reform among their community. Why should they not be released unless they gave an undertaking not to do so again? The amendment, if carried, also means that these Sikhs are in the wrong and should not indulge in the same mistakes again.

But the Government ought to understand, Sir, that we the Sikh members of this House do not think that they are mistaken or they are offenders against the law. Had we thought so, we certainly would not have brought forward this resolution, much less supported it. In one way, Sir, the Government also have admitted these men's innocence, as when some of them who were either below the age of 20 and above the age of 50 were released, notwithstanding that law gave no such latitude. Therefore, I ask, Sir, why their imprisonment is insisted upon? Clearly the Government have a mistaken idea of upholding their prestige. But, the result of this attitude on the part of the Government will not be good. It is absolutely wrong to suppose that these people will get tired of the troubles of imprisonment and therefore will tender an apology and obtain release. It is better to remember that the community which exposed its very life to danger for the sake of a few rupees, during the war, will bear illimitable material harm for the sake of its religion and will not offer any apology.

The Honourable Sir John Maynard: The honourable member is misquoting the amendment. The terms of the amendment are that they should abstain from committing similar offences.

The Deputy President: I think the honourable member should confine himself more directly to the terms of the amendment.

Sardar Bakhtawar Singh (continued): These people would surely not give undertakings nor ask pardon for the sake of release. It is a fact that those who had come out of jail after serving their sentences had brought back with them redoubled zeal. Some of them were drunkards,

[S. Bakhtawar Singh.]

but living in close contact in prisons with some of the best men of their community, they have been reformed and brought to like the best ways of life. Moreover, Sir :—

”مرگ انہرے جیل دارے“

“Death with friends is a festival.”

With these words, Sir, I beg to oppose the amendment :—

The Honourable Sir John Maynard (Finance Member) : Sir, I wish in the first place to draw the attention of the House to the nature of the amendment and point out what is the precise significance of the refusal to accept it. The amendment suggests that release should be conditional upon the undertaking by the prisoner not to repeat similar offences. Let us suppose that this House should decide not to accept the amendment as it is worded. What is the precise significance of that refusal? Does it not mean that by refusing to accept the amendment the House encourages and invites those persons to repeat similar acts on the ground that it does not think that they have committed any offences at all? Sir, when I think of the view which will be taken at a distance by those who read the proceedings of this House to-day, I am convinced that the first thought which will occur to them will be this if the amendment is rejected. Here is a body of men selected by their fellow-countrymen to aid the Government in upholding the law and in legislating for the future. Here is a body of men elected for this purpose and in a moment of extraordinary aberration it has decided that it will offer an encouragement to a particular class of prisoners not to obey the law as it exists. That, Sir, will be the inevitable result of the refusal by this House to accept this reasonable amendment. This subject, Sir, of the release upon condition or guarantee has a long history. There is one particular episode in that history to which I particularly desire to draw the attention of this House. I myself played a very large part in that episode and I can assure the House that what I am going to say is absolutely accurate. In November 1922, certain discussions took place between the members of Government and members of the body which controls the action of the Sikhs in their religious affairs. It was suggested to that body that the Government was fully prepared to release all the Gurn-ka-Bagh prisoners on certain guarantees to be given by the body to which I have already alluded. There was no suggestion then of special conditions binding upon individuals. It was suggested that the guarantee should be this : an agreement upon principles of legislation to be arrived at between the Parbhandak Committee and those on the other side who are represented at this moment by so many gentlemen who have spoken against the amendment. That was the suggestion—to give a guarantee of abstention from unlawful action by coming to a reasonable agreement.

(At this stage Mr. President resumed his seat.)

with the other side. That was the offer made. What was the answer? The answer was a repudiation of the suggestion—a complete unwillingness to agree or to enter into any discussion of principles even on the subject of an amending Bill. That was the answer, which we received to that offer. Nevertheless, Sir, the Government is always prepared to deal with unreasonable people in as reasonable a spirit as may be possible and within the last few days, and I know that I am correct, a similar offer has been again communicated to that same body and with what result? Again a refusal.

Sir, those who have to decide with the full sense of responsibility the grave question which is before us to-day must at least take the trouble to understand three matters. The first is, who are the men, whom it is proposed to release without condition if this amendment is not accepted? Secondly, what does the previous experience here in the Punjab show us in regard to release without condition; and, thirdly, what are the circumstances of the present time as affecting this particular question? In the first place let us consider the question as to who are the men. There has been except in one speech a very careful abstention on the part of the speakers from reference to the facts. It has been assumed by almost every speaker that we are dealing only with the Guru-ka-Bagh prisoners and the sentiment which has been elicited on their behalf has been used to blind this House to the fact that there are other classes of prisoners also involved. One class is the class of those who have manufactured *kirpans* without license. In regard to those we have a judgment of the High Court which was laid down that the manufacture of this weapon without a license is contrary to law. Yet we are asked to release these prisoners knowing that they are likely to resume their operations, refusing to insist upon any condition that they will not again commit the same offence: and that is asked of us by gentlemen who are lights in the legal profession.

Then again according to the language of the resolution, as I understand it, we are asked, if this amendment is refused, to release without condition those who have carried swords which they allege to be *kirpans*. Now, Sir, no person has been arrested for wearing a sword which he alleged to be a *kirpan* unless he was wearing it in direct contravention of the conditions laid down by the Parbhandak Committee itself. He has been arrested only if he was carrying the weapon bare or in such a manner as to be thought that he intended to use it for offensive purposes. Those were the terms which the Parbhandak Committee had accepted and those are the only conditions in which the Government prosecutes a Sikh who is found carrying a sword which he alleges to be a *kirpan*.

There is yet another class of prisoners who are included in the resolution and whom, if the amendment is rejected, it is proposed to release without conditions of any kind. I refer to those who made forcible seizures of *gurdwaras* prior to the Guru-ka-Bagh incident. These have been altogether ignored in the speeches which have been made and yet they are people of a type which it will be most unsafe to set free without any conditions. In one of these cases two of the men concerned were deported from China for complicity in the murder of a police officer.

One of them was convicted in another case which involved the use of violence and five others stole a gun and ammunition from a certain Mahant and this gun and ammunition were never recovered. Such are the persons whom it is proposed to release without condition, if this amendment should be rejected.

Next, what are our previous experiences? I mean what have been our experiences in the Punjab in regard to the persons released without condition? I do not wish to go so far as the United Provinces: I go upon our experiences in this Province of releasing men of precisely the same type; and members of this House must completely recollect the circumstances to which I am about to allude. Sir, I am the man who, in January 1922, stood up in this House and made a certain announcement regarding the unconditional release of a very

[Sir John Maynard.]

large body of Sikh prisoners. I delivered that message with a considerable amount of hope in my mind that this would serve to soften the differences that had come into existence. This House, Sir, greeted that announcement with much satisfaction and I remember every member of this House was delighted when I delivered it. A curious incident happened at that same time. I did not see it myself, but an Indian friend of mine who was sitting in the gallery of this House told me what that incident was. When I had finished or half-way finished my announcement of the unconditional release of all these persons, a man who was sitting in that gallery with a big

Mr. President : You are not in order, Sir John, in referring to what happened in the gallery.

The Honourable Sir John Maynard (continued) : I am sorry, Sir. Without referring to the gallery, I will tell the members what I was told by a friend.

Mr. Ganpat Rai : Will you give the name of that gentleman ?

The Honourable Sir John Maynard (continued) : No. My Indian friend told me that this gentleman, who had a big stick in his hand raised it slightly and said "*Agar Sarkar nah chhorti to y'h danda chhura leta*"; and that idea is typical of the manner in which this class of persons received that announcement.

Ignorant as they are, they imagine that when Government had released them, it had released them because of some pressure, because of some fear. I am well aware that it is ridiculous that such ideas should be held. Unfortunately, Sir, the result of a mistaken impression in peoples' minds that Government is weak is to cause them to behave in a manner which entails expense upon this Province and that, Sir, is what precisely happened on this occasion. In January 1922 I made the announcement; and this House welcomed it as an *eremonison*. From that day on, the released prisoners made highly inflammatory speeches; and they and others who were encouraged by their release caused alarm to the peaceful, and generally behaved as though the time had arrived when they were at liberty to do what they pleased. With deep regret, I admit that it was my mistake in advising the release of these men without condition that brought about all this. These were the circumstances which led to that movement of disorder in the central districts in January to March 1922 which ultimately compelled Government to take very strong and very expensive measures to repress it.

Such, Sir, is our experience of releases without condition upon former occasions; and it is not one which we should be ready to repeat.

Then, Sir, there is one more point to which I must refer. What are the special circumstances of the moment at which we are being asked to release a large body of people without any undertaking on their part that they will abstain from committing offences. Here I must ask the attention of this House to certain facts that I have been referred to by a former speaker; but I am not certain that they have been brought out quite clearly before. At the beginning of this week, Government received information from a place where for some time past a body of Akalis had been endeavouring, in what they call a non-violent manner, to elbow out the representatives of the present incumbents. What, Sir, was that information. It was that though appa-

rently the leaders of the movement were genuinely exercising their influence to keep their followers in check, the followers had got out of hand and forcibly entered into the premises of the *langar* and had broken open the lock of a certain building in which sacred arms are kept and had virtually taken forcible possession of the building. Now, Sir, here is a case where certain leaders are endeavouring to restrain their men. Here are people who are with difficulty being restrained from using violence. Is this House going to make the task of those leaders difficult by making unconditional releases? Is it going to encourage them to do as they please by showing that it sympathises with them, and desires to see them released without any sort of condition. The Government on such occasions is confronted by a serious difficulty. Is it to pass over and ignore the use of violence or is it to exercise its authority and assert the law? If it allows, and here I desire the particularly close attention of this House—if it desires to pass over those acts of violence, and by reason of the religious enthusiasm of the men who are concerned, if it decides to allow them to take possession of that which they are pleased to take, then, Sir, it must also give permission to the opposite party to organise measures of defence. This means private war with the Government standing aside, and leaving the stronger party to win.

Mian Muhammad Shah Nawaz : I beg to move, Sir—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Mr. President: The original resolution proposed was—

"That this Council recommends to the Government that all persons arrested in connection with Gura-ka-Bagh affair, the *birpan* cases and Gurdwara movement be immediately released."

To that an amendment has been moved—

"That after the word 'released' the words 'on their undertaking to abstain in future from offences similar to those for which they were convicted' be added."

The question is that that amendment be made.

The Council then divided : Ayes 26 ; Noes 38.

AYES 26.

The Honourable Sir John Maynard.
The Honourable Khan Bahadur Mian
Fazl-i-Husain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.

Mr. A. Latifi.
Mr. C. M. King.
Mr. E. R. Abbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.

AYES No. 7.

Mr. J. G. Beazley.

Mr. Nawab Din, Murad,

Pandit Daulat Ram, Kalia.

Rana Muhammad Jamil Khan.

Khan Bahadur Raja Muhammad
Akbar Khan.Nawabzada Muhammad Irtisad Ali
Khan.Khan Bahadur Khawaja Yusuf
Shah.

Dr. C. A. Owen.

Mr. Edward Ernest Clarke.

Mr. W. R. Macpherson.

NOES 38.

Chaudhri Ghulam Muhammad.

Sayad Ghulam Muhammad Shah.

Bawa Hara Singh, Bedi.

Rai Bahadur Lala Hari Chand.

Bawa Hardit Singh, Bedi.

Rai Sahib Sardar Harnam Singh.

Sardar Kartar Singh.

Mr. K. L. Rallia Ram.

Sardar Randhir Singh.

Rai Sahib Misar Mola Ram.

Chaudhri Nabi Bakhsh.

Mr. Moti Lal, Kaistha.

Sayad Muhammad Husain.

Chaudhri Kharak Singh.

Sayad Muhammad Raza Shah.

Mian Muhammad Shah Nawaz.

Maulvi Muhsin Ali, Chishti.

Diwan Bahadur Raja Narendra Nath.

Mian Beli Ram.

Mr. Ganpat Rai.

Lieutenant Sardar Ragbir Singh.

Rai Sahib Chaudhri Raja Singh.

Mr. Manohar Lal.

Sardar Sangat Singh.

Rai Bahadur Lala Sewak Ram.

Rai Sahib Lala Thakar Das.

Sodhi Lal Singh.

Mian Ahmad Yar Khan, Daultana.

Malik Firoz Khan, Noon.

Lala Atma Ram.

Sardar Bakhtawar Singh.

Rao Bahadur Lieutenant Balbir Singh.

Sardar Ba'want Singh.

Lala Kesho Ram.

Sardar Sahib Risaldar Dilbagh Singh.

Khan Bahadur Rai Wali Muhammad
Khan.

Sardar Bahadur Gopal Singh, Labana.

Captain Sardar Gopal Singh.

The amendment was lost.

Diwan Bahadur Raja Narendra Nath: Sir, I beg to move—

“That the question be now put.”

Mr. President: The question is—

“That the question be now put.”

The motion was carried.

Mr. President: Resolution proposed—

“That this Council recommends to the Government that all persons arrested in connection with Guru-ka-Bagh affair, the *kirpan* cases and Gurdwara movement be immediately released.”

The question is that the resolution be adopted.

The motion was carried.

The Council then adjourned until 2 O'clock on Friday, the 9th March 1923.

PUNJAB LEGISLATIVE COUNCIL.

Friday, the 9th March 1923.

The Council met at the Council Chamber at two of the Clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

CLOSING OF A PATHWAY IN KULU SUB-DIVISION.

2329. Mr. Moti Lal, Kaistha : Will the Government please enquire and remove the restriction on traffic along the pathway leading to the burial and cremation grounds through Kot Kandi, and Sisgarh Forest in Kulu Sub-Division ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : There are no such restrictions. The forest was closed as a punitive measure for deliberate incendiarism in 1921, but the existing right of way for men was not interfered with.

STOPPAGE OF THE RIGHT OF TAKING FODDER LEAVES IN CERTAIN KOTHIES.

2330. Mr. Moti Lal, Kaistha : Is it a fact that the Government has stopped the right of taking fodder leaves and cutting branches of the trees for burning charcoal in the following Kothis :—Kothi Kot Kandi, Kothi Sari, Kothi Duhgilag, Kothi Khokhan, Kothi Maharaja, Kothi Kinaur, Kothi Kais, Narogi, Barahogi, Har Kandi and Jangal Sis, in Kulu Sub-Division, in spite of these rights being recorded in Mr. Anderson's Forest Settlement ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Partly because of incendiarism in 1921 and partly in the interest of young tree growth certain forests in a number of these Kothis have been closed to the exercise of rights. The closures were only made after careful local enquiry by the district authorities to see that no undue hardship resulted to the right-holders from such closures.

WINDFALL AND WAIF TREES IN MUHL KHAD FORESTS IN KULU SUB-DIVISION.

2331. Mr. Moti Lal, Kaistha : Will the Government please state why the right holders have been stopped from taking windfall and waif trees in Muhl Khad Forests in Kulu Sub-Division and the reasons for imposing heavy compensation for doing so ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Enquiries are being made.

EXPLOITATION OF OAK TREES OF BAN AND MOHRU SPECIES IN KULU SUB-DIVISION.

2332. Mr. Moti Lal, Kaistha : Will the Government please state why the Forest Department is exploiting the oak trees of Ban and Mohru species for charcoal supply in certain open forests in Kulu Sub-Division and thereby exhausting the source of fodder supply of the right holders ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : In order to reduce the incidence of "begar" the Forest Department undertook in 1920 the supply of firewood and Charcoal to certain "parasos". The oak trees required for charcoal burning are selected with due consideration to the rights of the people in regard to lopping oak for fodder. No complaints on this score have been received since 1920. Specific instances of hardship when reported will receive the sympathetic consideration of the Forest officers concerned.

CONCESSIONS IN KULU SUB-DIVISION IN RESPECT OF THE SALE OF DEODAR TREES.

2333. Mr. Moti Lal, Kaistha: (a) Will the Government be pleased to state why certain concessions granted by Mr. Shuttleworth, Assistant Commissioner, Kulu, to certain zamindars of Saraj, under rule 7 (i) of Section 87 (Chapter XI) of the Forest Manual (Volume I) in respect of the sale of deodar trees standing on their lands have been withdrawn by his successors and restrictions imposed by the Forest Officers in respect of the trees sold?

(b) Is it a fact that certain purchasers have advanced amounts ranging from Rs. 60,000 to Rs. 80,000 to the owners for purchase of trees and in view of the restrictions referred to in (a) above they cannot get the trees nor is there any hope of their getting back the advances of money? If so, will the Government be pleased to state what action it proposes to take to mitigate the hardship of these people?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) Under the rule referred to, the Assistant Commissioner, Kulu, is authorised to give permission to fell deodar for sale subject to such conditions as to the number of trees to be felled, as to the price and as to other matters as may appear to be suitable in each case. In the exercise of this authority Mr. Shuttleworth observed the principle that the indebtedness of a zamindar should form the basis of the grant of permission with the result that he was flooded with applications for permission, this made it necessary for him to impose a condition that zamindars must not sell deodar, but with permission so obtained, outside the Saraj Sub-*lahsil*. This condition in practice made felling unprofitable. On the matter coming to the notice of Government definite instructions have been given to the Assistant Commissioner as to the principles upon which permission is to be granted. These instructions abolished the condition prohibiting sale outside Saraj and imposed a maximum annual limit of the number of trees to be cut in any one year. The limit is a liberal one, but some limit is required in the interest of the zamindars themselves.

(b) Government has no information on the subject, but if such advances have been made they appear to have been made on account of sales which contravened Mr. Shuttleworth's own orders.

RECRUITMENT TO THE JUDICIARY FROM THE BAR.

2334. Rai Sahib Lala Thakar Das: Will the Government be pleased to state what appointments in the judiciary of the Province have been made from the Bar during the year 1922?

The Honourable Sir John Maynard: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

APPOINTMENT AND TRANSFER OF INSPECTORS OF SCHOOLS IN THE RAWALPINDI DIVISION.

2335. Rai Sahib Lala Thakar Das: (a) Will the Government be pleased to state how many persons were appointed as Inspectors of Schools in the Rawalpindi Division during the last two years, and after what periods each of them was transferred from there?

(b) Is it a fact that such transfers were effected in an unusually quick succession?

(c) If so, what reasons necessitated such transfers?

The Honourable Khan Bahadur Mian Fazl-i-Husain :

- (a) One, though an officer officiated until the return of the new incumbent of the post from leave.
- (b) Yes.
- (c) The appointment of Mr. Reynell to the post of Assistant Director.

RETRENCHMENT IN THE EXPENDITURE OF THE VARIOUS DEPARTMENTS OF GOVERNMENT.

2336. Rai Sahib Lala Thakar Das : Will the Government be pleased to make a statement as to what measures it has taken during the last year to effect retrenchment in the expenditure of various departments ?

The Honourable Sir John Maynard : A full account of the action taken in this matter will be found in my Budget speech. *

APPOINTMENT OF COMMITTEE IN CONNECTION WITH THE OPENING OF A CANAL FOR PIND DADAN KHAN.

2337. Rai Sahib Lala Thakar Das : Will the Government be pleased to state what action, if any, has been taken by Government in pursuance of the assurance held out by the Honourable Revenue Member regarding the appointment of a committee to go into the questions raised during the debate on the resolution regarding opening of a canal for Pind Dadan Khan, moved in this Council on the 10th November 1922 ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The Irrigation Branch of the Public Works Department has under consideration a scheme for irrigating the Pind Dadan Khan area by means of pumping water from the river Jhalum by Hydro-electric power generated at Rasul. Estimates of cost of this scheme are being prepared and designs are being considered. As soon as these are ready steps will be taken to appoint a committee to consider the details of the scheme.

PROSECUTIONS FOR POLITICAL OFFENCES.

2338. Rai Sahib Lala Thakar Das : Will the Government be pleased to lay on the table the answer to my question No. 1470† of the 31st July 1922 ?

The Honourable Sir John Maynard : The printed statement§ below gives the information called for.

RESTRICTIONS IMPOSED UPON PERSONS UNDER SECTION 144 OF THE CRIMINAL PROCEDURE CODE OR THE DEFENCE OF INDIA ACT.

2339. Rai Sahib Lala Thakar Das : Will the Government be pleased to lay on the table the answer to my question No. 1521|| of the 1st August 1922 ?

The Honourable Sir John Maynard : The information asked for in parts (a), (b), (c) and (d) of the question is contained in the statement which is laid on the table. As to (d) Government does not consider that any useful purpose will be served by giving the information sought.

* Vol. IV, pages 927-33.

† Vol. IV, pages 639-46.

‡ Vol. IV, page 25.

§ Not printed.

|| Vol. IV, page 72.

Statement showing the Orders passed under Section 144 of the Criminal Procedure Code or the Defence of India Act, during the period from 1st January 1921 to 31st May 1922, directing persons to refrain from taking part in public meetings or restricting their movements to certain areas.

1	2	3	4	5	6	7	8
District	Name of person	Law under which order passed	Date of issue of the order	Substance of the order	Grounds on which the order was based	Remarks	
1	Nak: Ram Sharma, son of Ram Narain, of village Kallang.	Section 144, Criminal Procedure Code	18th May 1921	Abstaining him from delivering any speech which causes disturbance of the public tranquillity for two months.	There were reasons to believe that in speeches he uses language which is seditious and which incites to disorder and other acts of lawlessness and that the continuity and the confidence of such speeches is likely to lead to the disturbance of the public tranquillity.		
2	Sri Ram, alias Shiv Ram, son of Babanhar Dyal, of Thajjar.	Ditto	Ditto	Ditto	Ditto		
3	Ram Saran	Ditto	Ditto	Ditto	Ditto		
4	Ranpal, son of Ramit Harsh Lal, of Bahadur.	Ditto	Ditto	Ditto	Ditto		
5	Volunteers or other members of the Congress or Khudai	Ditto	14th February 1922.	Preventing the occupation of the Town Hall of Bahadur, Bahadurganj.	There were reasons to believe that abstaining from either of the acts		

	or other bodies, or any number of the public or portion of public.				Gobara, Bori Mohan and the erection of flags on the said tower built for two months.	mentioned in column 9 would be likely to prevent attendance and injury to persons lawfully employed and danger to human life or safety and disturbance of the public tranquillity and possibly a riot.
Gurgaon ...					Nil.	
Karnal ...					Nil.	
Simla ...					Nil.	
Amritsar ...	Pandit Mahan Mohan Malviya, Vakil, High Court, Allahabad.	Section 143, Criminal Procedure Code.	22nd April 1932.		The Pandit was going to take part in public meetings on or about 23rd, 24th, 25th or 26th (April) in Karnal and Bagpat. He had to make speeches on political or semi-political subjects, so he was prohibited to promote any public meeting and to take part or make speech in any such meeting.	The speeches were likely to cause disturbance of the public tranquillity.
Do ...	Public.	Ditto.	25th March 1932.		A political Demon and procession was to take place at Main Majra on 1st to 3rd April 1932. The meeting was prohibited.	The Demon was likely to cause disturbance of public tranquillity.
Kanpur ...					Nil.	
Rohtakpur ...					Nil.	

Statement showing the Orders passed under Section 144 of the Criminal Procedure Code or the Defence of India Act, during the period from 1st January 1921 to 31st May 1922, directing persons to refrain from taking part in public meetings or restricting their movements in certain areas—continued.

1	2	3	4	5	6	7	8
	District	Name of person	Law under which order passed	Date of issue of the order	Substance of the order	Grounds on which the order was issued	Remarks
7	Jullundur				NH		
	Ludhiana				SH		
	Erizapore				SH		
8	Lahore	Sardar Singh Garcha	Section 144, Criminal Procedure Code.	20th February 1921.	He was directed not to go outside the boundary of the Lahore Municipality for a period of two months.	Sardar Singh intended, as it was believed, to proceed to Nankana Sahib where the witnesses had taken place that morning and to convince the people not to assist the police in the investigation of the crime.	
9	Do.	Pandit Ram Bhaj Datta, S. 144 and District Officer.	Defence of India Act.	24th February 1921.	Directed to abstain from attending or addressing any public meeting until further orders.	Chandori, Ram Bhaj Datta and Dr. Ghatge were making violent speeches, which were considered prejudicial to the public safety and they were therefore directed to refrain from	The orders were cancelled in Punjab Government No. 4928, D. dated 24th August 1921.

[illegible]

PUNITIVE POLICE IN THE PROVINCE

2340. **Rai Sahib Lala Thakar Das:** Will the Government be pleased to lay on the table the answer to my question No. 1522 * of the 1st August 1922?

The Honourable Sir John Maynard: The statement is laid on the

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66	10/1/50	1000 ft	10:00	1000 ft
67	10/1/50	1000 ft	10:00	1000 ft

Statement showing the imposition of additional or Punitive Police under Section 15 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922.

Serial No.	Name of District.	Year.	Area where Police were located.	(a) Cost of maintaining such Police and (b) Male adult population of the area made to bear that cost.	This number of the Police were located.	The period for which the Police force was stationed.	Reasons for the imposition of the Police.	Result.
1		1921		(a) Rs. 5,307 4 10 (b) 162	5	1	Commission of crimes.	9
2		1921	Palpur	(a) Rs. 3,322 2 7 (b) 233	Head Constable Foot Constables Mounted Constables Head Constable Constables	One year One year	Lawlessness and disturbances consequent of the village.	
3		1920	Buraila	(a) Rs. 1,349 8 10 (b) 1764 8 10 1st year. 2nd year. 1st.	Head Constable Foot Constables Let two years.	One year from 1st August 1920 and extended for one year more.	Dist.	
4	Hissar.	1919 to 1922	Laharl Begi	(a) Rs. 2,340 2 10 (b) Rs. 4,352 3 3 (c) Rs. 3,307 15 2	Sub-Inspector Head Constable Foot Constables	Two years from 19th November 1919 and extended for another year	Commission of crimes.	
				(d) 1,361.	Mounted Constables	2		

[illegible]

Figures given of male population and not male adults population.

Statement showing the imposition of additional or Punitive Polices under Section 15 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922—continued.

Serial No.	Name of district.	Year.	Area where Police was located.	(a) Cost of maintaining such Police and (b) Made adult population of the area made to bear that cost.	The number of the Police forces located.	The period for which the Police force was quartered.	Reasons for the imposition of the Police.	Remarks.
1		1921		5	5	5	5	5
10	Ludhiana—South	1922	Sahar	(a) Rs. 922-2-0 (b) 149	Head Constables ... 3 Foot Constables ... 15	One year	Lawlessness.	
11		1922	Nathwal	(a) Rs. 471-6-10 (b) 352	Head Constable ... 1 Foot Constables ... 9	Ditto	Ditto.	
12	Jalandhar	1920	Jandiala	(a) From 1st January 1920 to 31st March 1920, at Rs. 4771-0-0 per annum, and from 1st April 1920 to 31st May 1920 at Rs. 433-7-4 per annum. (b) 3186	Sub-Inspector ... 1 Head Constable ... 1 Foot Constables ... 12	Up to 31st May 1920	Calmality.	
	Nakodar	1920	Nakodar	(a) Rs. 4142-9-10 per annum. (b) 34	Sub-Inspector ... 1 Head Constable ... 1 Foot Constables ... 2	Up to 31st March 1920	Lawlessness.	

Wharfedale	Head Constable	One year	Lawrence
(a) Rs. 83,467.3	Head Constable	...	...
(b) 2,083.	Head Constable	...	...
(c) 5,454.0-0	Sub-Inspector	...	...
(d) 8,248.	Head Constable	...	...
(e) 3,850.	Foot Constable	...	...
(f) 3,850.	Head Constable	...	...
(g) 11,594.	Foot Constable	...	...
(h) 12,700.5-0	Sub-Inspector	...	...
(i) 11,034.	Head Constable	...	...
(j) 2,163.	Foot Constable	...	...
(k) 2,163.	Head Constable	...	...
(l) 2,163.	Foot Constable	...	...

Statement showing the imposition of additional or Reserve Police under Section 16 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922—continued.

Serial No.	Name of district	Year	Area where Police was located	(a) Cost of main building such Police station (b) Maintenance of Police station of the area inside to bear that cost	This number of the Police force located	The period for which the Police force was quartered	Reasons for the imposition of the Police	Max. area
18	...	1920	Adial Khan	(a) Rs. 2,045-8-10 (b) 5	Sub-Inspector Foot Constables	1 5	Peonies existing in the village	9
19	...	1921	Mari, Hoshiarpur and Chaschni	(a) Rs. 2,077-18-3 (b) 3,070	Sub-Inspector Foot Constables	1 3	Peonies existing in the village	
20	...	1922	Sarnahar	(a) Rs. 7,171-5-5 (b) 4,213	Sub-Inspector Head Constables Foot Constables	1 2 12	Lawlessness	
21	...	1921	Bagrian	(a) Rs. 4,307-5-2 (b) 453	Sub-Inspector Head Constables Foot Constables	1 1 5	General Criminality	
22	...	1921	Randah	(a) Rs. 4,240-0-7 (b) 1,804	Sub-Inspector Head Constables Foot Constables	1 2 3	Carriage theft and lawlessness	

1921	Mar	(a) Rs. 5,748-5-7 (b) 1,187	Sub-Inspector Head Constables Foot Constables	One year	Ditto
1921	Subes	(a) Rs. 10,438-12-7 (b) 2,441	Sub-Inspector Mounted Head Constables Sewas	Ditto	Village Inam for criminality
1922	Hardo Sahar	(a) Rs. 2,040-8-3 (b) 1,023	Sub-Inspector Mounted Head Constables Sewas	Three years	Criminality
1922	Mulla Khuda and Kaban	(a) Rs. 12,488-5-7 (b) 3 (annual)	Sub-Inspector Mounted Head Constables Sewas	Ditto	Criminality
1922	Baidar w/in 2 Babbar and Babbar	(a) Rs. 7,124-10-4 (b) 1,273 (annual)	Sub-Inspector Head Constables Foot Constables	One year	Lawlessness
1922	Faiga	(a) Rs. 9,005-6-0 (b) 2,227 (annual)	Sub-Inspector Head Constables Foot Constables	Three years	Ditto
1922	Chavind	(a) Rs. 5,768-18-0 (b) 1,920 (annual)	Sub-Inspector Head Constables Foot Constables	One year	Ditto

Statement showing the imposition of additional or Pension Police under Section 15 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922—continued.

Serial No.	Name of district.	Area where Police was located.	(c) Cost of maintaining such Police and (d) Main staff requirement of the area added to the existing cost.			The number of the Police force located.	The period for which the Police force was quartered.	Reason for the imposition of the Police.	Remarks.
			(a) Rs.	(b) P.	(c) Rs.				
1									
20	Lahore	Hallidaira	(a) Rs. 7,350-0-0	(b) Rs. 1,000-0-0	(c) Rs. 8,350-0-0	Sub-Inspector 1 Head Constables 2 Head Constables 1, 12	One year	Criminally.	
21		Nangli Ghotay	(a) 1,007-0-0	(b) Rs. 5,015-4-5	(c) Rs. 6,022-4-5	Sub-Inspector 1 Head Constables 2	One year	Criminally.	
22		Hallidaira	(a) Rs. 7,656-14-6	(b) Rs. 1,070	(c) Rs. 8,726-14-6	Sub-Inspector 1 Head Constables 2 Head Constables 1, 12	Ditto	Lawlessness.	
23		Fardoti Gola	(a) Rs. 5,791-4-5	(b) Rs. 1,000	(c) Rs. 6,791-4-5	Head Constables 3 Constables 7	Ditto	Ditto	
24		Jhal	(a) Rs. 10,410-0-0	(b) Rs. 1,000	(c) Rs. 11,410-0-0	Sub-Inspector 1 Head Constables 2	Ditto	Ditto	

No.	Name	Pay	Grade	Position	Pay	Period	Date	Remarks
34	Wheeler	(a) Rs. 2,175-7-7	Constable	Sub-Inspector	1	5 1/2 months		
		(b) 538	Constable		3			
35	Neelam	(a) Rs. 4,597-4-0	Head Constable		4	One year		
		(b) 843	Constable		10			
37	Thiruv	(a) Rs. 11,869-13-4	Sub-Inspector		1	1st June 1918		For deliberately cutting the canal bank 13 times
	Thur	(b) 1,497	Head Constable		4	31st May 1921		
	Thakur	411	Foot Constable		25			
	Butler Kadan	574						
	Lewis	849						
	Kand	217						
	Nalnakot	218						
	Ghot	297						
	Chib	89						
	Bhikwad	84						
	Harnawal	191						
	Thakur Sindhu	127						
	Ralegan	179						
	Jogi Chinn	196						
	Kallo Solat	297						
	Firdi Bhakasa	274						

(Continued)

30	GUJARAT	1920	Band and Pindl Rasesi.	(a) Rs. 6,854-10-4 (b) 1,137.	Sub-Inspector Head Constables Constables	1 2 10	8 months, 15 days	Criminality.
40	GUJARAT	1920	Saidpur	(a) Rs. 1,251-16-2 per annum and Rs. 45 initial charges. (b) Hindu 41 houses. (c) Sindhi 27 houses.	Head Constable Foot Constables	1 2	Two years, from 15th July 1918, to 14th July 1920.	Withholding of evi- dence on the part of villagers in a murder case.
41	GUJARAT	1920	Nambal	(a) Rs. 2,290-8-0 (b) 1,124.	Head Constable Foot Constables	1 10	Three years with effect from 1st September 1919.	Assault and outrage on the European baths of the Lawrence School.
42	GUJARAT	1920	Marwar, Jodhpur and Bikaner.	(a) Rs. 3,906-13-6 (b) 603.	Head Constables Foot Constables	2 8	Three years with effect from 1st Oct. 1921.	Criminality.
43	GUJARAT	1920	Jabal Shah Lavery	(a) Rs. 4,420-9-1 (b) 10,772.	Sub-Inspector Head Constables Constables	1 2 8	One year, 1st April 1919 to 31st March 1920.	Criminality
44	GUJARAT	1920	Multan	(a) Rs. 1,448-7-3 (b) 17,585.	Head Constable Constables	1 4	One year, 15th July 1919 to 15th July 1920.	Criminality

Statement showing the imposition of additional or Punitive Police under Section 15 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922—continued.

Serial No.	Name of district.	Year.	Area where Police was located.	(a) Cost of maintaining such Police and (b) Male adult population of the area made to bear that cost.	The number of the Police forces located.	The period for which the Police force was sanctioned.	Reasons for the imposition of the Police.	REMARKS.
2		1921		5	6	7	8	9
45	CAMPAIGN—contd.	1921	Akwal	(a) Rs. 2,930-19-9 (b) 3,375	Head Constables Constables	One year 16th January 1921 to 16th December 1921.		
46		1922	Phadial	(a) Rs. 1,914-12-9 (b) 2,377	Head Constables Constables	One year, 1st February 1922 to 31st January 1923.		
47		1922	Sahawal	(a) Rs. 1,111-15-5 (b) 2,797	Head Constable Constables	Six months, 1st March 1922 to 31st August 1922.		
48		1920	Musa Khel	(a) Rs. 3,506-8-0 (b) 3,567	Sub-Inspector Head Constable Foot Constables	1st January 1920 to 31st December 1920.	Criminality.	
49	MILNWAHL.	1921	Ditto	(a) Rs. 9,732-7-8 (b) 3,567	Sub-Inspector Head Constable Foot Constables	1st January 1921 to 28th February 1922.	Ditto.	

No.	1920	Retr.	(a) Rs. 2,732-4-6 (b) 711	Sub-Inspector Foot Constables	1 3	1st January 1920 to 30th September 1920	Criminality.
51	1920	Chak No. 275 G. B.	(a) Rs. 13,849-6-0 (b) 191	Sub-Inspector Head Constable Foot Constables	1 1 8	1st November 1916 to 30th February 1920.	Peon and crime only.
52	1920	Chak No. 285 E. B.	(a) Rs. 7,028-3-3 (b) 680	Head Constable Foot Constables	1 8	1st February 1917 to 31st January 1920.	Ditto.
53	1920	Chak No. 157 E.	(a) Rs. 9,380-5-0 (b) 770	Sub-Inspector Head Constable Foot Constables	1 1 8	13th April 1917 to 14th April 1920.	Ditto.
54	1920	Khasa Kala	(a) Rs. 5,195-0-0 (b) 1,737	Sub-Inspector Head Constables Foot Constables	2 2 16	1st August 1919 to 31st March 1920	Disturbances of 1919.
55		Tahangr	(a) Rs. 2,954-1-7 (b) 1,217	Sub-Inspector Head Constables Foot Constables	1 1 9	1st August 1919 to 31st March 1920.	Ditto.
56		Chak No. 160 U. B.	(a) Rs. 2,900-1-7 (b) 962	Sub-Inspector Foot Constables	1 1	1st August 1919 to 31st March 1920.	Ditto.
				Foot Constables	8		

Statement showing the imposition of additional or Punitive Police under Section 15 of the Police Act in the various districts in the Punjab during the years 1920, 1921 and up to 31st May 1922—concluded.

Serial No.	Name of District.	Year.	Area where Police was located.	(a) Cost of maintaining each Police and (b) Male adult population of the area made to bear that cost.	The number of the Police force located.	The period for which the Police force was quartered.	Reasons for the imposition of the Police.	Remarks.
1	3	5	5	5	5	7	8	9
67	Lahore		Scattered	(a) Rs. 20,946-0-0 (b) 12,850	Sub-Inspector ... 1 Head Constables ... 5 Foot Constables ... 50	20th June 1922 to 19th June 1922	Lawlessness.	
68	Jhang		Chand Bhawan	(a) Rs. 4,200-15-3 (b) 56	Sub-Inspector ... 1 Foot Constables ... 4 Head Constable ... 1 Foot Constables ... 2	Two years	Criminality.	
69			Lak Bacher	(a) Rs. 4,018-1-9 (b) 56	Head Constable ... 1 Foot Constables ... 2	Ditto	Ditto.	

PUNJAB UNIVERSITY EXAMINATION.

2341. Rai Sahib Lala Thakar Das: Will the Government be pleased to lay on the table the answer to my question No. 1523* of the 1st August 1922?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain: The information is laid on the table.

Statement showing the number of candidates (classified according to religion) who appeared at the various Punjab University Examinations during 1922.

No.	Examination.	Hindus.	Muslimans.	Sikhs.	REMARKS.
1	Matriculation School-I saving certificate	4,006	2,058	1,312	
2	S. L. C.	690	353	156	
3	Intermediate (Science)	330	96	139	
4	Intermediate (Arts)	545	94	99	
5	B. Sc. (Pass course)	89	14	38	
6	B. A. (Pass course)	375	514	181	
7	B. Sc. (Honours Course)	43	6	30	
8	B. A. (Honours Course)	145	37	29	
9	Master of Oriental Learning	...	2	...	
10	Master of Science	16	8	4	
11	Master of Arts	41	22	6	
12	Bachelor of Teaching	24	17	11	
13	First Examination in Law	173	75	39	
14	Bachelor of Laws	211	94	78	
15	First Prof. for M.B.B.S.	62	32	35	
16	Second Prof. for M.B.B.S.	49	12	21	
17	Final Prof. for M.B.B.S.	50	9	7	
18	First Examination in Agriculture	7	17	11	
19	B. Sc. examination in Agriculture	4	5	8	
20	Diploma in Commerce	42	3	5	
21	Prose	313	...	...
22	Verse	169	...	...
23	Shastri	187	...	...
24	Munshi	...	11	...	
25	Munshi Alim	...	13	...	
26	Munshi Fazl	...	26	...	
27	Munshi	16	84	...	
28	Munshi Alim	1	32	1	
29	Munshi Fazl	23	213	4	
30	Proficiency in Urdu	2	11	2	
31	High Proficiency in Urdu	6	35	2	
32	Honours in Urdu	6	17	...	
33	High Proficiency in Persian	...	2	...	
34	Proficiency in Hindi	33	...	1	
35	High Proficiency in Hindi	10	...	...
36	Honours in Hindi	3	...	...
37	Proficiency in Punjabi	...	...	31	
38	High Proficiency in Punjabi	2	...	13	
39	Honours in Punjabi	5	...	19	

Statement showing the number of successful candidates (classified according to religion) and their positions in the various Punjab University Examinations held in 1922.

Examination.	HINDUS.			MUHAMMADANS.			SIKHS.			REMARKS.
	I.	II.	III.	I.	II.	III.	I.	II.	III.	
1. M. S. L. C. ...	309	2,199	1,180	88	766	436	95	602	214	
2. Intermediate (Science) ...	29	180	35	3	43	6	5	57	14	
3. Intermediate (Arts) ...	77	375	99	12	126	61	6	84	21	
4. B. Sc. (Pass Course) ...	...	64	2	...	5	3	...	16	2	
5. B. A. (Pass Course) ...	3	242	172	3	60	51	1	19	30	
6. Master of Oriental Learning ...	...	...	...	...	1	...	...	...	...
7. Master of Science ...	1	4	7	...	4	1	...	8	1	
8. Master of Arts ...	6	5	15	2	3	11	...	1	2	
9. Bachelor of Teaching ...	...	11	11	...	2	5	...	1	9	
10. Bachelor of Laws ...	35	111	...	8	20	...	3	10	...	
11. First Examination in Agriculture ...	...	6	1	1	13	...	...	6	2	
12. B. Sc. in Agriculture ...	...	...	2	...	...	4	...	2	5	
13. Diploma in Commerce ...	2	1	31	...	1	1	...	1	2	
14. Prajas ...	15	105	123	...	...	...	...	...	...
15. Vicharad ...	11	62	51	...	...	...	...	...	...
16. Shastri ...	...	14	22	...	...	...	...	...	...
17. Maulvi ...	...	...	...	...	4	5	...	...	...
18. Maulvi Alim ...	...	...	...	...	4	5	...	...	...
19. Maulvi Fazl ...	...	...	...	...	3	5	...	...	...
20. Munshi ...	3	8	4	7	32	24	...	...	...
21. Munshi Alim ...	...	1	...	...	5	8	...	...	1	
22. Munshi Fazl ...	...	1	7	...	7	59	...	...	1	

Statement showing the number of successful candidates classified according to religion in the various Punjab University Examinations in 1922.

S. No.	Examinations	Hindus	Maham- maddas	Sikhs	Others
1	B. L. D.	415	181	9	
2	B. Sc. (Honours)	28	2	13	
3	B. A. (Honours)	34	15	4	
4	First Examination in Law	123	39	22	
5	First Prof. Examination for M. D. B. S.	55	12	21	
6	Second " " " "	43	10	21	
7	Final " " " "	41	8	5	
8	Proficiency in Urdu	2	12	1	
9	High Proficiency in Urdu	5	24	1	
10	Honours in Urdu	1	6		
11	High Proficiency in Pashto		2		
12	Proficiency in Hindi	30		1	
13	High Proficiency in Hindi	2			
14	Honours in Hindi	4			
15	Proficiency in Punjabi			18	
16	High Proficiency in Punjabi	1		2	
17	Honours in Punjabi	1		27	

ADMISSION TO THE GOVERNMENT COLLEGE, LAHORE.

2342. **Raj Sahib Lala Thakar Das :** Will the Government be pleased to lay on the table the answer to my question No. 1525* of the 1st August 1922?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The information† is laid on the table.

INDIAN PRESS ACT.

2343. **Raj Sahib Lala Thakar Das :** Will the Government be pleased to lay on the table the answer to my question No. 1526† of the 1st August 1922?

The Honourable Sir John Maynard : The statements below give the information required :—

Statement showing the demand and forfeiture of securities from newspapers in the Punjab under Act I of 1910.

Serial No.	Name of newspaper which were ordered deposit security.	Amount of security.	Whether security was deposited or not.	If security was forfeited.	Date of order of forfeiture.
	1921				
1	Bangarhis Gazette (Shikla).	Ra. 500 (11th June 1922).	Deposited on 11th June 1921.		

*Volume IV, page 73.

†Not printed.

‡Volume IV, page 74.

Statement showing names of presses which were ordered to deposit security or whose security was forfeited under the Indian Press Act, 1910, from January 1921 to April 1922.

Serial No.	Name of Press	Date of the order of demand of security	Amount of security demanded	Security deposited with date or failed to deposit	Date of forfeiture of security	REMARKS
1	1415th Press, Lahore	January 1921	Rs. 2,000	Deposited in January 1921	...	
2	Sadhu Press, Lahore	Idio	10,000	Failed to deposit	...	
3	Mahatma Press, Lahore	March 1921	2,000	Deposited in March 1921	...	
4	Alakh Press, Lahore	April 1921	2,000	Deposited in April 1921	...	
5	Public Press, Lahore	May 1921	500	Deposited in May 1921	...	
6	Commercial Printing Press, Sarfodan	Refused in the same month.	10,000	Failed to deposit	...	
7	Hindustani Press, Lahore	June 1921	600	Deposited in June 1921	...	
8	Upper India Printing Works, Ferozepore	July 1921	2,000	Deposited in July 1921	December 1921	
9	Shik Press, Lahore	August 1921	1,000	Deposited in August 1921	...	
10	Panjab Hari Press, Lahore	October 1921	2,000	Deposited in October 1921	January 1922	
11	Shik Printing Works, Simla	Idio	2,000	Idio	1922	
12	Shik Printing Works, Simla	Idio	500	Idio	...	
13	Chandee Electric Press, Lahore	December 1921	1,000	Idio	...	
14	Tan de Marwan Press, Lahore	Idio	2,000	Deposited in December 1921	January 1922	
15	Hind-Muham Steam Press, Lahore	Idio	2,000	Deposited in January 1922	Idio	
				Failed to deposit	...	

Sl. No.	Name of Press.	Date of the order of demand of security.	Amount of security demanded.	Security deposited with date or failed to deposit.	Date of forfeiture of security.	REMARKS
16	Shivwala Press, Amritsar	December 1921	Rs. 1,000	Failed to deposit	February 1922	
17	Rafik Press, Lahore	January 1922	2,000	Deposited in February 1922		
18	Khalid-ur Press, Lahore	Ditto	2,000	Ditto ditto	Ditto	
19	Kajur Steam Press, Lahore	Ditto	2,000	Deposited in January 1922		
20	Sheqash Steam Press, Lahore	February 1922	2,000	Deposited in February 1922	February 1922	
21	Hittori Steam Press, Lahore	Ditto	1,000	Failed to deposit		
22	Punjab Commercial Press, Lahore	Ditto	500	Deposited in February 1922		
23	Parag Steam Press, Lahore	Ditto	2,000	Ditto ditto		
24	Ras-i-Hind Press, Amritsar	Ditto	2,000	Failed to deposit		
25	George Printing Works, Sialkot	Ditto	2,000	Ditto		
26	Alad Press, Amritsar	March 1922	2,000	Ditto		
27	Omhar Printing Press, Amritsar	Ditto	2,000	Deposited in March 1922		
28	Virat Press, Gujranwala	Ditto	1,000	Failed to deposit		
29	Azad Printing Press, Lahore	Ditto	2,000	Deposited in March 1922		
30	Sardar Press, Amritsar	April 1922	1,000	Deposited in April 1922		
31	Siyamat Press, Lahore		2,000	Deposited in September 1920	January 1922	
32	Parkash Steam Press, Lahore		2,000	Deposited in December 1920	Ditto	
33	Punth Sewal Press, Amritsar		1,000	Deposited in November 1920	Ditto	

5/3/23

WATERLOGGING OF LANDS IN GUJRAT.

2344. Khan Bahadur Chaudhri Fazl Ali : (a) Is the Government aware of the fact that some villages in Gujrat District have suffered from their lands being waterlogged by the canal, and the zamindars in those villages are in great distress ?

(b) If so, will the Government be pleased to grant some cultivable lands to those zamindars ?

(c) If the answer to (b) is in the affirmative, will the Government be pleased to grant them land from the area which it intends to give to mule breeders on 10 years' contract ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Yes.

(b) and (c) The whole question of the distress caused by waterlogging is engaging the close attention of Government, but it has not yet been decided to what extent relief is due and what form relief should take.

SPOLIING BY THE UPPER JHELUM CANAL OF A VAST AREA IN VILLAGE SHADIWAL, DISTRICT GUJRAT.

2345. Khan Bahadur Chaudhri Fazl Ali : (a) Is it a fact that a vast area belonging to the zamindars of the village Shadiwal, district Gujrat, has been spoilt by the Upper Jhelum Canal ?

(b) If so, will the Government be pleased to take suitable steps to give relief to the sufferers ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The honourable member is referred to the answer to question No. 2344 (above).

GRANT OF THE AREA SURROUNDED BY CANAL *bunds* NEAR SHADIWAL, DISTRICT GUJRAT, TO ZAMINDARS FOR CULTIVATION.

2346. Khan Bahadur Chaudhri Fazl Ali : Is it a fact that it has been the practice to give on contract for cultivation the area surrounded by the canal *bunds* near Shadiwal, district Gujrat ? If so, will the Government be pleased to state whether these lands have been leased to zamindars or non-zamindars ? If they have been leased to non-zamindars, was it because no zamindar desired to take it on contract ? If some of the zamindars did so desire, on what grounds was the land not given to them on contract ? Will the Government be pleased to give it to the zamindars in future ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

EMPLOYMENT OF ZAMINDARS IN GOVERNMENT SERVICE.

2347. Khan Bahadur Chaudhri Fazl Ali : Will the Government please state whether the Punjab Government Resolution about the employ-

ment of zamindars in Government service is still in force? If not, will the Government please say in what departments it is not and why?

Mr. H. D. Craik : The resolution is still in force in all the Departments in the Panjab.

EXEMPTION OF PORTIONS OF LAND OCCUPIED BY RIDGES AND WATER CHANNEL FROM LAND REVENUE.

2348. Khan Bahadur Chaudhri Fazl Ali : (a) Is it a fact that in canal-irrigated tracts the cultivators are directed to divide one *killa* into several portions of one *kanal* each, and to prepare big ridges all round the *killa*?

(b) Will the Government kindly state how many *kanals* go to make one *killa* on different canals, and what proportions of the land cannot be brought under cultivation on account of the ridges and water channels?

(c) Will the Government be pleased to state whether the land revenue is levied on the whole area, or whether the area occupied by the ridges and water channels is exempted from land revenue?

(d) If the answer to (a) above is in the affirmative, and if revenue is levied on the whole area, will the Government be pleased to consider the desirability of exempting the portions of land occupied by ridges and water channels from land revenue?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) In the interests of economy in the use of water, except in the case of rice and gardens under Rule 9 of the Canal Act, a cultivator is required to sub-divide his fields into *kiaris* in the same manner as is done in the case of well irrigation. As this is generally done after the first watering and sowing the diminution in area cultivated is negligible.

The size of the dowl or "vat" round the field need only be such as to confine the supply of water taken within its boundary.

(b) A *killa* may be taken as 8 to 9 *kanals*. An approximate solution of the mathematical problem involved in this part of the question, even if possible, would serve no useful purpose.

(c) Land revenue is levied on the whole area of a field and its internal watercourses. Where a main watercourse is part or wholly within a cultivated field number the necessary deduction of the area under the watercourse is made from the settlement area and by so doing land revenue is automatically remitted.

(d) The question does not arise.

DAMAGE TO LANDS DUE TO THE CLOSURE OF CERTAIN OPENINGS IN THE CHENAB RAILWAY BRIDGE.

2349. Khan Bahadur Chaudhri Fazl Ali : (a) Will the Government be pleased to lay on the table the answer to my question No. 2060 asked on 16th November 1922, relating to damage to lands due to the closure of certain openings in the Chenab Railway Bridge?

(b) Is it a fact that after the winter season there will be no possibility of the construction of *bunds*?

(c) If so, will the Government be pleased to devise measures to save the land of the said villages from the river?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The report of the Deputy Commissioner on the points raised in the honourable member's question is still awaited.

EMPLOYMENT UNDER GOVERNMENT OF QUALIFIED CANDIDATES FROM THE GOVERNMENT ENGINEERING SCHOOL.

2350. Khan Bahadur Rai Wali Muhammad Khan : Will the Government be pleased to state—

- (a) the number of students who duly qualified themselves from the Government Engineering School since the starting of the said school ;
- (b) how many from among the successful students were taken in any service under the Government ;
- (c) what were the respective numbers of Hindu, Muhammadan and Sikh candidates who were so taken in the Government service ;
- (d) what is the number of those successful candidates who were not taken in the Government service ? Will the Government please state any general or special reasons why they were not so taken ?

The Honourable Lala Harkishan Lal : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ARRANGEMENTS FOR HIGHER EDUCATION IN ENGINEERING.

2351. Khan Bahadur Rai Wali Muhammad Khan : Will the Government be pleased to state—

- (a) if it is a fact that on account of the absence of any arrangements for higher education in Engineering in the Punjab, the students have to seek admission in the institutions existing in other provinces ?
- (b) Do the Government intend to make necessary arrangements for higher education in Engineering in the Province at an early date ?

The Honourable Lala Harkishan Lal :

- (a) The reply is in the affirmative.
- (b) There is no such intention at present if the question refers to Civil Engineering. The Moghalpura Institute will provide Education in Mechanical and Electrical Engineering.

NUMBER AND PERCENTAGE OF SIKHS IN THE DIFFERENT RANKS OF THE POLICE SERVICE.

2352. Sardar Dasandha Singh : Will the Government be pleased to state the number and percentage of Sikhs in the following Police services—

- (a) the Superintendents of Police,
- (b) the Deputy Superintendents of Police,

- (c) the Circle Inspectors of Police,
 (d) the Court Inspectors,
 (e) the Sub-Inspectors of Police ?

The Honourable Sir John Maynard : The information desired is given in the following table :—

1	2	3	4
Post.	Total number of posts on the cadre.	Number held by Sikhs.	Percentage of figures in third to those in second column
Superintendents of Police ...	36	0	0
Deputy Superintendents of Police ...	89	4	10
Inspectors for general duty in districts (in the place of Circle Inspectors abolished.)	40	9	23
Court Inspectors ...	81	4	13
Sub-Inspectors ...	848	162	19

EXPENDITURE ON THE DRAINAGE ENGINEER AND HIS STAFF.

2353. Sardar Dasaundha Singh : Will the Government be pleased to state the annual expenditure incurred in retaining the Drainage Engineer and his staff including the travelling allowance expenses ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Approximately Rs. 28,500.

AMOUNT SPENT BY DRAINAGE ENGINEER ON WORKS DURING 1922.

2354. Sardar Dasaundha Singh : Will the Government be pleased to state the amount of money spent by the Drainage Engineer on works during the year 1922 ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The expenditure on works carried out under the supervision of the Drainage Board Engineer was Rs. 75,469. In addition administrative approval was accorded to schemes, the estimated cost of which is approximately 18½ lakhs while schemes estimated to cost about one half crore of rupees are under consideration.

REMOVAL OF PAGRIS OF SOME SIKH PRISONERS IN DERA GHAZI KHAN.

2355. Sardar Dasaundha Singh : (a) Is it a fact that the authorities in Dera Ghazi Khan Jail removed the pagris of some of the Sikh prisoners there ?

(b) If so, has the Government taken any action in the matter against the officials concerned?

The Honourable Sir John Maynard: (a) Under the rules which regulate the privileges of special class prisoners, as they stood till recently, the wearing of black *pagris* was not allowed. The Jail authorities of the Dera Ghazi Khan Jail acted in accordance with the rules in removing black *pagris*.

(b) This part of the question does not arise.

RELEASE OF SIKH PRISONERS.

2356. Sardar Dasaundha Singh: Will the Government be pleased to release all the Sikhs convicted or arrested in connection with the *Gurdwara* Reform Movement or for keeping or manufacturing *Karpans*?

The Honourable Sir John Maynard: The subject of this question is also the subject of a Resolution now pending in the Council. It cannot therefore properly be answered.

PERMANENT ASSISTANT SURGEONS AND SIKH REPRESENTATION.

2357. Sardar Dasaundha Singh: Is it a fact that, out of 146 permanent posts of Assistant Surgeons, only eight are held by Sikhs?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ASSISTANT SURGEONS AND SIKH REPRESENTATION.

2358. Sardar Dasaundha Singh: Is it a fact that, out of 185 permanent and temporary posts of Assistant Surgeons, only 30 are held by Sikhs?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

Mr. President: The Council will now proceed to the discussion of the demands for grants. I think I had better state how I propose to deal with amendments. One way of doing it, of course, would be to allow an amendment to be moved, and then an amendment to that amendment: and then perhaps another amendment to that amendment. This would take a very long time and would be confusing, but I think the simplest way which would remove all sorts of misunderstandings about voting is that I should put first the largest reduction. If that is carried, it will rule out all smaller reductions proposed. If it is negatived, then I shall take the next smallest reduction. If that is carried, the still smaller ones will be ruled out and so on down to the smallest reduction. Those who wish smaller reductions, therefore, should vote against the larger reduction. Otherwise, they will have no opportunity of voting.

Mr. Ganpat Rai: Sir, I want to bring one thing to your notice. If that is adopted, much time will be saved. For instance under the Demand V—Land Revenue there are sub-heads V-A, V-B, V-C, V-D. If it be possible to take the amendments on the items under each sub-head altogether, that would save time.

Diwan Bahadur Raja Narendra Nath: Sir, I want to know one thing as to how the demands are going to be taken up? Will they be taken up *serially*? But I see that the first amendment under the demand-V—Land Revenue belongs to Forest.

Mr. President: The item of Forest Rangers which you refer to is under Land Revenue, and has nothing to do with the Forest grant. It has to do with the Sewaliks, I think. Are you clear on that point.

Diwan Bahadur Raja Narendra Nath: Yes, Sir. Thanks.

LAND REVENUE GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 42,84,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1924 in respect of 'Land Revenue.'"

Mr. President: The question is—

"That a sum not exceeding Rs. 42,84,000 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 1924 in respect of 'Land Revenue.'"

Mr. Ganpat Rai [(Lahore and Ferozepore—*sum*—Sheikhupura (Non-Muhammadan) Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 15,000 with respect to the item of Rs. 19,068—
"Forest Rangers.""

Sir, in doing so, I want to make it clear to the House that the huge sum of Rs. 19,068 has been budgetted for Forest Rangers in the establishment of those *rakhs* which are not in charge of the Forest Department, but have lately been transferred to the Revenue Department, which carries on the management under the supervision of the Deputy Commissioners of the districts. The expenditure on total pay of establishment employed on Forest Reserves and grazing lands was Rs. 21,317 in 1920-21. In 1921-22 it rose up to Rs. 35,681. The Council sanctioned it liberally. The actual expenditure for the last year was Rs. 47,000, which was more than double as compared with the expenditure for 1920-21. This was reduced to Rs. 30,138 in 1922-23 owing to the criticism in the Council. But now, Sir, for the next year Rs. 47,934 have been budgetted for it. This is twice the actual expenditure for 1920-21. I ask, Sir, is that not an appalling increase?

Sir, if the House goes on sanctioning expenditure at this rate the Province will very shortly be face to face with bankruptcy. We have already got a deficit of one crore of rupees and if the expenditure is not cut down, the deficit will surely rise to huge proportions. The House last year sanctioned the sum of Rs. 2,100 for the establishment of the Forest Rangers, but now this very item has been increased to Rs. 19,068. Therefore, Sir, I have moved the amendment to reduce it by Rs. 15,000. The Council is now

responsible for the Provincial funds, and I appeal to the House not to allow any wastage of it. I am quite at a loss to understand the necessity for keeping so many Forest Rangers, when the Department has already got sufficient establishment.

Mr. President : I think you have sufficiently explained the points. We have to get through all the items within the limited time. So you will do well not to indulge in too long speeches.

Mr. Ganpat Rai : One word more, Sir, and I have finished (continued in Urdu) : The fact is that the Lambardars, Subaidposhes and Zaildars of the villages generally manage these *rakhs*. I fail to see any justification for increasing the number of Forest Rangers. With these words, Sir, I appeal to the House to lend its support to the amendment before it.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 15,000 with respect to the item of Rs. 19,000—Forest Rangers."

The question is that that reduction be made.

Rai Bahadur Lala Sewak Ram : I have got the same amendment in my name also and it will save time of the House if I offer my remarks even on the amendment now under consideration.

Mr. President : Very well, but be brief.

Rai Bahadur Lala Sewak Ram : I support the amendment of Mr. Ganpat Rai. There are no Rangers in the districts with which I am acquainted and I cannot understand why this sum has been provided. Until a satisfactory explanation is forthcoming as to the necessity for this provision I think this sum should not be granted. I believe the forests can work without this amount.

Malik Firoz Khan, Noon (Shahpur West (Muhammadden) Rural] : Sir, is there any provision by which a speech can be brought to an end even in the middle by moving that the question be put ?

Sayad Muhammad Husain : Sir, I think that if the Government member speaks immediately after the mover of an amendment has delivered his speech, it would cut short the length of the debates.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member (Urdu) : Sir, I think that my honourable friend Mr. Ganpat Rai is under some misunderstanding about the last year's figures. The fact is that some of the *rakhs* in the Kangra and other districts which were not placed under the Forest Department, were transferred to the charge of the Deputy Commissioners of the districts. There appeared to be a general complaint against the Forest Department management, and with a view to enable the public desire for approach to Deputy Commissioner with their requests in the matter, it was considered advisable to transfer some of those *rakhs* to the Revenue Department. Useful work is being done by the Revenue Department in this matter and I hope it will be allowed to continue. If my honourable friend Mr. Ganpat Rai will refer to page 8 of the Detailed Budget, he will find Rs. 1,32,641 shown as income from these

[Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.]

forests. If the House reduces the establishment which looks after these forests, the income will surely come down. Therefore, Sir, I submit that this establishment must be maintained. Tahsildars will not be able to do the work as successfully as it is done by the Forest Rangers who have special training in this work. Moreover it will be rather absurd to entrust responsible officers like the Tahsildars with these petty duties which could be cheaply and more efficiently done by Forest Rangers. With these few words of explanation, Sir, I trust, I have removed the misunderstanding created by the misreading of figures for the last year and I hope that my honourable friend Mr. Ganpat Rai will perhaps not press his amendment.

Sayad Muhammad Husain (Montgomery, (Muhammadian), Rural) (Urdu) : Sir, I regret to have to confess that the explanation given by the Honourable the Revenue Member has not satisfied me. The reasons underlying this transfer of the management of the *rakhs* and the spirit in which it has been made are not very happy and I think the change will not put an end to the trouble of the public. I am of the opinion that unless some drastic steps are taken to remedy the evil, the complaints will continue pouring in. The work is being done successfully by the Tahsildars in my district and I fail to see any reason why it cannot be done in other districts. In addition to other advantages accruing from this arrangement, the expenditure will be curtailed. With these observations, Sir, I support the amendment moved by my honourable friend Mr. Ganpat Rai.

Mian Beli Ram (Hoshiarpur—(Non-Muhammadian), Rural) (Urdu) : Sir, I come from a district which is perhaps the loudest of all in its complaints against the Department. I complained some time ago about that in the Council. The Government upon this promised to make inquiries and lay the result of such inquiries before the House. But so far we have heard nothing about it. I am sure that the increases of the staff will surely enhance the troubles of the public and there will be no addition in the income. It may possibly do much harm. With these remarks, Sir, I regret to have to support the amendment for reduction.

Rai Sahib Lala Thakar Das (North-West Towns—(non-Muhammadian), Urban) (Urdu) : Sir, I rise to oppose the amendment moved by my honourable friend Mr. Ganpat Rai. I think the explanation given for the increase of expenditure by the Honourable the Revenue Member is quite satisfactory and it answers all the objections raised against the increase in expenditure. I know it from personal experience that the public has a genuine complaint against the Department and I hope the change will bring about some improvement. But to hand over the *rakhs* to the management of Zaildars, Sufedposhas, Lambardars and Chaukidars will be sheer nonsense. Let the House take a commonsense view of the question. Mere destructive criticism will make the matters worse and the cause of the public will not be advanced by it. The present staff can easily be reduced; but before it is done, we have to see whether it will be beneficial in the end. I think not. Therefore, Sir, with these few remarks I oppose the amendment before the House.

Chaudhri Kharak Singh (Amritsar—Gurdaspur (Non-Muhammadian), Rural) (Urdu) : Sir, in my district too the work is being successfully done under the supervision of the Deputy Commissioner. The amendment before the House does not aim at the removal of the Forest Rangers. But it intends, in view of the deficit budget, to bring about some reduction in expenditure. I think the administration will not suffer by such reduction. Sir, I beg to submit

that the work is of an ordinary nature and no technical knowledge is required for doing it in a satisfactory way. The Naib-Tahsildars and Girdawars are already doing it to the full satisfaction of the authorities. Therefore, Sir, I submit that the Department will not suffer any loss if the number of Forest Rangers is reduced, and the work is left in charge of the Revenue Department. With these few words, Sir, I lend my heartiest support to the amendment before the House.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, I think that the Honourable the Revenue Member has not put the matter well before the House, and this may perhaps be due to the fact that he himself does not possess the full facts and figures about it. It seems that there has been an increase in the area of the *rakhs* forests and consequently more staff is required to look after them. If he could give some idea of the increase in the area of *rakhs*, that may perhaps justify this expenditure and satisfy the opposition benches.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu): Sir, as I have not yet received the full details about the increase in the area of *rakhs* I can not give any definite information to the House on the point. But this much I am sure of that the area has considerably increased during the year. Sir, I think, that my honourable friend Chandhri Kharak Singh has not yet understood my point. I wanted to point out to the House that the increase in expenditure was due to the transfer of the management of the *rakhs* to the Revenue Department. I do not know how far it is right to say that corruption will increase with the increase of the establishment. I can confidently assert here before the House that the only way to improve the working of the management is to increase the staff. If the House wants to leave the management in the hands of Lambardars and Zaildars I do not know why it should not be left to the people themselves who would not like anything better than this. Sir, let it be quite clearly understood by the House that in case the reduction is made in the demand the Government will feel obliged to dispense with the services of a large number of Forest Rangers. In that case it shall have to give gratuities to them and the cost would considerably be more than the provision in the Budget. I would request the House to consider the question in the light of these remarks before coming to a decision in the matter. I hold that by taking the course proposed by the amendment, the House will not be gaining its object.

Rai Bahadur Lala Hari Chand [West Punjab Towns,—(Non-Muhammadan) Urban] (Urdu): Sir, I do not rise to make any speech at this time. I only want to know whether the transfer of these forests to the charge of the Revenue Department will by itself bring about some reduction in expenditure in the other department. I trust the Honourable the Revenue Member will very kindly enlighten the House by giving some information on the point.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, the arrangements have been made by the Accountant-General and the Government has not so far received any statistics about it.

Malik Firoz Khan, Noon: Sir, I beg to move.—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 15,000 with respect to the item of Rs. 19,038—
Forest Rangers.”

The Council then divided—Ayes 23 : Noes 22.

AYES.

Khan Muhammad Abdullah Khan.
Sodhi Lal Singh.
Chaudhri Ali Akbar.
Lala Kesho Ram.
Chaudhri Ghulam Muhammad.
Bawa Hara Singh, Bedi.
Rai Bahadur Lala Hari Chand.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Sardar Randhir Singh.
Rai Sahib Misar Mela Ram.
Mr. Moti Lal, Kaistha.

Khan Bahadur Raja Muhammad
Akbar Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Hussain.
Chaudhri Kharak Singh.
Khan Muhammad Saif Ullah Khan.
Mian Muhammad Shah Niwaz.
Maulvi Muharram Ali Chishti.
Diwan Bahadur Raja Narendra Nath.
Mian Beli Ram.
Mr. Ganpat Rai.
Rai Bahadur Lala Sewak Ram.

NOES.

The Honourable Sir John Maynard.
The Honourable Sardar Bahadur
Sardar Sunder Singh, Majithia.
The Honourable Khan Bahadur Mian
Fazl-Hussain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latifi.
Mr. C. M. King.

Mr. E. R. Ebbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieutenant-Colonel W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Mr. Nawab Din, Murad.
Mr. Manohar Lal.
Khan Bahadur Khawaja Yusuf
Shah.
Rai Sahib Lala Thakar Das.

The motion was carried.

Chaudhri Kharak Singh [Amritsar-*cum*-Gurdaspur (Non-Muham-
madan), Rural] : Sir, I beg to move—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 9,192—
Temporary establishment.”

Sir, I am quite at a loss to see any necessity for the Temporary Establish-
ment which may cost us about two thousands a year, when already there are
Daroghas and other *Aalkars* to carry on the work. The financial condition of
the province is very gloomy and the budget for the next year shows a
heavy deficit. The establishment is only a temporary one and the Govern-
ment should not, in that case, have any difficulty in dispensing with its ser-
vices. Therefore, Sir, I appeal to the House to support my amendment which
only aims at reducing the demand to half of the original amount asked for.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 9,192—Tem-
porary Establishment.”

The question is that that reduction be made,

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdú): Sir, I think that if the House bears with me for a minute, I will point out the justification of the Government for this expenditure, and after hearing my explanation, I hope it will not have any misgivings in this respect. Sir, I have already made it clear to the House that the income from the Department will surely come down if the establishment is reduced. Then, Sir, there is the reclamation work which is going on in the Hoshiarpur and Ambala Districts on a large scale. I have got photos of the work already being done, and the members, if they will do me the favour of looking at them, will realize what useful work is being done there. Vast areas of jungles and hills were lying quite waste, and we are doing our best to reclaim them. If that is done, it will eventually add to the wealth of the Province and prove a decided gain on the investment we are making.

Moreover, Sir, we are spending Rs. 3,744 on in the Gurdaspur District in the management of forest belonging to private individuals. The House should not worry itself about the expenditure because whatever we spend on these *rakhs* we get it from these private-owned forests. There is thus no burden on the Provincial revenues. It is only a credit and debit entry so far as accounts go. If the amendment is accepted the Government will have to stop the reclamation work. After this explanation I leave the matter in the hands of the House to decide whether it wants the Government to continue this useful work or not. But, Sir, I would like to submit before I sit down if this grant is disallowed it will not only deprive the Province of the ultimate material gains of the scheme, but in addition to it the expenditure of so many years past, which has already been incurred, will have been wasted.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdú): Sir, I would like, with your permission Sir, to point out, that there exists some misunderstanding about what the amendment before the House aims at. Those who support the amendment do not do so with a view to bring about any reduction in the permanent establishment. We want to reduce only the temporary establishment.

Mr. President: Chandhri Kharak Singh has already said that it is temporary establishment. Please do not repeat.

Mr. Ganpat Rai (continued): Sir, if the Honourable the Revenue Member studies the figures with us, he will realize that we do not mean anything of that sort. As my honourable friend Rai Bahadur Lala Hari Chand has said there ought to have been some proportionate reduction in expenditure of the other department at least.

Mr. President: The honourable member seems to be speaking to the last amendment. He should confine himself to the amendment before the House.

Mr. Ganpat Rai (continued): I am really grateful to the President for this correction. It has lent further weight to my arguments for the proposed reduction. I do not think that it is necessary to keep this temporary establishment engaged any more. Had there been any such necessity, it would surely have been made permanent. This shows that it is quite useless, and that is why that I heartily support the amendment before the House.

Mr. C. M. King (Financial Commissioner) : Sir, this sum of Rs. 2,192 is intended for the Ambala District, where a large experiment is being carried on at present. If that experiment is successful we should be able to extend it to Hoshiarpur, and that I hope will be a matter of great satisfaction to the members of this House. The amount of Rs. 2,192 is comparatively insignificant when compared with the great benefits that are likely to accrue if this experiment proves successful. The latest information that we have had from the Ambala District is that it is on the way to success.

3 P.M.

Mr. Ganpat Rai : When did this experiment begin ?

Mr. C. M. King : It began two years ago.

Mr. Ganpat Rai : This temporary establishment has been for the last seven years.

Rai Bahadur Lala Hari Chand : The question is that if this grant is stopped now whether there will be any decrease in income.

Mr. King : The income will not decrease, but the experiment will be stopped and the money already spent will be wasted.

Mian Beli Ram : My suggestion, Sir, is that the area of the experiment be reduced.

Mr. King : The area of experiment is already very small.

Malik Feroz Khan, Noon [Shahpur West (Muhammadan) Rural] (Urdu) : Sir, I hope the House will after the explanation given by my honourable friend Mr. King agree with me when I say that the demand must be granted. The House granted the same amount last year too. The House would do well not to make calculations like shop-keepers about such experiments. That is not a right way of looking at such things. One should always look to the eventual gains that will accrue from such investments. The Reclamation experiments, which are now going on, will surely add to the material wealth of the province. I hope my honourable friend Chandhri Kharak Singh will withdraw his amendment.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadan), Rural] (Urdu) : Sir, I rise to lend my support to what has fallen from my honourable friend Malik Feroz Khan. We should not reduce the demand from a business point of view. Money already spent will be wasted if the work is stopped. Therefore, Sir, I hope the House will grant the original demand.

Chandhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan) Rural] (Urdu) : Sir, as desired by the House, I beg leave to withdraw my amendment after the explanation of my honourable friend the Financial Commissioner.

(The amendment was by leave withdrawn.)

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), (Rural)] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,300—Travelling Allowance."

Sir, there is no definite indication in the budget as to whose touring expenses this sum is provided for in the budget. Any how it is generally complained

that a considerable sum is wasted by the Government Officers in touring expenses. If the officers cut down their tours, a considerable saving can be effected. With these few words, Sir, I propose that the demand be reduced by three thousand.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,900—
Travelling Allowance.”

The question is that that reduction be made.

Sayad Muhammad Hussain [Montgomery (Muhammadian), Rural] (Urdu) : Sir, I rise to support the amendment moved by my honourable friend Rai Bahadur Lala Sewak Ram. I honestly submit that the province cannot bear this burden of touring expenses and *thattas*. All the amendments tabled to be moved to the demand are based upon this belief. There should be an all-round 40 per cent. reduction in the demand. That is what was recommended by the Retrenchment Committee.

Sir, while the whole of the province is starving, the travelling expenses and *thatta* allowances are increasing by leaps and bounds. The time has come when a drastic cut should be made in such items. The financial burden is already becoming too heavy for the province, and it is time to revise the previous standards in the light of the present circumstances. These travelling expenses have become a source of income to the public servants. I appeal to the House not to kill the hen which has been laying golden eggs. If the tax-payer is to be burdened like that, a time will surely come when he will no longer be able to pay anything.

With these few observations, Sir, I support the amendment before the House.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadian), Urban] (Urdu) : Sir, I support the amendment moved by my honourable friend Rai Bahadur Lala Sewak Ram. The Government does not stand to lose anything by it. The travelling expenses have gone too high, and I think the time has come to make some reduction in these expenses. With these few words, Sir, I lend my support to the amendment before the House.

Mian Muhammad Shah Nawaz [Lahore (Muhammadian), Rural] (Urdu) : Sir, I rise to lend my support to the amendment before the House, which is based upon both reason and principle. The Retrenchment Committee advocated a cut of one lakh of rupees in the expenditure. The Bengal Presidency has been saved 100 per cent. by the Retrenchment Committee, which drastically reduced the travelling expenses. The Retrenchment Committee appointed by the Central Provinces Government has also recommended a 40 per cent. reduction in the expenses. Then I do not know why the Punjab Government should go on increasing the expenditure in this respect. These tours are already costing much to the province and it is time that some limit should be imposed upon this source of ever increasing expenditure. Most of the members of the House want to see a 40 per cent. reduction made in the item which stands to-day as high, as it did last year. With these few words, Sir, I support the amendment, which, I hope, will be accepted by the Government.

Mr. C. M. King (Financial Commissioner) : I may perhaps be permitted to cut short the discussion by taking into consideration all the several items of travelling allowance for which reductions have been pro-

[Mr. C. M. King.]

posed by the various members. The total of the budget for travelling allowance is Rs. 2,10,000 and the total of the reductions proposed under all heads comes to Rs. 89,000. We cannot go to that length and accept all the amendments. But in view of the fact that there has been a decrease of travelling allowance last year and in view of economy we propose to cut down the figure by Rs. 20,000. That is, I propose that the grant for travelling allowance should be Rs. 1,90,000 instead of Rs. 2,10,000. Rs. 20,000 is the only amount which Government can forego in this respect without risk of losing efficiency. There is not much good in keeping officers at headquarters drawing fairly good salaries if you are to forbid them from going out to do their duty. I hope the House will accept my assurance that I am doing my very best to keep down this item of expenditure in all the divisions and districts of this Province. For the present Rs. 20,000 is the only sum which we can forego. If it is possible to reduce the expenditure further we will certainly do so.

Mr. Ganpat Rai [Lahore and Ferozpur *esam*-Sheikhpura (Non-Muhammadan), Rural] (Urdu) : Sir, the Majority report of the Retrenchment Committee recommended an all-round reduction to the tune of 33 per cent., while that of the Minority wants it to be made to the extent of 40 per cent. It is therefore quite reasonable to ask for a reduction of Rs. 50,000. If that is acceded to by the Government, all amendments can be withdrawn, otherwise we would like to leave the matter to the decision of the House.

Mr. C. M. King (Financial Commissioner) : Sir, in speaking just now I did not explain that we are willing to accept this 10 per cent. reduction with reference to the rules of travelling allowances as they are at the present time. We are willing to restrict travelling so as to bring about a reduction of travelling allowance under the existing rules by 10 per cent. We have not yet considered the proposals of the Retrenchment Committee which go beyond that. The proposals of the Retrenchment Committee suggest a revision of the rules and principles of travelling allowance which will result in a still further reduction. It is impossible for us to say at once now that we will either reduce mileage or decrease daily allowance; or to decide in a hurry on what new principles we should base our travelling allowance figures. They will be considered as soon as possible, and in consequence of the report of the Retrenchment Committee I think there will be a further considerable reduction. On the existing rules we propose to suggest an expenditure that will bring about a reduction of 10 per cent. in travelling allowance. It is evident that a further reduction will be made by the alteration of the existing rules.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadan) Urban] (Urdu) : Sir, may I ask, with your permission, as to when the rules will be amended in this respect. I think that if some definite assurance is given to the House, it will greatly facilitate the matters.

Mr. C. M. King : I can assure the honourable member that it is the intention of Government to amend these rules, but it cannot do it in a hurry. I cannot say more than that.

Mr. Miles Irving (Financial Secretary) : Sir, I should like to explain that the proposed reduction really is more than 10 per cent. In the accounts of 1921-22 we had 2 lakhs for travelling allowances under this head, but that did not include travelling allowance to *patwaris*, which amounted to about Rs. 35,000. This year for the first time the travelling allowance to *patwaris* has been classified as travelling allowance and not, as before, as contingencies.

Therefore really the travelling allowance for 1921-22 was Rs. 2,35,000 and when Mr. King offers to reduce it to Rs. 1,90,000, including travelling allowance to *patwars*, he is making a very much larger reduction than 10 per cent.

Maulvi Muharram Ali Chishti [Lahore City (Muhammadan), Urban] (Urdu) : Sir, it will not be very useful to waste time in the discussion of these side issues. These benches will not be satisfied with any reduction less than that of Rs. 50,000. For us it is the first and the last opportunity to make our voices felt in this respect. The Government can, if it likes, get more money to make up any deficiency by supplementary grants, but we shall then be quite helpless. Therefore if any bargain is to be made in this respect, it can be done just now. This will also lend a weight to the recommendations of the Retrenchment Committee. I again appeal to the Government to meet the wishes of the House in this respect.

Mr. President : Grant under consideration, amendment moved :

"That the grant be reduced by Rs. 8,000 with respect to the item of Rs. 8,300—
Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore ~~ex-m~~-Sheikhupura (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move :

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 10,800—
Contingencies."

Sir, my amendment is quite a simple one. I only want the contingency item of Rs. 10,800 to be reduced by Rs. 2,000. I do not like to repeat the old stories by making a speech. I hope it will be accepted by the Government.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I accept that amendment.

Mr. President : Grant under consideration, amendment moved:—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 10,800—
Contingencies."

The question is that that reduction be made.

The motion was carried.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General.) (Urdu) : Sir, I beg to move:

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 40,000—
Lump provision for settlement of Bhakkar Tahsil."

Sir, it is with a particular end in view that I have moved the amendment before the House. The joint Select Committee remarked in their report that the revenue system in India was not based upon definite principle, and that Government should do something to remove this defect at the time of the introduction of responsible Government in the country. The Committee appointed to report on it has not yet submitted its report to the Government. Therefore I wish that some undertaking may be given to the House

[Diwan Bahadur Raja Narendra Nath.]

by the official benches, to the effect that the Government will act according to these recommendations in respect of this settlement also. With these few words, Sir, I move the amendment.

Mr. President : Grant under consideration, amendment moved :

" That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 40,000—
Lump provision for re-settlement of Bhakkar Tahsil."

The question is that that reduction be made.

Sayad Muhammad Hussain [Montgomery (Muhammadan) Rural] (Urdu): Sir, my honourable friend Raja Narendra Nath has forgotten the fact that the Honourable the Finance Member had given an undertaking to the effect at the time when the House discussed the question of the Jhang and Sargodha settlements....

The Honourable Sir John Maynard : No, Sir, I did not give any undertaking.

Sayad Muhammad Hussain : Sir, we withdrew our resolutions on that undertaking at that time.

Mr. President. I think the honourable member is under a misapprehension. Sir John said *he* did not make the undertaking. Sir John Maynard did not say that it was not made.

Sayad Muhammad Hussain : Sir, I think the Honourable the Finance Member gave that undertaking on behalf of the Government. Anyhow the House should feel obliged to my honourable friend Raja Narendra Nath for the amendment he has moved just now. This will to a great extent set at rest all doubts about the matter.

Sir, I understand the Committee has submitted its report to the Government. The Zamindars are anxiously waiting for the results of the labours of the committee. The Government should try to take whatever steps it likes on the report as soon as possible. If that is delayed, the idea will gain ground that perhaps it is thinking of shelving the whole question. I hope that some very prompt steps will be taken by the Government with a view to bring into effect the recommendations of the Committee at the earliest possible opportunity. If anything substantial is done in this respect, it will be counted as one of the achievements of this Council.

Diwan Bahadur Raja Narendra Nath : That assurance was given with respect to the settlements for which sanction was applied for at the time; and this assurance is for these settlements for which money is being asked for.

Mian Muhammad Shah Nawaz : [Lahore (Muhammadan), Rural] (Urdu): Sir, I rise to support the amendment before the House, which in fact refers to the Settlement of the Bhakkar Tahsil. It wants that the proposed expenditure of Rs. 40,000 in that respect be reduced by one thousand. Sir, the Government passed an Act in 1902, according to which the Government undertook to irrigate that tract including the Bhakkar Tahsil provided the proprietors of the *Shamilat Deh* surrendered three-fourths of their proprietary rights to the Government. Many years have elapsed, and the Government has not done anything to fulfil its obligations. This is quite unfair *zulm* as much of the area consisted of *Shamilat Deh*. I do not know how the Government will in fairness ask the Zamindars now to pay revenue for this undivided *Shamilat*....

Mr. President : Order, order. I think the honourable member should reduce the intensity of his expressions.

Mian Muhammad Shah Nawaz : (continued) Sir, I respectfully but strongly submit that the settlement operations be stopped at once in the Tahsil and the *shamlat* be allowed to be divided among the zamindars. God only knows, what harm has been done to the unfortunate zamindars of the Tahsil by this iniquitous attitude of the Government. The zamindars would never have accepted that arrangement, had they known that nothing will come out of it. It is with all earnestness that I draw the attention of the House once more to the fact that the zamindar community of the Thal tract will be ruined, if Government did not do anything to redeem its pledges embodied in the Act of 1902. Either Act I of 1902 should be repealed at once or the construction of Thal canal should begin at once on new conditions which should be reasonable and acceptable to the Thal proprietors. It is out of protest against all this, that I heartily support the amendment moved by my honourable friend Raja Narendra Nath.

Malik Firoz Khan, Noon : Might I ask one thing, Sir? Whether the Government acknowledge or not the fact that they made an announcement to the effect that no assessment will be made unless and until the rules have been framed by a committee from the Council and have been put in force. I want to know whether that is a fact or not?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The announcement that was made is in the records of the proceedings, and I stick to that record. I would not go beyond that record.

Mr. Ganpat Rai : What is that please?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Please read the Council proceedings.

Mr. D. J. Boyd (Home Secretary) : Sir, I have every sympathy with what the last speaker has said; I have every sympathy with the people of Bhakkar Tahsil in their desire that the Thal canal should be made as soon as possible; but before the Council decides to reject the grant by way of protest, there is one thing which I think they ought to consider. It is this, that at the last settlement, the Bhakkar Tahsil was treated as a purely grazing land and the assessment levied was a grazing assessment. Incidentally the Assessment Officer in distributing that assessment arranged that two pice per *kanal* should be put on all cultivated land.

Now owing to the spread of cultivation these two pice per *kanal* produce in a great many villages the whole assessment of the village. Whenever there is decent rain such as there has been in the present year, several villages automatically pay two or three times the assessment. I found when I was Deputy Commissioner of Mianwali that there were several villages which had paid the revenue three years in advance, and I had to stop collection of revenue for three years. Is the House going to refuse revision of settlement when the position is so absurd as that? Are we going to throw away money when it is so badly needed. It will after all need a very small enhancement on the cultivated area to bring a very large extra revenue. It would be absurd to deny this grant by way of protest against delay in regard to a matter which is now under consideration.

Malik Firoz Khan, Noon : I beg to move—

“That the question be now put.”

Mr. President : The question is —

“ That the question be now put ”

The motion was carried.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 40,000—
Lump provision for re-settlement of Bhakkar Tahsil.”

The question is that that reduction be moved.

The motion was carried.

Diwan Bahadur Raja Narendra Nath : My object has not been achieved. I have not had the assurance.

Mr. President : I cannot help it.

Mian Muhammad Shah Nawaz : Can I move, Sir, that the whole grant be cut out ?

Mr. President : There is no notice of that amendment.

Mian Muhammad Shah Nawaz : When I move that the whole grant be cut, there seems to be no notice required for it.

Mr. President : Any amendment to reduce a grant or to omit any item in a grant requires notice.

Mian Muhammad Shah Nawaz : When I move that the grant in its entirety be cut out ?

Mr. President : You are only referring to an item in the grant. If you propose that the whole grant of 42 lakhs be cut out, then no notice is necessary.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammaddan), Rural] (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 15,150 with respect to the item of Rs. 1,92,000—
Allowance and Pay of Settlement and Extra Assistant Settlement Officers.”

Sir, the Government allows Rs. 150 to every Settlement Officer and Rs. 100 to every Extra Assistant Settlement Officer as extra allowance. I do not see any justification for this expenditure. They have to do nothing of extraordinary nature which may justify this expenditure. In addition to all this, they get travelling allowances. Those officers who do as responsible work in the offices as these officers get nothing as extra allowance. If the Settlement Officers have to make some special arrangements for their comfort outside they are compensated for it by the travelling allowances. Therefore, Sir, I submit that no extra allowances should in future be granted to the Settlement Officers. With these few words, Sir, I move the amendment before the House.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 15,150 with respect to the item of Rs. 1,92,000—
Pay of Settlement and Extra Assistant Settlement Officers.”

The question is that that reduction be made.

Mr. Miles Irving : I want to rise to a point of order, Sir. The honourable mover (Chaudhri Kharak Singh) has referred specifically his

reduction as relating to the special pay of officers which is called 'settlement allowances.' I want a ruling, Sir, whether in the case of officers appointed by the Secretary of State the special pay provided for is voted or non-voted by this House.

Mr. Ganpat Rai : Sir, this question was discussed, as you will find in the majority report of the Retrenchment Committee. When we discussed this item in that Committee no objection was made.....

Mr. President : You are again referring to the proceedings of the Retrenchment Committee which I cannot allow you to indulge in. You must not go into the details of the discussion of the Retrenchment Committee. You should leave the matter for me to decide.

My ruling is that so far as it relates to Settlement Officers, it is non-voted and cannot therefore be discussed.

Mr. Ganpat Rai : There are certain officers who do not belong to that class of officers. Again what about of the Extra Assistant Settlement Officers ?

Mr. President : If the members will look at the budget they will see that non-voted items are printed in a different type from the rest. There is one item under Settlement Officers which runs for four months (Rs. 1,575 + 150). That is an item in which the Rs. 150 may be attacked. The House may attack all the allowances under the head of Extra Assistant Settlement Officers.

Mr. C. M. King : Sir, it will save trouble if I say that we are prepared to accept the verdict of this House as regards the voted part.

Chandhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muham-madan), Rural] (Urdu), Sir, according to your ruling which in fact is perfectly right, I will reduce it from the non-voted sum. The rest comes to Rs. 6,600 which I propose should be absolutely done away with.

Mr. President : Chandhri Kharak Singh, the voted amount comes to Rs. 6,600. I think you had better withdraw your original motion and move a new one.

Chaudhri Kharak Singh : Sir, I beg for leave to withdraw the amendment.

The motion was by leave withdrawn.

Chaudhri Kharak Singh : Sir, I beg to move—

"That the grant be reduced Rs. 6,600 with respect to the item of Rs. 1,32,000—Allowance and pay of Settlement and Extra Assistant Settlement Officers."

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 6,600 with respect to the item of Rs. 1,32,000—Allowance and Pay of Settlement and Extra Assistant Settlement Officers."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner), Sir, I am afraid I must oppose this. The immediate effect of this amendment, if made, will be to reduce the special allowance allowed to Extra Assistant Settlement

[Mr. C. M. King.]

Officers. This House cannot touch the special pay allowed to Settlement Officers of the Imperial Service. The House would be making an invidious distinction by striking out the special pay of Extra Assistant Settlement Officers. The general idea seems to be that Settlement Officers and also Extra Assistant Settlement Officers are peculiarly happily situated and that sheer love of the work makes them Settlement officials. I am quite willing to admit that settlement work is peculiarly interesting but it must be remembered that it is also peculiarly arduous and although it is possible that some Settlement Officers might be attracted to do this work even without the inducement of an extra allowance as a general rule, it would be most unfair to expect people to undertake this work on these terms because it means not only a very great deal of discomfort and extra travelling and extra hard work which an officer in the ordinary line does not have, but very often it actually means an increase in expenditure. The Settlement official has to arrange for greater means of locomotion than he would ordinarily have as a district officer and he has to do a very much greater amount of travelling. Of course the travelling allowance compensates his out-of-pocket expenses but over and above that there are other expenses—and I can speak with knowledge, having been a Settlement Officer myself, and I am sure other Settlement Officers will agree with me—that are barely met by the special pay, which is after all very small. I, therefore, strongly urge the House not to agree to the amendment, as it would be an act of injustice to the Extra Assistant Settlement Officers.

Mr. President : It is now ten minutes past four and so far only seven amendments have been discussed and only a small portion of one grant. At this rate we shall never get through anything like all the grants during the six days which are allotted and I shall be in the unpleasant position of having to put on the last day every question necessary to dispose of all the remaining matters in connection with the demands for grants. Under the rules, if these demands are not finished within the time allotted, then on the last day I cannot put the amendments. Even if I wished to do so I shall only put the grants and the honourable members will have simply to vote, to accept them *in toto* or reject them *in toto*. Even though the amendments are there the honourable members cannot move them as they are not strictly speaking questions before the House. In order to get an intelligent discussion on these demands, I hope members will remember that we must get on quickly.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian) Rural] : Sir, it is not our intention at all to take more time than is absolutely necessary. There are several amendments which are on the same principle. If one amendment is accepted, the others should also be accepted without discussion. For instance, we have just adopted an amendment on travelling allowance. If Government accepts this principle in the case of all travelling allowances, a good many amendments will be disposed of within five minutes.

Mr. President : I agree that if an amendment has been discussed once and gone against the mover or the mover withdraws it or it has gone against the Government, it would enhance the chances of disposing of the work quickly if similar amendments are either withdrawn by the mover or accepted by the Government, as the case may be, without discussion. If that spirit is maintained on both sides, it will help in speeding up our progress.

Mr. Ganpat Rai : And secondly, the maximum time given in the rules for these amendments is 12 days. If you think full justice cannot be

done, in that case we intend to ask you to request His Excellency to grant more days because the matter is very important. You might have seen from the speeches which have been made to-day, that there is a great feeling about it.

Mr. President : I do not think that there is the slightest chance of any more days being added.

Mian Beli Ram [Hoshiarpur (non-Muhammadan) (Rural)] (Urdu) : Sir, what Mr. King has said may be quite correct, from his point of view; but the zamindars think otherwise. The officers have not sufficient time to personally superintend, nor have we ordinarily officers of the ability, integrity and alertness, which are the special attributes of Mr. King. Hence we want an assurance that the officers will not maltreat the zamindars nor ask the latter to provide for them eggs and poultry and firewood. If the zamindars are not oppressed in this respect, we will be grateful, but as a matter of practice these things are difficult to prevent.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] : Sir, as we, the members of the minority report of the Retrenchment Committee, expressed, the system has been *ab initio* wrong. We unfortunately cannot possibly agree to the rules under which these allowances are drawn. We can only express our protest in the case of the Provincial Service people. By cutting down the grant, if the House does so, it will mean that the whole House and whole country is against these allowances. The country is so poor that it cannot afford these allowances. The Settlement Officers are allowed to stay two months in the hills. They can recruit their health there. As regards the Provincial Service, they long to get the appointment of Settlement Officer. I think the reduction of their allowances will not make the appointment less attractive. They will ask for it, whether they are given the allowance or not. Then there is another thing. We lay men were under the misapprehension that Government had given an undertaking that no future assessment will be proceeded with unless and until the new law is made. We are unfortunately told here that everything is in the record of proceedings. We were under the impression that this assurance had been given. Even my friend Raja Narendra Nath, who is a great expert in these things was under the same impression.

I want an explanation of this, Sir.

The Honourable Sir John Maynard (Finance Member) : I desire to remove this misapprehension, Sir. A good deal has been said of this promise by Government. Promises of course will be kept. Promises are on record and action will be taken on them. It is only because we are not able to trace it in the book just at present that we are not able to say what it was. It is only for that reason that we do not want to repeat it. There is not the least intention of departing from the promises which have been made.

Rai Bahadur Lala Hari Chand : I move, Sir,—

“ That the question be now put ”

The motion was carried.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 6,600 with respect to the item of Rs. 1,92,000—
Pay of Settlement and Extra Assistant Settlement Officers."

The question is that that reduction be made.

The Council then divided: Ayes 26, Noes 21.

AYES 26.

Malik Firoz Khan, Noon.
Chandhri Ali Akbar.
Lala Atma Ram.
Rao Bahadur Lieutenant Balbir Singh.
Sardar Sahib Risaldar Dilbagh Singh.
Khan Bahadur Rai Wali Muhammad Khan.
Chandhri Ghulam Muhammad.
Sayad Ghulam Muhammad Shah.
Bawa Hara Singh, Bedi.
Rai Bahadur Lala Hari Chand.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Sardar Randhir Singh.

Rai Sahib Misar Mela Ram.
Mr. Moti Lal, Kaistha.
Chandhri Muhammad Hayat Khan.
Sayad Muhammad Hussain.
Sayad Muhammad Raza Shah.
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Rai Bahadur Lala Panna Lal.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Rai Sahib Lala Thakar Das.

NOES 21.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian Fazli-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latifi.

Mr. C. M. King.
Mr. E. R. Abbott.
Colonel B. Heard.
Mr. W. P. Sangster.
Lieut.-Col W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Mr. Nawab Din, Murad.
Lala Kesho Ram.
Malik Najabat Khan.

The motion was carried.

The Honourable Sir John Maynard: Sir, when the voting was being taken, a certain member induced by wave of hand three other members to stand in their places. This inducement is improper and influences the vote of the member. I bring this to your notice.

Mr. President: This matter has been repeatedly mentioned in this Council; and a point of order has been repeatedly raised as to whether it is in order for one member to try and induce another to vote when he is hesitating or has not shown any inclination to vote. Well, my predecessor held that it was very improper; and similar rulings have been given in other places too. But though it is very improper and I do not think that members should do that at all, I am not sure what penalty I am to enforce. Am I to say that the vote would not count? I can order the member to leave the chamber and then his vote no doubt will not be taken. I think I must confine myself now to reiterating that it is very improper to interfere with the free

option of members by inducement by private conversation. After the debate has been concluded and the division bell has rung, there should be no further attempt to influence votes by any private conversation whatsoever.

Mr. Ganpat Rai : Sir, some members ask our advice which way they should vote. They ask because they have not followed the discussion. What should we tell them?

Mr. President : You should say nothing or you should say "You should make up your own mind."

Mr. Ganpat Rai : Sir, some members go out and ask us to inform them when the voting takes place. Have we not the right to inform them of this.

Mr. President : Certainly you have the right. I make a rule that when the bell has rung, there should be no more canvassing.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (non-Muhammadan)] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 8,000 with respect to the item of Rs. 20,000—Travelling Allowance."

This will bring about a 40 per cent. reduction as recommended by majority report of the Retrenchment Committee. I need not make any elaborate speech in support of it, and I trust the House will accept it.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 8,000 with respect to the item of Rs. 20,000—Travelling Allowance."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : With respect to this item I may point out to the House that it has already been reduced by 10 per cent. As I said before these Settlement Officers have to do a great amount of travelling.

Mr. Miles Irving (Finance Secretary) : I wish to draw the attention of the House to one point. Certain members, I understand, wish to reduce the travelling allowance by a definite percentage of 40. I ask them what figure they wish to reduce by 40 per cent. The Finance Department has already reduced the figure for travelling allowance by 10 per cent. In 1921-22 the expenditure on travelling allowances was 46 lakhs. In the Budget which has been presented to the House it is 43 lakhs. Thus it has already been cut down by three lakhs and I put it to the House whether it is fair to regard this figure as a basis for their reduction.

Sayad Muhammad Hussain [Montgomery (Muhammadan), (Rural)] (Urdu) : Sir, a reduction of 3 lakhs from so huge an item as that of 46 lakhs is not enough. We have cut down travelling allowance in pursuance of a golden principle. We have already asked that Rs. 12,000 be accepted instead of Rs. 20,000 under this item. Had the Government granted our request, no discussion would have taken place. Hence we protest against travelling allowance with all the force at our command. These tours of the officers are a great nuisance to the public.

Mr. Ganpat Rai : I would explain to the House that the offer of 40 per cent. reduction refers to the existing budget figures which we are now considering. It did not take into account the reduction which has already been made by the Finance Department.

Sayad Muhammad Hussain: The total reduction that has been made by the Finance Department is three lakhs out of 46 lakhs. But we want a reduction of 40 per cent.

Malik Firoz Khan Noon: [Shahpur West (Muhammadan), (Rural)]: Sir, as the facts exist now, I think it is necessary to make it clear to the House as to what effect the amendments that we are now considering may have on the administration in the coming year. The figure provided for travelling allowance has been fixed with reference to rate fixed under the rule and as enhanced not long ago. We are cutting down only lump sum allotted for the purpose. The rate of travelling allowance remaining the same the result of the reduction of lump sum would be that the number of times these officers go on tour will be reduced and consequently there will be less outturn of work. I do not think, Sir, that that is the desire of the House, that the work should suffer. The general desire is that the rate of travelling allowance which is very high should be reduced. That was the view of the Retrenchment Committee and that seems to be the view of the Government when they offer to cut down the figure by 10 per cent.

Mr. C. M. King: The 10 per cent. reduction will be made even under the existing travelling allowance rules. If the rules undergo revision in the direction referred to, the reduction will be still more.

Malik Firoz Khan, Noon: (continued) I am only referring to the desire of the House that there must be a reduction in the lump sum provided in the budget. If the Government is considering the question of reduction of the rate of travelling allowance, if the Government can give an assurance that they will give effect to the recommendations of the Retrenchment Committee, then I will suggest a reduction of 25 per cent. which will be a middle course which the Government and the Council can agree to. It will save a lot of time of the Council if the Government would come forward and give an assurance that they will give effect to the recommendations of the Retrenchment Committee this year.

Mr. C. M. King: We cannot give that assurance. We have to consider very carefully the proposals of the Retrenchment Committee. The decision will be arrived at this year, and if a decision is arrived at we will give effect to the decision even this year.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, I may inform the House that the procedure to be followed to discuss the Retrenchment Committee's report is that all the Heads of Departments, the Members and the Ministers, will meet together and discuss the budget item by item and cut it down as far as it is possible to do so. That is the procedure which is going to be adopted. The first step to be taken is in the Canal Department and we are very likely going to meet either on the 28th or 29th of this month or on the 9th or 10th April.

(At this stage Mr. President left and the Deputy President took the Chair)

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), (Rural)]
(Urdu: Sir, I regret to say that the official members do not pay heed to our difficulties. The Punjab is financially over-burdened. If the Govern-

ment saves us from trouble now, we will be grateful. If the remedy is postponed for another six months, it will mean—

نا تو باق از عراق آرد شد

مار گزیده مرده شد

that "By the time the elixir arrives from Iraq, the serpent bitten will have died." Accordingly, Sir, we are bound to support this amendment seeing that the Government do not fix the time limit in this behalf.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), Urban] (Urdu): Sir, the reduction of ten per cent. should be increased. It must be at least 25 per cent. Government say that they cannot fix a definite time by which the reduction in the system of travelling allowances could be carried out, and yet they ask us to grant a definite sum of money. I must say, however, that experience in respect of this sort of promises has made the honourable members of this Council alert and watchful. Hence we want a definite action and no mere promises from the Government. After all, Sir, what the Government have to do will have to be done sooner or later. May we remind them therefore that "where there is a will, there is a way," and therefore they need not explain away their delays by talking of the necessity of consulting officers and deciding upon the rate of allowance. Consultation with the officers, however, can be begun and finished in a week provided the Government have a mind to do it. I will therefore urge on them to fix a period, within which the promised reduction can be made.

My complaint, while we are considering the matter, is that when the Government desire to do a thing, they certainly find a way for expediting matters; but when we want something to be done immediately we are given excuses and a very slow process of action is taken. Lastly, Sir, we the non-official members labour under another difficulty and it is this. In financial matters the only effective opportunity of pressing our demands is the budget time. We cannot remain silent when the budget is presented. We must speak out now because if we grant money now it is we who will be called upon to impose new taxes for providing for the deficit. I must, therefore, Sir, exhort the members to close the road to further taxation now, by not unthinkingly granting Government demands. Thus alone they will be able to avoid the necessity of leaving behind them a thorny legacy of deficit for their successors in Council to tackle.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 20,000—Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural]: Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—Settlement Allowance."

As an amendment of this kind has already been passed, I hope this also will be accepted and no objections on the part of the officials will be raised.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—Settlement Allowances."

[The Deputy President.]

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner): Sir, I oppose this amendment. There is one Settlement Officer whose allowance is Rs. 150 per month and one Extra Assistant Settlement Officer whose allowance is Rs. 100 per month. That comes to Rs. 3,000. If the idea is to cut down this item so that the settlement may not take place, then there is no help for it. Then, Sir, I take this opportunity of repudiating the suggestion that Government servants make promises and do not keep them. I cannot emphasise too much that Government promises made in this House are scrupulously kept and are being carried out.

Sayad Muhammad Hussain [Montgomery (Muhammadan), (Rural)] (Urdu): Sir, the whole system of travelling allowances is wrong through and through. It ought to be altogether done away with. The Honourable Revenue Member has said that there has been a misunderstanding with reference to the promises of the Government who will scrupulously fulfil them. I, therefore, want to know what exactly that promise is. The Government, Sir, are expert in these matters while we are only laymen. We want to know the promise and when it will be fulfilled.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, (Revenue Member): With your permission, Sir, I will read out the promise I made on the occasion.

"I wanted to give a sort of assurance that if the recommendations of the Committee were made they would be considered and the assessments that have taken place in the interval revised. The utmost I can say on the subject is that the findings of the Committee are finally to be laid before the Council and have to be considered by the Local Government. Whatever the decisions of the Local Government on the report are, I undertake that those benefits if granted will be given to the assesses on the last assessments that have taken place. Beyond that I cannot go."

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), (Rural)] (Urdu): Sir, what Sayad Muhammad Hussain wants is that the assurance given by the Honourable Revenue Member should also be applicable to the settlements now in hand or to be begun in the near future. If a promise to this effect is not given we will insist on the acceptance of this amendment. *Prima facie*, what we wish must surely be done.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Well, I may for the information of my friend read the reply that I gave there and then to a question which was put by Sayad Muhammad Hussain. This is what I said: "for the settlements which may be started in future."

The Deputy President: Grant under consideration amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—Settlement Allowances.

The question is that that reduction be made.

The motion was carried.

Chandhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 1,200 with respect to the item of Rs. 1,200—Settlement Allowance of Establishment."

This amendment is also based on the same principle as was mentioned before, it should therefore altogether be cut down.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,200 with respect to the item of Rs. 1,200—Settlement Allowance of Establishment."

The question is that that reduction be made.

Malik Firoz Khan Noon [Shabpur West (Muhammadan), Rural]:

5 p.m. Sir, I hope Chaudhri Kharak Singh will withdraw this amendment; and that for this reason because a settlement officer has to go over the country with his office establishment and peons. They are people who receive very small salaries. This settlement allowance is given to them for the extra amount of touring that they have to do. In the evening they have to take off the tents and pitch them at the next place to be visited in the morning and so on. So this allowance should be paid to them. I trust Chaudhri Kharak Singh will withdraw his amendment.

Chaudhri Kharak Singh: Sir, in view of what my friend Malik Firoz Khan has stated, I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore *cum* Sheikhupura, (Non-Muhammadan) (Rural)] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 5,000—Travelling Allowance."

My reasons for moving this amendment are what I have already submitted. I hope the House will accept this amendment.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 5,000—Travelling Allowance of Officers."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member): Sir, may I at this stage suggest a solution of the difficulty about these travelling allowance items. It seems to me to involve waste of time that members should go on discussing this item by item. It is possible I think to arrive at a decision. In the first place it is not right to start on an uncertain figure, and from that to make the reduction. In some cases, we have already made reductions. In the others we have not yet done so. The best thing to do is to take the revised expenditure in the previous year and from that determine a general percentage of reduction. I propose to start by taking the revised figures for 1922-23, and from that to make a particular reduction. I hope the members have understood what I mean.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, what the Honourable Finance Member has said is of course reasonable, but the trouble is that when this matter came before the Retrenchment Committee it recommended a cut of 40 per cent. The Government has reduced the sum by 10 per cent. only.

(At this stage Mr. President resumed the Chair.)

We say that this cut is altogether small.

The Honourable Sir John Maynard (Finance Member) : I have not been understood, Sir. I want to determine the figure from which reduction should be made. I suggested that the proper figure is the actual figure of a particular year and not the Budget figure in which we have already made reductions. If reduction is to be made, it should be made from the revised figures of the year 1922-23. First of all we must have a common basis to start on.

Mian Muhammad Shah Nawaz : When the total figure comes to about 48 lakhs, I propose that the recommendations of the majority of the Retrenchment Committee should be adopted. I suggest that fifteen lakhs should be cut off altogether. Of course, the non-official members of the Retrenchment Committee suggested 40 per cent. but you may adopt the recommendation of the majority and reduce only 33 per cent.

The Honourable Sir John Maynard : As a matter of fact, the actual proposal that I was going to make was this. The revised figure for 1922-23 of the total travelling allowance of all departments is approximately 47 lakhs. We will so make our new rules and new orders as to achieve a reduction of 25 per cent. from that figure. If that is not agreed to by the Council, then we can only take up the items one by one. Twenty-five per cent. reduction is the utmost that we can possibly make from that amount.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I want to appeal to the Honourable Sir John Maynard on behalf of the poor people of the province that if he is unable to accept the recommendations of the minority of the Retrenchment Committee who suggest 40 per cent. reduction in this amount, he may very kindly adopt the recommendation of the majority and make a reduction of 33 per cent. The majority contains officers of the position and standing of Mr. King and Raja Narendra Nath, who have spent all their life in service; and their recommendations, which are based on actual experience, will I hope be considered feasible to adopt. With all respect for what he has said and thanking him for the kind attitude which he has shown to-day, I hope he will kindly see his way to make a 33 per cent. reduction in this amount; and he will then see how we co-operate with him in making up the deficit in the Budget.

Malik Firoz Khan, Noon [Shahpur West (Muhammadan), (Rural)] : Sir, I hope the Sayad Sabib will be more reasonable. After the offer of the Honourable Sir John Maynard who has actually promised to reduce 11 lakhs, I think it is unreasonable to expect more. I think that is an amount with which every member should be satisfied. I hope the members will be reasonable, and accept that offer gracefully; and not quarrel over the 33 per cent. reduction.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan)] : We are quite willing to accept the 25 per cent. reduction, but we ask that that should be raised later on, say after 3 or 4 months, to 33 per cent. as recommended by the majority of the Retrenchment Committee. On this condition we agree whether we gain or lose. It is another matter that, if we do not agree, then we shall have to go on item by item. But I think this is very reasonable that the report of the majority should be accepted, and then if there is any deficiency, the Government can ask for a supplementary grant. If you really convince us that this is necessary, I assure you that we will be quite pleased to pass that grant.

The Honourable Sir John Maynard : It is a bad principle to put forward demands for supplementary grant. I am sorry it is not possible to go beyond 25 per cent. I think even that is not practicable. I know that there will be practical difficulties in achieving even that much. But I am prepared to agree to that, and nothing more.

Malik Firoz Khan, Noon : Sir, I would call upon my friends to accept that offer of Sir John gratefully and not be unreasonable.

Mr. Miles Irving (Secretary, Finance Department) : I think I can make a lump reduction of 25 per cent. in regard to travelling allowance items from the total Land Revenue grant, and then those amendments which relate to it can be given up. That will save the time of the Council.

Mr. President : I think that will be all right, provided we do not finish the total grant of Land Revenue to-day.

The suggestion is that all proposals for reducing the travelling allowances under Land Revenue should be withdrawn on the understanding that the Finance Secretary will work out the figures and move for a lump sum reduction of 25 per cent. Is that acceptable to all ?

Mr. Ganpat Rai : Does that suggestion refer to all grants, Sir ?

Mr. President : Yes that procedure will be adopted with reference to all grants, Excise, Forest and so on.

The House agreed to this.

Mr. President : The course now to be adopted is for the honourable member to withdraw his amendment.

Mr. Ganpat Rai : I beg leave to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Rai Sahib Lala Thakar Das [North-West Towns (Non-Muhammadan), (Urban)] (Urdu) : I beg to move, Sir—

“That the grant be reduced by Rs. 41,700 with respect to the item of Rs. 41,700—Resettlement of non-colony portion of Jhang District.”

My amendment is based on the same principle which Diwan Bahadur Raja Narendra Nath has already expressed in connection with his own amendment. I do not think I need go into details. However in this connection I would like to read a passage from the Report of the Joint Select Committee which runs as follows :—

“ The Committee are impressed by the objections raised by many witnesses to the manner in which certain classes of taxation can be laid upon the people of India by executive action without, in some cases any statutory limitation of the rates and, in other cases, any adequate prescription of statute of the methods of assessment. They consider that the imposition of new burdens should be gradually brought more within the purview of the Legislature. And in particular without expressing any judgment on the question whether the land revenue is a rent or tax, they advise that the process of revising the land revenue assessments ought to be brought under closer regulation by statute as soon as possible. At present the statutory basis for charging revenue depends on the discretion of the Executive Government. No Branch of the administration is regulated with greater elaboration or care ; but the people who are most affected have no voice in the shaping of the system.

[Rai Sahib Lala Thakar Das.]

and the rules are often obscure and imperfectly understood by those who pay the revenue. The committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancements, and the other chief processes which touch the well-being of the revenue payers. The subject is one which probably would not be transferred to Ministers until the electorate included a satisfactory representation of rural interests, those of the tenantry as well as of the landlords; and the system should be established on a clear statutory basis before this change takes place."

Mr. President: I think you must alter your figure a little, because there has already been a reduction of Rs. 3,000.

Rai Sahib Lala Thakar Das: I correct the figure to Rs. 38,700.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 38,700 with respect to the item of Rs. 38,700—
Re-settlement of non-colony portion of Jhang District."

The question is that that reduction be made.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu): Sir, the non-official members entertain some doubt in respect of this amendment. The aim underlying Sayad Muhammad Hussain's resolution was that only new rules should be applied to new settlements. When his resolution was introduced, the Lyallpur Settlement was pending. Thus that Settlement had not derived any benefit from that promise in pursuance of which new rules were to be drafted. I know as a fact that in Lyallpur the land revenue had been enhanced by 47 per cent. This enhancement should certainly be withdrawn, as complaints are pouring in from that quarter. It should not have been done particularly after a promise had been given in direct opposition to it. I want an answer to these facts.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, I had no intention to support this amendment, but as the aim underlying my former amendment has not been achieved, I rise to support it with a view to elicit an explanation on that old promise. That promise was to this effect, that new assessment will not be imposed unless revised rules have come into force.

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), (Rural)] (Urdu): Sir, I cannot support Raja Sahib here. We are facing a huge deficit to make up which we ought to make strenuous efforts. It does not stand to reason that Government should renounce an income which has accrued to it from the revised assessment of the Lyallpur District inasmuch as the said assessment was quite in accordance with the existing rules. As it was a general assessment we ought not to give it up. When it has proved an additional source of our income, we should not take exception to it. With these few remarks I oppose the amendment.

Malik Firoz Khan, Noon [Sheikpur West (Muhammadan), (Rural)] (Urdu): Sir, we recognise the necessity of finding means for providing revenues to the Province. But a promise was made that the enhancement consequent on the resettlement will not be given effect to until the new rules come into force. If the Government can give the assurance that this promise will be fulfilled we do not want this settlement allowance to be cut down.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, (Revenue Member): May I save the time of the Council by saying that this promise was not applicable to the Lyallpur settlement, because the Lyallpur settlement was then actually going on at the time the promise was given. The promise was given only for the settlements that took place after the promise was made.

Sayad Muhammad Husain: What about the present settlement?

The Honourable Sir John Maynard: It is applicable to all settlements which were taken up after the promise was made. It is not applicable to any settlement which was taken up before the promise.

Sayad Muhammad Hussain: I want to enquire what that promise was.

The Honourable Sir John Maynard: The promise was this: Whatever the decisions of the Local Government on the report of the Committee were, the Government would undertake that those benefits if granted will be given to the assesses on the last assessments that have taken place.

Diwan Bahadur Raja Narendr Nath: Sir, this is not the sort of promise that is now asked for. The promise now asked for is that the assessment which will be made will be made in accordance with the principles laid down in the Act which this Council will pass.

Mr. C. M. King (Financial Commissioner): There is a great deal of misapprehension on that point. Any Act that this Council passes, Government will be bound to act upon. If a Bill is presented before this Council and it becomes an Act, it will be impossible for Government to avoid it.

Rai Sahib Lala Thakar Das: Sir, on the assurances given, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

**Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muham-
madan), (Rural)]:** Sir, I beg to move—

"That the grant be reduced by Rs. 17,800 with respect to the item of Rs. 1,17,300—Temporary Establishment including chainmen."

This is a large sum and since it is to be expended on temporary establishment, I propose a reduction of Rs. 17,300.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 17,800 with respect to the item of Rs. 1,17,300—Temporary Establishment including chainmen."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, (Revenue Member): Sir, hitherto this work has been done by taking a sort of *begar* from zamindars in which this settlement was started. The idea is not to take that *begar* but to pay the men for the work which they are doing. If it is the pleasure of this House that *begar* should be taken in future then they are at liberty to cut this out.

Malik Firoz Khan, Noon [Shahpur West (Muhammadan), (Rural)] : Sir, we are obliged to the Revenue Member for the frank confession that he has made. As far as I could follow the honourable mover of this amendment he gave no reasons whatever in favour of the amendment. It will be impossible to carry on settlements without people who carry chains. It is a very small establishment and it cannot be reduced and as no reasons have been given for it, I hope the House will reject the amendment. After all this act will save people from *begar*.

Mr. Ganpat Rai : I agree with Mr. Firoz Khan that the amendment should not be accepted.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 17,300 with respect to the item of Rs. 1,17,300—
Temporary Establishment including chainmen."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore—*cum*—Sheikhupura (Non-Muhammadan)] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 13,200—
Service Postage and Telegrams."

Sir, it is an old idea that money spent by Government Departments on telegrams goes to the Government. But it has proved to be erroneous, because our provincial finances have been separated from the Government of India finances. Hence Government officers should exercise economy and make savings in this respect.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 13,200—
Service Postage and Telegrams."

The question is that that reduction be made.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] (Urdu) : Sir, last year this question was also raised. The fact is that during the time of settlement operations, unnecessary expenses are incurred regarding telegrams, which are then not so necessary as they are made out to be. Moreover, to take telegrams from village to village entails sheer waste of time. And as we do not know how much is spent on postage, we have reduced the item by as much as we think is spent on telegrams.

Mian Beli Ram [Hoshiarpur (Non-Muhammadan), (Rural)] (Urdu) : Sir, when a telegram addressed to an officer reaches a place where the latter, at the time, is not present, one of the Zamindars or Lambardars has to get on horseback and goes to find the officer to deliver the telegram, thus putting these poor people to unnecessary trouble. I therefore support the amendment.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), (Rural)] (Urdu) : Sir, I oppose the amendment as the expenses seem to me necessary.

Malik Firoz Khan, Noon [Shahpur West (Muhammadan), (Rural)] : Sir, I beg to oppose this amendment. You will notice from the budget that the actuals for the year 1921-22 were Rs. 13,707. In the coming year the provision is Rs. 500 less than that. This is a provision which will facilitate and expedite the work of the Settlement Officer. Supposing the Settlement Officer wants some information from the headquarters he will get a reply by wire. If that answer is not received by wire the whole establishment will be sitting idle for a week. Thus the work will suffer. I hope the Council will not pass this amendment.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : There is nothing very much for me to say on this subject except on one thing, which fell from the mouth of my friend Mr. Ganpat Rai. He said that in the month of March officers try to exhaust the budget grant. I hope people do not send telegrams for exhausting the budget grant. They send telegrams only when it is absolutely necessary. The rates of telegrams and postage have during the last year been considerably increased and in view of that and in view of the point mentioned by Mr. Firoz Khan that the actuals for 1922-23 are considerably less than those for the year 1921-22, I hope this Council will not accept the amendment. This demand is absolutely necessary for the proper discharge of the duties of the officers of the Settlement Department.

Mr. President : Grant under consideration, amendment moved —

“ That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 13,200—
Service Postage and Telegrams.”

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), (Rural)] (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 8,500 with respect to the item of Rs. 17,000—
Tour Charges.”

Sir, I beg to submit that the amendment speaks for itself. No special reasons seem called for at this stage.

Mr. President : Grant under consideration, amendment moved :—

“ That the grant be reduced by Rs. 8,500 with respect to the item of Rs. 17,000—
Tour Charges.”

The question is that that reduction be made.

Malik Firoz Khan, Noon : Sir, would it not come under the understanding just arrived at that these items will be reduced by 25 per cent.

Mr. C. M. King (Financial Commissioner) : This is an expenditure incurred when an officer or his establishment is on tour. It is connected with the carriage of Government property and cost of the carriage of records, etc. It is not covered by the travelling allowances.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), (Rural)] (Urdu) : Sir, the object of the amendment is that the tour charges of the Settlement Officers should be decreased. Just as the travelling allowance has been reduced in the same manner the tour charges also should be reduced. I therefore support the amendment.

Lala Kesho Ram [Amritsar City (non-Muhammadan), (Urban)]: Sir, I have been watching with interest as these amendments one after the other have been proposed by the honourable members. But it has never been explained to us why so much reduction should be made, why the whole should not be cut off, and so on. I have been just told that these survey and settlement parties are to stay at home because this Council has just now passed an amendment that their travelling allowances should be reduced. It means that the settlements will never come to an end within the allotted periods. They will go on, extra charges will have to be incurred; and then Government will ask for supplementary grants simply because, they will say, that now that the settlements have started, they should be provided with funds to continue. I believe members do want to increase their revenue, and they also agree that settlements have to take place. Under these circumstances, if the tour charges are curtailed, I do not see how they can work. Sir, even in municipalities when we move for a reduction, we have to show the amount that we want to reduce, and give our reasons for it as to why more or less should not be reduced and why so much should be actually reduced. I think honourable members ought to tell us why they want to reduce so much and not more or less. So my submission is that these tour charges are absolutely necessary and should remain as they are.

Mian Beli Ram: Sir, I support the last speaker; and I think these charges should remain as they are.

Mr. Ganpat Rai [Lahore and Perozepore-cum-Sheikhupura (non-Muhammadan) Rural] (Urdu): Sir, I wish to say something with regard to what Lala Kesho Ram has said. Tour charges are meant for the necessities of official work. It is incorrect to say that *chaprasis'* travelling expenses are included in them. As a matter of fact *chaprasis* receive separate allowances, but these persons are also benefitted by these charges. Now, Sir, what the official necessities for tours consist of are nothing but Government books and papers. This expense, Sir, is an old custom of ours when we had plenty of money in our coffers. I have seen it with my own eyes for years together that just for these papers camels are hired which in reality are used for carrying personal goods of officers, muharrirs and *chaprasis*. As for books and papers, these usually weigh about ten or twenty seers.

Mr. H. D. Craik (Chief Secretary): It is wrong.

Mr. Ganpat Rai (continued): Yes, Sir, the camels are hired for the convenience of munshis and *chaprasis* and their goods are laden on the camels. These expenses should be lessened. I, therefore, support the amendment.

Mr. H. D. Craik (Chief Secretary): Sir, I should like to refute the remarks made by the last speaker that these sums go into the pocket of the munshis and clerks. I must say at once that that charge is not true. I have been Settlement Officer myself for 4½ years and have toured constantly during all that period; and I have supervised the spending of this money; and to the best of my ability, I have always found it perfectly correctly spent. When I went into camp, I took with me a considerable amount of boxes, records, etc. I had with me 15 to 20 camels. Of these half a dozen would carry boxes. Some were assigned to me, some to the office and the clerks always had to pay their share. At least half a dozen were assigned for the carriage of Government records. When out on tour I had to take with me a considerable amount of note-books, maps, statements, etc., dealing with the villages

and so on for every assessment circle. Each box by itself weighed half a camel load. I think the House can accept that as the statement of a man who has himself done a settlement and not merely seen settlement officers at work. I am stating it on my honour as a Government servant that what I have said is true and I am sure my friends here who have done settlements themselves will bear testimony to what I have stated.

Mr. President : Grant under considerations, amendment moved—

" That the grant be reduced by Rs. 8,500 with respect to the item of Rs. 17,500—
Tear Charges "

The question is that that reduction be made.

The motion was lost.

The Council then adjourned till 2 p. m. on Monday, the 12th of March 1922.

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PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Monday, the 12th March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

ANNOUNCEMENT FROM THE CHAIR.

NOMINATIONS FOR ELECTIONS TO THE STANDING COMMITTEES AND THE PUBLIC ACCOUNTS COMMITTEE.

I wish to remind honourable members that nominations for elections to the Standing Committees and the Public Accounts Committee should reach the Secretary not later than 3 p.m. on Friday, the 16th March 1923.

QUESTIONS AND ANSWERS.

SIKH ASSISTANT SURGEONS IN PLAGUE MEDICAL DEPARTMENT.

2359. **Sardar Dasaundha Singh:** (a) Will the Government please state if it proposes to abolish the Plague Medical Department?

(b) Is it a fact that there are nine Sikh Assistant Surgeons in the Plague Medical Department?

(c) Will the Government be pleased to retain their services in consideration of their communal claims in the event of abolition of the Plague Medical Department?

The Honourable Khan Bahadur Mian Fazl-i-Husain: (a) There is no Plague Medical Department. There is a Plague Branch of the Public Health Department and Government proposes abolishing this Branch in its present form.

(b) Nine temporary Sikh Assistant Surgeons lent by the Medical Department are at present employed in the Plague Branch of the Public Health Department.

(c) Under the re-organization scheme all temporary Assistant Surgeons will be reverted to the Medical Department, wherein the best method of dispensing with the services of those who are no longer required is under consideration.

INCREASED EMPLOYMENT OF SIKHS IN THE IMPERIAL EDUCATIONAL SERVICE.

2360. **Sardar Dasaundha Singh:** Will the Minister for Education be pleased to state what steps, if any, have been taken to increase the percentage of Sikhs and specially zamindar Sikhs in the Provincial and Imperial Educational Services in the province as promised in answer to my question No. 1232* asked on 13th January 1922?

The Honourable Khan Bahadur Mian Fazl-i-Husain: In the Indian Educational Service officiating appointment of a Sikh was made, and in the Punjab Educational Service recourse to promotion as well as direct appointment has been made.

NUMBER OF SIKHS IN THE PROVINCIAL EDUCATIONAL SERVICE.

2361. Sardar Dasaundha Singh : Will the Government be pleased to state the number of Sikhs in the Provincial Educational Service now?

The Honourable Khan Bahadur Mian Fazl-i-Husain : There are at present 9 appointments held by Sikhs as against 8 on 1st January 1921 in the Provincial Educational Service.

EMPLOYMENT OF ZAMINDAR SIKHS IN THE PROVINCIAL EDUCATIONAL SERVICE.

2362. Sardar Dasaundha Singh : (a) Is it a fact that there are no zamindar Sikhs in the Provincial Educational Service?

(b) If so, will the Government be pleased to consider the claims of qualified zamindar Sikhs in filling vacancies in the service in future?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) Yes.

(b) Yes, but from certain Sikh institutions representations have been received to the contrary.

COMMUNAL REPRESENTATION AMONG HEAD TEACHERS IN THE BOARD SCHOOLS OF THE RAWALPINDI EDUCATIONAL DIVISION.

2363. Rai Sahib Sardar Harnam Singh : Will Government be pleased to lay on the table a statement showing the total number of Sikh, Muhammadan and Hindu Head Teachers in the Board Schools of the Rawalpindi Educational Division as it stood on the 1st April 1917 and 1st April 1922 and the number of each community that left service, retired or resigned or were discharged during the said period of five years?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The required information is being collected and will be communicated to the honourable member when ready.

COMMUNAL REPRESENTATION AMONG ASSISTANT SURGEONS.

2364. Pir Akbar Ali : Will Government be pleased to state the number of permanent Assistant Surgeons in the Punjab on 1st January 1921 and the number of *Muslims* amongst them, and the number of permanent Assistant Surgeons on the 1st January 1923 and the number of *Muslims* amongst them?

The Honourable Khan Bahadur Mian Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

COMMUNAL REPRESENTATION AMONG INDIAN CIVIL SURGEONS.

2365. Pir Akbar Ali : Will Government be pleased to state the number of Indian Civil Surgeons in the Punjab on 1st January 1921, and the number of *Muslims* amongst them, and the number of Indian Civil Surgeons on 1st January 1923 and the number of *Muslims* amongst them?

The Honourable Khan Bahadur Mian Fazl-i-Husain : On the 1st January 1921, there were nine permanent Indian Civil Surgeons in the Punjab (one I. M. S. and eight non-I. M. S.), three of whom were *Muslims* (one I. M. S. and two non-I. M. S.). On the 1st

January 1923 there were fourteen Indian Civil Surgeons (five I. M. S. and nine non-I. M. S.) in the Punjab, two of whom are Muslims (one I. M. S. and one non-I. M. S.).

COMMUNAL REPRESENTATION IN INDIAN EDUCATIONAL SERVICE.

2366. Pir Akbar Ali: Will Government be pleased to state the number of Indians filling the permanent posts in the Indian Educational Service in the Punjab on the 1st January 1921 and the number of *Muslims* amongst them, and the number on 1st January 1923 and also the number of *Muslims* amongst them?

The Honourable Khan Bahadur Mian Fazl-i-Husain: The required information is given below:—

Number of Indians filling the permanent posts in the Indian Educational Service, on the 1st January 1921	5
Number of <i>Muslims</i> filling the permanent posts in the Indian Educational Service, on the 1st January 1921	1
Number of Indians filling the permanent posts in the Indian Educational Service, on the 1st January 1923	12
Number of <i>Muslims</i> filling the permanent posts in the Indian Educational Service, on the 1st January 1923	3

COMMUNAL REPRESENTATION IN THE PROVINCIAL EDUCATIONAL SERVICE.

2367. Pir Akbar Ali: Will Government be pleased to state the number of permanent posts in the Provincial Educational Service on 1st January 1921 and on 1st January 1923 and the number of *Muslims* that held them on the said dates?

The Honourable Khan Bahadur Mian Fazl-i-Husain: The required information is given below:—

Total number of posts in the Provincial Educational Service on 1st January 1921	77
Number of posts held by <i>Muslims</i> ...	20
Total number of posts in the Provincial Educational Service on 1st January 1923	79
Number of posts held by <i>Muslims</i> ...	25

NON-OFFICIAL PRESIDENTS OF MUNICIPALITIES.

2368. Pir Akbar Ali: Will Government be pleased to state the number of municipalities which had non-official presidents on 1st January 1921 and the number of those that had non-official presidents on the 1st January 1923?

The Honourable Khan Bahadur Mian Fazl-i-Husain: Total number of municipalities which had non-official presidents on 1st January 1921 was 21 and on 1st January 1923 it was 47.

ELECTIVE SYSTEM IN MUNICIPALITIES.

2369. Pir Akbar Ali: Will Government be pleased to state the number of municipalities wherein the elective system prevailed on 1st January 1921 and the number on 1st January 1923 in which the elective system prevailed or has already been ordered to prevail?

The Honourable Khan Bahadur Mian Fazl-i-Husain : On the 1st January 1921 the elective system was in force in 78 municipalities in the Punjab. On the 1st January 1923 it was in force, or about to be introduced in 89 municipalities. It is also in contemplation to introduce it in other 7 municipalities.

GRANT-IN-AID TO SECONDARY SCHOOLS IN THE RAWALPINDI DIVISION.

2370. Pir Akbar Ali : Will Government be pleased to state whether it is a fact that in the year 1921-22 the largest amount of grant-in-aid to Secondary Schools in the Rawalpindi Division was given to Sikh Denominational Schools and the lowest amount to Muhammadan Schools ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : Yes.

GRANT-IN-AID TO SECONDARY SCHOOLS IN THE AMBALA DIVISION.

2371. Pir Akbar Ali : Will Government be pleased to state whether it is a fact that in the Ambala Division the largest amount of grant-in-aid to Secondary Schools was given to Hindu Denominational Schools and the lowest amount of grant-in-aid per pupil was given to Muslim Denominational Schools ?

The Honourable Khan Bahadur Mian Fazl-i-Husain :

(a) Yes.

(b) Yes.

GRANT-IN-AID TO SECONDARY SCHOOLS IN THE MULTAN DIVISION.

2372. Pir Akbar Ali : Will Government be pleased to state whether it is a fact that the largest amount of grant-in-aid to Secondary Schools in the Multan Division was given to Hindu Denominational Schools ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : Yes.

GRANT-IN-AID PER PUPIL IN SECONDARY SCHOOLS IN THE MULTAN DIVISION.

2373. Pir Akbar Ali : Will Government be pleased to state (a) whether it is a fact that the highest amount of grant-in-aid per pupil in the Multan Division was given to Sikh Denominational Schools and (b) that the grant per pupil to Muhammadan Denominational Schools was 60 per cent. of that given to Sikh Denominational Schools ?

The Honourable Khan Bahadur Mian Fazl-i-Husain :

(a) Yes.

(b) The grant per pupil to Muhammadan Denominational Schools is 52.3 per cent. of that given to Sikh Denominational Schools.

AMENITIES FOR MEMBERS OF THE PUNJAB LEGISLATIVE COUNCIL.

2374. Khan Bahadur Malik Muhammad Amin Khan : (a) Will the Government be pleased to state the reasons which have prevented them from taking action on the scheme of providing accommodation near Council Chamber to enable members of the Council to meet and to use it in their spare time ?

(b) If the scheme has not been entirely dropped, will the Government please state when action is proposed to be taken to bring the scheme into operation ?

Mr. H. D. Craik: The scheme for accommodation near the Council Chamber for the members of the Legislative Council has not been finally abandoned but owing to the acute financial stringency it has been postponed for the financial year 1923-24.

INCREASE OF ESTABLISHMENT IN THE CO-OPERATIVE DEPARTMENT.

2375. Lieutenant Sardar Ragbhir Singh : (a) Is it a fact—

- (a) that a persistent demand for more credit societies is being made by the agriculturists as well as non-agriculturists in the Province ;
- (b) that the Co-operative Department cannot meet the wishes of the people in this matter on account of inadequate staff and the lack of finance ;
- (c) that no provision was made in the budget for the last two years for an increase in the establishment of the Department in order to cope with the increased and ever-increasing work ?

(d) If the replies to (a), (b) and (c) are in the affirmative, will the Government consider the desirability of providing in the budget for 1923-24 for an increase in the establishment of the Department in the shape of ten Inspectors and two Assistant Registrars ?

The Honourable Lala Harkishan Lal :

- (a) It is true that many applications for registration of credit societies cannot at present be accepted.
- (b) This is largely due to lack of staff which is again due to the state of the Provincial finances.
- (c) The increase in the establishment of the Department provided for in the last two years has not been sufficient to cope with the increase in work.
- (d) It has been found possible to provide for five additional Inspectors only in the demand for the Co-operative Department for 1923-24.

PAY OF DISTRICT OFFICE SUPERINTENDENTS AND SUPERINTENDENTS OF COMMISSIONERS' OFFICES.

2376. Sardar Randhir Singh : Will Government be pleased to state whether there are any prospects of enhancing the pay of District Office Superintendents and Superintendents of Commissioners' offices ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
The reply is in the negative.

SELECTION OF SUPERINTENDENTS OF COMMISSIONERS' OFFICES.

2377. Sardar Randhir Singh : Will the Government be pleased to state—

- (1) the principles upon which selection is made of Superintendents of Commissioners' offices ; and
- (2) whether selection is confined to the Division alone ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :
Commissioners have complete freedom in choosing Superintendents for their offices.

Selection is not confined to the division where the vacancy exists.

RECRUITMENT OF EXTRA ASSISTANT COMMISSIONERS.

2378. Sardar Randhir Singh: Will Government be pleased to state—

- (1) what racial percentage is observed in making selection for the three registers of candidates for Extra Assistant Commissionerships; and
- (2) whether men with war services are given preferential consideration in this respect?

Mr. H. D. Craik: (1) I do not understand what the honourable member means by "racial percentage." No such percentage is laid down in regard to selections for the registers in question, but it is the constant endeavour of Government that all communities should be given a fair and adequate proportion of representation in the Punjab Civil Service.

(2) Yes.

GOVERNMENT SERVICE AND WAR SERVICES.

2379. Sardar Randhir Singh: Will Government be pleased to state—

- (1) what action is generally taken to give preferential treatment in the matter of Government appointments to men who have a good record of war services; and
- (2) in the matter of promotion, where two men are working in an office, one senior without war service and one junior with war service, and where both are equally qualified in their work, how is promotion regulated? Is the man with war service in such a case given preferential consideration?

The Honourable Sir John Maynard: (1) Punjab Government in their circular letters No. 24588 (Home—General), dated 13th November 1919, and 4715-S (Home—Military), dated 8th September 1921 (copies laid on the table), have issued instructions for the guidance of Heads of Departments and others who have appointments in their gift, in the matter of dealing with claims, based on services rendered in connection with the war to preferential treatment as regards selection for Government employment.

(2) Attention is invited to paragraph 2 of the circular letter No. 24588 (Home—General), dated 13th November 1919.

No. 24588 (Home—Genl.), dated Lahore, 13th November 1919.

From— H. P. TOLLISTON, Esq., C.I.E., I.C.S., Joint Chief Secretary to Government, Punjab,

To—All Heads of Departments, including District and Sessions Judges, Commissioners and Deputy Commissioners in the Punjab.

IN view of Home Department Resolution No. 1099, of the 8th August 1919, and with the previous approval of the Government of India, the Lieutenant-Governor is pleased, in supersession of Punjab Government Circular No. 23729 (Home—Genl.), dated the 19th December 1917, to issue for the

guidance of Heads of Departments and those who have appointments in their gift, the following instructions in the matter of dealing with claims, based on services rendered in connection with the war, to preferential treatment as regards selection for Government employment.

First, no person shall be in any way prejudiced either in securing a civil employment or in respect of seniority in such appointment by the fact that he has rendered service in the prosecution of the war or by the fact that his entry into civil employment has been delayed for such service.

Secondly, applications from persons who have rendered such services shall *ceteris paribus* receive preferential treatment in the matter of civil appointments under Government.

2. The following kinds of service shall be deemed to be service in the prosecution of the war :—

- (a) Service in the combatant ranks of the Army.
- (b) All other service involving subjection to military law under the Army Act or the Indian Army Act, and service in the Indian Branch of the Indian Defence Force.
- (c) Clerical and other service under military and munitions authorities, (i) overseas, and (ii) in India.
- (d) Valuable service rendered to the army in other ways, for example, by way of recruiting.

3. Preferential treatment shall be given to the various kinds of services in the order indicated above, and persons who have rendered active service shall be given preference over those who have not. In order to make good a claim to preferential treatment based on the kind of service described as (a), (b) or (c) in paragraph 2 above, an applicant must satisfy the authority making the appointment that the service rendered was whole-time service and was also approved service. Generally appointing officers will find little difficulty in establishing actual service in the Army. The safest test of the value of other services will be : (a) sanads and other rewards granted by Government or Government officials ; (b) the local knowledge of the officer in whose time the services were rendered ; and (c) certificates granted by such officers.

4. Many of the persons putting forward claims will be the relatives of those who have actually rendered services of the character described in paragraph 2 above. Save in exceptional cases the claims of relatives will only be considered when the service on which they were based was service in the combatant ranks of the Army. In order to establish a claim to preferential treatment such persons should also prove that they were actually dependent on those in virtue of whose service they claim, and that they are not further removed from them than brothers, uncles, or uncles' sons. The claims of such relatives should be regarded (except in cases where the original performer has been killed or incapacitated) as considerably weaker than those of persons who have rendered service themselves.

5. Notwithstanding any rules or executive orders prescribing educational, professional or technical qualifications, any person who has rendered service of the character described as (a), (b) or (c) in paragraph 2 above and has been prevented thereby from acquiring such qualifications, may at the

discretion of the authority competent to make an appointment for which such qualifications are required, be admitted to such appointment provided that the educational, professional or technical attainments which he possesses are deemed sufficient for the adequate performance of the duties of the appointment.

6. In addition to the provisions of paragraph 5, governing the case of appointments to posts for which a minimum qualification is required, candidates who come within the scope of paragraph 3 will *ceteris paribus* be given preference over others possessing the same minimum qualification. In fact they may even be given preference over others who have passed the next higher examination. For example, if a matriculate with war services applies for an appointment for which only matriculates are eligible, he should be given preference over other matriculates who have rendered no such service, and may also be appointed in preference to men without war services who have passed the F. A.

7. Every person who has rendered service of the character described as (a), (b) or (c) in paragraph 2 above shall be permitted to deduct from his age for the purposes of Article 51 Civil Service Regulations, the period of such service rendered up to the date of his release from military or other duties; and if invalided from such service, he shall be permitted to include for the purposes of deduction the period from the time when he was invalided up to the date on which the war may be declared to have ended under the provisions of the Termination of the Present War (Definition) Act, 1918, 8 and 9 George V, Chapter 59.

8. The principles herein laid down are subject to the following general reservations which Heads of Departments and others who have appointments in their gift will apply at their discretion:—

- (a) The application of these principles must be consistent with the public interest.
- (b) There must be no injustice to the claim of persons already in Government service who had no opportunity of rendering military service.
- (c) No persons may be appointed to a post the duties of which he is not competent to perform.

The principles are also subject to such other reservations as the Local Government, or, in the case of posts under themselves, the Government of India, may deem proper to adopt.

9. The question of the promotion of those already in civil employ who have rendered war services will doubtless receive adequate attention from the officers with whom the promotion rests, and no instructions are called for. Such promotion is subject, however, to paragraph 8 (d) above.

No. 4715-S. (Home-Mil.), dated Simla, the 6th September 1921.

From—E. JOSEPH, Esq., I.C.S., Offg. Chief Secretary to Government, Punjab.

To { (1) The Registrar, High Court of Judicature at Lahore.
(2) All Heads of Departments, Commissioners, Deputy Commissioners and District and Sessions Judges in the Punjab.

It has come to the notice of Government that a large number of officers and men now being mustered out of the Army under the recent scheme of

reduction come to Deputy Commissioners and others in the hope of employment. These men have a certain feeling of grievance at being thrown out of military employment after a number of years' service at an age when it is difficult to obtain employment elsewhere, and it is desirable to use every endeavour to assist them to other service. With this object, Government recently assembled a committee to consider the question; and I am to convey the following instructions of His Excellency the Governor in Council which are based upon the conclusions of that committee.

2. I am in the first place to refer to Mr. King's letter No. 12039, dated the 26th of April 1921, in which it was directed that until further orders, all civil appointments in Government service on pay not exceeding Rs. 25 per mensem should only be filled temporarily so as to give a chance of securing the permanent appointment to men belonging to disbanded regiments or otherwise discharged for no fault of their own from the Army. Inasmuch as a number of Heads of Departments who were present at the meeting stated that they had never received this letter, I am to ask that you will send an acknowledgment of the receipt of the present letter and of the fact that you have perused Mr. King's letter, signed by yourself personally.

3. It has now been decided that the instructions cited above do not go sufficiently far, and that wherever time-scales are operative so that the recruitment of a man to a post carrying a salary of more than Rs. 25 per mensem would not be barring the promotion of a man already employed on a lower pay in the office, preference should be given to ex-military men and men now mustered out of the Army, whether these appointments are clerical or otherwise. It must, however, be clearly understood that it is not intended to relax the qualifications required for filling any post and that preference can only be given to a military man provided one can be found with the requisite qualifications. In particular, I am to call attention to the desirability of filling the post of copyists by such men. In the case of English copyists, a knowledge of typewriting is necessary, but this is not necessary with ordinary vernacular copyists whose posts, should any vacancies occur, be offered to military men.

4. The maximum age for recruitment for a majority of clerical posts is 25 years. It has been decided that in the case of military men this should be extended to 30 years.

5. In order to achieve the object which the Governor in Council has in view, a machinery for getting into rapid touch with possible military candidates is of even more importance than the prescription of the posts that are to be offered to them. I am to enclose for your information a statement showing the distribution of recruiting and assistant recruiting officers in the Punjab, together with a form of intimation of the existence of a vacancy and a statement showing the class of men with whom each recruiting officer primarily deals. Whenever a vacancy occurs in any office in which according to these orders preference is to be given to a military man, the head of the office concerned should fill up a vacancy form and send it to the recruiting officer who can most conveniently deal with the case. The recruiting officers in their turn will receive instructions from Army Headquarters to make the best selections they can for each vacancy, and wherever they find that the candidates are willing to go and see the officer appointing to the post at their own expense, it will be possible for them to send several of them together for an interview. Any appointments of military men that might be made

will, of course, as other appointments, only be probationary in the first instance, and the appointing officer concerned will be able to fill the post temporarily until he has secured the services of a military man.

6. It may also be found advantageous if the heads of offices would supply recruiting officers once and for all with a general information as to the types of employment existing in their offices and the qualifications of men required for each type. The supply of such information will not of course preclude the necessity of filling up the vacancy form and forwarding it to the recruiting officer when a particular vacancy occurs.

7. It is hoped that if these instructions are followed, something may be done to place in service a number of men now being mustered out of the Army. They are not advisedly being encouraged to call on Deputy Commissioners or other district officials with a view to registering their names for employment in their offices as any such encouragement might lead to their ultimate disappointment and also to great inconvenience to the local officers concerned. Reliance is placed rather on the prompt filling of the vacancy form when a post becomes available and on the co-operation of the recruiting officers.

Distribution of Recruiting and Assistant Recruiting Officers in the Punjab.

Area.	Headquarters—Recruiting Officers.	Headquarters—Assistant Recruiting Officers.
Rawalpindi Civil Division with Kashmir, Poonch and Mirpur District of Jammu State.	Rawalpindi..... 1 R. O. ...	1 at Headquarters. 2 at Jhelum.
Lahore Civil Division with Jammu State east of Bhimber-Pir Puzel route, Multan Civil Division.	Lahore... .. 1 R. O. ...	1 at Headquarters. 1 at Sialkot. 1 at Amritsar.
Jullundur Civil Division with Kapurthala, Mandi, Suket, Faridkot, Maler Kotla, Phulkian States, Simla Hill States, Sirmur and Chamba States.	Jullundur - ... 1 R. O. ...	2 at Headquarters.
Ambala, Meerut and Agra Civil Divisions.	Delhi... .. 1 R. O. ...	2 at Headquarters. 1 at Agra (for United Provinces.)

Employment—Indians.

VACANCY FORM.

(This form, after completion, should be forwarded to the Recruiting Officer concerned—see attached).

Vacancy in Firm or Department _____

Address _____

Work for which required _____

Outdoor or indoor occupation offered? _____

Class of man required (see attached) _____

Exact type of knowledge required? _____

Whether previous experience necessary? _____

Any age limit? _____

What type of disablement will disqualify? _____

Railway fare paid on joining? _____

Date when desired to join? _____

Salary offered? _____

Free quarters supplied? If not, any allowances? _____

Any allowances for special duty? _____

Any allowances for food? _____

Annual or other leave? _____

Any special instructions as to forwarding selected applicants? _____

Any additional information? _____

Signature.

Date.

1. All Recruiting Officers have in their possession lists of *ex-service* men (Indian) of the Indian Army who have been registered as being desirous of obtaining civil employment. A list of such Recruiting Officers, showing the particular classes of men with whom they are concerned, is given below.

2. The majority of applicants could be employed advantageously as darvans, peons, etc., or in positions of trust. Only men having "good" military characters are registered and employers having vacancies are invited to complete and forward the Vacancy Form to the Recruiting Officer concerned with the particular class of men desired.

3. Every endeavour will be made to fill the vacancy notified with a suitable man.

List of Recruiting Officers and class of men with whom they are concerned.

Class of men required.	Address to which Vacancy Form should be forwarded.
Brahmans	Recruiting Officer, Lucknow.
Dogra (Hindu)	Ditto Jullundur.
	Ditto Lahore.
Garhwali (Hillman Hindu)	Officer Commanding, Lansdowne, United Provinces.
Hindustani Musalmans	Officer Commanding, Lucknow.
	Ditto Delhi.
Jats (Hindu)	Ditto Delhi.
Madrasias	Ditto Bungalore.
Maharattas (Hindu)	Ditto Poona.
	Ditto Rawalpindi.
Punjabi Musalmans	Ditto Lahore.
	Ditto Jullundur.
Pathans	Ditto Peshawar.
	Ditto Delhi.
Rajputs (Hindu)	Ditto Lucknow.
	Ditto Ajmer.
Sikhs	Ditto Lahore.
	Ditto Jullundur.

TRANSFER OF CERTAIN VILLAGES TO THE SHEIKHUPURA DISTRICT.

2380. Chandhri Muhammad Amin: (a) With reference to the answer to my question No. 1986* as to the special advantage of the transfer of villages from the Sialkot to the Sheikhupura District, is it a fact that all

* Vol. IV, page 549.

the villages transferred are not irrigated by the Upper Chenab Canal and that some villages so irrigated are not transferred.

(b) If the facts are as stated in (a), will the Government please state what criterion was observed in transferring the said villages?

(c) Have the people of the said villages represented to the authorities their desire for retransfer to the Sialkot District based on the inconvenience resulting from their having been attached to the Sheikhupura District?

(d) If so, will the Government now consider their representation or take suitable steps to move again the Railway Board for constructing the Narowal-Shahdara Railway Line?

The Honourable Sardar Bahadar Sardar Sundar Singh, Majithia :
(a) Yes. It has not been found possible to transfer all villages in which there is canal irrigation, nor to retain in Sialkot District all villages in which there is none.

(b) The criterion observed was broadly speaking canal irrigation from the Upper Chenab Canal.

(c) As promised in the answer to which the honourable member refers, an attempt was made to ascertain the wishes of the inhabitants of the villages in question, but the result was very indeterminate and indicated no very general desire for a return to Sialkot.

(d) The district boundary will not now be changed, nor is it likely that the Railway Board will be in a position to construct the Narowal-Shahdara Line for many years, if at all. Attempt is being made to finance the construction of a tramway from *Baddo Malli* to Shahdara to serve this tract. The estimated cost is Rs. 10.37 lakhs and estimated profit 10.7 per cent. and Government would be glad of the honourable member's assistance in prosecuting this project and in raising the requisite funds.

INCREASE OF LAWLESSNESS IN THE SIALKOT AND SHEIKHUPURA DISTRICTS.

2381. Chaudhri Muhammad Amin : (a) Is it a fact that lawlessness is on the increase in the Sialkot and the Sheikhupura Districts, and that in many cases robbers appear armed with revolvers, *chhavis* and *gandassas* and attack people who are destitute of similar weapons of defence?

(b) If the answer to (a) be in the affirmative, will the Government consider the desirability of permitting, with suitable conditions, the possession of revolvers, guns or *chhavis* by the headmen of the villages and other reliable persons, for defending themselves against attacks by robbers?

The Honourable Sir John Maynard : (a) In the Sialkot District violent crime is on the increase. In 1922 the number of dacoities rose to 21 as against 6 in the preceding year and armed dacoities increased proportionately. In the Sheikhupura District dacoities fell from 19 in 1921 to 11 in 1922 and during the present year no dacoity was reported up to the end of February.

(b) The Government do not consider it necessary to interfere with the discretion of the District Magistrate with regard to the grant of licenses to possess arms.

REMISSION OF FINES IMPOSED ON PERSONS CONVICTED IN CONNECTION WITH
THE GURU-KA-BAGH AFFAIR.

2382. Rai Sahib Sardar Harnam Singh : Will Government please state whether they are prepared to remit the fines imposed on the persons convicted in connection with the Guru-ka-Bagh affair, which are now being realized by attachment of their properties ?

The Honourable Sir John Maynard : The question of the treatment of Guru-ka-Bagh prisoners is the subject of a Resolution now pending before the Council, and Government does not think it desirable to make any statement on the subject.

STARTING OF A GOVERNMENT COLLEGE IN AMBALA DIVISION.

2383. Rai Sahib Lala Ganga Ram : (a) Is it a fact that there is no Government College in Ambala Division ?

(b) Is it a fact that the Government has already started or contemplates starting a college in every Division ?

(c) Is it a fact that the people of this Division have been demanding a college for years past ?

(d) Will the Government be pleased to satisfy this demand ?

The Honourable Khan Bahadur Mian Fazl-i-Hussain : (a), (b), (c) Yes.

(d) Yes, when finances permit.

VOCATIONAL TRAINING IN AMBALA DISTRICT.

2384. Rai Sahib Lala Ganga Ram : (a) Will the Government be pleased to state what action it has taken to provide vocational training in Ambala District ?

(b) Is it a fact that several privately-managed schools have approached the Education Department with an offer to provide this training, on the assurance of a liberal grant from the Government ?

(c) If so, will the Government encourage private enterprise in this direction and to what extent ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) Government has made certain arrangements and is considering other proposals—

(1) Agriculture.

(2) Commerce.

(3) Industry.

(b) Only one school applied for permission to teach industrial subjects; and it was granted on the condition that it would involve no expenditure on Government.

(c) At a Conference held in Simla last year, it was decided that, in view of the expensiveness of the accommodation and equipment required for vocational training, and in view of the special qualifications required from the teachers, the better course would be to encourage industrial centres rather than to give grants-in-aid to individual schools. By this means Government hope to be able to make provision for vocational training for large numbers of pupils in the most efficient and economical manner. By this means also provision will be made for those students who desire to combine vocational

and general education. But, in the present financial stringency, little prospect of any expansion is entertained.

KIRPAL SINGH, MAHANT OF BHAI ABNASHA SINGH'S DHARAMSALA.

2385. Rai Sahib Sardar Harnam Singh : (a) Is Government aware that (i) a civil suit was instituted jointly by the *Singh Sabhas* of Wazirabad and Gujranwala under section 92, Civil Procedure Code, for the removal of Kirpal Singh from the office of *Mahant* of the *Dharamsala* known as Bhai Abnasha Singh's *Dharamsala* at Wazirabad and was dismissed simply on account of some technical points ? and

(ii) in the judgment of the said suit the trying Magistrate has held that the said Kirpal Singh had had a *liaison* with a married woman, has been intimate with prostitutes and addicted to the use of liquor in the precincts of the *Dharamsala*, that in spite of several warnings he has done nothing either to reform his own character or to improve the condition of the *Dharamsala* and that he is a man of debased character and totally unfit to hold the office of *Mahant* of the *Dharamsala* ?

(b) Is it a fact that the Magistrate trying the suit referred to in paragraph (i) of the above question, has recommended that executive action should be taken for the suspension of the *jagir* money as long as he persists in clinging to the office of *Mahant* of the said *Dharamsala* ?

(c) In view of the above circumstances, will Government please state (i) whether in the interest of public welfare they intend to take any criminal action against the said Kirpal Singh for breach of trust ? and

(ii) If not, do they intend to take any executive action as recommended by the Magistrate and mentioned in part (ii) of question (b) above.

(d) (i) Is the Government aware that the terms of the *jagir* which expressly provide for the maintenance of 15 *fakirs* besides *dole* and *langar*, are being continually disregarded by the *Mahant* ?

(ii) Under the circumstances, is Government prepared to hand over the *jagir* money to *Sri Guru Singh Sabha*, a recognized representative body of the Sikhs of Wazirabad, for carrying out the objects of the trust on their furnishing necessary security for keeping proper accounts or on such terms as the Government may deem fit ? and

(iii) will Government please place on the table a copy of the judgment of the suit referred to in part (i) of question (a) above, for the information of the House ?

Mr. H. D. Craik : The attention of the honourable member is drawn to the answer given to Sardar Randhir Singh's question No. 2302.* A copy of the judgment † of the Additional District Judge at Gujranwala is laid on the table.

*Not printed.

†Volume IV, page I.

In the Court of the Additional District Judge at Gujranwala.

Civil suit No. 1 of 1921.

- (1). Sardar NARINJAN SINGH, (2). Dr. MAHAN SINGH, (3). Sardar ISHAR SINGH, (4). Sardar BHAGAT SINGH, Pleader, (5). Sardar TIRATH SINGH, Barrister-at-Law, residents of Gujranwala, (6). Sardar PARSHOTAM SINGH, Bagga Coal Marchant, and (7). Lala LILA RAM, banker, residents of Wazirabad,—*Plaintiffs,*

versus

S. KIRPAL SINGH, *Mahant* of the *Dharamsala* of Bhai ABNASHA SINGH, situate at Wazirabad,—*Defendant.*

Claim for the removal of defendant from the office of Mahantship with other reliefs connected with the Dharamsala of Bhai Abnasha Singh, situate at Wazirabad, under Section 92, Civil Procedure Code.

JUDGMENT.

In this case the seven plaintiffs, Narinjan Singh, Mahan Singh, Ishar Singh, Bhagat Singh, Tirath Singh, Parshotam Singh and Lila Ram, the first five of Gujranwala town, and the last two of Wazirabad, sue the defendant *Mahant* Kirpal Singh, in respect of the *Dharamsala* of Bhai Abnasha Singh, situate at Wazirabad, praying for his dismissal from the office of *Mahant* and other subsidiary reliefs, on the ground that the defendant is leading a dissolute life, squandering the income, and neglecting the affairs of the *Dharamsala*.

The defendant denies the allegations made against him.

The facts are briefly as follows :—

During the reign of Maharaja Ranjit Singh a *Dharamsala* was built at Wazirabad and named 'the *Dharamsala* of Bhai Abnasha Singh.' Bhai Abnasha Singh is said to have been a holy man, who during a severe illness of the Maharaja foretold his recovery. The Maharaja granted Bhai Abnasha Singh a *jagir* in recognition of the fulfilment of his prophecy.

After the annexation of the Punjab, the Government of India, in the year 1853, made a grant of a *jagir*, the annual income from which was estimated at Rs. 2,500 to the *Dharamsala* of Bhai Abnasha Singh which was then under the control of Bhai Rattan Singh, son of Bhai Abnasha Singh. The orders of the Government of India were that the grant would endure during the life of Bhai Rattan Singh, and after him would be continued as long as the *Dharamsala* was kept up, and the distribution of food continued, the grant being liable to resumption when the dole ceased.

The *jagir* was recorded in the revenue papers in the personal name of Bhai Rattan Singh.

On the death of Bhai Rattan Singh, his sons were passed over for the Mahantship in favour of his grandson Mehtab Singh, son of Jhanda Singh, and the *jagir* was entered in the name of Mehtab Singh as a personal grant.

Bhai Mehtab Singh died in 1890 leaving two minor sons. A dispute arose as to the succession to the Mahantship, and Kirpal Singh, defendant, the minor son of Mehtab Singh, was appointed *Mahant* by the Commissioner,

Mr. Thorburn, and the *jagir* was entered in his name also as a personal grant.

During the minority of Kirpal Singh, the management of the affairs of the *Dharamsala* were entrusted to his uncle, Harnam Singh, the elder brother of *Bhai Mehtab Singh*. In 1901 or 1902 on attaining majority Kirpal Singh assumed full control as *Mahant*. Since then complaints have been made against him to the district authorities from time to time in regard to his immorality as well as his mismanagement and neglect of the *Dharamsala* and the *Langar* attached thereto.

Enquiries were made and Kirpal Singh was not on more than one occasion warned and directed to keep accounts. Committees were also appointed to supervise the affairs of the *Dharamsala* and scrutinize the accounts, but in spite of warnings and committees Kirpal Singh failed to give satisfaction, and in 1915 a civil suit against him was filed by *Sujan Singh*, a collateral of his. The suit, however, failed by reason of a technical flaw and was dismissed.

The seven plaintiffs now come into court after having obtained the formal sanction of the Collector under Section 92, Civil Procedure Code, to bring this suit.

The defendant denies the right of the plaintiffs to institute this suit, claiming the property to be his own and denying that it is trust property. He challenges the legality of the sanction accorded by the Collector, as well as the jurisdiction of the Civil Courts to entertain this suit. He also denies the aspersions cast on his character and asserts that the *Dharamsala* is being properly managed and the *Langar* adequately maintained.

The following issues were drawn by *Mirza Zafar Ali*, District Judge :—

- (1) Is the sanction granted by the Collector under section 92, Civil Procedure Code, invalid and *ultra vires* because the plaintiffs have no interest in the property in suit, and because it is not trust property?
- (2) Is not the *Dharamsala* in dispute a charitable or a religious trust, though it is a religious and a charitable institution?
- (3) If the defendant holds the whole or a part of the property as a *jagir*, is he subject to the jurisdiction of a Civil Court as regards that property?
- (4) Is the defendant the Manager or Trustee of the *Dharamsala* in suit?
- (5) If he is the Manager and trustee, is he unfit to continue in that office because of his immoral habits, mismanagement and incapacity?
- (6) Are plaintiffs precluded from denying defendant's status of *jagirdar* because he has been holding the property as his personal *jagir* for more than 20 years?
- (7) Is the suit not maintainable for the reasons stated in the supplementary pleas filed by the defendant on the 9th July 1921.
- (8) To what reliefs, if any, are the plaintiffs entitled?

Issue (1) is in a measure dependent on issue 2, which might conveniently be disposed of first.

Issues (2) and (4) may be dealt with together as the defendant denies that the *Dharamsala* is a religious and charitable institution of which he is the Manager and trustee. He claims to be the proprietor of the *Dharamsala* which is not admitted by him to be a trust of any kind.

It is claimed by the defendant that the *Dharamsala* was built by *Bhai* Abnasha Singh from whom he had inherited the property as proprietor. *Sujan* Singh, P. W. 2, who is a collateral of the defendant, denies that *Bhai* Abnasha Singh built the *Dharamsala* which bears his name avers that it was built by Maharaja Ranjit Singh, who made an assignment of land revenue in favour of it and installed *Bhai* Abnasha Singh therein as custodian and Mahant. There is no evidence forthcoming in support of either claim.

It appears from Ex. C-2, an extract from the Punjab Government Register of *Jagir*, that certain holdings were "ancient grants confirmed by Maharaja Ranjit Singh in very valid terms." This entry of course in no way proves that the *Dharamsala* was built by or under the orders of Maharaja Ranjit Singh, but at all events it goes to show that the *Dharamsala* had no other means of being maintained. This is borne out to a certain extent by a note contained in Ex. C-2 to the effect that Rattan Singh and his brothers were maintained in common out of the proceeds of this *jagir*. It is not likely then that when the sons of *Bhai* Abnasha Singh were reduced to maintaining themselves out of the proceeds of the *jagir* granted by Maharaja Ranjit Singh *Bhai* Abnasha Singh could have been in a position to build a *Dharamsala* and *Langar*, or would have done so when it was not within his means to endow it as well.

It will also be seen that whereas the land owned by *Bhai* Rattan Singh, was partitioned between his sons (Ex. P. 55) the *Dharamsala* descended on his death under his will to his grandson Mehtab Singh, who was the second son of Jhanda Singh, the second son of Rattan Singh, to the exclusion of the nearer heirs who were all alive at the time.

I am therefore of opinion that the *Dharamsala* was not built by *Bhai* Abnasha Singh, and held by him as his own personal property.

Now as to the *Dharamsala* being a religious and charitable institution and a public trust :—

A further reference of Ex. C-2 will show that it is an extract from a statement of *jagirs* in religious grant *dharmarth* to *Granthis* or readers of the Sikh Scriptures and for the support of *Dharamsalas* and other charitable institutions. It is thus clear that even in the year 1853 this institution was regarded by Government as a charitable institution for the maintenance of which a grant was necessary.

Issue (2) has not been seriously argued before me, but it has been urged that even if a trust has been created it is a private and not a public trust. But having regard to the fact that the *Dharamsala* is always open to the Sikh and Hindu public, and the *Langar* meant for the poor and needy of all denominations, I am unable to appreciate the distinction which it is sought to draw between a private and public trust.

The Government has made a grant of a *jagir* in favour of the *Dharamsala*, and though the *jagir* is entered in the revenue papers in the name of Kirpal Singh personally; it is not denied that it is meant for the maintenance and upkeep of the *Dharamsala*, as well as provision of a *Langar* for the poor and needy.

It is claimed by the defendant that the *jagir* is a personal grant, but though it has erroneously been entered from the beginning in the revenue papers in the names of the various *Mahants* personally, the order of sanction shows very clearly that as a matter of fact the grant was made in favour of the *Dharamsala*. The recommendation of the Board of Administration runs as follows :—

"It is recommended that this *jagir* be maintained to Rattan Singh the present incumbent, subject to the tribute of one-fourth revenue. On his death holdings Nos. 2, 3, 4, 5, 17-18 = Rs. 2,500 which are ancient grants and confirmed by Maharaja Ranjit Singh in very valid terms to be continued in perpetuity in favour of the *Dharamsala* of *Bhai* Abnasha Singh at Wazirabad subject to the payment of one-fourth revenue. The rest of the *jagir* to lapse to Government."

The orders passed by the Government of India were conveyed in the following terms :—

"Your recommendations in this case are approved. With regard to the perpetual grants his Lordship in Council observes that as long as the distribution of food is continued, and the *Dharamsala* is kept up the grants may be maintained, being liable to resumption when the dole ceases."

There is a note in this statement under the head "remarks" as follows :—

"The proceeds of this *jagir* are devoted to the maintenance of the *Dharamsala* at Wazirabad which contains about fifteen persons or resident *fakirs* and *Granthis*, etc., and at which a charitable dole is constantly kept up for the sake of the poor and needy. The brothers of Rattan Singh are maintained in common with himself and the others out of the proceeds of this *jagir*. They have no separate shares but live in common."

And again—

"The whole of this *jagir* is held by Rattan Singh alone as *Gaddi Nashin* or principal."

There is thus abundant evidence to show that the *Dharamsala* is both a religious and charitable institution, and that the *jagir* was granted with a view to maintaining the *Dharamsala* and its *Gaddi Nashin* and providing "constant dole" for the poor and needy.

In I. L. R. XII, Bombay 247, it has been held that those who take charge of gifts made to a religious or charitable institution, whether such gifts consist of cash, jewels or land, incur thereby a responsibility for their due application to the purposes of the institution. They are answerable as trustees would be even though they have not consciously accepted a trust.

Counsel for the defendant has referred me to XLV Indian Cases, 451, in which it was decided by a Division Bench of the Allahabad High Court, that a grant of property made under a deed in favour of a *Mahant* of a temple and his heirs for services rendered by the *Mahant* to the temple is not a grant of the property to the idol or to the temple and the *Mahant* and his heirs are competent to deal with the property as their own private property.

The present case is however entirely different from that cited. It is not contended that the *Mahant* can deal with the *jagir* as his private property.

Moreover, the dispute here is not so much over the disposal of the *jagir*, as to Kirpal Singh being a fit and proper person to be retained in his position as *Mahant* of the *Dharamsala* of *Bhai* Abnasha Singh.

I have no hesitation, therefore, in deciding on issues (2) and (4) that the *Dharamsala* in question is not the private property of the defendant, but is a religious and charitable institution coming within the scope of section 92, Civil Procedure Code, as a public trust, and that the defendant is the Manager and Trustee thereof.

I now turn to issues (3) and (6) which relate to the *jagir*. Issue (3) has not been very happily worded. Counsel are agreed that it relates solely to the *jagir* and not the *Dharamsala* property. The contention is that a Civil Court has no jurisdiction to entertain a suit in respect of the *jagir* itself. Plaintiff's counsel frankly admits that this Court has no power to pass any order in regard to the *jagir*, but maintains that the Court can nevertheless entertain the suit and pass orders in regard to the *Mahantship*, leaving it to the Local Government to continue the *jagir* in favour of Kirpal Singh or not after the decision of the case.

Counsel for defendant does not urge that the whole suit is not maintainable, but claims that the Court has no jurisdiction over the *jagir*. This is conceded and I decide on issue (3) that the suit is maintainable, but that this court is not competent to pass any orders with respect to the *jagir*, which can only be dealt with by a Revenue Court.

Issue (6) does not arise, as the plaintiffs do not challenge the defendant's status as a *jagirdar*, and the fact of his being a *jagirdar* in no way affects the case.

Defendant's counsel has addressed no arguments to me in connection with the 7th issue. The additional pleas are to the effect that a former suit by one Sujan Singh was dismissed, that the members of defendant's family bear him enmity; that the general public are opposed to him because of the assistance rendered by defendant to the authorities during the disturbances of 1919; that as he is a *jagirdar* the Court has no jurisdiction to entertain the suit; that the public has no concern with the *Dharamsala*; and that the charges brought against him are false.

The motives underlying the institution of a civil suit have no bearing on the case, and no reasons have been given in support of the argument advanced that the suit is not maintainable on the grounds set forth above. I find on this issue against the defendant.

There remain issues (1) and (5) which are the two most important in this case.

Issue (1) may be divided into three parts:—

1. Is the *Dharamsala* trust property?
2. Have the plaintiffs an interest therein?
3. Is the Collector's sanction invalid?

The first point has already been decided in the affirmative in connection with the second issue, and need not again be discussed here.

On the second point the objections put forward by the defendant are :—

- (a) That the *Dharmshala* is the private property of the descendants of Bhai Abnasha Singh, and that outsiders are not entitled to intervene.
- (b) That outsiders have never had a voice in the appointment of the *Mahant*, and cannot join in a suit to remove him from that office.
- (c) That the *Dharmshala* property was built and has always been managed by Sanatanist Sikhs, and the plaintiffs being Akali Sikhs have no rights of interference.
- (d) That as only one of the plaintiffs out of seven has been shown to have any interest whatsoever in the *Dharmshala* the suit is bad.

There is not a tittle of evidence to prove that the *Dharmshala* was actually ever owned by Bhai Abnasha Singh or any of his descendants. On the other hand, all the various facts connected with the institution tend to show that the members of Bhai Abnasha Singh's family were never at any time looked upon as proprietors of the *Dharmshala*. The entries in the Government Register show clearly enough that as far back as 1853 Rattan Singh was regarded by Government only as the "*Gaddi-Nashin*" and "present incumbent" of the *Dharmshala*.

In 1913 when Bhai Sujan Singh preferred an application to the Deputy Commissioner against Kirpal Singh, the latter made a statement (Ex. P. 60) in which the following passage occurs :—

"The present *Dharmshala* is not in my private use, but is used for the purpose for which it is intended. My family does not reside in the *Dharmshala*, but of course I myself live there for its Service".

It will be observed that Kirpal Singh did not put forward the plea of being entitled to live in the *Dharmshala* as its owner, but only on account of the service he was required to render it.

The same admission is made by the defendant in his pleas (Ex. P. 40) filed in the suit brought by Sujan Singh against him in 1915. Therein he said :—

"The residence of the defendant *Mahant* is necessary to manage the *langar* as well as to look after the travellers. Moreover, the work of the *Dharmshala* cannot proceed without the residence of the *Mahant* therein."

There is no claim here either of a right to residence in the *Dharmshala* by reason of ownership. The claim to proprietary rights advanced in this case has not been substantiated and falls to the ground.

Consequently the objection that persons outside the family are not entitled to intervene has no force, and must be rejected. As to the point urged in (c), there is no satisfactory proof that the plaintiffs are all Akali Sikhs, but even assuming, for the sake of argument, that they are, I fail to see why they should be regarded as having no interest in the *Dharmshala* on that score alone. It is open to any Sanatanist Sikh to at any time become an Akali. If such person has habitually been worshipping in the *Dharmshala* in suit, can he by reason of his having become an Akali be prohibited

from worshipping there in future? It has not been seriously urged that he could. Besides, there is no evidence whatsoever in support of the allegation that the *Dharmshala* was intended purely for the use of Sanatanist Sikh worshippers. But even if it were, I. L. R., XXXIV Allahabad, 468, is authority for holding that the trust is none the less a trust for a public purpose if its main object is in fact the support of *fakirs* of a particular sect and the propagation of the tenets of that sect. It will, however, be seen from defendants' own witnesses Hans Raj (D. W. 3) and Amir Chand (D. W. 10), neither of whom is a Sikh, that they have been visiting the *Dharmshala* and lodging there on occasions for the night. How in the face of this can defendant urge that the *Dharmshala* was only meant for Sanatanist Sikhs. All the evidence points to the fact that the *Dharmshala* was open for use of all travellers without distinction, and the *langar* was meant for the poor and needy of all castes and creeds without restriction. This objection therefore is futile and must be overruled.

As regards (d) defendant's counsel relies on the decision of a Division Bench of the Punjab Chief Court published as No. 52 P. L. R. of 1906. In that case the suit was instituted by two representatives of the village body by whom the land attached to the institution had been assigned. This it appears was the only interest the village body had in the institution. They had no voice in the succession to the *Mahantship*, or management of the institution which was under the control of the *Bhek*, and it was accordingly held that the representatives of the village body had no right to intervene.

In the present case there is no evidence to show how Rattan Singh came to succeed Bhai Abnasha Singh and by whom the appointment was made.

Mehtab Singh succeeded Rattan Singh on the authority of a will left by Rattan Singh. There is no evidence to show that Mehtab Singh ever appointed a successor. On his death a dispute arose as to the succession, and several claimants came forward. The selection was eventually made by the Commissioner and Kirpal Singh was appointed *Mahant*. There is thus no particular body of men in existence on whom devolves the right of appointment of the *Mahant*, or of controlling the management of the *Dharmshala*. Such being the case, the only persons who can come forward to institute a suit against the *Mahant* are those found to have an interest in the institution. I therefore find point (b) against the defendant and turn to the fourth point (d).

The seven plaintiffs in the case are :—

1. Narinjan Singh, Proprietor, Harmonium Works, Gujranwala.
2. Mahan Singh, Sub-Assistant Surgeon, Gujranwala.
3. Ishar Singh, Merchant, Gujranwala.
4. Bhagat Singh, Pleader, Gujranwala.
5. Tirath Singh, Barrister-at-Law, Gujranwala.
6. Parshotam Singh, Merchant, Wazirabad.
7. Lila Ram, Banker, Wazirabad.

The defendant's contention in regard to the plaintiffs is, that five of them are residents of Gujranwala, and cannot therefore be said to have an interest in the *Dharm-sala* which is situate in Wazirabad. Of the other two it is said that Parshotam Singh alone has an interest in the institution, and Lila Ram has none. It is denied that Lila Ram is even a Sikh.

With regard to the five Gujranwala plaintiffs I have ascertained that three, Narinjan Singh, Ishar Singh and Bhagat Singh, have put in an appearance in court on a few occasions out of the 25 or 26 hearings in this case. Mahan Singh has appeared only once and Tirath Singh not at all. Not one of these plaintiffs has appeared as a witness to depose to the interest he has in the *Dharm-sala*, although the defendant in his pleas has denied that they have any interest in the institution at all. Not a single witness has been produced on behalf of the plaintiffs to prove that any of these five men has ever on any occasion even so much as paid a visit to the *Dharm-sala* at Wazirabad. On the other hand, one of them, Narinjan Singh in his objections to the attachment of his property in execution proceedings for costs, in this case, has distinctly stated that he has no personal interest in the suit, but has been deputed by the local Singh Sabha to prosecute it.

On these facts defendant's counsel urges that on the authority of I. L. R. 42 Madras, 340, these 5 plaintiffs should be held to have no interest in the *Dharm-sala* in suit and consequently no right to institute this suit.

Plaintiffs' counsel has referred me to I. L. R. 12 Bombay, 247, 24 Calcutta 418, and 43 Madras 720.

In 12 Bombay, 247, one of the plaintiffs was the hereditary Manager of the temple, and the other four were priests residing at the place where the temple in suit was situate and whose duty it was to conduct the pilgrims who were their *fajmans* to the shrine and perform the worship of the idol on their behalf.

Not only were the plaintiffs in that case residing in the same town, but they all had certain duties to perform in connection with the temple and were consequently held to have an interest therein.

I. L. R. 24 Calcutta, 418, has been cited as authority for the view that all persons who have a right to worship in a temple are entitled to institute a suit in respect of it. I have been carefully through the judgment and find the relevant portion thereof to be as follows :—

"On the other hand, we may refer to the case of Manohar Ganesh Tambekar *versus* Lakhmi Ram, Gobind Ram (I. L. R. 12 Bombay, 247) to show that persons having a right to worship in a temple are within the scope of section 589. We may add that the two plaintiffs in the present case have a somewhat larger interest than that of mere worshippers. Plaintiff No. 1 alleging that he has for some time been performing some of the duties of the *Mahant* and plaintiff No. 2 that he has been performing the *pooja* in the temple. These allegations have been supported by some evidence which is not contradicted."

Now, it will be seen from the above that at the very least the two plaintiffs had actually been worshipping in the temple, whereas in this case five of the plaintiffs are not shown to have even so much as set foot in the *Dharm-sala* in respect of which they bring their suit.

The two cases referred to are by no means analogous. No instance has been cited where it has been held that all persons by reason of their professing a certain faith are entitled as of right under section 92, Civil Procedure Code, to claim the privilege of instituting a suit in respect of an institution belonging to their faith, even though they may never have been near it much less actually worshipped in it.

This very question has been most fully discussed in I. L. R. 42 Madras, 380, which has been cited on behalf of the defendant. It appears to be the only ruling on the point as have not been referred to any other by either side. In it the learned judges decided that though a Hindu might have the right to worship in a temple, he has not on that ground alone the interest required by section 92 of the Code to maintain a suit. The Honourable Chief Justice remarked as follows :—

“ It is, I think, quite clear both under Lord Romilly's Act and the section that the Court must be satisfied not only that the requisite authority has been given, but also that those to whom it has been given have a clear interest in the trust. That interest, it seems to me, if the provision is not to be altogether illusory, must arise from some special relation in which the plaintiff stands to the endowment in question as compared with the whole body of religious community throughout India ; in other words, he must be in a position to derive some benefit from the trust in respect of which the suit is filed.”

On the authority of this ruling then I am constrained to hold that the five plaintiffs of Gujranwala town are not persons shewn as having an interest in the trust as required by section 92, Civil Procedure Code, and that consequently they are not entitled to maintain this suit.

There remain the two plaintiffs of Wazirabad, Parshotam Singh and Lila Ram. Objection has been taken as against the latter only. It is alleged that Lila Ram is not a Sikh, and can therefore have no interest in the *Dharmshala*. Plaintiff's counsel has argued that as in paragraphs 1 and 4 it has been set forth that all the plaintiffs are followers of Sikh religion and votaries of that faith, and this fact has not been specifically denied in the pleas, it must be presumed to have been admitted. But this is not so. In paragraph 1 of the plaint it is set out that “ the plaintiffs have no personal purpose to serve in bringing the claim, but they do so being “ followers of the Sikh religion and votaries of that faith.”

This is merely a disclaimer as to personal motives in bringing the suit, and needs no special reply. The defendant, however, in paragraph 1 of his pleas denies that the plaintiffs have any cause of action or that they are entitled to obtain the Collector's sanction and bring this suit. It is in paragraph 4 of the plaint that the plaintiffs give a description of themselves and say :— “ The plaintiffs are the worshippers and “ votaries of the said *Dharmshala*, and being the followers of the Sikh religion they are also interested in the said *Dharmshala*.”

To this the reply is :— “ Clause 4 of the plaint is denied.” I do not see how in the face of this it can be argued that the defendant tacitly admits that all the plaintiffs are Sikhs, and worshippers and votaries of the *Dharmshala*. No such admission can be inferred.

I have already remarked in the course of this judgment that Lila Ram has not once put in an appearance in court in this case. I have also examined the plaint, and find that in the list of plaintiffs he is merely described as "Lila Ram, Banker of Wazirabad". His caste is not given, and he is not anywhere described as a Sikh. He has not himself appeared to testify to his being a Sikh, nor has any witness deposed to this effect on his behalf. There is not an iota of evidence in support of this allegation that Lila Ram is a Sikh and a worshipper and votary of the *Dharmasala* in suit, and therefore interested in the institution.

I also find that Lila Ram has neither signed nor verified that plaint. It has been signed by the five Gujranwala plaintiffs, by Amar Singh as *Mukhtar* of Parshotam Singh and by Lala Mela Ram, Pleader, who appears on behalf of all the plaintiffs. It is a moot point as to whether the signature of the Pleader supplies for the principal also under order 6, rule 14, Civil Procedure Code, but I do not propose to discuss it at this stage of the case, especially as no objection has been taken on this score by the defendant's counsel.

I also find that the plaint has been verified by the five Gujranwala plaintiffs alone. Neither Parshotam Singh, his *Mukhtar*, Lila Ram, or the Pleader of the plaintiffs has verified the plaint.

There would be no defect ordinarily, but when it has been found that the five Gujranwala plaintiffs have no interest in the *Dharmasala* and are not entitled to sue, then the want of verification by at least one of those entitled to maintain the suit constitutes a very grave defect indeed.

I have brought to notice all these facts to show how much interest Lila Ram has displayed in the case and may be judged to have in the *Dharmasala*.

In addition I find on reference to the application made to the Collector for sanction that the names of only the five Gujranwala plaintiffs were entered by the petition writer as applicants in the case. The petition is signed by these five men and Lala Mela Ram, Pleader, who also appears to have written the names of Parshotam Singh and Lila Ram in English assignatories to the application.

Lila Ram has signed the power-of-attorney in favour of Mela Ram in Urdu and Hindi, being apparently illiterate in English.

It follows then that the sanction of the Collector is *ultra vires* :—

1. Because only one out of the seven persons to whom the sanction was accorded is a person who can be said to have an interest in the trust, and
2. Because two out of the seven never actually applied for the sanction granted to them.

I accordingly find on the first issue that the Collector's sanction is invalid, and that the suit therefore cannot be maintained by the persons in whose favour such sanction was accorded.

In case my finding on the first issue is not upheld on appeal, I proceed to determine the fifth issue which deals with the conduct of the defendant and the mismanagement by him of the trust.

The allegations against the defendant as set out in paragraph 5 of the plaint are—(1) that he is of extremely immoral character and given to sexual

indulgences; (2) that he is incapable of the management of the *Dharmasala*; (3) that he is misusing his trust and spending the grant and income of the *Dharmasala* on his own person; (4) that the *langar* is not maintained, nor *Shabad Kirtan* or *Updesh* kept up in the *Dharmasala*; and (5) that no accounts are kept. As regards accounts, defendant admits that he keeps none. He has from time to time been ordered by various District Officers to maintain accounts, but has consistently failed to keep any in a satisfactory manner, and committees appointed to check the accounts have invariably found them defective and improperly maintained. The defendant's contention is that he has not been enjoined by the terms of the grant of the *jagir* to keep any accounts, and there is no proof forthcoming that any accounts have ever been kept in the past. Here the defendant holds a strong position and he is supported by the ruling of the Punjab Chief Court cited as P. R. 89 of 1901, in which it has been held that the *Mahant* of a religious institution is presumed to be the Manager of the institution over which he presides, and is not bound to submit accounts for the information or approval of the worshippers at the shrine unless it is proved by evidence that it is the custom and practice of the institution for him to do.

The failure then on the part of the defendant to keep accounts though throwing suspicion on his *bona fides* is not of itself a matter which renders him unfit for his office, and his removal therefore desirable.

As regards the misuse of the trust and the spending of the grant on purely personal requirements, the defendant urges that the grant was made with the object of maintaining the *Mahant* and the members of his family as well as for the maintenance of the *langar* and the *Dharmasala*.

From the note in Exhibit C-2 it appears that Government was well aware that Rattan Singh and his brothers were being maintained out of the proceeds of the *jagir* originally granted by Maharaja Ranjit Singh, and it was not thought necessary to alter the existing arrangement when the grant was continued by the British Government. But it will also be seen that Rattan Singh left personal property in the shape of land which is now held by his descendants,—*vide* Exhibit P. 55 and the statement of Kirpal Singh himself) and that a considerable portion of the *jagir* granted to Rattan Singh was resumed on his death,—(*vide* Exhibit C-2). So that it cannot be inferred that Government intended the residue of the grant to maintain the *Mahant* and his family as well.

In this connection it has also to be seen whether the defendant has been improperly appropriating to his own use at the expense of the *langar* a larger share of the income from the *jagir* than was warranted by the grant.

A further reference to Exhibit C-2 shews that at the time the grant was made there were 15 resident *fakirs* and *granthis* at the *Dharmasala* who were being maintained out of the *jagir*, and that in addition a charitable dole was constantly kept up for the sake of the poor and needy, and there can be no doubt that the intention of Government in continuing the grant originally made by Maharaja Ranjit Singh was that the *langar* should be in continuous operation whilst at least 15 *fakirs* and *granthis* were in addition maintained in residence at the *Dharmasala*.

Mr. Thomas Douglas, Commissioner, Lahore, in 1860 visited the *Dharmasala*, and finding only ten persons present for the free distribution of food, wrote as follows in a judgment, dated the 16th June 1860 (Exhibit P. 44):—

"In regard to the remarks made by the Deputy Commissioner to the effect that there is a condition in the certificate relating to this *muafi* that 15 men besides the poor and needy should always get their food here, I may note that when I myself visited the *Dharmshala* I found only 10 persons present who took their food there. It appears that Government has sanctioned an annual grant of Rs. 1,000 for the expenses of this *Dharmshala* out of which only Rs. 350 are spent annually. The remainder is spent by Bhai Rattan Singh towards the satisfaction of his own needs. Therefore the Deputy Commissioner should require the said Rattan Singh to comply with the condition inserted in the *Sanad*. If he does not fulfil the condition, the *jagir* would in my opinion be liable to forfeiture. Bhai Rattan Singh should be warned of this."

I refer to this as showing that the Civil Courts within seven years of the grant being sanctioned found it obligatory by the terms of the grant that 15 persons should be maintained at *Dharmshala* in addition to a constant dole being kept up. The maintenance of the *Mahant* out of the *jagir* was a secondary matter, the primary consideration being the continuance of the *langar* in the manner indicated in the *Sanad*.

Now it is not alleged by the defendant that any resident *fakirs* are maintained at the *Dharmshala*, or that a charitable dole is *constantly kept up*. Witnesses have deposed to seeing food distributed, and I have no doubt that a small quantity of food is prepared daily for distribution. But this is not sufficient. The *Mahant* should have food ready for distribution at all times, making personal sacrifices to this end. No doubt times have changed and the cost of living gone up with the price of the food stuffs, so that the upkeep of the *langar* involves a considerable increase in expenditure, but there is no justification for not complying with the terms of the grant.

It has been urged on behalf of the *Mahant* that he has himself and his family to maintain out of the *jagir* as well as to make allowances to other descendants of Bhai Abnasha Singh. Whilst it is true that Bhai Ram Singh, the brother of Bhai Rattan Singh, was maintained out of the *jagir*, the Civil Courts refused to recognise his right to a separate allowance by way of maintenance. This appears from the judgment of Commissioner, Lahore, dated the 16th June 1880 (Ex. P. 44), and from that of Faqir Zahur-ud-Din's, Extra Assistant Commissioner, dated the 11th December 1886 (Ex. P. 43).

Subsequently Amar Singh in 1882 sued Mehtab Singh for payment of allowance on the strength of an alleged will left by Bhai Rattan Singh, but the suit was dismissed and the decision upheld on appeal by Rai Bahadur Gopal Dass, Extra Judicial Assistant Commissioner, on the 25th May 1882 (Ex. P. 25). Kirpal Singh has put in a few receipts to show that he has on occasions paid allowances to various members of his family, but he was under no obligation to do so, and he admits that for some years he has paid no allowance at all to any one. It does not appear, however, that the stoppage of the allowances has brought about a corresponding improvement in the condition of the *langar*. Kirpal Singh took over the management of the *Dharmshala* into his own hands about the year 1901, and almost immediately after complaints began to be made about his character and general mismanagement. On the 4th October 1902 an article appeared in the *Tribune* newspaper complaining against the *Mahant's* mismanagement. Kirpal Singh's statement was taken on the 12th October 1902

(Ex. P. 56) and he stated that he would in future keep accounts and manage the *langar* in a better manner. On the 30th November 1902 the Tahsildar, Sardar Bhagwan Singh, reported as follows (Ex. P. 58) :—

"I examined the *langar* building and found about 1½ seers of kneaded flour made into cakes. I did not see any store of flour at the site of the *langar*. No poor man who might receive food at the spot was seen. I found the site used for distribution of *langar* as well as the *Kharas* (wherein the wheat is ground into flour for *langar* use) in a deserted condition. On enquiry from persons present on the spot, I came to know that poor men were generally not supplied with food. If some 5 or 7 persons happened to turn up at the time of meals they were given food. * * * * * I cannot but submit in view of the facts examined with my own eyes that the Dharmshala is kept up and *langar* maintained in a satisfactory manner."

The Deputy Commissioner, Gujranwala, on the 30th January 1903, passed an order (Ex. P. 37) to the effect that the Tahsildar should warn the *Mahant* that if he did not improve his conduct as well as the management of the Dharmshala he would be dismissed from his office and a part or whole of the Dharmshala grant forfeited to Government. A Committee was then appointed to supervise the affairs of the Dharmshala.

On the 29th September 1903 the Tahsildar, Lala Hira Nand, submitted a report (Ex. P. 59) as follows :—

"I tried to form my own opinion in regard to the present management of the Dharmshala and visited it on different occasions from time to time, and saw whether the necessities of *langar* were present there and whether eatables were distributed there, I found that they were not sufficient, but were, on the other hand, scarce. *Mahant* Kirpal Singh is afraid of the forfeiture of the *jagir* if he does not maintain the *Langar*. Two men were found present in the *langar* *khana* and unkneced flour is found lying in two *Parats*. When any officer visits the Dharmshala for inspection water is instantly poured into the flour. Some cakes are also kept for display. * * * * * The major portion of the *jagir* money is spent on the personal expenses of the *Mahant* and the rest is spent on the *langar*, etc."

This report was apparently made on the complaint of Bhai Narsain Singh, dated the 19th November 1903 (Ex. P. 64).

Of course this was all long ago, but I can find nothing in the evidence adduced by the defendant to show that conditions have improved. It is admitted that only one woman is now kept to do the cooking for the *langar*. Formerly there were two and then complaints were being made as to the insufficiency of the free food provided, how is it possible that any improvement could be effected by reducing the number of cooks from two to one? Further, Kirpal Singh in one of his letters without date to his mistress Mt. Lachhmi (Ex. P. W. 3) admits that the state of the *langar* is bad.

There is ample evidence on the record to show that Kirpal Singh has been spending as little as he can on the *langar*, and apparently appropriating the major portion of the *jagir* to his own use. If defendant found it difficult to maintain himself and his family out of the income derived from his private land supplemented by the proceeds of the *jagir* it was open to him to represent matter to the local authorities with a view to Government

being moved to enhance the grant. But throughout his term of office I have not been able to discover a single instance in which Kirpal Singh ever pleaded that the grant was insufficient for the purpose of maintaining both himself and the *langar*.

Now as to the moral character of the defendant. He has been charged with having a liaison with a married woman, Mt. Lachhmi by name, who is the wife of Amar Singh, the *Mukhtar* of Parshotam Singh, plaintiff in this case; with being intimate with prostitutes, and with being addicted to the use of liquor.

Letters admitted by Kirpal Singh to have been written by him to Mst. Lachhmi have been put in evidence and amply prove all three charges. Kirpal Singh's explanation of these letters is that he was appointed an honorary agent of the Criminal Investigation Department and wishing to obtain information in regard to certain men who frequented her house, wrote to her in a familiar strain with a view to establishing himself in her favour and confidence thus to secure through her all the necessary information needed about these men. The explanation on the face of it is absurd. The correspondence extends over several years and is couched in unmistakable language which no man who was not on terms of sexual intimacy with a woman would dare to use, and which no woman not on similar terms with him, would for an instant tolerate. These letters are marked Ex. P. 1 to 31, P. W. 3 to P. W. 7 and P. W. 10-A. to P. W. 10 J., and speak for themselves. In Ex. P. 22 and P. 23 Kirpal Singh goes to the length of offering Mst. Lachhmi the half of all his property which he is prepared to convey to her by a registered deed of gift; and in P. 26 he assures her of his preference for her over all other women, and declares that he does not care for the public opinion in the matter of his regard for her.

Ex. P. 7, 8, 10, 11, 15, 17, 21, 30 and 31 make mention of Anwar and Pirozan, prostitutes, showing that he is intimate with them, knows their addresses and visits them. In Ex. P. 31 of Cocaine for contracting the vagina, and declares that Anwar makes use of it.

Apparently Mst. Lachhmi accused in some of her letters with being intimate with other women; and in reply he denies the imputation. In P. 16 and 18 Mst. Mulo is referred to; in P. 26 Mst. Shib Devi; and in P. 28 Mst. Mulo, Jai Kaur, Kesro and Bai. These letters are clear proof that Kirpal Singh was not being led astray by a single woman alone who had caught his fancy, but that he is a man whose lust and sexual desires cannot be satisfied by relations with his own wife, but must seek an outlet by his consorting with other women and public prostitutes.

As for drink; Ex. P. 10, 13, 17, and 28-Af contain admissions which are clear enough evidence establishing the charge.

Kirpal Singh has also been accused of misusing the Dharmshala. In P. 23 he makes mention of eating and drinking in the Dharmshala, and in his own statement as a witness he has had to admit that although he has a separate residential house, his wife was confined of a son in the upper room of the Dharmshala only last summer during the pendency of this case.

The oral evidence of the witnesses who come forward to say that the defendant bears a good character, and that they have heard no evil of him, is absolutely worthless in the face of Kirpal Singh's clear admission contained in the letters produced in court.

As to Kirpal Singh's fitness to continue as *Mahant* of the Dharmasala, it will be seen that ever since he assumed control of the affairs of the Dharmasala there have been complaints made against him to the local authorities and in the Press, but in spite of several warnings he had done nothing either to reform his character or to improve the condition of the Dharmasala. He has never attempted to keep regular accounts, which as an honest man he would have done if only to silence his traducers. I am certainly of opinion Kirpal Singh whose debased character or indifference to the welfare of the Dharmasala have become by-word, is not by any means a fit person to hold the position of *Mahant* of the Dharmasala of Bhai Abnasha Singh. It is unfortunate that the plaint has been found to be legally defective so that no action can be taken on it against the defendant. But I do not see why executive action cannot be taken for suspension of the jagir so long as Kirpal Singh persists in clinging to the office of *Mahant*.

Finding on issue No. 1 that the sanction of the Collector is invalid and the plaint defective in consequence, I dismiss the plaintiffs' suit ; but having regard to the fact that the action brought was in every way justified, I leave the parties to bear their own costs.

GUJANWALA :

The 23rd Decr. 1922.

E. R. ANDERSON,

Additional District Judge.

JAGIR FOR THE PERSONAL MAINTENANCE OF THE DESCENDANTS OF BHAI
ABNASHA SINGH.

2386. Rai Sahib Sardar Harnam Singh : (a) Arising out of the reply received to question No. 834, will Government please state (i) whether in addition to the *jagir* granted by the Government of India as referred to in paragraph (a) of the reply, any further *jagir*, or allowances or concessions were granted to the descendants of Bhai Abnasha Singh for their personal maintenance ?

(b) Will Government please state whether under the terms of the *jagir* referred to in paragraph (a) of the reply, the *Mahant* is entitled to spend any portion of the *jagir* money for his personal maintenance, and, if so, under what limitations ?

(c) Will Government be pleased further to state (i) what amount of the *jagir* money has been paid to the *Mahant* since the order of the Deputy Commissioner, dated 8th March 1921, as stated in paragraph (f) of the reply ; and (ii) whether any account has been submitted by the *Mahant* as regards the distribution of the money so paid to him, in terms of the Deputy Commissioner's orders, dated 8th March 1921 ?

(d) Will Government be pleased also to state the result of the enquiry of the Sub-Committee appointed to check the accounts, as referred to in paragraph (g) of the reply ?

Mr. H. D. Craik : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

EMPLOYMENT OF AN HONORARY ASSISTANT REGISTRAR.

2387. **Khan Muhammad Abdullah Khan :** (a) Is it a fact that the Co-operative Department has employed an Honorary Assistant Registrar, who was once involved in a case of embezzlement of Rs. 5,000 in connection with Pattoki *Arbat* shop while he worked as an Inspector of Lahore Circle ?

(b) If so, will the Government be pleased to state what steps were taken to clear up the matter and how the case stands ?

(c) Will the Government be pleased to give reasons for allowing him to work as Honorary Inspector later on ?

The Honourable Lala Harkishan Lal : I regret that the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

CORRUPTION AMONG GOVERNMENT OFFICIALS AT SARGODHA.

2388. **Mr. Ganpat Rai :** With reference to the answer to question No. 1612 by Malik Firoz Khan, Noon, will Government be pleased to state—

(a) if they have since verified the statement referred to in sub-paragraph (b) of the reply of the Chief Secretary, and

(b) if any action has been taken ; if so, what, and if not, why ?

(c) Will Government be pleased to lay on the table the papers on the subject except those which are confidential ?

Mr. H. D. Craik : Government is not prepared to make any further statement in regard to this matter or to lay any papers on the table. Suitable action has been or is being taken.

DISCUSSION OF GOVERNMENT'S DEMAND FOR GRANTS.

(LAND REVENUE GRANT—*continued*.)

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhpura (Non-Muhammadan) Rural] (Urdu): Sir, I beg to move —

“That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 21,200—Other Items.”

Sir, when every item is specifically figured in the Budget, I fail to see any justification for the demand of Rs. 21,200 under the heading of “Other Items.” I have studied the figures carefully and I can safely assert that practically everything has been provided for specifically in this Budget and there is no necessity for provision under “Other Items.” It would not, under these circumstances, have been unreasonable on my part had I moved for the total rejection of this item. But I content myself with such a moderate amendment as the one before the House. After these few observations, Sir, I hope the House will support my amendment, and the Government will kindly accept it.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 21,200—Other items."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, this item includes chiefly among other things, the expenditure on money order commissions, charges for lighting and charges for binding the records and other items in connection therewith. I may also point out that the actual figures for the last year were Rs. 96,912 and they have been considerably cut down already this year. And it is not possible to cut them down any further. If the House, however, considers that it is not necessary to bind the settlement records and thus to preserve them so that they may be of use for the future assessments, then it may make the reduction proposed. I don't think that it is possible to cut down the provision for money order commission and lighting charges.

Maulvi Muharram Ali, Chishti (Lahore City (Muhammadan), Urban) (Urdu) : Sir, I regret to confess that I do not feel quite satisfied with the explanation given by my Honourable friend the Revenue Member for the expenditure under discussion. The fact is, that although the expenditure for the coming year has in the new Budget been split up in different items under different head still a huge sum figures under the Miscellaneous item. The terms like "Miscellaneous" and "Other Items" have always appeared to me to be quite meaningless. I am dead against the word *wagairah* (etc.) in the matter of accounts. I have never liked these ambiguous and vague words and in the same way I do not like these provisions under the "Miscellaneous items." It appears that Government too after the manner of the Indian customers, wants to get something additional than is due in the shape of *Jhanga Jhanga* (additional fractions of article as a matter of grace) when everything else has been decided. The Honourable the Revenue Member said in his explanation that among other things, the money orders charges were to be met with from this item. But, Sir, I find a separate provision for these charges figured in the Budget. I will like to draw the attention of the Honourable Revenue Member to page 86 of the Detailed Budget Estimates.

cc: The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : That is quite a different item.

Maulvi Muharram Ali, Chishti : Then, may I know what that relates to?

Mr. President : It comes under special head and the other under Land Records.

Maulvi Muharram Ali Chishti : (continued) Very well, Sir, we shall discuss it in due course. I do not think that payments within the districts need at all be made by money orders. Moreover, I would like to remind the House, that unless the Government be willing to put up with some inconvenience, retrenchment in expenditure is quite impossible. Sir, I am sorry to remark, that in spite of the explanation of the Honourable the Revenue Member, the objection raised by my honourable friend Mr. Ganpat Rai still holds good. If the Honourable the Revenue Member still thinks that to reduce the expenditure under discussion is quite impossible, he might very well take me to task by saying that

"You have criticized our work but have not told us a method how we are to carry on your wishes in matters of detail." To this my only reply has been and is that we, on the opposition benches, cannot devise ways and means to reduce these items, until we cross the ocean of the floor of the House and occupy the front official benches there on our opposite side.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadian), Urban] (Urdu): Sir, I think that if the Honourable the Revenue Member just explains the details of this grant headed "Other Items" the question will be easily solved, and the House will then be in a better position to judge the necessity or otherwise of the expenditure than it is now. I think that if a satisfactory explanation is given, both the sides will probably come to a better understanding of the matter before the House. Mere general remarks about it will not satisfy the opposition benches. I therefore earnestly request the Honourable the Revenue Member to enlighten the House on the point.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur (Sikh), Rural] (Urdu): Sir, I gladly admit before the House that my doubts about the matter under discussion have been removed by the explanation given by the Honourable the Revenue Member. I now feel, that the expenditure is quite justified and the public cause will suffer by its reduction. The House would do well to remember in this connection that it was only recently after the strike of the *Patwaris* that the Government decided not to put them to the necessity of coming to the Tahsil headquarters for receiving their pay and arranged for sending their pay to their places by money order. Now, if the Government acts upon the suggestion of my Honourable friend Maulvi Muharram Ali Chishti, it will have to pay sixty or sixty-two thousand rupees for their travelling allowance, if they were again made to come to their headquarters for the same purpose.

Maulvi Muharram Ali Chishti: I never made that suggestion. I only wanted their pay to be paid to them by some Government man.

Sardar Randhir Singh Kalaswala (continued): Sir, I do not think Government can conveniently spare so many men for this purpose. The only practicable way of doing it is by the postal money-order. If the amendment is accepted, it will ultimately add to the burden of the tax-payer. With these few words, Sir, I strongly oppose the amendment before the House.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadan), Rural] (Urdu): Sir, the explanation of the Honourable the Revenue Member has to some extent satisfied the House, but the speech of my honourable friend Sardar Randhir Singh has again created some misgivings about the matter before the House. The *Patwaris* have to go to their tahsils every month for submitting the *Nagshas* to the Girdawars, and they can at that time receive their pay from the Tahsil. Sir, what surprises me most is the fact that nothing is definitely stated in the Budget as to what this amount of Rs. 2,12,000 will be expended upon. Both Government and the Council are committed to the policy of retrenchment in expenditure and I hope the amendment will therefore be accepted. With these few words, Sir, I support the amendment moved by my honourable friend Mr. Ganpat Rai.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, the item under discussion does not specify as to what it is meant for. If the Government can reduce the expenditure unde,

[Diwan Bahadur Raja Narendra Nath.]

this heading from Rs. 96,000 to 92,000 in 1922-23 and to Rs. 28,000 in the Revised Estimate of the same year, which has further come down, to Rs. 21,200 in the present Budget, I think it is not quite impossible to reduce it further by Rs. 10,000. I trust the House will support the amendment under discussion and the Government will kindly see its way to accept it.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu) : Sir, the House has objected to the inclusion of some of the charges in the item under discussion. I want to make it clear to the House that the increase in charges for money order fees is due to the fact that the system of quarterly payment of the salaries to the Patwaries had advisedly been changed to a monthly one. It has been suggested that disbursement of pay should be carried out by a single man who might make the payment at the residential places of Patwaries. I ask, does the House realize the dangers of doing so? Suppose that on his way to the *halqa* he is robbed of what he is entrusted with; who will, in that case, be responsible for the loss. Secondly, if the *Patwaries* were again made to receive their pays at the *Tabsil* it will cost the Government much more in the form of travelling allowance besides the wastage of time. They may have to spend two or three days there. I suppose the House will realize that it will not be in the public interest to adopt the suggestion made by my honourable friend Chaudhri Ali Akbar. Then it has been remarked that when the expenditure has already been reduced from Rs. 96,000 to Rs. 21,200, it can now safely be further reduced to Rs. 11,200. This argument is not right though it is a plausible one, but there must be a limit to these cuts and the House should realize that it is not safe to reduce it still over after the drastic cuts that have already been made. I think the proposed reduction will certainly be against the public good. In reply to a query as to the details of this item I shall like to mention that a major portion of this grant is intended to be spent on binding of *Jamabandis*, for it is very necessary for the Government to keep these records bound and in a good condition.

Rai Bahadur Lala Hari Chand : How much is required for that purpose?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : All the settlement registers require binding. I cannot at present give further details about it.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, I would like to point out to the Honourable the Revenue Member that cost of books is only budgetted for Rs. 400. It does not therefore stand to reason that "Other Items" should exceed Rs. 400 and amount to thousands as it covers mainly binding charges. I think the reduction proposed by this amendment is quite legitimate.

Mr. C. M. King (Financial Commissioner) : Sir, the first item of Rs. 400 under "Cost of Books, etc." includes volumes of law books and Regulations, and that is for all the settlements in the Province. Under "Other Items" the chief expenditure, as the Honourable Revenue Member has said, is the binding charges. I cannot say exactly how much it

is but if you make a rough calculation, the cost of binding each volume is about Rs. 2 and there are several thousands of volumes. Reckoned in that way three-fourths of this item goes to binding charges.

The rest of the expenditure, as the Honourable Revenue Member has stated, goes towards the money order charges. Even these money order charges have been questioned, but the honourable members will remember that formerly the *Palwaris* had to come to the headquarters and get his pay once in three months. The result was that his work suffered and he sometimes resorted to mal-practices. It was in order to take away from him all possibility of excuse for mal-practices that it was decided to pay him regularly and to send his money to him by money order. To go back to the old system of making the *palwaris* come to headquarters in order to get their pay would be a retrograde step. These are the main items and as I have said the biggest item is the binding of records. My friend Raja Narendra Nath knows the style of binding that is used and he knows that it is fairly expensive.

Mr. Ganpat Rai. Sir, I beg to move —

“That the question be now put.”

Mr. President. The question is —

“That the question be now put.”

The motion was carried.

Mr. President : Grant under consideration. Amendment moved —

“That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 21,200—
Other Items.”

The question is that that reduction be made.

The Council then divided : Ayes 27, Noes 31.

AYES 27.

Chaudhri Ali Akbar.	Rai Sahib Misar Mela Ram.
Khan Sahib Pir Ali Haidar Shah.	Chaudhri Nabi Bakhsh.
Rai Sahib Lala Ganga Ram.	Mr. Moti Lal Kaistha.
Rao Bahadur Lieutenant Balbir Singh.	Chaudhri Muhammad Hayat Khan.
Lala Kesho Ram.	Sayed Muhammad Husain.
Khan Bahadur Rai Wali Muhammad Khan.	Chaudhri Kharak Singh.
Chaudhri Ghulam Muhammad.	Sayed Muhammad Raza Shah.
Sayed Ghulam Muhammad Shah.	Mian Muhammad Shah Nawaz.
Rai Bahadur Lala Hari Chand.	Maulvi Muharram Ali, Chishti.
Sardar Allan Khan.	Diwan Bahadur Raja Narendra Nath.
Rana Muhammad Jamil Khan.	Mr. Ganpat Rai.
Khan Sahib Amir Khan.	Rai Bahadur Lala Sewak Ram.
Khan Bahadur Sayad Mehdi Shah.	Rai Sahib Lala Thakar Das.
	Lala Uttam Chand.

NOES 31.

The Hon'ble Sir John Maynard.	Mr. D. Milne.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.	Mr. G. Anderson.
The Hon'ble Khan Bahadur Mian Fazl-i-Husain.	Mr. J. G. Beazley.
The Hon'ble Lala Harkishan Lal.	Mian Ahmad Yar Khan, Daultana.
Mr. H. D. Craik.	Malik Firoz Khan, Noon.
Mr. O. J. Boyd.	Pandit Daulat Ram, Kalia.
Mr. Miles Irving.	Sardar Randhir Singh.
Mr. N. H. Prenter.	Rai Sahib Chandhri Lajpat Rai.
Mr. A. J. Gibson.	Khan Bahadur Raja Muhammad Akbar Khan.
Mr. A. Latifi.	Khan Muhammad Saif Ullah Khan.
Mr. C. M. King.	Nawabzada Muhammad Irshad Ali Khan.
Mr. E. R. Abbott.	Rai Sahib Chaudhri Raja Singh.
Colonel R. Heard.	Mr. Manohar Lal.
Mr. W. P. Sangster.	Khan Bahadur Khawaja Yusuf Shah.
Lieut.-Col. W. C. H. Forster.	Dr. C. A. Owen.

Mr. Edward Ernest Clarke.

The motion was lost.

Mr. President : During the last sitting of the Council I ruled that it was improper to try to influence members' votes in any way after the division bell had commenced to ring. In this connection I may quote a ruling of the President of the Legislative Assembly on a point of order raised by a member with reference to persuasion used by another member in the Chamber after a division had been called. The ruling was—

"Interference of that kind is a serious offence. The question is one of important principle. The working of this Assembly is based upon the right of free speech and any invasion of that right calls for the severest rebuke from the Chair. I do not propose to take notice of the fact that the honourable member has mentioned a particular member by name, and therefore my remarks are addressed to the House and not to any particular member.

The right of free decision in the Division Lobby is a very important element in the right of free speech and the Chair may always be relied upon to uphold it."

This is the end of the ruling.

The President has full powers to preserve order under rule 17(1) and an incident to-day seems to indicate that it may become necessary to adopt drastic measures.

I wish, however, to revise my ruling in one respect. I do not think it is practicable to take notice of any breach of order of the kind under discussion occurring during the two minutes during which the division bell is ringing. The matter becomes much more serious when the division bell has ceased to ring.

I therefore amend my ruling so as to make it applicable only after the bell has ceased to ring.

The Honourable Sir John Maynard (Finance Member) : Sir, before the next amendment is moved may I ask what will happen at the end of the sixth day if the amendments are not disposed of by that time?

Mr. President : The leader of the House asks me to draw your attention again to what I said on Saturday regarding the procedure that will be adopted if all the grants are not disposed of shortly before the end of the last day allotted for the voting of grants. I would seriously remind the House that we cannot afford to spend half an hour over one small item.

Before we proceed I should like to say that I think it was more or less understood on Saturday that if one amendment was carried, then similar amendments coming under another grant would be accepted by Government and if that were lost, then similar amendments would not be moved. If that holds good, there will be no necessity to move all such similar amendments.

Maulvi Muharram Ali, Chishti : On a point of order, Sir. Supposing these amendments are not finished during these days, may I ask whether it will be possible for us to move that the sittings should continue till after the allotted hours on these days.

Mr. President : I will consider the point. Let us proceed with the business.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian), Rural] (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,400—Rewards.”

Sir, I would like to content myself with a few remarks in support of the amendment which I have just moved before the House. Such a huge sum for rewards never figured in the budgets for the last two or three years. Even in the days of opulence, it was quite an unheard of thing. But now that the Province is face to face with bankruptcy it claims Rs. 4,400 of the provincial funds. I hope the Government will kindly accept the amendment which is before the House.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,400—Rewards.”

Mr. C. M. King (Financial Commissioner) : Sir, if Mr. Ganpat Rai looks at the budget he will find that the whole of this item is for resettlement of the non-colony portion of the Jhang District. On this account there has been no expenditure in previous years at all. This sum of Rs. 4,400 represents petty rewards which are paid monthly to patwaris at the rate of Rs. 2 per patwari for their specially good work. In fact it is intended for patwaris to do work more rapidly and thus in the end reduce considerably the expenditure on settlements. I hope that my friend Mr. Ganpat Rai will not, in view of this explanation, press his amendment.

Mr. Ganpat Rai : I beg to point out that I wish to reduce the item only by one half. I do not think I am unreasonable.

Mr. C. M. King : The rate of reward has been fixed at Rs. 2 and the amount provided in the budget has been worked out at this rate. Mr. Ganpat Rai's amendment will amount to this that the reward should be reduced to one rupee.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,400—Rewards.”

[Mr. President.]

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-*cum*-Gurdaspur (Non-Mulam-madan), Rural] (Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 500 with respect to the item of Rs. 1,000—Miscellaneous.”

Sir, when all other items have been separately provided for, I do not see any justification for this sum of Rs. 1,000 under the ambiguous heading of “Miscellaneous.”

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 500 with respect to the item of Rs. 1,000—Miscellaneous.”

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): I accept the amendment, Sir.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 500 with respect to the item of Rs. 1,000—Miscellaneous.”

The question is that that reduction be made.

The motion was carried.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 8,880 with respect to the item of Rs. 8,880—Personal Assistant to Director of Land Records.”

Sir, I move the amendment only with a view to get the recommendations of the Retrenchment Committee, of which I was a member, acted upon by the Government. The majority report recommended for the abolition of the post of Personal Assistant to the Director of Land Records. I think that I am bound along with other members of the Committee, who signed the Report, to draw the attention of the Government to its recommendations at this time. I want to point out to the House that it will be dangerous to ignore the recommendations of the Retrenchment Committee in the discussion of the budget. With these few words, Sir, I move the amendment in the hope that it will be accepted by the Government.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 8,880 with respect to the item of Rs. 8,880—Personal Assistant to Director of Land Records.”

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu): Sir, I hope that my honourable friend Raja Narendra Nath remembers the fact that the Director of Land Records had two Personal Assistants last year. The Government at that time promised to bring one of them under reduction, that promise has been fulfilled. Now, the Director of Land Records is allowed only one Personal Assistant to help him in the discharge of his onerous duties. He has to inspect the offices of 300 Kanungoes, 328 Registrars; has to check Survey and Settlement records and detailed *Sanad* *is* on the spot and is responsible for reports of seven Departments of Government. I hope, therefore, the House will

not grudge him the help of one Personal Assistant. Before this, he had two Personal Assistants to help him in the discharge of these duties, but now he carries on the work with the help of one Personal Assistant only. If that one too is removed, I would like the House to realize that the efficiency of the work will suffer and the reputation which we rightly enjoy for the best kept records in the whole of India will be tarnished. Therefore, Sir, I appeal to the House to reject the amendment moved by my honourable friend Raja Narendra Nath.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] : With due deference to the minority report of the Retrenchment Committee, I say I cannot agree to the amendment. In my opinion the Personal Assistant to the Director of Land Records is absolutely necessary. (Hear, hear). We have already cut down one of his Personal Assistants. To cut down the other Personal Assistant also would mean impairing the efficiency of the work of the Director. In the interests of the Province, I maintain, that it is absolutely necessary to retain this Personal Assistant. His retention will effect considerable economy. If we cut down this post we will be losing the fruits of our efforts of the last forty or fifty years. The maintenance of the land records of our Province is by far better than in any other Province. In these circumstances I appeal to my friend Raja Narendra Nath to withdraw his amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 8,880 with respect to the item of Rs. 8,880—Personal Assistant to Director of Land Records."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai : Sir, I beg to move—

"That the grant be reduced by Rs. 70,000 with respect to the item of Rs. 81,000—Land Records."

I know what fate this amendment will have but what I wish to impress upon the Government officials is this. If the honourable members would read the report of Colonel Wace they would see that when he introduced this system his idea was that this department may be abolished after some time. He thought that after the work had been put in proper order it can be entrusted to Collectors. What I want to know is whether the Government has paid any attention to that or not. If so, is it possible to give effect to that idea, or is the Government going to say "The report was written long ago; it is not possible to act up to it now"? That is my point. Therefore what I propose is this that the Financial Commissioner may be given a Personal Assistant or an Assistant Secretary to do that work under his supervision and that the rest of the establishment may be abolished. With these remarks I move my amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 70,000 with respect to the item of Rs. 81,000—Land Records."

The question is that that reduction be made—

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, as my friend Mr. Ganpat Rai has not succeeded in making any reduction on the other items under this head, he has selected

[Hon'ble S. B. Sardar Sunder Singh Majithia.]

a novel way of doing it by proposing a reduction of Rs. 70,000 out of a total demand of Rs. 81,000. Well, if I may be permitted to refer to the report of the Retrenchment Committee, you will see that they have said in it that this department should not be abolished. It is absolutely necessary that we should keep our records up-to-date and correct. The whole administration depends upon the correctness of these records and if there is no officer to look after these records and to see that they are correctly kept, then the object of keeping these records will be defeated. If this House desires that Government should not keep these records—records about which we feel proud that they are the best records in the whole of India, then of course the House can accept the proposition of my friend. I cannot give any further explanation but I may remark that the result if the amendment is accepted will be that we shall have to abolish the department.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 70,000 with respect to the item of Rs. 81,000—Land Records."

The question is that that reduction be made.

The motion was lost.

Diwan Bahadur Raja Narendra Nath : Punjab Landholders (General) [Urdu] : Sir, I beg to move—

"That the grant be reduced by Rs. 5,00,000 with respect to the item of Rs. 23,62,570—Patwaris Establishment."

Sir, in doing so, I want the House to understand, that I am only following the recommendations of the Retrenchment Committee, which recommended a reduction in that respect and I appended a note to it to the effect that there was scope for reduction in the Patwaris Establishment. The Patwaris' *Halqas* can be widened by appointing Naib-Patwaris in charge of the ordinary duties and in this way a considerable saving can be effected. For the purposes of *Girdawaris*, more assistant Patwaris may be deputed. It was also suggested that the *Jamabandis* should be prepared after every eight years instead of four years. This too will bring about some saving. These recommendations were made by the Retrenchment Committee, on which there were several responsible Government officials. If the recommendations of the Committee are not given effect to at this time, I do not think that they will ever be attended to hereafter. Therefore, Sir, I feel bound to earnestly request the House to support my amendment.

Mr. President: The question is—

"That the grant be reduced by Rs. 5,00,000 with respect to the item of Rs. 23,62,570—Patwaris Establishment."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sunder Singh, Majithia. (Revenue Member) (Urdu) : Sir, the amendment moved by my honourable friend Raja Narendra Nath aims at the reduction of the Patwaris Establishment, which, in a way, is the mainstay of the Revenue Department. The House has passed a resolution to the effect that the Births and Deaths Registration work be assigned in future to the Patwaris. At the same time it is being contemplated to add to their multifarious duties the work of preparing the electoral rolls for the coming elections. I think the House knows enough about the manifold and numerous duties of the Patwaris and

I need not say any more about it. If this establishment is reduced, the whole administration of the Revenue Department will suffer. Until we resort to the system of consolidation of holdings, we cannot safely reduce this establishment. This requires the help and co-operation of the *samindar* community. It can also be made possible by introducing the system of *Killa Bandis* as is in vogue in the canal colonies.

It has been remarked that the Government has not so far taken any action on the recommendations of the Retrenchment Committee. I wish to take this opportunity to assure the House that the report is under the consideration of the Government and the question of amalgamation will be fully dealt with by the Government members in consultation with the heads of departments. The preparation of *Jamabandis* after eight years is a point for consideration, but I think perhaps it will take more time to record the changes for so many years than it does now when it is effected every fourth year, as is the case now. This House should rest assured that the Government will not miss any opportunity for making any reduction, which may be possible.

Pir Akbar Ali [Ferozepore (Muhammadan), (Rural)] (Urdu) : Sir has the resolution about assigning the registration of Births and Deaths to the Patwaris been given effect to anywhere? So far as I know, nothing has been done. If the proposal regarding the *Jamabandis* being done once in eight years is accepted, I think it will bring about a good deal of reduction in expenditure. I should like to make it clear in this connection that this change will not in any way injure the rights of the tenants or of the proprietors, since most of the former have acquired occupancy rights in the Panjab. Again if the proposed amalgamation of Canal and Revenue Patwari agencies is carried out it will further lessen the burden of the present unnecessary expenditure.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] (Urdu) : Sir, I submit that my honourable friend Raja Narendra Nath is perfectly right when he says that reduction can safely be made in the Patwaris Establishment. It will be better for the Government if it lets the House know its mind about the question of the amalgamation of the Canal and Revenue Patwari agencies. That will enable the House to decide the amendment one way or the other. If the Government is thinking of mincing matters, we ought to support the amendment. But if it could give the House some definite assurance to the effect that it seriously contemplates to make an experiment on a reasonable scale, then I would like to request my honourable friend Raja Narendra Nath to withdraw his amendment.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu) : Sir, I thank my honourable friend Pir Akbar Ali for reminding me about the question of assigning Birth and Death Registration work to the Patwaris. I am glad to announce it to the House that the Government has decided to make an experiment to that effect in the Lahore Division and that necessary orders have already been issued. As to the proposed amalgamation of Canal and Revenue Patwari agencies, I wish to assure the House that Government has definitely decided to introduce the scheme not on a *Rajbaha* but on one whole canal, and that steps will be taken in the matter and make it in full working order in one year. If the scheme succeeds, as I expect it will there is no reason why the Government should not introduce it throughout the Province. I trust that this assurance will satisfy the House and remove any doubts which may have arisen about the intentions of the Government in the matter.

Sayad Muhammad Husain : Let it be made on some big canal, Chenab, for example.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have said that we are going to do that on one canal, but I cannot yet say on which one it will be introduced.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), (Rural)] (Urdu) : Sir, the Honourable Revenue Member has been altogether non-committal in his speech. He has no doubt told us that Government is going to make an experiment about the proposed amalgamation of Canal and Revenue Patwari agencies, but he has given no definite promise. Again he says that the experiment will be made on one canal, but it is not made clear which canal system will be selected for this purpose. The question of this amalgamation has no bearing on the matter under discussion. Even if it be conceded that the proposed amalgamation is to be effected eventually on all the canal systems, it will certainly take years before the scheme is carried out. Had it been a question of a year or so we would have asked Diwan Bahadur Raja Narendra Nath to withdraw his amendment.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have said, this year.

Mian Muhammad Shah Nawaz (continued) : Sir, we do understand the significance of a promise of this sort. It is just like

ہم نے مانا کہ بغافل نہ کرو گی لیکن — خاک ہو جائینگے ہم تم کو خبر ہو گئی ہے

"Granted that you will not be oblivious of my plight but I shall be dust before you hear of me."

We do not know, Sir, how long it will take to fulfil these promises.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have said this year.

Mr. President (Addressing Mian Muhammad Shah Nawaz) : The honourable member is out of order. He really must not put interpretations on the words of other members which their words do not bear. I heard the speech of the Honourable Member for Revenue, and he strictly said that it would take place this year and within this year. That seems to me to be perfectly definite.

Mian Muhammad Shah Nawaz (continued) : Sir, I beg the Council's pardon. The Honourable Revenue Member and other honourable members have not grasped my meaning. I am saying something different from what is being understood. What I mean by it is that I want to know how long it will take to bring about the amalgamation. It is to be understood beforehand that it will not be done within this year.

Mr. President : I think it is not relevant. As far as I understand you are trying to extend the scope of the resolution which has been passed by attempting to get a promise from the Honourable Revenue Member for something greater. You should confine yourself to this amendment, and not what the Honourable Member would do three or four years later.

Mian Muhammad Shah Nawaz (continued) : Sir, if the Honourable Revenue Member cannot promise that amalgamation will be completed on all the canals in one year, then why should we not accept Raja Narendra Nath's amendment?

Also, it must be noted that, as the Raja Sahib has said, the *halqa*, into which the Patwari's work has been arbitrarily divided, should be enlarged. If the Government adopts some better method, I am sure a great deal of retrenchment can be effected. Hence the amendment that the sum of Rs. 5,00,000 be reduced is quite proper and workable. I therefore support it.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), (Urban)] (Urdu): Sir I wish to remove a misunderstanding. Some honourable members of the House have confused the Raja Sahib's amendment with the proposal of amalgamation which had been opposed both by him and myself. We do not mean at this time to extort a promise from the Honourable the Revenue Member concerning amalgamation, regarding which we perfectly agree with him, nor do we wish to repeat what has already been said about the resolution on that subject. What we mean to say and desire is that the number of Patwaris be reduced in pursuance of the Retrenchment Committee's recommendation on this behalf. With these words, Sir, I support the amendment.

Pir Akbar Ali: May I enquire whether the honourable member is going to have the experiment of entering the births and deaths by the Patwaris in the Lahore Division?

Mr. President: The honourable member is not entitled to ask questions during debate.

Mr. Ganpat Rai: I beg to move—

"That the question be now put".

Mr. President: The question is—

"That the question be now put".

The motion was carried.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 5,00,000, with respect to the item of Rs. 23,62,570—Patwaris Establishment".

The question is that the reduction be made.

The Council then divided: Ayes 25; Noes 81.

AYES 25.

Khan Sahib Pir Ali Haider Shah.
Rai Sahib Lala Ganga Ram.
Rao Bahadur Lieutenant Balbir Singh.
Lala Kesho Ram.
Khan Bahadur Rai Wali Muhammad Khan
Chaudhri Ghulam Muhammad.
Rai Bahadur Lala Hari Chand.
Sardar Allan Khan.
Sardar Kartar Singh.
Rana Muhammad Jamil Khan.
Sardar Randhir Singh.
Rai Sahib Chaudhri Lajpat Rai.
Rai Sahib Misar Mela Ram.

Chandhri Nabi Baksh.
Mr. Moti Lal, Kaistha.
Chaulhri Kharak Singh
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Lieutenant Sardar Raghbir Singh.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Rai Sahib Lala Thakar Das.
Lala Uttam Chand.

NOES 31.

The Hon'ble Sir John Maynard.
 The Hon'ble Sardar Bahadur Sardar
 Sundar Singh, Majithia.
 The Hon'ble Khan Bahadur Mian
 Fazl-i-Husain.
 The Hon'ble Lala Harkishan Lal.
 Mr. H. D. Craik.
 Mr. D. J. Boyd.
 Mr. Miles Irving.
 Mr. N. H. Prenter.
 Mr. A. J. Gibson.
 Mr. A. Latifi.
 Mr. C. M. King.
 Mr. E. R. Abbott.
 Colonel R. Heard.
 Mr. W. P. Sangster.
 Lieut.-Col. W. O. H. Forster.
 Mr. D. Milne.
 Mr G. Anderson.

Mr. J. G. Beazley.
 Malik Feroz Khan, Noon.
 Pandit Daulat Ram, Kalia.
 Sardar Bahadur Gopal Singh,
 Labana.
 Khan Sahib Amir Khan.
 Khan Bahadur Sayad Mehdi Shah.
 Khan Bahadur Raja Muhammad
 Akbar Khan.
 Chaudhri Muhammad Hayat Khan.
 Sayad Muhammad Husain.
 Khan Muhammad Saif Ullah Khan.
 Nawabzada Muhammad Ishaq Ali
 Khan.
 Khan Bahadur Khawaja Yusuf
 Shah.
 Dr. C. A. Owen.
 Mr. Edward Ernest Clarke.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhamma-
 dan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—
 Local Allowance to non-Gazetted Establishment."

Sir, my amendment seeks to bring about retrenchment to the extent of Rs. 3,000. People who are not Government servants go to the hill stations at their own expense. Why then, in this year of deficit is it proposed to give local allowance to non-gazetted officers? Hence I strongly appeal to the House to withhold its sanction to this item.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—
 Local Allowance to non-Gazetted Establishment."

The question is that that reduction be made.

Mr. Miles Irving (Financial Secretary) : The local allowance which is under discussion at present also applies to the Excise, General Administration, Justice, Medical, Agriculture and Civil Works, and I propose to have a general discussion as the decision on this case will apply to the other cases also. I omit Police from this general discussion as the method of calculation of the allowance in the case of Police is quite different. This allowance is given in order to compensate low paid officials who go to the hills for the extra cost of living there. We have not made this extra allowance at random, but after consideration of the cost of living in the various hill stations. House-rent forms an important item in this calculation. At this rate it has been worked out that the cost of living is 122 per cent at Kasauli, 120 per cent. in Murree and elsewhere and 109 in Kulu, etc. It was after full consideration that the Finance Department agreed to the allowance of 25 per cent. at Kasauli, and Dalhousie. Twenty-five per cent. is the minimum allowance and 50 per cent. is the maximum. I would, therefore, appeal to the honourable member to withdraw his amendment. I donot think that Mr. Ganpat Rai who is preparing for conflicts with great powers would care to hit the

lower paid Government officials, just like a tiger which attacks an elephant does not care for hares or such small animals. I may say that the Standing Finance Committee has approved of this allowance for the current year. As the proverb goes, I do not think the House will wish the door to be closed when it has been opened.

Mr. Ganpat Rai [Lahore and Ferozepore-Cum-Sheikhupura (Non-Muhammadan), Rural] (Urdu) : Sir, I think that my friends have not understood the object of this amendment. It affects the non-gazetted officers alone no doubt, but as we have got to make retrenchments and as we have no power over the emoluments of gazetted officers which come under non-votable grants we must need touch the pockets of non-gazetted servants. It is certainly true, therefore, that we are leaving alone the elephants, and are only trying to hunt jackals (laughter). The elephants are protected by the State, and it is therefore no wonder that we are hunting the jackals. This amendment, Sir, should be accepted as the local allowance under consideration is a new creation. Besides, the non-gazetted officers are already receiving hill allowance. We should also remember that this is not the question of Rs. 3,000 only, but of something like rupees one lakh. Moreover, Sir, this item of expense has been increasing for many years past. It is a sheer burden on the Province. Lastly, I must say, that this is a new way of giving more allowance to those who are already receiving it. With these words, I support the amendment.

Manvi Muharram Ali, Chishti, [Lahore City (Muhammadan), (Urban)] (Urdu) : Sir, I too will like to take part with the *shikaris* who hunt elephants, or hares wherever there is an opportunity, but I refuse to accompany a party of the hunters of flies. What I mean is that I do not agree with the amendment, because I think it is not chivalrous to cut down small increments in the case of poor and already too low paid Indian clerks.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur (Sikh), (Rural)] (Urdu) : Sir, I sympathise with Mr. Ganpat Rai's amendment. As the crops of this year have been good—prices of all necessities of life have fallen; living is comparatively cheaper than it was last year. I do not think that there is any need, at all, for this allowance which will go on multiplying if not put a stop to now.

Mr. President : Grant under consideration, amendment moved —

“That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 3,000—Local Allowances to non-gazetted Establishment.”

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) (Rural)] (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000—Money Order Commission for transmission of pay of Qanungoes and Patwaries.”

Sir, the matter of spending money on Money Order Commission has already come to the notice of the House. I need not therefore dilate upon it. Every one will admit that it is absolutely unnecessary to incur such a heavy expenditure on Money Order Commission for transmitting the pay of Patwaris and

[Rai Bahadur Lala Sewak Ram.]

Kanungos. I am, however, prepared to accept a less reduction than that demanded by this amendment. I submit, Sir, that *Kanungos* visit their respective tahsils at least once a month. They can then take their own pay and that of the Patwaris under them. It has been said that there is a danger of robbery on the way back when a considerable sum of money is being carried by one man. To this, I will answer that Tahsildars, when on tour, can distribute the salaries, and to ensure further safety of money, they may take with them a constable or two. I admit, however, that the sum spent on Money Order, Commission goes from one department to another of the Government, but the burden of it, on the taxpayer falls all the same since it goes to the Exchequer of the Government of India. I request the Honourable Revenue Member to do something in this respect, as some arrangement can, I am sure, be easily made. Sir, as I have already said, if for some reason or other the Honourable Revenue Member cannot see his way to make the reduction which I have suggested I trust he will at least arrange for the reduction of a part of it which I am prepared to accept.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by 30,000 with respect to the item of Rs. 30,000—Money Order Commission for transmission of pay of *Kanungos* and Patwaris."

The question is that that reduction be made.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu) : Sir, I want to say just two words on the amendment. I do not see the reason why the system of money orders is not replaced by the Insurance system. We have to pay one rupee for every one hundred rupees sent through money orders while Insurance requires only two annas. The expenses thus can be reduced to one-eighth.

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla (non-Muhammadan), Rural] : Sir, the sum of Rs. 30,000 is a considerable amount of money in which spending economy should be made. I endorse the suggestion already made that Patwaris who come to the Tahsil at least once a month should be paid there and then. In case of those Patwaris only who cannot come to their headquarters the system of transmission by money orders should be resorted to. This will not entail any hardship on the Government. I therefore support the amendment.

Sardar Randhir Singh Kalaswala [Sialkot-cum-Gurdaspur (Sikh) Rural] (Urdu) : Sir, I am in favour of remitting salaries through money orders. It is not proper to compel the *Kanungos* and Patwaris to come to the Tahsil or District Treasury to get their salaries, but I ask the Honourable Revenue Member, through you, Sir, to issue orders to the effect that those of the *Kanungos* and Patwaris who happen to come to the Tahsil or District Courts from the 1st to the 7th of every month, should receive their pay in person. As to the rest, it may be transmitted by money orders. I hope that the Honourable Revenue Member will give some assurance that some saving at least will be effected this way. To reduce the whole amount is not proper of course.

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia (Revenue Member) (Urdu) : Sir, I do not think that a long speech is needed, but I have to explain one or two points. As I have said already it is very troublesome for the Patwaris to come to headquarters for the sole purpose of

receiving their salaries. The expenditure under these sub-heads of accounts have been reduced from (Rs. 87,000 *plus* Rs. 13,000) Rs. one lakh to (Rs. 52,000 *plus* Rs. 13,000) Rs. 65,000. No more reduction in these sums for the purpose of making a saving in money-order commission is possible. And the use of money order system cannot be dispensed with. There are about 9,500 employees whose salaries go to them by post. Some of them come to the headquarters and get their pay there, others get through money orders. Formerly the system of quarterly payment of salaries was in vogue, and the men used to come specially to the headquarters for this purpose alone. Now we have decided to pay monthly lest they should be compelled to get dishonestly the wherewithal to live. I may, therefore, ask the Council, Sir, whether it is their desire and wish to force the honest amongst these public officials to resort to illicit gains which they will do by not being paid monthly. Apart from all this, there are 9,500 Patwaris and the expense amounts to Rs. 30,600. This works out at the low figure of Rs. 3 only per man annually. I see no reason, Sir, that by retrenching this small sum we may add to the inconvenience of these people and waste their time which could be more usefully employed. It will be a false economy. Lala Sewak Ram is just bargaining and I am afraid I cannot meet his suggestion. As for Raja Narendra Nath's suggestion that the emoluments be sent under insured cover, I must say that small sums sent through insurance post will in the aggregate take more money than the cost of money orders, *e.g.*, the sum of Rs. 20 or 25 will require 2 annas as registration fee together with insurance fee at the rate of

4 p.m.

two annas per cent. and the postage will add an additional anna. The House will see, that thus the expenditure will increase rather than decrease. In short, Sir, it has been decided that Patwaris should be paid their salaries at a fixed time every month, so as to save those who are honest from dishonesty. After all this sum is not very large and I urge therefore that this amendment be not accepted.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000—
Money Order Commission."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore] and Ferozepore-cum-Sheikhupura (Non-Muhammadian) Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 8,000—
Binding of Jamabandis."

Sir, I have proposed only a small sum to be reduced. The price of cloth and other articles used for binding have now fallen. This is the only reason of my asking the Council to reduce the sum by 25 per cent. There will be no harm done by this.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 8,000—
Binding of Jamabandis."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu) : Sir, all those items of which the one now sought to be reduced forms part, have been already reduced from Rs. 1,47,271 to Rs. 87,000. There is absolutely no room for further reduction, I therefore recommend that the amendment be not accepted.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 8,000—
—Binding of Jamabandias."

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 10,000—
—Purchase of Cloth for Maps."

Sir, The Honourable Revenue Member has complained that we, the non-official members, do not advance sufficient reasons in support of our proposals for reductions, but the fact is that we are proposing small reductions only, for we know that the Government can manage with the amounts left after making the reductions proposed.

Mr President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 10,000—
—Purchase of Cloth for Maps."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I consulted the Director of Land Records about this only this morning ; and he said "you have already cut me down so low that I am afraid I shall have to come up again for a larger sum." This is the situation ; and if my friends want that we should come up later for larger grants, they may make this amendment. It is for the members to say whether I should accede to their wishes or not.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 10,000—
—Purchase of Cloth for Maps."

The question is that that reduction be made.

The motion was lost.

Mr. President : Chaudhri Kharak Singh, your amendment asks for a smaller reduction. If you like you can now move it.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 10,000—
—Cloth for Maps."

Sir, the reduction of just Rs. 1,000 can easily be made.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 10,000—
—Cloth for Maps."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : I am afraid, Sir, I cannot add anything more to what I have already said.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 10,000—
Cloth for Maps.”

The question is that that reduction be made.

The Council then divided : Ayes 24, Noes 25.

AYES 24.

Chaudhri Ali Akbar.
Khan Sahib Pir Ali Haider Shah.
Lala Keshe Ram.
Khan Bahadur Rai Wali Muhammad Khan.
Chaudhri Ghulam Muhammad.
Rai Sahib Sardar Harnam Singh.
Sardar Kartar Singh.
Rana Muhammad Jamil Khan.
Mr. K. L. Rallia Ram.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Rai Sahib Chaudhri Lajpat Rai.

Rai Sahib Misr Mela Ram.
Chaudhri Nabi Bakhsh.
Mr. Moti Lal, Kaistha.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Chaudhri Kharak Singh.
Mian Muhammad Shah Nawaz.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Lala Uttam Chand.

NOES 25.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
The Hon'ble Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. B. Abbott.

Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Malik Feroz Khan, Noon.
Pandit Daulat Ram, Kalia.
Captain Sardar Gopal Singh.
Khan Bahadur Raja Muhammad Akbar Khan.
Khan Bahadur Khewaja Yusaf Shah.
Dr. C. A. Owen.
Mr. Edward Ernest Clarke.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan), Rural] : Sir, I beg to move—

“ That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,000—
Purchase of Boxes and Almirahs.”

Sir, I fail to understand the need of new boxes and almirahs every year, when these things, once made, can last a long time. Why is it that the Revenue Department wants new boxes and almirahs every year? Last year, we granted Rs. 4,000 for the same purpose. This year, too, the

[R. B. L. Sewak Ram.]

same demand is being made. Hence the sum of Rs. 2,000 is quite sufficient for new boxes and almirahs. I hope the Honourable Revenue Member will not insist on the whole sum being granted.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,000—
Purchase of Boxes and Almirahs.”

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia (Revenue Member) : Sir, I have already explained at great length my difficulties in this matter. But if my honourable friend (Lala Sewak Ram), who happens to be a big contractor, will be kind enough to take up the contract for Rs. 2,000, I should be pleased to give it to him.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,000—
Purchase of Boxes and Almirahs.”

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] : (Urdu) Sir, I beg to move—

“ That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 25,000—
Construction and Repairs of Patwarkhanas.”

Sir, this grant is asked for the construction of new Patwarkhanas and repairs of old ones. I have proposed that Rs. 5,000 be granted for repairs and that no new ones be constructed. In this period of deficit in the Budget let us pull on with the old ones only. The construction of new Patwarkhanas should not be undertaken. With these remarks I move the amendment.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 25,000—
Construction and Repairs of Patwarkhanas.”

The question is that that reduction be made.

Mr. C. M. King : Sir, although this item is described as construction and repairs we have practically never built Patwarkhanas. The fact is that for some years there has been great difficulty in getting money for suitable buildings for Patwarkhanas. The money that has been provided here is for repairs. It may look a very big sum but really it is not so. We have about 8,000 Patwarkhanas so that the amount for annual repairs for each Patwarkhana comes to Rs. 8. As these buildings are built of kutcha walls many of the buildings are in a very dilapidated condition. I leave it to the House to decide whether it is too much to provide Rs. 25,000 to keep them in decent order.

Sayad Muhammad Hussain [Montgomery (Muhammadan) Rural] (Urdu) : Sir, it is not the mistake of Rai Bahadur Lala Sewak Ram that he has failed to understand that by far the greater portion of this sum of Rs. 25,000 is to be spent on repairs alone. The mistake is in the Budget.

which misled the honourable mover of the amendment. If all this is to be spent on repairs only I shall request the honourable mover to withdraw his amendment.

Rai Bahadur Lala Sewak Ram : Sir, I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai (Lahore and Ferozepore—Sheikhupura (non-Muhammadian)) : Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 5,700—Cost of Stationery."

Sir, I need not repeat over and over again that we, the non-official members who are proposing these reductions, have given them careful thought. We know for certain that these items can be reduced. We recommend to the Council to consider our amendments carefully, because we have after due diligence framed them. However if the Government does not accept our amendments at least the public will know that we have done our duty. As for the amendment in hand, Sir, it is a fact that stationery along with other goods is comparatively cheaper now. Moreover, these are reductions which, we fully believe, can be made, though the Government may disagree with us. Last year the sum of Rs. 9,000 was granted for stationery, but according to the revised estimate only Rs. 4,400 were spent. Hence, the Government need not ask for more money in this respect than was actually spent last year.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 5,700—Cost of Stationery."

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia (Revenue Member) : Sir, I am glad that my friend has spent a great deal of time and labour to go through this Budget, but I am afraid that he has not grasped the real situation. He tells us that for the present year the revised figures are Rs. 4,400, but he has purposely missed Rs. 7,669 in the account of 1921-22. I may point out to my friend that the cost per patwari comes to half an anna per month, and in the case of qanungos it is Rs. 1 per month. The number of patwaris and qanungos, as I informed this House recently, is 9,500. If he can tell us how we are to make any reduction, I shall be glad to meet his wishes, but the provision is already so low that I do not see my way to affect the saving he proposes.

Mr. Ganpat Rai : Sir, the Honourable Revenue Member has asked me how it can be done? My answer is that no reply has been made to my question as to why nearly as much money as was spent last year cannot be considered enough. We cannot be satisfied with vague mathematical calculations which the Honourable Revenue Member has quoted now. I repeat my question why Rs. 5,700 are being demanded this year when only a sum of Rs. 4,400 was actually spent last year?

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 5,700—Cost of Stationery."

[Mr. President.]

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-*cum*-Gurdaspur (non-Muhammadan) Rural] : Sir, I beg to move :

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—Miscellaneous."

Mr. President : Grant under consideration, amendment moved :

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—Miscellaneous."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, Government is prepared to accept a reduction of Rs. 5,000 under this head.

Mr. President : Grant under consideration, amendment moved :

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—Miscellaneous."

The question is that that reduction be made.

The motion was carried.

Mr. Miles Irving (Financial Secretary) : Sir, I move

"That the grant of land revenue be reduced by Rs. 22,575 with respect to the items—Travelling Allowance."

This is in consequence of the understanding come to that Travelling Allowance will be reduced by 25 per cent.

Mr. President : Grant under consideration, amendment moved—

"That the grant of land revenue be reduced by Rs. 22,575 with respect to the items of Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 41,67,325 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 1924, in respect of Land Revenue."

The motion was carried.

(At this stage Mr. President left the Chair, which was taken by the Deputy President.)

EXCISE GRANT.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 3,83,000 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 1924 in respect of 'Excise'."

The Deputy President : The question is :

"That a sum not exceeding Rs. 3,83,000 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 1924 in respect of 'Excise'."

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 83,880 with respect to the item of Rs. 83,880—Pay of Inspectors."

Sir, my object in proposing this amendment is, that as the income now derived from the Excise Department is less than before, the Excise Establishments should necessarily be reduced. And to this end I beg to suggest that the number of Excise Inspectors should be decreased, for they do mere checking work, which can as well be done without them through the help of the Police officials or of the Tahsildars. It does not stand to reason that this Department should have officers in order to supervise the work of one over the other. Though it is not so easy a task to bring a stipendiary staff under reduction, for they will have to be provided for elsewhere, yet it cannot be helped in the interest of reduced revenue. I do not see any need for further arguments on the matter.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 83,880 with respect to the item of Rs. 83,880—Pay of Inspectors."

The question is that that reduction be made.

Pir Akbar Ali [Ferozepore (Muhammadan) Rural.] : The scheme of the Rai Bahadur that the Inspectors should be removed and the Sub-Inspectors only retained, for there appears to be no need of supervision, sounds well; but it would have been better if he had proposed that the Excise Department should be altogether abolished and the previous system of control by the Police and the Revenue officials resorted to. Under the present circumstances the Excise Inspectors cannot be done away with without telling upon the revenue.

Mr. K. L. Ballia Ram (Representative of Indian Christians) : Sir, it is known to many that I am a very great friend and advocate of temperance; and I would do anything to advance its cause; but at the same time I would not do anything which would encourage smuggling and illicit distillation of liquor, as that would be injuring the cause. Moreover, I assure the House that we have not got a greater friend of temperance than Mr. King; and he has done all in his power to serve the cause of temperance. He has given me the assurance that he needs this staff, and I would very much respect his opinion, and I would ask this House to drop this amendment.

5 p.m.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 83,880 with respect to the item of Rs. 83,880—Pay of Inspectors."

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh : [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 1,10,040—Sub-Inspectors."

Sir, I do not think an elaborate speech is required in this connection. To the best of my knowledge there are places like Sialkot and Wazirabad where illicit distillation or smuggling is extinct, and the Sub-Inspectors posted there have had no opportunity of detecting any case: therefore the services of

[Chaudhri Kharak Singh.]

some Sub-Inspectors can be dispensed with; hence I propose that the grant be reduced by Rs. 5,000.

The Deputy President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 1,18,040—Sub-Inspectors.

The question is that that reduction be made.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] (Urdu): Sir, I want to bring forward only two points which the honourable mover has omitted. In the year 1922-23 there were 79 Sub-Inspectors, while this year there are 85, i.e., the number of Sub-Inspectors this year exceeds that of the last year by 6.....

Mr. C. M. King: 85 is a misprint of 79. There has been no increase this year.

Diwan Bahadur Raja Narendra Nath (continued): Sir, moreover Rs. 1,05,980 had been budgetted in the year 1922-23 for the Sub-Inspectors, whereas Rs. 1,10,040 have now been demanded for the year 1923-24. As the honourable mover has demanded the reduction of the excess I give it my support.

The Honourable Lala Harkishan Lal (Minister for Agriculture): The additional amount provided is for increments in the pay of the Sub-Inspectors.

Mr. Ganpat Rai: I hope Chaudhri Kharak Singh will now withdraw his amendment.

Chaudhri Kharak Singh: I beg to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan) Rural]: (Urdu) Sir, beg I to move—

“That the grant be reduced by Rs. 5,000, with respect to the item of Rs. 12,000—Rewards, Additional.”

Sir, the House had sanctioned Rs. 8,000 last years under this head and in the revised budget it was increased to Rs. 15,000. This year Rs. 12,000 is demanded in addition to the sum of Rs. 8,000 against ‘Rewards,’ thus amounting to Rs. 20,000 in all. I beg to suggest, Sir, that only Rs. 15,000 instead of Rs. 20,000 be sanctioned.

The Deputy President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 12,000—Rewards, Additional.”

The Honourable Lala Harkishan Lal (Minister for Agriculture): I am prepared to accept to amendment if the figure 3,000 be substituted for Rs. 5,000.

Chaudhri Kharak Singh: I have no objection to make the change, Sir. I therefore ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

The Honourable Lala Harkishan Lal: Sir, I beg to move:—

“That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 12,000—Rewards, additional.”

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 12,000—Rewards, Additional."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural]: Sir, I beg to move—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 18,500—Temporary Establishment, Detective."

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 18,500—Temporary Establishment, Detective."

The question is that that reduction be made.

The Honourable Lala Harkishan Lal (Minister for Agriculture): I accept the amendment, Sir.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 18,500—Temporary Establishment, Detective."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 7,200 with respect to the item of Rs. 7,200—Superintendents."

Sir, to tell the truth we know that the Distillery Expert is of no use, yet as we cannot press upon the non-voted officials, we exert all our force against those that are voted. It is, therefore, proposed that the Superintendent be removed.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 7,200 with respect to the item of Rs. 7,200—Superintendents."

Sayad Muhammad Hussain: Sir, the Distillery Expert is not at all required, but as he is a non-voted official, we will, by way of protest, try to divest him of his staff, so that he may be incapacitated. We do not want experts.

Sodhi Lal Singh: [Sikh—urban] Sir, Mr. Ganpat Rai meant to oust the Distillery Expert and thereby curtail the expenses; but as he could say nothing against the Distillery Expert, he said all against the Superintendent. It is not fair and equitable to remove the Superintendent who manages the whole affair and retain the Distillery Expert who

[Sodhi Lal Singh]

draws 1,000 per mensem and is of no use. I hope the Hon'ble Minister would do away with the services of the Distillery Expert, as soon as an opportunity offers itself. It may first, I think, be enquired from the Hon'ble Minister, as to the period for which the Distillery Expert has been engaged.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I have already told Sayad Muhammad Husain, that the Distillery Expert whose work is in no way better than that of the Superintendent, will have to go. There is only one Superintendent in the whole of this province; whereas in the other Provinces each Division is provided with one Superintendent; hence it is impossible to remove the Superintendent.

The Distillery Expert would be removed in 1925, when the period of his service lapses. Mr. C. M. King has proposed to appoint the Distillery Expert as Chemical Expert, and the proposal is under consideration.

Mr. Ganpat Rai : Sir, I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, I wish to move that the grant be reduced by Rs. 800 with respect to the item of Rs. 1,300—Miscellaneous, but if the Honourable Minister condescends to reduce the demand by half, I may accept it

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I am prepared to give up Rs. 800.

(At this stage Mr. President resumed the chair.)

Rai Bahadur Lala Sewak Ram : Sir, I am prepared to change the figure accordingly, and accordingly move—

"That the grant be reduced by Rs. 800 with respect to the item of Rs. 1,300—Miscellaneous."

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 800 with respect to the item of Rs. 1,300—Miscellaneous."

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

"That a sum of Rs. 3,69,700 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of Excise."

The question is that that grant be made.

The motion was carried.

STAMPS GRANT.

The Honourable Sir John Maynard (Finance Member) : I beg to move, Sir,—

"That a sum not exceeding Rs. 1,44,000 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 1924, in respect of 'Stamps'."

Mr. President: The question is—

"That a sum not exceeding Rs. 1,44,000 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 1924, in respect of 'Stamps.'"

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muham-
madan), Rural] : (Urdu) Sir, I beg to move—

"That the grant be reduced by Rs. 2,600 with respect to the item of Rs. 5,200—
Discount on Plain Paper."

Sir, the commission given to the Stamp Vendors on the sale of ordinary plain paper amounts to Rs. 5,200. I beg to propose that it may be reduced by half. It came to my mind first that no such commission should be given at all, but half of the current commission will do, which is not a very great reduction and I hope will meet the approval of the House.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,600 with respect to the item of Rs. 5,200—
Discount on plain paper."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, I might explain that the discount given on plain paper is eight annas per ream. Formerly the price per ream was Rs. 7-8-0; now it is Rs. 15 per ream. But no addition has been made to the discount allowed. My friend Rai Bahadur Sewak Ram has said it is a small matter. It is a small matter to him and it is a small matter to Government, but it is rather an important matter to those who are engaged in selling paper, and to deprive them of half their commission does not appear to be a reasonable proceeding. Their commission is only half of what it was before and it is most undesirable to derive the vendors of this sum.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 2,600 with respect to the item of Rs. 5,200—
Discount on plain paper."

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh (Amritsar-own-Gurdaspur, (Non-Muham-
madan) Rural) : Sir, I beg to move—

"That the grant be reduced by Rs. 14,000 with respect to the item of Rs. 14,000—
Reserve for Contract Contingencies."

Sir, I donot mean to reduce the budgetted expenditure, but what I object to is the expenditure that is to be kept in reserve. If emergencies will arise the Government can ask for it by way of supplementary grant. I see no point in keeping a sum in reserve. This is quite a new demand, and should, therefore, be abolished.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 14,000 with respect to the item of
Rs. 14,000—Reserve for Contract Contingencies."

The question is that that reduction be made.

Mr. Miles Irving (Financial Secretary) : Sir, this item 'Reserve for Contract Contingencies' appears not only under this head but it appears under many other heads, and though it has passed without comment under "Land Revenue" and "Excise," it has been observed under "Stamps." In the case of "Land Revenue" and "Excise" it amounts to Rs. 1,000 and Rs. 2,000, respectively, and in the case of "General Administration" it amounts to over Rs. 8,00,000. I will explain the position if the House will bear with me for a few minutes. It is this that an officer is responsible that his expenditure remains within the amount of the "Contract Contingencies" grant. I need hardly observe to this House that the existing grants were hardly adequate. These grants were fixed before the war, some of them 5 years ago and some 6 years ago, and before the great rise in prices and before the increase in the rate of postage. The result is that these grants were inadequate and ceased to serve the purpose of keeping their expenditure within a definite limit. I have now in my office I cannot say how many applications for increasing Contract Contingencies grants this year. I have no method really of keeping them down to any fixed amount because the limit which is already fixed is absurdly insufficient, and I have no guide to show what it is for this year, and although Mr. Kharak Singh may point out that this is in a sense a new expenditure if he looks under each head at the item of Contract Contingencies he will see that the revised estimate shows a very large increase over the estimate for the coming year, because in the estimate for the coming year it is only placed at the present sanctioned amount of Contract Contingencies. We want to fix an amount for Contingencies which are on contract. We want to have a contract which can be made binding upon officials and therefore we have to put aside under each head a sum by which to fix a proper reasonable amount. The way we arrive at this sum is this: We have taken the actuals of 1921-22, because we have realised that since 1921-22 the prices of other things have come down a good deal, and as a matter of fact the amount which we ask the House is only one eighth above the actuals of 1921-22. But the cost of postage has gone up. That means that we cannot reduce the expenditure owing to the rise in the price of stamp. We do intend, however, to exercise a very rigid economy; and therefore I think the House can have no hesitation in passing the reserve for Contract Contingencies, which we propose to distribute after a very careful consideration of the circumstances of each particular department. The distribution of this sum is in the hands of the Finance Department, and no expenditure can be incurred under this without the consent of the Finance Department.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : May I know, Sir, what the total amount of expenditure under the head "Contingencies" is?

Mr. Miles Irving (Financial Secretary) : I must tell the honourable member that as a matter of fact I have not got this total figure. I can tell him tomorrow or the day after.

Mian Muhammad Shah Nawaz (Urdu) : Sir, I have got the Bengal Retrenchment Committee's report in which contingencies have been dealt with at full length. If the Financial Secretary will care to peruse from pages 146 to 150 of the Report, he will find plausible grounds for savings.

Mr. President : The pages in question can be taken as laid on the table.

Extract from Report of the Bengal Retrenchment Committee.

"The points to which we wish to draw attention may now be explained :

(a) In most of the offices examined, there is no apportionment of the contract contingent grant between the various sub-heads, nor is a progressive monthly total of expenditure made for each sub-head. The drawing officer, in consequence, has no idea how much he ought to spend in each category, such as stamps, stationery, menials, hot and cold weather charges, and furniture. He does not even know how much has been spent under any particular sub-head. The absence of methodical control over expenditure results in want of economy.

(b) The fact that the budget estimate is based on the figures of the actual expenditure of the preceding three years offers an incentive to spend as much as possible, and officers feel little compunction in disposing of their balances at the end of the year, despite the rules against this practice, and the waste it entails. In two instances, one-third of the total annual expenditure was incurred in the last three days of March 1921. In another case, Rs. 2,000 were spent on furniture and stationery on the last day of the financial year, some of the articles being ordered by wire to avoid lapse. Among the items purchased were an inkstand for Rs. 24-7-0 and two time pieces for Rs. 195. A further instance is the purchase of 15 milch cows on the 29th March at a cost of Rs. 3,565.

(c) The provincialization of grants seems to have led to a marked increase of expenditure, due to want of proper control by heads of departments.

The district expenditure on police reward increased by more than 50 per cent. in the two years following the provincialization of the grant, and the diet and travelling allowances of witnesses have increased from Rs. 9 lakhs to 14 lakhs in three years.

(d) A considerable saving could be made in escort charges if the sub-treasury guards which are changed fortnightly, were utilized to escort prisoners from the sub-jails to district jails. Constables on transfer from headquarters to the sub-divisions, and *vice versa*, might similarly be required to do escort work.

(e) The proportion of witnesses discharged without examination in criminal cases is high. At one district headquarters it was found to be over 80 per cent. and in a particular sub-division over 100 per cent. of the number of witnesses examined. The normal reasons for the discharge of witnesses without examination do not seem to justify such high figures, nor do the account for the variations found in the different sub-divisions and districts. At the headquarters of one district, by comparison with the year 1920-21, the number of witnesses in attendance in 1921-22 showed a decrease of about 400, whereas the expenditure on witnesses increased by Rs. 7,000. As witnesses are mainly illiterate, and are ignorant of the amount of the allowances due to them under the rules, the summoning of an unnecessarily large number of witnesses might conceivably be a deliberate act for the purpose of improper gain.

(f) Another line of economy is the avoidance of adjournments in criminal cases; and the discharge of witnesses on the first day of attendance as far as possible. The present District Magistrate of Faridpur has introduced a system to secure this and has in consequence been able to reduce the expenditure on witnesses by one-quarter. If otherwise satisfactory, this system should be applied elsewhere.

(g) Substantial economy could be effected by the amalgamation of the process-serving establishments of districts, if that is administratively possible.

(h) The expenditure on service stamps is very heavy. Inspectors of schools have to spend in this way about one-half of their total contract grants and the district police about one-quarter. The large number of returns and reports, many of which, we believe, serve no useful purpose, contributes largely to this expenditure.

(i) In the registration offices about one-quarter of the total contract grant is spent on money order commission for the remission of registration fees, and of money for disbursement. In one district the services of peons are being utilized for carrying remittances where the distance is not great. The question of the extension of this practice to other districts may be examined.

(f) An excessive amount of Government furniture seems to find its way to the residences of officers. Camp cots have been supplied to inspecting officers for use on tour out of the contract grant. The furniture stock lists are not up to date, and the stock verification is not done systematically.

(k) The fixed monetary allotment for the supply of stationery from the Controller of Stationery has become a fiction in some departments. The district police, for instance, purchase stationery locally to the extent of three or four times the fixed allotment. This is facilitated by the largeness of police contract grants. We have referred to this in the chapter on Stationery and Printing. The local purchase of stationery should be exceptional, and where the present stationery allotments are insufficient, departments should be required to substantiate their claims to larger allotments. The practice of making extensive local purchases of stationery evades control and leads to considerable waste.

(l) In respect of steam launches, another matter we have referred to elsewhere, there is the instance of a trip from Dacca to Manikganj and back, the coal bill alone for which amounted to Rs. 280. A single first class fare by daily passenger steamer from Dacca to Muttaghat is Rs. 5-10-0. From Muttaghat to Manikganj is four miles by road. In one year the head of a department used his launch thrice only, for trips to Barrackpur, Chinsura, and Diamond Harbour, all places accessible at insignificant cost by ordinary public conveyances. The cost of upkeep of the launch for the year was nearly Rs. 10,000.

(m) Where the head of a department has a consolidated grant the practice is to regard whatever is unallotted to or unspent by subordinate offices as available for expenditure at headquarters. This ensures that every anna is spent. It is suggested that a portion of the consolidated grant should be allotted to the headquarters office, and that it should not be exceeded without the orders of Government.

(n) A large number of payments which are not contingent charges are made from contingent grants instead of from the proper source in order to avoid having to obtain sanction or to evade audit scrutiny. The items are varied and numerous. One of the brightest instances is the purchase of a chain pump for a cultivator at a cost of about Rs. 1,200 which is being recovered by instalments in kind, namely, by the supply of bone ash to the department. The departmental expenditure appears as expenditure on bone ash from the demonstration grant.

(o) Tour charges appear to cover a multitude of sins and contain items that are establishment, and travelling allowance charges, charges for liveries and warm clothing and the purchase of umbrellas. One head of department gave in tour charges to his tour clerk in one year the sum of Rs. 830. Specimens bills show that the bulk of the expenditure was unjustifiable.

(p) Secretariat officers and heads of departments pay several thousands of rupees on account of cooly and cart hire to peons and ministerial officers in defiance of all rules. The cooly hire charge has been reduced to a fine art; for instance, a peon has drawn six annas a day under this head on the plea that he has to carry papers to an officer's house, whereas the papers, and also the peon, were carried in the officer's car. Ministerial officers are in the habit of charging for ghari hires or tram fares on the flimsiest of pretexts, and in some instances it must be an appreciable form of profit. An illustration of the extent of the practice is afforded by the payment of a claim for tram fare between Writers' Buildings and the Accountant-General's office. The two buildings are quite near each other, and the utmost extent of a tram journey between them is one side of Dalhousie Square, unless a circular trip is made to the High Court terminus. Other ministerial officers appreciating the weakness of the tram case have charged ghari hire instead.

(q) There are a large number of instances of extravagant and unnecessary expenditure. The payment of Rs. 750 to a caterer for providing tea at Rs. 3 per head on the occasion of a prize-giving we regard as not being a proper charge on public revenues."

In addition to this 10 or 12 more reasons have been given and then it is arrived at the conclusion that $\frac{1}{10}$ th of the amount can be reduced. I beg to draw the attention of the Financial Secretary to the point that, if it is approved of, great saving can be had under this head.

Mr. Miles Irving: The points brought forward by the honourable member will be fully considered in distributing the contract contingent grants.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural]: Sir I rise to express my gratitude to the Financial Secretary for the assurance he has given the House of accomplishing the project. But what I want to point out is, Sir, that the total Stamp Budget amounts to Rs. 1,44,000; out of which Rs. 42,000 are on account of discount on sale of court-fee stamps Rs. 5,200 are on account of the commission on sale of plain paper, and Rs. 61,000 are for the expenditure of High Commissioner. A perusal of page 40 of the Detailed Budget Estimates will show that the item of Rs. 33,050 is figured there against contract contingencies. Apart from this sum there is another demand of Rs. 14,000 which cannot be properly accounted for. This is indicated as reserve for contingencies. Sir, will it not lead the Department to indulge in extravagance inasmuch as having actually spent a sum of Rs. 33,050 before, it is making further provision in anticipation. Hence I propose that this sum of Rs. 14,000 shown in the budget as reserve for contingencies may not be sanctioned.

Mr. President: This is a very important matter affecting other grants. Does anybody else wish to speak?

Mr. Miles Irving (Secretary, Finance Department): I only want to say this much. Mr. Ganpat Rai just stated that if this reserve for contract contingencies is sanctioned, the heads of departments will lavishly spend it. I may point out that this money cannot be spent without the consent of the Finance Department. The Finance Department distributes this money to each head of department according to the circumstances of each particular case.

The Honourable Sir John Maynard (Finance Member): May I say a word. The contract contingencies for stamps are not a matter over which anybody has any control. A particular package is sent by railway, a particular parcel is sent by post, the transportation must cost something by way of postage stamps, or railway freight. No one has it in his power either to reduce it or to increase it. It is absolutely necessary to make these charges, and they form the greater portion of the amount. Therefore it is useless to decline to make an adequate provision for this.

Chaudhri Kharak Singh: Sir, my point is all about the reserve for contingencies. The amount that comes under the head Contract Contingencies I have nothing to say against.

The Honourable Sir John Maynard (Finance Member): If I am asked to explain further, I am prepared to do so. I think that the honourable member has not understood the point of the explanation. Hitherto there has been certain expenditure on contract contingencies, but the amount allotted has not been found sufficient to meet those charges. It is now necessary, in consequence of this deficiency in the formerly provided amount, to make arrangements for increasing the contingent grants. At present we have not decided how much to allot to each particular department; but it is necessary to hold in reserve a certain amount, and after full inquiry to distribute it over the departments in the course of the next summer. This is the meaning of the reserve. The reserve is held by the Finance Department which will, after full inquiry, distribute it over the different departments, in consequence of the fact that there has been deficiency in the amounts hitherto available for this object.

Mr. President: It would be convenient to treat the decision on this question as binding on similar questions in regard to other grants.

The Honourable Sir John Maynard : I have no objection, Sir.

The Honourable Khan Bahadur Mian Fazl-i-Husain : I think it is better that the decision on this question is not applicable to other similar cases because in this particular department the contract contingencies stand on a different footing from others.

The Honourable Sir John Maynard : If the Honourable Minister for Education does not want that his department grants should be bound by this decision he is quite at liberty to say so plainly.

The Honourable Khan Bahadur Mian Fazl-i-Husain : I am sorry I am misunderstood. My idea was that this was a stronger case than the others. Otherwise I am willing to be bound by this decision.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 14,000 with respect to the item of Rs. 14,000—Reserve for Contract Contingencies.”

The question is that that reduction be made. I wish to explain that the voting on this particular amendment will govern all similar cases in respect to other major grants.

Mian Muhammad Shah Nawaz : The point has not been discussed.

Mr. Manohar Lal (Punjab University) : I rise to a point of order, Sir. I do not see how this House can come to a conclusion now on a matter which is to come before it to-morrow or the day after.

Mr. President : It is only a convention that we have adopted in order to minimise our work. It is only a mere convention and it is open to members to stick to it or not.

Mr. Manohar Lal : I really cannot understand how a decision with reference to a particular grant that is actually before the House can be binding on other grants that are not before the House. The other grants will have to be voted upon when their turn comes.

Mr. President : Hitherto it has worked thus. If an amendment was lost the mover of a similar amendment in respect to other grants refrained from moving his amendment. But it is perfectly open to any member to press his amendment. But so far the convention has hitherto invariably been respected by either side.

Mr. Ganpat Rai : I do not see how this convention can be binding on the members who are absent and who have no opportunity to speak.

Mr. President : I do not think the House can bind the members. It is only a convention to help us to get through the work rapidly. But it is within the rights of the members on either side to ask that a vote be taken. But I trust the convention will as far as possible be respected.

The Honourable Sir John Maynard : I wish to point out that the Government undertakes to abide by the convention that the decision in this particular case will apply to similar amendments in respect to other grants. But if the other side says that it cannot be bound by this convention then of course the Government cannot be bound.

Mr. Ganpat Rai : So far as the members present now are concerned the convention will be binding. But what I wish to say is that it should not bind the members who are absent and who have had no opportunity to speak. The convention is not a hard-and-fast rule.

The Honourable Sir John Maynard : If I may say so, Sir, a convention can never be a fixed rule.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 14,000 with respect to the item of Rs. 14,000—Reserve for Contract Contingencies."

The question is that that reduction be made. The House then divided—
Ayes 25; Noes 18.

AYES 25.

Sodhi Lal Singh.
Mian Ahmad Yar Khan Daultana.
Malik Firoz Khan, Noon.
Pir Akbar Ali.
Chaudhri Ali Akbar.
Rao Bahadur Lieutenant Balbir Singh.
Lala Kesho Ram.
Khan Bahadur Rai Wali Muhammad Khan.
Chaudhri Ghulam Muhammad.
Rai Sahib Sardar Harnam Singh.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.

Sardar Randhir Singh.
Rai Sahib Chaudhri Lajpat Rai.
Chaudhri Nabi Baksh.
Mr. Moti Lal, Kaistha.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Chaudhri Kharak Singh.
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali, Chishti.
Diwan Bahadur Raja Narendra Nath.
Mr. Gaupat Rai.
Rai Bahadur Lala Sewak Ram.
Rai Sahib Lala Thakar Das.

NOES 18.

The Honourable Sir John Maynard.
The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.
The Honourable Khan Bahadur Mian Fazl-i-Husain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.

Mr. A. J. Gibson.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. R. Abbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. O. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,30,010 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 1924 in respect of 'Stamps.'"

The question is that that motion be adopted.

The motion was carried.

Mr. President : I am prepared to sit for another hour in order to speed up matters if the House is so disposed, as there has been a genuine desire on both sides to get on with the work and I am disposed to help, while this spirit is maintained.

Mr. Ganpat Rai : Sir, some of the members have had no information and so they have left the Council. It would be more convenient if the House sits late from to-morrow after giving due intimation to all the members.

Mr. President : Very well, I give a warning that if matters progress at same speed as hitherto, I will give an additional hour to-morrow.

The House then adjourned till two o'clock on Tuesday, the 13th March 1923.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Tuesday, the 13th March, 1923.

The Council met at the Council Chamber at two of the clock. Mr. President in the chair.

GOVERNMENT DEMANDS FOR GRANTS.

FOREST GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh Majithia (Revenue Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 38,39,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1924 in respect of 'Forests'."

Mr. President : The question is—

"That a sum not exceeding Rs. 38,39,000 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 1924, in respect of 'Forests'."

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That the grant for Forests may be reduced by Rs. 59,675 in respect of Travelling Allowance."

Mr. President : Grant under consideration, amendment moved—

"That the grant for Forests may be reduced by Rs. 59,675 in respect of Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai (Lahore and Perozepore and Sheikhupura—Non-Muhammadan) Rural I : (Urdu) Sir, I beg to move—

"That the grant be reduced by Rs. 900 with respect to the item of Rs. 900—Deputation and Special Allowance."

Sir, in moving this amendment I want to show it to the House as to how the establishment has increased, while the income from the Department has fallen down.

Mr. E. R. Abbott (Financial Commissioner) : Sir, I think it will satisfy Mr. Ganpat Rai if I explain that the words "Deputation and Special Allowance" include entirely special allowances. There is no question of deputation allowance.

Mr. Ganpat Rai (continued) : Sir, I wish to say that this deputation allowance is not required at all and that this covers a very large sum of several thousands of rupees and not only Rs. 900. I shall have to trace the history of the Department since 1897, and would support my statements with facts and figures, I have in hand. If some satisfactory explanation will then be coming forth from the Honourable the Revenue Member, I would not mind withdrawing my amendment.

[Mr. Ganpat Rai.]

Sir, I submit that even a cursory glance at the history of the Department will make it clear to the ordinary observer that while the expenditure of the Department has been rising since 1897, the income from it has been decreasing.

Mr. President : I do not see what that has to do with the item under consideration.

Mr. Ganpat Rai : Chief Conservator and Special Allowance are under the head 8-A. Deputation and Special Allowance is shown under that head. I want to say that this Special and Deputation Allowance is not at all necessary.

Mr. President : It does not seem to come under Chief Conservator at all.

Mr. Ganpat Rai : Under 8-A is the establishment of Chief Conservator and his travelling allowance, deputation and special allowances. That portion on page 41 which is under the heading 8-A is only regarding him and his office. Under 8-B we find other heads. That is a separate sub-head.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : How is the honourable member discussing the Chief Conservator ?

Mr. Ganpat Rai : This office was not necessary. It is a new office altogether. There was no Chief Conservator in 1922.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : We had a Chief Conservator last year.

Mr. Ganpat Rai : There were three Conservators last year and no Chief Conservator.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Mr. Grieve was Chief Conservator of Forests last year.

Mr. Ganpat Rai : The Budget which is in our hands shows that there were 3 Conservators last year. It says that there was no Chief Conservator last year.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : It may be an omission. Mr. Grieve was appointed last year.

Mr. Ganpat Rai : How can I tell if there is an omission. We have to go by what the Budget tells us.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Well, that is an omission in printing.

Mr. Ganpat Rai : But it should have been corrected.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have explained that already. If you will kindly put the figure '1' under 1922-23 in the Budget that will be all right.

Mr. Ganpat Rai (continued in Urdu) : Sir, now I submit here a statement which shows the increase of the staff, the area of different classes of forests and the variations in the income of the Department during the period of 25 years. The House, I hope, will carefully observe the figures which I am going to read.

Statement showing the increase in staff in the Forest Department during 1897-1921.

Year.	Conservator.	Imperial Service Officers.	Provincial Service Officers.	Forest Rangers.	Dy. Mangrove.	Foresters.	Forest Guards.
1897	1	11	7	Not known	...	...	...
1903	1	11	7	...	...	...	...
1908	1	10	7	85	...	...	...
1910	1	14	10	80	89	74	...
1916	1	14	12	69	84	89	...
1921	4	35	33	68	42	123	...

Statement showing the variations in income during the years 1905-06 to 1920-21.

Year.	Revenue.	Expenditure.	Surplus.	Deficit.
	Rs.	Rs.	Rs.	
1905-06	17,50,000	12,69,397	6,10,702	...
1906-07	18,07,374	9,74,009	9,33,365	...
1908-10	9,76,488	7,72,939	2,97,158	...
1908-09	11,97,923	5,89,576	3,58,347	...
1915-16	17,16,973	9,28,144	7,95,829	...
1920-21	30,15,964	30,32,610	...	17,245

Statement showing the variations in the area of forests during 1899 to 1921.

Class of Forests.	Area on 31st March 1899.	Area on 30th June 1897.	Area on 30th June 1905.	Area on 30th June 1908.	Area on 30th June 1910.	Area on 30th June 1918.	Area on 31st March 1921.
Reserved Forests	972,570	985,743	1,304,799	1,340,593	7,291,000	1,145,321	1,085,790
Protected Forests	399,007	1,385,709	3,128,091	3,302,719	3,343,180	2,367,253	2,532,713
Unclassified Forests	1,205,317	1,310,994	1,319,138	1,184,605	633,419	942,164	539,490
Leased Forests	662,298	1,14,076	365,192	342,580	254,919	231,393	232,715
Total	3,941,000	4,036,036	6,031,192	6,075,511	5,620,398	4,980,321	4,390,707

[Mr. Ganpat Rai.]

Area classed as (1) under Forest growth, (2) Waste Lands on 31st March 1921.

Class of Forest.	Area under Forest growth.	Waste Land	Total.
	Acres.	Acres.	Acres.
Reserved Forests	328,442	765,857	1,098,799
Protected Forests	888,813	1,713,570	2,602,713
Unclassed Forests	111,741	227,759	339,480
Leased Forests	162,948	66,767	229,715
Total for Punjab	1,486,974	2,773,733	4,260,707

Mr. President : I have found it very difficult to understand what you are driving at, but the line you appear to be taking seems to me to be that by attacking a particular item of special allowance you are bringing under review and attacking the non-voted item which you cannot attack.

Mr. Ganpat Rai : What I am trying to do is to show that expenditure has increased. I am not attacking the non-voted item.

Mr. President : You have been attacking the non-voted item. You have been saying that there was no Chief Conservator last year, that there was only one Conservator, then there were two Conservators, then three Conservators. I say that this item you attack seems to have no direct connection with the non-voted item which you are attacking. You cannot attack that. You may attack the item of Rs. 900 special allowance.

Mr. Ganpat Rai (continued) : I am trying to show the House that the expenditure of this department has tremendously increased while the income has gone down very much. Incidentally I have mentioned the other items.

Sir, This makes it clear beyond doubt that while the expenditure has tremendously gone high during this period, the income of the Department has considerably decreased. In these circumstances, Sir, I think that I am doing my humble duty in moving this amendment with the definite aim of inviting the attention of the authorities to this painful fact. With these few words, Sir, I move my amendment and hope that the Government will kindly accept it."

Mr. President : Grant under consideration. Amendment moved —

"That the grant be reduced by Rs. 900 with respect to the item of Rs. 900—Deputation and Special Allowance."

The question is that that reduction be made.

Mr. A. J. Gibson (Chief Conservator of Forests) : Sir, in regard to the statement made that the income of this Department has not increased in the past few years, I can read out a few figures which will prove that the gross income in the Punjab has increased very considerably. I read from the report of the Forest Administration in British India published by the Government of India.

In 1914-15 the gross revenue of the Punjab Forests was roughly 9 lakhs ; in 1920-21 it was 35½ lakhs ; and the actuals for 1921-22 were very nearly 50 lakhs. That is the gross revenue. The net income in the past

two years has admittedly decreased. That is due to market conditions; and it is not a matter which can be put to the discredit of the Department.

In regard to the decrease in area. It is true that the area has decreased, but you must take into account the nature of the area of forest lands which have been given up. They were ordinary *sakh* forests yielding at the most an income of a rupee or so per annum. Our efforts should be concentrated on paying forests, on irrigated lands and the forests in the hills. I pointed out in my speech before the British Empire Forestry Conference in 1920 that where all the forests of India worked intensively we could get the present yield of our Indian forests from 6 million acres of forest land, whereas the actual yield is taken from 160 million acres. That I think refutes the charge that because the area of the forests has decreased, our cost should decrease in proportion.

Maulvi Muharram Ali, Ghishti [Lahore City (Urban) (Muhammadan)] (Urdu): Sir, I must frankly confess before the House that at first I too had the same views about the department, which have been given expression to by the honourable mover (Mr. Gaurpat Rai) of the amendment; but, upon further consideration, I have come to the conclusion that one cannot possibly appreciate the working of this special department without expert knowledge, which unfortunately very few of us possess. I am of opinion that if a drastic reduction is made in the expenditure of the department, it will surely interfere with its efficiency, and we may be unintentionally injuring the future prospects of a very profitable department. Sir, the explanation given by my honourable friend, Mr. Gibson, the veteran and learned Head of Department, satisfactorily accounts for the reduction in the area. I fear that in allowing ourselves to be carried away by feelings of retrenchment we may not hastily run the risk of rejecting some of the most proper demands and blindly allow some demands which may be unnecessary. In scientific matters we have to a great deal to depend on the opinions of experts. Under our present financial circumstances some retrenchment is necessary in this department. With a view to save further discussion, I think it will be better for both the parties to reach a satisfactory compromise about the matter before the House. I may confidently say that the opposition benches are willing to come to some such understanding provided the official benches make some acceptable offer to reduce the expenditure on the whole by a reasonable amount.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders—General] (Urdu): Sir, I heartily support the suggestion made by my honourable friend Maulvi Muharram Ali Ghishti. I quite agree with him when he says that ordinary layman's knowledge is not enough to understand the working of the scientific side of the department. Under these circumstances, I am afraid that if the matter under discussion is pressed for the voting of the House, it may reduce the items of expenditure which may, in the eye of the experts, be irreducible. Therefore, Sir, with a view to avoid any such risks, I earnestly support the idea of my honourable friend, Maulvi Muharram Ali Ghishti, that the Government should make an offer to reduce the total expenditure by a lump sum, which it may afterwards distribute among different branches, according to its convenience. If that is done, it will save the House much discussion and unnecessary waste of time. I hope the Government will favourably consider the suggestion and inform these benches as to what it thinks about it.

Rai Bahadur Lala Sewak Ram [Multan Division—(Non-Muham-madan) Rural] (Urdu) : Sir, I simply rise to bring to the notice of the Government that before it makes up its mind as to the amount of reduction to be made in the total expenditure of the Department, it would do well to take into consideration all the amendments which are tabled to be moved in connection with this grant. One of these amendments, which is to be moved by my honourable friend, Mr. Ganpat Rai, aims at bringing about a reduction of some 9 lakhs in an item of 18 lakhs for the Removal of Timber and other Forest Produce by the Government Agency. Therefore, Sir, I think, that it will be better if the Honourable the Revenue Member and my honourable friend the Chief Conservator would keep all this in view when making an offer to reduce the expenditure by a lump sum. If we fail to come to a compromise at this stage, the House will be obliged to discuss every amendment on its merits. Therefore, Sir, I hope that the Government will make such a reasonable offer, which may be acceptable to these benches.

Rao Bahadur Lieutenant Balbir Singh [Karnal—(Non-Muham-madan) Rural] (Urdu) : Sir, I regret to submit that I do not see eye to eye with those of my honourable friends who say that they are not qualified enough to propose reductions in the grant. I hold a different view and I can confidently say that the House has among its members men who are competent to suggest reductions. Therefore, Sir, why should we admit that we are not competent and qualified to select items for reduction, where such reductions will not interfere with the efficiency of the Department? Sir, I quite realize that this being a deficit budget, the Government should reduce the expenditure to a minimum, and with this end in view it should, as suggested by my honourable friend Maulvi Muharram Ali Chishti, come forward with an offer to reduce the total expenditure by a considerable amount. I hope that if the suggestion is acted upon, it will be for the good of both the parties.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu) : Sir, I think Mr. Ganpat Rai would have done more justice to his amendment had he, instead of indulging in a general review of the Department, as to its establishment, area and income, restricted his criticism to the item of Rs. 900 only. It is difficult to appreciate the amendment when the honourable mover has practically made no case for reduction as proposed therein. Sir, Mr. Gibson has made it clear to the House that the Department has only given up some area for agricultural purposes, which could not possibly be utilised for forest purposes. This is a step in the right direction, since the area transferred for agricultural purposes will now yield a more handsome return in the shape of land revenue. This must satisfactorily account for the decrease in the area. The development of the remaining area in charge of the Department is not possible without sufficient establishment. This, I hope, meets all the objections which have been raised against the rise in expenditure and fall in income. As to the suggestion of a compromise I wish to make it clear to the House that the Department is prepared to meet the wishes of the House as far as practicable. But I want it to be quite clearly understood that it cannot possibly reconcile itself to any such reduction which may interfere with the efficiency of the administration. If the honourable members on the opposite benches are willing to come to an understanding to that effect, they would do well not to keep in mind amendments aiming at reducing the expenditure to the extent proposed by their amendment as it is not possible to go to those lengths. I may be allowed to warn the

House that if these amendments were passed the efficiency of the Department is bound to suffer. Therefore, before they enter into the spirit of the bargain it would be better if all such notions are removed. I would like to ask my friend Rai Bahadur Lala Sewak Ram, who just referred to an amendment of 9 lakhs, to turn to page 11 of the Detailed Budget. If he does so, he will find that by spending Rs. 11,72,735 on removal of timber and other produce we get an income of Rs. 24,35,170. My honourable friend should realize that if a reduction of 9 lakhs, as proposed in the amendment referred to by him, were made, the income which now amounts to considerably over Rs. 24 lakhs is sure to come down. I ask the House in all earnestness to think over this aspect of the question too before it makes up its mind one way or the other. Sir, if the opposition benches can give me an idea as to what will satisfy them I assure the House that I shall be only too glad to consider it and that I will do my best to meet the demand of the House as far as is possible.

Mian Muhammad Shah Nawaz [Lahore—(Muhammadan), Rural] (Urdu). Sir, the Department is a quasi-business and quasi-scientific one. The explanation given by my honourable friend Mr. Gibson is quite satisfactory in so far as it goes. As for the demand of these benches for reduction I would say that it amounts to Rs. 13 lakhs. We are quite prepared to come to some such understanding with the Government which may be acceptable to both parties. But I would like to submit, Sir, that the offer of reducing the expenditure by one or two lakhs will not be accepted by us. I cannot possibly lay down any limit as to what will be acceptable, but this much I can assure the House that we are not prepared to consider an unreasonable offer of say two or three lakhs. It is very difficult for me to speak out my mind at this stage.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Then, how to come to an understanding?

Mian Muhammad Shah Nawaz: Why should the Honourable Revenue Member not come forward with an offer?

Mr. President: A compromise is desirable to save time, but it does not seem likely that a compromise will be arrived at on the floor of the House. I would suggest that somebody should move that the voting on this grant be postponed till some time this afternoon. Then representatives from both sides may discuss the matter outside the House and come to a definite conclusion.

Mian Muhammad Shah Nawaz: Sir, it is possible to have this business done in 10 minutes' time.

Mr. President: Do you wish to postpone the discussion for 15 minutes? Do you want that the House should meanwhile be sitting doing nothing? I think we can go on to the consideration of the next grant.

Mian Muhammad Shah Nawaz: No, Sir, we will settle the affair shortly.

The Honourable the Revenue Member and certain other members then left the House for consultation.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, the result of the talk that I have had with my friends is that I have decided to make an offer to reduce the demand, inclusive of the cut that has already been made, by Rs. 5 lakhs.

Mian Muhammad Shah Nawaz : Sir, I submit to the Honourable the Revenue Member that the item of travelling allowance should be treated as quite a separate item from the scope of the proposed compromise.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : I have already said that it is impossible for me to do so.

Mian Muhammad Shah Nawaz : We have already done that, why should it then be included in the present reduction ?

Maulvi Muharam Ali Chishti : The question of the travelling allowance has already been decided, but if it is going to be re-opened then I would suggest half of it, that is to say half of Rs. 59,675 should be added to the total cut of 5 lakhs.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia, (Revenue Member) : I am not in the habit of making bargains. I have tried to cut down as far as I could go. If I were to cut down more, it would impair the efficiency of the Department.

Diwan Bahadur Raja Narendra Nath : I think we must accept the assurances of Honourable the Revenue Member. I do not see why we should haggle. He has said that 5 lakhs is the maximum he could cut. I for one would not press for anything more. (Hear, hear.)

Mr. President : Mr. Ganpat Rai, do you ask for leave to withdraw this amendment ?

Mr. Ganpat Rai : Sir, I am in the hands of my honourable friends. If they ask me to withdraw, I will do so. I have laid the whole case before them. I have no objection one way or the other. I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : I take it that all the other amendments are not to be moved.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Sir, I beg to move—

“That the grant be reduced by Rs. 4,40,325.”

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 4,40,325.”

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

“That a sum not exceeding Rs. 33,39,000 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 1924, in respect of Forests.”

The question is that that motion be adopted.

The motion was carried.

REGISTRATION GRANT.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to move—

"That a sum not exceeding Rs. 1,86,000 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 1924 in respect of 'Registration'."

Mr. President : The question is—

"That a sum not exceeding Rs. 1,86,000 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 1924 in respect of 'Registration'."

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That the grant be reduced by Rs. 75 with respect to the item of Travelling Allowance."

Mr. President : Grant under consideration, amendment moved—

"That the grant for Registration be reduced by Rs. 75 with respect to the item of Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Chandhri Kharak Singh [Amritsar and Gurdaspur, (Non-Muhammadan) Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,000—Reserve for Grain Compensation."

Sir, in doing so I wish to make it clear to the Honourable Minister Education, that—

The Honourable Khan Bahadur Mian Fazl-i-Husain : I accept that amendment, Sir.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,000—Reserve for Grain Compensation."

The question is that that reduction be made.

The motion was carried.

Diwan Bahadur Raja Narendra Nath [(Punjab Landholders (General)] : (Urdu) Sir, I beg to move—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 22,032—Pay of Sub-Registrars."

Sir, I move this amendment with a view to draw the attention of the Government to the recommendations of the Retrenchment Committee which recommended that the duties of the paid Sub-Registrars should, as far as possible, be entrusted to the Tahsildars in addition to the work which is already being done by them. The Committee were of opinion that public-spirited gentlemen with required qualifications will be coming forward to work as honorary Sub-Registrars.

Sir, my amendment aims at reducing the item by one-half, so as to enable the Government to pay Sub-Registrars in those *ilagas* where honorary workers are not available.

[D. B. Raja Narendra Nath.]

Sir, I wish it to be understood by the House that it is one of the recommendations of the majority report, which I hope, the Government will kindly act upon. It is in anticipation of the Government sanction to these recommendations that I have moved the amendment before the House which, I trust, it will unanimously support.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 22,032—Pay of Sub-Registrars."

The question is that that reduction be made.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur—Sikh Rural] : Sir, I am very sorry to say that I cannot agree with my honourable friend Raja Narendra Nath and the Retrenchment Committee about the matter under discussion. If there be found sufficient men to work as honorary Sub-Registrars, it will be very good ; but if it is intended that the posts of paid Sub-Registrars be abolished with a view to effect a saving and the work be distributed among the Tahsildars, I regret to say that the change will not achieve its subject. It will increase the expenditure rather than decrease it. Formerly the Registration work was exclusively done by honorary Sub-Registrars, but after a careful consideration of the matter Government found it advisable to replace them by paid Sub-Registrars. It had to resort to this change because the former system involved a larger amount of expenditure on account of payment of commission to the honorary Sub-Registrars. I am afraid if the same system is restored it will again increase the existing expenditure. I beg to submit that if the work of the Sub-Registrars is given to the Tahsildars, they will surely not be able to dispose it of, and the arrangement will also prove a source of trouble to the public. The Tahsildars have to go on tours and thus keep away from the headquarters for long periods.

In that case the public will have to suffer. I hope the Government does not want to put the public to trouble and increase its own expenditure. With these few words, Sir, I oppose the amendment before the House.

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla—(Non-Muhammadan) Rural] : Sir, I think that my honourable friend Sardar Randhir Singh has not quite appreciated the reasons which have prompted my honourable friend Raja Narendra Nath to move this amendment before the House. The fact is that the work of the Tahsildars has been considerably reduced after the creation of separate Departments for Excise and Income-Tax. Therefore, Sir, I can confidently assert that they can safely be entrusted with the performance of the duties of Sub-Registrars. There is no doubt that a little extra inconvenience will be caused to the public if the amendment were accepted ; but the House must realize that reductions in the expenditure are not easy to be made without such inconveniences. I hope the public in its own interests will not mind putting up with this inconvenience. The proposal before the House is not quite impracticable, and I think that, with the exception of Amritsar and Lahore, it can safely work in all other districts of the Province. With these few words, Sir, I support the amendment before the House.

Sodhi Lal Singh [Sikh, Urban] (Urdn): Sir, I rise to oppose the amendment before the House. I can confidently say on the basis of my personal experience that the work which the Sub-Registrars have to do is not so light as it is supposed to be. I have seen some of them working from morning till evening. Therefore I think that it will not be very easy for the Talsildars to satisfactorily cope with the work. The House cannot also ignore the question of the convenience of the public. If the public is to be made to put up with inconvenience, I do not know why a single officer with his headquarters at Lahore should not be appointed to do the work of the whole province? But if consideration should be had to the convenience of the public I submit that the amendment should not be accepted by the Government. With these few words, Sir, I oppose the amendment moved by my honourable friend Raja Narendra Nath.

Malik Feroze Khan, Noon: I move, Sir—

“That the question be now put.”

Mr. President: I must allow the Honourable Minister for Education to make some remarks.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) (Urdn): Sir, I wish to remind the House that Registration is a transferred subject and therefore the Council is entitled to exercise full control over it. Any decision taken by the House with regard to this subject will not be considered as a mere recommendation to Government. The Government is bound to abide by the decision of the Council with regard to such subjects. Therefore I would like to ask the House to decide the question before it with a full sense of responsibility as to its consequences.

The House knows that the Retrenchment Committee was appointed by the Government in 1922 and it submitted its report in 1923. I have tried throughout this period to see that no appointments are made simply with a view to favour some persons. I have also tried that no new appointment should be made in the place of a Sub-Registrar who had died or retired provided the amount of work in the *ilaga* is not so heavy. Consequently I declined to fill up three vacancies in such cases. This has been my endeavour throughout, but, however, it will be better to acquaint the Council with the fact that with the enhancement of Stamp rates the income of the Department has increased to Rs. 7,47,000 and its total expenditure is only Rs. 1,34,800 which I submit is not much.

Now, Sir, as to the expenditure of Rs. 22,032, I wish to inform the House that I have myself thoroughly gone into the question and on my inquiries I have been informed by the Accountant General that only a reduction of Rs. 3,000 is possible in the item. As for our future policy with regard to Registration the House should rest assured that the matter is engaging the attention of the Government and I will do my best to meet the wishes of the House in the matter as far as possible. The House should realize that it is very difficult for me to make any definite statement about it under the present circumstances. I think that, as far as possible, we should avoid putting the public to inconvenience; otherwise there will be no good of having separate departments for different purposes. We should also try to extract as little money out of the pockets of the people as possible.

Diwan Bahadur Raja Narendra Nath: Am I to understand, Sir, that this reduction of Rs. 3,000 is out of the total demand of Rs. 1,36,000,

[D. B. Raja Narendra Nath.]

or is it only out of this particular item of Rs. 22,032 which is the subject of my amendment?

The Honorable Khan Bahadur Mian Fazl-i-Husain: This is out of the amount of Rs. 22,032.

Diwan Bahadur Raja Narendra Nath: Then, Sir, I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

The Honourable Khan Bahadur Mian Fazl-i-Husain: Sir, I beg to move—

“That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 22,032—
Pay of Sub-Registrars.”

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 22,032—
Pay of Sub-Registrars.”

The question is that that reduction be made.

The motion was carried.

Mian Muhammad Shah Nawaz [Lahore—(Muhammadan), Rural]
(Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 1,05,125 with respect to the item of Rs. 1,05,125
—Commission to Sub-Registrars.”

Sir, my amendment aims at the abolition of the posts of honorary Sub-Registrars. It is on a question of principle that I have brought this amendment before the House. I wish to inform the House that if the Naib-Tahsildars and Tahsildars are given some extra allowance, they can perform the duties of the Sub-Registrar too. The Sub-Registrars make a considerable fortune by way of commission and I have heard of some of them who earn as much as Rs. 1,500 a month which is the maximum pay of a Senior Subordinate Judge.....

The Honourable Khan Bahadur Mian Fazl-i-Husain: This is quite wrong.

Mian Muhammad Shah Nawaz (continued): I have heard that from a very reliable source. Anyhow, this much is certain that they earn a very decent income through commission. The House should remember that the Retrenchment Committee too has recommended the abolition of the posts of Sub-Registrars and the Retrenchment Committee appointed by the Bengal and the Central Provinces Governments also made similar recommendations. I understand that the Governments of those Provinces are, in pursuance of those recommendations, abolishing these posts. I have also been given to understand that the Director of Land Records has also recommended for the abolition of the present Registration Agency.

Sir, some of these Sub-Registrars are so unqualified for those posts that they do not know how to behave with the public, and some of them do not regularly attend to their official duties. The public is thus put to lot of inconvenience through such irregularities. I have myself faced difficulties in getting work done by them in time. I have also personally experienced the rudeness of these public servants, a rudeness which they invariably show to the public. This is a general complaint against the Department. The

newly enhanced rates under the Stamp Act have increased their incomes. This ought to make them more courteous to the public and more regular in the discharge of their duties. Sir, if the House does not want to hand over their work to the Tahsildars, I would earnestly request the Government to reduce the rates of their commission by half at least and also to issue instructions to them to be more polite and courteous towards the public they deal with. With these few words, Sir, I move my amendment which I hope the House will support.

Mr. President : Grant under consideration, amendment moved :—

"That the grant be reduced by Rs. 1,05,135 with respect to the item of Rs. 1,05,125—Commission to Sub-Registrars."

The question is that that reduction be made.

Rao Bahadur Lieutenant Balbir Singh [Gurgaon—(Non-Muhammadan), Rural] : Sir, I rise to support the amendment which has been moved by my honourable friend Mian Muhammad Shah Nawaz. Sir, I think that the arrangement suggested by the honourable mover will be more useful and convenient for the public than the present one. It will also bring about considerable saving to the Government. The public will surely benefit by this change. The Tahsildars regularly attend the court from 10 A.M. to 4 P.M. and are always available during these hours. Therefore, Sir, I hope that the House will lend its support to the amendment before it and I trust that the Government will kindly accept it.

Malik Firoz Khan, Noon [Shahpur West—(Muhammadan), Rural] (Urdu) : Sir, I admit that the Sub-Registrar who so lightly treated my honourable friend Mian Muhammad Shah Nawaz was really a fool. Had he known that my honourable friend was a member of the Legislative Council, he would not, I am sure, have behaved like that.

Mian Muhammad Shah Niwaz : That happened before I came to the Council.

Malik Firoz Khan, Noon (continued) : Sir, I do not think it is right to say that the Sub-Registrars get very decent incomes. If one were to look to the facts and figures, he will find that it is practically impossible for them to make as much as a Senior Sub-Judge gets. Sir, I submit that the House should not abolish this agency. Most of the respectable people do not undertake this work for the sake of getting commission, but they do it simply for the sake of honour. If the proposed arrangement is accepted by the House, it will greatly inconvenience the public, because the Tahsildars have got to go out on tours and thus absent themselves from the head quarters. With these few words, I oppose the amendment before the House.

Lala Uttam Chand [Lahore City—(Non-Muhammadan) Urban] (Urdu) : Sir, I have got capital information about the Lahore Registration Office. My honourable friend, Mian Muhammad Shah Nawaz, is quite right when he says that the Sub-Registrar at Lahore is very rude towards the public. I have experienced that myself. He is an old man of 70 and perhaps advanced age has affected his brain.

Mr. President : Order, Order. The honourable member is apparently making an attack against an individual Sub-Registrar. That is undesirable.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur—(Sikh Rural)] (Urdu) : Sir, I am very sorry to say that my honourable friend, Mian Muhammad Shah Nawaz, has made the whole Department pay for the sins of a single individual. I do not think it is correct to say that quite incompetent persons are appointed to the posts of Sub-Registrars. The recommendations for the posts are made by the Deputy Commissioners to the Commissioners, who finally forward them to the Honourable Minister for Education. I think under these circumstances there is very little chance for incompetent persons being appointed to the posts. Sir, I wish to bring to the notice of the House that the duties of a Sub-Registrar are very onerous. Only competent and responsible persons can perform them. I think the Tahsildars owing to the already heavy pressure of work will not be able to pull on with this additional work and the public will have to face inconvenience when these officers are on tour. I submit that the present system is, quite satisfactory and no change is required therein. With these few words Sir, I oppose the amendment before the House.

Pir Akbar Ali [Ferozepore,—(Muhammadan), Rural] (Urdu) : Sir, Receipt of commission amounting to Rs. 1,500 per mensem in case of a Sub-Registrar is quite improbable. The Sub-Registrars at Lahore and Amritsar might make about Rs. 700 or Rs. 800 per mensem, but as to the rest of the Sub-Registrars I can safely say that the commission hardly comes to an average of Rs. 100 per mensem each. Though a Sub-Registrar in a district is indispensable, yet in certain tahsils there are Sub-Registrars who are half-literate—mostly superannuated Military Officials, and who cannot even make out the significance of a deed : if Sub-Registrars of this kind are removed, I don't think it would entail any harm, but I am not in favour of abolishing them altogether. I, therefore, beg to oppose the amendment.

The Honourable Khan Bahadur Mian Fazl-i-Hussain (Minister for Education) (Urdu) : Sir, I have heard the very useful, interesting and instructive speeches made by the honourable members and hope that these would prove very helpful in improving the Department.

I am not yet convinced that all the Sub-Registrars should be replaced by Tahsildars and Naib-Tahsildars. All the Sub-Registrars are not dispensable. The posts of Sub-Registrars will, no doubt, be abolished, where the work, if entrusted to the Tahsildars or Naib-Tahsildars, will entail no very great public inconvenience ; and I will try not to fill up those posts when they fall vacant if it can be so managed. It does not become one to remove them immediately. We should wait till they retire.

I do not think Mian Muhammad Shah Nawaz is so very anxious about their removal ; what he complains is that the Sub-Registrars are discourteous. I would say it is better to be discourteous than dishonest.

Mr. Ganpat Rai : If both discourteous and dishonest?

The Honourable Khan Bahadur Mian Fazl-i-Hussain (continued) : Then they must go at once. For the present let us pull on with them. It would be well if Mian Muhammad Shah Nawaz withdraws his amendment.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, I am glad to note that the Honourable Minister has realised

my point, I, therefore, withdraw my amendment; but would still support the amendment to be moved by Chaudhri Kharak Singh reducing Rs. 19,000 with respect to this item of Rs. 1,05,125.

The amendment was by leave withdrawn.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhamadan) Rural]: Sir, I beg to move—

“That the grant be reduced by Rs. 19,000 with respect to the item of Rs. 1,05,125—Commission to Sub-Registrars.”

Sir, much has already been said on the point, and I need not dilate on it. This has been admitted by the House that the Sub-Registrars are highly paid, and it would not, therefore, be much if I say that the commission to the Sub-Registrars should be reduced by Rs. 19,000. I have neither any grudge against the nature of the Sub-Registrar, nor am I of opinion that they should be ousted out at once: my point is about lowering the rate of commission alone. If the stamp duty was increased, it was to make up the deficit and not to help the Sub-Registrars by enhancing their commission also. There are altogether 80 stipendiary Sub-Registrars and their emoluments come to an average of Rs. 148 per mensem each. Therefore if the actuals of 1921-22, namely, Rs. 86,669, were demanded it would have been quite reasonable. I do not see the necessity for a bigger sum. I therefore beg to move the amendment.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 19,000 with respect to the item of Rs. 1,05,125—Commission to Sub-Registrars.”

The question is that that reduction be made.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) (Urdu): Sir, the figures as given in the Detailed Budget Estimates are wrong. I would read the correct figures for the information of the honourable members.

There were 81 posts of stipendiary Sub-Registrars, of which 3 were not filled up. If 16 Honorary Sub-Registrars are added to the remaining 78, the total number of Sub-Registrars would be 94.

Mr. Ganpat Rai: Sir, What is meant by the Honorary Sub-Registrars?

The Honourable Khan Bahadur Mian Fazl-i-Husain (continued): Sir, an Honorary Sub-Registrar is one who does not draw a fixed pay, but gets commission, which generally exceeds the ordinary pay. No Sub-Registrar in the Punjab makes more than Rs. 500 per month. The Sub-Registrars at Lahore and Amritsar make Rs. 400 or Rs. 500 each. It will thus appear that the present demand is not an unreasonable one, for if out of Rs. 1,05,125, Rs. 10,000 go away to Sub-Registrars of Lahore and Amritsar, the remainder Rs. 95,125 is to be apportioned among 94 Sub-Registrars which will roughly give them an average of about Rs. 80 per mensem. If the honourable members will look at page 12 of the Detailed Budget

[Hon'ble K. B. Mian Fazl-i-Husain.]

Estimates it would appear that our net receipts from this source in 1921-22 were Rs. 6,86,841, which increased to Rs. 7,47,000 in 1922-23. I think it is in no way objectionable to add Rs. 1,11,000 to our revenues by incurring an additional expenditure of Rs. 19,000. In view of these circumstances I am sorry to say that I can allow no reduction in this demand.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (non-Muham-madan) Rural] : Sir, we are constrained to agree to the demand of the Honourable Minister for Education. I do not want to refute Sardar Randhir Singh, but would say this much that there is no restriction in changing the rules. This is a non-voted item. The rules can be revised so as to lower down the rate of commission. Anyhow, Sir, the possible reduction may now be made and the rest can be looked into after the rules are revised.

Chaudhri Ali Akbar : [Kangra-cum-Gurdaspur (Muhammadan) Rural] (Urdu) : Sir, the budget should, no doubt, in all possible ways be reduced, but the validity and invalidity of the arguments should not be lost sight of. I do not appreciate the proposal of entrusting the work of registration to Tahsildars and Naib-Tahsildars. The Honorary Sub-Registrars often squat themselves upon ordinary carpets and never object to the multitude of zamindars sharing their seats with them, whereas a Tahsildar or Naib-Tahsildar can hardly put up with the presence of 2 or 3 zamindars at a time in his room. An Honorary Magistrate or an Honorary Sub-Registrar is always afraid of his being dismissed if any irregularity on his part is brought to the notice of the higher authorities ; whereas a permanent official like a Tahsildar or a Naib-Tahsildar would hardly mind these reports. A good natured Honorary Sub-Registrar is, therefore, more useful to the rural community than a Tahsildar or Naib-Tahsildar. The honourable member's views should not be egoistic but altruistic and they should keep in view the conveniences of the villagers as well. If the amendment is accepted, I dare say, it will tell upon the public tranquility : hence I oppose it.

Mian Ahmad Yar Khan, Daultana : I move, Sir—

" That the question be now put. "

Mr. President : The question is—

" That the question be now put. "

The motion was carried.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 19,000 with respect to the item of Rs. 1,05,125—
Commission to Sub-Registrars. "

The question is that that reduction be made.

The motion was lost.

Rai Sahib Lala Thakar Das : Sir, I beg to move—

" That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,05,125—
Commission to Sub-Registrars. "

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,05,125—
Commission to Sub-Registrars. "

The question is that that reduction be made.

4 P. M.

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,30,925 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 1924 in respect of 'Registration.'"

The motion was carried.

IRRIGATION GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 1,65,10,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Irrigation.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 1,65,10,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Irrigation.'"

Before we take up the amendments, I may say that if this grant is disposed of quickly, it will not be necessary to sit beyond 6 o'clock to night.

Mr. Miles Irving (Financial Secretary), Sir, I beg to move—

"That the grant for Irrigation Working Expenses may be reduced by Rs. 1,46,994 in respect of Travelling Allowance; and further that the grant of Irrigation (Revenue Account) may be reduced by Rs. 16,550 in respect of Travelling Allowance."

Mr. President. Grant under consideration, amendment moved—

"That the grant for Irrigation Working Expenses may be reduced by Rs. 1,46,994 in respect of Travelling Allowance; and further that the grant of Irrigation (Revenue Account) be reduced by Rs. 16,550 in respect of Travelling Allowance."

The question is that those reductions be made.

The motion was carried.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 20,00,000 with respect to the item of Rs. 1,54,68,000—Working Expenses."

Sir, I would not say a word to stop the Irrigation Works. The Irrigation Department is a very useful, serviceable and lucrative Department; hence their officers deserve our thanks. So far as my reduction of Rs. 20,00,000 is concerned, I must beg leave to say, that I had been labouring under a miscalculation, in the first instance, as to the non-voted and voted Revised Estimate for the year 1922-23, and that of the Budget Estimate for the year 1923-24. After correcting that mistake my reduction comes down to some 8 or 9 lakhs only. A perusal of page 50 of the Detailed Budget Estimate for the year 1923-24 will show that a sum of Rs. 4,00,000 is placed under

[M. Muhammad Shah Niwaz.]

the head 'Reserve at Chief Engineer's disposal' which is objectionable. If need be it can afterwards be demanded from the Council to meet any emergency. There is no point in keeping the amount in reserve. The Honourable Revenue Member had said that the system of amalgamation will be tried: if the proposed experiment is made at least in two Canal systems a sum of three lakhs or so can easily be saved. The other day Sayad Muhammad Husain did not press for a reduction of about 5 lakhs of rupees in connection with the Patwaris Establishment. The number of Patwaris could easily be reduced and I hope the Honourable Revenue Member will now try to make that reduction. Keeping in view all the circumstances I do not want to put obstacles in the way of the Canal Department. A reduction of 6 or 7 lakhs may mean something, but a lakh or two will not do.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,00,000 with respect to the item of Rs. 1,54,68,000—Working Expenses."

The question is that that reduction be made.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan), Rural] (Urdu): Sir, Mian Muhammad Shah Nawaz proposed that the total grant for the Irrigation Department be reduced by Rs. 20,00,000, whereas I propose that it may be reduced by Rs. 10,00,000 alone. There is a scope for this reduction. Full 4 lakhs can be saved from the head—"Maintenance and Repairs" which amounts to Rs. 59,21,000, and as much from the head—"Establishment," which appropriates Rs. 77,55,000, while the rest from other minor heads. My demand is not so very exorbitant. The Chief Engineer and the Honourable Revenue Member had brought about a saving of Rs. 10,00,000 last year when the expenditure amounted to Rs. 1,46,00,000; I do not think it is difficult to effect a saving of 10 lakhs this year when the demand is for Rs. 1,54,00,000, i.e., 8 lakhs more than the last year's expenditure. A lakh or so from here and there plus the difference can meet my point.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu): Sir, in accordance with the two amendments proposed by my worthy friend, the Financial Secretary, the total grant has already been reduced by Rs. 1,43,544 and thinking that if I yield a little further, the matter can be disposed of, I make bold to say that I am prepared to reduce the grant by 8 lakhs in all-inclusive of the already reduced sum of Rs. 1,63,544.

Mian Muhammad Shah Nawaz: Sir, I agree, if others have no objection.

Sir, I beg to withdraw my amendment.

The amendment was by leave withdrawn.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, I beg to move—

"That the grant be reduced by a sum of Rs. 4,36,456."

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by a sum of Rs. 4,36,456."

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,58,10,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Irrigation.'"

The question is that that motion be adopted.

The motion was carried.

INTEREST ON ORDINARY DEBT GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 75,000 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 1924, in respect of 'Interest on Ordinary Debt.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 75,000 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 1924, in respect of 'Interest on Ordinary Debt.'"

The motion was carried.

GENERAL ADMINISTRATION GRANT.

Mr. H. D. Craik (Chief Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 88,90,000 be granted to the Governor in Council and to the Punjab Government (Ministries of Education and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'General Administration.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 88,90,000 be granted to the Governor in Council and to the Punjab Government (Ministries of Education and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'General Administration.'"

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,05,380 in respect of Travelling Allowance."

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,05,380 in respect of Travelling Allowance."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Mahamadan) Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by 30,000 with respect to the item of Rs. 67,000—Total Tour Expenses."

[Mr. Ganpat Rai.]

Sir, I rise to make an appeal to the Head of the Government, whose words can not adequately express that he would please try to curtail the tour expenses and be content with Rs. 37,000 instead of Rs. 67,000, keeping in sight the huge deficit which the province has to meet. Touring over the Punjab States, no doubt, entailed a heavy expense before; but these are no longer in the political charge of the Punjab Government. I, therefore, once again implore the Head of the Government to consider the pitiable condition of the province and set an example for other officials too.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 67,000—
Total Tour Expenses."

The question is that that reduction be made.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan) (Rural)] :
Sir, I think there can be moments when amendments are likely to go mad. This is a sort of amendment which I should have never expected from a member of this House, specially from a gentleman with grey hairs. In the first place, Sir, His Excellency the Governor is above all party politics. He, Sir, occupies a unique position in this province, and that, as being the representative of the Crown. We should, Sir, as far as possible try and refrain from criticising a personality as that of the ruler of this province. Secondly, we are all well aware that it is absolutely essential for the Governor of this province to be in close and direct touch with the people living outside the capital of the province. Unless His Excellency the Governor has an opportunity of going out to the various districts and talking to people and listening to their grievances, it is impossible for him either to find out their economic difficulties, their educational needs or their political desires. So from all points of view it is desirable that His Excellency the Governor should tour out in the district. Now my learned friend wishes to reduce an already paltry sum of Rs. 67,000 by a sum of no less than Rs. 30,000. Sir, we know that His Excellency is not able to go out on tour in the Punjab as he should be doing. There are many places in which in years gone by the ruler of this province used to go every year, and I believe that His Excellency has not been able to go to those places simply because his tour allowances were not sufficient to cover the expense of his journeys. I am sorry to say that it is not within the power of the members of this House to move for the increase of any particular demand, but I feel certain that this is a demand for which we can willingly vote. But as it is not in our power to increase the demand, the least we can do is to reject the amendment of the nature of the one which my friend has moved. I hope that he will have the reason and fairness to hear what I have said, and will not open a subject of that nature to any further discussion, but will withdraw his amendment. If he does not withdraw it I expect that other members of this House will reject the amendment. I would much rather that the amendment were withdrawn by the honourable mover himself and not disallowed.

Sayad Ghulam Muhammad Shah [Shahpur East (Muhammadan)] :
Sir, I deem it my duty to oppose this amendment, I quite agree with what Malik Firoz Khan, Noon, has said on the subject, and beg leave to say that the amendment proposed by the honourable member Mr. Ganpat Rai, in so far as it affects His Excellency the Governor, who is a representative of the Crown in this province should not have been moved. It is indispensable for His Excellency to go out on tour

particularly in the interest of the public, who cannot otherwise approach His Excellency in order to get their grievances redressed. The Honourable Finance Member has already kept the expenses within bounds, and I will, therefore, request the honourable mover to withdraw his amendment.

Khan Bahadur Sayad Mehdi Shah [Lyallpur South (Muhammadan), Rural] (Urdu) : Sir, I quite agree with what the Malik Sahib and the Shah Sahib have said in detail. The zamindars can only then profit when His Excellency in person goes out on tour, hears their complaints and redresses their grievances; hence I ask the honourable mover to withdraw his amendment.

Mr. Ganpat Rai : Sir, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (non-Muhammadan) Rural] : Sir, I beg to move—

“That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 8,000—
Tour Expenses—Executive Council.”

Sir, I rise to ask the executive members to show economy in expenditure, so that our burden may be lessened. During the year 1922-23 only Rs. 520 were spent, though Rs. 1,000 had been provided for in the budget. This year a heavy demand for Rs. 8,000 has been made. I think Rs. 2,000 will suffice, and hope that the executive members will please give up Rs. 6,000.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 8,000—
Tour Expenses—Executive Council.”

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, there is one thing which I should like to say in regard to this. It is this that I have rather neglected my duty so far as touring is concerned. The fact is that I have found it extremely difficult to get out as much as I should have; and I really omitted to visit places which I should have visited. The same difficulty has presented itself to my colleague, the Honourable Member for Revenue. I think we should continue to tour, and that we cannot possibly cut down our tours any further.

I need say nothing more except that I think that it will be impossible, with due regard to our duties, to do any less touring than we have done.

Mr. Ganpat Rai : I ask for leave, Sir, to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : Rai Bahadur Lala Sewak Ram has two amendments proposing a reduction of Rs. 2,000 each in the salaries of the Honourable Ministers for Education and Agriculture. They were only received in the office at midday yesterday, and therefore were not in time; and I cannot allow them to be moved. Raja Narendra Nath has an amendment proposing a reduction of Rs. 24,000 with respect to the item of Rs. 1,20,000—Salaries of Ministers.

Diwan Bahadur Raja Narendra Nath : Sir, I do not move that.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General)]: Sir, I move—

"That the grant be reduced by Rs. 1 with respect to the item of 'Rs. 60,000—Salary of Education Minister'."

I mean to cause no substantial loss to him. It is needless to say that I move this amendment with very great pain and reluctance; but as this is the last Budget which the present Council is considering, I think it my duty to survey the policy of the Education Minister, and to offer some criticism about it. I would be failing in my duty to my constituency and to my community and, last of all, to the political advancement of the country if I did not perform this unpleasant function. I would divide my remarks into five heads, reviewing under each head the action and the policy of the Honourable Minister.

First of all I take his Panchayat Act. The law which was passed with regard to the Panchayats in the Punjab. This law is different in its feature from similar laws passed in other Provinces. It gives wide powers to the Panchayats without providing for adequate supervision—such supervision as the other Acts provide. Then it does not contain adequate safeguards for the protection of the interests of the minorities. Christians are in a minority everywhere; Sikhs in all districts of the Punjab except in the Central Punjab, Hindus in the Western Punjab and Muhammadans in the Eastern Punjab. In a province composed of people so heterogeneous in character, it was necessary to provide sufficient safeguards for the protection of the interests of the minorities. This was not done. Individual Christian, Sikh and Hindu members raised their dissentient voice which was not heeded.

Secondly, I must criticise his policy of communal representation in services so far as it affects the existing incumbents of offices. As the province is at present circumstanced, I do not object to the principle of communal representation with regard to fresh recruits, but that principle should not be carried so far as to ignore the rights of existing incumbents of offices. These men entered service at a time when this principle of communal representation was not in existence when they could not anticipate its operations. Whenever any change of policy with regard to services is adopted, the rights of existing incumbents are always respected. It is not open to non-official members to examine the files, and I am unable to say how many cases of injustice exist, but a few days ago, I came across a document which I, with your permission, Sir, will read out to the House. It illustrates a typical case of injustice.

Mr. President: If you read it, you will have to put it in.

Diwan Bahadur Raja Narendra Nath: I will put it in of course. This is a certificate granted by Colonel Gill, I.M.S., to one Dr. Shiv Lal, whose services had to be dispensed with owing to the order to which I have referred.

The certificate is as follows:—

"Dr. Shiv Lal was my Second Assistant for a period of two years during which time he officiated as a first Assistant for about 6 months. I formed a high opinion of his attainments, and he has given me much assistance in the epidemiological investigation of malaria."

He showed considerable aptitude in devising new experiments in connection with the study of humidity in its influence on mosquitoes and his keenness at all times was of the greatest value to me. In my opinion he has a special aptitude for the scientific side of medicine, and I regard it as a great misfortune that he has been forcibly removed from his post by reason of a peculiar official regulation which states that medical officers in the Punjab must be organised on a communal basis. For these reasons against my wishes and strongest protest he has been removed from his appointment, and a Muhammadan gentleman with no knowledge of the subject sent in his place. He now desires to obtain some new appointment, and I am most willing to do anything I can to help him in the matter."

Now, Sir, I would ask my Muhammadan friends who are sitting here how they would feel if the officer removed was a Muhammadan, and if a Hindu or Sikh gentleman who was by no means superior in attainments or was rather much inferior was put in his place.

The third point is with regard to the principle of communal representation in the matter of admission into the Government College and the Medical College. The Government College is an institution for imparting liberal education. So far as the Hindus or Sikhs are concerned they do not suffer any material loss by the observance of the rule. But I object to the principle of differentiation in the matter of admission into colleges where character is to be formed. We have been promised responsible self-government, and we have been asked to cultivate habits of concerted action. Do you think, Sir, does this Council think that that habit of concerted action is likely to be fostered when at their very threshold of their university career students are taught the lesson of class differentiation, class rivalry and consequently class hatred? The feelings that exist between the students of various communities in these colleges are far from those that can be desired. This tension of feelings exists pre-eminently in the Medical College. Compare the state of things between the students of the different communities in these two colleges with that existing in private colleges, and you will find the difference. In the Dayal Singh College no class differentiation is made. In the Mission College also harmonious relations prevail. But this is not the case with regard to the Medical College or the Government College. I am aware of the fact that in other provinces some percentages have been fixed for certain communities. When I say that the principle itself is wrong, the fact that it is observed in other provinces does not make it right or worthy of imitation in this province. Besides in some of those provinces I find there is one feature which condones this otherwise objectionable differentiation. The Hindu Ministers in order to conciliate the Muhammadan minorities impose limitation on the admission of their own class. But here a Muhammadan Minister imposes limitations on the admission of a progressive and advanced class and the redeeming feature existing in other provinces is lost.

I now come to the fourth point, and that is the extension of communal principles in certain municipalities. On the question of communal representation I have to put before you two facts. The one is the official view and the other is the action of Hindu politicians. The official view was first expressed in paragraph 5 of the Government of India Resolution, dated 18th May 1918 communal Representation is described as an evil. The second official document is the report on Constitutional Reforms which discusses the question of communal representation in paragraphs 227, 231. In paragraph 231, it says—"We regard any system of communa-

[D.B. Raja Narendra Nath.]

electorates, therefore, as a very serious hindrance to the developement of self-governing principle. The evils of any extension of the system are plain."

The Honourable Minister has extended it not only to municipalities, but to almost every sphere of Government activity. I now say a few words with regard to the action of Hindu politicians about this principle. In the Congress Compact League the Hindu politicians have conceded representation to their Muhammadan brethren much in excess of their proportion in population in the Provinces of Madras, Bombay, United Provinces, Behar and Orissa and the Central Provinces. In a recent District Board Act which was introduced by a Hindu Minister in the United Provinces and passed by the Council the proportions for Muslim electorates were fixed in the following way:—Where the Muslim population is less than one per cent., 10 per cent; where it is more than one per cent. but less than 5 per cent., 15 per cent; where it is more than 5 per cent. but less than 15 per cent., 25 per cent; where it is more than 15 per cent. but less than 30 per cent., 30 per cent. But the Honourable Minister here grudges to us a slightly excessive representation which existed in the municipalities where the communal representation has been in force for some years. That proportion was fixed by class Officers who, though bureaucrats, were as independent with whom neither the Hindu nor the Sikh voice prevailed.

There is besides another objection, a practical difficulty with regard to the extension of the principle of communal representation, in the Punjab and it is this: that it raises the question of the proportion to be assigned to the Sikhs. The demand of our Sikh brethren, as I understood it, is that either there should be no communal representation, or if the principle of communal representation is recognised they should be given a representation much in excess of that which they enjoy at present. I therefore think it very unwise on grounds of practical expediency to extend the principle of communal representation to new municipal areas.

Last of all, Sir, I come to his policy and his action with regard to the Gurdwara legislation. The Gurdwara Bill had first the effect of dividing Hindus and Sikhs. The effect of the Bill has been most clear. The climax of the policy Sir,.....

Mr. President: The honourable member should not revive a debate which took place at the time the Bill was under discussion. He can only make a brief allusion to it.

Diwan Bahadur Raja Narendra Nath (continued): I would ask my Sikh friends who are here whether they approved of his policy in regard to the Gurdwara legislation.....

Mr. President: That must have already been discussed during the debate of the Gurdwara Bill.

Diwan Bahadur Raja Narendra Nath (continued): I would not take the time of the Council any longer. Sir, the task of making this charge has been a very unpleasant one. There is no one in this Council more keenly desirous of the nationalisation of various communities in India than myself. There is no Hindu in this House and there are very few outside this Council more in touch with the Islamic literature than myself. There is no Hindu in this hall and very few Hindus outside it who have a larger circle of Muhammadan friends. And if I have caused pain to any one, I am very sorry, but

there is a volume of Hindu feeling outside the Council and I would have failed in my duty if I did not give expression to it. Let me tell, you, Sir, that general history and Indian history particularly gives us two types of administrators. One is the type of Akbar and the other of Aurangzeb. The verdict of history is that it is the type of Akbar only that has been successful. I would request my honourable friend to follow the example of that great administrator. The art of administration is a very difficult one, and it is very different from the art of advocacy, and I would request him to carry on this administration in the manner in which the requirements of good government demand.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 60,000—Salary of Education Minister."

The question is that that reduction be made.

Mian Ahmad Yar Khan, Daulatana [Multan East (Muhammadan), Rural]: Sir, I wish to say a few words in opposing this most unjust, most undignified and highly wanton motion in a general way, and my friends who will speak after me will discuss the details of the question. The tragedy of this proposal becomes all the more severe when it comes from a responsible man like Diwan Bahadur Raja Narendra Nath from whom we should have expected a more just, a more honest and a more sensible treatment of the man who has served the cause of his Province so very loyally. But, alas, that was merely a fond expectation. But there is a consolation, and a very great consolation indeed, when one discovers gradually yet surely in the political activities of this great personage the inborn hatred, racial jealousy and the ungovernable fanaticism for his so-called Muslim brothers and sister community. The Minister whom this man intends to censure was a man who stood very high in the public esteem, and before he came to this Council he was a leader of great talent and energy, of recognised ability and of established reputation even among his community. And now he is blamed for having a sectional policy. During the tenure of his office he has widened the scope for Indians in Indian services under his charge. He has opened the door of local self-government for Indians and has materialized in a constructive and practical way the sincere ambition and the honest expectations that a really true nationalist must nourish. If in this general development the Musalmans have got a certain share, much smaller than their number and importance demands, it was not because Mian Fazl-i-Hussain was at the head of the departments at this time of evolution, but because Musalmans, though very humble and insignificant in the eyes of the Raja Sahib, are after all the sons of the same soil and the members of the same body politic, and they are not a quantity that should be ignored.

The answers given yesterday by the Honourable the Minister for Education to the questions put by Pir Akbar Ali will bear a true testimony to his real sense of responsibility and impartial judgment; which I am sure everybody must have read them; and I need not detain the House any longer to discuss them.

Now, Sir, in his speech, the Raja Sahib said that the Minister is adopting the policy of Aurangzeb. I must tell him, Sir, that there is no time now for us to produce Akbars when there are so many Sivajis to face. We must produce more Aurangzebs; and the Honourable Mian Sahib, I am glad to say, is sufficient to face so many Sivajis. I regret to say, and I must say, that

[M. Ahmad Yar Khan Daultana.]

this climax of Hindu intolerance has entirely exhausted the patience of the Muslim members of this Council and the Muslim citizens of this Province. The Honourable Raja Sahib by moving this futile motion has damaged perhaps for ever that frail castle of Hindu-Muslim unity which was built by Muslim material and Hindu labour; and I am glad that it has fallen. It ought to have fallen, and it is as well that it has fallen due to the activities of the Hindus.

In the end I would request the Council to mete out to this base motion the treatment that it deserves.

Rai Sahib Lala Thakar Das [North-West Towns—(Non-Muhammadian) Urban] (Urdu): Sir, I regret I must support the amendment, as otherwise I must be failing in my moral duty to protect the interests of my community which has suffered much harm at the hands of the Honourable the Minister for Education owing to his hostile policy. I need not go into details, but this much I must confess that Hindu-Muslim unity has, more than anything else, been arrested in its progress. I do not mean to say, nor desire that either a Minister or a Government Officer should not protect the interests of the minorities, but I do say that these interests as well as matters of the same sort should not be decided on the basis of religious discrimination nor according to the differences which exist between townsmen and country people. What is urgently wanted, Sir, in this behalf is to try to remove all racial and communal discriminations. Hence I submit that the mere fact of a man being either a Sikh, a Hindu or a Muhammadan should not be taken to be a sufficient reason for giving him an appointment or denying to him his legitimate right. It ought not to be taken as the criterion of the fitness of a man that he accepts Shri Ramchandraji as the *Avatar* of God or Jesus Christ as the son of God or Muhammad as the true Prophet.

Sir, nobody will deny this fact that communal policy portends evil for the country. European politicians have always warned us against this policy as being detrimental to the progress of a nation. They have also told us that as long as we cling to it our national progress will remain stagnant. I would have quoted certain sentences from the Montagu-Chelmsford report to bear me out in this assertion but I am sorry that the book is not here with me. I must also add, Sir, that the policy of the Honourable Education Minister is, from first to last, founded on religious differences.

As regards the fixing of the number of seats, in Government Colleges, for Muhammadans, I am of opinion, Sir, that the refusal to admit say one or two hundred Hindu students into these colleges has not and will not in any way entail any considerable harm to them or any special gain either to the Mussalmans, but such communal bias is bound to reflect badly on the character and conduct in life of our coming generations. This is bound to prove of incalculable harm to us as a nation. In the long run, Sir, his policy will certainly not benefit the Muhammadans. The fact is that the community which cannot stand on its own legs and always seeks concessions is bound to hurt itself sooner or later.

Lastly, Sir, I am not going at this time to adopt my friend Mian Ahmad Yar Khan Daultana's spirit of vehemence, anger and passion which he exhibited while criticising Raja Narendra Nath's amendment. But this much, it is my duty to say, that we, Hindus, want a united India and if I

mistake not, the Sikhs are also with us in this matter. Sir, we strongly protest against the policy of the Honourable Education Minister and therefore we do not care if we are called Sivaji. Our only object in bringing forward and supporting this amendment is to put on record our protest against the principle of communal representation, knowing that this is our only and last opportunity to do so.

Malik Firoz Khan, Noon [Shahpur East—(Muhammadan) Rural]: Sir, the honourable mover of this amendment comes of the bluest blood of this province. He comes of a family that has been connected with the administration of this country for generations. He comes from the rural and the aristocratic class of this province; and it would be impossible for me, Sir, to think that the amendment that he has brought forward is really his own. Let me, Sir, hope that the amendment that he has brought forward is under the influence of some mischievous brains and that towards the latter days of his life, his will power has given way to the advice of others. But if, Sir, the amendment that he has put forward is his own, then I disown all the respect that I had for this gentleman up to this day of my life.

You will see, Sir, that he has brought forward some points on which he wishes to criticise the policy of the Education Minister, but, Sir, I will take these one by one, and I hope that I shall be able to prove to you that there is not an iota of truth underneath the allegations that have been brought forward. Firstly, Sir, he has said that he wishes to pass a vote of censure on the Honourable the Education Minister because he does not approve of his policy with regard to the Panchayat Act, and that for this reason that in the Eastern Punjab the Muhammadans are in a minority, in the Central Punjab the Muhammadans and the Hindus are in a minority and in the Western Punjab the Hindus are in a minority. Sir, if he really believes in justice being done to all the communities by the various members of other communities, then, Sir what fear is there lurking behind his mind that justice will not be done by these *panchayats*?

Then, Sir, the very fact that he believes that the members of these *panchayats* belong to different communities and that because a certain community will be in a minority therefore justice will not be done to that community shows that there is a necessity for communal representation in this province. Sir, this Act was passed in order to save the thousands of villagers from useless and expensive litigation and troublesome quarrels which had been in existence for generations. Is that a thing to be approved or condemned? I assure you, Sir, that it is a policy which has the support not only of this Council but of the vast majority of dumb and voiceless people of this Province.

Coming to his second argument, he says that he does not approve of the system of communal representation in the various services. In support of that he has brought forward the instance of one Dr. Shiv Lal. Sir, if I were to return dirt for dirt, I assure you I could produce thousands of cases of Muhammadans who have suffered like Dr. Shiv Lal. But I do not propose to do so. But I would be failing in my duty if I do not bring to the notice of this Council the working of the Medical Department which the honourable mover of the amendment has tried to attack. In answer to a question asked by Lala Panna Lal on the 9th January 1922 in this Council it was given out

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that the number of Sub-Assistant Surgeons recruited during the year 1921, that is to say, the first year of the Honourable the Education Minister, was as follows :—5 Mussalmans, 11 Hindus and 8 Sikhs. Does this justify the honourable mover condemning the Honourable Minister for his communal partiality? The Minister has done great injustice to his own community.

Going a little further on, in answer to a question asked by Raja Sahib on the 25th October 1922 it was given out that in the permanent cadre of Sub-Assistant Surgeons there were 20 Mussalmans and 65 Hindus. Is this injustice done to the Hindus? Is it not an injustice which the Minister has done to his own community?

Mr President: I think the honourable member is rather misrepresenting what the mover of the amendment has said. He said that the Hindu members of the service are losing their appointments. He did not refer to fresh appointments.

Malik Firoz Khan, Noon: I quite realise the point, Sir, and I am coming to that also. I wanted to justify the Honourable Minister by a reference to other facts also.

Mr. President: The member is entitled to meet the arguments of his opponent, but not to misrepresent him. That is quite unreasonable.

Malik Firoz Khan, Noon: Very well, Sir, I shall first dispose of the arguments brought forward by Raja Sahib. First of all he has stated that there are certain persons in the Medical Department who are being turned out because they are Hindus. The fact of the matter is this: There are in the Medical Department over and above the permanent cadre of medical officers in this province certain temporary officers also. Of these 14 are Muhammadans and 10 are Hindus. There is no need for such a large number of temporary officers at present. This is why some of them are being turned out and turned out justly. Moreover, considering the great difference between the number of Hindu and Muhammadan temporary officers, is it not fair on the part of the Education Minister to come forward and say "Give the Muhammadans one more appointment?" This, Sir, is about the Medical Department which the honourable mover of the amendment has chosen to attack. I may point out that the Minister has not done justice to his own community.

Next I pass on to the criticism about the college administration under the Minister. Raja Sahib disapproves of the policy of the Education Minister in having asked certain heads of Colleges to admit certain percentage of Muhammadan students. I may point out that if justice had been done to our community before, there would have been no necessity for the issue of such a circular. Because we did not receive fair treatment it was found absolutely necessary to have a circular of that sort issued. I will give you one instance, Sir, which will show that the Muhammadans are not treated fairly. The circular says that at least 40 per cent. of the students admitted to the Medical College should be Muhammadans. What was done in the examination by the examiners, majority of whom belong to the liberal community to which the Raja Sahib belongs? Most of the Muhammadan students who appeared for the F. Sc. examination were failed so that they may not have the opportunity to seek admission into the Medical College. Is that justice being done to us, Sir?.....

Mr. President : Are you attacking any individual examiner ?

Malik Firoz Khan, Noon : No, Sir, I am not attacking any individual examiner. Then there are some other instances which I may have given here in connection with the administration of the University. But I do not propose to give them here, because I do not think it is going to do anybody any good. Rather they will only widen the gulf between the Hindus and the Muhammadans. I am anxious that the differences between the two communities should be sunk and they should unite together for the general advancement of the whole country. But, Sir, an amendment of this nature will not do anything but widen such differences. The Honourable Minister has not done so much mischief in the matter of differences between the two communities as this amendment is likely to do.

Then, Sir, I shall come to the point relating to communal representation in municipalities. He has quoted the example of the Liberal Minister of the United Provinces who has given to the Mussalmans 30 per cent. representation. But what are these 30 Mussalmans going to do against the remaining 70 who will always be in the majority. We in this province form 56 per cent. of the population and yet we have got only 46 per cent. of the seats in this Council. Can the mover of the amendment give me a single instance in the whole of India where a majority of the population have been reduced into a minority in any institution ? I am sure he cannot.

It is asked where is the necessity for introducing communal representation in local boards and municipalities ? I think the honourable member knows as I do that in villages there is not this unfortunate disruption among the Hindus and Muhammadans which is to be found in towns. I know of many villagers and I can say from personal knowledge that there are many Muhammadans who are very dear friends of the Hindus and there are many Hindus who are the dearest friends of the Muhammadans. But a change is now coming in. Consequently on account of the articles in the Press, the good feeling existing between the two communities is ceasing to exist. In the municipalities whenever there is a voting it does not take place on considerations of the merits of the case but on communal considerations. If this is the case, is there no necessity for communal representation ? If there is no such representation it is likely that certain communities may not be represented at all in the municipal bodies.

Till a spirit of that nature is doomed and killed for ever in this country till that time, I submit, that communal representation is absolutely essential for our existence and we cannot do without it. If this general argument of efficiency and so on only means that a certain community is to be barred from all departments, then, Sir, he is certainly right, but if he wishes to be just to both communities, I submit he cannot get out of the necessity of communal representation.

If I were to give you one or two figures about the Education Minister's policy in the Education Department, you would see how fairly he is treating the community of the honourable mover of this amendment and how unfair he has been to his own community. To a question asked by the Raja Sahib himself on the 9th of March 1922, the answer given was that the Headmasters of Government High Schools on the 1st January 1922 were 24 Hindus and 9 Mussalmans. Can he then, Sir, come forward and say that

[M. Feroz Khan Noon].

justice is not being done in the Education Department? If any injustice is being done to any community, it is being done to the Musalman community.....

Mr. President : I do not think that point was ever made by the mover.

Malik Feroz Khan, Noon : I am only pointing out to him facts which he did not know or has intentionally forgotten. Then, Sir, in a question asked by the honourable mover, the Raja Sahib, on the 9th of March 1922, the answer was given that the representation of the communities in the Imperial Educational Service was this : Musalmans 3 per cent. and Hindus 14 per cent. Can it be said that he has been partial to his own community, a community which forms 56 per cent. of the population of this Province. Then, Sir, to another question asked by Raja Sahib on the 9th March 1922, the answer given was this that in the direct appointments made to the Provincial Service during the year 1921, that is to say, in the first year of the Reformed Council, 1 Mahamadan and 3 Hindus were appointed. Is that, Sir, partiality to the community of the Honourable Minister himself? Is he not favouring the community that is complaining and making this noise?

Then, Sir, to a question asked by Khan Muhammad Abdulla Khan on the 6th of March the answer was that the Headmasters belonging to the Provincial Educational Service in this Province were 7 and they were all Hindus. Can it be said that the Minister is doing even bare justice to his community? Let us go further. The highest Provincial Service grade in the Education Department is Rs. 200 to 250 and in that Service there are 5 Musalmans and 14 Hindus. Can it be said that the Minister is favouring his own community? Then, Sir, to go further. In the Matriculation and School Leaving Examinations, of the total number of examiners 23 were Musalmans and 49 Hindus. Where is the injustice to the Hindu community? Then, Sir, take the number of the District Inspectors. In the year 1920 there were 20 Musalmans and 33 Hindus. Sir, there are other figures that can be given, but I think those already quoted will be sufficient to dispel the notions that prevail amongst a certain community which wishes to hide the facts. I hope that after these figures have been given, the Punjab and the just world will understand that the Honourable Minister is not doing even bare justice to his own community. I do not think, Sir, that there is much for me to say except to again express my regret that an amendment of this nature should have been brought forward at a time when there is the greatest need for unity between the two communities in order to bring about the advancement of both the communities, but if this is the spirit to be shown to us by the other community, then I submit, Sir, that our country is doomed and doomed for ever.

Mr. President : I may inform the members that the House will adjourn as soon as the interpretation of the last speech is over. Having disposed of the two big departments—Forest and Irrigation—I do not think that there is any necessity for us to prolong the meeting. At the same time I may warn the members that if we do not get on very fast on the 15th we may have to sit until 7 O'clock.

The Council then adjourned until 2 O'clock on Thursday, the 15th March 1923.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Thursday, the 15th March 1923.

THE Council met at the Council Chamber at two of the Clock. Mr. President in the chair.

ANNOUNCEMENT FROM THE CHAIR.

PROCEDURE REGARDING LEAVE TO WITHDRAW A MOTION.

I wish to draw the attention of the honourable members to the notice* about the procedure regarding leave to withdraw a motion which has been placed in their seats to-day. I will await their opinions before announcing my decision.

QUESTIONS AND ANSWERS.

REDISTRIBUTION OF SEATS IN THE MUNICIPAL COMMITTEE, GUJRANWALA.

2389. Mr. Ganpat Rai: Will Government be pleased to state if their attention has been drawn to the resolution passed at the public meeting of Hindus of Gujranwala in connection with the redistribution of seats on the Municipal Committee of that place? If so, will Government be pleased to make a statement on the subject?

The Honourable Khan Bahadur Mian Fazl-i-Husain: Yes. The whole matter has been carefully considered and the proposal has been modified by reducing the number of Muslim representatives from 10 to 9.

* Procedure re leave to withdraw a motion.

On this matter I indicated recently the procedure which I propose to adopt.

My proposal was to disallow withdrawal if one dissentient voice were raised, but in exceptional cases to ask objecting members to stand in their places and to be guided by the result. If 20 or a less number, according to the strength of the House, rose in their places, leave to withdraw would be refused.

To save time I would ask honourable members to indicate their views briefly by placing their names or initials against the following alternative courses:—

- (1) Approval of the procedure proposed by the President.
- (2) That in every case of any dissentient voice being raised, the President should call on objecting members to rise in their places.
- (3) If course (2) is adopted—
 - (a) what number of members should be regarded as sufficient to indicate refusal of leave to withdraw;
 - (b) should this number vary in proportion to the strength of the House at the time?

If members will kindly hand these papers to the Secretary after filling in an indication of their views as above, the papers will be examined by me, and I will then take an early opportunity of announcing my decision.

Mr. Ganpat Rai: May I ask what is the number of all the members in the Municipal Committee?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret, Sir, that I do not recollect.

DESPATCH OF GOVERNMENT PAPERS.

2390. Mr. Ganpat Rai: (a) With reference to the answer to question No. 1947,* will Government be pleased to state whether the suggestion contained in that question is being followed in all offices and particularly the Punjab Secretariat?

(b) If not, will Government be pleased to instruct these offices to follow the suggestion?

The Honourable Sir John Maynard: The honourable member's suggestion was forwarded to all Commissioners, Deputy Commissioners and Heads of Departments for guidance. The suggestion is being followed in the Civil Secretariat.

VALUE OF WORKS ENTRUSTED TO THE SANITARY DIVISIONS.

2391. Diwan Bahadur Raja Narendra Nath: Will the Government be pleased to state the value of works entrusted for execution to each of the Sanitary Divisions during the current financial year and the amount actually spent till the 31st of January?

The Honourable Lala Harkishan Lal: The amount of the sanctioned estimates of works entrusted for execution to the Sanitary Divisions during the current financial year is Rs. 19,97,879.

This sum is made up as follows:—

	Rs.
1st Sanitary Provincial Division	5,59,170
2nd Sanitary Provincial Division	1,97,170
3rd Sanitary Provincial Division	12,41,029
Total	19,97,879

These sums do not represent the amounts, which were available for expenditure, as expenditure is carried on from year to year as local bodies find it convenient to contribute.

The amount actually spent during the current financial year till the 31st of January is Rs. 3,03,352.

This sum is made up as follows:—

	Rs.
1st Sanitary Provincial Division	71,921
2nd Sanitary Provincial Division	31,981
3rd Sanitary Provincial Division	1,99,450
Total	3,03,352

ANNUAL EXPENDITURE ON THE SANITARY WORKS AND THE ESTABLISHMENTS THEREFOR.

2392. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to lay on the table a statement showing the total annual expenditure on —

- (a) the sanitary works ;
- (b) the establishment, including the Sanitary Engineers, during the five years preceding the creation of three Executive Sanitary Divisions, and that incurred since their creation ?

The Honourable Lala Harkishan Lal : The Third Sanitary Provincial Division was constituted from 1st October 1921, and the First and Second Sanitary Provincial Divisions from 1st October 1922.

The total annual expenditure by the Public Works Department, Punjab, Buildings and Roads Branch, on Sanitary Works during the five years preceding the creation of the three Sanitary Provincial Divisions will be found in statements I and J of the Annual Administration Reports of that Branch for the respective years.

It is regretted that the annual expenditure on establishment incurred on Sanitary Works alone cannot be given as the Buildings and Roads Branch establishment employed on such works was employed on other works also.

Under instruction from the Sanitary Board the Sanitary Engineer maintains a *pro-forma* account showing the entire cost of his establishment and the value of the work done. This account was commenced on the 1st April 1922 and will appear in the Administration Report of the Buildings and Roads Branch for the year 1922-23.

HEADQUARTERS OF THE SANITARY DIVISIONS.

2393. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state the circumstances under which the headquarters of all the Sanitary Divisions have been fixed at Lahore, while in the case of two of them their work lies outside the Lahore circle ?

The Honourable Lala Harkishan Lal : The headquarters of the three Sanitary Provincial Divisions are at Lahore for the following reasons :—

- (a) Office accommodation is available there and is not available at Rawalpindi and Ambala.
- (b) Concentration saves correspondence, stationery and stamps, and enables the Sanitary Engineer to keep personal touch with all project work.
- (c) The First and Second Divisions share the services of a single clerical divisional staff, hence economy.
- (d) The Second and Third Divisions have work in Lahore itself.

- (e) Two divisions can be held by one Executive Sanitary Engineer during a short leave vacancy.

R. E. OFFICER IN CHARGE OF THE HYDRO-ELECTRIC SURVEY.

2394. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state —

- (a) the circumstances under which the R. E. officer in charge of the Hydro-Electric Survey, who held the rank of an Executive Engineer in the Public Works Department, was given a salary higher than that of a Superintending Engineer?
- (b) What would have been that officer's pay in the Military Works Department if he had continued to work there?
- (c) Could not his services have been obtained through the Government of India, like those of other officers (R. E.) in the Public Works Department?

The Honourable Lala Harkishan Lal :

- (a) The officer-in-charge of the preparation of the Hydro-Electric Schemes in the Province was on deputation to the Public Works Department from the Military Works Services from 1910 to 1914 when he was graded as an Executive Engineer. The officer is now again on deputation to the Public Works Department for a period of 2 years, terminating on 31st March 1924, and is graded as a Superintending Engineer on special pay in consideration of his special and very high technical qualifications, and it is considered the Province is fortunate in securing his services on the pay he draws.
- (b) It is regretted this question cannot be answered as it is not known to what appointment he would have been posted by the Military Works Services had he reverted to that Department on termination of his War services.
- (c) The officer's services were obtained through the Government of India, who concurred in the pay fixed as being suitable under the special circumstances. The officer is not on the regular cadre of the Public Works Department, but is on special deputation.

HYDRO-ELECTRIC SCHEMES.

2395. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state —

- (a) if any private concerns offered to carry out any of the Hydro Electric Schemes, and if so, with what result?
- (b) If owing to financial stringency the Government is unable to carry out any of the Schemes, whether there are any, and if so, what objections to allowing them to be executed by private enterprise?

The Honourable Lala Harkishan Lal :

- (a) Certain tentative offers have been made to Government by English financiers, that they be given concessions in connection with the Hydro-Electric Schemes now under investigation in the Province.
- (b) Government has under its most serious consideration the most advantageous method of financing Hydro-Electric Schemes, with a view to securing to the Province the greatest benefits financially. Investigations into the most suitable methods of finance are still in progress and it is not yet possible to say what method will finally commend itself to Government. Generally speaking, however, it is considered that provincial ownership of Hydro-Electric Schemes will prove more profitable to the Province and more expeditious as a whole than private enterprise.

PENSION DRAWN BY THE PROVINCIAL CIVIL PENSIONERS.

2396. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to state —

- (a) the total amount of pensions drawn in the last financial year by the Provincial Civil Pensioners in the Punjab, drawing annual pensions varying from Rs. 540 to Rs. 5,000 per annum as recorded in the tabular statistical records of the Accountant-General of the Punjab?
- (b) the number of such pensioners of the Provincial Civil Services entitled to pensions varying from Rs. 540 to Rs. 5,000 per annum, as were recommended by Heads of Departments during the past five years, for some additional pension for exceptionally meritorious service, but who were only allowed by the Local Government ordinary pensions and the amount of the ordinary pensions awarded to them during each of the past five years?

The Honourable Sir John Maynard : (a) It is not understood whether the expression Provincial Civil Pensioners includes Pensioners of other Provinces paid in the Punjab. Whether it does or not there are no statistics readily available in the office of the Accountant-General which will give the information.

(b) It is not understood what is meant by Provincial Civil Services, whether the expression is confined to Gazetted Services or includes non-Gazetted establishments. In neither case could the information be obtained without a lengthy and expensive process of examining each pension file for the last 5 years.

In the circumstances the Governor in Council does not think that the expense and labour involved in answering the question would be justified.

IRREGULAR ATTENDANCE OF MEMBERS OF THE LEGISLATIVE COUNCIL.

2397. Diwan Bahadur Raja Narendra Nath : Will the Government be pleased to consider the advisability of taking some action under rule 24 of the Electoral Rules of Punjab Legislative Council with regard to members who are grossly irregular in attendance?

Mr. A. Latifi : The matter is already under the consideration of Government.

TREATMENT OF POLITICAL PRISONERS.

2398. Diwan Bahadur Raja Narendra Nath : (a) Will the Government be pleased to lay on the table the latest orders or instructions issued by the Government of India on the subject of the treatment of political prisoners ? Do those instructions give full discretion to political prisoners to use their own dress, including head dress ? If so, is it true that objection has been taken by some Superintendents of Jails to the wearing of Gandhi caps by these prisoners ?

(b) Will Government be pleased to state fully the circumstances under which the political prisoners in Dera Ghazi Khan Jail were recently convicted for breaches of prison discipline ?

The Honourable Sir John Maynard : (a) A copy of the rules corrected up to date, framed by the Governor in Council under Section 60 of the Prisons Act, 1894, and which are based on the instructions of the Government of India in regard to prisoners of the special class, is laid on the table. The attention of the honourable member is invited to rule 5 of the rules. Till recently that rule prohibited black *pagri* as well as Gandhi caps.

(b) For refusing to wear clothes (as a protest against the removal of black *pagri* and Gandhi caps). Such refusal is a prison offence under Section 45 (i) of the Prisons Act.

Rules under Section 60 of the Prisons Act, 1894.

THE Governor in Council is pleased to issue the following rules for the constitution of a special class of prisoners in supersession of the rules circulated with Punjab Government endorsement No. 11956 (Home—Jails), dated the 6th April 1922 :—

1. Subject to confirmation by the Local Government, convicting Courts shall decide whether a convict shall be placed in the special class with reference to the status, character and education of the prisoner and the character of his offence :

Provided that the following prisoners shall be excluded from the special class :—

- (a) all prisoners, who, whatever their station in life or motives, were convicted of any offences which directly involved violence or an offence against property ;
- (b) persons who have incited others to crimes of this character ;
- (c) persons hired to commit offences in connection with political movements, or who have committed such offences in the hope that in the resulting disorder opportunities of looting might occur ;
- (d) persons who have been guilty of attempting directly or by general incitement to seduce soldiers or police from their allegiance ;
- (e) persons convicted of offences directly involving criminal intimidation, when violence has been used for the purpose of intimidating. The Local Government shall have discretion to direct that any particular prisoner convicted of criminal intimidation, not involving any threat of violence, be placed in the special class.

2. When a Court has decided that a convict shall be placed in the special class the Superintendent of the Jail should classify him accordingly in anticipation of the Local Government's order confirming the decision.

3. Prisoners of the special class shall be kept separate from ordinary prisoners, but, except as a jail punishment, their imprisonment shall in no case involve anything of the nature of separate confinement. Subject to this condition they may be accommodated either in cells or in an association ward with other prisoners of the same class.

4. They shall be given the diet prescribed for ordinary prisoners, but shall be allowed, at their own expense, additional food brought in from outside the jail subject to its approval by the medical officer. The food so imported should be of a simple character and the concession should not be made an excuse for the importation of luxuries.

5. They shall be permitted to wear their own clothing, but this concession does not cover the wearing of political symbols such as the Gandhi cap and black *paggri*.

6. They shall be permitted to write and receive one letter once a month, but on urgent occasions such as a death or serious illness in the prisoner's family the Superintendent shall have discretion to relax this rule. The subject-matter of all letters shall be limited to private affairs and there shall be no reference to jail administration and discipline in the letters, nor to other prisoners nor to politics.

7. They shall be permitted to receive a visit from friends and relations once a month, provided that not more than two persons may visit a prisoner at one time. The conversation at interviews shall be limited to private and domestic matters and the discussion of political questions shall not be allowed. Publication of the matters discussed in the interview may be treated as a sufficient ground for the withdrawal of the privilege if the Superintendent has reason to believe that such publication has in any way been due to any act or omission on the part of the prisoner.

8. They shall not be required to perform menial duties nor to pay for having such duties done for them. These duties will be discharged by jail servants who may not be used by the prisoners of the special class as their personal servants.

9. They shall be permitted to use their own cups and plates and bedding and, subject to the discretion of the Superintendent, their own cooking utensils.

10. To any special class prisoner who is sentenced to rigorous imprisonment or elects to labour the task allotted shall be such as is suitable to his station in life.

11. Special class prisoners shall be permitted to sleep in the open in summer and separate latrine accommodation shall be allotted to them of such a type as may ensure privacy.

12. Special class prisoners may be given a light in their cells or wards till 10 P.M. and may be allowed books from the jail library on such conditions as the Superintendent may deem necessary.

13. Special class prisoners shall not be handcuffed or fettered except by way of punishment or when if this were not done there would be danger of the prisoner's escape or of an attack being made on the jail staff.

14. Any act of misconduct on the part of a special class prisoner shall render him liable to the forfeiture of any particular concession allowed by these rules for such period as the Superintendent may deem proper. But the power to remove the prisoner from the special class shall be exercised only by the Local Government. Deprivation of concessions may be made in addition to any other punishment to which the prisoner may be liable under the Jail Code.

15. The Superintendent shall cause an abstract of the rules relating to discipline and conduct, rewards and punishments affecting prisoners to be placed in each cell or ward.

Home.

Jails.

No. 27869-Jails, dated Lahore, the 11th November 1922.

Order of the Governor in Council.

ORDERED that a copy of the above rules be forwarded to all Commissioners of Divisions and Deputy Commissioners in the Punjab, the Inspector General of Prisons, Punjab (*to Deputy Commissioners only*), with the request that non-official visitors of all jails (including Sub and Camp jails) may each be supplied with a copy.

The Honourable Judges of the High Court are being asked to issue necessary instructions to all convicting Courts in the Punjab in regard to rule 1 of the rules.

By order, etc.,

J. WILSON-JOHNSTON,

Home Secretary to Government, Punjab.

CORRIGENDUM.

No. 6882, dated 27th February 1923.

Rules under section 60 of the Prisons Act, 1894.

In rule 5 of the rules promulgated with Punjab Government endorsement No. 27869-Jails, dated the 11th November 1922, the words "and black paggie" should be deleted.

No. 6883, dated 27th February 1923.

Order of the Governor in Council.

ORDERED that a copy be forwarded to all Commissioners of Divisions and Deputy Commissioners in the Punjab and the Inspector-General of Prisons, Punjab, for information, in continuation of Punjab Government

endorsement No. 3806 (Home—Jails), dated the 2nd February 1923 (*to Deputy Commissioners only*) with the request that the non-official visitors of all jails (including Sub and Camp Jails) may each be supplied with a copy.

By order, etc.,

D. J. BOYD,

Home Secretary to Government, Punjab.

RULES UNDER SECTION 60 OF THE PRISONS ACT, 1894.

THE following should be added as rule 14 (a) to the rules under section 60 of the Prisons Act, 1894, promulgated with Punjab Government endorsement No. 27869-Jails, dated 11th November 1922 :—

Rule 14 (a).—The Local Government may at any time cancel the classification of a prisoner of the special class on receipt of a request from him in writing to the effect that he wishes to forego the privileges of a special class prisoner.

Home.

Jails.

No. 3806 (Home—Jails), dated 2nd February 1923.

ORDERED that a copy of the above be forwarded to all Commissioners and Deputy Commissioners in the Punjab and the Inspector-General of Prisons, Punjab, for information, in continuation of Punjab Government endorsement No. 27869-Jails, dated 11th November 1922 (*to Deputy Commissioners only*) with the request that non-official visitors of all jails (including Sub and Camp Jails) may each be supplied with a copy.

By order, etc.,

D. J. BOYD,

Home Secretary to Government, Punjab.

WORKING OF THE MUNICIPAL COMMITTEE OF MIANI.

2399. Diwan Bahadur Raja Narendra Nath : With reference to the remarks made by the Government on the working of the Municipal Committee of Miani in course of their review of the annual report on municipalities for the year 1921-22, will Government be pleased to state what steps they propose to take in order to remedy the existing state of things ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : A copy of Punjab Government letter No. 32997, dated the 30th December 1922, conveying the orders of Government in the Miani case is laid on the table for the information of the honourable member.

No. 32997-L.S.G.-C., dated 30th December 1922.

From—The Secretary to Government, Punjab, Transferred Departments,

To—The Commissioner, Rawalpindi Division.

THE Audit and Inspection Note of the Examiner, Local Fund Accounts, on the accounts of the Municipal Committee, Miani, for the period March 1921 to February 1922 has disclosed a most reprehensible state of affairs, for which the Committee itself must be held seriously to blame. Various misappropriations were brought to light, and the most serious malpractices were, first, the failure to maintain a demand and collection register; secondly, the highly irregular practice of retaining cash receipts in the hands of a municipal tahsildar, who disbursed money himself, and did not bank the accounts with the Sub-treasury, and, lastly, the omission to close the general cash book or to balance it monthly with the treasury pass-book.

2. A special report should be made to Government by a responsible officer at the close of six months in order that it may be clearly ascertained that these practices have been discontinued. In the meantime I am to communicate the orders of the Punjab Government (Ministry of Education) that you will convey to the Committee the censure of Government, and will further warn the members that drastic steps will be taken unless improvements are shewn in the administration of the coming year. The attention of members should be particularly directed to section 50 of the Punjab Municipal Act.

GOVERNMENT WORK DONE IN GOVERNMENT AND PRIVATE PRINTING PRESSES.

2400. Khan Muhammad Saif ullah Khan : (a) Will the Government please lay on the table a statement showing the quantity of Government work done by Government and private presses during the last two years (1921 and 1922) and the cost thereof ?

(b) What is the total cost of upkeep per annum of Government Printing Presses ?

(c) Will the Government be pleased to consider the advisability of placing the Government Printing Work with private firms on a larger scale ?

The Honourable Sir John Maynard: The expenditure involved in the preparation of the information desired would be out of proportion to the value of the results obtained, but the following figures of cost are given :—

	1920-21.	1922-23.
	Rs.	Rs.
Cost of Punjab Government Presses (exclusive of cost of paper used).	3,65,305	4,04,845
Cost of Typographic and Lithographic Printing Work done at Private Presses.	33,846	98,958

(b) The reply is given in the reply to the previous part of the question.

(c) Government does not consider that it would be advisable to place Government Printing Work with private firms on a larger scale, and is confirmed in this opinion by the report of the Retrenchment Committee which was agreed that the maintenance of a Government Press was essential.

FINANCIAL SUPPORT TO ORPHANAGES IN THE PUNJAB.

2401. Khan Muhammad Saifullah Khan: (a) Do the Government give financial support to any of the orphanages in the Province?

(b) If so, how much per annum?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

REGISTRATION OF MEDICAL PRACTITIONERS.

2402. Khan Muhammad Saifullah Khan: (a) Do the existing rules necessitate the registration of medical practitioners' names before starting practice?

(b) If so, what steps has the Government taken up till now to checkmate the activities of undesirable and unqualified men in the medical field?

The Honourable Khan Bahadur Mian Fazl-i-Husain:

(a) No.

(b) Does not arise.

LOCAL ALLOWANCE TO NAIB SHARAFS AND NAZIRS.

2403. Khan Muhammad Saifullah Khan: (a) Has the Government of its own accord or on the recommendation of District authorities disallowed to *Naib Sharafs* and *Nazirs* the local allowance recently granted in the districts of Lahore, Amritsar, Rawalpindi and Sargodha?

(b) Is it a fact that the above-named officials have no outside duties to perform, and have to attend office regularly like other officials?

(c) If so, will the Government please re-consider its decision in the matter of the allowance?

Mr. H. D. Craik: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PASSPORTS TO MUSLIMS GOING ON HAJ.

2404. Khan Muhammad Saifullah Khan: (a) Is it a fact that *Muslims* going on *Haj* are required by rules to get passports before embarkation?

(b) If so, will the Local Government please recommend to the Central Government to remove this restriction; or

(c) to issue instructions, every year, enabling the intending pilgrims to get their passports in their respective districts before leaving their homes instead of getting them at a port?

Mr. D. J. Boyd: (a) No.

(b) & (c) Do not arise.

DISTRICT JUDGE'S CLERK OF COURT AND THE SUPERINTENDENT OF
DEPUTY COMMISSIONER'S OFFICE.

2405. Khan Muhammad Saifullah Khan: (a) Is it a fact that before the new clerical scheme the District Judge's Clerk of Court and the Superintendent of Deputy Commissioner's Office were considered to have had equal *locus standi*, and that both could rise to Munsifship or Extra Assistant Commissionership?

(b) If so, on what grounds the District Judges' Clerks of Court are now deprived of these concessions?

Mr. H. D. Craik: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LOCAL ALLOWANCE TO ASSISTANT SURGEONS.

2406. Khan Muhammad Saifullah Khan: (a) Will Government please give the list of places where an Assistant Surgeon gets a local allowance?

(b) What is the maximum of such allowance?

(c) Will the Government be pleased to increase it in case of *Isa Khel*?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SCHOLARSHIPS IN THE LAHORE MEDICAL COLLEGE.

2407. Khan Muhammad Saifullah Khan: (a) What is the total number of scholarships available for award in the Lahore Medical College?

(b) What are the conditions governing their award?

(c) Will the Government please reserve some scholarships for deserving Muhammadans?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

EXTENSION OF THE BAR ROOM, FEROZEPUR.

2408. Pandit Daulat Ram, Kalia: (a) Is it a fact that the members of the Ferozepur Bar number 74 and the Bar room is too small for them?

(b) If so, will Government be pleased to expedite the extension of the Bar room ?

Mr. D. J. Boyd : (a) The members of the Ferozepore Bar number 73 and it is understood that the Bar room is too small for them.

(b) In view of the financial position Government is unable to undertake the extension of the Bar room at present.

INCREASE OF ELECTED SEATS IN MUNICIPAL COMMITTEES AND DISTRICT BOARDS.

2409. Diwan Bahadur Raja Narendra Nath : Will the Honourable Minister for Education lay on the table of the House—

(1) orders, if any, issued by him on the subject of—

(a) increase of elected seats in municipal committees and district boards, and

(b) the introduction of communal representation in local bodies which did not enjoy this privilege before, and

(2) a statement giving the following information about local bodies (municipal committees and district boards) :—

(a) whether the right of communal representation has been so far enjoyed before by the local body concerned ;

(b) whether this privilege is now proposed to be given to it ;

(c) the population of each community in the local area, and the number of voters of each community ;

(d) the number of elected seats assigned or proposed to be assigned to each community in area in which communal representation has existed or is to be introduced ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ILL-TREATMENT OF AKALI PRISONERS.

2410. Sardar Sangat Singh : Has the attention of the Government been drawn to the *Communiqué* issued by the Shiromani Gurdwara Parbandhak Committee in regard to the ill treatment of the *Akali* prisoners in the Punjab jails in general and the Dera Ghazi Khan Jail in particular ?

The Honourable Sir John Maynard : The attention of Government has been drawn to certain charges of ill-treatment in jails published by the Shiromani Gurdwara Parbandhak Committee and these have been investigated.

REMOVAL OF BLACK TURBANS AND GANDHI CAPS OF CERTAIN POLITICAL PRISONERS.

2411. Sardar Sangat Singh : Will Government kindly state—

(a) under what orders the black turbans of Sardar Kharak Singh and other *Akali* prisoners, and *Gandhi* caps of the political prisoners were forcibly removed by the Jail authorities ;

(b) under what sections Sardar Kharak Singh and Sardar Jaswant Singh Jhabal have been given 9 months' further imprisonment?

The Honourable Sir John Maynard : (a) Under rule 5 of the rules framed by the Governor in Council under section 60 of the Prisons Act, 1894.

(b) Section 52 of the Prisons Act, 1894.

PROMOTIONS IN THE POLICE DEPARTMENT.

2412. Mian Ahmad Yar Khan, Daultana : (a) Is it a fact that the promotions which appeared on pages 131 and 132 (Part I) of the *Punjab Gazette*, dated 9th February 1923, were not made according to the seniority of the officials?

(b) Is it also a fact that these promotions were not made on communal basis?

(c) Will the Government be pleased to state the principles on which these promotions were made and certain officials were superseded by their juniors?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

CHARGES AGAINST CERTAIN POLICE OFFICERS.

2413. Mian Ahmad Yar Khan, Daultana : (a) Is it a fact that efforts are being made by certain classes of people to bring discredit on those Police officers who have the courage to discharge their duties honestly?

(b) Will the Government be pleased to direct the Inspector-General to scrutinize the charges made against them most carefully and place the result of his enquiries before the Police Advisory Committee or any other official Committee, for such action as they may advise?

The Honourable Sir John Maynard : If the honourable member will state definitely the charges to which he refers an answer will be given.

TOURING OF THE DEPUTY COMMISSIONERS AND REVENUE OFFICERS.

2414. Mian Ahmad Yar Khan, Daultana : Will Government be pleased not to discourage the touring of the Deputy Commissioners and Revenue Officers of those districts in which the system of fluctuating revenue is in force?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Yes. Provided funds are voted.

NEW POSTS IN THE PUBLIC HEALTH DEPARTMENT.

2415. Rai Bahadur Lala Sewak Ram : (a) Will Government be pleased to state (a) if the Director of Public Health is going to engage new medical men with D. P. H. qualifications?

(b) If so, will this change involve the dismissal of 22 Assistant Surgeons already serving in the Health Department;

(c) out of these Assistant Surgeons how many are Hindus, Sikhs and Muhammadans;

(c) what are the reasons for Government taking this step;

(d) what additional expenditure would it involve on Government?

(iii) If the reply to (i) (a) is in the affirmative, will Government depute those already in service to get D. P. H. qualification at Calcutta instead of engaging new hands and depriving those in service of their livelihood?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (i) (a) The Director is going to engage men with D. P. H. qualifications. Nearly all of them served in the Public Health Department and left it to obtain a D. P. H. qualification.

(ii) (a) 14 Assistant Surgeons lent by the Medical Department are employed. They will revert to the Medical Department.

(b) 4 Hindus, 9 Sikhs and 1 Muslim.

(c) Increasing efficiency and reducing expenditure.

(d) Considerable saving will be effected.

(iii) A sufficient number of men have qualified and are qualifying for the D. P. H.

POLICE STATION AT SANAWAN.

2416. **Rai Bahadur Lala Sewak Ram :** Is it a fact that the Police Station at Sanawan, District Muzaffargarh, has altogether been removed? If so, will Government be pleased to re-establish a Police Station there or, failing this, create a Police chanki at the said place?

The Honourable Sir John Maynard : The Police Station at Sanawan was moved to Kot Adu on sanitary grounds because of its low-lying situation and the danger of malaria. The Thatta Gurmani Zail, which was distant from Kot Adu, has been transferred to Police Station Mahmud Kot. Government does not propose to re-establish a Police Station at Sanawan, nor is a Police Post considered necessary at that place.

MEMBERS OF THE LYALLPUR MUNICIPALITY.

2417. **Rai Bahadur Lala Sewak Ram :** Will Government be pleased to state—

(a) the present number of elected and nominated members of the Lyallpur Municipality;

(b) how many elected and nominated members does Government now propose to add?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) Elected 4 and nominated 7.

(b) The proposal under consideration raises the number of the elected from 4 to 12 and reduces the number of nominated from 7 to 3.

FILLING UP THE VACANCY CAUSED BY THE RESIGNATION OF
MR. ABD-UR-RAHMAN IN LYALLPUR MUNICIPAL COMMITTEE.

2418. Rai Bahadur Lala Sewak Ram: Will Government be pleased to state—

(a) since how long the vacancy caused by the resignation of Mr. Abd-ur-Rahman has not been filled up by the Lyallpur Municipal Committee;

(b) what are the reasons for this delay?

The Honourable Khan Bahadur Mian Fazl-i-Husain: Mr. Abdur-Rahman did not resign his seat on the Lyallpur Municipal Committee.

Rai Bahadur Lala Sewak Ram: Was he removed from the membership of the Municipality?

The Honourable Khan Bahadur Mian Fazl-i-Husain: I ought to get notice of this question. I cannot recollect all these details.

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION GRANT.

Mr. President: Before we continue, I think it would help me if those members who wish to speak on this amendment will kindly rise in their places.

The Honourable Sir John Maynard (Finance Member): Sir, it would be quite out of place for me to defend the Honourable the Minister for Education. That is not the object with which I speak. I only want to make it clear what is his position and that of others occupying the official benches in this matter. In the first instance, I should like to be quite frank to this House about this matter of communal representation. I do not like communal representation. I do not like it in the matter of appointments, and I do not like it in the matter of local bodies. But I am a practical administrator of something over 35 years' standing; and I have often found myself compelled, in spite of a strong theoretical dislike for communal representation, to resort to it. I have found myself compelled to apply it to the different communities both in the matter of appointments and in the matters of representation on municipal committees. In the matter of appointments I found myself compelled to see that everybody was fairly considered; that is to say, that qualified persons of whatever community were not actually overlooked. That has been a thing which I have constantly taken or advised special measures to provide for; and I have found myself compelled to see that no service is overweighted by members of one particular community. In other words, I have in my practical experience been forced to do what the Legislative Assembly recently said ought to be done. I found that with all the best intentions in the world, there were people who were overlooked; they might be overlooked because they did not happen to belong to a particular set of men who have influence; and of course there were extreme cases when they were overlooked because some one wished to put in a friend of his own or a member of his own community. That is in the matter of making appointments.

Then in the matter of local bodies—representation on local bodies—I have always set myself against the introduction of the system as binding to perpetuate class differentiation; and yet I am bound to admit that there have been cases in which, notwithstanding a strong theoretical objection to the introduction of the principle, I have been obliged to recommend or give effect to some plan which virtually involved the special representation of a certain community. This is the sort of thing that has happened to me and I think it has happened to other practical administrators and has happened to Government itself. We do not like it, we always try to avoid it, but somehow as practical men we find ourselves constantly pushed into it. That is the attitude of myself, and I believe the attitude of most of practical administrators and I believe it would be the attitude of both the pre-Reform and the post-Reform Government—and I believe it to be the inevitable attitude of any body of men who are compelled to deal with the question in a practical spirit.

Now when special arrangements have to be made of the kind which I have indicated, whether it has been in the matter of the making of appointments or in the matter of arrangement for representation on local bodies, there is an inevitable necessity of some sort of arithmetical standard in order to give effect to the policy, and that is how it happens that we cannot merely say that we will not overlook qualified persons of one particular community, but that such and such will be the proper arithmetical proportion. Now I want particularly to draw the attention of this House to the fact that up to this point we are all on common ground. We did not like it, we tried to avoid it, but in particular cases we were forced to apply it. That was the position of Government before the Reforms; and I think I can say, without committing my friend the Honourable the Minister for Education, that that is his position. Moreover I find that this is the actual position of my friend the mover of this amendment. He made it quite plain that in the matter of new admissions to services this sort of consideration to the special claims of particular communities was inevitable in the present state of the province. I find on looking into the speech that he seems to hold precisely the same opinion in regard to communal representation in local bodies. For in the first portion of his speech he takes my honourable friend the Minister for Education to task because the minorities had not been specially provided for in the Panchayat Act. If I understand that correctly that means very much the same as communal representation. Then, the pre-Reform Government, the post-Reform Government and the honourable mover of the amendment all seem to be virtually on the same ground on this point. It is not a case in which the defenders of communal representation stand on one side and its opponents on the other. We are all on one ground when we recognise, whether we like communal representation or not, that there are particular cases to be considered and in particular cases the application of that principle is for reasons of practical policy necessary.

The points on which the mover of the amendment has criticised the Minister for Education virtually come to two. It is pointed out that special arrangements have been made in regard to the entrance to certain educational institutions. That is not a matter into which I propose to enter in any detail. I must say, however, from my own point of view and from the point of view of others who have approached the subject from the same practical standpoint as I have done, that when you recognise that particular arrange-

[Hon'ble Sir John Maynard.]

ments are necessary in regard to certain appointments you must deal in a somewhat similar fashion with those educational institutions which are the gate of entrance to those appointments.

Diwan Bahadur Raja Narendra Nath : Not necessarily.

The Honourable Sir John Maynard (continued) : My friend thinks it unnecessary. I put my view before the House and it is for the House to consider whether it is reasonable or not.

Then, I understand the honourable mover took exception to the application of communal considerations not to new appointments but to certain higher appointments. As to that he quoted a particular instance. I am not qualified to deal with that particular instance and I have no doubt that my friend the Honourable the Minister for Education will be able to deal with it. The only point which I think I must put before the House is this that just as we find that there are certain practical considerations which refuse the recognition of the claims of particular communities in the matter of first appointments so sometimes we find inevitably that there are some similar considerations in dealing with promotion to certain higher posts. Now, Sir, when we find that there is no difference of principle between myself and the honourable mover it is natural to ask "what is the nature of the step which he now proposes to take? What would be the effect of the step? Is it reasonable that this step should be taken when there is no difference of principle?" Everybody realises, no doubt, the real character of this amendment. According to constitutional practice if it is carried it would mean that the province would normally lose the services of a Minister who has done remarkable service for the cause of education. (Hear, hear.) So far as I myself and so far as those occupying official benches who think like me are concerned it would not be reasonable to vote in favour of such a proposal having such effects as this on such grounds as those which are put forward by the mover. Our position then is this that we should resist the passing of such a vote which would deprive us of the services of one who has done so much for the Province. But on this account we do not associate ourselves with all that has fallen from the lips of those who have spoken before us in defence of the Minister. In particular I must dissociate myself very definitely from the suggestion which has been made that examiners in the University had deliberately treated one community in a manner different from that in which they had treated another. That is a suggestion which I can only call extremely unfortunate.

It only remains now, Sir, to appeal to the speakers who will come after me to avoid everything which would embitter communal feelings. Exhibition of strong communal feelings merely gives the opponents of Reforms a pretext to say "How can these people manage their own affairs when they cannot agree amongst themselves? How can there be self-determination when there are two selves and these two selves are hostile to each other?" (Hear, hear.) That, Sir, will be a pretext which will be used by those who desire to prove that this Province is not fitted for liberal institutions. (Cheers.)

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) (Rural)] : Sir, we are very grateful to the Honourable Sir John Maynard for the conciliatory speech he has made before the House and we are going to act up to the advice that no such utterance will come from our side which will cause any annoyance to the Honourable the Minister for Education or my Muslim

brethren. First of all I beg to congratulate and compliment my respected friend the Raja Sahib whom we look upon as a leader of the Hindus of the Punjab that he has by foresight, sagacity and wisdom put the case of the Hindus before this Council for its decision. In his speech he used most dignified words and not a word did he use which could have given any annoyance or any cause for offence to anyone. Sir, the points that he put before the House have not been answered by the two learned speakers who have preceded me, but I dare say they will be replied to by the Honourable Minister in charge. I am rather sorry to say that Sir John's speech did not come in the beginning, for if it had, such a volume of threats would not have come even from those two friends of mine, but I assure you, Sir, that we will refrain from using such language. Sir, there is a proverb in the Punjab which runs thus: "Ke maren bhiaur rone bhi na dewen," i.e., "beating be done and crying be not allowed." So I hope that we will be permitted to show forth our feelings before this learned assembly. Sir, with the advent of Reforms we are perfectly justified in fighting for our cause and representing our grievances. Just as a brother who has a quarrel with another brother, puts forward his case before the parents and there gets the matter decided, so we did by making a representation last year. To that representation, Sir, we got a reply that the matter may be left to the Council. It is for this reason, Sir, that we have brought forward this amendment and put our case for the decision of the Council. Sir, I cannot understand for one moment why any of my learned friends should have lost their temper at all on whatever mild words that have fallen from the lips of my learned friend on the left, the mover of the amendment. So great was the anger of my learned friends that this motion was called a base motion and such was the anger of another friend of mine that he distinctly said that he had lost all the respect he previously had for the gentleman who moved the amendment. I submit, Sir, that those were most improper words to have fallen from any one's lips. Whatever differences of opinion I may have from the learned Minister, I have a great esteem and great regard for his ability and I shall be the last person ever to say a word that will not be up to the high position which he holds. I thank him personally for his policy because his policy has taught us Hindus to be strong in our religion, to become staunch Hindus and to work for our cause with the same strength and energy for our co-religionists as he has been doing for his own. Regarded from this point of view I look upon him as my political guru. We are all the more grateful to him for this because he has rather consolidated a somewhat disunited community of ours. But at the same time I must say that he has trampled under foot the cause of Hindu-Muslim unity, and for that he himself will be responsible to the assembly of which once he was a very honoured member. For that he will be responsible to those people among whom he sat at the time of the signing of the Lucknow Compact. I will speak no further on these points.

Sir, the chief complaint is that sitting on the high pedestal, in his high seat of judgment, he has been partial. Our complaint is that he has done a great deal of injustice to the Hindus. We have no complaints against other members of the Government at all. Not even against my honourable friend the Minister of Agriculture except that he is also responsible, being a colleague of the Honourable Minister for Education, for his policy because the Ministers are supposed, according to the Joint Committee's report, to follow the same policy. Although he has himself said in many of his speeches that he is opposed to the policy of communal representation, yet

[R. B. Lala Sewak Ram.]

he has not moved an inch to put any pressure on his colleague that he should not follow the policy of communal representation. It is all very well to say and

Pir Akbar Ali : Sir, I rise to a point of order. The honourable member has brought in the Honourable Minister for Agriculture's name. Will it be all right for us also to refer to him in our speeches? I think he should avoid that.

Mr. President : The honourable member should not mention the Honourable the Minister for Agriculture.

Rai Bahadur Lala Sewak Ram (continued) : Then, sir, my friend Malik Sahib has said that so many appointments have been given to Hindus and only so few to Muhammadans. To that my reply is that all Muhammadans with medical or educational qualifications have been provided for. The Honourable Minister cannot confer such appointments upon those who have not the necessary qualifications unless an arrangement is made by which examiners are made to pass students belonging to certain communities up to a certain percentage. The point raised by Malik Sahib as regards the F. Sc. results has already been replied to by Sir John Maynard. I do not wish to repeat it except that he ought to know that only roll numbers are sent and not the names.

Mr. President : You must not refer to the examiners. I ought to have stopped Malik Firoz Khan yesterday but I did not realise in time what he was driving at. I would rule out of order any reference to the examiners.

Rai Bahadur Lala Sewak Ram (continued) : The next complaint is this that there are certain officers of the department, both Education and Medical, in which unjust supersessions have taken place. This is our chief cause for complaint. As regards new appointments, I will leave that point for the present. As regards supersessions, I know the names of several Muhammadans who have superseded Hindus, but I do not wish to mention names. Such supersessions, Sir, are the cause of great heart-burning among the people. When making new appointments, I may not care for a moment whether A gets it or B. But when it is the case of an officer who has served Government for some years, and he is superseded, it gives him the greatest possible pain, and causes great heart-burning. In services, I think, ability and intellect should be the only passports and there should be no other thing except fair field and no favour. I lay stress, Sir, on the question of supersessions. Now, leaving this question, I come to the municipalities and the district boards in which the clever hand of the Mian Sahib has worked such wonders that it is very difficult for a poor layman to realize or grasp exactly the extent of the wrong done.

Mr. President : The honourable member is practically reading his speech.

Rai Bahadur Lala Sewak Ram : No, Sir, I have got only notes.

Mr. President : You seem to be repeatedly reading out from them.

Rai Bahadur Lala Sewak Ram (continued): As regards the Municipalities, a certain respected gentleman from outside has written long articles in the *Tribune* of which every one knows, and these articles are I suppose based on Government orders and circulars. Probably, Sir, there are 101 municipalities, out of which there are 86 municipalities which have got the right of election. Out of these 86, 43 municipalities have got separate communal representation and the other 43 have also electorates and wards arranged in such a way that the Hindus there get the least number of seats. Under these circumstances, I beg to submit that there is no justice absolutely done in the electorates of these municipalities. The same is the case in the matter of rules of elections in the district boards wherein I find that there are great many complaints, especially from the districts in Multan Division from which I come, about very few seats being allotted to the Hindus. This is our complaint about the municipalities and district boards. In the municipalities and district boards every arrangement that is arrived at is such that we the Hindus suffer. If we had not suffered by these arrangements, the Raja Sahib would not have come forward with this unpleasant task before the Council, a task which pains us more than anybody else. We have real grievances which we have come forward to put forth.

Then, Sir, it has been said that there are more Hindus in the Educational and Medical Departments. If there are more Hindus in these departments, surely there are very many more Muhammadans in the Army and the Police. Some have the long arm to fight, others have the keen intellect to guide. One is the fighter, the other is the writer. Their number is preponderating in the Army and Police.

Pir Akbar Ali: We would like to have an exchange.

Rai Bahadur Lala Sewak Ram (continued): Sir, the circulars and orders that have been issued by the Honourable Minister from time to time will have no effect and will not disappoint us much because we Hindus rely on our own ability and intellect which I hope will help us in the long run.

I want to say one thing more. There has been an unpleasant mention of Aurangzeb and Sivaji. But I must tell the members that these are not the days of fighting with arms. These are the days of intellectual struggle and whoever is the most intellectual will win.

Pir Akbar Ali (Ferozepore (Muhammadan), Rural): Sir, I rise to oppose the unfortunate motion of Raja Sahib which aims at taking away the popularity of a person who before he assumed the rôle of Ministership was looked upon as a towering personality by one and all. Was Raja Sahib serious when he brought forward such a motion? I, Sir, entertain serious doubts in this respect. He is a man who in the light of his past experience would not have come forward with such a startling motion. I will recall to his mind, Sir, the unpleasant epithet of a "coward" bestowed upon him by his own community.

Mr. President: Did you call him a coward?

Pir Akbar Ali (continued): No, Sir, I do not call him by this name. The Hindus, his own brothers, called him by that name. But, Sir, the facts are what all know and what the Mussalmans have so often referred to by calling him a bigoted Hindu.

Mr. President : I cannot have personal remarks. It is quite improper to make personal charges of this kind.

Pir Akbar Ali (continued) : Sir, I say that a man of his wide experience should have been the last man to take this bold step on these distorted and unauthenticated reports as to the partiality of the Honourable Minister. In the case of Mian Sahib, Sir, this opposition began with these who failed to come in this Council last time and who, therefore, now try to come next time by fostering this agitation. I am sure that the opposition in the present case has been started by a certain undesirable person whose interests are at stake in the matter of election to the Council. But it is surprising, Sir, however, that a man of Raja Sahib's calibre should have stooped himself to be made the mouthpiece of such wicked persons on information received from what the citizens of Lahore call the Mochi Gate Gazette.

To come now, Sir, to the five grounds on which the Raja Sahib has based his criticism. Sir, he first of all he attacks the Panchayat Act on two grounds. The first ground is that the *panchayats* have been given extraordinary powers without any provision for supervision. To this, Sir, I will not say anything else than that there are persons who seriously think that the powers are less than what they should have been. I may add that the Panchayat Act supplies a long-felt want. The other point of the honourable mover is that the interests of the minorities have not been safeguarded. This point has already been replied to by Malik Firoz Khan, Noon. I will only point out that safeguarding the interests of minorities would mean undiluted communal representation.

Mr. President : I would suggest to the honourable member to speak in Urdu to save the time of the House.

Pir Akbar Ali (continued in Urdu) : Sir, the second objection of my honourable friend Raja Narendra Nath relates to appointments in Government service, admission of students to the Government College and Medical institutions and the representation on the municipal committees and district boards. Now, Sir, if an impartial observer were to look at the a tual state of affairs, he will realize that so far as Services are concerned, a single community practically enjoys the right of monopoly. If an outsider tries through the help of the Government to step in, his action is resented by those who have up till now everything to themselves. I have been pained to hear the remark of my honourable friend, the Raja Sahib, that even some permanent members of the Services have been pushed behind simply to make room for Muhammadan incomers. I challenge my honourable friend to quote even a single instance in support of his contention.

Diwan Bahadur Raja Narendra Nath : I never said so.

Pir Akbar Ali (continued). I submit, Sir, with all the emphasis at my command that the statement is absolutely unfounded. So far, Sir, as the admission of the students into Government institutions is concerned I only wish to remind the House that when the whole Province pays for the upkeep of those institutions, there is no reason why their doors should not be open for the students of all communities living in the Province. If merit were to be made the only standard for purposes of admission, I have every hope that Muhammadans will not lag behind. The record of the last admissions into the Government and Medical Colleges amply justify this hope. But the Government is bound to protect the interests of all communities. It is its duty to see that owing to backwardness in education, the interests of some community do not

suffer. Sir, I readily admit that the Hindus are ahead of the Muhammadans and Sikhs in matters of education. Therefore I submit that they should help other communities to come up and play their part in the cause of the advancement of India. But here we regret to see quite a different policy pursued by the members of the sister community. They are obstructing, instead of helping, the other communities to have their rightful share in the field. This I solemnly warn them against. Let them remember that the cause of the mother country which all of us have at heart cannot be advanced without the mutual co-operation of all the communities. Sir, I am sorry I cannot agree with the Honourable the Finance Member when he says that communal principle is not a sound and good principle. I submit, Sir, that it exists and is adopted everywhere. It is no exception to this country. The only difference which I notice is that in other countries it assumes a political shape, while in ours, it does not.

Sir, my honourable friend Lala Sewak Ram has remarked in his speech that if his community predominates in the administrative services, the police and military services are full of Muhammadans. If this is true, Sir, I ask him if he is prepared to make an exchange in that respect. We at least are quite prepared for it.

Sir, we have very grave doubts as to what will be our position at the time of the grant of self-Government. It is a pity that the attitude of the sister community has always confirmed our suspicions in that respect. We think that at the time we will not be allowed to participate in the government of the country at all. We will be asked to content ourselves with the position of mere subjects. Then I ask, Sir, when the doors of the police and military services are open to the Hindus, why do they not come in? There is no bar against them. They shirk it themselves, because they have not the courage to come forward.

Mr. President : The honourable member is making undesirable charges against the whole community.

Pir Akbar Ali (continued) Sir, I honestly submit that I do not wish to lay any charge of that sort against any community. I know that Rajputs and Dogras are Hindus and we all as Indians are proud of their bravery and martial spirit. I said all this with a view to answer the charge against my community having monopolised these services for themselves. I withdraw my words, Sir, if they have given offence to anybody.

Mr. President : I am glad the honourable member has withdrawn his insinuations. But he must choose his words more carefully when making this speech.

Pir Akbar Ali (continued). Then, Sir, I now pass on to the allegation that the Honourable the Minister of Education has advanced the interests of his own community at the expense of the Hindus. This is quite wrong. We Muhammadans, Sir, accuse him of not doing as much for us as we are entitled to. Up to this day the condition of my community is certainly not better than it was in 1921. I am very sorry to remark that the Government pays more heed to the interests of those who agitate and clamour than for the rights of those who keep quiet and leave everything to Government. Similar is the case with the Honourable the Minister for Education. He has been given, in a way, the credit for what he has not done. I honestly say, Sir, that at the most all that has happened is that the Muhammadan interests

[Pir Akbar Ali.]

have not been trampled under foot during the term of his office. If this is the right position, and I submit that it is, is it proper for the sister community to grudge the Muhammadans even this much. We put up with that tyranny for centuries together. Sir, my honourable friend Lala Sewak Ram remarked that his community is blamed, even when it tries to get its grievances removed. I submit, Sir, this is not the case. His community has no real grievance to complain of. It is the Muslim community which should have such grievances because inspite of its forming 56 per cent. of the whole population of the province, it is not allowed a share in the administration of the province only to the extent of 40 per cent. I think in this case we would do well to cry with the poet who says :—

نہ تو بچ کی اجازت ہے نہ فریاد کی ہے۔ گھٹ لے کر جاؤں یہ مرضی میرے صیاد کی ہے

My tormenter permits me neither to writhe in agony nor cry,

This seems his only wish that I should gag myself and die.

Sir, in the end I would like to say that some of my honourable friends have very deliberately ignored what the honourable the Minister of Education has done for the province during the short space of two years. Had they studied the history of this very Council during these two years a bit impartially, they would have found many a thing to thank him for. The province owes him a deep debt of gratitude for his getting the Village Panchayat Act passed and also giving us in our municipalities the liberty of electing a non-official President. But the critics are so blind to these beneficent pieces of legislation, that one is simply reminded of the following couplet of Sheikh Sadi, which reads :—

گر کہ بیلہ پرو ز شہرہ چشم—چشمہ آفتاب را چه گناہ

(The sun is not to blame if the bat-eyed cannot see during the day time.)

I had hoped, Sir, that my honourable friend the Raja Sahib would not choose the Council as a field for this deed; but I am very sorry to see that he has in doing so been carried away by the undignified controversy which has been raging in the Press for the last two years. With these few words, Sir, I oppose, the amendment before the House.

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla (Non-Muhammadan), Rural]: Sir, I had no mind to cite individual cases after hearing the speech by Sir John Maynard, but as Pir Akbar Ali has challenged us to quote instances where the Honourable the Minister for Education has done injustice to the Hindus and favoured the Muhammadans, I cannot help giving such instances. Raja Narendra Nath has not given all the facts in support of his amendment. He gave us the case of Dr. Shiv Lal. I may inform the House that Dr. Shiv Lal and the gentleman who took his place, i.e., Munshi Muhammad Bashir, were both appointed about the same time. Dr. Muhammad Bashir was an eye doctor.

Mr. President: The honourable member appears to be reading his speech.

Rai Sahib Lala Ganga Ram : Sir, I am not accustomed to make speeches, Sir.

Mr. President : Very well, I shall allow you only for five minutes to read the speech.

Rai Sahib Lala Ganga Ram (continued): He had no experience of epidemic diseases. In pay and duty allowance he was getting less than Dr. Shiv Lal, and yet under the communal policy of the Honourable the Minister for Education the Hindu expert in epidemic diseases was removed and his place was taken by an eye doctor. The state of affairs is not peculiar to Medical Department alone. In the Education Department too one Syed Mohsin Mirza, who never read Philosophy in College, was given an officiating job in the Indian Educational Service in the vacancy of Mr. G. C. Chatterjee, Professor of Philosophy. Senior men like Lala Shiv Dayal, Lala Mukand Lal and Gulbahar Singh and several other Hindus and Sikhs have been superseded by junior Muhammadans of inferior qualifications. In making appointments to the Provincial Educational Service the Honourable the Minister for Education has followed the same discriminating communal policy. An old man of 58 Maulvi Hakim Ali who many years ago left Government service, and was subsequently removed from the staff of the Islamia College by its Managing Committee, was given a job in the Provincial Service. Another gentleman Mr. Sher Muhammad was re-employed after retirement, but Hindus like Lala Tara Chand and Lala Chiranjil Lal have been made to retire in spite of the fact that they were doing good work. Junior men like Mr. Ghulam Muhi-ud-din and others have superseded many of their senior Hindus. If we look into the activities of Sheikh Nur Ilahi, we find that almost everywhere Hindu Headmasters have been replaced by Muhammadans imported from the different Islamia schools. . . .

Mr. President : The honourable member's time is up and I must ask him to resume his seat.

Mr. K. L. Rallia Ram (Representative of Indian Christians) : Sir, it is with feelings of very great pain that I rise to speak on the subject which has been under discussion for the last two days. Our debates in the Council at this time have been characterised by frankness and cordiality of spirit which are essential to the dignity of a House like this. A controversy of this nature ought not to have been started because in my opinion it is likely to do more harm than good. I hold no brief for the Honourable Minister for Education, but I would like to make a few observations on the matter of principle. I think it is very difficult for an outsider to understand at times the internal policy of an administrator. It is to them a matter of efficiency rather than that of any communal claim. I must say that I have not studied the facts and figures, because they have never appealed to me, but I am glad to say that no one has up to this time brought any charge against the Minister for lowering the efficiency of the departments concerned. I think that is a great thing. Everybody admits that he has been a very good Minister, and that during his short regime he has taken a very great interest in matters educational, and that he has made that department more efficient than before. After all, Sir, if two communities want to live together they should not be exacting and calculating, otherwise their friendship can never last. Supposing for the sake of argument, if a few posts are given to the Muhammadans or to the Hindus, what difference does it make? I do not think the Hindus will become poorer or the Muhammadans richer or *vice versa*. There are in my

[Mr. K. L. Rallia Ram.]

opinion very efficient and able Muhammadans just as there are Hindus. Sir, one example given was that of Mr. Mohsin Mirza. I can contradict it very strongly. When in the Education Department, I knew this gentleman very well, and I know that he is a top-hole man. If I had been the Minister I would have been only too glad to supersede him over others. At the same time, seniority should not be the sole factor in the matter of giving higher appointments. There are at times places which require special executive ability and special character. Supposing a man has been a 2nd Master for 13 or 14 years and he is not fit to be a Headmaster. There might be a 3rd Master who is quite fit in view of his ability and character to occupy that position, and though he is junior to the 2nd Master still in view of his special qualifications there is no reason why he should not be appointed as Headmaster. So I appeal to this House that the time has come when they should give up these communal strifes. They are the curse and bane of this country. They have retarded the wheel of progress in the past and they will do so in the future unless the communities have a wider outlook on life and have a better and higher vision of life. I would be the very last person to get anything in the world because I am a Christian. If I am given a place because I am a Christian, I would rather not accept it. I would accept it only on the ground of my being qualified for it. I think religion is a sacred thing, and it should not be allowed to meddle with our worldly progress. Then, I think, Sir, we are apt to exaggerate matters. We have our feeling and we make a mountain out of a mole hill.

A voice : Are you supporting the Honourable Minister or are you condemning him ?

Mr. K. L. Rallia Ram (continued) : I am supporting the Honourable Minister. I am not condemning his policy.

I appeal to the members, Sir, therefore to reject this motion. We have been proud of the results which have been achieved by the introduction of Reforms, and we should set good examples in this Council for the local bodies to follow. I appeal to the honourable mover of this motion to withdraw it.

Diwan Bahadur Raja Narendra Nath : No, not after hearing your speech.

Mr. K. L. Rallia Ram (continued) : I am sure, Sir, that all these misgivings which are in the mind of these people are due to the pre-destined position of and prejudice against the Honourable Minister. He is our first Minister. We wanted the Reforms, we have got them, and in our very first instalment we are condemning our first Minister. In fact I think that by condemning him, we are condemning ourselves. I hope, however, that better counsels will still prevail.

Mr. President : We have now had four speeches in favour of the amendment and three against it and two may be described as of a neutral character. I do not think that further prolonged discussion will be in the best interests of the Council as a whole, and I further think that the practical reasonable possibilities of debate have been exhausted. I would therefore, appeal to the members who had intentions of speaking to change their mind and let the Honourable Minister for Education now make his reply.

Maulvi Muharram Ali, Chishti : We are bound to accede to your wishes, but I should really like to say something.

Mr. President : No, I cannot make an exception in one case.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I am very glad indeed that the honourable mover of this amendment has after all brought this matter before the Council to look into those departments which are in charge of a Minister. I wish he had done this in the very beginning, and settled the matter on the floor of this Council whether his suspicions because after all so far as I can see they are nothing else but suspicions—are well founded or not. I am also glad, Sir, that this opportunity has been taken to start a convention—a healthy convention—to show that the Ministers are not irresponsible persons who can do what they like: they are responsible to this Council for every act of theirs, and this Council is entitled to call upon them to account for such measures to which any section of the members, nay, even a single member of this Council, object. Sir, I am grateful to the mover of this amendment for affording me an opportunity not only of removing his suspicions, but also of combating the indefinite, vague and acrimonious propaganda conducted by a certain section of the Punjab Press against me and against what is called my communal policy.

Now, Sir, while I am glad indeed to avail myself of this opportunity, I can assure the House that there is nothing further from my desire than to enter into personalities for which a beautiful opening was given to me by the honourable mover of this amendment. I do not wish to start a chapter of self-laudation as to what I have been considered to be by my own community or by other communities because we are ourselves likely to make mistakes as to the reputation we enjoy amongst our friends and amongst our people. I can assure the honourable member that he is not justified in saying that the reputation he enjoys is altogether of a satisfactory nature. He could have improved upon it in his younger days, but I must say that he cannot do so now by attacking me or my policy. What that policy is will become apparent within a few minutes.

Now, Sir, what is that the honourable mover of this amendment objects to? It is the communal policy of the Minister for Education. It is the policy of communal representation. He has not attempted to define that policy. He has not pointed out what that policy consists of. Now, Sir, the term or expression communal policy or communal representation is more or less vague. In its bad sense, communal policy or communal representation in services means favouritism, and nepotism guided by religious fanaticism. If, Sir, that is the definition in the mind of the honourable mover that in the administration of any department this sort of policy has been adopted, then, Sir, I repudiate that suggestion as absolutely untrue and unfounded. If, on the other hand, communal representation or communal policy means that when you are judging as to the merits of a man, as to his academic distinction, as to his experience, as to his family and as to the services he has rendered to the benign Government, then I think it is permissible also to consider what creed he belongs to. If that is the definition of communal policy, if that is the definition of communal representation, then, Sir, the next question is, is it right to give me the distinction of being the author of this policy? Whether, Sir, I approve of this policy or not, whether I have followed it or not, one thing I can say for certain and

[K. B. Mian Fazl-i-Husain.]

that is this that I am *not* the author of this policy. As a matter of fact this policy has been in existence in India throughout, and in the Punjab as well. Therefore, Sir, to say that I am the author of this communal policy which has brought about the disunion of Hindus and Muhammadans is, I consider, an aspersion upon me personally for which my critics have no justification whatsoever. If there is any one man who can claim to have brought about Hindu-Muslim unity, I claim, Sir, that I am that man. I must further point out, Sir, that never throughout his long and meritorious record of service as a bureaucrat has the honourable mover of the amendment done anything which could earn for him

Diwan Bahadur Raja Narendra Nath: Sir, is my career as Deputy Commissioner the subject of inquiry or criticism?

Mr. President: If the honourable member brings in such amendments against the Minister, I am afraid he must expect a little hitting back.

The Honourable Khan Bahadur Mian Fazl-i-Husain (continued): The honourable mover of the amendment need fear no harshness from me. If there is one thing which I have learnt as an advocate it is moderation of language. If there is one thing which I have always been inclined to overlook, it is the show of anger of my opponents. I can afford to smile at all that show of anger which a weak opponent with a bad case may exhibit.

I should like to refer to the services of the Raja Sahib.

Mr. President: I think it is desirable not to refer to the past history of the mover of the amendment. That will not really help the debate. And after all you cannot defend yourself by accusing another.

The Honourable Khan Bahadur Mian Fazl-i-Husain (continued): My training during the past 21 years has been to bow to the ruling of the Bench. I shall now obey the ruling of the Chair.

The main argument of the honourable mover has been that the Minister for Education is responsible not only for the breach of relations between the Hindus and the Muhammadans in this province, but in the whole of India. In dealing with this point I have to say a few plain facts. First of all what is this disunion due to? It is recognised that this disunion was in existence before the year 1916. What then was this disunion due to? Who brought it about? To any impartial critic of the sad history of this country it would be apparent that the first cause of disunion is that we have been imparting into our social life the religious antipathy which is innate in our nature and against which our political workers of modern days have been fighting. That is the corner stone of the rigid building of disunion that exists between the Hindus and the Muhammadans. Whether that building is to be further erected pile upon pile or whether it is to be brought down rests largely with us and to a certain extent with other communities.

Not only is the spirit of religious intolerance in the shape of *chhat chhat* exhibited by the Hindus against the Muhammadans, but it appears within the fold of Hinduism itself. There is intolerance shown by the Brahmans against non-Brahmans. Am I responsible, Sir, for the differences existing in Madras? Am I responsible, Sir, for the decision of the Madras Ministers who have laid down the law that no Brahman should tyrannise over the non-Brahman and

no Brahman shall be employed during their Ministry, and that even in the matter of promotion they shall not be given any promotion as long as the non-Brahmans are not given their rightful share in the administration? Is that my doing, Sir? Not only is it not my doing, but it is the doing of the community to which the honourable mover belongs. Let me assure the Council. Sir that I am not responsible for all this.

Instead of entering here upon a long discourse dealing with the diagnosis of the disease and its cure, I will read to the Council some portions of a speech dealing with this subject. This speech was made in 1917. The entire Punjab Press, both Hindu and Muhammadan said about the speaker 'there is a wise man who has placed his finger on the weak point. He has brought out the causes which must be removed. In 1917 the entire Punjab Press endorsed this speech :—

" It is a fact that before last December the accepted theory was of the inevitable antipathy between Hindus and Mussalmans, and though the thoughtful members of both the communities deplored this estrangement between their respective communities, and invariably referred to the good old days when Hindus and Mussalmans treated each other like brothers, still nothing succeeded in bringing about a reconciliation. What had led to the estrangement? So far as one can find, it was the distribution of the loaves and fishes of official patronage that created heart-burnings, and these were accentuated when the system of election came into vogue.

" Backward in education, and consequently not well fitted to maintain his own in the struggle of life, the Mussalman felt that his Hindu countryman was doing him out of all the good things of the world. Once the notion came into being, it was easy enough for it to develop and extend its scope. The Hindu, in the first flush of success, found every place suited to his talent, and if a Mussalman got some crumbs, possibly he was a bit intolerant. The thing became so ridiculous that if the benign Government, in their wisdom granted a scholarship worth, say, Rs. 5 a year to a Mussalman the Hindu was sure to raise a hue and cry against the money not having gone after an open competition to the one who got higher marks.

" Both the communities realised that their differences and disputes, their bickerings and their squabbles stood in the way of their acquiring rights and advantages. Hindus realised that though they were the preponderating element, financially and intellectually, yet the Mussalmans, on account of their past traditions, their distinct individuality, and their force of character and their large numbers were not likely to merge into them or be absorbed by them, and if they remained backward and weak, they would continue to be a source of great weakness to them in their progress. The Mussalmans realised, thanks to the wise policy of the great Sir Syed Ahmad Khan, may his soul rest in peace, that if they were to occupy a respectable place in their country, they should go in whole-heartedly for education. In course of time the number of the educated Mussalmans increased, and ten years or more ago the thoughtful among them felt the need of bringing about a *rapprochement* between the two great communities. Though the idea was shared by many, yet the Minto-Morley Reforms tended to widen the gulf. The Mussalmans had no political ideal before them. They had a vague notion that they depended on the favour of the Government and not on their own merits. It was but natural that educated Mussalmans should revolt against such debasing notions, and strive to save national self-respect by eschewing flattery....."

[K. B. Mian Fazl-i-Husain.]

Diwan Bahadur Raja Narendra Nath: May I know, Sir, where the quotation is from?

The Honourable Khan Bahadur Mian Fazl-i-Husain (continued): This is from the Presidential address of the Honourable Khan Bahadur Mian Fazl-i-Husain at the Fifth Punjab Provincial Conference held at Lahore in October 1917. I am citing the authority of myself who at the time not only had the confidence of the Muslim community but of the whole community of the honourable mover of this amendment. Then, Sir, to proceed—

"This led to the formation of political associations, and the repeated disappointments in the search after favouritism led them once more to take stock of the situation. It was one of the objects and aims of the All-India Muslim League to co-operate with their Hindu brethren in achieving what was for the good of both. They soon discovered that no time should be lost in bringing about reconciliation, and a clear understanding to avoid the unworthy squabbles which were a disgrace to both. Where there is a will there is a way. It was felt that they rose or fell together. If useful national work was to be accomplished, they should work hand in hand. Musalmans were distinctly in a minority in a number of provinces, and where they were in majority they were not particularly strong from an educational or financial point of view. Leaders of both communities thought over the situation, and eventually the Congress adopted the communal representation principle and laid down a proportion for each province and for the Imperial Council as well. But for the spirit of nationalism which had been pervading our country, it is more than doubtful whether this satisfactory arrangement could have been arrived at, and having been arrived at, should have received ready acceptance from Hindus and Muhammadans alike. . . ."

Mr. President: The Honourable the Minister has had a good deal of latitude. He is reading his own speech. He is entitled to quote, but I am afraid of the length of the quotation. How long will this quotation be?

The Honourable Khan Bahadur Mian Fazl-i-Husain: This quotation, Sir, I believe will take about a minute and a half more.

Mr. President: Very well, then go on.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (continued): . . .

4 P. M. "Thus it would appear that it is no make believe peace that is patched up between the two great communities. It is the well-considered peace mutually beneficial to both sides and equally honourable, let me add, to both sides, made in their own interests no less than in the interests of their motherland. This Hindu-Muslim compromise has taken many a man by surprise. Many a sceptic urge that their personal experiences remind them of many a horrid squabble, many a petty strife, only a few months ago, and they cannot believe that a sudden change can take place unless it is through a miracle. The official is, I think, not convinced of the genuineness of the Lucknow compact. But remember, officials are the busy men engrossed in their routine work, and their imagination is crippled by their administrative pre-occupations, and they do not take stock of the world forces that envelope countries and bring to fruition principles, ideas and ideals, which ordinarily would have taken

ages to develop. This is how the Lucknow convention came about, and so far as the Punjab is concerned, it is eminently satisfactory to both sides. Mussalmans no doubt constitute 55 per cent. of the population in this Province, but in view of the all-India distribution and the fact that even during the supposed period of favouritism they seldom succeeded in securing representation to the extent of 50 per cent., it seems to me that the arrangement gains in grace what little it may be supposed to have lost in mere numerical accuracy. Hindus, on the other hand, in enjoyment of more than their numerical share and even much more than 50 per cent., have shown an equally noble spirit in surrendering what they have already been enjoying. Both Hindus and Muhammadans in the Punjab have gladly accepted the arrangement, and it appears to me that the Government should welcome such a satisfactory compromise of the difficulties which used to tax their resourcefulness so much."

Sir, this speech, I may mention was interspersed with loud applause all along. I think I have taken two minutes to read it, perhaps $2\frac{1}{2}$ minutes, but I assure you, Sir, that this passage took me five minutes to read there, half the time having been taken by the applause from some of the members sitting on the opposite benches. Well, Sir, I must say to the credit of the honourable mover of the amendment that he was even then against it. He raised his feeble voice, but no one would listen to it. The atmosphere was so surcharged with national electricity that he got no support. Now he has got a better atmosphere. Now he has certainly succeeded in raising an outcry, but let us hope that it is only for a time.

Now, Sir, I claim that the cure, I suggested in 1916 to my Punjabi brethren was: "Do not squabble, do not be petty, do not appeal to each other's charity. Come to a business-like understanding between yourselves and abide by it and then your differences will not stand in the way of your political advancement." Sir, the honourable mover of the amendment has come forward to say that I am the person who has brought about disunion between the Hindus and the Muhammadans. So far as the personal aspect of the question is concerned, it will be readily recognised by the Council, Sir, that if any one attacks my honour it is only right that I should defend that honour which is so dearer to every one of us than anything else. Whether this communal representation is in my view right or wrong is a different matter. The question is whether it is at present necessary or not? Now, Sir, it is essential for me to say what my policy is. Now, Sir, my view is this. Religion in Asia, and I believe throughout the world, is an integral part of the individuality of a person and it is impossible to entirely ignore it. Therefore to say "take no account of it" is easier said than done. Those who are loudest in these protestations usually attach more importance to religion than those who say that religion is to be counted. That was the view I expressed in 1916 and that is my view now. I have adhered to it all along. But to say that because of the religion of one man, you should do injustice to another man, or that you should do an injustice to the administration of the country by lowering the efficiency for the sake of the religion of a man I think it is nothing short of treachery to the office that one holds. Therefore, Sir, I claim that in matters of administration if you are really lowering the efficiency of a department by taking in men of different creeds, I stand against it. I do not uphold it. I go so far as to say that if the efficiency of the administration is to suffer, because of the Indianisation of services I will have the courage before the public to stand against it.

[Hon'ble Khan Bahadur Mian Fazal-i-Husain].

So far back as 1914, Sir, a note was prepared by the Director of Public Instruction in response to a representation made to it by the Anjuman-i-Himayat I-lam. The note reads thus:

"No exception can be taken to the principal that an increase of Muhammadan inspecting officers and teachers is desirable with the special object of promoting Muhammadan education in localities where it is backward, and this is already fully recognized in filling educational appointments."

Further the note reads:

"Two Muhammadans resigned and their places were filled by the direct appointment of two Muhammadans from outside the service."

Then, Sir, can it be said that I am the originator of this policy? I claim, Sir, that during the two years of my term of office I have been perhaps over cautious in filling appointments lest I should unconsciously show favours to my community. The cases that were read out by a member of our Council to-day were placed in his hand by a very capable gentleman interested in Council work, but unable to gain admittance to it.

Then, Sir, in 1914 (in view of what the Hon'ble Member for Finance has said on the subject, it is not necessary for me to labour the point) communal representation in the sense in which I have understood it, not the communal representation of favouritism and that sort of thing, was in existence, and in fact it has existed from the very beginning of the British rule. Therefore it is entirely unjust on the part of my critics to say that I have introduced communal policy or communal representation in the services.

Now let me, Sir, with your permission take at once the cases to which the honourable mover of the amendment referred. He said that so far as new appointments are concerned, communal representation is all right, but so far as the rights of persons already in service are concerned, you have no right whatsoever to overlook their claims. That is not the view, Sir, that the Government adopted either in pre-reform days or post-reform days. That is not the view which the Honourable Ministers of Madras have adopted; but that is the view on which I have been acting. If the suspicions of the honourable mover of the amendment are based on the incident of "the grave injustice perpetrated on a Hindu doctor," then I must say that he is suffering from some sort of hallucination. The Raja Sahib said in very feeling terms: Here is a man Shiv Lal. Because he is Shiv Lal he is turned out and Muhammad Bashir is put in, in his place. His officer says that he is the very best man. Just imagine the "sootam" of the Minister. Here is a man earning his livelihood, one who is considered to be quite fit for that place, and yet that poor man has to make room for a rotten Muhammadan because the Muhammadan Minister wants it to be so. Well, Sir, I have had the case looked up. I should point out that the cases of Assistant Surgeons and in particular of temporary Assistant Surgeons are within the jurisdiction of the Inspector-General of Civil Hospitals. I could not have believed that any administrator, whether an Inspector-General or a Muhammadan Minister, or even the honourable mover of the amendment could have perpetrated such wrong. The facts are these. Shiv Lal was one of those Assistant Surgeons who were temporarily engaged during the absence on military service of other incumbents. As these men returned from military service those who were temporarily employed had to go. When Dr. Shiv Lal's turn came he had to go. In his place no Muhammad Bashir was put in. It will afford the honourable mover great satisfaction, Sir, to know that it was Lala Kanhaya Lal who took

Shiv Lal's place, and that Lala Kanhaya Lal was the man who had worked in the Malaria Department already before proceeding to the war. Does the honourable mover of the amendment think that it would have been honest on the part of Government not to put back the man who had gone to the war to defend the Empire on the understanding that on return he would be well treated? I am sure his objection was solely on the ground of Muhammad Bashir. Now the question arises, how does Muhammad Bashir get into this matter. Muhammad Bashir was a man senior to Shiv Lal. This list shows that he was senior by five or six places to Lala Shiv Lal, and he was given another place in that department along with a Lala Kanhaya Lal. I am sure, therefore, that the honourable member would be glad that Muhammad Bashir was the third man there, because I know what he wants is concerted action, and there can be no concerted action unless members of different communities are there. This is the story of that case of "clear and grave injustice" that was alleged to have been perpetrated against the Hindu employee in the Medical Department. I was really astonished to hear that statement, and although these appointments are made by the Inspector-General of Civil Hospitals, I sent for the papers. The officer who granted that certificate which the honourable mover read to the House accounts for his mistake by saying that he did not know that there were three men, and he was suffering at the time from a great disappointment in having to part with a man he had trained and liked. That, Sir, is the sole instance cited by the honourable mover of the amendment, and these are the facts about it that I have disclosed. Before I leave, Sir, that question of services, I must mention that as a matter of fact not a single appointment has been made in the way which the honourable mover imagined.

The next point taken by him was the case of admissions to the Government and Medical Colleges; and he said I am responsible for that policy. So far as the Medical College is concerned, up to the year 1916 no question of selection arose as all the students who offered themselves for admission were admitted. But in 1917, there was not room enough, and for the first time, the question of selection arose. It was in this year 1917 that an honourable member of the Legislative Council of the Punjab tabled a question on the subject urging why Muhammadans were not admitted in the Medical College in sufficiently large numbers. Now, Sir, does it strike the honourable mover who that wicked member of the Council was who raised the question. I may tell the honourable mover that that member, Sir, was Mian Fazl-i-Husain. This was in the year 1917 when admittedly he had the entire confidence of the Hindu community, and, for the matter of that and of all communities. In fact, Sir, on the question of helping the backward communities, all political workers have laid very great stress, not only in the interests of the backward communities, but in the interests of the great cause of the development of a nation. There can be no progress, there can be no political advancement, there can be no concerted action, unless all the different communities take equal part in it.

Now, Sir, I come to 1918, when for the same reason, three gentlemen, all in those days working in the National Congress Khalifa Shujaa-ud-Din, Syed Mohsin Shah, who along with my colleague (points to the Honourable Lala Harkishan Lal) was one of the persons tried in 1919, Malik Markat Ali, and Mirza Yakub Beg, made a representation to the Inspector-General of Hospitals to the effect that the number of Muhammadans admitted in the Medical College should be greater. In 1919, a deputation waited upon His Honour the Lieutenant-Governor of the Punjab and was told that there were

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some sort of percentages already fixed, and that the case of Mussalmans will be favourably considered. In 1921, when I assumed office, a letter came from a Hindu gentleman, claiming that because he was a *Gaur Brahmin* and agriculturist, special consideration should be shown to secure the admission of his son into the Medical College. We dealt with that case. Now, Sir, is it right for any man to say that here is this Muhammadan Minister, bringing in communal representation and ruining the goodwill which existed between the two communities. Therefore, I claim, Sir, that in the matter of admissions to the Medical College, this communal representation was in existence before I came into office. This was approved of by all political workers, all recognised it as a necessity in the political life of the country. That was the position of the honourable mover himself. He recognised that it is in existence in other provinces; and I do not think how he has had the hardihood to say that it should not be extended to this province. I think it would be wrong on the part of Government to allow anyone community, the monopoly of any particular department of Government, and any Government, Swadeshi or otherwise, is bound to get into trouble any day by giving the monopoly of any particular department to any one community.

Now, Sir, passing on rapidly to the Government College. There again the mover said I have introduced communal representation and broken the peace and harmony subsisting between the two communities. Sir, at the time when the honourable mover of this amendment and the Honourable Minister for Education were members of that institution, learning the lesson of concerted action, there were no such proportions; and yet this is the good feeling which has been exhibited by him. In 1914, Sir, the Mussalmans of Lahore, as a matter of fact of the Punjab, and their 20 institutions or more made a representation to the Government with reference to admissions to the Government College and many other institutions; and it was since then that this matter was being agitated. One may say, why introduce communal considerations in admissions to Government Colleges? Sir, I ask why introduce racial question in the Universities of Cambridge and Oxford saying that seats be reserved for Indians. I ask why, when you are admitting a man in the Government College, why insist upon that horrid thing that is called "*sifarash*". That was one of the recognised things. In admitting students the following points besides their marks were considered,—whether the student had a relative in the College now or in the past, whether his father is or had been in Government service; whether he had rendered any service to Government. If the student had a relative in Government College, or if his father was in Government service or had rendered service to Government, and if he was successful in procuring a "*sifarash*", he was admitted. Well, the Muhammadans were not admitted in sufficiently large numbers. Why? Because more likely than not his father was not in Government service, Musalman representation in public services being poor. More likely than not his father and grandfather had never been to College because the community is backward educationally, and he could not get "*sifarash*" because the Muhammadans of the Punjab did not occupy positions of influence in Public Services. Under these circumstances, the Mussalmans felt that they were being deprived of their chances of being educated in an up-to-date Government College. It was not right that the doors of the Government College should be shut against them. And after all what has been the result of this communal representation in the College? The last Muhammadan admitted had obtained 300 marks, whilst the last Hindu had obtained 303 marks, a difference of only three marks.

Passing on, Sir, from the Government and Medical Colleges and the question of Services, I now come to his fourth point—representation in municipal committees. Now, Sir, if there is one thing more than another, for which I claim to have evolved one universal principle for the benefit of all communities, it is the principle with reference to the constitution of municipal bodies. Instead of using my discretion, instead of saying that each case will be dealt with on its own merits which very often means autocracy, I have laid down that in the case of those municipalities wherein communal representation has already been in existence, representation shall be with reference to the population and the voting strength combined of each community. If Muhammadans stand to gain in Jhelum, they stand to lose in Robtak or in Hissar. If Hindus gain in Gurgaon, they lose similarly in Gujrat. Therefore, Sir, to say that a Muhammadan Minister is introducing this communal representation to help Muslims, it is untrue, is misrepresentation pure and simple. That is one thing. Now, Sir, this principle I have modified in favour of minorities, be they Muslim minorities, Christian minorities, Sikh minorities or Hindu minorities. I do not think anyone has suggested a better principle. As regards those places wherein communal representation does not prevail, I have said that communal representation shall not be granted unless there is a keen demand for it, and a case has been made out that without giving communal representation, the adequate representation of that community shall not take place. I do not see how this principle can be improved upon.

Coming to the third case where communal representation does not exist at all, arrangements of circles is so made as to render representation of each community according to their voting strength and population combined, if elections run on communal lines. There is nothing to make elections run on communal lines, but if they do, there is no reason why by a clever manipulation of ward system or circle system one community should get a pull over the other. The reason why I did so, was that I discovered that in many places the distribution was so unfair, so unjust, that it had to be modified with reference to the general principle enunciated by me. This was, Sir, the cleverness of the Revenue Officers to whom my friend referred in terms of eulogy because they were working under a bureaucracy.

Passing on from the municipalities, I come to the next point—Legislation. Now, Sir, the Panchayats are no longer the subject matter of a Bill. The Panchayats Law is now an Act passed by this Council, and if I am to be censured for that, Sir, then it is a censure for this Council, and not on me. If for the same reasons, Sir, I am to be condemned because this Council passed the Gurdwara Bill into law, then, Sir I say "Condemn the Council and not me."

Sir, if there is one thing which will show the very great and useful work done in the interests of local self-government that will be shown by the Panchayat Act. It is an enactment, Sir, which I claim is superior to any other dealing with the subject and passed by any other legislature in India. The honourable mover of the amendment says that it gives wide powers to panchayats. Perfectly true. He says that it does not hedge in those powers with all sorts of devices. Perfectly true. I take pride in it. If an Indian believes in the possibility of developing real self-government then he cannot give the experiment a fair trial without running some risks. If I were as pessimistic, Sir, as the honourable mover of the amendment, I would never have dared to

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bring forward the Panchayat Bill. It is a measure which all sections of political workers in India are agreed should have a fair trial.

Passing on, Sir, from here to the attempt on the part of the honourable mover of the amendment to snatch what is called 'Sikh votes,' let the Sikhs judge me for themselves. What is Raja Sahib's position? It is that the Sikhs are not a separate community at all, and that they are part and parcel of the Hindus.

Diwan Bahadur Raja Narendra Nath: They come from the Hindus. I said they were closely allied to the Hindus.

The Honourable Khan Bahadur Mian Fazl-i-Husain: (contd.) So we all come from Adam if we go back sufficiently. Sir, I wish that this claim of the Raja Sahib were correct, and if it is admitted by the Sikhs, then the political situation, I mean the constitutional position of the province, improves tremendously. If our Sikh brethren are really Hindus and part and parcel of them then there will be no inconvenient minorities to deal with. Muslims will be in a majority of 54 to 46. But, Sir, that is not the position. The leaders of Sikhism have claimed an individuality of their own. They say that they have severed their connection with Hinduism, and that they want to stand by themselves. Therefore we cannot but recognise their rights as an important minority in the Punjab. (Hear, hear). Therefore Sir, irrespective of all manoeuvres the point before the Sikhs is one of principle, "are they part and parcel of the Hindu community or do they stand apart?" If they are part and parcel of the Hindus, then I have nothing to say. But if they are not, then all the machinations of the honourable mover of the amendment are futile.

I shall next turn to agricultural classes. Their grievances are the grievances of the backward communities of the province. It is for them to decide whether they want to merge their interests into the interests of the forward Hindu brethren or whether they want to stand by themselves and claim special treatment. It was this that led to the 1919 resolution of the Government extending special privileges to zamindars whether they were Sikhs, Muhammadans or Hindus. Having in this matter divided the people into various component parts and shown to them that the principle I stand by is the principle of helping the backward community irrespective of their religion, be they Hindu, Muhammadan or Sikh, is it right to call it as communal partiality? It is a policy which I stand by, and I think that is the policy which is necessary for the Punjab in its present stage of political development. I believe, Sir, I have in that the support of all classes of people.

I own, Sir, that I am not devoid of idealism. But before I go to the subject of idealism, I must answer the questions put by my friend Mr. Ganga Ram. I am sorry I had forgotten about them. He mentioned the case of one Sayed Mohsin Mirza, a perfectly useless man being put over the head of Shiv Dayal, Mukund Lal and Gulbahar Singh because he was a Muhammadan. Now, Sir, Lala Shiv Dayal is an economist, who for his special qualifications has been taken from the Central Training College to the Government College to take the place of Mr. Manmohan, who is officiating in the Indian Educational Service as Principal of Ludhiana College. Lala Mukund Lal is a Mathematician acting in the Government College as Pro-

Professor of Mathematics, and Gulbahar Singh is a Sanskrit scholar acting as a Professor of Sanskrit in the Government College. The post to be filled by the Director of Public Instruction was that of a Professor of Psychology and Method due to the transfer of Mr. Chatterjee from the Central Training College to the Government College as a member of the Indian Educational Service. The honourable member suggests that instead of putting Sayad Mohsin Mirza to teach Psychology I should have put in Shiv Dayal, the economist, or Mukund Lal, the Mathematician, or Gulbahar Singh, the Sanskrit scholar, to teach Psychology to the teachers of his sons and grandsons.

Another case cited by him is that of a gentleman who was a Professor in the Forman Christian College and a Professor of the Islamia College. He was the Provincial Educational Service before he went to denominational institution. I am told that it is wrong to re-employ him in the Provincial Educational Service. I contend that it is not. Then I am told that I re-employed M. Sher Muhammad because he was a Muhammadan. I say Sir, it is a base insinuation. It is a base insinuation to say that I re-employed him because he was a Muhammadan, and that I would not have done so if he had been a Hindu. It is a base suggestion not worthy of a member of this Council. Well, Sir, if I am wrong in re-employing him then I say it is this gentleman (pointing to the Honourable Lala Harkishen Lal) who is responsible for it. At heart he is probably a Muhammadan, and is masquerading as a Hindu, because the other Minister must be a Hindu. Exonerate me, Sir, from all blame for the doings of this gentleman.

Now, I shall revert to the subject of idealism. I were simply to state in a few words what my feelings have been on this matter, I would say that I look forward to an India wherein there are no distinctions of Hindus or Mussalmans, of Christians or Jews, where there are no distinctions of untouchables, where the religion is the religion of humanity and the creed is the creed of human brotherhood. (Hear, hear). It is a creed, Sir, which I want all members of this House, be they Hindus or Muhammadans or Christians, to try to learn for the good of humanity and for the good relationship between themselves. Not only that. I look forward to a day when there will be not only the obliteration of these religious distinctions, but also the obliteration of all racial distinctions. We are keen on the Indianisation of services. I look forward to a day when men will be employed because they are worthy of the posts, be they Europeans or Indians. I look forward to a day when narrow nationalism will give way to internationalism. When that day will come, it is not for me to say. How long obstructions will be placed in the way of this idea it is for the honourable mover of the amendment to say? (Loud cheers).

Diwan Bahadur Raja Narendra Nath : Can I reply, Sir?

Mr. President : I have been allowing members to speak more than once on these budget amendments in order to facilitate the disposal of business, but in a specific matter of this formal nature I cannot allow you the concession. I must stick to the rule.

Grant under consideration, amendment moved :

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 80,000 — Salary of Education Minister."

The question is that that reduction be made.

The Council then divided: Ayes 28, Noes 50.

AYES—23.

Rai Sahib Lala Ganga Ram.
Rao Bahadur Lieutenant Balbir Singh.
Sardar Balwant Singh.
Lala Kesho Ram.
Chaudhri Bans Gopal.
Sardar Sahib Risaldar Dilbagh Singh.
Chaudhri Ghasi Ram.
Rai Bahadur Lala Hari Chand.
Bawa Hardit Singh, Bedi.
Rai Sahib Sardar Harnam Singh.
Sardar Randhir Singh.

Rai Sahib Chaudhri Lajpat Rai.
Rai Sahib Misar Mela Ram.
Mr. Moti Lal, Kaistha.
Chaudhri Kharak Singh.
Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Rai Bahadur Lala Panna Lal.
Lieutenant Sardar Raghubir Singh.
Rai Sahib Chaudhri Raja Singh.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Lala Uttam Chand.

NOES—50.

The Hon'ble Sir John Maynard.
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.
The Hon'ble Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. R. Abbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Colonel W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Khan Muhammad Abdullah Khan.
Mr. Nawab Din, Murad.
Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Noon.
Pir Akbar Ali.
Chaudhri Ali Akbar.
Khan Sahib Pir Ali Haidar Shah.
Chaudhri Muhammad Amin.
Khan Bahadur Rai Wali Muhammad Khan.

Khan Bahadur Chaudhri Fazl Ali.
Chaudhri Ghulam Muhammad.
Sayad Ghulam Muhammad Shah.
Sayad Husain Shah.
Sardar Jamal Khan.
Sardar Allan Khan.
Rana Muhammad Jamil Khan.
Mr. K. L. Rallia Ram.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Chaudhri Nabi Bakhsh.
Khan Bahadur Raja Muhammad Akbar Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Khan Muhammad Saif Ulla Khan.
Mian Muhammad Shah Nawaz.
Nawabzada Muhammad Irshad Ali Khan.
Maulvi Muharram Ali, Chishti.
Khan Bahadur Khawaja Yusuf Shah.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.
Mr. Edward Ernest Clarke.
Mr. W. R. Macpherson.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore *cum*-Sheikhupura (Non-Muhammadian) Rural] (Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 14,000—
Tour Expenses—Ministers.”

Sir, my amendment refers to the tour expenses of the Honourable Ministers. I am sorry this amendment too relates to the Honourable Ministers, but I may assure the House, it has nothing to do with the previous unpleasant discussion. In this connection I have only to say that at first the tour expenses of Ministers had been estimated at Rs. 2,000. Afterwards, Sir, this amount was revised to Rs. 4,000. I see no valid reason for the further enhancement up to Rs. 14,000 as now demanded. I should appeal to the Honourable Ministers to sacrifice the pleasure of travelling in saloons, and put up with a little inconvenience by travelling in reserved compartments. However, I do not propose to discuss the matter at length, but leave it to the Council to do what they think fit.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 14,000—Tour Expenses—Ministers.”

The question is that that reduction be made.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I need only say this much, regarding the matter, that it should not be misconstrued that the Ministers effect a saving out of their tour expenses. It often happens that we have to incur a good deal of extra expenses, in this respect, which we spend from our own pockets. For my own part I had to spend this year a considerable amount of additional expenses from my own pocket, since the tour expenses provided for were not sufficient to meet them. Hence if the Council decides that we should not go out on tours and acquaint ourselves with first hand information of the needs and grievances of the people and their difficulties we would be only too glad to comply with that decision.

چشم‌ها روشن دل‌ها شاد

(Bright eyed and happy hearted we will thus remain.)

Mr. Ganpat Rai : Sir, I beg to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : There are some amendments that came in yesterday. They are barred by Rule 30 as there has not been sufficient notice. So I am afraid I cannot allow them to be moved. One of the amendments relates to this grant, “ General Administration.”

Mr. Ganpat Rai : Sir, they were sent in for the reason that the principle involved has already been decided upon, and I did not think that Government would object to them. All we ask is that inasmuch as the principle has been accepted in the case of similar amendments, it should be extended in the case of these amendments as well.

Mr. President : I have not checked the amendments very carefully, but I think none of the amendments now sent in has been discussed before. Grain compensation has not been discussed anywhere yet.

Mr. Ganpat Rai : The entry of grain compensation seems to me to be a clerical error, because the Government has already agreed not to give grain compensation.

The Honourable Sir John Maynard : Sir, we accepted the convention as relating to amendments received within time, and not to any which had not been so received.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) (Rural)] : Sir, I beg to move—

"That the grant be reduced by Rs. 8,000 with respect to the item of Rs. 8,000—Council Secretaries."

By moving this, Sir, I do not mean to impute at all that the Council Secretaries have not been doing their work. We find.....

Mr. H. D. Craik (Chief Secretary) : There is no necessity for discussion on this, Sir. I am ready to accept the amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 8,000 with respect to the item of Rs. 8,000—Council Secretaries."

The question is that that reduction be made.

The motion was carried.

Mr. President : The next two amendments are about the Travelling Allowances of members.

Mr. Miles Irving : I understand that it has been covered by the general reduction of 25 per cent. in the travelling allowances.

Mr. Ganpat Rai : We want to move this in order that the Council may not go up to Simla for holding a session there.

Mr. President : I think this is outside the scope of the amendment. You will be able to discuss that matter on the amendment of Rai Bahadur Lala Sewak Ram that the grant be reduced by Rs. 3,000 with respect to the item of Rs. 4,200—Hill Journey and Hill Allowances. That has been provided for the Secretary and the establishment, and if that is cut out, none of the establishment will be able to get any travelling allowance, and it will be therefore impracticable to hold the Council session there. So Government would, I hope, accept that verdict on it as a decision against the session being held in Simla.

The Honourable Sir John Maynard : Government would certainly accept that. This will settle the question of a session of the Legislative Council at Simla. It does not settle any other question.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) (Rural)] : Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 4,200—Hill Journey and Hill Allowances."

I am putting in this amendment with the object of reducing the charges of hill journey and hill allowances so that no session of the Council be held at Simla. Although there is a resolution on this subject passed by this Council that the session may be held at Simla, still it cannot be held because there are no funds available. The Province has been faced with a very huge deficit, and we should try to cut down all items possible to cut short that deficit. Therefore, I ask the Council to cut down this item. We should forego the pleasure of going up to Simla, and I am sure by the saving thus effected our constituents will be immensely pleased. Of course, this amendment only saves Rs. 3,000, but the effect of it will be a huge saving from the travelling allowances of the members who will be going up to Simla to attend the session there. We should respect the feeling of our people, and tell the public that we have foregone this pleasure of going up to the hills. I would, therefore, request the Council to cut this item.

Mr. President : Grant under consideration amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 4,200—Hill Journey and Hill Allowances."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary) : Sir, we discussed this question of a summer session being held at Simla last summer; and I am grateful to the honourable member that he has not now put forward any arguments in favour of this reduction. I on my side will not adduce any arguments on the merits of the question. Government will act according to the wishes of this Council. But there is one consideration that I wish to put before the House. That is this, that only 6 or 7 months ago, the House after a full-dress debate decided in favour of the summer session being held at Simla. The effect of the acceptance of this amendment will be that the Council will cancel its previous decision, and thereby make itself slightly ridiculous. I myself have no strong views on the point either way.

One other point I wish to make clear to the honourable member who has moved this amendment. He said that by accepting the amendment, the House would be making a huge reduction of expenditure in the travelling allowances of members. But as far as I remember the statements made in this House during the debate last summer showed that it would cost roughly ten to twelve thousands of rupees; and I am inclined to think that that estimate was rather in excess of what the actual expenditure would be.

I have nothing more to say. The question is one for the Council to decide.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders.(General)]

(Urdu): Sir, I have also given notice of an amendment to the same effect, i.e., to protest against holding the Summer Session of this Council at Simla. I have carefully listened to what the Chief Secretary, Punjab Government, has said. Those of us, Sir, who are moving this amendment, had also opposed the recent resolution referred to by the Chief Secretary. Hence we are perfectly right in taking this opportunity for defeating the object of that resolution which was passed during the heat of summer. But, now that it is winter and the rigours of heat do not torment us it is probable that the ideas of that time might have changed. Moreover, if we look to the necessity of retrenchment and consider that according to the last year's budget the expenses were Rs. 1,286 as against the Rs. 4,200 now demanded, we will rather not vote the whole amount, i.e., Rs. 4,200, but reduce it by Rs. 3,000 so as to keep the expenses at the old level. I hope therefore, Sir, that this matter will be given a just treatment, and that the honourable members will rather tolerate the heat of summer for a few days than burden the provincial finances to the extent of Rs. 12,000, which, I am given to understand, the Simla session will involve.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), Urban]

(Urdu): Sir, I beg to support the amendment. It has been said that we had very recently, i.e., last summer, adopted a resolution to hold the Summer Session at Simla, and that if we accept an amendment calculated to defeat the object of the former it will be ridiculous, I will say that there have been some resolutions adopted by the House which the Government have not acted upon.....

Mr. H. D. Craik : Sir, the Government only postponed giving effect to them.

Maulvi Muharram Ali, Chishti (continued) : Very well, Sir, I accept "postponement" as the right word. We too, then I must say, wish to "postpone" holding the Summer Session at Simla. To come to the point, Sir, I beg to submit that we should appreciate our responsibility. We are answerable for our actions here to our constituents. We have cut down expenses even in regard to poor clerks. We therefore, Sir, should not act so selfishly as to give anybody a cause for a just complaint, that we failed to sacrifice our temporary ease and comfort. We must remember that there is the press and there is the public who will rightly say that the members for the sake of *sairtamasha* and personal benefit did not save Rs. 12,000 or so which they could easily do. Moreover, Sir, there are those of the members who habitually go to the hills at their own expense. Hence those of us who are not so accustomed need not visit the hills at the expense of the poor tax-payers who include widows and orphans. If we do so for our pleasure, we shall be responsible before God and man. As for the passing of a resolution in this behalf, there have been many a resolution which both the Government and we have withdrawn. For these reasons, Sir, I maintained that the acceptance of the present amendment and the consequent rejection of the recent resolution cannot possibly be called ridiculous. I will go further that if we had committed a mistake in adopting the Simla session resolution we will be doing a proper thing indeed if we now withdraw it in effect. Also, Sir, we had, at the time of adopting that resolution, not received the warning of the Honourable the Finance Member that the province was running into bankruptcy. Lastly, Sir, I will urge that just as charity begins at home, so we should begin reductions with ourselves.

Mr. C. M. King : I beg to move, Sir,—

"That the question be now put."

Mr. President : The question is—

"That the question be put."

The motion was carried.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 4,200—Hill Journey and Hill Allowances."

The question is that that reduction be made.

The motion was carried.

Chandhri Kharak Singh [Amritsar-cum-Gurdaspur (non-Mohamadan), Rural] (Urdu) : Sir, I beg to move,—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 3,25,000—General Election, Punjab Legislative Council and Legislative Assembly."

Sir, my reason for introducing this amendment is not far to seek. It is in the interests of economy that I am proposing a reduction of Rs. 25,000 as it is not very difficult to effect. Last elections also did not entail more than three lakhs. Anyhow, Sir, I wish that the amount should be reduced by as much as is practicable.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 3,25,000—General Election, Punjab Legislative Council and Legislative Assembly."

The question is that that reduction be made.

Mr. A. Latifi (Secretary, Transferred Departments) : Sir, I am afraid the honourable member's amendment is based on a misunderstanding. He has stated that at the last elections the expenses were something less than three lakhs. As a matter of fact the expenses came to very nearly four lakhs, at any rate they were not less than Rs. 3,75,000. This item was very carefully considered by the Finance Committee who effected considerable reductions in the original proposals of the administrative department. So far as one can judge at present the sum of Rs. 3,25,000 is the absolute minimum necessary for election members for this Council. All the items have been very carefully scrutinised, and I may assure the honourable member that not a single rupee will be spent unless it is absolutely necessary. We have to provide for the proper election of members. I therefore hope that the honourable member will withdraw his amendment.

Chaudhri Kharak Singh : Sir, I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) (Rural)] : Sir, I beg to move—

“That the grant be reduced by Rs. 48 with respect to the item of Rs. 10,000—
Total Contingencies.”

My reason for the reduction of such a small sum out of the large amount is this. It is the amount, Sir, of subscription to the *Civil and Military Gazette*. (Laughter). This newspaper, which is an important organ of public opinion in the Province, takes no notice of this Council. (Hear, hear and laughter). Not even a single reporter is sent to this Council; and even if the proceedings are reported they are reported meagrely, and even that only on the second or the third day. At the same time the proceedings of the municipalities of Lahore and Amritsar are fully reported in two or three columns. For these reasons I do not wish that this Council should subscribe for a paper which has got such regard for this Council. (Laughter).

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 48 with respect to the item of Rs. 10,000—
Total Contingencies.”

The question is that that reduction be made.

Mr. H. D. Craik : I rise to oppose this amendment, because the amendment is an indirect reflection on the way in which this House conducts its proceedings. If the members of the House would make more interesting or amusing speeches they would certainly appear in the columns of the press. By passing this amendment we should be making a confession of our own dulness. I would therefore advise the Council to reject this amendment.

Rai Bahadur Lala Sewak Ram : I beg leave to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders—General)] : Sir, I beg to move—

“That the grant be reduced by Rs. 100, with respect to the item of Rs. 8,300—
Deputy Secretary, Finance.”

Sir, my object is to impress upon Government the necessity of appointing a

[Diwan Bahadur Raja Narendra Nath].

Joint Financial Secretary. A Deputy Secretary will be subordinate to the Financial Secretary, whereas a Joint Secretary will be of nearly the same position as the Financial Secretary, who will work on behalf of transferred subjects as representative of the Ministers who hold charge of the Transferred Departments.

If I remember aright, there is a provision in the constitution that there should be a Joint Secretary for Finance having the same powers as Financial Secretary, but working for Ministers in the Transferred Departments. That is my object and it is a sort of token objection. I want an assurance from Government that the officer employed will be Joint Secretary holding the same rank as Secretary, Finance Department, representing the transferred subjects.

Mr. President : Grant under consideration, amendment moved —

“ That the grant be reduced by Rs. 100, with respect to the item of Rs. 8,800—
Deputy Secretary, Finance.”

The question is that that reduction be made.

Mr. Miles Irving (Financial Secretary) : Sir, the appointment of a Deputy Secretary, Finance, will result in a very considerable saving, amounting to about Rs. 950 a month. We are reducing one post in the Imperial Service and replacing that post by Provincial Service. The gentleman who will work in place of the Under-Secretary, will be fully occupied in doing the work which is being done by the Under-Secretary. If we appointed a Joint Secretary, we could not save any money. If the House provides an honorary Joint Secretary who will take some of my work, I can assure the House that he will have the best seat in my room.

Diwan Bahadur Raja Narendra Nath : Sir, since my object is not to be gained by this amendment, I leave the matter here. This is a constitutional point, and I shall press for it on some other occasion. Therefore I ask for leave to withdraw it.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore—Mun. Sheikhpura (Non-Muhammadan) Rural] : Sir, I beg to move—

“ That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 10,000—
Officers on Special Duty.”

Mr. H. D. Craik (Chief Secretary) : Sir, perhaps I will meet the member half way. I will take five thousand.

Mr. Ganpat Rai : Sir, I beg to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. H. D. Craik : Sir, I move—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—
Officers on Special Duty.”

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—
Officers on Special Duty.”

The question is that that reduction be made.

The motion was carried.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muham-
madan) (Rural) (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,000—
Leave Salary.”

Sir, I have moved this amendment for the only purpose of effect-
ing some saving. It may be accepted if possible.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 4,000—
Leave, Salary.”

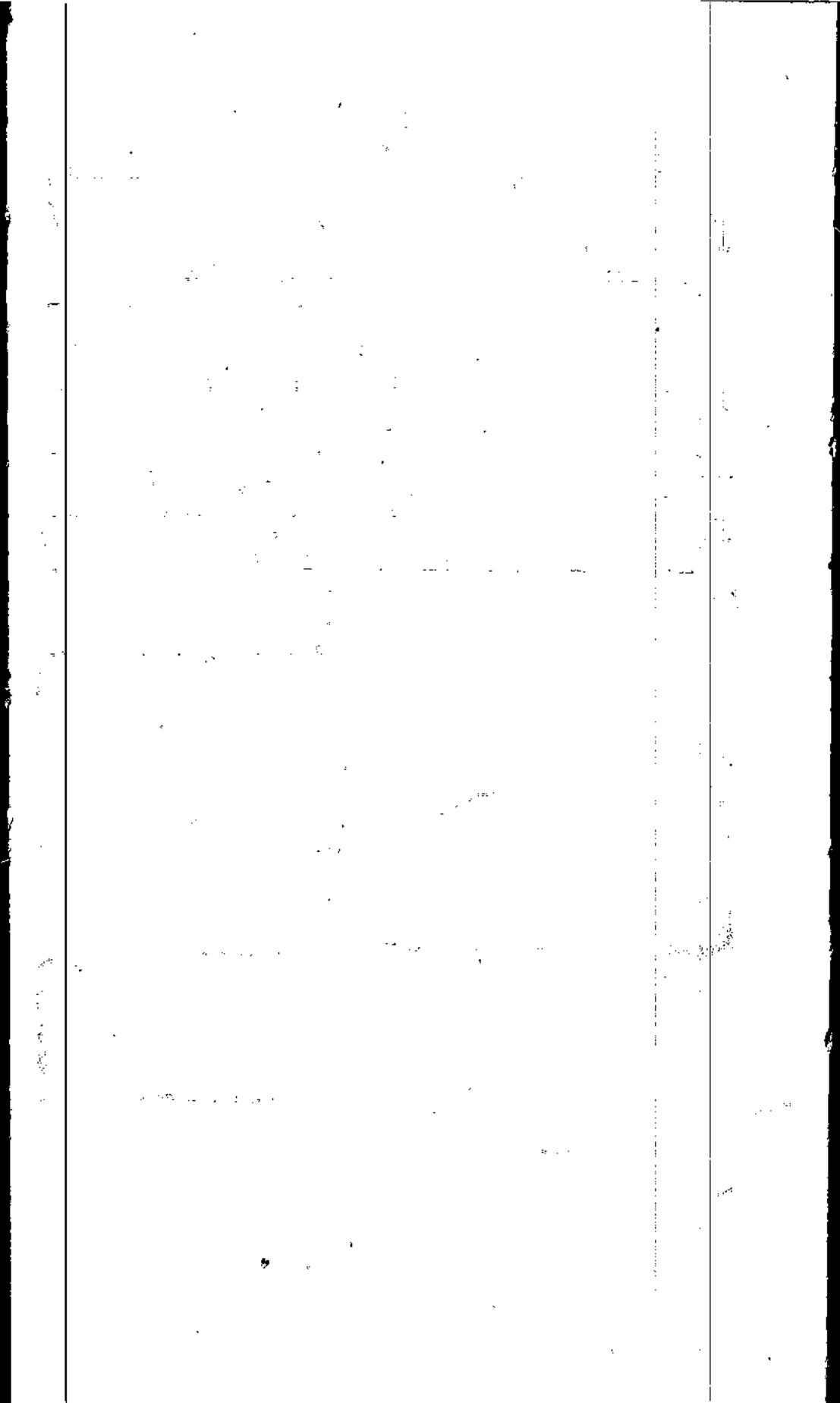
The question is that that reduction be made.

Mr. Miles Irving (Financial Secretary) : This item occurs under
a large number of heads. It has been put in by the Accountant-General
on his own calculation of the amount expected to be spent by officers on
leave. I do not suppose that the honourable member intends that officers
should be refused what is due to them. I do not think that there is any-
thing that can be cut down under this head. What is due is due, and
we have to pay it. I cannot vouch for the figure of Rs. 4,000. That
figure has been arrived at by the Accountant-General.

Rai Bahadur Lala Sewak Ram : Sir, I ask for leave to withdraw
my amendment.

The amendment was by leave withdrawn.

The Council then adjourned till 2 O'clock on Friday, the 16th March
1923.



PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Friday, the 16th March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION GRANT.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural]: Sir, I beg to move—

"That the grant be reduced by Rs. 53,720 with respect to the item of Rs. 2,68,600—Pay of Establishment."

Sir, in doing so, I beg to submit that the Government had at first five Secretaries and three Under-Secretaries in the Civil Secretariat; but now after the abolition of the post of the Revenue Secretary, it has only four Secretaries and two Under-Secretaries. This reduction was made at the time when the report of the Retrenchment Committee was being drafted. But the Budget shows that no corresponding reduction has been made in the establishment of the Civil Secretariat. This is quite unfair. It was necessary that a corresponding reduction of one-fifth of the establishment should have been made. Sir, the duties of the Revenue Secretary have now been entrusted to the Financial Commissioner. I think it would have been in the fitness of things, if the question of keeping necessary staff for the work had been left to him. The Government ought to have reduced the establishment and then if any necessity for engaging some staff is felt it ought to come to the Council, and I assure the Government that the Council, in spite of the deficit Budget will agree to anything proposed by it in this respect. With these few words, Sir, I move my amendment which I hope will be accepted by the Government.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 53,720 with respect to the item of Rs. 2,68,600—Pay of Establishment."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary): There is an impression in the mind of the honourable member (Mr. Ganpat Rai) that we have permanently abolished the appointment of one Secretary. I may say at once that it is not within the powers of the Governor in Council, or for the matter of that, of any authority except the Secretary of State to abolish the post. What we have done is to keep the post in abeyance temporarily. I am not prepared to give an undertaking at present that we will abolish it permanently. At present owing to lack of funds there is a slight decrease of work and the post has been kept unfilled; but I cannot undertake that the decrease in work will continue.

[Mr. H. D. Craik.]

Then the honourable member argues that as we have reduced the number of Secretaries we can make a corresponding reduction in the clerical staff. He is quite wrong. By distributing the work between the other Secretaries and the Financial Commissioners we have been able to get rid of one appointment temporarily, but the work is there and has to be done by somebody. The preliminary work that has to be done by the clerical staff still remains. It is not possible to do away with the staff simply because you have done away with one Secretary. What we have done is to reduce the staff in the Revenue Branch of the Secretariat. We have reduced it by one Superintendent, two assistants, three senior clerks and one junior clerk. But we have had to give part of that establishment to strengthen the Financial Commissioners' office to whom the bulk of the work hitherto done by the Revenue Secretary has fallen. The net saving that we have been able to make in staff is Rs. 5,600

Mr. Ganpat Rai : But the Budget Estimate remains unaltered.

Mr. H. D. Craik : (continued). It was framed before this reduction was made. I am prepared to accept a reduction of Rs. 5,600 if that will satisfy the honourable member.

Malik Firoz Khan, Noon [Shahpur East (Muhammadian), Rural] (Urdu) : Sir, I hope that my honourable friend Mr. Ganpat Rai will accept the offer of my honourable friend Mr. Craik and withdraw his amendment.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian Rural)] : Am I to understand, Sir, whether the idea is to give up Rs. 5,600 out of Rs. 2,06,000 or out of Rs. 2,68,000 ? The Budget estimate for 1922-23 was Rs. 2,06,602. The revised budget estimate notwithstanding our objection last year has now been brought up to Rs. 2,68,000. So that we are the losers by Rs. 62,000 already. That means that after deducting Rs. 5,600 there still remains Rs. 50,000 increase over the last budget.

Mr. Miles Irving (Financial Secretary) : I would like to point out that there is a good deal of apparent increase on account of contributions we expected from the Government of India but failed to get. You will find that very nearly Rs. 20,000 we expected from the Government of India but that we have not got.

Mr. Ganpat Rai : Sir, I beg to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. H. D. Craik (Chief Secretary) : I beg to move.

"That the grant be reduced by Rs. 5,600 with respect to the item of Rs. 2,68,000—Pay of Establishment."

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 5,600 with respect to the item of Rs. 2,68,000—Pay of Establishment."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian) Rural] : Sir, I beg to move.

"That the grant be reduced by Rs. 24,000 with respect to the item of Rs. 21,000—Hill Journey and Hill Allowances."

Sir, the question of exodus to Hill Stations is a very old one and it has been before the Council for a long time. The Minority Report of the Retrenchment Committee, which was submitted by my honourable friend Sayad Muhammad Husain and myself, also laid special emphasis upon this question. The Council has by deciding Yesterday against holding the Council Session at Simla, put further weight to the arguments against the Simla exodus. Sir, I submit, that the Civil Secretariat Offices should not move to Simla with His Excellency the Governor in Council. This not only entails an additional expenditure to the extent of 5 or 6 lakhs but greatly inconveniences the public concerned. Sir, I know that the expense has been shown to be 1½ lakhs; but I assert that after including buildings, repairs and other things, which figure under different items, it goes up to 5 or 6 lakhs, as I have submitted. I ask in all earnestness, Sir, does the Government intend to bleed the poor tax-payer white by unnecessarily removing the whole establishment to Simla. I submit, Sir, that there exists no necessity for this wastage of the public funds.

It will be said that some of the European Officers find it very difficult to work in summer in the plains. I wish to say before the Council that I have every sympathy for such officers, but I cannot, at the same time forget that the public too has a claim upon my sympathies. I suggest, Sir, that such officers will do well if they avail of one month's privilege leave and have a change in the hills. But this should not be made a general excuse for such a wastage. After all the Deputy Commissioners too have to remain and discharge their duties in the plains in summer. Then I ask, Sir, how can the Government justify this expenditure? To say that they do more work there than they do here in the plains is an old and hackneyed excuse, which in these advanced days, when we have got ample facilities in the plains to pass the summer comfortably, does not hold good. I submit, Sir, that it is difficult to justify this expenditure in these days. The Government has many a time promised to reduce the expenditure for the Hill exodus, but I regret to say that the present Budget does not show any reduction whatsoever in this respect. Sir, even if this be admitted that the Executive Councillors and the Honourable Ministers must move with His Excellency the Governor to the hills, I fail to see any justification for the whole of the Secretariat doing so. The most unfortunate thing is that even the Heads of the Public Health and Sanitation Departments, who are badly needed in the plains owing to the prevalence of one epidemic or other in these days move to the hills.

Leaving these considerations aside, Sir, this causes an unreasonable wastage of public money. A few days ago I was informed by a very responsible officer, who had had an occasion to appear as a witness before an important committee, that only the daily postal and telegraph charges amount to about Rs. 150 during the period when these offices are removed to Simla. In the end, Sir, I beg to submit that if only high officers go to the hills with a small establishment, a considerable saving can be made. Let the Government think over it from any point of view it likes, it will find that such a reduction is highly desirable in the best interests of the Province. With these few words, Sir, I move my amendment. I trust that the House will support it.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 24,000 with respect to the item of Rs. 24,000 Hill Journey and Hill Allowances.”

The question is that that reduction be made.

Malik Feroz Khan, Noon [Shahpur East (Muhammaden), Rural] (Urdu) : Sir, the amendment before the House does not only aim at the reduction of Rs. 24,000 from the item of Hill Journey and Hill Allowances but it aims also at the solution of a very important problem, i.e., whether or not the Secretariat offices should go to the hills during the Summer. Sir, I know that it is not the intention of the House to put European officials to any inconvenience, or be vindictive towards them ; for we cannot afford to dispense with their services. Apart from this question there are other reasons, which compel me to ask the House to reject the amendment before it. Sir, it has been remarked that His Excellency the Governor moves every year to Simla. I submit that His Excellency will continue going there under all circumstances

Mr. Ganpat Rai : I never said His Excellency should not go.

Malik Feroz Khan, Noon : Will you, Sir, call upon the honourable gentleman to hear me patiently.

Mr. President : I think the speaker himself invited it. I have before told the honourable member not to put interpretations on other member's words which they do not bear.

Malik Feroz Khan, Noon (continued) : Sir, I do not say that my honourable friend said so, I only submit that when it is admitted by everybody that His Excellency the Governor must go to hills, how could His Excellency's Councillors and the Honourable Ministers remain away from him in the plains. They shall have to accompany His Excellency and then they will necessarily take their Secretaries with them also who in their turn will not be of any service to their members without their establishments. As for the Public Health, i.e., Sanitation and Medical Departments, the House should understand that the heads of the Departments simply carry on the administrative work and do not personally perform the functions of the Departments. The Inspector-General of Hospitals has very little to do at the time of breaking out of an epidemic in the Province. It is the Civil Surgeons in charge of the District Hospitals who administer medicines to the infected areas and undertake other preventive measures. Sir, I earnestly submit to the House that if it wants the Heads of the Departments to do their best for the Province which they are serving, it should not grudge them this little comfort. If the amendment before the House is carried, it will go decidedly against the best interests of the Province. With these few words, Sir, I strongly oppose the amendment before the House.

Diwan Bahadur Raja Narendra Nath [Panjab (Landholders) General] : Sir, before an official member rises to reply to this amendment, I wish to know how it is that in 1921-22 when the Council came into existence, the expenditure under this head was Rs. 12,163, while in 1922-23 it rose suddenly to Rs. 24,000. This year it has been put down at the same figure. How is it that the figures were nearly one half in 1921-22 ?

Mr. H. D. Craik: Sir, I think there is a mistake.

Mr. President: You had better wait, Mr. Craik, till you reply to the amendment.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu): Sir, the Council has from its very beginning tried to impress upon the Government the necessity of reducing the expenditure on the Hill move. But the Government has not given any proof of its practical sympathy with our request by cutting down this expenditure. We are to-day discussing the third budget of the Reformed Council and this too shows no reduction whatsoever. Though my honourable friend, Malik Firoz Khan, has tried to show to the Council that the present system is indispensable, yet I venture to submit that it is not necessary for the Under-Secretaries to accompany His Excellency the Governor-in-Council and the Honourable Ministers to Simla. As for the Public Works, Medical, Sanitation and Health Departments too, some reduction in the establishments taken to Simla can easily be made. Sir, I want to make it clear to the House that nobody likes to put the European Members of the Services to inconvenience and trouble; we only want that some limit should be put upon the size of the establishments taken to the hills and the period of their stay there. This is quite reasonable and at the same time practicable. If the Under-Secretaries were left at Lahore in charge of the Head Offices, it will serve both purposes, namely, it will bring about reduction in expenditure and also save some persons from unnecessary expense of going up to Simla in order to see the head of any Department in connection with some business. It is not only on considerations of reduction in expenditure, that we are pressing for it, but the question of the convenience of the public also makes it incumbent upon us to request the Government to kindly accede to our request in this matter. With these few observations, Sir, I heartily support the amendment moved by my honourable friend Mr. Ganpat Rai.

Mr. H. D. Craik (Chief Secretary): Sir, the supporters of this amendment have travelled very far from the actual terms of the amendment which in reality deals only with the hill allowances given to certain clerks in the Civil Secretariat. But while calling your attention to this matter, I am quite willing to accept the position that there should be a general discussion on the subject of the Hill exodus. But I trust that a certain amount of latitude may be given to me, and that the mover of the amendment and his friends will undertake not to raise the question again after the votes on this question have been taken. There seems to be some misapprehension in the mind of my friend, Mr. Ganpat Rai, as to this Hill exodus. As far as I can gather from his speech he seems to be under the impression that the whole Secretariat moves up to the hills *en bloc*. That is very far from true.....

Mr. Ganpat Rai: I never said so. I know that the whole Secretariat does not move.

Mr. H. D. Craik (continued): We take to the hills the minimum establishment.....

Mr. Ganpat Rai: I know that.

Mr. H. D. Craik (continued) : We take a very small camp office. Last year I wanted to take one more clerk. But the Finance Department were such strict guardians of the public purse that I had to withdraw my proposal. I can assure the honourable member that we take from each branch only one Superintendent or Assistant and one copyist. If Government is to move to Simla, that is the irreducible minimum establishment that we require.

The cost of the exodus to the hills is also a point on which the honourable member is not correctly informed. I cannot vouch for the details, but the total cost of all Departments is a little over a lakh and thirty thousand.

Mr. Ganpat Rai : That is not including buildings, repairs, etc. But this is travelling expense only.

Mr. H. D. Craik (continued) : The buildings are there anyhow or there would be a loss on them if they were not occupied. If I may digress a little to answer Raja Narendra Nath's point that the cost has grown during these years, I may say that the figure of Rs. 12,183 for 1921-22 is a mistake. The figure must be Rs. 22,000. There has been no substantial change in the figures.

Now I would like to remove certain misapprehensions in the minds of certain members of this House in regard to this matter. I would point out that this subject was threshed out in the Retrenchment Committee. The majority of that Committee, after a very vigilant examination of the subject, came to the conclusion that there were strong and adequate reasons against any change in this matter. It is admitted by every member who has spoken that His Excellency should be free to go to Simla or anywhere else within the Province as he likes. If that is admitted, I do not see how the Executive Councillors and the Ministers can be expected to remain in one place when the Governor is in another.

Apart from that I would like the House to remember that the months when we go to the hills—after all the period is not very long, it is only about 4½ months—are those when the climate of this place is particularly trying. (Hear, hear.) We who occupy these benches are mostly elderly men and perhaps suffer more from the rigours of the climate than younger men like the mover of the amendment, though even his habitual vivacity is, I have noticed, increased in the more stimulating air of Simla. Moreover, it must be remembered that we turn out the most strenuous work during these months. During winter the members of Government have to spend a certain amount of time on tours. Besides in winter we have two sessions of this Council which tend year after year to grow longer. It is impossible for us to do much work during this period and we have therefore got to do our most strenuous work during the summer months. It is only when we go to Simla that we have time for the proper consideration of big problems. One other point I would like to mention. No one in this Council will, I think, deny that whenever the situation in the plains call for the presence of any member of the Government he has not been slow to make his presence available. His Excellency himself has set an example in this respect, which I am sure all members of this House will gladly acknowledge.

The honourable member referred to the fact that we are entitled to take leave for a month each year just as Deputy Commissioners do. The honourable member does not quite understand the position of Secretaries. It is one of the undertakings that attach to the Secretaries' appointments that they should not take leave during the tenure of their office. You must have continuity of policy and of method in the headquarters of the administration. It is not possible for Secretaries to go away from their work even for 15 days. Therefore the only attraction that induces officers to accept the post of a Secretary is that we are allowed to enjoy for certain months in the year the moderate and healthy climate of Simla. If this inducement is to be denied, then we will get lower standard of officers for our Secretariat, either European or Indian. I may also say that the actual physical strain imposed by the hard sedentary work of a Secretary is, in my experience, which has been varied, greater than that of most other appointments. There is no relaxation and there are no holidays in the Secretariat. Even though there are notified holidays, we have to work on those days. Unless we are allowed to carry on our work under reasonable conditions I am quite sure that not only the administrative machine will lose greatly in efficiency, but there would be great danger of its breaking down.

The whole exodus question was carefully scrutinised, if I am not mistaken, in the first year in which this Council came into existence. The strength of the staff taken to Simla was most vigorously examined and considerable cuts were made.

3 P.M.

I may assure the House that we will again scrutinise it and will, if it is possible to reduce the figure even lower than it is now without any radical and fundamental change in the system, do so. The honourable mover has said that even if His Excellency goes to Simla it is quite enough for his personal staff and possibly one Secretary to go with him. I have already stated that it is absolutely necessary for the Ministers and Members to accompany His Excellency, but as regards the other departments which the honourable member mentioned, there is a very distinct advantage in having those departments near at hand, for instance, the Irrigation Department, Inspector-General of Civil Hospitals and the Director of Public Instruction. These officers are the expert advisers of the Members and Ministers and the delay and the loss of efficiency caused by their being 200 or 300 miles away from the headquarters of Government would be very serious indeed.

One other suggestion an honourable member made was that part of each of these departments should, if possible, go to Simla and part remain in Lahore. He said that one of the Financial Commissioners could remain in Lahore and the other could go to Simla. A plan something like that has been tried in certain departments of the Government of India, but it was found to be impracticable. Officers left in Simla had constantly to be called to Delhi, so much so that they had to make journeys backwards and forwards between Simla and Delhi once or twice a week and the amount of telephone and telegraph charges and the cost of their journeys exceeded the expense that would have involved if they had been taken to Delhi. I hope that I have been able to convince the House that this exodus to Simla is not a mere pleasure visit for the benefit of the headquarters offices, but, that it is really conducive to quick and efficient work. I repeat my assurance that a fresh examination will be made to see if any further reductions are possible and I hope, Sir, the House will support me.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), (Urban)] (Urdu): Sir, after hearing the explanation of my honourable friend, Mr. Craik, I quite realize the inconvenience which will be caused to the Government officers if the amendment is carried. I have full sympathy with them. Though the Government benches have not proved at all times sympathetic with us, I want to assure the official benches that we on these benches are not vindictive in the least in this respect. The Punjab is a land of customary law. The official procedure too is not an exception to this general law. The Simla move has in a way become quite customary with it, and therefore it finds it very difficult to stop it immediately and at once. It will certainly give a lot of trouble to the Government servants. But still I want to inform the Government, that sooner or later, it shall have to tackle this problem. It cannot be postponed for good. Therefore it is better if they prepare themselves for changed circumstances. Now, Sir, I find that so far as this item is concerned there is an increase of Rs. 2,000 in this Budget over that of 1922-23. We find it very difficult to allow the expenditure to increase in the present circumstances. This makes our position very awkward. Therefore, Sir, I suggest that the Government would do well to reduce the whole expenditure by a lump sum which it may distribute over different items according to its convenience. But if it finds it difficult to do so on principle, I would on principle request it to make as much reduction as possible. My friends on these benches are quite prepared for any such compromise, and I trust that the Government would gladly come forward with a reasonable offer to make the suggested compromise practicable.

Malik Firoz Khan, Noon: Sir, I beg to move—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 24,000 with respect to the item of Rs. 24,000—Hill Journey and Hill Allowances."

The question is that that reduction be made.

The motion was lost.

Mr. President: Members will wish to know whether the House will sit to-day after the usual hour. We have not got on as well as it seemed possible at one time, but it seems probable that His Excellency will allow an extra day for demands for grants, namely, the 20th; and the business put down for that day will be taken up on the 21st. Under the circumstances, I propose to adjourn at 6 P.M. to-day.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), (Rural)] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—Purchase of Books and Newspapers."

The main reason which I give in its support is that in the Budget Estimate of 1921-22 the provision for the purchase of books and newspapers was Rs. 12,689, which was reduced to Rs. 6,000 in 1922-23. I do not see any justification for raising it now to Rs. 18,000. If this item be reduced by half, I think it will do no harm. I therefore request the Government to effect a reduction, if possible.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—
Purchase of Books and Newspapers."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary) : Sir, this item of Rs. 18,000 includes only Rs. 8,000, which is spent on the purchase of books, periodicals and newspapers. The rest is spent on telegrams received from the Indian News Agency. These telegrams are supplied to His Excellency the Governor, the Executive Councillors, the Ministers and myself and the Inspector-General of Police. Any reduction in these charges is difficult, if not impossible, to make. At present we get seven copies of these telegrams, but the charges are the same up to eight copies; and even if we reduce three or four copies, that would not mean any reduction in the amount to be paid. This amount also includes the redirection charges when the Members and Ministers are out to tour.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—
Purchase of Books and Newspapers."

The question is that that reduction be made.

The motion was lost.

**Chaudhri Kharak Singh (Amritsar-cum-Gurdaspur (Non-Muham-
madan), Rural) :** Sir, I beg to move—

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—
Telephone charges."

Sir, it has often been noticed that there are two or three telephones in one office, while the work can smoothly go on even with one. Moreover, the Telephone charges have been increased from Rs. 150 to Rs. 250 per annum. For these reasons I would like to request the House to observe a little more economy, and accept my amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 10,000—
Telephone charges."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary) : Sir, this item represents the cost of 32 telephones in all, that is to say, the rent of the telephones and the charges for the Trunk calls. Last year the cost was Rs. 8,000, and the increased provision for this year is due, as the honourable member has pointed out, to the raising of rates of rent per telephone from Rs. 150 to Rs. 250 a year. I am prepared to look through the list carefully and see if we cannot cut down some. I think perhaps there are some half a dozen or so which could be cut down without serious inconvenience.

Mr. Ganpat Rai : Only those that are urgently required should be kept. I moved my amendment to reduce Rs. 3,000 simply because I wanted to reduce the number of telephones from the residences of some of the officers who do not require them, or those officers should be asked to contribute partly, because they use it not only for official but also for their private purposes.

Mr. President : On that assurance do you withdraw ?

Chaudhri Kharak Singh : Yes, Sir, on that assurance I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai : Sir, I beg to move—

" That the grant be reduced by Rs. 7,104 with respect to the item of Rs. 12,744—
Assistant Secretary to Financial Commissioners and Clerk of Court."

The pay of the Assistant Secretary is Rs. 592. This multiplied by 12 gives the figure 7,104. I want this amount to be reduced. My reason is this. There are a large number of superintendents in the office of the Financial Commissioners. Besides there are Head Assistants. The work of the Assistant Secretary can be distributed to the superintendents and head assistants. No doubt I shall be met by the argument ' Oh no, there is a good deal of work for the Assistant Secretary.' But one point must not be forgotten. We want reduction not for its own sake but because there is a very great deficit. The question is " can you not carry on his work by abolishing that office." I have made enquiries and I understand that there are more than three superintendents and several head assistants. I have also come to the conclusion after enquiries that this office can be safely abolished. I do not want to be understood that the person holding the office should be dismissed. He can be employed in some vacancy that may occur. It is not my business to find out a vacancy for him. I can only say that I do not want that he should be thrown out of employment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 7,104 with respect to the item of Rs. 12,744—
Assistant Secretary to Financial Commissioners and Clerk of Court."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, this amendment refers to the Assistant Secretary to the Financial Commissioners. Besides the Assistant Secretary there are the Senior and the Junior Secretaries. I gather from Mr. Ganpat Rai's speech that he does not want to burden them with the Assistant Secretary's work but that his work should be done by the superintendents. I am glad, Sir, that he does not propose to give additional work to the Senior and Junior Secretaries because it is manifestly impossible to add anything more to the work of these officers. Mr. Ganpat Rai's proposal therefore is that the work of the Assistant Secretary should be distributed among the various superintendents. I may correct one mistake which he made. The number of superintendents is not three as he said but five.

Mr. Ganpat Rai : I said more than three.

Mr. C. M. King (continued) : I say there are five superintendents and I suppose his idea is that the work of the Assistant Secretary should be distributed among them. I may say for the information of this House that the work of a superintendent is quite different from that of the Assistant Secretary. The Assistant Secretary has to supervise the subordinate officials and he being a gazetted officer some confidence can be placed in him. I do not mean to say that if there is no Assistant Secretary the superintendents would not do their work properly. But superintendents are not responsible

officers and there is a great danger that they will not be able to carry on the work without that direction which they receive from the Assistant Secretary. You cannot have one man doing the work and also supervising it which is what Mr. Ganpat Rai's suggestion practically comes to. You must have an Assistant Secretary to do what I may call the domestic work of every large office such as the Financial Commissioners.

Besides this work of supervision the Assistant Secretary has a considerable amount of case work chiefly connected with stamps. If the Assistant Secretary's post is abolished that work will fall on either the Junior or the Senior Secretary, whose hands, as I have already pointed out, are already full. I may also point out that a good deal of the Revenue Secretary's work has been transferred to this office. I therefore cannot accept this reduction.

Mr. Ganpat Rai: The revised estimate for 1922-23 is Rs. 7,500, whereas provision has been made for Rs. 15,544? May I have an explanation for this increase?

Mr. C. M. King: I may explain it by saying that we had not a clerk of court for some time. The actual accounts figure for 1921-22 is over Rs. 29,000, and we are now asking only for Rs. 12,744.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadan), Urban]: Sir, after hearing the explanation from Mr. King, I beg to oppose the amendment. The Officer in charge is the best judge for deciding as to the necessity of the Assistant Secretary, who has to control and supervise the work of the whole establishment. When Mr. King, who can judge better than any one else, says that the work cannot go on without the Assistant Secretary I would request my friend Mr. Ganpat Rai to withdraw his amendment.

Mr. Ganpat Rai: I beg leave to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Chaudhri Kharak Singh [Amritsar and Gurdaspur (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 800 with respect to the item of Rs. 1,600—Purchase of maps."

In support of this I beg to draw the attention of the House to our financial crisis. In the Budget Estimate of 1921-22 the provision for the purchase of maps was Rs. 988 but now it has been increased to Rs. 1,600. Though the difference is not very great still it means something. If we make these small savings they will considerably reduce our deficit. This is why I beg to move this amendment and I trust the House will accept it.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 800 with respect to the item of Rs. 1,600—Purchase of maps."

The question is that that reduction be made.

Mr. C. M. King: Sir, we have a good number of maps to be prepared in connection with the settlement and assessment reports which are more numerous than in the previous year. That is why the item is larger than it was last year.

Mr. Ganpat Rai: But you have a separate provision in 5—Land Revenue for settlement maps and plans.

Mr. C. M. King: Those are settlement village maps, *shajras*. This item refers to the printed maps which accompany the settlement reports and assessments. All I can say is that we will not spend more than is absolutely necessary and any reduction that is possible we will make.

Chaudhri Kharak Singh: Sir, in view of the explanation given, I beg for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 3,150 with respect to the item of Rs. 23,150—Contract Contingencies."

Sir, in the revised estimate for the year 1922-23 provision for this was Rs. 20,000 but now it has been increased to Rs. 23,150. I do not see any reason why this item should be increased now, I think it will not do any harm if we reduce the grant by Rs. 3,150 so as to restore it to the level of 1922-23. I trust the House will accept the amendment.

Mr. President: Grant under consideration, amendment moved

"That the grant be reduced by Rs. 3,150 with respect to the item of Rs. 23,150—Contract Contingencies."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner): Sir, with respect to this item I can only say that this contract amount for contingencies is given for the Financial Commissioner's office. Against s. 23,150 we actually spent Rs. 21,192 in the year 1921-22 and the greatest care is taken not to spend more than it is essential under these items. If it is possible to make any reduction, it will be done, but I cannot bind myself to bring the contract amount down to Rs. 20,000. I can assure the House that every effort will be made to reduce the expenditure.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural]: Sir, if the Honourable Financial Commissioner will be pleased to read the figures for the present year, I am sure he will agree with my honourable friend who has moved this amendment. He has referred to the item actually spent in the year 1921-22 and as he says that comes to Rs. 21,192. But if he will be pleased to see the budget estimate and the revised estimate for 1922-23 he will find—I want the Honourable Financial Commissioner to listen to me. He is talking at the time.

Mr. C. M. King: In view of the fact that we have certain reserve for these contract contingencies, we have come to the conclusion that it is possible to accept this amendment.

Mr. President: I think the reserve contingencies have been cut out already.

The Honourable Sir John Maynard (Finance Member): In General Administration it has not been cut out.

Mr. C. M. King: I am prepared to accept a reduction of Rs. 3,150.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 3,150 with respect to the item of Rs. 23,150—
Contract Contingencies.”

The question is that that reduction be made.

The motion was carried.

Chaudhri Kharak Singh [Amritsar—~~non~~—Gurdaspur (Non-Muham-
madan), Rural] (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 1,200 with respect to the item of Rs. 2,400—
Telephone Charges.”

In support of this amendment I beg to draw the attention of this House to the fact that in the year 1921-22 provision for this was Rs. 1,358 which was raised to Rs. 1,500 in the Revised Estimate of 1922-23. I do not find any reason why it should be further increased to Rs. 2,400. As the Chief Secretary has promised to remove as many telephones as possible I think a grant of Rs. 1,200 will be quit sufficient to meet the charges for the next year. I trust the Government will not insist on demanding a higher sum.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1,200 with respect to the item of Rs. 2,400—
Telephone Charges.”

The question is that that reduction be made.

Mian Ahmad Yar Khan, Daultana : [Multan East (Muhammadan), Rural] : Sir, perhaps this amendment might be accepted but I am sorry to learn that my friend Mr. Ganpat Rai as a Municipal Commissioner enjoys the privilege of a telephone at his residence at the expense of the municipality. I should like to know if he pays the telephone charges from his own pocket ?

Mr. President : That is not relevant to the point under consideration.

Mian Ahmad Yar Khan, Daultana (continued) : Sir, I do not like to say anything more.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1,200 with respect to the item of Rs. 2,400—
Telephone Charges.”

The question is that that reduction be made.

The motion was lost.

The Honourable Sir John Maynard (Finance Member) : Sir, I want to draw the attention of the House to the fact that we have one more day, or two days if an additional day is granted, for the discussion of the demands for grants. It means that we are not getting on quite as quickly as we ought to be getting along in the circumstances.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muham-
madan), Urban] : Sir, I beg to draw the attention of the House to what the Honourable the Finance Member has said. The time at our disposal is very short and there are so many amendments to be dealt with. It would be better if the ordinary amendments are put to vote and decided upon, without indulging in lengthy discussions.

Mr. President : I quite agree with what the honourable member says and trust that the members who are moving amendments will bear that in mind.

Mr. Ganpat Rai [Lahore and Ferozepore *et* Sheikhupura (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

" That the grant be reduced by Rs. 36,000 with respect to the item of Rs. 36,000 —Commissioners."

Sir, this is a matter of principle. When the Retrenchment Committee consisting of Mr. King (President), Mr. Abbott and the Financial and Chief Secretaries and other non-official members recommended in a majority that there should be only three Commissioners instead of five, I see no reason why we should not give effect to that recommendation. There I and my honourable friend Sayad Muhammad Hussain were insistent on the abolition of all the five posts of Commissioners. But to-day I am surprised to see here that Mr. King and other official members of that Committee are going against these recommendations. What my amendment at present aims at is to abolish one of the five posts. This is because the salary of one of them is votable. I trust Mr. King and his colleagues will not go behind the decision of the Retrenchment Committee.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 36,000 with respect to the item of Rs. 36,000—Commissioners."

The question is that that reduction be made.

4 P. M.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] : Sir, I desire to approach this all important question of the abolition of Commissioners from the point of view of economy. I do not suggest for a moment that Commissioners are not fully occupied. It is perhaps convenient for Government to have five experienced officers who should have a comprehensive knowledge of the affairs, and who should be able to guide the junior officers as their philosophers and friends. But, at the same time, I think it would be better for the Government to be in direct touch with the District Officers who get the work done. The District Officers base their decision on their knowledge of local affairs. The Commissioner bases his opinion on experience only. After all the Commissioner's opinion is only a second-hand one, and I think it will be far better for Government to have first-hand opinion and do away with this second opinion altogether.

Sir, I contend that the present constitution of the Council has considerably reduced the work of the Commissioners. The Transferred Departments are now administered by His Excellency the Governor acting on the advice of his Ministers, whose policy is now controlled by the vote of this Council. Now the services of the Commissioner are no longer needed in the transferred Departments of Education, Public Health and Medicine, Industry and Agriculture. In the extension of Panchayats, the Commissioners have very little to do. With Civil Administration he is not concerned. With the Criminal Administration and the Police Administration, he is very slightly concerned. On the Revenue side we have two Financial Commissioners. It is true that the Commissioners perform statutory

functions. They hear the appeals under the Land Revenue and Treasury Acts and so on. But I submit, Sir, that the Commissioners should no longer hear appeals from the orders of the District Officers. The Court of the District Officer should be made Court of Appeal. They should hear appeals from the orders of the Revenue Assistants who should decide all Revenue cases in the first instance. A second appeal can lie in point of law to the court of Financial Commissioner. Such applications for revisions can be entertained by Financial Commissioner. In all civil cases, a decision is given by a Munsif or a Sub-Judge, and an appeal lies to the District Judge, and the decision of the District Judge on facts is final. Only a second appeal lies to the High Court on a point of law. The same procedure should be adopted in all revenue cases. The law can easily be amended. The Commissioners generally do not interfere with the decisions of the District Officers. As a matter of fact they really act as Supervising Officers. The office of Commissioner has declined in usefulness and prestige and having regard to the new conditions, a further decline is inevitable. The Retrenchment Committee has also recommended that the number of Commissioners should be reduced from 5 to 3, I therefore heartily support this amendment.

Mr. H. D. Craik (Chief Secretary) : Sir, the item in the Budget which is the subject of attack represents the pay of one Commissioner whose salary is voted; and I am not sure whether it is in order for this House on that item to consider the general question of the reduction of Commissioners. The last speech which I have heard was a direct recommendation that all Commissioners should be abolished. That surely is not in order on this amendment.

Mr. President : I do not think it is in order. It is rather a difficult matter to say. The question before the House, of course, is the question of the reduction of Rs. 36,000 for this one individual officer. Any opinion that this House might have, of course, will not affect other Commissioners one way or the other, as the rest of the expenditure is non voted. I am sorry that I did not notice the bearing of the amendment before. I do not think the matter of the abolition of all the Commissioners can be brought in. I do not think that the speech of Mian Muhammad Shah Nawaz was quite in order, but, at the same time, I do not think he has done any harm in intimating what his own particular wishes may be on the subject. The debate will now remain confined to the question of this one particular officer.

Mian Muhammad Shah Nawaz : Sir, I admit that I have made it a ground of attack. I say that the Commissioners are absolutely unnecessary.

Mr. President : You only mean to attack the principle through this amendment.

Mian Muhammad Shah Nawaz : Yes, Sir.

Mr. H. D. Craik (Chief Secretary) : Sir, I am quite willing to meet the honourable member on his own ground, but at the same time I want to point out that the actual effect of this amendment, if carried, will be that Government will no longer be in a position to employ this very distinguished officer as Commissioner, and he will have to revert to the post of Deputy Commissioner. But, Sir, if it is the general desire of the House to have this discussion, I have no objection whatever, and I am quite ready to meet the attack that has been made.

Mr. President : The position of course would be as the honourable member says, if this item of Rs. 36,000 is cut out, the Government will either have to select another officer or they will have to leave the post vacant.

[Mr. President.]

but as the Chief Secretary is prepared to discuss the matter and that is the intention of the amendment, I think there can be no objection.

Mr. H. D. Craik (continued) : As the mover of this amendment says the question of the abolition of the posts of Commissioners was considered at very great length by the Retrenchment Committee and that Committee came to the conclusion that Commissioners cannot be abolished. It is true that the Committee recommended by a narrow majority that the number of Commissioners should be reduced from 5 to 3. Since then Government has considered the matter and has come to the conclusion that for the present at any rate and for some years to come neither reduction nor abolition is feasible.

I will explain to the House briefly the reasons for that decision. First of all on the financial side the total cost of the Commissioners and their establishments is about 8½ lakhs. The abolition of these posts would not however mean a saving of the whole of this amount. Certain definite functions, statutory and other, are performed by these Commissioners and if you abolish the posts you have to invent some other agency to perform those functions, or you have to strengthen the existing agency so that it may be capable of coping with the additional work. Some of these functions are imposed by statute. The House should realise what these statutory functions are. The Commissioner has certain functions to perform under the Punjab Land Revenue Act and the Punjab Tenancy Act. Under both these Acts he has got wide appellate jurisdiction. Under the Punjab Municipal Act he has to hear appeals against orders of taxation or other orders of the Municipal Committees. He has also to hear appeals under the Land Alienation Act, the Minor Canals Act, the District Boards Act, the Excise Act, the Indian Salt Tax Act, the Forest Act and finally the two new Acts passed by this Council, the Village Panchayat Act and the Small Towns Act. There are a good many appeals decided by Commissioners under these Acts. The total comes to about six to eight thousand a year. If the Commissioners are abolished some other agency will have to be set up to hear these appeals. There was a considerable discussion in the Retrenchment Committee on the subject of the agency that should be substituted, but no member of that Committee was able to suggest any satisfactory solution. There was a suggestion that the Commissioner's appellate powers should be transferred to the civil judiciary. I do not think that would be a popular change. The zamindars of the Province would not approve of it. (A voice "No".) Besides if this change is effected we will have to set up a number of courts to hear these 8,000 appeals and that would greatly reduce the saving. Then there is another alternative which is to set up some central agency in Lahore to hear the appeals, possibly by adding one or two to the number of Financial Commissioners. That would mean that all appellants would have to come to Lahore to have their appeals decided—think what that means. I ask whether that would be a popular change. I do not think so. Then there was another suggestion, namely to curtail the right of appeal. My experience is that whenever there is a proposal to curtail the right of appeal whether in criminal, civil or revenue cases it is always opposed by popular opinion. I do not think that the honourable member who spoke last can seriously advance the proposition that the Collectors or Deputy Commissioners should be the final deciding authority in cases in which an appeal now lies to the Commissioner.

Mian Muhammad Shah Nawaz: What I meant was that second appeals should be to the Court of the Financial Commissioners as in the case of other cases.

Mr. H. D. Craik (continued): Then there is a large number of appeals from orders of dismissal. If there is to be right of appeal from such orders then the whole theory of our administration would be changed.

Now, apart from his statutory functions the Commissioner has certain other undefined, but very important, functions, perhaps more important than any of those which I have so far enumerated. He is the guide, philosopher and friend of his district officers. He is the connecting link between them and the Government. He is the adviser and the controller of all the local bodies in his division, the district boards, municipalities and so on. It might be argued that with the increasing popular elected element in local bodies complete relaxation from official control is desirable. I admit there is some force in that. But hitherto in the Punjab the local bodies who have lost the advice and assistance of their official chairmen are more inclined than before to consult the Commissioners because they realise that in time they have an impartial and experienced adviser. I do not think the local bodies would welcome the suggestion that there need be no intermediary between them and a Government situated perhaps three or four hundred miles away.

Again at the present moment the task of district officers is continually increasing in difficulty and complexity and it would be in the highest degree inadvisable to deprive these officers of the advice and guidance of experienced officers such as the Commissioners. It is perfectly true that the best and most experienced Deputy Commissioners are able to dispense with such help, but in practice there are very few Deputy Commissioners, if indeed there are any, who do not constantly consult their Commissioners, and are the better for consulting them, on all important questions. In this connection I may tell the House that owing to the complete cessation of recruitment for the Civil Service during the war the Punjab Commission is now much below its normal strength and it has been necessary within the last few years to entrust an increasing number of districts to the control of officers with less administrative experience and perhaps less readiness to assume responsibility than used to be the case. It is natural that my junior officers of the Indian Civil Service or even senior members of the Provincial service, should have less initiative and less readiness to accept responsibility than more senior and experienced officers. Their work therefore requires more constant supervision than that of their more experienced and older colleagues.

Now I turn to the question of a possible reduction in the number of Commissioners. At present the division of each Commissioner consists on an average of six districts with a population of about four millions. If you divide the Province into three divisions then each Commissioner will get on an average nine districts with an average population of about seven millions. That, Sir, I think is a charge which would be unwieldy. The Commissioners are at present hard worked officers and their Divisions are just as large as they are able to manage in ordinary times. To be really useful they should be frequently on tour. They must familiarise themselves with the more important local problems and they must be in touch with the leading men of each district. That is just possible in six districts. I do not think it is possible in nine. I do not think it fair to ask any officer, however devoted and however able, to exercise real supervision over a larger area or with a

[Mr. H. D. Craik.]

greater population. The Commissioner's knowledge of his division should be far closer than that of any member of Government at headquarters. The saving that could be effected by adopting the suggestion is not commensurate with the loss of efficiency caused thereby and the impaired supervision that would be exercised over the details of the district administration. I hope, Sir, that for these reasons the House will reject the amendment and uphold the principle that Commissioners should not be reduced or abolished. (Hear, hear.)

Maulvi Muharram Ali, Chishti [Lahore City (Mubammadan), Urban] (Urdu): Sir, as one of the signatories of the Majority Report I need not emphasise the point that when the matter has once been decided we should not go against it. I need not say that I hold the same opinion which I held in the Retrenchment Committee. None of the learned members has ventured to answer the question of my honourable friend Mr. Ganpat Rai as to why those who had put their signatures on the report have now changed their opinions. Official members have always been consistent in following their old opinions and their voice in this council has always been one and the same side. I hope when this has always been the practice there is probably no reason why it should not be the same even now. Have the official members who compromised with us on the point changed their minds? Or may I conclude that they stick to their contract but there is division in the official benches on this question. I trust the Honourable Mr. King and his colleagues still hold the same opinion they expressed before the Retrenchment Committee. If it were not the case it would be an extremely unlucky occasion for the public.

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

The House is already very thin to-day and if the official members take an undue advantage of it, and the report of the Retrenchment Committee is overlooked, it will be a gross injustice to the public. Coming to the real problem I have to submit that the work of the Commissioners has considerably decreased in view of the fact that the Income-Tax Department is altogether a separate and Imperial department now. At the same time there is no pressure of work now as there was before. This shows that the argument regarding rush of work is not very sound. During the last summer two Punjab Commissioners were at Simla and third on another hill station far distant from his headquarters. Their absence did not make any difference. There was no special trouble which the presence of the Commissioners could have avoided. In fact the bulk of their work is post office work.

Sir, the Chief Secretary has advanced another argument against abolishing the posts of Commissioners. That Civilian recruits in these days are generally inexperienced and the Commissioners are useful for their supervision and guidance. To this I would say that I am not in favour of perpetuating this Tutor Agency which unnecessarily entails a heavy burden on the Exchequer. I may also inform the House that the people outside have a keen desire to see that the recommendations of the Retrenchment Committee are given effect to. Besides this I beg to point out that there are no Commissioners in Madras. If Madras can do without them what calamity will befall the Punjab if the Commissioners are abolished. Again it has been said by the Honourable Chief Secretary that Commissioners have to admit and hear appeals from the local bodies and also to supervise them. If maintain that a good deal of work will be reduced in this respect by the Municipal Amendment Bill. At the same time the Honourable Minister for Education is solely in charge of their work and can efficiently control and

supervise them. He has also got a very able Secretary and I think in view of these circumstances the posts of Commissioners are nothing but unnecessary. Sir, I would not have spoken to support this amendment, but being a member of the Retrenchment Committee I could not help it and I should invite the attention of Mr. King and his colleagues to stick to the decision of the Retrenchment Committee.

Chaudhri Ali Akbar [Kangra & m-Gurdaspur (Muhammadan), Rural]: Sir, I beg to say that the Commissioners are better acquainted with the requirements of zamindars. When we go to see them we find them always busy. If the House is of opinion that these offices should be reduced or abolished I would request the honourable members to think twice before voting on this motion. We should not waste our time on such trifling items. There are still many more amendments relating to reductions of very great value which require more attention.

Mr. C. M. King (Financial Commissioner): Sir, this particular amendment deals only with the next financial year, but I understand that the whole question of principle, whether the office of Commissioner should be retained or abolished, has come under discussion. I hope the House will hear me patiently on that question.

The first proposal regarding this brought forward in the Retrenchment Committee, passed by a majority, was that the number of Commissioners should be reduced from five to three. That was passed by a majority; and it has been suggested that some official members were in favour of that proposal. I do not deny that the suggestion that there should be a reduction in the number of Commissioners was discussed with a very open mind by some of the official members there, and that as a result of that discussion there was this decision of the majority. But at that time, I think that some of those official members who were inclined to favour the abolition of Commissioners had not the full facts before them. Indeed if I remember rightly, the decision made by those particular official members was subject to reconsideration when the report was prepared; and as a result of that reconsideration, I do not think that any official member was in favour of the proposal to reduce the number of Commissioners from five to three....

Mr. Ganpat Rai: I rise to a point of order, Sir. Is not Mr. King bringing in some facts which are not in the report of the Retrenchment Committee? When I referred to a certain matter, I was stopped.

The Deputy President. The honourable member must confine himself merely to stating the point of order.

(Turning to the speaker). The honourable member will, I trust, bear in mind the limits within which reference to the proceedings of the Retrenchment Committee can be made.

Mr. C. King (continued): I go on, Sir, to this point that the number of Commissioners be reduced from five to three. If that is the real point before this Council, then as to that my friend, the Chief Secretary, has put forward very cogent and sufficient arguments in favour of the retention of the present number. We should either abolish the Commissioners altogether or else we should not reduce them at all.

(At this stage Mr. President resumed the chair.)

I can understand when some members say, although I do not agree with them, that the posts of Commissioners should be abolished altogether. I cannot understand when they say that the number of Commissioners should be

[Mr. C. M. King.]

reduced from five to three, because if you make that reduction, you save very little in expenditure and you reduce the usefulness of the three remaining Commissioners because you over burden them with work. As my friend the Chief Secretary has pointed out, the charge of Commissioners, if you reduce them to three, becomes so large that it is quite impossible for any man to perform the duties of his office thoroughly. Therefore, on that ground I would strongly oppose this proposed reduction.

There is another point that I may mention in this connection, and that is that it is not within the powers of this House or

S. R. N.

indeed of the Government of India to make a reduction of this kind. The reduction in the number of Commissioners is the prerogative of His Majesty's Secretary of State and it is only the Secretary of State who can order the reduction in the number of these officers.

Sir, I have had some peculiar opportunities for considering the appointment of Commissioners. I looked at it as a Deputy Commissioner, I looked at it as a Commissioner, and now I look at it as an officiating Financial Commissioner. From all these points of view I am quite convinced that in the Punjab it is not possible to abolish these posts without causing much inconvenience to the people. The members of this House probably have no idea as to the very large number of occasions on which the Commissioner is consulted by the Deputy Commissioners of his division on various points which arise in the course of administration of their districts. These references are in most cases of a trivial nature, but they are references wherein the district officers have frequently great difficulty in coming to a decision. In these cases the district officers are now able to consult their Commissioners either demi-officially or unofficially and get their replies promptly. If you had no Commissioner or if you had a Commissioner who is so overburdened with work that he could not properly attend to his district officer you would deprive them of that help. It has been suggested that similar advice can be got from the headquarters of Government. Sir, I do not think it is possible for Government to have that intimate acquaintance, that intimate knowledge which the Commissioner of a division has of his districts. Many Deputy Commissioners would hesitate to trouble the hard-worked Secretaries with points of passing importance, but they will have no hesitation at all in writing to their Commissioners. If you abolish the posts of Commissioners or reduce their number and thus increase their work so as to make it impossible for them to attend to their work properly you will be depriving the Deputy Commissioners of a great source of inspiration and guidance.

My friend, Maulvi Muharram Ali, Chishti, has quoted the case of Madras and said that in Madras there are no Commissioners and therefore we should be able to do away with them. It is quite true that there are no Commissioners in Madras. But most of the functions of the Commissioners in the Punjab are performed by Collectors in Madras who are persons with greater powers than the Deputy Commissioners here. They have under them a good number of sub-divisional officers who perform the functions which are very similar to those of Deputy Commissioners of the province. It is therefore a false analogy to say that because Madras has not got Commissioners therefore we also should do away with them. I may also point out that the Collectors in Madras are more highly paid than the Deputy Commissioners here, and if you introduce the Madras system here, it is very doubtful whether there would be any saving at all. (Hear, hear).

Again whereas in the Punjab we have only two Financial Commissioners, in Madras you have a Board of Revenue consisting of four members. That in itself will absorb most of the savings effected by the reduction in the number of Commissioners.

My friend, Mr. Craik, has dealt with the statutory objections to the immediate abolition, and it is not necessary for me to go into that question again. No doubt a question of principle has been raised in this amendment, but the actual matter under discussion is the reduction in the grant of the pay of a member of the Provincial Service. No one can desire that at this moment, I have no hesitation then in advising the House to reject the proposal involved in the amendment.

Malik Firoz Khan, Noon: Sir, I beg to move—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Mr. President: The House when voting on this motion should realize that the actual effect of motion is, as stated by Mr. Craik, to force Government, unless His Excellency should interfere under Standing Order 74, to remove a distinguished officer from his post, while it leaves Government perfectly free to put in an Imperial officer in his place. This, of course, is not the object of the amendment, and realising this and taking advantage of Mr. Craik's readiness to discuss the real object of the amendment, I have allowed a general discussion on the question of abolishing Commissioners. If, however, the amendment is carried, the immediate effect, as I have stated, will be to fetter the discretion of Government as to choice of officers to fill this one post. As regards the larger question, the carrying of the amendment will merely be an indication of the opinion of the House. The decision of that larger question will rest with other authority.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) Rural]: Sir, there is another amendment to be moved by Raja Narendra Nath that the grant be reduced by Rs. 1,000. The question may be discussed then. It is rather unfortunate that one Provincial officer should be reduced, if this motion is passed.

Mr. President: Mr. Craik in expressing readiness to discuss the question said quite distinctly that he did so on the supposition that the matter would not be raised again under any other amendment.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 36,000 with respect to the item of Rs. 36,000—Commissioners."

The question is that that reduction be made.

The House then divided: Ayes 7; Noes 46.

AYES—7

Mr. Moti Lal, Kaistha.
Ochandhri Kharak Singh.
Mian Muhammad Shah Nawaz.
Maulvi Muharram Ali, Chishti.

Diwan Bahadur Raja Narendra
Nath.
Mr. Ganpat Rai.
Rai Bahadur Lala Sewak Ram.

NOES—46.

The Hon'ble Sir John Maynard.
 The Hon'ble Sardar Bahadur Sardar
 Sundar Singh, Majithia.
 The Hon'ble Khan Bahadur Mian
 Fazi-i-Husain.
 The Hon'ble Lala Harkishan Lal.
 Mr. H. D. Craik.
 Mr. D. J. Boyd.
 Mr. Miles Irving.
 Mr. N. H. Prenter.
 Mr. A. J. Gibbon.
 Mr. A. Latiff.
 Mr. C. M. King.
 Mr. E. R. Abbott.
 Colonel R. Heard.
 Mr. W. P. Sangster.
 Lieut.-Col. W. C. H. Forster.
 Mr. D. Milne.
 Mr. G. Anderson.
 Mr. J. G. Beazley.
 Khan Bahadur Diwan Abdul Hamid
 Khan.
 Mian Ahmad Yar Khan, Daultana.
 Malik Firoz Khan, Noon.
 Chandhri Ali Akbar.
 Rao Bahadur Lieutenant Balbir
 Singh.
 The motion was lost.

Lala Kesho Ram.
 Pandit Daulat Ram, Kalia.
 Sardar Sahib Risaldar Dilbagh
 Singh.
 Khan Bahadur Rai Wali Muham-
 mad Khan.
 Chandhri Ghazi Ram.
 Sardar Bahadur Gopal Singh,
 Labana.
 Chaudhri Ghulam Muhammad.
 Sayad Ghulam Muhammad Shah.
 Rai Sahib Sardar Harnam Singh.
 Sardar Allan Khan.
 Rana Muhammad Jamil Khan.
 Khan Sahib Amir Khan.
 Khan Bahadur Sayad Mehdi Shah.
 Malik Najabat Khan.
 Rai Sahib Chaudhri Lajpat Rai.
 Chaudhri Nabi Bakhsh.
 Chaudhri Muhammad Hayat Khan.
 Sayad Muhammad Raza Shah.
 Nawabzada Muhammad Irshad Ali
 Khan.
 Rai Bahadur Lala Panua Lal.
 Khan Bahadur Khawaja Yusuf Khan.
 Chaudhri Shafi Ali Khan.
 Mr. Edward Ernest Clarke.

Chandhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 550 with respect to the item of Rs. 1,056—Local Allowance."

Sir, this is a very small reduction, and I move it with a view to effect as much economy in our expenditure as possible. I trust the House will accept it.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 550, with respect to the item of Rs. 1,056—Local Allowance."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary) : Sir, the local allowance is drawn by the employees of the offices of two Commissioners, Lahore and Rawalpindi. As the clerks and menials of other offices in these two places receive the same local allowance, there is no reason why clerks and menials in the Commissioners' offices should not have it. No clerk who gets more than Rs. 99 a month draws any allowance whatever.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural] : May I have a word, Sir. The establishment remains the same. There is no increase in the number of clerks. How is it then that

the local allowance has increased? The actuals for 1921-22 were Rs. 427, the budget estimate for this year was Rs. 576 and the revised estimate is Rs. 950.

Mr. H. D. Craik: The local allowance was first applicable only to Lahore. It was then extended to Rawalpindi. It was not applicable to Rawalpindi for the whole of the last year.

Chandhri Kharak Singh: I ask for leave, Sir, to withdraw my amendment.

The amendment was by leave withdrawn.

Rai Bahadur Lala Sewak Ram: I beg to move, Sir—

"That the grant be reduced by Rs. 4,420 with respect to the item of Rs. 4,420—Purchase of Tents."

The reason why I move this amendment, Sir, is that on question of principle, the money should not continue to be spent on tents, etc., considering that there are so many rest-houses, dāk bungalows, etc., everywhere. It may be said that there are some places where there are no rest-houses for which tents are necessary. Looking at the budget, I find this item began with Rs. 870 in 1921-22 and rose to Rs. 1,800 in 1922-23, and now this year it is budgetted for Rs. 4,420. I really cannot follow this increase. If, however, I am convinced that this money is necessary, I am prepared to withdraw. Otherwise I would request the House to accept the amendment.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 4,420 with respect to the item of Rs. 4,420—Purchase of tents."

The question is that that reduction be made.

Mr. H. D. Craik: One Commissioner has budgeted for a new tent to replace one that has been condemned. Another Commissioner wishes to renew the servants' *chhokdāris* and some clerks' *chhokdāris*. As regards the honourable member's argument that tents are no longer required, as there are so many bungalows, I would remind him that with the touring officer there is always his establishment, and they have also to be housed somewhere, and it is for them that some of these tents are required.

Mr. Ganpat Rai: Sir, the amount is small. We do not want to insist. But the fact remains that as the number of bungalows is increasing, so the number of tents is increasing also.

Mr. President: The question is whether Government is prepared to accept any reduction.

Mr. H. D. Craik: I cannot say off-hand, Sir, whether there can be any reduction. I have no reason to suppose that every possible care was not taken in framing this estimate. I think the tents are really necessary. I am not prepared to reduce anything.

Mr. President: Do you wish to withdraw, Rai Sahib?

Rai Bahadur Lala Sewak Ram: I ask for leave, Sir, to withdraw my amendment.

The amendment was by leave withdrawn.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,771 with respect to the item of Rs. 35,857—Contingencies."

Sir, in view of the fact that we have got a deficit Budget I propose that grant for contingencies be reduced by one-fifth, which comes to about Rs. 7,171. I trust the House will support the amendment.

Mr. President. : Grant under consideration. Amendment moved :

"That the grant be reduced by Rs. 7,171 with respect to the item of Rs. 35,857—Contingencies."

The question is that that reduction be made.

Mr. H. D. Craik : I do not think, Sir, that I am required to give any reply. The honourable member has not adduced any reasons for the reduction, and I do not know what case I have to answer.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural] (Urdu) : Sir, a day or two ago a grant with respect to contingencies was reduced by Rs. 10,000 by a majority of votes of this House. Keeping that convention in view I strongly support the reduction proposed by the present amendment.

Lala Kesho Ram [Amritsar City, (Non-Muhammadan), Urban] : As I remarked last time, Sir, my friend has not been able to show why one-fifth should be cut down. As the present proposals go, Sir, you will find that the pay of menials is to be cut by one-fifth. I think the honourable mover of the amendment has not given good grounds for cutting the figure by one-fifth. My submission, therefore, Sir, is that this amendment should be rejected.

Mr. President. : Grant under consideration. Amendment moved :

"That the grant be reduced by Rs. 7,171 with respect to the item of Rs. 35,857—Total contingencies."

The question is that that reduction be made.

The motion was lost.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders-General) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 2,80,000—Total Commissioners."

Mr. President : I do not think I can allow you to go on with this amendment. We cannot go into subjects already discussed. Apparently you are moving this amendment to bring under discussion the subject of Commissioners and the proceedings of the Retrenchment Committee. You cannot attack a non-voted item by bringing an amendment for a voted item. Besides, there was a very distinct understanding on Mr. Craik's part when he agreed to the discussion of this question of Commissioners that the question should not be raised again under any other amendment. You should not therefore reopen a discussion which has already been decided.

Diwan Bahadur Raja Narendra Nath : There is one difference between the previous amendment and this. The previous amendment raised

the question of the provincial service and the general question. My amendment raises only the general question. If your ruling is that I cannot raise that question I withdraw my amendment.

Mr. President : But your amendment too would not entitle you to raise a question as to non voted posts, and like the other amendment it could strictly speaking only bear on the one post the salary of which is voted. The matter has already been discussed and I am sorry I cannot allow it to be discussed again, mainly because of Standing Order No. 32.

Diwan Bahadur Raja Narendra Nath : I then beg for leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian), Rural] : Sir, I wish to move—

“That the grant be reduced by Rs. 4,000 with respect to the item of Rs. 4,000—Pashto and Balochi pay.”

Mr. C. M. King : I think it is out of order to discuss this amendment as it is a non-voted item.

Mr. Ganpat Rai : I do not think so, Sir. To me it appears that it is a votable item. I require some rule or law to convince me that it is not. I studied this question some time ago and the result of the study is that I consider it a votable item. I am, however, prepared to obey your ruling in the matter.

Mr. President : The actual rule which governs this question is section 72 of the Government of India Act under which the Governor is the final deciding authority. Was this matter referred to him?

Mr. Miles Irving : I cannot say offhand. This relates to special pay to officers for their knowledge and ability, and that is why it has been brought under non-votable item. It is assumed that they are Imperial service officers.

Mr. President : I suppose the general principle on which it has been granted has been approved by the Secretary of State?

Mr. C. M. King : I may just tell you what these allowances are. They are allowances given for efficiency in Pashto and Balochi to certain officers of the Imperial Service who are serving beyond the Indus. They are very limited in nature. It is very necessary that these officers should have a very intimate knowledge of these languages. It is for that reason that we have provided this allowance for Imperial Service officers. On this ground I oppose the amendment.

Mr. President : I should like to know whether it is allowed for non-Imperial Service officers.

Mr. Miles Irving : I do not think, Sir.

Mr. Ganpat Rai : I am quite prepared to abide by your decision, Sir. I shall take another opportunity to raise this question.

Mr. President : It does seem to me to be a non-votable item. If you wish to discuss this question, you may do so when some other amendment lower down of a similar character comes up for discussion. You could warn me beforehand, and if any substantial doubt seemed to exist and I should probably hold that “doubt” meant a doubt in my own mind, I would take the orders of His Excellency. Perhaps you will accept my opinion as regards this one item.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur—(Rural)] (Urdu) :
Sir, I beg to move—

"That the grant be reduced by Rs. 29,000 with respect to the item of Rs. 23,29,102—Pay of Establishment."

Sir, the Majority Report of the Retrenchment Committee recommends that the posts of Readers are quite unnecessary, and should therefore be abolished. I find that in spite of this recommendation, no reduction has been made in the budget which leads one to suppose that that recommendation has not been given effect to. I therefore propose that Rs. 29,000, which I have roughly estimated to be the pay of Readers, be reduced from this grant. If the Government is prepared to reduce a smaller sum, I have no objection.

Mr. President : Grant under consideration. Amendment moved :

"That the grant be reduced by Rs. 23,000 with respect to the item of Rs. 23,29,102—Pay of Establishment."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, I understand that Chaudhri Kharak Singh's desire is to give effect to the recommendation that Readers should be abolished. Apparently he is under the impression that each Reader in each district gets Rs. 1000, as he is moving for a reduction of Rs. 29,000. The actual reduction will be about Rs. 2,400 and that has already been allowed for. I may say that the question of reducing the number of Readers is already under consideration.

Chaudhri Kharak Singh : I then ask for leave to withdraw my amendment, Sir.

The amendment was by leave withdrawn.

Mr. President : We have got on very little to-day, but we have established a few conventions which may help us later on perhaps to hurry through this budget.

The Council then adjourned till 2 o'clock on Saturday, the 17th March 1923.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Saturday, the 17th March 1923.

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

MESSAGE OF CONGRATULATION ON THE BIRTH OF H. R. H. PRINCESS MARY'S SON.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That this Council requests His Excellency the Governor of the Punjab to convey this Council's respectful congratulations to His Most Gracious Majesty the King-Emperor of India on the birth of a grandson, Princess Mary's son."

I think I need say nothing on the subject of this resolution. I am quite sure that all members of this House will desire to congratulate His Most Gracious Majesty the King.

Mr. President : The resolution proposed runs—

"That this Council requests His Excellency the Governor of the Punjab to convey this Council's respectful congratulations to His Most Gracious Majesty the King-Emperor of India on the birth of a grandson, Princess Mary's son."

The question is that that resolution be adopted.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] : This is a subject, Sir, on which I think no speeches are needed. I am sure that the House will be unanimous in passing this resolution. We are very grateful to the Finance Member for bringing forward this resolution. I wish that some of us had brought it forward, but as the Honourable the Finance Member has moved it the House accords its most cordial thanks for his doing so.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, just a word of explanation. It was Rai Bahadur Lala Panna Lal who originally drafted the resolution but it was eventually decided that the Leader of the House should move it. We have not been slow and have fully realised our responsibility in the matter but the correct procedure of the House is that a resolution of this kind should be moved by the the Leader of the House.

Mr. President : The resolution proposed runs—

"That this Council requests His Excellency the Governor of the Punjab to convey this Council's respectful congratulations to His Most Gracious Majesty the King-Emperor of India on the birth of a grandson, Princess Mary's son."

The question is that that resolution be adopted.

The motion was carried.

ANNOUNCEMENT FROM THE CHAIR.

ADDITIONAL TIME FOR VOTING OF GRANTS.

Mr. President: Yesterday I indicated that His Excellency would probably allot one extra day for the discussion of grants, *viz.*, the 20th, ordinary Government business fixed for that day being transferred to the 21st. I am now able to announce His Excellency's definite orders to the above effect.

As members already have another engagement for the evening of the 21st, the Council will sit on that day from 11-30 to 1-30 and again from 2 P.M. to 4-30 P.M.

I propose to sit till 7 P.M. today if the business of the day is not concluded before that hour. Moreover if it is so concluded, I propose, subject to the agreement of members, to take up demands for grants on the conclusion of the ordinary business of the day, a course to which His Excellency the Governor has agreed, and to continue till 7 P.M. If however members are not prepared through lack of notice to continue the discussion of demands, the suggestion will not be pressed.

GOVERNMENT LEGISLATION.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to present the report of the Drafting Committee on the Punjab Municipal (Amendment) Bill. The Drafting Committee has made no alteration in the Bill beyond incorporating the amendments carried by the Council.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to move—

“ That the Punjab Municipal (Amendment) Bill be passed. ”

Mr. President: The question is—

“ That the Punjab Municipal (Amendment) Bill be passed. ”

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I wish to offer only a few remarks. The Municipal (Amendment) Bill contains some useful provisions but there are others in which we leave the matter to the elected representatives of the Committee. I hope that the elected representatives on the Municipal Committees will be better able to pay attention to the rights of tax-payers which those amendments affect. With these remarks I conclude whatever I have to say. I do not oppose the passing of the Bill, but I only express the hope that the Municipal Committees will be more considerate to the interests of the tax-payers than this Council has been.

Rai Bahadur Lala Panna Lal [North-East Towns (Non-Muhammadian), Urban] (Urdu) : Sir, I heartily endorse all that has fallen from the lips of my honourable friend Raja Narendra Nath and I hope that the Honourable the Minister for Education will avail of some other opportunity to remove some of the flaws in the Bill. The public mind is certainly very exercised over Section 197 and I trust that he would not ignore the public feeling in this

respect. If these defects were removed, the measure before the House will become a popular law.

Mr. Ganpat Rai [Lahore and Ferozepore and Sheikhupura (Non-Muhammadan), Rural]: Sir, I only wish to make a few remarks. This amending Bill no doubt has introduced several useful technical improvements but the important amendments are not these which the public expected from a nationalist Minister. For instance, according to this Bill the extent of the nominated element in Municipal Committees has been fixed at one-fourth. This should have been abolished altogether as urged by one school of thought, or, at least, further reduced as suggested by me. Secondly, Sir, certain other amendments which could not be legally introduced have been introduced though they were most useful; but certain amendments have been introduced to which the general public, not one community but all communities, objected. Therefore as I have said the public have not got from the Minister what they thought he should have given them by introducing this amending Bill. This is all I wanted to say.

Mr. President : The question is—

“That the Punjab Municipal (Amendment) Bill as amended be passed.”

The motion was carried.

THE PUNJAB LAND ACQUISITION (INDUSTRIAL) BILL.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move :—

“That the Punjab Land Acquisition (Industrial) Bill as reported by the Select Committee be taken into consideration.”

Mr. President : The question is :—

“That the Punjab Land Acquisition (Industrial) Bill as reported by the Select Committee be taken into consideration.”

The motion was carried.

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

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, before I move my amendment, I want permission to make a slight verbal alteration in its wording, if the House has no objection. It is this that I would strike out the words “in the village,” so that it will run : “... and to any other area to which the Local Government may by notification from time to time extend it.”

The Honourable Lala Harkishan Lal (Minister for Agriculture) : I am very doubtful whether that will cover all that we intend to do. We have divided the whole Punjab into Municipalities and Notified Areas, but we have left out the villages and for that we have made special provision. Now if we leave out the word “village”, it will practically be a village under another name. Therefore the draft as it is is quite correct.

Diwan Bahadur Raja Narendra Nath : I am talking of my amendment. I want to make some change in my own amendment.

The Honourable Lala Harkishan Lal : I understand the hon'ble member wants to put his own amendment in proper form. I have no objection, Sir.

Diwan Bahadur Raja Narendra Nath : I leave, Sir, the drafting of my amendment in the hands of the Legal Remembrancer, who can put it right, if carried. I move—

"That in clause 1, sub-clause (2) after 'Cantonments' add a comma; leave out 'and' and for the words following the figures 1921 and the bracket substitute the words 'to any area belonging to a village within 500 yards of the railway fencing forming boundary of land belonging to Railway Department, and to any other area to which the Local Government may by notification from time to time extend it'."

My object in moving this amendment is that without notification by the Local Government the Act may *ipso facto* apply to a certain village area within certain limits of a Railway Station. It is very often land near the Railway Station which is needed for factories, in order to facilitate the export of manufactured articles, and the import of any raw material, needed for the manufacture of those articles. Therefore to that specified area within a short distance of the Railway Station I want the Act to apply without any further notification.

With your permission, Sir, I should like to offer a few general remarks on the Bill itself.

Mr. President : You can only make your remarks so far as they relate to your amendment. You must not discuss the principle of the Bill now.

Diwan Bahadur Raja Narendra Nath (continued) : The object of the Bill is to create facilities for acquisition of areas required for industrial purposes. The present law affords some facilities, and further facilities are proposed by this Bill. Under the present law, any one can acquire on a twenty years' lease land belonging to a member of the agricultural tribe.

Another facility is that, under instructions issued by Government, which were in force when I was a Government officer and so far as I know have not been revoked, consent for the sale of land required for a factory is readily given. A company may apply for the acquisition of land for the erection of a factory which the company wishes to erect as the land will be acquired under the Land Acquisition Act. Now this Bill proposes to do something beyond what already is done by the existing law. I think it would be taking a very narrow view of the interests of the zamindars, if the zamindars think that development of industries is prejudicial to them. I am myself a land-owner, and I would welcome any factory where raw material produced in my land is utilised. Then, industrial development is not to the interests of any particular class. It is to the interests of all classes alike. The agriculturists can take advantage of industrial development as much as the non-agriculturists. Therefore to afford further facilities for industrial development is not in any way against the interests of the land-owners. A fear which is entertained is that this Bill proposes to introduce the thin end of the wedge against the Land Alienation Act. That fear ought to be entirely removed by clause 14 of this Bill, and I have no objection to that clause remaining as it is in the Bill. With these precautions, therefore, Sir, I do not think it is necessary to enforce any further impediment; and facilities should be given for the erection of factories if they are required to be built near the Railway Station.

For these reasons, Sir, I move this amendment and I hope the House will have no objection in accepting it.

Mr. President : Clause under consideration. Amendment moved—

"Clause 1, sub-clause (2) after 'Cantonments' *add a comma; leave out 'and'* and for the words following the figures 1921 and the bracket *substitute* the words 'to any area belonging to a village within 500 yards of the Railway fencing forming boundary of land belonging to Railway Department, and to any other area to which the Local Government may by notification from time to time extend it'."

The question is that that amendment be made.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] (Urdu) : Sir, I wonder to see an amendment such as the one before the House being moved by a representative of the Landholders. The amendment, if accepted by the House, will certainly make the position of the Zamindars far worse than it is now. The proposed law does not extend to villages until a notification has been made by the Government to that effect. The amendment before the House aims at the undoing of this safeguard too. It wants the Government to originally extend its scope to any area belonging to a village within 500 yards of the Railway fencing forming boundary of land belonging to Railway Department. This will seriously injure the interests of the Zamindars, and if it is accepted by the House, we who are representatives of the Zamindars will not be able to show our faces to our constituents. Therefore I would ask the House to offer its united opposition to this amendment.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan); Rural] (Urdu) : Sir, I think that with a view to appreciate the real significance of the amendment, one would do better to refer to the amendment itself rather than to the speech made by the honourable mover in its support. The honourable mover of the amendment has in his speech urged that the scope of the Bill should be extended to the area close to railway stations only whereas, according to the amendment he has moved the whole of the area within 500 yards of the railway fencing all along the railway line is contemplated. I am quite at one with my honourable friend Malik Firoz Khan in saying that the amendment will certainly make the position of the Zamindars worse than it will be under the Bill as drafted. The Zamindars will undoubtedly cry out against this. We do not want to oppose anything which may advance the cause of the Industrial Punjab, but we cannot, however, ignore the interests of the community we represent here in the Council.

With these few words, Sir, I strongly oppose the amendment under discussion and I hope that the House will unanimously reject it.

Sardar Randhir Singh [Siakot-cum-Gurdaspur (Sikh), Rural] (Urdu) : Sir, I quite agree with what has been said by my honourable friend Malik Firoz Khan with regard to the amendment before the House. I think that the amendment if accepted will go against the spirit of the Punjab Land Alienation Act; and it will, in a way, deprive the Zamindars of the protection provided by that Act. If the honourable members will just go deep into the meaning of the amendment, they will realize that it will cost the Zamindars lakhs of acres of land. Therefore, Sir, I strongly oppose this amendment and hope that the House will throw it out.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, though we are anxious to give as much facilities to industrial people as possible there is absolutely no idea of injuring the interests of agriculturists. I therefore do not think this amendment is required. I think Raj Sahib will not press it.

Diwan Bahadur Raja Narendra Nath : I beg to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] : Sir, I beg to move the following amendment :—

"That in clause 1, sub-clause (2), omit the words 'and to any village to which the Local Government may by notification from time to time extend it.'"

Sir, in doing so, I do not want to stand in the way of the industrial development of the Province, but I only want the villagers to be saved from the operation of the Bill under discussion. It is a pity that that great defender of the Zamindar rights, my honourable friend Mian Beli Ram, is not present here today otherwise we would have surely been benefited by his support, which he has always given to the cause of the Zamindars and for which all of us are so thankful to him. Sir, I wish the House to realize that if my amendment is rejected, it will surely mean the death knell of the village cottage industries, like oil, *khaddar*, etc. If the urban industrialist get a footing into the villages, they are sure to ruin the Zamindars. With these few words, Sir, I appeal to the honourable members who have any regard for the interest of the Zamindars to support my amendment, which I hope the Government will kindly accept.

Mr. President : Clause under consideration, amendment moved—

"That in clause 1, sub-clause (2), omit the words 'and to any village to which the Local Government may by notification from time to time extend it.'"

The question is that that amendment be made.

Sardar Randhir Singh [Sialkot-cum-Gurdaspur (Sikh), Rural] (Urdu) : Sir, while professing full sympathy with the cause of the Zamindars, I regret, I cannot support the amendment before the House. I do not think that the clause to which the amendment has been moved, will in any way injure the interests of the villagers. We do not want the villages to lag behind the times. If the villages are to be kept away from the effects of the present-day movements for the development of the industries, I think it will decidedly bring about stagnation. There will be in that case no progress in the villages.

Sir, I think that the provision for notification by the Government before the land is acquired is a sufficient safeguard for the rights of the Zamindars. We should trust the Government in this respect. I hope that it will not misuse its powers. With these few words, Sir, I strongly oppose the amendment moved by my honourable friend Malik Firoz Khan, Noon.

Rai Sahib Chaudhri Lajpat Rai [Hissar (Non-Muhammadan), Rural] Urdu : Sir, while heartily supporting the amendment before the House, I submit that my honourable friend Sardar Randhir Singh has not quite appreciated the risks to which the proposed measure will expose the Zamindar's rights. I am sure he would not have opposed the amendment had he realized this fact. I think that the Council by agreeing to the extension of the scope of the Bill to small villages, will be doing a grave injustice to the Zamindar community. If the amendment is rejected the interests of the land-owning classes will in a way be left at the mercy of the

non-agriculturists. With these few observations, Sir, I support the amendment moved by my honourable friend Malik Feroz Khan, Noon.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadian), Rural] (Urdu) : Sir, I only want to offer a few remarks about the amendment before the House. I strongly differ from my honourable friend Sardar Randhir Singh who said that the Bill under discussion would improve the condition of the villages. I want to make it clear to the House that it will certainly injure the interests of the Zamindars. Sir, even if this be admitted, that the villages will have an opportunity to develop their industries, it cannot be denied that in competition with the town people they will surely fail. Sir, in these circumstances, I can assert without fear of contradiction that the interests of agriculturists will surely suffer in the long run. With these few words, Sir, I heartily support the amendment under discussion.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadian), Urban] (Urdu) : Sir, I regret I cannot support the amendment before the House. Those of my honourable friends who have spoken in its favour have not paid sufficient attention to the other side of the question. They should realize how far the interests of all communities will suffer, if reasonable facilities are not provided for the acquisition of land for industrial purposes. Those of us who have some experience of the working of industrial factories know it that very limited areas of land will be required for the purposes in view. Therefore, Sir, I submit that the honourable mover of the amendment has not made out a convincing case in its favour. With these few words, Sir, I beg to oppose the amendment before the House.

Rai Bahadur Lala Panna Lal : [North-East Towns (Non-Muhammadian), Urban] (Urdu) : Sir, I rise to oppose the amendment before the House. My honourable friend Rai Bahadur Lala Hari Chand has rightly remarked that some of the honourable members have ignored the other side of the question. The Bill under discussion will equally help the villagers and the towns people. It does not go far enough, and to try to restrict its scope still further will not serve any useful purpose. It will give the Zamindar community a market for the sale of raw materials and labour at home and I trust they will take advantage of it. With these few observations, Sir, I oppose the amendment moved by my honourable friend, Malik Feroz Khan.

Pir Akbar Ali : I beg to move, Sir—

“That the question be put.”

Mr. President : I will ask the Honourable Minister to reply. You may propose the motion after his reply.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I wish to point out to the House that the Bill as it stands provides for no cause of anxiety for the interests of the Zamindar community. I assure the honourable members that throughout my life the idea of injuring the rights of the land-owners has been far from my mind. The passing of the Bill will not give any arbitrary powers to the Government. Government will only step in when the buyer and the seller of the land will between themselves be prepared for such a bargain. I submit, Sir, that to say that the Bill under question deprives the Zamindars of the protection given by the Punjab Land Alienation Act is absolutely unfounded. In fact, it only provides against the interference with the pre-emptory rights and local customs in such transactions. Even now, as the Bill stands, it provides that if the

[Honourable Lala Harkishan Lal.]

Collector of the District in which the land is situate certifies that the proposed use of land would cause inconvenience to or injuriously affect the right of those dwelling in the vicinity of such land, no declaration under section 7 will be made by the Government and the transfer will thus be disallowed. I think, Sir, this is an adequate safeguard for the protection of the interests of the Zamindars.

Sir, I quite agree with the honourable mover of the amendment when he says that the small industries should be left to the villagers. The present Bill gives equal opportunities to the villagers and to the townspeople to develop them. The Bill, as remarked by my honourable friend Sardar Randhir Singh, is intended to benefit all classes equally. It does not aim at the advancing of the interests of some special class or community. Its only aim is to save the transaction for the acquisition of land from the operation of Pre-emption Law and Local Customs. Sir, I hope that the big Zamindars like my honourable friend Malik Feroz Khan Noon, who have enough capital and are not poor government servants like me, will be benefited by the Bill. I had also an occasion before this to discuss the aims and objects of the Bill with the honourable the mover of the amendment and I then explained to him in detail what it aimed at, I trust that he will not take such a narrow view of it, and would after this explanation, withdraw his amendment.

Mr. President: Clause under consideration, amendment moved—

"That in clause 1, sub-clause (2) *omit* the words 'and to any village to which the Local Government may by notification from time to time extend it.'"

The question is that that amendment be made.

The Council then divided: Ayes 24, Noes 28

AYES 24.

Khan Muhammad Abdullah Khan.	Sardar Jamal Khan.
Mian Ahmad Yar Khan, Daultana.	Khan Sahib Amir Khan.
Malik Feroz Khan, Noon.	Khan Bahadur Sayad Mehdi Shah.
Pir Akbar Ali.	Malik Najabat Khan.
Chaudhri Ali Akbar.	Rai Sahib Chaudhri Lajpat Rai.
Khan Sahib Pir Ali Haider Shah.	Chaudhri Muhammad Hayat Khan.
Sardar Sahib Risaldar Dilbagh Singh.	Sayad Muhammad Raza Shah.
Khan Bahadur Rai Wali Muhammad Khan.	Khan Muhammad Saif Ullah Khan.
Chaudhri Ghasi Ram.	Nawabzada Muhammad Irshad Ali Khan.
Captain Sardar Gopal Singh.	Sardar Sangat Singh.
Chaudhri Ghulam Muhammad.	Chandhri Shafi Ali Khan.
Sayad Ghulam Muhammad Shah.	Khan Bahadur Malik Muhammad Amin Khan.

NOES 28.

The Hon'ble Sir John Maynard.	Mr. Miles Irving.
The Hon'ble Sardar Bahadur	Mr. N. H. Prenter.
Sardar Sundar Singh, Majithia.	Mr. A. J. Gibson.
The Hon'ble Khan Bahadur Mian	Mr. A. Latifi.
Fazl-i-Husain.	Mr. C. M. King.
The Hon'ble Lala Harkishan Lal.	Mr. E. R. Abbott.
Mr. H. D. Craik.	Mr. W. P. Sangster.
Mr. D. J. Boyd.	Lieut.-Col. W. C. H. Forster.

Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Lala Kesho Ram.
Pandit Daulat Ram, Kalia.
Rai Bahadur Lala Hari Chand.
Sardar Randhir Singh.
Khan Bahadur Raja Mohd. Akbar
Khan.

Diwan Bahadur Raja Narendra
Nath.
Mr. Ganpat Rai.
Rai Bahadur Lala Panna Lal.
Mr. Manohar Lal.
Khan Bahadur Khawaja Yusuf
Shah.
Rai Bahadur Lala Sewak Ram.

The amendment was lost.

Mr. President : The question is—

"That clause 1 stand part of the Bill."

The motion was carried.

Mr. President : Clause 2.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural]
(Urdu) : Sir, I submit that the House has perpetrated a grave injustice by
throwing out my first amendment and I hope the amendment which I am
going to move now will receive better treatment at its hands.

Sir, I beg to move—

"That in clause 2, sub-clause (1), for 'includes' substitute 'means.'"

The Honourable Lala Harkishan Lal (Minister for Agriculture) :
I accept that amendment, Sir.

Mr. President : Clause under consideration, amendment moved

"That in clause 2, sub-clause (1), for 'includes' substitute 'means.'"

The question is that that amendment be made.

The amendment was carried.

Mr. President : The question is—

"That clause 2 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clauses 3 and 4 stand part of the Bill."

The motion was carried.

Mr. President : Clauses 5.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] :
Sir, I beg to move—

"That for 'Local Government' substitute 'Collector' of the District in which the
land is situate."

Sir, my amendment is a very simple one, and it equally benefits both
the parties to a transaction. It only provides that the certificate granted by
the Director of Industries should be forwarded by the persons concerned to
the Collector of the District instead of the Local Government. Sir, I
venture to submit that the Collectors of the Districts know the local circum-
stances better than the Local Government. They will be in a better position

[Malik Feroz Khan.]

to judge of the real aims and objects of the proposed transaction than the Local Government. Sir, most of my amendments are based upon this very consideration and I hope that the Honourable the Minister for Agriculture will kindly accept it. With these few words, Sir, I move my amendment, which I trust will be accepted by the House.

Mr. President : Clause under consideration, amendment moved—

"That in clause, 5 for 'Local Government' substitute 'Collector of the District in which the land is situate.'"

The question is that that amendment be made.

Sardar Randhir Singh [Sialkot-cum-Gurdaspur (Sikh), Rural] (Urdu) : Sir, I rise to lend my support to the amendment before the House. I wish the word Tahsildar had been proposed to be substituted for Collector in the amendment. The Local Government will, as provided for in the Bill, only publish the application and the certificate in the *Punjab Government Gazette*, which is seldom read by any Zamindar. Therefore, most of the people will remain quite ignorant of the publication of such notifications. But if the amendment is accepted, the aim of the Honourable Minister in charge of the Bill will surely be better served. It will not also be convenient for the parties to visit Lahore for this purpose. Very few people will put up with the inconvenience and expense of a visit to Lahore. I hope that the House will unanimously support the amendment before it and I trust the Government will kindly accept it.

The Honourable Lala Harkishan Lal : (Minister for Agriculture) : Sir, I again wish to point out that some of the honourable members are labouring under a misunderstanding about the real meaning of the clause to which the amendment relates. I am very glad to notice the sympathy for the cause of Zamindars, which the House has shown in the discussion of the Bill; but I wish it to be understood by the House that the clause under discussion does not provide for the landowners' coming to Lahore and incurring expense for this purpose. It is the industrialist, who is required to do all that. And even he too is not required to do it personally. He can submit the certificate to the Local Government by post for necessary action. The House will realise that it is very difficult for me to anticipate what will happen under clause 9 of the Bill, but so far as the clause under discussion goes, I assure the House that the objections raised against it by some of the honourable members are not convincing. After this explanation, Sir, I hope my honourable friend Malik Firoz Khan, Noon, will withdraw his amendment.

Malik Firoz Khan Noon : Have I a right of reply, Sir?

Mr. President : No.

Lala Kesho Ram [Amritsar City (Non-Muhammadian), Urban] : Sir, I am very sorry I cannot very well follow the amendment moved. Now if the amendment is carried, the section will run as follows :—"When a certificate has been obtained under section 4, the person to whom it was granted may forward it to the Collector of the district in which the land is situate with an application for a notification declaring that the land specified therein is required for an industrial purpose." I do not understand what difference it makes. No action is taken under section 5. It is under section 6 that

some action has to be taken on that application. I hope my friend will withdraw his amendment, as I suppose it makes absolutely no difference whatever. As the Honourable Minister has explained, it is only to be sent by registered post, and it can be sent as easily to the Local Government as to the Collector. Even if it be sent to the Collector, the Collector will not send a registered notice to the zamindars and others. I hope my friend will withdraw his amendment.

Pir Akbar Ali [Ferozepore—Rural (Muhammadan),] (Urdu) : Sir, there is no doubt that though my honourable friend Sardar Randhir Singh has made a mistake in describing one of the details, yet he is perfectly right in holding that the Deputy Commissioner of the district, in which the land is situate, will be in a better position to know of the local circumstances than the Local Government. I do not think the Honourable Minister will have any objection to it. The amendment is a very reasonable one and I hope the Government will accept it.

Mr. Ganpat Rai [Lahore and Ferozepore—*cum*—Sheikhpura—(Non-Muhammadan), Rural] (Urdu) : Sir, I wonder to see such an amendment being moved by an able man like my honourable friend Malik Feroz Khan, Noon. If he will read clauses 7 and 8, he will realise that his apprehensions are not well-founded. If he persists in pressing any of his amendments which really aim at the removal of a reasonable grievance, it would have been allright. The Bill provides for the objections to any such proposed acquisition being submitted to the Local Government through the Tahsildars or Deputy Commissioners. I think that most of the opposition to this clause is based upon misunderstanding. I am sorry, my honourable friend the mover of the amendment is not here; otherwise, I would have requested him to withdraw it. With these few words, Sir, I oppose the amendment before the House.

Mr. President : Clause 5 under consideration. Amendment moved—

“That for ‘Local Government’ substitute ‘Collector of the District in which the land is situate.’”

The question is that that amendment be made.

The Council then divided : Ayes 26, Noes 29.

AYES—26.

Khan Muhammad Abdullah Khan.
Mian Ahmad Yar Khan, Daultana.
Malik Feroz Khan, Noon.
Pir Akbar Ali.
Chaudhri Ali Akbar.
Khan Sahib Pir Ali Haidar Shah.
Sardar Sahib Risaldar Dilbagh Singh.
Khan Bahadur Rai Wali Muhammad Khan.
Chaudhri Ghasi Ram.
Chaudhri Ghulam Muhammad.
Sayad Ghulam Muhammad Shah.
Sardar Jamal Khan.
Rana Muhammad Jamil Khan.

Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Sardar Randhir Singh.
Rai Sahib Chaudhri Lajpat Rai.
Chaudhri Muhammad Hayat Khan.
Chaudhri Kharak Singh.
Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Nawabzada Muhammad Irshad Ali Khan.
Sardar Sangat Singh.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.

NOES—29.

The Honourable Sir John Maynard.
 The Honourable Sardar Bahadur
 Sardar Sundar Singh, Majithia.
 The Honourable Khan Bahadur Mian
 Fazl-i-Husain.
 The Honourable Lala Harkishan Lal.
 Mr. H. D. Craik.
 Mr. D. J. Boyd.
 Mr. Miles Irving.
 Mr. N. H. Prenter.
 Mr. A. J. Gibson.
 Mr. A. Latifi.
 Mr. C. M. King.
 Mr. E. R. Abbott.
 Colonel R. Heard.
 Mr. W. P. Sangster.

Lieut.-Col. W. C. H. Forster.
 Mr. D. Milne.
 Mr. G. Anderson.
 Mr. J. G. Beazley.
 Lala Kesho Ram.
 Pandit Daulat Bam, Kalia.
 Rai Bahadur Lala Hari Chand
 Sardar Kartar Singh.
 Mr. Moti Lal, Kaistha.
 Diwan Bahadur Raja Narendra Nath.
 Mr. Ganpat Rai.
 Rai Bahadur Lala Panna Lal.
 Mr. Manohar Lal.
 Khan Bahadur Khawaja Yusuf
 Shah.
 Rai Bahadur Lala Sewak Ram.

The amendment was lost.

Mr. President: The question is—

"That clause 5 stand part of the Bill."

The motion was carried.

Mr. President: Clause 6.

Malik Feroz Khan, Noon [Shahpur East—(Muhammadan), Rural]
 (Urdu): Sir, I beg to move—

"That in clause 6 for 'Local Government' substitute 'Collector.'"

Sir, I submit that the Collector of the District will better serve the real purpose of publishing the substance of an application made under this clause than the Local Government. It will facilitate the publication of such applications among the villagers. The notifications of the Local Government will very easily be made known to the zamindars by the Collectors....

Mr. President: I suppose the honourable member recognises that he will not effect anything by this amendment. The words "in the Gazette" remain there. There is only one Gazette and the Collector has no power to publish anything in the Gazette.

Malik Firoz Khan, Noon (continued): Sir, I only want the substance of the application to be published in such a manner as to be known to most of the villagers.

Mr. E. R. Abbott (Financial Commissioner): Let me explain to the honourable member that if the Collector receives applications, he will not be able to deal with them.

Malik Firoz Khan, Noon: If so, I beg leave to withdraw the amendment.

The amendment was by leave withdrawn.

Malik Firoz Khan, Noon [Shahpur East—Muhammadan (Rural)]
(Urdu): Sir, I beg to move—

"That in clause 6 in the beginning *prefix* "(1)" and *add* the following sub-clause :—

"(2) The heirs of the owners of land must be served with written notices to put in their objections before the Collector."

Sir, in doing so I wish to point out to the House that the clause is very important for the land-owners. Clause 6 of the Bill says that the Local Government shall publish the substance of the application and shall invite objections from any person or persons in writing within a reasonable time. Now, Sir, it will be realized that the Local Government will, of course, publish the substance of such application in the Gazette which is read by very few of the zamindars. This will cause grave injustice to the persons concerned and they will not come to know of any such publication in time, and consequently their interests will suffer. The clause under discussion does not provide for the special publication of the substance of the application to the persons directly concerned. I wish some such special arrangement to be made by issuing notices to the heirs of the owners of the land. So far I have not been able to find out any provision in the Bill for sending the applications to the Collectors as has been remarked by the Honourable Minister for Agriculture. The honourable member in charge of the Bill admits the plausibility of my reasons for insisting on this and I assure him of my willingness to accept any satisfactory provision made to that effect. But, Sir, until that is done, I must press my amendment before the House. I hope the Government will accept it.

Mr. President: Clause under consideration. Amendment moved—

"That in clause 6, in the beginning *prefix* "(1)" and *add* the following sub-clause :—

"(2) The heirs of the owners of the land must be served with written notices to put in their objections before the Collector."

The question is that that amendment be made.

Mr. N. H. Prenter (Legal Remembrancer): Sir, the honourable member is afraid that the interested parties will not get sufficient information in regard to the proposed acquisition of land. I would, with your permission, Sir, suggest that the clause be modified as follows :—

"6. On receipt of an application under section 5 the Local Government shall publish the substance thereof in the Gazette and shall make such proclamation as it may deem suitable in the village wherein the land which is the subject of the application is situated and shall invite objections thereto, in writing from any person or persons concerned, and shall fix a reasonable time within which such objections should be submitted."

Mr. President: I will read out again the alternative draft which has been proposed. If that satisfies the mover of the amendment, perhaps he will withdraw his amendment and then I will ask Mr. Prenter to move this in its place. The proposed wording of the clause is—

"On receipt of an application under Section 5, the Local Government shall publish the substance thereof in the Gazette

[Mr. President.]

and shall make such proclamation as it may deem suitable in the village wherein the land which is the subject of the application is situated, and shall invite objections thereto in writing from any person or persons concerned and shall fix a reasonable time within which such objections should be submitted."

Malik Firoz Khan, Noon [Shahpur East—(Muhammadan) Rural] (Urdu): Sir, I have already discussed with my honourable friend the Legal Remembrancer and the Honourable the Minister for Agriculture about the amendment suggested by the former. I admit that the amendment tries to meet my objections, but I regret to say that it does not go far enough.

Mr. President: You are not prepared to accept it, I understand?

Malik Firoz Khan, Noon: No, Sir, I do not accept it.

Sardar Randhir Singh, Sir, I want to make a suggestion. If you add 'proclamation by beat of drum,' then the members will probably accept it.

Mr. President: As Malik Firoz Khan does not accept it, I will put his amendment to the Council. If that is lost, then the alternative amendment can be put in. At present the matter before the House is the amendment already moved.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur—(Muhammadan) Rural] (Urdu): Sir, I think that the Honourable the Minister for Agriculture will not have any objection to the amendment before the House. It is very reasonable that the heirs of the owners should have a special notice to put in their objections about it before the Collector. I do not think that the Government stands to lose anything by any such arrangement. If the amendment is rejected, it will give an impression to all of us who have so far been sure of the Government's sympathies with the zamindars that the Government has become indifferent towards the interests of the zamindars. It simply stands to reason that the heirs of the owner of land who has been in possession of it for a long time, should be served with a special notice in such a case. The service through peons is no good. We know how it is made. Sir, I venture to think that the industries are a curse to the zamindars. Industrial progress is only possible in and useful for those countries where the area of the arable land is quite limited....

Mr. President: Will the honourable member confine himself strictly to the amendment. The matter under discussion is in what way information is to be given.

Chaudhri Ali Akbar (continued): Sir, the proper procedure for serving notices on the interested reversioners is the one suggested in Malik Sahib's amendment. It will certainly safeguard the interests of the heirs of the owner of the land. I hope the House will unanimously support it.

Lala Kesho Ram [Amritsar City—(Non-Muhammadan) Urban] (Urdu): Sir, I should like to know from the honourable mover of the amendment as to who will trace out the list of reversioners in this case. There is a great difficulty in the case of Muhammadan ladies following *Shara* in such matters. He ought to have specified the agency which he wants to use in this connection. I think, Sir, the amendment, if accepted, will unnecessarily prolong

the proceedings. As for the service of summons, I would like to remind the House that the Government is not in any way responsible for any irregularity or dishonesty practised in this connection. It is the fault of our people. No such notice is provided for even in the Punjab Land Alienation Act, which is a far more important piece of legislation than the one under discussion. I hope my honourable friend, Malik Firoz Khan, will withdraw his amendment.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur, (Non-Muhammadan) Rural] (Urdu): Sir, the amendment before the House aims at the removal of a drawback, which even the official members admit to exist in the Bill under discussion. I trust the Government will, in view of the ignorance and backward conditions which the zamindar community live in, accept this very modest amendment. If it is rejected, the interests of the land-owning classes will surely suffer. Advertisements and notifications will not be of any use in this connection. The question of agency can be easily solved by referring to the papers of the Revenue Department. The interests of the zamindars loudly call for some such personal service and I hope it will not be denied to them. With these few words, Sir, I support the amendment before the House.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu): Sir, it is absolutely wrong to say that the Government is going to pass any measure calculated to injure the interests of the zamindar community. I quite realise the importance of the point raised by Malik Sahib, but the question is how to find out a list of the reversioners to serve them with notice. Chaudhri Kharak Singh has said that it could be found out from the revenue papers. When I was practising as a lawyer it used to be very difficult to trace out the names of the reversioners from the revenue papers. I do not know if some new method has since been invented. I have consulted Malik Sahib and my other friends on this point but no remedy has been suggested. I would, however, be very glad if some honourable member suggests a way whereby the interested parties can be traced out and the proposed notice personally served on them.

Khan Bahadur Rai Wali Muhammad Khan [Hoshiarpur-cum-Ludhiana, (Muhammadan) Rural] (Urdu): Sir, I wish to point out here that the required list can be obtained from the Patwari and notices served on the person concerned. Without this provision, I am afraid, the Bill is likely to do more harm to the zamindars than any possible good.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura, (Non-Muhammadan) Rural] (Urdu): Sir, I wish to make a few remarks in this connection. The list of reversioners cannot be obtained from the Patwari, and moreover it is not necessary that all the interested reversioners should be living in one and the same village. This creates a new trouble in our way. I have not stood up to oppose the amendment, but I wish to make it clear to the House that whatever is being discussed is to safeguard the interests of the rural community. We never mean to create any new trouble.

Mr. N. H. Prenter: Sir, I beg to move—

“That the question be now put.”

Mr. President: The question is—

“That the question be now put.”

The motion was carried.

Mr. President : Clause under consideration, amendment moved—

"That in clause 6, in the beginning *prefix* '(1)' and *add* the following sub-clause :—

"(2) The heirs of the owners of the land must be served with written notices to put in their objections before the Collector."

The question is that that amendment be made.

The Council then divided. Ayes 29, Noes 25.

AYES—29.

Khan Muhammad Abdullah Khan.

Mr. Nawab Din, Murad.

Sodhi Lal Singh.

Mian Ahmad Yar Khan, Daultana.

Malik Firoz Khan, Noon.

Pir Akbar Ali.

Chaudhri Ali Akbar.

Khan Sahib Pir Ali Haidar Shah.

Rao Bahadur Lientenant Balbir Singh.

Sardar Sahib Risaldar Dilbagh Singh.

Khan Bahadur Rai Wali Muhammad Khan.

Chaudhri Ghasi Ram.

Captain Sardar Gopal Singh.

Chaudhri Ghulam Muhammad.

Sayad Ghulam Muhammad Shah.

Sardar Jamal Khan.

Sardar Kartar Singh.

Rana Muhammad Jamil Khan.

Khan Sahib Amir Khan.

Khan Bahadur Sayad Mehdi Shah.

Malik Najabat Khan.

Sardar Randhir Singh.

Rai Sahib Chaudhri Lajpat Rai.

Chaudhri Muhammad Hayat Khan.

Chaudhri Kharak Singh.

Sayad Muhammad Raza Shah.

Khan Muhammad Saif Ullah Khan.

Nawabzada Muhammad Irshad Ali Khan.

Chaudhri Shafi Ali Khan.

NOES—25.

The Honourable Sir John Maynard.

The Honourable Sardar Bahadur

Sardar Sundar Singh, Majithia.

The Honourable Khan Bahadur Mian

Fazl-i-Husain.

The Honourable Lala Harkishan Lal.

Mr. Miles Irving.

Mr. H. N. Prenter.

Mr. A. J. Gibson.

Mr. C. M. King.

Mr. E. R. Abbott.

Colonel R. Heard.

Mr. W. P. Sangster.

Lieut.-Col. W. C. H. Forster.

Mr. D. Milne.

Mr. G. Anderson.

Mr. J. G. Beazley.

Lala Kesho Ram.

Pandit Daulat Ram, Kalia.

Rai Bahadur Lala Hari Chand.

Mr. Moti Lal, Kaistha.

Diwan Bahadur Raja Narendra

Nath.

Mr. Ganpat Rai.

Rai Bahadur Lala Panna Lal.

Mr. Manchar Lal.

Khan Bahadur Khawaja Yusuf

Shah.

Rai Bahadur Lala Sewak Ram.

The amendment was carried.

Mr. President : The question is—

"That clause 6 as amended stand part of the Bill."

The motion was carried.

Malik Firoz Khan, Noon : Sir, my amendment runs as follow:—

"That in clause 7, for 'Local Government' substitute 'Collector'."

Mr. President : This seems an absurd amendment. I am inclined not to allow it to be moved. I mean you lost the amendment under clause 5, and yet you proceed to move this amendment.

Malik Firoz Khan, Noon : Sir, there is in clause 7 a provision that "after considering the objections (if any) submitted under section 6 and after making such inquiry as it may deem necessary." This was the inquiry which the Honourable Minister himself said would be made through the Deputy Commissioner; and if it is to be made through the Deputy Commissioner, then it is quite relevant that the objection should be considered. Would the zamindars come to Lahore in order to put in those objections. I think it is a very necessary amendment, and I hope you will allow it to be moved. If you do not allow it, it will virtually mean that there will be no objections.

Mr. President : If you read the section, you will find that there is no mention of the Collector at all. As far as I know, there is no provision in the Bill to show that the Collector shall ever receive any application or information. You intend to introduce an inconsistency into the Bill. This amendment would be unreasonable, and it would make the Act inconsistent. It has already been made difficult to work.

Malik Firoz Khan, Noon : Sir, gentlemen sitting here on my right, like Lala Kesho Ram, who have been opposing me, told me that the inquiry was to be made by the Collector and that I should not press that point.

Mr. President : Will you please answer my objection? There is no provision in the Bill for the Collector to receive any application and you propose to introduce the Collector. I say that the Collector does not receive any thing at all under the Act. Therefore you will simply be making the Act inconsistent.

Malik Firoz Khan, Noon : I admit, Sir, that there is no answer to your objection, but at the same time you will concede, Sir, that there is no answer to my objection. If my first amendment had been carried, the situation would not have arisen. If this amendment is carried, the Government can make it all right by making an amendment in the Bill in conformity with the wishes of the House.

Mr. President : An amendment of this nature cannot be made in the Act by the Government, after it has been passed, nor can the Drafting Committee do so. If a clause is carried, as it stands, no amendment can be made to it afterwards.

Malik Firoz Khan, Noon : I hope, Sir, your wisdom will take us out of this trouble somehow.

The Honourable Sir John Maynard : I suggest, Sir, that the object of Malik Firoz Khan will be gained by inserting the words 'through the Collector' after the word 'inquiry'.

4 P.M.

Mr. N. H. Prenter : If the honourable member will withdraw his amendment this amendment may be moved.

Malik Firoz Khan, Noon : I suggest, Sir, that the clause should read as follows :—

"Save as provided in sections 8, 9 and 10 the Local Government shall on receipt of an application under section 5, forward it to the Collector of the district in which the land is situate and the Collector after considering the objections if any submitted to him and after making such inquiry as he may deem fit forward it back to the Local Government which shall by notification declare that the land specified in the certificate. . . ."

The Honourable Lala Harkishan Lal : The amendment is too big a one and I cannot accept it without having had time to consider its effect. Sir John Maynard's amendment is simple and acceptable.

Mr. President (turning to Sir John Maynard) : Will you please repeat your suggestion for the information of the House ?

The Honourable Sir John Maynard : My suggestion is that the words 'through the Collector' be inserted after the word 'inquiry.' It is the intention of the Government to make such inquiry but this amendment will make the meaning clear and remove the fear of Malik Firoz Khan.

Malik Firoz Khan, Noon : The object of legislation is not to leave anything to the sweet will of individual officers, but we want to bind them.

Mr. President : I cannot allow you to move this long amendment without notice. The Minister in charge of the Bill objects to it and says that he cannot accept it without sufficient notice to consider its effect. I would suggest the acceptance of Sir John Maynard's amendment.

Malik Firoz Khan, Noon : Supposing I do not accept the amendment, what will happen to mine ?

Mr. President : I shall not allow it to be put. It is too absurd to be put before the House.

Malik Firoz Khan, Noon : I shall accept Sir John's amendment with the words 'as it may deem necessary' omitted.

The Honourable Sir John Maynard : The wording would then be for the words 'such enquiry as it may deem necessary' substitute "an enquiry through the Collector."

Mr. President : You may formally move the amendment as suggested by the Finance Member.

Malik Firoz Khan, Noon : Sir, I beg to move—

"That in Clause 7, for the words 'such enquiry as it may deem necessary' substitute the words "an enquiry through the Collector."

Mr. President : Clause under consideration, amendment moved—

"That in Clause 7, for the words 'such enquiry as it may deem necessary' substitute the words "an enquiry through the Collector."

The question is that that amendment be made.

The motion was carried.

Mr. President : The question is—

“That clause 7 as amended stand part of the Bill.”

The motion was carried.

Mr. President : Clause 8.

Malik Firoz Khan Noon : Sir, I beg to move—

“That in clause 8, at end *add* ‘or would otherwise be undesirable.’”

The Honourable Lala Harkishan Lal : I shall shorten the discussion by saying that I accept the amendment.

Mr. President : Clause under consideration, amendment moved—

“That in clause 8, at end *add* ‘or would otherwise be undesirable.’”

The question is that that amendment be made.

The motion was carried.

Mr. President : The question is—

“That clause 8, as amended, stand part of the Bill.”

The motion was carried.

Mr. President : Clause 9.

Malik Firoz Khan Noon : Sir, I beg to move—

“That in clause 9, line 3, between the word ‘land’ and the word ‘when’ *insert* ‘(a)’; line 5, *omit* ‘(a) a female’; after the word ‘estate’ *add* the words ‘and the next reversioner to such land does not consent to the proposed use and occupation’; and for the existing sub-clause (b) *substitute* ‘(b) when the reversioner to such land is a minor.’”

Malik Firoz Khan Noon. [Shahpur East (Muhammadian) Rural] (Urdu) : Sir, on the principle of this amendment the Honourable Minister for Agriculture has agreed with me. I only wish that the land of a minor in no case be acquired under this Act. I think no one in the House will oppose me and the Government will very kindly accept this amendment.

Mr. President : Clause under consideration, amendment moved—

“That in clause 9, line 3, between the word ‘land’ and the word ‘when’ *insert* ‘(a)’; line 5, *omit* ‘(a) a female’; after the word ‘estate’ *add* the words ‘and the next reversioner to such land does not consent to the proposed use and occupation’; and for the existing sub-clause (b) *substitute* ‘(b) when the reversioner to such land is a minor.’”

The question is that that amendment be made.

The Legal Remembrancer proposes another draft which will give effect to the wishes of the honourable mover of the amendment. He thinks it is a better draft.

Malik Firoz Khan Noon : I have got that draft amendment with me, Sir. I accept it.

Mr. President : Then the proper course for you is to withdraw the present amendment and move formally the new one.

Malik Firoz Khan Noon : I beg leave to withdraw the amendment, Sir.

The amendment was by leave withdrawn.

Malik Firoz Khan, Noon : Sir, I beg to move—

“ That the following be substituted for the existing clause 9 :—

‘ 9. No declaration under section 7 shall be made with regard to any land—

(a) when the owner thereof is a female holding only a life estate ;

(b) when the land is ancestral, unless the next reversioner to such land consents to the proposed use and occupation ;

(c) when the owner thereof is a minor.”

Mr. President : This is really a new clause entirely and the proper course would be to put the original clause to the House and after its rejection put this as a new clause, but as we are pressed for time, I will put the new clause as an amendment.

Clause under consideration, amendment moved—

“ That the following be substituted for the existing clause 9 :—

‘ 9. No declaration under section 7 shall be made with regard to any land—

(a) when the owner thereof is a female holding only a life estate ;

(b) when the land is ancestral ; unless the next reversioner to such land consents to the proposed use and occupation ;

(c) when the owner thereof is a minor.”

The question is that that amendment be made.

The motion was carried.

Mian Ahmad Yar Khan, Daultana : Sir, I wish to move my amendment.

Mr. President : I am sorry I cannot allow that amendment to be moved as it is substantially the same amendment which has just been passed.

The question is—

“ That clause 9, as amended, stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That clause 10 stand part of the Bill.”

The motion was carried.

Mr. President : Clause 11.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, with the consultation of Malik Firoz Khan, Noon, Mr. Prenter has redrafted clauses 11 and 12. We have discussed the matter and have agreed to putting these clauses in place of the ones at present in the Bill.

Mr. President : Malik Firoz Khan, I understand that you and the Honourable Minister have agreed upon fresh wording for clauses 11 and 12.

Malik Firoz Khan, Noon : Yes, Sir.

Mr. President : Very well. What I propose to do is to put clauses 11 and 12 to the House in the confidence that they will reject them. Then in their place you can move that the fresh clauses 11 and 12 be inserted.

The House no doubt understands the procedure that the object of this is to substitute entirely new clauses and the intention is that the two existing clauses should be rejected.

The question is—

“That clauses 11 and 12 stand part of the Bill.”

The motion was lost.

Mr. N. H. Prenter (Legal Remembrancer) : Sir, I beg to move—

“That the following clauses be substituted in place of the ones just rejected—

11. Whenever the use and occupation of any land, with respect to which there is an easement enjoyed by any person, has been acquired under this Act the person acquiring such use and occupation may apply in writing to the Collector to have such easement extinguished or modified, and the Collector shall thereupon serve notice on the person enjoying such easement to show cause why such application should not be granted.

Extinction of easements.
Compensation for extinction of easements and modifications thereof.

12. After taking into consideration any objections that may be raised by the person enjoying such easement, the Collector may—

(a) reject the application ;

(b) pass any of the following orders, namely :—

(c) that the easement shall be extinguished ;

(d) that the easement shall be modified in such manner as he may deem fit and on payment of such compensation, if any, as may be fixed under section 13 the easement shall thereupon be deemed to be extinguished or modified in the manner directed by the Collector as the case may be.

13. On passing an order under clause (b) of section 12 the Collector may fix a monetary compensation to be paid for the extinction or modification of the easement, as the case may be, either by the person acquiring the use and occupation of the land, or by the owner to the person previously enjoying the easement.

Mr. President : The question is—

“That in place of clauses 11 and 12, the following new clauses be substituted :—

11. Whenever the use and occupation of any land, with respect to which there is an easement enjoyed by any person, has been acquired under this Act the person acquiring such use and occupation may apply in writing to the Collector to have such easement extinguished or modified, and the Collector shall thereupon serve notice on the person enjoying such easement to show cause why such application should not be granted.

Extinction of easements.
Compensation for extinction of easements and modifications thereof.

12. After taking into consideration any objection that may be raised by the person enjoying such easement, the Collector may—

(a) reject the application ;

(b) pass any of the following orders, namely—

(c) that the easement shall be extinguished ;

[Mr. President.]

(ii) that the easement shall be modified in such manner as he may deem fit and on payment of such compensation if any as may be fixed under section 1; the easement shall thereupon be deemed to be extinguished or modified in the manner directed by the Collector as the case may be.

13. On passing an order under clause (b) of section 12 the Collector may fix a monetary compensation to be paid for the extinction or modification of the easement, as the case may be, either by the person acquiring the use and occupation of the land or by the owner to the person previously enjoying the easement."

The question is that these three clauses stand part of the Bill.

The motion was carried.

Mr. President : The question is—

"That clause 13 now renumbered 14 stand part of the Bill."

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] (Urdu) ; Sir, I beg to move—

"That in clause 13, now renumbered 14, lines 3 and 9, for the word 'may' substitute the word 'shall'."

Sir, the present clause does not afford adequate provision to ensure that the purpose for which the use and occupation of the land is required are carried out. The word 'may' does not impose any obligation on the Local Government to impose conditions of acquisitions. I wish to substitute for it the word 'shall' so as to make it obligatory on the Local Government to impose the said conditions. With these remarks I move the amendment.

Mr. President : Clause 13, now renumbered 14, under consideration, amendment moved—

"That in lines 3 and 9 for the word 'may' substitute the word 'shall'."

The question is that that amendment be made.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, that will be *Punjabi* English and not English man's English. Unless the conditions are specified, I cannot accept it. 'May impose' is just the thing that ought to be there. I am not prepared to accept the amendment, because it is bad English.

Mr. Ganpat Ram : [Lahore and Ferozepore ~~as n~~-Sheikhupura (Non-Muhammadan), Rural] : Sir, this is a point on which the Legal Remembrancer is the best judge. Of course, I am not saying anything against what my friend Malik Firoz Khan has said, but I think that the matter of language should be left to the Legal Remembrancer. This is a sort of clerical amendment or a matter of drafting which I think does not require the vote of this House one way or the other.

Mr. N. H. Prenter (Legal Remembrancer) : Sir, I should like to point out that putting the word 'shall' will not give the Local Government any more power than having the word 'may.' I do not see the use of the word 'shall.'

Mr. President : I think that this is such a trifling amendment that I had better not put it to the House.

Malik Firoz Khan, Noon: My ignorance does not feel satisfied, but under your pressure I shall withdraw the amendment.

Mr. President: I do not press you to withdraw it. I appeal to you to withdraw and leave the matter to the discretion of the Legal Remembrancer.

Mr. N. H. Prenter (Legal Remembrancer): Sir, I know perfectly well that as soon as the Bill is sent to the Government of India, there will be a letter asking me why I used the word 'shall' instead of the word 'may'. The Government of India will blame me for the mistake. They will not blame the Council.

Mr. President: I decline to put the amendment to the House.

Mr. President: The question is—

"That clause 12 now renumbered 14 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That clause 14 now renumbered 15 stand part of the Bill."

The motion was carried.

Malik Firoz Khan, Noon:—Sir, I beg to move—

"That the following be added as clause 16 to the Bill:—

16. Any person aggrieved by an order passed by the Collector under section 12 or section 13 may within 30 days appeal to the Commissioner."

Mr. President: The question is—

"That the following be added as clause 16 to the Bill:—

16. Any person aggrieved by an order passed by the Collector under section 12 or section 13 may within 30 days appeal to the Commissioner."

The motion was carried.

Mr. President: The question is—

"That this be the preamble to the Bill."

The motion was carried.

Mr. President: Under standing order 52 (2) I appoint a drafting committee consisting of—

1. The Honourable Lala Harkishan Lal,
2. Mr. E. R. Abbott,
3. Mr. Manohar Lal, and,
4. Mr. N. H. Prenter,

with directions to report what amendments of a formal or consequential character should be made in the Bill as a matter of drafting.

Does the House agree to its being presented not later than the 20th March?

(Cries of "yes".)

Mr. President: The report should be presented not later than the 20th of March.

DEMANDS FOR SUPPLEMENTARY GRANTS.

The Honourable Sir John Maynard (Finance Member) : Sir, before the supplementary grants are presented by the Members and Ministers, I wish to make a short introductory explanation because I believe that it will save a good deal of time of this Council in disposing of work this afternoon. Members will find that they have before them a small blue volume marked "Supplementary Estimates for 1922-23." On the first page of that blue volume, they will find a statement showing surrenders and anticipated excesses in expenditure against sanctioned grants and appropriations. That is on the first page. If they examine that statement, they will see that in the last columns are shown surrender indicated by a minus sign and excess indicated by a plus sign in anticipated expenditure as compared with modified grant. The modified grant is the original budget grant plus such supplementary grants as have been subsequently made. In the 7th column, honourable members will find voted items, and in the 8th they will find non-voted items. We are immediately concerned with the voted items and we come before the Council with respect to those voted items which are shown in column 7 with a sign of plus.

(At this stage Mr. President left the Chair which was taken by the Deputy President.)

Now if honourable members will examine the total at the end of this statement, they will find that the upshot is that we surrender altogether a total net sum of 40 lakhs voted, while we are spending only 4 lakhs non-voted. The total with which Council is concerned shows a surrender of 40 lakhs. I hope that this is clear to every body, but in the details of the statement of course there are some excesses.

At the end of the first half of the financial year when six months' actual expenditure is known, there is a calculation made of the probable expenditure for the revised estimate. This is made in the first place at the end of the six months by the departmental officer concerned, and checked by the Accountant-General. It is modified in any respect necessary afterwards by the Finance Department and then it is again checked with the help of the first eight months' actual expenditure. The result of all this process is that in the month of January or somewhere about that we know what the probable expenditure is going to be. It is the probable expenditure of the year on which we base this calculation of our excess or short expenditure. We are not at present in a position to say precisely what will be the amount which will be overspent or underspent. But we put these demands before the Council on the best calculation which we are able to make because we do not wish to be guilty of spending irregularly. What is placed before the Council is only the anticipated overspending or underspending.

I shall say just one word more. There are two classes of excess expenditure, that is to say two classes of items. In the one case it is a mere change of classification. For example, if you look at demands 6 and 28 in the Explanatory Memorandum to the Supplementary Demands you will find in one case Irrigation has shown an excess expenditure of 32 lakhs and in the other there has been a saving of 63 lakhs. This is due to classification and actually there is a large saving. It would therefore be a waste of time for the House to discuss the overspending under one of the heads.

In the same way I may mention, though it does not concern the House because it relates to a non-votable item yet I mention it to make the position understood, if you look at heads 6 and 7 of the same book you will find in one case 'Irrigation', minus 44 lakhs and in the other head 'Interest', plus 45 lakhs. That does not mean really that we have spent less under Irrigation and more under Interest. The fact is that the Accountant-General is not going to debit the interest to Irrigation, but to a separate head "Interest".

This, I think, sufficiently explains to the House the meaning of these figures and I hope it will be possible to pass these supplementary demands rather rapidly. I would remind the House that it was intended to bring forward these demands on the 28th February but for one reason or another they had to be postponed. We are now coming to the end of the year, and it is now too late to stop expenditure, and so it has not been possible to wait the result of these demands in the House.

EXCISE GRANT.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Excise'."

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Excise'."

Rai Bahadur Lala Sewak Ram (Multan Division—(Non-Muhammadan), Rural) : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Excise' be reduced by Rs. 2."

Sir, my chief objection to this grant being given is that there has been a good deal of unnecessary travelling. If there is a case of illicit distillation, the Sub-Inspector goes to investigate the case and then the Inspector goes, and so on. After all no material object is gained. On this ground I object to the grant being sanctioned. I therefore commend my amendment for the acceptance of the House.

The Deputy President : Supplementary grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Excise' be reduced by Rs. 2."

The question is that that reduction be made.

Mr. Ganpat Rai [Lahore and Ferozepore—*cum*—Sheikhupura—(Non-Muhammadan), Rural] (Urdu) : Sir, I support the amendment. Apart from a sum of Rs. 2,57,600 which is to go for refunds there is another excess of Rs. 19,000 under Travelling Allowance. In the last year's Budget Estimate the Travelling Allowance of the Distillery Establishment was Rs. 6,000, and the proposed estimate for the next year is Rs. 5,000. This

[Mr. Ganpat Rai.]

will mean that Government is demanding an excess for Rs. 7,400 over the Budget Estimates, in addition to the enormous excesses of Rs. 19,000 mentioned above. This is very bad and I therefore support the amendment.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I should like to inform the members of this House that the revised estimates are based on the actuals of the first five or six months. Now eleven months have passed. This is the reason for the difference in the figures noticed by the honourable member. This is the reason why the actual figures do not tally with the revised estimates.

The Deputy President : Supplementary grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Exercise' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of Exercise."

The motion was carried.

REGISTRATION GRANT.

The Honourable Lala Harkishan Lal [Minister for Agriculture] : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Registration'."

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Registration'."

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammaddan), Rural] (Urdu) : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Registration' be reduced by Rs. 2."

Sir, the Stamp duty was increased with the object of increasing the revenue of the Province. It was never intended that it should also enhance the commission charges of Sub-Registrars. I would request the Government not to revise the scale of commission charges and thus incur unnecessary additional expenditure. With these remarks I move the amendment.

The Deputy President : Supplementary grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Registration' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Registration.'"

The motion was carried.

IRRIGATION GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923, in respect of 'Irrigation (non-capital).'"

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Irrigation (non-capital).'"

Mr. Ganpat Rai : Sir, after the explanation given by the Honourable the Finance Member in respect to these demands I do not see the necessity for my amendment* and I accordingly do not propose to move it.

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Irrigation (non-capital).'"

The motion was carried.

INTEREST GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Interest.'"

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Interest.'"

The motion was carried.

GENERAL ADMINISTRATION GRANT.

Mr. H. D. Craik (Chief Secretary) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'General Administration.'"

The Deputy President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'General Administration.'"

* "That the demand of Rs. 10 in respect of 'Irrigation' be reduced by Rs. 2".

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura—(Non-Muhammadan) Rural] : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'General Administration' be reduced by Rs. 2."

Sir, the honourable members will observe that the excess for which this demand is made is not hundreds nor thousands of rupees, but it amounts to several lakhs. The exact amount is given on page 4 of the Explanatory Note to these Supplementary Demands. It amounts to Rs. 6,80,964. My object is the total rejection of that amount. The officers of Government who prepared the demands last year have all been accustomed to the work year after year and are quite experienced. They knew how much money was required because the officers in charge of this department—General Administration—are very experienced officers generally as you will see from some of the items in the current budget and the revised budget, that they make a larger demand, so that there may be no occasion to come before the Council for a supplementary demand. These items are given on pages 4 and 5 of the Supplementary Notes, but I will take one or two items only. First of all there is the item of Rs. 88,000. The increase is said to be due to the supply of Indian News Agency and Reuter's Agency telegrams to His Excellency and to Honourable Members and Ministers. I think the names of the Honourable Ministers and the Honourable Revenue Member are wrongly put in. Sir, I understand some months ago it was decided that the Ministers and the Honourable Member for Revenue had very kindly in the interest of economy agreed that they did not require the telegrams outside Lahore. I do not know why the Ministers and both the Members have been mentioned here. It is a matter upon which I need not dilate much, but I would request the Honourable the Finance Member to forego voluntarily this luxury, as I may call it. His Excellency the Governor gets all these telegrams. There is at least one stenographer at Government House, who can at once type out the news and send typed copies across to the Honourable the Finance Member or communicate the news by telephone if need be. Or else the telegrams can be sent by an orderly or a *sowar* of whom there are more than one at Government House waiting for some work to do. That is one request I would make.

[At this stage Mr. President resumed the chair.]

Secondly, Sir, we find on page 5 of the Supplementary Estimates that this Council proposed last year a reduction of one lakh of rupees in the shape of travelling allowance, Rs. 50,000, travelling allowance of officers and Rs. 50,000 travelling allowance of establishment. As you will see this relates to the Legal Remembrancer's department, but how much excess is estimated under that item? The Council wanted to reduce it by one lakh, but the result of that reduction is an excess of Rs. 80,000. Instead of having a reduction, there is an excess of Rs. 80,000. I ask, Sir, is this economy? Is this how we are going to give our account to the public from whom we realise this money? Is this the way how their money is spent. For more than a year, I think nearly two years, we have been asking that economy should be effected and in some cases we have asked for immediate economy, particularly under this head, but the result of our requests for retrenchment is an excess of expenditure to the extent of Rs. 80,000.

Then, Sir, there is the revision of Contract Contingencies. Under that head the reduction made by the Legislative Council is Rs. 25,000, but the excess shown against it is Rs. 73,000. I ask the honourable members and

especially the non-official members to note how their reductions are treated at the end. They may be made in any one session or in the budget session of the Council but soon after or at any rate before the year is out an excess is demanded of them on the plea that eleven months have passed, we cannot carry on the administration and therefore we have been spending. What can the poor non-official members do? All they can do is to join with the official benches. But, Sir, I ask whose fault is this? Is it the fault of the non-official members? Surely not. The Government had opportunity to ask for these excess demands before they were actually spent, but they did not do it. We received a warning that the Council may be held in January. We had to dislocate our work, but there was no Council held in that month. Why was not the Council held in the beginning of that month in order to get sanction for all this expenditure? I am not in the know. I have made inquiries, but Government was not pleased to ask the Legislative Department to convene a meeting in that month. But then why do you come at the end of March and ask for our consent to these excess items when you have practically spent them? Some people may say, it is merely a farce.

The Honourable Sir John Maynard: The Council was held on February the 26th.

Mr. Ganpat Rai (continued): This sum of Rs. 80,000 is not the expenditure for the months of February and March, but it is an expenditure extending over several months. We reduced the revision of Contract Contingencies by Rs. 25,000. Now we are asked to give Rs. 73,000 more. That is how we are treated at the end. The remedy is in the hands of the Council to ask Government not to spend a single pie over and above the amount sanctioned. Otherwise the control of this Council on the purse of voted items is merely a nominal one. Whenever a department likes to spend, it does so and comes at the end of the year on the 17th of March, hardly two weeks before the year expires, to give their consent to the expenditure. Government has treated the Council like that in the past. Do they intend to treat us in a similar way in future? If the Council is to be treated in that way, it would be better to have some change in the so-called Reformed Council. Do they want the Council members to come and simply listen to the debates and say "yes, we agree with you." If the total excess had been small, it would not have mattered at all, but to ask the sanction for no less than Rs. 6,80,964 at the end of the year I submit, Sir, is not treating the Council with respect. I need not go into the other items. A reduction of Rs. 25,000 was made by the Council under Contract Contingencies. Now you want Rs. 73,000 more. That shows how economy has been practised in the deficit budget. (At this stage the President resumed his chair.) One would not have grudged sanctioning a few thousand rupees, but the Council should not sanction so large a sum as Rs. 6,80,964. And that for more than one reason. First, the sanction was not asked in time and secondly that no economy has been effected.

Mr. President: Grant under consideration, amendment moved —

"That the demand of Rs. 10 in respect of 'General Administration' be reduced by Rs. 2."

The question is that that amendment be made.

Mr. H. D. Craik (Chief Secretary): Sir, the honourable member has laid very great stress on the fact that there is an excess of Rs. 6,80,000. He has ignored the saving of over Rs. 1,14,000 (non-voted). That means that

[Mr. H. D. Craik.]

the net excess is about Rs. 5,65,000, or roughly the excess under this very large head, General Administration, the expenditure on which is Rs. 90,00,000, comes to about 6 per cent. I do not think that that is a very large miscalculation which Government has made in framing the budget, specially when it is considered that large cuts were made in the budget last year by this Council. If the Council makes very great reductions, the Government cannot undertake not to spend more than the amount sanctioned by the Council, though it does try to keep within the amount granted. The honourable member says that if the Government goes and spends more than the amount sanctioned by the Council, then the Council's control over finance is meaningless. I am not sure if he himself is not to blame for it.

The form which the discussion on Budget has taken this year, and I think same was the case last year, seems to me to make it inevitable that Government should come up for these supplementary grants. The House this year proceeded at great length to discuss every single item in the Budget and to make large cuts against the advice of Government in some cases where expenditure is inevitable. Surely, Sir, it is worth considering whether in future years it may not follow the example of the House of Commons and that of the Legislative Assembly which do not discuss the Budget in such minute detail. I think it might be advantageous to move one single small reduction on each demand, and then the whole policy of administration of that department could be discussed.

The particular item of the demand which the honourable member criticised was the increase in the Secretariat contingencies. This was due largely to the supply of Indian News Agency telegrams and Reuter's telegrams to the Honourable Members and Ministers. I explained yesterday that these charges are unforeseen, because until late in the year these telegrams were given without charge by the Telegraph Department. They now charge for this, and that accounts for the increase. The honourable member has also asked whether the Honourable Member for Finance cannot do without these Reuter's telegrams. As I have already said, the cost is very little, and it is desirable for the Honourable Member to have these telegrams at the earliest possible moment. Another item discussed was the travelling allowance. The demand was reduced last year by the Council by one lakh. We have, however, succeeded in saving only Rs. 20,000, and require Rs. 80,000. This demand of Rs. 80,000 is not in addition to the one lakh which was reduced by this Council.

Mr. Miles Irving (Financial Secretary) : Sir, this item of revision of Contract Contingencies has already been explained. It is simple and is required for the postage of the letters which the Deputy Commissioners have to post. As I understand on the question of revision of contingencies, I have got on my table enormous files for the grants at the end of the year. It is simply no good for honourable members trying to cut down postage stamps, and if Deputy Commissioners have to carry on their work, they must post their letters. Postage has been doubled—I mean there has been an increase by 50 per cent. For these reasons increase in the expenditure is inevitable. I think there is nothing more I can say. The Finance Department keeps all these things under its control, and this money cannot be spent by any body without the express consent of the Finance Department.

Rai Bahadur Lala Sewak Ram : I want to know, Sir, for my information why the Punjab Government charges this expenditure of Rs. 17,000.

for emigration. That is one point. The second point which I want to put forward is that Rs. 20,000 are for purchase of tents. I have already said that this sort of expenditure should be discouraged because there are so many rest-houses and dak hungalows, and these tents appear unnecessary. These are the only two points on which I object to the grant.

The Honourable Sir John Maynard (Finance Member) : Sir, I must explain these two points to the honourable member. The reason of this expenditure of Rs. 17,000 is this. We were charging the Government of India for a certain number of small items, and on the other hand the Government of India was charging us for a large number of similar small items, and it was found that the labour of working out these details was very great indeed. Accordingly when the Finance Members of different provinces went to meet the Government of India Finance Member at Simla, last April, it was decided to waive mutually all very small claims.

The second point put forward by the Rai Sahib is about the purchase of tents. I fear that the Rai Sahib is not as good a mathematician as his distinguished father is, and I would ask him to note the distinction between the minus and the plus signs. Plus means more and minus means less. (Laughter.) Now, it so happens that from the amount provided for the purchase of tents we have actually saved Rs. 9,000. So the suggestion that the expenditure is increasing is not correct.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur—(Non-Muham-madan) Rural] (Urdu) : Sir, I beg to draw the attention of the House to the fact that the sum of Rs. 1,00,000 demanded for defraying the expenses of 'Diet and road money to witnesses' is an exorbitant one. Last year Government promised to effect an economy in this direction; but the present figure shows that so far nothing has been done to redeem that promise. I am given to understand that proper instructions were issued to the courts in this respect but have proved of no avail. It will not be out of place to mention here that sometimes courts summon witnesses without having the intention of recording their evidence and this entails unnecessary expense. This is nothing short of misusing the public funds. I propose that drastic measures should be taken to effect as much economy as possible.

Mr. President : Grant under consideration. Amendment moved—

"That the demand of Rs. 10 in respect of 'General Administration' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'General Administration.'"

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Administration of Justice.'"

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Administration of Justice.'"

Rai Bahadur Lala Sewak Ram : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Administration of Justice' be reduced by Rs. 2."

Sir, under this head, the item of Public Prosecutors has always been the subject of a little bit of attack from me. One is that these officers should get second class railway fare and not first class. The Government should reduce their travelling allowances by making them second class. It is said in the memorandum that it has not been possible to bring about a reduction under this item because of the Akali movement. To this I only beg to submit that a Public Prosecutor is available everywhere. I think Government has undergone unnecessary expenses in taking the Government Advocate to Amritsar. I should think the Public Prosecutor of that place was quite capable to do the job. I personally think that during these trials of Akali cases, good deal of money has been wasted on Government Advocates and Public Prosecutors and on their travelling allowances, which could have been saved. For these reasons I have put in this amendment before the House. I want to bring it particularly to the notice of the Council.

Mr. President : Grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Administration of Justice' be reduced by Rs. 2."

The Honourable Sir John Maynard (Finance Member) : Sir, I may briefly explain the causes for the excess expenditure in these fees. The really heavy cost was caused by certain large cases among which were the Multan riots. There was another big case of murder in which 18 persons were killed in Ferozepore District. These were the cases which led to the necessity of appointing special magistrates and special prosecutors to conduct the cases.

Mr. President : Demand under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Administration of Justice' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Administration of Justice.'"

The motion was carried.

"JAILS AND CONVICT SETTLEMENTS GRANT."

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Jails and Convict Settlements.'"

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Jails and Convict Settlements.'"

Mr. Ganpat Rai [Lahore and Ferozepore-cum Sheikhupura—(Non-Muhammadan), Rural] : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Jails and Convict Settlements' be reduced by Rs. 2."

Sir, one of the reasons for this demand is said to be that "the original estimates made provision for the receipt of 2½ lakhs from the North-West Frontier Province on account of the cost of convicts from that Province in the Punjab jails. It is improbable that this amount will be received owing to the Government of India pointing out that if the claim is persisted in a counterclaim of approximately the same amount will be made against the Punjab for the cost of the Punjab convicts in the Andamans." First of all I should like to know whether this Government is going to persist in sending its convicts to the Andamans.....

The Honourable Sir John Maynard : No. The system of transportation has been abolished.

Mr. Ganpat Rai : Can I have an assurance that not a pice will be spent by this Government in future on this score. In order to convince me of this you will have to show that no Punjabi convict is still in the Andamans Island. Unless you remove all the convicts from the Andamans you must still incur some expenditure. Of course I cannot give you an idea of the sum required for this purpose

The Honourable Sir John Maynard : Not a pice.

Mr. Ganpat Rai : If so, why should you yield to the threat of the Government of India? You can claim these 2½ lakhs without any fear from the Government of India.

The other explanation for this large excess is the large increase in the jail population which has necessitated the provision of additional necessities on a large scale. If these necessities have been provided, then how is it that we are receiving complaints day after day that the convicts are not provided even with the necessary facilities?

For these reasons, Sir, I press my amendment.

Mr. President : Grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Jails and Convict Settlements' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of "Jails and Convict Settlements."

The motion was carried.

POLICE GRANT.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to move—

"That a supplementary 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 1923 in respect of 'Police.'"

Mr. President: The question is—

"That a supplementary 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 1923 in respect of 'Police.'"

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muham-
madan), Rural]: Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Police' be reduced by Rs. 2."

My chief object in moving this reduction is, Sir, to protest against the large expenditure on the military police in excess of the sum already budgeted for. There appears to be no reason why a sum greater than was already provided for was spent on this item.

Mr. President: Demand under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Police' be reduced by Rs. 2"

The question is that that reduction be made.

Mr. Ganpat Rai: [Lahore and Ferozepore ~~and~~ Sheikhupura (Non-Muhammadian) Rural] (Urdu): Sir, this Council had already sanctioned a grant of over a crore last year in respect of "Police". We are to-day again called upon to vote for a further supplementary grant of Rs. 50,847.

What has puzzled me still more is that the proposed budget for the next year is showing a higher figure in respect of Police Demand than that for the last year. I definitely remember that Government promised to cut down some expenditure under this head, but I am extremely grieved to find that the new budget is simply presenting a higher figure. This shows that Government is bent upon bleeding the poor tax-payers white and not making any economy. Sir, this is a gross injustice to the people and Government is really very cruel.....

Mr. President: You are not entitled to impute motives to Government.

Mr. Ganpat Rai: Sir, I am not imputing any motives to Government. These are the conclusions which are drawn after studying the Government expenditure for the past four or five years.

Mr. President: However, you must not impute motives of that kind.

Mr. Ganpat Rai (continued): Very well, Sir, what I insist upon is that Government ought to show some practical sympathy with the tax-payers, and this is possible only if it effects some substantial economy in its expenditures. If we are to continue to have deficit budgets where is the use of getting these Reforms? Coming to the real question it is shown in the explanatory memorandum that out of this Rs. 50,847, Rs. 24,845 are to go for the revision of pay of the Border Military Police. I would like to know, Sir, was this revision to be made at the end of the year only?

Again Rs. 18,862 are to go for the continuance of the Police Guards at the Borstal Institute, Lahore, and the Central jails, Lahore, Montgomery and Multan. As to this, Sir, I have to submit that this additional police need no longer be maintained inasmuch as the Akali and the non-co-operation movements no longer show any threatening aspect, and the political atmosphere is quite clear.

As for the remaining sum of Rs. 7,140 apportioned for granting allowance to the Criminal Investigation Department, I need hardly say that Government is not discharging its responsibility in accordance with the wishes of the public inasmuch as it is incurring new expenditures in spite of having a deficit budget. I therefore strongly support the amendment, I am particularly against voting for Rs. 24,845 which is to go for the revision of pay of Border Military Police. I trust the House will join hands with me.

Mr. President : Grant under consideration, amendment moved—

"That the grant of Rs. 10 in respect of 'Police' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Police'."

The motion was carried.

EDUCATION (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Education' (Reserved)."

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Education' (Reserved)."

Mr. Ganpat Rai (Lahore and Ferozepore-cum-Sheikhupura Non-Muhammadian Rural) : Sir, I beg to move—

"That the demand of Rs. 10 in respect of Education (Reserved) be reduced by Rs. 2."

Sir, my object in doing this is to bring to the notice of the honourable member in charge of Education (Reserved) the promise which he made last year, as regards the admission of Indian boys who for some reason or other which I need not dwell upon now want to go to European Schools. The honourable member in charge said that he had fixed the percentage for the admission of Indian boys into the European Schools at 15 per cent, and that he had removed every disqualification which existed prior to that. I wish to bring to his notice that his promise is not being kept up by those who are in charge of these institutions, and I would ask him to inquire into the matter and take necessary action. What happened in one case was that through the kindness of the Director of Public Instruction a boy, the son of a high Indian official, wanted admission into one of the local European Schools.

[Mr. Ganpat Rai].

He did manage to get admission, but instead of charging him the regular admission fee, whatever it may be—Rs. 10 or more—the Principal said: "We cannot charge you more fee, but we will charge you three times the admission fee." And that was done. The father of the boy wrote to me and I have his letter in my possession. I thought I should just bring the case to the notice of the honourable member in charge. I do not think in the circumstances this House should accord its sanction to the excess now demanded. Secondly, the honourable member is well aware of the correspondence which has passed between him and a gentleman living in Lahore,—an eye doctor. I need not disclose his name. In this case the boy was not given admission into one of the schools. In such circumstances, Sir, are we justified in sanctioning the amount now asked for. For these reasons I submit that the grant be not sanctioned.—

Mr. President : Grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Education (Reserved)' be reduced by Rs. 2."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : If the case in which Mr. Ganpat Rai says a boy was charged three times the admission fee on admission into a European School is a recent case, then it is clearly a breach of the rules which will justify our withholding the grant. . . .

Mr. Ganpat Rai : Yes, this happened within the last six months.

The Honourable Sir John Maynard (continued) : If that is so, then it is a sufficient ground for our withholding the grant, because we have expressly stipulated in the case of these schools that there must be no additional charge for non-Europeans. I will have an inquiry made into the matter if Mr. Ganpat Rai will give me particulars.

Then, Sir, Mr. Ganpat Rai said, that there is a school in which a boy had been refused admission on the ground of his being an Indian. There is one school in which I know one boy has been refused admission, and that particular boy who happened to be an Indian and who was refused admission was 32 years of age. (Laughter)—(A voice) : And not 60, ? (Laughter).

Apart from that I have reason to believe that very great care has been taken in all these schools to keep up the prescribed proportion of admission of Indians whenever it is possible to make admissions at all. In one case within my knowledge the 15 per cent. limit has actually been exceeded. I trust that these explanations will cause the honourable member to withdraw his amendment.

Mr. Ganpat Rai : On the assurances given, and on the assurance that an inquiry will be made, I have no hesitation to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Education' (Reserved)."

The motion was carried.

The Honourable Lala Harkishan Lal : (Minister for Agriculture)
Sir, I beg to move—

" That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Agriculture' "

Mr. President : The question is—

" That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Agriculture' "

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural.] (Urdu) : Sir, I beg to move—

" That the demand of Rs. 10 in respect of 'Agriculture' be reduced by Rs. 2."

Sir, I feel regret that my honourable friend Rai Bahadur Lala Sewak Ram who is himself a landholder and who also had given notice to move this amendment has not seen fit to move this amendment, which directly affects the interests of the zamindar community. I feel still more sorry because the House is so thin that I do not find here many rural members present at this moment.

Coming to my amendment, Sir, which has been moved in pursuance of the wishes of the zamindar community, I have to mention that the zamindars have a strong aversion to the maintenance of the Fly Survey Establishment which they deem as wholly useless. Sir, I do not think there is any necessity for incurring this expenditure of Rs. 12,816 on this establishment. I therefore propose that the demand be reduced by Rs. 12,816 and I trust the House will accept my proposal.

Mr. President : Grant under consideration, amendment moved—

" That the demand of Rs. 1 in respect of 'Agriculture' be reduced by Rs. 2."

The question is that that reduction be made.

Diwan Bahadur Raja Narendra Nath : [Punjab Landholders (General).] (Urdu) : Sir, I perfectly agree with my honourable friend Mr. Ganpat Rai in this matter, since there seems to be no apparent use of this Fly Survey Establishment. I should, however, like to know whether this demand relates to charges which have already been incurred toward the end of the year and whether it was inadvertently omitted when the budget estimates were prepared.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Yes, they have been incurred during this year.

Diwan Bahadur Raja Narendra Nath (continued) : Sir, in that case we ought in future to give due weight to public opinion and should not continue the maintenance of this establishment any longer but charges incurred may be paid.

Mr. President : Grant under consideration, amendment moved—

" That the demand of Rs. 10 in respect of 'Agriculture' be reduced by Rs. 2."

(Mr. President).

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Agriculture.'"

The motion was carried.

MISCELLANEOUS DEPARTMENTS GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Miscellaneous Departments.'"

The motion was carried.

FAMINE RELIEF AND INSURANCE GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Famine Relief and Insurance.'"

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Superannuation Allowances and Pensions.'"

The motion was carried.

MISCELLANEOUS GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Miscellaneous.'"

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Miscellaneous.'"

Mr. Ganpat Rai [Lahore and Ferozepore-and-Sheikhupura (Non-Muhamadar) Rural] : Sir, I beg to move—

"That the demand of Rs. 10 in respect of 'Miscellaneous' be reduced by Rs. 2."

Sir, perhaps some of the honourable members from the official benches might say that I am merely wasting the time of the Council by attacking a paltry sum of Rs. 4,241. But here I find an occasion to criticise the policy of Government for having unnecessarily invested a huge sum of money in a property which is wholly unremunerative. I mean to refer here, Sir, to the Charing Cross site. The capital invested therein is a loan from the Alliance Bank, and the present demand of which Rs. 4,241 are votable is to be paid to the said Bank by way of interest. I strongly take exception to this short-sighted policy since we have been paying interest for years together on this investment without getting a penny in return. I appeal to the House to withhold its sanction from voting for this demand.

Mr. President : Grant under consideration, amendment moved—

"That the demand of Rs. 10 in respect of 'Miscellaneous' be reduced by Rs. 2."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Miscellaneous.'"

The motion was carried.

GRANT FOR MISCELLANEOUS ADJUSTMENTS BETWEEN THE CENTRAL AND PROVINCIAL GOVERNMENTS.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Miscellaneous adjustments between the Central and Provincial Governments.'"

The motion was carried.

GRANT FOR CAPITAL OUTLAY ON HYDRO-ELECTRIC SCHEME.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Capital Outlay on Hydro-Electric Scheme.'"

The motion was carried.

'LOANS BY PROVINCIAL GOVERNMENT (RESERVED)' GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of 'Loans by Provincial Government (Reserved).'"

The motion was carried.

IRRIGATION GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia
(Revenue Member) : Sir, I beg to move—

“ That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of ‘ Irrigation.’ ”

The motion was carried.

CONSTRUCTION OF IRRIGATION GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia
(Revenue Member) : Sir, I beg to move—

“ That a supplementary sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of ‘ Construction of Irrigation.’ ”

The motion was carried.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION GRANT—(continued).

Mr. President : The Council will now proceed to the voting of grants of the budget for 1923-24.

Diwan Bahadur Raja Narendra Nath : This is not the day fixed for the voting of grants, Sir. We have not got the amendments with us and we are not ready to go on. It is a very thin House.

Mr. President : Apparently the only member who objects is Raja Narendra Nath. I will put it to the House whether any other member objects also.

Mr. Ganpat Rai : It has already been once put to the House and accepted, Sir. I do not think it can be put again to the House.

Mr. President : I did not put it to the House before. I merely said that if the Government business for to-day is finished earlier, we would take up the voting of grants. I did not ask for opinions then, as I could not know whether the necessity for decision would arise. It is true that several members intimated assent, and none, I think, the reverse. We have very little time left for the budget, and it is in the interests of the members who wish to bring forward amendments that we should go on now with the discussion of these amendments. The only result of not agreeing will be that we will have 50 minutes less for the discussion of the budget, and, therefore, I think if the objection is waived, it will be better.

The members agreed to the continuance of the sitting.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur-(Non-Muhammadan), Rural] (Urdu) :—Sir, I beg to move—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 30,759—Temporary Establishment."

Sir, I find that in the District Courts some establishment is wholly unnecessary, and sometimes a very expensive establishment is employed for a work which an ordinary and less costly establishment can efficiently do. For example, in my district stenotypists have been engaged for the copying department. I need not say that ordinary typists can do the same work. In this way a good deal of public money is wasted. I therefore consider that this demand is not so very essential, and therefore I move this amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 30,759—Temporary Establishment."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, before I reply to this amendment, I wish to correct the statement which I made yesterday in assuming that Rs. 1,000 a month per district was to be reduced from the item before this. I may have misled the House. I explained to my friend Chaudhri Kharak Singh that a mistake had been made. This mistake did not affect the position that Government was taking steps to see if all Readers to Deputy Commissioners could be abolished.

With respect to this item of Rs. 30,759, temporary establishment, I have only to point out to my friend Chaudhri Kharak Singh that it is very much less than the budget of the current year and about two-thirds less than the actual accounts of the year 1921-'22. This item has been kept as low as possible. After all we have provided on an average only Rs. 1,000 per annum per district, and I think that is the absolute minimum that we can have. I may also point out that if a provision of this kind is not made we shall have to increase the permanent establishment and the result would probably be far more expensive.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 30,759—Temporary Establishment."

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] : Sir, I beg to move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 3,705—Purchase of Furniture."

Sir, last year or year before last a large sum was provided for this purpose. In this year of deficit very costly furniture should not be bought. Furniture should be increased by purchasing every year for a moderate sum, say, Rs. 2,500 instead of Rs. 3,000. My object in moving this amendment is therefore to make a small saving in order to reduce the deficit.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1,000 with respect of the item of Rs. 3,705—
Purchase of Furniture."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, the policy advocated by the mover of the amendment is being followed. The whole cost of furniture for Gujranwala is not met all in one year but is being met year after year. The present figure is the amount fixed for the next year, and I think it is a very moderate one.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 3,705—
Purchase of Furniture."

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar ~~CHNA~~-Gurdaspur (Non-Muhammaddan), Rural] (Urdu) : Sir, I beg to move—

" That the grant be reduced by Rs. 2,500 with respect to the item of Rs. 5,000—
Purchase of Type-writers."

Sir, the Financial Commissioner has just now asserted that the expenditure, as compared with the past years, is decreasing. But in the present case I find it different. It will be seen, on examination, from the column of Accounts 1921-22 that only a sum of Rs. 2,357 was budgetted for that year. It is therefore quite evident that the tendency of the expenditure is rather upward. I therefore propose that the grant be reduced by half, and I trust the House will accept my amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 2,500 with respect to the item of Rs. 5,000—
Purchase of Type-writers."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, in respect to this item I may say that Rs. 5,000 represents the value of ten type-writers. Ten new type-writers for the whole of this province do not seem to be very excessive.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 2,500 with respect to the item of Rs. 5,000—
Purchase of Type-writers."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai : It is not necessary for me to move the next amendment* which stands in my name in view of the assurance already given by the Government on the matter.

Mr. President : I do not think any promise was actually made in respect to that.

* That the grant be reduced by Rs. 4,000 with respect to the item of Rs. 13,400—Telephone charges.

Mr. Ganpat Rai: I am subject to correction. But I may say that a previous amendment on the subject was not moved because we were given the assurance that Government would see whether any reduction in the expenditure was possible.

Mr. C. M. King: It was promised that if a reduction was possible it would be made. I repeat that in respect to this item also.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhamadan), Rural] (Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 250 with respect to the item of Rs. 500—Rent of Telephonic connections at Sargodha.”

Sir, I propose that grant for one connection only be sanctioned since the Finance Committee has not recommended for the other. I trust the House will accept the amendment.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 250 in respect to the item of Rs. 500—Rent of Telephonic connections at Sargodha.”

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner): Sir, the telephone system has not yet been introduced in Sargodha. When it is introduced I think it will be necessary that the Deputy Commissioner should have a connection not only at his office but in his residence also. The Deputy Commissioner is an officer who is liable to be called up at all times, even at nights and it is absolutely necessary, if there is a telephone system in Sargodha, that he should have a connection at his house, and one at his office. If there is to be a connection only at his office then the chances are that he will be available only for certain hours each day instead of being available at all hours of the day.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 250 in respect to the item of Rs. 500—Rent of Telephonic connections at Sargodha.”

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhpura (Non-Muhamadan)]: Sir, I beg to move—

“That the grant be reduced by Rs. 1,000 in respect to the item of Rs. 1,000—Rewards to Horse-breeders.”

Sir, I am proposing this amendment at the instance of Pir Muhammad Husain, who is absent to-day. If he had been here, he would have sufficiently explained his reasons for this reduction. His reason is that these rewards are paid out of fines. The result is that there is a temptation to inflict heavy fines.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 1,000 in respect to the item of Rs. 1,000—Rewards to Horse-breeders.”

[Mr. President.]

The question is that that reduction be made.

Mr. Abbott (Financial Commissioner) : Sir, the sum of money which the Council is being asked to provide is a new item in the budget. Last year when I was at Sardodha it was put to me that the fines which are imposed on horse-breeders for failure to observe the conditions imposed by the Government of India are paid to the credit of the Punjab Government. I was told that there was a certain class of horse-breeders in that colony whose mares are not qualified for prizes given at the Annual Horse Show, and I was asked to do my best to obtain from this Council a grant and to apply it for rewards to horse-breeders who comply with the conditions and for the encouragement of those horse-breeders whose mares are country bred and are thus not qualified for the usual prizes which are given for a certain lineage of English blood. As for Mr. Ganpat Rai's fears that the Deputy Commissioner will be encouraged to fine more heavily in order to get more money for rewards, of course that can be met by pointing out that the grant for rewards must be presented before this Council each year and I am certain that any tendency of the description which he fears will not escape the attention of this House.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 1,000—
Rewards to Horse-breeders."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian)] : Sir, my next amendment is—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,890—
Temporary Establishment."

Sir, it will be seen from page 72 of the Detailed Budget Estimate^s that the amount against Temporary Establishment is Rs. 6,890. There^e was no such establishment in the previous years, certainly not ever since^e this new Council came into existence. Therefore we are making a sug-
gestion that a sum of Rs. 3,000 be taken out of this amount. If there is necessity for it, the sum can be increased later on, but at present having regard to the fact which I have just mentioned, I think this sum can be easily reduced.

Mr. President : Grant under consideration, amendment moved.—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,890—
Temporary Establishment."

The question is that that reduction be made.

Mr. E. R. Abbott (Financial Commissioner) : It appears from the Budget that no money has been spent in the past on temporary establishment in connection with the currency operations in treasuries, but it is as a matter of fact true that expenditure has always been in the past spent on temporary establishment. I may explain that there are certain classes of treasuries, for instance the treasuries at Toba Tek Singh, Samundri, Jarranwala and the like, in which at the time of revenue collections an enormous amount of money has to be collected in a short space of time. The treasury contracts are not supposed to cover the temporary establishment which

we have to employ for a short period in order to enable Government to receive money and that is why this temporary establishment is entered here. We must have extra men in order to enable Government to collect the money.

Mr. Ganpat Rai : Sir, I beg to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan)]: Sir, I beg to move—

“That the grant be reduced by Rs. 4,708 with respect to the item of Rs. 4,708—Contingencies.”

I draw the attention of the House that the total expenditure on the Treasuries in the year 1921-22 was Rs. 96,006. Then it was increased, and practically doubled, to Rs. 1,94,920. Now the revised estimate for the present year is Rs. 2,85,000 and the budget estimate proposed for the year 1923-24 is Rs. 2,98,020. I need not at this late hour when the House is so thin repeat the old story that it is not only that we are doubling the pay of the treasury establishment, but there are perquisites which are well known to the district officers that every lambardar has to pay to this establishment every half year when he goes to deposit his revenue. That complaint has not been removed. At the time when the pay was increased it was opposed by an overwhelming majority on account of the corruption which prevailed amongst them. The resolution was declared carried and we submitted to it. Every member who has anything to do with depositing revenue, will tell you that the complaint has not been removed. They have to pay a little higher percentage than before. There was no temporary establishment before, but the amount has to be granted by the Council this year. I leave it to the Council, to the official benches, whether it is just and fair that this amount should be allowed and the money of the Province should be wasted in the manner in which it is proposed to do.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 4,708 with respect to the item of Rs. 4,708—Contingencies.”

The question is that that reduction be made.

Mr. E. R. Abbott (Financial Commissioner): Here again, Sir, I have to admit that though in the column for “accounts” and in the current year’s budget no item is shown against contingencies, as a matter of fact, there has always been expenditure incurred under this item. I understood Mr. Ganpat Rai to say that he thought we were paying the treasurers extra pay in opposition to the wishes of this Council. This item as a matter of fact covers the cost of opening boxes of cash when they come to a Treasury and of closing up when the treasure is sent away from a treasury where money is not wanted to another treasury where it is wanted. The cost of opening and closing the boxes is met out of contingencies. As Mr. Ganpat Rai will recognise, we must have this item.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 4,708 with respect to the item of Rs. 4,708—Contingencies.”

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian)] : Sir, I beg to move—

"That the grant be reduced by Rs. 1,100 with respect to the item of Rs. 1,100—Honoraria."

Sir, since we joined this Council we have a number of items multiplied : Contract contingencies, ordinary contingencies, reserve contingencies, other charges, miscellaneous, other items, and so on. I cannot prolong the list, because I can only remember these. Some of these heads never existed in the previous budgets, which I have examined for the last four or five years. This time there is another item added and that is called "Honoraria." I ask, Sir, have you got any list by which you can say how many items of a miscellaneous nature can be included in this budget? There is no explanation given as to this item "Honoraria". I submit that this should not be allowed.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced Rs. 1,100 with respect to the item of Rs. 1,100—Honoraria."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : This small item represents, I understand, payments that are occasionally made to authors of books and pamphlets written sometimes in the district, which are very valuable to the district concerned. I do not know under what head this item came before, but it has always been the custom to pay honoraria to authors who have done particularly good work.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,100 with respect to the item of Rs. 1,100—Honoraria."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian)] : Sir, I beg to move—

"That the grant be reduced by Rs. 62,000 with respect to the item of Rs. 1,62,000—Remuneration to Contractors."

The honorable members will remember that in the first year of the Reformed Council the Council sanctioned an amount of Rs. 2 lakhs to be given to contractors in order to make provision for the supply of commodities to officers on tour in the districts. Some of these contractors have been removed being considered not wanted. I cannot give you the reason why this has been done, but the fact is, as my honourable friend on my right tells me, that this step has been taken in his district, in the Gurdaspur district. I know, as a matter of fact, from my personal knowledge that in a very few cases these contractors are required to supply provisions to the officers touring in the district. Then I understand that there is a rule that these contractors are to provide supplies to those officers whose party consists of more than ten in number. I ask in how many cases does the party consist of more than ten? Then in certain cases the officers say that they do not want any contractor to supply them provisions, and that they would make their own arrangements. You cannot thrust a contractor on an officer when he does not want any.

Therefore we say reduce Rs. 50,000, frame new rules about this, and see whether they work well. First of all in some districts they employed only one contractor. Some experience officer came, he thought this would

not do. He appointed one in each tahsil, and later as experience was gained one in each zail was appointed. A man who lives in a zail is content with a small pay and because he has taken the contract, he is a willing party. He cannot claim that he is a victim of *higa* of any officer. I must say to the credit of some officers that they have tried to reduce expenditure under this item. Therefore, I submit what has been done in one district can be done in other districts also. We want reduction and not the total abolition of contractors.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 62,000 with respect to the item of Rs. 1,62,000—Remuneration to Contractors."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, Mr. Ganpat Rai has made one mistake. He said that the minimum number of the people accompanying an officer is ten. The minimum has been reduced to five. If any officer goes into camp and takes more than five persons with him he must obtain supplies from the contractor. That is the order. If any officer does not comply with it, it is for Mr. Ganpat Rai to show us the officer who is to blame.

I was touring in October last in the Montgomery district. I am sorry Syed Muhammad Hussain is unfortunately not here to-day to support me in this matter. I questioned everybody there and spoke to them and they were all in favour of this system, and certainly in that district it worked very successfully. In Campbellpur too, where I have been recently, I asked the Deputy Commissioner and others and found that it was working satisfactorily. Wherever I go I enquire about this. I can assure the honourable member that if he cuts down this item, he will be cutting at the root of what is really a great convenience to the people and not only that, he will be putting obstacles in the way of Government in its attempt to reduce corruption and oppression in the countryside.

Chaudhri Kharak Singh—[Amritsar ~~and~~ Gurdaspur (Non-Mohamadan) Rural] (Urdu) : Sir, I beg to support the amendment. Although what the Honourable Financial Commissioner has said may be correct, yet so far as I know there are several districts wherein these contractors have no occasion throughout the year to supply commodities at all. In my own village there is one who comes under this category. Although his monthly remuneration is only Rs. 15, yet during the last eight months he has had no occasion to justify his employment. I propose that this function be entrusted to zaildars and the present agency of contractors be forthwith abolished. With these remarks I support the amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 62,000 with respect to the item of Rs. 1,62,000—Remuneration to Contractors."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore ~~and~~ Shaikhupura, (Non-Mohammadan)] : Sir, I beg to move—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 5,00,000—Diet and road money to witnesses."

[Mr. Ganpat Rai]

My honourable friend, Chaudhri Kharak Singh said something about it, and there is no desire to underpay the witnesses or to reduce their diet or to half-starve them. But it is to draw the attention of the Government member to this huge waste of money. What happens is this. Witnesses are summoned in a case. The magistrate knows that he will not be able to take so many witnesses. But still he calls them all. Some times they ask the parties, what the total number of witnesses in that case is and summon all of them. Some judges I admit, do it carefully and summon only those who they think can be examined. But generally, all witnesses are summoned. The result is increased expenditure. If you fix this sum at 5 lakhs, they will consider there is money in the treasury, well, spend it. There will be no consideration that it is the tax-payers' money and so they will see that the whole sum is spent.

Secondly, unnecessary witnesses are brought from long distances to give evidence of a very formal character, wholly unconnected with the case. I give an instance of a recent case in Lahore where search was to be made in a house. The population within Lahore municipal limits is more than 2½ lakhs. Surely they can find two men from Lahore to accompany them to the search. What was done: two gentlemen belonging to Montgomery district—this is from my personal knowledge; I am not speaking on hearsay—who happened to be here for some other business of their own were asked to accompany the search party. Of course they could not stay for long. They had come only for a day or so and the officers knew that they could not be examined on that day, because no arrests took place at the time of the search and even if arrests had taken place at that time, the case could not be heard by a magistrate then and there. Of course, I need not go into the details of this case. But what happened: these two gentlemen had to be brought from Montgomery and heavy expenditure was incurred. This is an instance of waste—waste with a vengeance—of the public money. Could not two witnesses have been found to accompany the search party from Lahore? Sir, I need not detain the House any longer, but I ask them to consider seriously whether this expenditure could not be decreased and money saved to be spent on more useful purposes.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 5,00,000—Diet and road money to witnesses."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner): Sir, I am afraid I must oppose the amendment. The diet and road money to witnesses is not always under anyone's control. It very largely depends on the fact that members of the legal profession insist on summoning more witnesses for the defence than are required. Witnesses are summoned from long distances. It is possible that in some cases money may have been wrongly spent. I cannot go into details; but as far as I know, I am sure that this money is spent by the presiding officer of the Court very carefully and not extravagantly.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 5,00,000—Diet and road money to witnesses."

The question is that that reduction be made.

The motion was lost.

The Council then adjourned till 2 P.M. on Monday, the 19th of March.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Monday, the 19th March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

Mr. President : I propose not to adjourn until 7 P. M. to-day.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION GRANT (concluded.)

Chandhri Kharak Singh [Amritsar-~~cum~~ Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

" That the grant be reduced by Rs. 98,020 with respect to the item of Rs. 2,98,020—Treasury Establishment.

Sir, in doing so I wish to draw the attention of the House to the large increase in the expenditure on Treasury Establishment since 1921. If the honourable members would just refer to page 72 of the Detailed Budget Estimates, they will find that the actual expenditure for 1921-22 was Rs. 98,000, the next year it came up to Rs. 2,85,000. And now for the year 1923-24, it has been put at Rs. 2,98,020.

Sir, I beg to submit that the object for which general increment was given to the establishment has not been realized. The trouble is still there and the situation has not improved at all. The zamindars have still to face the same troubles as they had to do before this increment was given. I earnestly request the House to realize that the general tone of the Department is just the same, and there seems to be no likelihood of its improving in the near future. Therefore, I request the House to accept my amendment, which after reducing the item of Rs. 2,98,020 by Rs. 98,020 will still leave Rs. 2,00,000 for the department. With these few words, Sir, I move my amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 98,020, with respect to the item of Rs. 2,98,020—Treasury Establishment."

The question is that that reduction be made.

Mr. E. R. Abbott (Financial Commissioner) : Sir, I can remove a misapprehension in the mind of the honourable member who moved this amendment. As a matter of fact there has been no increase in the pay of Treasury Establishment. The Treasury Establishment consists of two parts : firstly, of the staff of clerks who work in the Treasury ; and secondly, of the staff of *stiffs* who work in the actual Treasury Chamber. The figures for accounts and budget under 22-E on page 72 include only the staff of clerks. The contract money on account of establishment was taken in previous years under

[Mr. E. R. Abbott.]

Land Revenue ; and there is in the revised and budget estimate a corresponding reduction in the amount asked for for treasurers under that head. There has actually been a slight decrease in the total amount asked for represented by the difference between Rs. 1,94,920 and Rs. 1,91,030. Between the budget estimate for 1922-23, and 1923-24 there has in fact been a slight decrease and no increase in this particular charge.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 98,020 with respect to the item of Rs. 2,98,020—
—Treasury Establishment."

The question is that that reduction be made.

The motion was lost.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1,800, with respect to the item of Rs. 1,800—
Rent of the *Serai* hired for use as Tahsil head-quarters of the former Zafarwal Tahsil at Narowal."

Sir, the amount of Rs. 1,800 is budgeted for the rent of *Serai* at Narowal. My amendment aims at dropping for the present the proposal to transfer the head-quarters of the Tahsil from Zafarwal to Narowal. I know that the change has been in contemplation for a long time by the Government since the construction of the canal. At first the Government intended to keep the Tahsil head-quarters at Zafarwal but sometime after quite a different proposal came forward which recommended the transfer of head-quarters of the Zafarwal Tahsil to Narowal. Government, however, decided to give effect to the latter proposal. But, Sir, I wish to point out to the House that the change will put the Zafarwal people to a lot of trouble and inconvenience. I think that the Government in the long run will have to keep a Sub-Tahsil at Zafarwal, which I have been given to understand will cost Rs. 9,000 a year. Besides the proposed transfer of the Tahsil head-quarters to Narowal, means that Government will have to erect a new building at a very heavy cost which it can ill-afford under the present financial conditions for at least three or four years to come.

Sir, I venture to submit that when the Government cannot at present spare any money for new buildings at Narowal or for a Sub-Tahsil at Zaffarwal and also when the change is likely to cause much trouble to the inhabitants of Zafarwal. Government will do well to postpone the transfer of head-quarters to Narowal for some time. It was with this end in view that I had also tabled a resolution which unfortunately could not come up for consideration. Therefore I have thought fit to avail this opportunity to give expression to my views and the public feeling about the change. With these few words, Sir, I move my amendment and propose that in view of the above mentioned facts Government ought to retain the Tahsil head-quarters at Zafarwal and ought not to hire the *Serai* at Narowal which is only an inconvenient and temporary make-shift. I trust the House will kindly accept it.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,800, with respect to the item of Rs. 1,800—
Rent of the *Serai* hired for use as Tahsil head-quarters of the former Zafarwal Tahsil at Narowal."

The question is that that reduction be made.

Mr Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non Muhammadan), Rural] (Urdu): Sir, I simply want to offer a few remarks in support of the amendment before the House. I wish to inform the House that even some of the responsible officers of the Government do not approve of this change. Sir, it was only the other day that a certain very responsible official asked me to oppose the change. I informed him that some of my honourable friends had already sent resolutions to that effect. Sir, I have mentioned this fact with a view to show the House that the transfer of headquarters from Zafarwal to Narowal is not liked even in the official circles. I hope that in view of what I have submitted, the House will unanimously support the amendment moved by my honourable friend, the Raja Sahib.

Mr. E. R. Abbott (Financial Commissioner) (Urdu): Sir, I think that some of my honourable friends are labouring under some misunderstanding about the question raised in the amendment. The proposal to transfer the head-quarters of the Tahsil from Zafarwal to Narowal originated when I was Deputy Commissioner of the Sialkot District, but in view of the trouble and inconvenience to the inhabitants of Zafarwal which it involved I dropped the idea. It was lately brought forward again by another Deputy Commissioner of the District. Sir, I think that those of us who know something about the *Deg* will realize that my scheme which left the villages on both banks of the *Deg* in the Zafarwal Tahsil was an inconvenient one. The later proposal made the *Deg*, the tahsil boundary and was unanimously approved by a Committee, consisting of both the Financial Commissioners, the Commissioner, Lahore Division, and a former Settlement Officer of the District. Under this scheme Zafarwal village was left on the northern boundary of the Tahsil while some of the villages in the south were left at a distance of 50 miles from the Tahsil headquarters, which is very inconvenient. This is our reason why we have decided to remove the headquarters to Narowal.

Sir, I do not know whether my honourable friend the Raja Sahib had any occasion to serve in the Sialkot District or not; but those who have been to the District well know that the *Deg* has proved a source of trouble and has seriously affected the climate of Zafarwal, so much so that the officials posted there continually take leave with a view to get out of the place, and it is not an easy thing to get men who willingly offer to serve there. The proposed change will remedy all this. Now, Sir, with the construction of the Sialkot Narowal Railway, Narowal has become a railway station and this has consequently reduced the expenditure which we have to incur for the touring expenses of the inspecting officers at Narowal. Government will be saved more than Rs. 1,800 under the new arrangements. Then there is no Telegraph at Zafarwal. This too is a great drawback, which seriously interferes with the work of the administration. The Government three or four years ago asked the Post and Telegraph Department to open a telegraph office at Zafarwal and agreed to guarantee to pay the extra expenditure of the Department. With the tahsil at Narowal, where there is a telegraph office, this expense will be saved. I wish to assure the House that the proposed change will not only cause no extra expenditure to the Government, but it will certainly bring about a reduction therein. After this explanation, Sir, I hope my honourable friend Raja Narendra Nath will withdraw his amendment.

Maulvi Muharram Ali, Chishti [Lahore City, (Muhammadan), Urban] (Urdu): Sir, with a view to cut short the discussion I do not propose to

[M. Muharram Ali, Chishti.]

criticise at length the statement made by my honourable friend Mr. Abbott. I assume for the sake of argument that if the headquarters of the Tahsil are kept at Zafarwal, it will cause a lot of trouble to the officers and others. I only want to put the other side of the question before the House. I submit in all earnestness that the present financial condition of the province is so bad that no extra burden should be put upon the poor tax-payer. The adverse climatic causes which have been urged in support of the proposed change are of no recent date. It is only in the interest of the tax-payer that I request the Government to kindly put up with those disadvantages and inconvenience for one year more. There is no doubt that the change does not at present seem to cost any thing; but very soon the Government will have to erect new Tahsil buildings, which will cost no less than 50 or 60 thousands. The House would do well to keep this in view in the discussion of the question before it. In the end, Sir, I would like to request the Government to kindly take into consideration the trouble and inconvenience to the inhabitants of Zafarwal which the change would involve. The poor zamindars, Hindus and Muhammadans alike, of Zaffarwal came to me on a deputation and enumerated the troubles to which they will be subjected on account of this sudden and unfortunate change. With these few words, Sir, I support the amendment before the House and trust that the Government will see its way to accept it.

Mr. President: Grant under consideration, a nendment moved —

"That the grant be reduced by Rs. 1,800 with respect to the item of Rs. 1,800—
Rent of the Sarai hired for use as Tahsil head quarters of the former Zafarwal
Tahsil at Narowal."

The question is that that reduction be made.

The Council then divided. Ayes 23; Noes 19.

AYES—23.

Chaudhri Ali Akbar.

Khan Sahib Pir Ali Haider Shah.

Lala Atma Ram.

Lala Kesho Ram.

Sardar Dasaundha Singh.

Chaudhri Ghasi Ram.

Chaudhri Ghulam Muhammad.

Bawa Hardit Singh, Bedi.

Rai Sahib Sardar Harnam Singh.

Rana Muhammad Jamil Khan.

Lala Amar Das.

Rai Sahib Chaudhri Lajpat Rai.

Rai Sahib Misar Mela Ram.

Chaudhri Nabi Bakhsh.

Mr. Moti Lal, Kaistha.

Chaudhri Muhammad Hayat Khan.

Chandhri Kharak Singh.

Mauli Muharram Ali, Chishti.

Diwan Bahadur Raja Narendra
Nath.

Mr. Ganpat Rai.

Rai Sahib Chaudhri Raja Singh.

Rai Bahadur Lala Sewak Ram.

Chaudhri Shafi Ali Khan.

NOES—19

The Honourable Sir John Maynard.

The Honourable Sardar Bahadur

Sardar Sunder Singh, Majithia.

The Honourable Khan Bahadur Mian

Fazl-i-Husain.

The Honourable Lala Harkishan Lal.

Mr. H. D. Craik.

Mr. D. J. Boyd.

Mr. Miles Irving.

Mr. N. H. Prenter.

Mr. A. Latifi.

Mr. C. M. King.

Mr. E. R. Abbott.

Colonel R. Heard.

Mr. W. P. Sangster.

Mr. J. G. Beazley.

Mr. Nawab Din, Murad.

Pandit Daulat Ram, Kalia.

Khan Bahadur Sayad Mehdi Shah.

Khan Bahadur Khawaja Yusuf Shah.

Dr. C. A. Owen.

The motion was carried.

Chaudhri Kharak Singh [Amritsar-*cum*-Gurdaspur, (Non-Muham-
madan), Rural] (Urdu) : Sir, I beg to move.

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 26,000—
Contingencies."

Sir, the Financial Commissioner has already agreed to reduce this item by Rs. 1,000, but unless he makes a further reduction I am not willing to accept it. My amendment only aims at reducing the grant by one eighth which is a very moderate proposal. I hope he will make some further reduction.

Mr. C. M. King (Financial Commissioner) : Sir, I am prepared to accept the amendment.

Mr. President : Grant under consideration, amendment moved.—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 26,000—
Contingencies."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-*cum*-Sheikhpura (Non-Muhammadan), Rural] : (Urdu) Sir, I beg to move—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,800—
Contingencies."

Sir, in doing so, I wish to draw the attention of the House to the fact that this item has within the last two years increased from Rs. 4,150 to Rs. 6,200. I venture to think that the reduction proposed in the amendment is quite a reasonable one. It only relates to miscellaneous expenditure. I hope that the Government will accept the amendment in accordance with the late convention and thus give a further proof of its sympathies with the tax-payers. With those few words, Sir, I move my amendment, which, I trust, will be unanimously supported by the House.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,800—
Contingencies."

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, the greater part of this amount provided for Contingencies is for plantation of trees in the camping grounds in districts, especially in the Sheikhpura District. I do not think we can without damaging the whole of our programme accept this sweeping reduction.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 3,000 with respect to the item of Rs. 6,800—
Contingencies."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore—Sheikhupura (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 38,700—
Petty Constructions and Repairs.”

Sir, I would like to request the House to keep in view the special nature of this item which I have moved to be reduced by only Rs. 20,000. I had a mind to move for the reduction of the whole sum ; but being quite uncertain of the attitude of the House in the matter, I have contented myself with the modest reduction which I have placed before the House. Sir, if my honourable friends will just refer to page 196 of the Detailed Budget Estimates, they will notice that Rs. 1,57,000 figure there for General Administration (Transferred). The expenditure under this heading was Rs. 37,549 in the first year of this Council. It rose to Rs. 58,461 in the next year. I submit, Sir, that when there has already been an increase of one lakh as compared with that of last year, I fail to see any justification for the grant of Rs. 38,700 in addition to what had been provided for this last year. This is quite unfair to the taxpayer. I hope the House, under these circumstances, will unanimously accept my amendment which proposes a reduction of only Rs. 20,000. With these few words, Sir, I move my amendment.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 38,700—
Petty constructions and repairs.”

The question is that that reduction be made.

Mr. C. M. King (Financial Commissioner) : Sir, with reference to the second point made by my friend, Mr. Ganpat Rai, if you look at page 196 of the Budget, you will see that the Buildings under Land Revenue are put down under Budget Estimate for 1923-24 as Rs. 5,000 as against Rs. 1,28,046 in the year 1921-22. If you look a little further you will see that for General Administration the sum of Rs. 1,57,000 has been budgeted for 1923-24 and Rs. 37,549 are the actuals for the year 1921-22. If you add these figures together you will find that the actual figure budgeted for 1923-24 is Rs. 1,62,000 as against Rs. 1,65,000 formerly. That is to say, our budget for this year has decreased by Rs. 3,000

Mr. Ganpat Rai : Sir, I rise to a point of order. The honourable member is referring to 5—Land Revenue, while we are discussing 22—General Administration.

Mr. President : It is merely a matter of how the same expenditure is shown in the years in question. The honourable member is in order.

Mr. C. M. King (continued) : As I have said, our Budget for this year is less by Rs. 3,000, and I do not think we can reduce the item any more.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 38,700—
Petty Constructions and Repairs.”

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 12,000 with respect to the item of Rs. 12,000—Discretionary Grants.”

Sir, in doing so, I wish to remind the House that the expenditure under this head was Rs. 994 in 1921-22, Rs. 7,500 in 1922-23 and this year it stands at so high a figure as Rs. 12,000. This is not an unavoidable expenditure and practically no establishment is to be paid from it, and we are not in a position to understand the real scope of this expenditure. The item has increased to huge proportions and I hope the House will unanimously support the amendment before it.

Mr. President : Grant under consideration, a amendment moved—

“That the grant be reduced by Rs. 12,000 with respect to the item of Rs. 12,000—Discretionary Grants.”

The question is that that reduction be made.

Malik Firoz Khan, Noon [Shahpur East, (Muhammadan), Rural] (Urdu) : Sir, I wish to point out to the honourable mover of the amendment that the expenditure is not so unimportant as he seems to think it to be. It contains Rs. 2,000 for payment of presents by His Excellency the Governor for services on tour, Rs. 1,000 for presents to Schools by His Excellency the Governor, Rs. 1,000 for presents to Schools by Members and Ministers, Rs. 2,500 for presents to schools by Commissioners and Rs. 5,500 for small darbars, *khillats*, rewards for gallantry, etc., by Commissioners. I hope that the honourable mover of the amendment will now realise the justification for this expenditure and will withdraw his amendment.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu) : Sir, I propose that the item be reduced by the excess over the expenditure of last year. This will leave Rs. 7,500 to the Government which, I think, will be quite enough for the purposes in view.

The Honourable Khan Bahadur Mian Fazl-i-Hussain (Minister for Education) (Urdu) : Sir, I think that my honourable friend Raja Narendra Nath is under a misunderstanding as to the real facts of the question before the House. The items regarding presents to schools first used to be budgetted to the amount of Rs. 12,000 in the Education Estimates. I have now reduced this sum to Rs. 3,500, which the House will realise is not much. Therefore to say that the expenditure under this head is disproportionately high is incorrect. After this explanation, Sir, I hope my honourable friend, Chaudhri Kharak Singh, will withdraw his amendment.

S. P. M.

Chaudhri Kharak Singh : Sir, I beg to withdraw the amendment.

The amendment was by leave withdrawn.

Mr. President : The question is—

“That a sum not exceeding Rs. 86,84,070 be granted to the Governor in Council and to the Punjab Government (Ministries of Education and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of ‘General Administration.’”

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 33,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Administration of Justice.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 33,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of 'Administration of Justice.'"

Mr. Miles Irving (Secretary, Finance Department) : Sir, I beg to move—

"That the grant for Administration of Justice be reduced by Rs. 975 in respect of Travelling Allowance."

The motion was carried.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhamadan, Rural)] (Urdu) : Sir, I beg to move :—

"That the grant be reduced by Rs. 25,000 with respect to the item of Rs. 25,000—Reserve for Grain Compensation Allowance."

The motion was carried.

Chaudhri Kharak Singh : Sir, I beg to move—

"That the grant be reduced by Rs. 32,000 with respect to the item of Rs. 32,000—Reserve for Contract Contingencies."

The motion was carried.

Mr. Ganpat Rai : Sir, the next amendment which stands in my name is that the grant be reduced by Rs. 4,000 with respect to the item of Rs. 9,000—Cost of Books etc.

I understand, that a reduction of Rs. 1,000 under this item will be agreed to by Government. If that is the case, I move—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 9,000—Cost of books, etc."

Mr. President : Grant under consideration. Amendment moved.

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 9,000—Cost of books, etc."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, I feel I have not quite understood what my friend Mr. Ganpat Rai has said. I understand that it is proposed to withdraw all amendments except those relating to new appointments. I shall be glad if my friend will explain what has been said in case Government accepts this reduction of Rs. 1,000.

Mr. Ganpat Rai : This is with regard to the cost of books ; and the other amendments are in regard to the appointment of Additional District and Sessions Judges, additional Subordinate Judges and Additional Munsiffs.

The Honourable Sir John Maynard : Unless my friend makes a definite statement as to what he proposes to do in consideration of Government accepting this reduction, I am afraid I cannot accept this reduction. He must express himself clearly on the point.

Mr. Ganpat Rai : I have not quite followed the Honourable Member, Sir.

Mr. President : Sir John Maynard wants to know what you propose to do in regard to the other amendments of which you and your friends have given notice.

Mr. Ganpat Rai : As regards the other amendments relating to the High Court, we shall only move those that relate to new appointments and none else.

The Honourable Sir John Maynard : Do the honourable member's friends who have given notice to move similar amendments intend to follow the same course.

Mr. Ganpat Rai : Yes, with regard to the High Court.

The Honourable Sir John Maynard : Then, Sir, I wish to know what are the amendments that my friend wishes to move with regard to Courts Subordinate to the High Court.

Mr. Ganpat Rai : Sir, I may explain that the High Court is concerned with the appointments of District and Sessions Judges and Sub-Judges and Munsiffs. They are not concerned with those matters which relate to the department of the Legal Remembrancer. As regards the High Court we shall only move amendments that relate to one additional District and Sessions Judge, five new Sub-Judges and six new Munsiffs. That is all. As regards the Legal Remembrancer's Department, the matter has not been gone into and that is a separate matter.

The Honourable Sir John Maynard : I suppose that by High Court the honourable member means the High Court and the courts subordinate to it.

Mr. Ganpat Rai : Yes, Sir.

Mr. President : I suppose everybody is quite clear on the point.

(A voice 'yes').

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 9,000—
Cost of books, etc. "

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian), Rural] (Urdu) : Sir, I beg to move—

" That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—
Assistant Legal Remembrancer."

[Mr. Ganpat Rai.]

Sir, there was only one Assistant Legal Remembrancer last year, but now we have got two on Rs. 750 a month each. It was decided last year that there should be one whole-time Assistant Legal Remembrancer who should do the whole work. The appointment was made in pursuance of this decision ; but now the duties of the post have been divided between two incumbents, who as I have already said get Rs. 750 a month each and work as part-time men. They are also allowed ' fees ' in addition. The fees of the Government Advocates have come to Rs. 50,000. Thus the legal machinery of the Government is becoming very expensive.

Sir, it will be argued that two men had to be appointed on account of the pressure of the Council work. The Council last year sanctioned a considerable amount for the post of a Head Assistant and now the poor tax-payer is being burdened with the increase of expenditure under this item also. I think that two Assistant Legal Remembrancers are quite unnecessary in the presence of such able Ministers as we have got. With these few words, Sir, I move the amendment, which I hope will be accepted by the Government.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—Assistant Legal Remembrancer."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, I think it is desirable to give a brief history of this subject for the information of the House. In the first place we had a half-time Assistant Legal Remembrancer on Rs. 600 a month. When the reformed system of administration was introduced it was found that a very considerable addition to the work of the Legal Remembrancer's office was involved by way of drafting Bills. There was also a considerable addition made to his work by the fact that under the new system of provincial autonomy, the work of revising and keeping up-to-date the Punjab Code of Laws was done in the Legal Remembrancer's office. Under these circumstances it was considered desirable to have instead of a half-time Assistant Legal Remembrancer a whole-time Assistant Legal Remembrancer for whose salary it was proposed to allot Rs. 1,500 a month. It was considered possible to get a competent lawyer for that pay. But when an attempt was made to obtain a whole-time lawyer it was found that the lawyers demanded very much higher pay than that. It was found, that no competent lawyer could be had for that pay. That means that we had underestimated the claims of the legal profession. In consequence of this difficulty and in consequence of the feeling that it would not be proper to incur a larger expenditure on this account it was decided to have two half-time Assistant Legal Remembrancers for this pay instead of one whole-time Assistant Legal Remembrancer. This is the history of the subject.

There are two matters which make it necessary to have two Assistant Legal Remembrancers. One of them is the great quantity of Bill drafting which has to be done in the Legislative Department. The House may say that the quantity of drafting Bills is not very much. So far as the House is concerned it may say that it had not much work by way of passing them. It is a small matter to eat a dinner, but to those who have to do the cooking it is a very considerable amount of work.

Then let us take the other matter which has to be taken into account in deciding upon this question. The criminal litigation of the Province has increased so largely that a new arrangement has been introduced in the High Court. I understand that formerly only a certain number of judges did criminal work. But now on Fridays all the judges do criminal work. It may happen that the Government has to be represented on Fridays in six or seven courts, or possibly more courts. It is for this reason desirable that there should be a larger number of officers in the Legal Remembrancer's Department. Otherwise we will have to engage for very high fees additional men for the purpose of conducting the cases before the Judges of the High Court. These are the circumstances, Sir, which have led the Government to ask the Council to vote this amount for the Assistant Legal Remembrancer.

Maulvi Muharram Ali Chishti [Lahore City (Muhammadan), Urban] (Urdu) : Sir I regret I cannot support the amendment moved by my honourable friend Mr. Ganpat Rai. I think that perhaps he does not realize the nature and the amount of work which has to be done by the office of the Legal Remembrancer, which I deem to be one of the most overworked departments of the Government. To complain of the increase in expenditure is very easy, but if one were to realise the necessary qualification required for the proper discharge of the duties of this post he will find that the present arrangement is comparatively cheaper. It is not every lawyer who can do the legislation work. One must be exceptionally learned in law to do it efficiently. In every day work there arise intricate matters which test one's knowledge of law. I think that perhaps the present holders of the post have made a sacrifice in accepting the job; otherwise the time is not far distant when competent men will not be available for this pay, and the Honourable the Finance Member will have to come forward with a larger demand for it. With these few words, Sir, I oppose the amendment before the House and hope that it will be withdrawn by my honourable friend Mr. Ganpat Rai.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non Muhammadan), Rural] (Urdu) : Sir, I am sorry I cannot agree with what has fallen from the lips of my honourable friend Maulvi Muharram Ali Chishti. Had he referred to page 79 of the Detailed Budget Estimates, he would have realized the difference between the expenditure of 1921-22 and the amount now asked for the next year. The question is not whether competent men will in future be available or not; but the point is that when one whole-time man can do the whole work, it is unreasonable to have two part-time men. With these few words, Sir, I lend my hearty support to the amendment before the House.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 9,000 with respect to the item of Rs. 18,000—Assistant Legal Remembrancer."

The question is that that reduction be made.

The motion was lost.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 6,000—Charges for Suits."

Sir, in moving this amendment I wish to draw the attention of the House to page 79 of the Detailed Budget Estimates, which shows that the

[Ch. Kharak Singh.]

expenditure under this heading was Rs. 3,873 in 1921-22 and Rs. 4,356 in 1922-23. This has for 1923-24 been raised to Rs. 6,000, which under the present financial position of the Province is quite unreasonable. Government should not anticipate unnecessary dangers. After the enhancement of the remuneration of Public Prosecutors, it was expected that these charges will be reduced; but the budget shows that they are going still higher. With these few words, Sir, I move my amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 2,000 with respect to the item of Rs. 6,000—Charges for Suits."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, this amount of Rs. 6,000 has nothing whatever to do with the fees for the legal gentlemen who conduct suits. In fact the pay and fees of the officers are shown separately. It does not affect these charges at all. I asked my friend, the Legal Remembrancer, to go into the registers and say what precisely these charges are and I find they are the following :—

In the first place the fees of registration of Government documents. It is not open to Government any more than to any person to say that it will not register documents. If they are to be registered by law they must be registered, even if they be Government documents; and the scale of fees for registration is fixed by law.

The next item is section-writing which costs more than Rs. 300 per month. It is not open to us to say that we think it would be much better if we did not pay the section-writers. They have to be paid.

Then there are the charges of adjournment of Government cases. It is not open to us to say that the courts should not allow costs for adjournments.

Then there is another charge and that is the charge for the inspection of records. It is not open to our pleaders to say that they will not inspect records in order to save a few rupees; they must pay for the inspection.

And finally there are the printing fees of the cases filed in the High Court on behalf of Government. The printing fee of cases filed by Government must be paid to the High Court. It is not the least good to cut that item down as it is just as necessary as the affixing of stamps to our letters.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural] : Sir, the point raised by my friend is this. We are very thankful to the Honourable Finance Member for the information he has just given us, as to what the charges are under this head. The actuals for the year 1921-22 were Rs. 3,873 and the revised estimate for the year 1922-23 is about Rs. 4,000. How is it that now Rs. 6,000 is being budgeted for? For this reason we suggested to cut down this item by Rs. 2,000 and to keep the figure of the last two years.

Mr. N. H. Prenter (Legal Remembrancer) : Sir, I think the only explanation for the increase under this head is the general increase in salaries. Already the section-writers are getting a higher pay than they were getting two or three years ago. All the employees who do this work under the various heads are getting higher pay. The additional amount

required is also due to registration fees. I do not think any further explanation is called for.

The Honourable Sir John Maynard (Finance Member) : Sir, though I am not entitled to speak at this moment, I will say just one word with your permission. It is this that fees for documents, section-writing, inspection fees and possibly the printing fees have all been increased just recently.

Chandhri Kharak Singh : Sir, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu) : Sir I beg to move—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 50,000—Pleaders' Fees."

Sir, when I look into the Detailed Budget Estimates I find that the expenditure under this head was Rs. 29,134 in 1921-22 and in the next year it came up to Rs. 85,000. I realize that this increase was due to exceptional circumstances. This year it has been placed at Rs. 50,000 which I think to be quite unjustified in the present state of affairs. It will be wrong to say that this is due to the general rise in the fees of the lawyers. There has been no such general increase. This may be true of some lawyers of exceptional capacity, but the average lawyers are worse off in these days than they used to be. Some year ago, when I was briefed to go to England, I happened to inquire there from a lawyer friend of mine about the fees, and he told me that the fee of the average lawyers in England were coming down every day. Sir, I submit that similar circumstances exist here too. Most of the High Court and District Court lawyers are not earning decent incomes. Therefore Sir, I request the Government to run this branch of the department on business lines and not waste the public money. Let the question of wages be determined by the law of supply and demand, and I assure the House that if this were done, it will bring about a considerable saving of the public money. With these observations, Sir, I move my amendment, which I hope, the House will accept.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 50,000—Pleaders' Fees."

The question is that that resolution be made.

Chandhri Ali Akbar [Kangra-cum-Gurdaspur, (Muhammadan), Rural] (Urdu) : Sir, I think that my honourable friend, the mover of the amendment, would have done more justice to the public cause by moving a more comprehensive amendment aiming at the abolition of the engagement of Public Prosecutors, on fixed salaries than the one before the House. I do not see any reason for giving Public Prosecutors fixed salaries. They have to give limited time to criminal cases and after that they utilise the rest of their time in doing private civil cases. This brings them very decent incomes. Moreover their connection with the District Police also helps them in securing a large number of civil cases. I personally know of very incompetent men, who have earned huge fortunes as Public Prosecutors. With these few words, Sir, I lend my heartiest support to the amendment before the House.

Malik Feroz Khan Noon [Shahpur East (Mohammadan), (Rural),] (Urdu) : Sir, I regret I cannot under the present circumstances support the amendment moved by my honourable friend Mr. Ganpat Rai. The House should be prepared to grant necessary expenditure, if this branch of the General Administration is to be kept at all. But I want to avail of this opportunity to ascertain as to how far the rumour about having whole-time paid Public Prosecutors in future is true. I wish to say in this connection, Sir, that if the rumour turns out to be true and a practical step is taken in this direction, it will certainly go against the best interests of the Province. It will cause sheer waste of money without yielding any special advantage. The Public Prosecutors after thus feeling quite secure, will give little attention to the Government work. It was only the other day that a Public Prosecutor, a friend of mine, told me that he could after doing the official work find time to earn Rs. 500 a month in civil cases. Sir, I submit that the Government will do well to give an assurance about it, otherwise we shall feel compelled to vote for the amendment moved by my honourable friend Mr. Ganpat Rai.

The Honourable Sir John Maynard (Finance Member) : Sir, I am afraid we have gone very much off the point. Two of my friends who have just spoken thought that we were talking about the fees of Public Prosecutors. One asked why we did not fix the pay of Public Prosecutors; others condemn us for fixing salaries instead of paying them by fees. Neither of these questions is relevant to the point. We shall have shortly to discuss the system to be followed in regard to payments to Public Prosecutors. But this is another matter. When considering the item which is now under discussion, we have nothing to do with the question of fees to Public Prosecutors. The fees that are referred to are the fees of the Government Advocates, of the two Assistant Legal Remembrancers who are part-time officers and of the Public Prosecutors in the High Court and certain private legal practitioners who are engaged in the High Court under certain circumstances which I will now explain. Some of these legal practitioners employed in the High Court are employed by the order of the Judge in cases in which the appellant is to be represented by counsel at Government expense; and, secondly, when there are a number of Judges sitting doing criminal work, the number of cases is so large that it becomes necessary to engage additional practitioners, because the number of law officers of the Crown is not sufficient to cope with this work.

As regards the amount involved, I can only say that it is a question of dealing with a number of cases. As the number of cases is very large, the number of legal practitioners to be engaged is also large.

Mr. Ganpat Rai : May I ask Government "what is the fee paid, and is it a fact that since January last the number of cases has decreased?"

The Honourable Sir John Maynard : I think I should ask for notice of that question, Sir.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 50,000—Pleadings fees."

The question is that that reduction be made.

The motion was lost.

Sayad Muhammad Husain [Montgomery (Muhammadan) (Rural)]
(Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 2,90,000—
Fees for Public Prosecutors.”

Sir, in moving this amendment before the House, I wish to point out that the expenditure under this heading was Rs. 3,40,807 in 1921-22, Rs. 3,40,000 in 1922-23 and estimates for the next year have been put at Rs. 2,90,000. I thank my honourable friend Mr. Prenter for reducing the expenditure by Rs. 50,000. I think that we asked him for more reduction in the Retrenchment Committee. I am sure that he very gladly acceded to our request.

The Honourable Sir John Maynard : I rise to a point of order, Sir.

Mr. President : I have repeatedly pointed out that the details of discussion in committees which are not in their report should not be mentioned.

Sayed Muhammad Husain : Very well, Sir, I beg your pardon. Sir, I only want the expenditure to be cut down by Rs. 30,000? This will leave Rs. 2,60,000 with the Government which will be quite sufficient if the Public Prosecutors are paid at the old rates and the general increment given to them last year is withdrawn. I do not think that the Government is justified in giving such increments when quite capable men are available for lower rates. The discussion which took place in the House over the last amendment also points to the same view. I wish to assure the House that if general increment is withdrawn, there will be no dearth of capable men to accept the job on the old rates, and that the efficiency of the work will not suffer at all. With these few words, Sir, I move my amendment, which I hope the House will unanimously support.

Mr. President : Grant under consideration, amendment moved —

“That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 2,90,000 —
Fees for Public Prosecutors.”

The question is that that reduction be made.

Malik Firoz Khan, Noon : May I enquire from the Government as to what system they intend to adopt in future, i.e., whether they will have servants on fixed salaries, or whether they will pay them by piece-work. If they are going to get fixed salaries, I am afraid that system will be very defective. I know, and some Public Prosecutors have told me themselves, that they will now get more time for their civil cases and will have to devote less time to criminal cases.

The Honourable Sir John Maynard (Finance Member) : Sir, we intend to follow the fixed salary system. We were told by the Retrenchment Committee that it was desirable to pay the Public Prosecutors fixed salaries in future, and to fix them at such a point that there will be a reduction of Rs. 50,000. I personally did not like that system; indeed I anticipated certain evils from it, but I did not see any other way of effecting the sort of retrenchment that we were asked for, and therefore we introduced fixed salaries. It is strange that some honourable members desire to vote against me now for fixing salaries. It is clearly impossible to please everybody.

However, after the experience of a year or so, if it is found that new system is not working satisfactorily, we shall most certainly revert to the old system of paying by fees.

[Honourable Sir, John Maynard]

As regards retrenchment, I should like the House to note what we have done. They will find that in the accounts for 1921-22, the charge was Rs. 3,40,807, the revised estimate for 1922-23 was Rs. 3,39,000 and now we are asking for only Rs. 2,50,000. So we have actually effected retrenchment to the extent of about Rs. 50,000. It is for the House to remember that these also include fees for legal practitioners who appear in criminal cases before Magistrates and before the Sessions Judges. There have been many cases of a special kind dealt with by special Judges and special Magistrates, and in these cases special legal practitioners have to be engaged. It will be sufficient to remind the House of the riot cases in Multan.

Mr. President : Grant under consideration, amendment moved —

“ That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 2,90,000—Fees for Public Prosecutors.”

The question is that that reduction be made.

The Council then divided : Ayes 29, Noes 28.

AYES—29.

Khan Muhammad Abdulla Khan.
Mian Ahmad Yar Khan, Daultana.
Chandhri Ali Akbar.
Khan Sahib Pir Ali Haider Shah.
Sardar Bakhtawar Singh.
Sardar Balwant Singh.
Lala Kesho Ram.
Sardar Sahib Rissalwar Dilbagh Singh.
Khan Bahadur Rai Wali Muhammad Khan.
Chandhri Ghasi Ram.
Chandhri Ghulam Muhammad.
Rana Muhammad Jamil Khan.
Khan Bahadur Sayad Mehdi Shah.
Sardar Randhir Singh.
Rai Sahib Chandhri Lajpat Rai.

Rai Sahib Misar Mela Ram.
Chaudhri N i Bakhsh.
Mr. Moti Lal, Kaistha.
Khan Bahadur Raja Muhammad Akbar Khan.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Chandhri Kharak Singh.
Sayad Muhammad Raza Shah.
Mr. Ganpat Rai.
Lieutenant Sarfaraz Raghbir Singh.
Rai Sahib Chaudhri Raja Singh.
Rai Bahadur Lala Sewak Ram.
Chandhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.

NOES—28.

The Honourable Sir John Maynard.
The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.
The Honourable Khan Bahadur Mian Fazl-i-Husain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. R. Abbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieutenant-Colonel W. C. H. Forster.
The motion was carried.

Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Khan Bahadur Diwan Abdul Hamid Khan.
Malik Firoz Khan, Noon.
Lala Atma Ram.
Sardar Dasaundha Singh.
Pandit Daulat Ram, Kalia.
Sardar Bahadur Gopal Singh.
Labana.
Maulvi Muharram Ali, Chishti.
Khan Bahadur Khawaja Yusuf Shah.
Dr. C. A. Owen.
Mr. Edward Ernest Clarke.

The Honourable Sir John Maynard (Finance Member): Sir, will you permit me to correct myself on one point. I would very much regret if an impression is carried that I misled the House. If the House will refer to the item—Allowances, they will observe that there is one allowance of Rs. 400 and 28 of Rs. 150. These allowances, which have been entered in the budget, are the old retaining fees paid to Public Prosecutors. I may say that in spite of the reduction which the House has made there is a sufficient amount to pay to Public Prosecutors. I very much regret for having misled the House.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 18,000 with respect to the item of Rs. 18,000—Additional District and Sessions Judges."

Sir, in moving this amendment I have the following reasons. In the Administration of Justice we have got two departments—one Executive and the other Judicial. In the former there are District Magistrates, Revenue Officers and other Magistrates; and in the latter there are District Judges, Sub-Judges and Munsifs. All the officers of the Judicial Department are entitled to one month's summer vacation besides their casual leave, but the officers of the Executive side have got no privilege of this kind. According to the report of the Retrenchment Committee, of which Mr. Abbott, Mr. King and the three secretaries were members, it was decided by a majority that the Judicial officers should not in future close their courts during the summer vacation. I do not see any reason why those officers who are not to undergo the trouble of touring are allowed to enjoy a vacation, while those officers who have to work more and have to bear all the hardships of tour have to work without any privilege of this sort. If the House accepts the recommendations of the Retrenchment Committee I see no reason why this amendment should not be accepted. I know, the Judges of the High Court will certainly oppose any measure calculated to interfere with their control of the subordinate courts, but since we have to curtail the expenses in order to meet the deficit, I do not see any reason why this amendment should not be accepted.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 18,000 with respect to the item of Rs. 18,000—Additional District and Sessions Judge."

The question is that that reduction be made.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), Urban] (Urdu): Sir, I was also a member of the Retrenchment Committee and I was also of this opinion that the Judicial officers should not be allowed to enjoy one month's summer vacation, but the question of the abolition of the offices of the Additional District Judges has nothing to do with that proposal. I am afraid that if the summer vacation were abolished, it will result in increasing the amount of civil work which will naturally result in also increasing the appellate work of the District Judges. Thus the retention of the Additional District Judges becomes still more necessary. Apart from this question, it is a fact that the Subordinate Judges have already got a rush of work and by passing such amendments we will over-burden them all the more. The result of this will be that the public will be put to a great

[M. Muharram Ali Chishti.]

inconvenience on account of accumulation of appellate work. When the High Court recommends the appointment of Additional District Judges it is clear that such posts are essential. The Honourable Chief Justice and Judges of the High Court are the best authority in the matter, and their recommendations must command the greatest deference from this House. If we do not mind the recommendation of the High Court it means that we do not care for the difficulties of the litigants. I think by appointing Additional Judges we remove some inconvenience of the public, and this is why I wish to oppose this amendment.

Sardar Dasaundha Singh [Ludhiana (Sikh), Rural] (Urdu): Sir, I support my friend Maulvi Muharram Ali, Chishti. In fact vacation allowed to Judicial officers has got nothing to do with the posts of Additional Judges. Those who have some knowledge of the civil courts know that these Additional Judges are sent to such places where there is a rush of work. If this method is abolished it will greatly inconvenience the public. I think the High Court has recommended the appointments of these Additional District Judges after due consideration, and I do not see any reason why the House should not reject this amendment.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, No doubt the Retrenchment Committee has recommended the discontinuance of summer vacation to the Judicial officers, but I have to submit that it is a mere recommendation, and it rests with the Government to accept or reject such recommendation. The High Court is not likely to agree to the change even if Government recommends it. I have for a long time been serving as an Executive officer, still I do not say that the Judicial officers do not deserve to enjoy leave in order to take rest. They have to work in the courts for so many hours, and they do stand in need of rest. I therefore support my friends Maulvi Muharram Ali, Chishti, and Sardar Dasaundha Singh, and request Mr. Ganpat Rai to withdraw his amendment.

Mr. Ganpat Rai: I am sorry I cannot.

Sayad Muhammad Husain [Montgomery (Muhammadian), (Rural)], (Urdu): Sir, I will say a few words. I have heard what three gentlemen have said. Two of them are practising lawyers and the third friend is a retired officer. What we wish is that the period of summer vacation should be reduced. It does not stand to reason that by doing so we shall increase the work or that we shall cause great trouble to the public. The point is that the appointment of these Additional District Judges will still more saddle the poor tax-payers, and I think the latter will like to put up with a little more inconvenience which the additional work of the courts would involve rather than to be taxed to provide for the salaries of these Additional District Judges. No doubt the High Court has recommended the appointment of such officers, but the High Court does not realize the difficulty of the public regarding the new taxes. I therefore request that the period of vacation allowed to the Judicial officers should be cut short.

Mr. President—Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 18,000 with respect to the item of Rs. 18,000—Additional District and Sessions Judges."

The question is that that reduction be made.

The Council then divided: Ayes 23, Nocs 31.

AYES—23.

Mian Ahmad Yar Khan, Daultana.
 Chandhri Ali Akbar.
 Khan Sahib Pir Ali Haidar Shah.
 Sardar Bakhtawar Singh.
 Sardar Balwant Singh.
 Sardar Sahib Risaldar Dilbagh Singh.
 Khan Bahadur Rai Wali Muhammad Khan.
 Chandhri Ghasi Ram.
 Chaudhri Ghulam Muhammad.
 Rana Muhammad Jamil Khan.
 Khan Bahadur Sayad Mehdi Shah.

Sardar Raulhir Singh.
 Chaudhri Nabi Baktish.
 Mr. Moti Lal, Kaistha.
 Khan Bahadur Raja Muhammad Akbar Khan.
 Chaudhri Muhammad Hayat Khan.
 Sayad Muhammad Husain.
 Chaudhri Kharak Singh.
 Sayad Muhammad Raza Shah.
 Mr. Ganpat Rai.
 Lieutenant Sardar Raghbir Singh.
 Chaudhri Shafi Ali Khan.
 Khan Bahadur Malik Muhammad Amin Khan.

NOES—31.

The Honourable Sir John Maynard.
 The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.
 The Honourable Khan Bahadur Mian Fazl-i-Husain.
 The Honourable Lala Harkishan Lal.
 Mr. H. D. Craik.
 Mr. D. J. Boyd.
 Mr. Miles Irving.
 Mr. N. H. Prenter.
 Mr. A. J. Gibson.
 Mr. A. Latifi.
 Mr. C. M. King.
 Mr. E. R. Abbott.
 Colonel R. Heard.
 Mr. W. P. Sangster.
 Lieut.-Col. W. C. H. Forster.
 Mr. D. Milne.

Mr. G. Anderson.
 Mr. J. G. Beazley.
 Khan Bahadur Diwan Abdul Hamid.
 Lala Kesho Ram.
 Sardar Dasanudha Singh.
 Pandit Daulat Ram, Kalia.
 Sardar Bahadur Gopal Singh, Labana.
 Captain Sardar Gopal Singh.
 Nawabzada Muhammad Irshad Ali Khan.
 Maulvi Muharram Ali, Chishti.
 Diwan Bahadur Raja Narendra Nath.
 Khan Bahadur Khawaja Yusuf Shah.
 Rai Bahadur Lala Sewak Ram.
 Dr. C. A. Owen.
 Mr. Edward Ernest Clarke.

The motion was lost.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)] :
 Sir, I beg to move—

"That the grant be reduced by Rs. 16,500 with respect to the item of Rs. 16,500—Appointment of five Sub-Judges."

Sir, I will briefly state the main arguments in favour of this amendment. Our deficit budget demands that we should, as far as possible curtail our expenses. If the amount of work has increased Government should resort to the appointment of some Honorary Civil Judges. There are as many retired officers who are willing to work as Honorary Civil Judges, and I see no reason why we should not avail ourselves of their services. Moreover, it has been proved that the Honorary Judges will work quite honestly and conscientiously. I therefore request the House to accept this amendment.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 16,500 with respect to the item of Rs. 16,500—Appointment of five Sub-Judges."

Mr. President.]

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Members will kindly look one line above the line where we find the temporary Sub-Judges occur in the Budget. They will find that the number has been reduced from 50 to 44. So there has actually been a reduction in the number of Subordinate Judges. The Judges of the High Court objected to this, saying that it had been under-budgeted, and I am afraid we shall have to come up for a supplementary grant. Meanwhile, sanction to these five appointments may be given.

If these five appointments are sanctioned, even then the number will be less by one than it was last year. That is a serious consideration. The Judges of the High Court in applying to Government for this assistance asked for ten Sub-Judges. The Finance Department considered the question; and after its consideration the question went before the Finance Committee which reduced the number of Sub-Judges to five. What we have now provided for is the reduced total of five as advised by the Finance Committee.

I think I should also add that even last year, the number of Sub-Judges was short and certain districts had to work short-handed with the result that there was a considerable accumulation of arrears. I trust the House will not accept the amendment which will make it impossible for judicial work to be carried on.

Maulvi Muharram Ali Chishti [Lahore City (Muhammadan) (Urban)] (Urdu) : Sir, after hearing the explanation of the honourable member, it has been made quite clear that such posts do not increase our expenses, rather the appointment of Additional Sub-Judges will greatly remove the inconvenience of the litigants. I do not like to repeat all those arguments which have already been stated. It has come to my knowledge that some of the Sub-Judges have got 40 or 50 cases to deal with in a day. They have to work under pressure and by doing so I do not think they are able to pay proper attention to all the cases. If we are to do proper justice to the public, we should do so in the true sense of the word. Moreover, the lawyers appear in almost all the cases, and this adds to the length in the procedure, which means an increase in the amount of work. I therefore think that some relief for the civil courts is essential, and hence I oppose the amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 16,500 with respect to the item of Rs. 16,500—Appointment of five Sub-Judges".

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000—Temporary Additional Munsifs."

Sir, I need not give many reasons in support of this amendment. The same arguments will again be put forward from the other side. Our point is that the period of vacation allowed to Judicial officers should be reduced. I am sorry to note that this point is being ignored. Arguments are being advanced to press only one point, that is, of rush off work.

But I should like to hear a definite reply as to whether Government is going to reduce the period of vacation or not. With these remarks I move the amendment.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000—Temporary Additional Munsiffs."

The question is that that reduction be made.

Mr. H. D. Craik (Chief Secretary) : Sir, I oppose this amendment. This item is not really a new one in any sense. Six Additional Munsifs have as a matter of fact been employed continuously since 1920. It is only proposed to continue an arrangement which has been in force for the last three years. The arrears when the six Munsifs were appointed in the first instance amounted to 39,000 cases. At the end of January this year, the arrears amounted to nearly 16,000 cases. The fact that the arrears have increased by 7,000 more cases since these appointments were sanctioned is in itself sufficient justification for this item in the Budget.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000—Temporary Additional Munsifs."

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a sum not exceeding Rs. 52,61,025 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 1924, in respect of 'Administration of Justice.'"

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 32,22,000 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 1924, in respect of 'Jails and Convict Settlements.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 32,22,000 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 1924, in respect of 'Jails and Convict Settlements.'"

Chaudhri Kharak Singh [Amritsar and Gurdaspur (Non-Muhammadan), Rural] : Sir, I beg to move—

"That the grant be reduced by Rs. 13,000 with respect to the item of Rs. 13,000—Reserve for Grain Compensation Allowance."

The motion was carried.

Chaudhri Kharak Singh : Sir, I beg to move—

"That the grant be reduced by Rs. 22,000 with respect to the item of Rs. 22,000—Reserve for Revision of Contract Contingent Grants."

The motion was carried.

Mr. Ganpat Rai (Labore and Ferozepore *cum*-Shiekhupura (Non-Muham-madan)] : I beg to move the following amendment—

That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 1,40,000 —
Purchase of Raw Material—Central Jail."

Sir, I understand that the Government are prepared to accept this amendment. So it does not require many words of mine to commend it to the House.

The Honourable Sir John Maynard : There seems, Sir, to be some misunderstanding. I am prepared to accept this only if Mr. Ganpat Rai and his friends refrain from moving the other amendments.

Mr. Ganpat Rai : So far as my amendments are concerned I do not propose to move them. As for the rest, the members in whose names they stand are not here and so they fall through.

The Honourable Sir John Maynard : If so, I am prepared to accept the amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 1,40,000—
Purchase of Raw Material—Central Jail."

The question is that that reduction be made.

The motion was carried.

Mr. Ganpat Rai : Sir, I beg to move—

" That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 60,000—
Purchase of Raw Material—District Jail."

The motion was carried.

Mr. Ganpat Rai : Sir, I beg to move—

" That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 25,500—
Miscellaneous Charges."

Sir, this comes under the convention agreed to that if the reduction of this item under one head was carried in the House all similar reductions under other heads also should be accepted. It does not therefore require any word from me in support of this amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 5,000 with respect to the item of Rs. 25,500—
Miscellaneous Charges."

The question is that that reduction be made.

The Honourable Sir John Maynard : Sir, this item does not come under the convention referred to. The Miscellaneous Charges in this Department are very different from those of the other departments. I, therefore do not think that the convention applies to this case.

Mr. Ganpat Rai : Sir, we have been observing this convention for the last four days. This is the first time that it is repudiated. I thought that the convention come to some days ago will continue till the end of the session.

The Honourable Sir John Maynard : Sir, I do say that our conventions still stand, but no convention applies to the present case of Miscellaneous Charges.

Mr. President : The Honourable the Finance Member says that Miscellaneous Charges differ in the various departments and thus do not come under any convention. There is thus no departure from convention. You seem to be under a misunderstanding.

Previous cases under Miscellaneous are in respect of Rs. 1,000 under Land Revenue, page 84 of Budget, in which a reduction of Rs. 500 was accepted and Excise in which a reduction of Rs. 800 out of Rs. 1,300 was moved. Government, however, agreed to Rs. 300 only and the reduction proposed was amended accordingly and carried. This seems to show that in the case of "Miscellaneous" the fact that the first reduction was accepted does not bind other departments to accept amendments as they stand. I think there has been a misunderstanding.

Mr. Ganpat Rai : If the Honourable Finance Member says that I am in the wrong, then I beg to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : The question is—

"That a sum not exceeding Rs. 31,72,000 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 1924, in respect of 'Jails and Convict Settlements.'"

Rai Bahadur Lala Sewak Ram : Sir, I have got an amendment.

Mr. President : You were not here when I called your name and so you have no right to bring that amendment now.

Rai Bahadur Lala Sewak Ram : I thought that would be the last amendment that would be taken up.

Mr. President : I am sorry I cannot help it.

The question is that that grant be made.

The motion was carried.

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

POLICE GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 1,05,24,000 be granted to the Governor in Council and 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 1924, in respect of 'Police.'"

The Deputy President : The question is—

"That a sum not exceeding Rs. 1,05,24,000 be granted to the Governor in Council and 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 1924, in respect of 'Police.'"

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

“That the grant for Police be reduced by Rs. 1,55,526 in respect of Travelling Allowance.”

The motion was carried.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muham-
madan) (Rural)] (Urdu) : Sir, I beg to move—

“That the grant be reduced by Rs. 6,29,000 with respect to the item of Rs. 6,29,000—Railway Police.”

Sir, this subject is being discussed here for the last two or three years. We demand that the expenses of the Railway Police should be charged to the Railway Department. When we have got no control over the management of the Railways why should we defray such charges? It has been said that the Railway Police is a part of the Punjab Police. But, Sir, it is not a fact. The Railway Department considers it to be its own, and it is nominally under the Inspector-General of Police, Punjab. When the Railway Department's earnings are so very large, I see no reason why it should not bear the expenses of the Railway Police. With these remarks I move the amendment.

The Deputy President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 6,29,000 with respect to the item of Rs. 6,29,000—Railway Police.”

The question is that that reduction be made.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), (Rural)] (Urdu) : Sir, this is a separate department, and it has got a very large number of officers which should be reduced. In the Railway train offences of minor nature are committed and so far as we know no serious offence has been brought to our notice. Moreover, these minor offences go undetected and I do not see any reason why the Punjab Government should bear such a heavy expenditure of this department. I can assert this that out of the offences committed on the Railways about 50 per cent. or 60 per cent. are of a minor nature and out of these the Railway Police only detect about 5 per cent. of cases; others go undetected. We have to cut down our expenditure and I would request the House to accept the amendment.

Chaudhri Ali Akbar [Kangra-cum Gurdaspur (Muhammadan), (Rural)] : Sir, I beg to support this amendment. When the Council has got no powers to interfere with the management of the Railways why should we pay the expenses of the Railway Police from our provincial revenues. This is why I request the House to accept this amendment.

Pandit Daulat Ram, Kalia [East and West—Central Towns (Non-Muhammadan), (Urban)] (Urdu) : Sir, this question has been under discussion for a long time and the chief argument advanced in support of it is that as the earnings of the Railway Department go to the Imperial exchequer, so the expenses for the Railway Police should be charged to the revenues of the Central Government. It means if some big company is started in our Province, the Punjab Police is not responsible for the safety of that company. Many offences of a serious and peculiar nature are committed on the

Railways which require special attention of the Police to detect. In my opinion the Railway Police is a useful agency which should be maintained by the Punjab Government.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)]: Sir, as far as I can follow the arguments advanced in favour of this amendment, I think the object of my friends is that the Government of India should pay for the Railway Police. It is being discussed for the last two or three years, and the Government of India has agreed to pay a part of these expenses. What we insist on is that the Government of India should bear all the expenses, and if it does not, we should at least reduce this item to a certain extent. Though the offences committed on the Railways are often petty, still it has been noticed that proper attention is not paid and regular investigations are not made even in respect of those petty offences. The following from the report of the Bengal Retrenchment Committee will make it more clear:—

5 p.m.

"We recognize the difficulty of detecting thefts on railways, and we consider it is not necessary to maintain so large an investigation staff for numerous petty offences, not more than one-sixth of which, experience shows, are likely to be detected. Either the Police are inefficient, which we do not believe to be the case, or the conditions are such that a larger proportion of detections cannot be expected. We think there is little to be gained by undertaking a large number of fruitless enquiries, and that only those cases that offer some prospect of successful investigation should be taken up. In this view we recommend a reduction of the strength of the Railway Police by 2 Inspectors, 10 Sub-Inspectors, 15 head constables and 85 constables."

The Honourable Sir John Maynard (Finance Member): Sir, I think it is very important that the House should really understand the matter because although it is not before the Council for the first time, it seems to be quite evident from some of the speeches which have been made to-day that most of the members have not understood the position. I am going to begin by asking my friend, Rai Bahadur Lala Sewak Ram, to imagine himself in a certain position, that is, that while he is travelling by night from Lahore to Gangapur, two or three men enter his compartment: one sits on his chest, while the others relieve him of his money. I want to ask him to imagine himself in that position. Would he then say that it is undesirable that the provincial police should investigate, or would he then consider whether it is for the Government of India to pay for that police which investigates the matter? That is the sort of problem which I think would probably bring home the fact that the detection of crime wherever it may be committed is the duty of the Provincial Government; and we cannot overlook crimes merely because they are not numerous or because it is possible in some cases that they are not detected. We should go further than this, and imagine what our valued friend would think if unfortunately some one happened to be killed in the train. Would he consider that it is the duty of the Provincial Government to investigate the matter, or would he think that we should wait till the Government of India had agreed to contribute for that police?

The truth is this—gentlemen in this House have not understood what was put forward before them by me two years ago. I then tried to explain that there are different functions of the Railway Police and there are different sorts of work for them. There are three kinds of work which are done by the Railway Police. One is connected with what is technically called Crime. There is no reason why that should not be paid for by the Provincial Government which deals with crimes outside the railway carriages as well as inside them. That is one.

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Then secondly, comes—the maintenance of order. That is connected with such matters as the maintenance of order in the station yard, platform, etc. That is the duty of the Provincial Government which must keep order in the station yard in precisely the same way that it keeps order in the street.

Then there is a third class of work which is done by this Railway Police, and that is the class of work which is known as watch and ward, i.e., the guarding of railway property. Now it is perfectly true that this is where the Railway ought to pay; and the railway does actually pay for that. My friends did not apparently know that, and they have not taken the trouble to understand the distinction between these different classes of work and have not realised that there is one class of work for which Railway does pay at present.

There is, I think, a little more to be said in regard to the question of the amount of work which is done by the Railway Police. I do not think the members have realised the extent of their jurisdiction and the nature of work they are called upon to do. It is 4,200 miles of railway along which the Railway Police are working. They deal in some cases with serious crimes, and of course in the bulk, they have to deal with numerous theft cases. In the year 1921, which is the latest for which a report is available, there were 369 cases of thefts on passenger trains which are all cases which affect the public and not the Railway; and out of these 369 cases, convictions were obtained in 302. Those who understand work of this kind will realise how creditable it is to trace out 302 cases out of 369. The truth is that the work in the Railway Police is of a difficult nature, and in some cases it involves a considerable danger to life. In cases when thefts were committed on running trains, they did admirable work. In some cases where gangs attempted to rob trains the police suffered wounds in the discharge of their duties.

I trust that the House will understand what I have said, will realise that it is not an item which it is possible to reduce, nor a matter which it is possible to transfer to the Government of India.

Mr. Ganpat Rai (Lahore and Ferozepore—*non*—Sheikhpura (Non-Muhammadan), Rural) : Sir, I beg to say that my friend, Lala Sewak Ram, did not mean to ask the House whether he should seek help from the Punjab Government or the Government of India in case of his being robbed by thieves during a railway journey. What we mean is that some proper charges should be made to the Railway Department for the maintenance of the Railway Police. As far as my knowledge goes, no charges are made to the Railway Department. If some private company requires the protection of our police, they pay charges for it. Why should not the Railway Department also pay for it? Railway Department does not carry the passengers free of charge. When we pay them for our journey they should pay for the expenses of the police. Is the Punjab Government going to show any favour to the railways? If so, I would like to ask what we get in return from the Railway Department for the sum of Rs. 60,000 paid as the cost of railway warrants. I am sorry I cannot agree with the Honourable Finance Member.

Mr. D. J. Boyd (Home Secretary) : Sir, I understand that Mr. Ganpat Rai's argument is that the railways should pay for the police because they take fares from the passengers.

Mr. Ganpat Rai : No, no, you have not understood me correctly.

Mr. D. J. Boyd: (continued) That is how I understand Mr. Ganpat Rai's argument. If Mr. Ganpat Rai were to go to Sheikhpura in an *ekka*, who is to pay for the police to guard him against robbers? Is it the *ekka-walla*?

Mr. Ganpat Rai: The example does not apply here.

Mr. Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 6,29,000 with respect to the item of Rs. 6,29,000—Railway Police."

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Mahammadan), Rural (Urdu)]: Sir, I beg to move—

"That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department."

Sir, last year the Council reduced this demand by Rs. 25,000. The sum demanded this year is in excess of that demanded last year by about Rs. 50,000. I have therefore proposed that this excess above be reduced, since I find no valid reason for the increase. I trust the House will accept the amendment.

The Deputy President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department."

The question is that that reduction be made.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), (Urban)] (Urdu): Sir, I think that there prevails a long standing bias in respect of the Criminal Investigation Department. I must clearly say that in the old days that bias was certainly well-founded. The Department was commonly called *Khufia Police*, and the idea prevalent was that it was the duty of this department to inform the Government of each and every movement which may, by stretch of idea, be construed against Government. If the Criminal Investigation Department men were unable to find any material for filling up their diaries they would usually resort to manufacturing false reports implicating many a law-abiding citizen. It was not an uncommon thing that the political workers often fell victims to the mischief. They were always described as sedition-mongers, however constitutional their movements may be. A bad colour was always given to innocent movements. At the same time they did not hesitate to direct their energies, in this respect, personally against innocent persons. It had very often happened that innocent men had become victims and falsely represented as criminals owing to the personal animosities of the Criminal Investigation Department men. The men in the department in those days were generally of a very low type. Hence, such imputations levelled at the Criminal Investigation Department men were not unjustified. But, at present we find that this department has to a great extent been reformed and re-organised. In this connection, Sir, I must express my gratitude for Government's inviting me to inspect and examine the working of the Criminal Investigation Department. When the Government invited me to do so, I accepted the invitation on the condition that no document should be withheld from my inspection. The condition was readily accepted. Now, Sir, considering that I have always been a fearless critic of the Government, the fact of latter's acceptance

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of the condition I laid down, was a sufficient proof of the fact that they were not afraid of any improper exposures, and that there had been a radical change in the Department.

The work of this Department may be divided into three branches. *First* comes the Press Branch, which keeps the Government informed as to the writings appearing in the Press which affect the Government. Nobody will deny that so far as this work of the Department is concerned, it is performing one of the fundamental functions of administration. The Press being the "Fourth Estate" in the constitution, the Government ought to be kept in close touch with its writing. I was struck with the ability and the labour with which this Branch is working. Having been a journalist for the greater part of my life I took a special interest in the inspection of this Department. The *second* branch performs political works. It keeps the Government informed about the political and revolutionary activities and the movements of the foreign element in this country. This is no modern innovation or an arrangement particularly English. In the historical books of Asiatic authors on politics and constitution, it is laid down as an essential rule for the rulers to establish an agency which should keep the Government informed of the political activities of the people and specially of the foreigners. In the absence of any arrangement of this nature, governments are liable to be exposed to grave dangers.

The *third* function of this Department is to investigate those criminal cases which defy the power and capacity of the ordinary police. About the Punjab Criminal Investigation Department, it is an admitted fact and generally known to all that they have been very successful in this direction.

They have done this work so well and in such a distinguished manner in investigating certain very complicated and important criminal cases, particularly in those that required special and highly developed skill in detecting crimes. I know it for certain that I am not the only person commending their achievements. There are Magistrates, Sessions Judges and the Honourable Judges of the High Court to testify to what I say.

(At this stage Mr. President resumed the Chair.)

We must also acknowledge, Sir, the high degree of efficiency which the Department possesses and for which it is justly praised in the matter of detecting the guilty through finger prints.

Again, Sir, the only criterion of the successful working of the police is the number of convictions obtained through the law courts. In this respect, too, the efficiency of the Department has been amply proved. Sometimes it has so happened that dacoits who had absconded and for years together could not be arrested, were at last brought to book through the unflinching energy of this Department. It is no good, therefore, Sir, on the part of the House to blindly condemn the Police as a whole in season and out of season. Of course there are black sheep in the Police as well as everywhere else, but this does not mean that we are justified in running down the police indiscriminately. To seek the abolition of this Department and to diminish its deficiency by diminishing its expenditure is tantamount to committing suicide. When there happens a dacoity or a theft we raise cries that reach high heavens, but when we are called upon to pay for the maintenance of this

Department, we shrink from it. To say the least, it is not fair, Sir. Rai Bahadur Lala Sewak Ram has said that the expenses of this Department has increased, but I submit that he has failed to face the situation fully and squarely. He ought to have known that to-day there is an epidemic of dacoities raging in the Sailkot and other districts and they are committed most fearlessly. The new feature of the dacoities is this that motor cars are being used by the dacoits—and this helps their escape from justice. Hence it is necessary that we should avail the services of the Criminal Investigation Department which has so successfully developed the art of detecting crimes and we must not grudge the little increase in the expenditure.

Taking all these facts into consideration, the advocates of reduction should bear in mind that their recommendations, if adopted, will leave the poor, the widows and the orphans unprotected.

Sir, I approve of the enhancement of expenses as budgeted, because I see crime on the increase and must therefore strongly oppose the amendment.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) (Rural.)] (Urdu): Sir, it is not the aim of Lala Sewak Ram to absolutely abolish the Criminal Investigation Department. Maulvi Muharram Ali has misinterpreted the aim of the mover. We know that this is a very necessary Department, but there are certain points which I must bring to the notice of the House.

Sir, this Department was established in 1903 in pursuance of the recommendations of the Police Commission. It performs two kinds of function. The first and the primary function which it performs is to detect political crimes and to collect the necessary evidence against the accused in the said crimes. Its second function is to trace out and detect very clever thieves in complicated cases, who might have defied the powers of the ordinary police.

The question, therefore, Sir, is what has this Department done in regard to these two duties entrusted to it. In answer to this, it is my honest conviction and I believe the public at large has the same conviction that the Criminal Investigation Department people in matters relating to political crimes very often make false reports with a view to secure the good will of their superiors. But at the same time they cause an incalculable loss to the Government which is misled by them. However, Sir, the major portion of the work of this Department relates to political crimes. This I submit does not require as large a force as is now kept, since political crimes are generally of a technical nature, and are not very large in number. I cannot help admitting at the same time that some times we have political crimes of a very serious nature, but they are not very large in number. Hence, the reduction proposed by Lala Sewak Ram is fully pertinent to the circumstances of the case. As for what may be called professional crimes, I am quite willing to give credit for their detection to the Criminal Investigation Department, since they rightly deserve it. But, so far as ordinary crimes go, it is absolutely unnecessary to hand over their investigation to the Criminal Investigation Department. Are not the Superintendents and Deputy Superintendents and other officers of the ordinary police sufficient for this purpose? Moreover, Sir, I submit that according to my humble opinion, there is a good deal of overlapping as regards Super-

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intendents, Assistant Superintendents and Deputy Superintendents. The overlapping ought to be removed, the number of officers lessened and the reduction suggested made practicable. Lastly, Sir, the Budget Estimate for 1922-23 relating to the pay of this department was Rs. 1,35,556 which has been raised to Rs. 1,51,028. It should certainly be reduced. Sir, we do not wish to abolish this department altogether. We accept it as a necessary evil, but I submit that Maulvi Muharram Ali Chishti, has failed to advance sound reasons in support of increasing its grant. With these words, Sir, I support the amendment.

Sayad Muhammad Husain [Montgomery (Muhammadan), (Rural)]
(Urdu): Sir, in the face of two expert opinions it is no easy matter for a layman like myself to give any advice. On the one hand is Rai Bahadur Lala Sewak Ram, the son of Sir Ganga Ram, a rich and influential gentleman who is also a Bar-at-Law and a Magistrate. Hence the opinion expressed by a gentleman of such high attainments must carry weight with us. On the other hand is Maulvi Muharram Ali Chishti, who has first hand knowledge, as he himself claimed, of this Department which he has very recently examined and has not found it wanting. Still, with due deference to Maulvi Sahib's opinion, I think there is more truth in Rai Bahadur Lal. Sewak Ram's version, since it is perfectly known to every body that crimes are on the increase. This shows that the Criminal Investigation Department is not doing its duty properly. Hence adding to their number or voting extra expenses for them is not justified. For these reasons, Sir, I support the amendment.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadan), (Rural)]
(Urdu): Sir, Rai Bahadur Lala Sewak Ram does, of course, understand what he is talking about, but I beg to differ from him. My reason for it is that he being a Magistrate is immune from the depredations of dacoits and thieves, to whom the poor and helpless alone fall victims. However, if the magistrates sometimes suffer at the hands of thieves it is only for the reason that the Police themselves cause a dacoity to be committed on them when they do not secure conviction in their *challaned* cases. Sir, I cannot help saying a word or two against the Police. For, last year when I was here attending the Council, three of my mares were stolen. No investigation was undertaken by the Police at all. Had there been a Magistrate in my place the investigation would have been begun forthwith. This means that Magistrates can without any fear of harm to themselves recommend decrease in the Police force which is mainly needed for the poor. But as these people also fail to command the help of the Police, I wonder whether or not I can support the amendment.* Let me, therefore, Sir, recommend nothing.

Sardar Randhir Singh [Sialkot-cum-Gurdaspur (Sikh), (Rural)]
(Urdu): Sir, I beg to support Rai Bahadur Lala Sewak Ram's amendment. I have to admit that the Criminal Investigation Department is very helpful in the detection of political crimes, but so far as other crimes are concerned it has altogether proved a failure. Sir, the number of dacoities in the district of Sialkot alone in the past six months exceeds the total number of dacoities in the whole of the Punjab during the same period. Is this Department worth its name when it has not traced out anything about the dacoits? Hence we may safely assert that as the Criminal Investigation Department men have failed in this matter, they are incapable of working efficiently.

We may have overlooked the matter if there had been just two or three dacoities, but when there have been as many as 15 or 16 dacoities which were perpetrated openly and in broad daylight after giving previous notice to the Police who have not yet succeeded in arresting the dacoits we cannot afford to overlook the matter. The Police have failed to do its work, Sir, and it has now come to be the common talk in the town of Sialkot that at day time it is the British Raj but at night the thieves are the monarchs of the place. No, Sir, we cannot grant money for such a Criminal Investigation Department. Again, there are regular agencies, particularly among the Muhammadans, of *bandaroshan*, slave dealers. Women are forcibly abducted and sold as merchandise. Why is the Department unaware of the identity of the criminals? In this respect it is a notorious fact that, with the complicity of tonga drivers, women after leaving the railway station have been known to be taken away by slave-dealers and sold through organized agencies. I ask, Sir, what has the Department done in the matter? Sir, to go a step further I may mention that during the past 18 months, out of 30 cases of theft, not one has been traced by the ordinary Police or the Criminal Investigation Department either. I submit therefore, Sir, that the latter ought to have done something regarding it, because the ordinary Police had failed. Any money spent on this Department is thus sheer waste of money.

With these remarks, Sir, I support the amendment.

The Honourable Sir John Maynard (Finance Member): Sir, if the last speaker, my friend Sirdar Randbir Singh, had been speaking to the motion regarding the Police generally, there might have been some reason in what he said. But we are at present discussing the subject of the grant for the Criminal Investigation Department—a very small department indeed. There is no excuse for not knowing how small it is because all the details are entered in the Budget. Now my friend asks, "why is it that the Police of the Criminal Investigation Department do not inform themselves beforehand that such and such an offence is going to be committed? What is the reason for this body so shamefully neglecting their duty and not knowing beforehand what every one in the Province is going to do?" Now, Sir, that is the question, as I understand it, formulated by my friend Sirdar Randbir Singh? Now, I will ask the House to take the budget, open page 111 and see how many men there are who are supposed to achieve this marvellous piece of work of knowing beforehand what everybody in every district is going to do. If the House will look at page 111 of the Budget, it will find that the number of constables, who are to do this wonderful work, of achieving this remarkable piece of fore-knowledge of everybody in the Province, is 58. That is the number of constables who are to discharge this extraordinary function, this magician's achievement of knowing beforehand what every dacoit or every thief in the province is going to do.

Sir, this is only a small matter; but it shows that my friend has forgotten what the subject under discussion is. He has really approached this subject in a spirit of prejudice. Prejudice, Sir, is the word for the attacks which have been made upon this admirable body of public servants and prejudice is appealed to with the object of discrediting these men. We are told, Sir, that they are mainly concerned with political offenders. But my friend Maulvi Muharrem Ali, Chishti, who has practical knowledge of the work, has given good many facts before the House to show what the Criminal Investigation Department actually does. It is only because some other members of the House have neglected the offer which was made to them of

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going to the Criminal Investigation Department office and seeing with their own eyes what the work of the department actually is that every one with one exception of Maulvi Muharram Ali, Chishti, has totally ignored and overlooked one valuable piece of work that is being done by that department, *viz.*, the recording and verification of finger prints. That is a piece of work which enables us to bring crime home to the person who is really guilty and which has saved many an innocent man from being implicated in false charges. Why is it, Sir, that people attack institutions of this kind when they do not take the trouble to investigate their real character and functions, and why is it that they prefer to conceal their knowledge of these functions which I mentioned now? If they really have such knowledge, obviously the intention is to conceal the facts from the House.

Now, Sir, I shall turn to particular cases which have recently been brought to light by the Criminal Investigation Department. They are picked men — men put on because they are more honest and more capable than the ordinary Police. Here is one case I shall mention: A dangerous gang of Pathans of the Peshawar District under the leadership of one Sumander Khan visited the Punjab towards the end of 1921, and committed a series of robberies and burglaries in various parts of the Province. In January 1922, two of them were arrested at Gujranwala in a robbery case, and the Criminal Investigation Department upon taking up the investigation discovered that the gang was responsible for no less than 37 different offences, and that its depredations extended to the United Provinces, Central India and the Bombay Presidency. The Criminal Investigation Department succeeded in working out practically all the cases and arresting all but one member of the gang. The accused are now being tried for the Punjab cases.

Here is another case. In January last a gang of 11 men, some armed with revolvers and the rest with *chharis*, raided the house of one Barkat Ram of Kulhajava, Police Station Pasrur, in the District of Sialkot. (That same district in regard to which my friend Sardar Randhir Singh delivered such a scathing denunciation of the work done by the Criminal Investigation Department), and after overpowering the inmates of the house decamped with property worth Rs. 80,000. They also wounded a *chaukidar* with a revolver shot. The local Police was assisted by the Criminal Investigation Department in unravelling this case; and after a long and arduous search, most of the accused concerned in this and other similar dacoities were arrested and a large portion of the stolen property recovered from them. In the course of investigation some of the accused revealed the fact that they had been sworn in as members of a special band organized with the avowed object of raising funds for a revolutionary campaign by means of dacoity and robbery. That is one other case which the Criminal Investigation Department investigated.

Then here is another case. In the summer of 1922, the office of the Superintendent, Civil Veterinary Department, Rawalpindi, was set on fire and an iron safe containing cash and silver medals, etc., belonging to Government was stolen. The case was a serious one; and a Criminal Investigation Department officer was deputed to investigate the case, and he brought it to a successful termination. It was discovered that a dangerous gang of down country criminals had been actively engaged in depredating the civil station of Rawalpindi. Eventually the whole gang was arrested and over 40 old burglaries were traced out. The entire property stolen from the Civil Veterinary Department office was recovered. I draw the attention of the House to that.

Then there is another case. This is a case of swindling. A firm obtained large number of orders from various persons for the supply of iron chairs and safes. The Criminal Investigation Department took up the investigation and brought out the fact that the so-called firm was a wholly fraudulent concern, and had cheated 150 persons.

There is another case in which a sepoy was detected and 15 bombs were found in his trunk. The Criminal Investigation Department traced the origin of the bombs to a Havaldar, who confessed his guilt and stated that he had smuggled the bombs.

So, Sir, these are the cases. There is one more case to which I should like to refer. My friend referred to a particularly dangerous type of crime which had been committed in the Sialkot District when the offenders used motor cars, apparently taking their cue from certain European robberies. That of course is particularly difficult because the offenders are able to get away quickly. But here again the Criminal Investigation Department traced out the culprits. As a result of successful detection there has been no further development in this form of crime which might otherwise have spread in the province.

Sir, that is the kind of work which this department is doing. I can only repeat to the members of this House the invitation which was recently made to them and which was accepted only by Maulvi Muharram Ali, Ohishti, namely to go and see with their own eyes what this department is really doing. First find out the truth and then give your votes adversely, if adversely it must be. (Cheers.)

Mr. President: Members of this House will observe that we have made a mistake under this Head and also under Jails and Convict Settlements in the matter of procedure in dealing with these reductions. The correct procedure is to discuss the item reductions under each minor head first and then to take up the lump sum reductions under those minor heads. I shall follow that procedure hereafter. Accordingly I will not take votes on this motion until the detailed items have been discussed. We have at any rate obtained a general discussion on the question—I will allow further discussion on this motion when it comes up again in its proper place, and will allow members who have already spoken to speak again, if they so wish.

The Honourable Sir John Maynard: Sir, I would rather the matter were settled now.

Mr. President: I am afraid there has been a mistake and it should be corrected at the earliest opportunity. I am sorry it should have occurred but I must adhere to my decision.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammaddan) (Rural)]: Sir, I beg to move—

"That the grant be reduced by Rs. 2,04,000 with respect to the item of Rs. 2,04,000—Reserve for Grain Compensation Allowance.

The motion was carried.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Non-Muhammaddan) (Rural)]: Sir, I beg to move—

"That the grant be reduced by Rs. 45,000 with respect to the item of Rs. 45,000—Reserve for Revision of Contract Contingent Grants."

The motion was carried.

Mr. Ganpat Rai [Lahore and Ferozepur-cum-Sheikhupura (Non-Muhammadan)] : Sir, I beg to move—

" That the grant be reduced by Rs. 26,138 with respect to the item of Rs. 26,138—
Deputy Inspector-General."

Sir, my amendment seeks to reduce the Police grant by Rs. 26,138, which represents the amount of the annual salary of one Deputy Inspector-General. My reason for proposing this amendment is that at first we had one, later on two, and now we have three Deputy Inspectors-General in the Province. Sir, it does not stand to reason why there should be these intermediaries between the Inspector-General and Superintendents of Police. Their existence seems to me nothing but an evil. I would have asked for the abolition of all the three posts, but since the pay of only one of them is votable, I propose that he may be brought under reduction. Sir, it has been said that up to 1906 there were only two Deputy Inspectors-General and now there are three. With regard to this, I submit that to-day there are 29 districts in the Punjab, but before 1906 we had 32 districts. At that time we had two such officers and still earlier we had only one. All this means, Sir, that just as the number of the districts decreased, so we had an increase in the number of Deputy Inspectors-General. Again in justification of this increase, it has been said that crimes have increased. I will, however, say that these officers do not actually take part in the investigation of crimes. They only issue instructions and hence their existence cannot in any way help us in bringing down the number of crimes. They are not of much use to us, except that they supervise the work of the Police force. But this function alone can be as well performed by the Superintendents. With these remarks I move the amendment.

Mr. President : Grant under consideration. Amendment moved—

" That the grant be reduced by Rs. 26,138 with respect to the item of Rs. 26,138—
Deputy Inspector-General."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, my friend Mr. Ganpat Rai is under a misapprehension. He said, if I understood him correctly, that when we had 32 districts in the Punjab there was only one Deputy Inspector-General, then we had two and now that we have 29 districts we have three Deputy Inspectors-General. He said that the number of the Deputy Inspectors-General has increased with the decrease in the number of districts in the Province. I think that is what he said.

Mr. Ganpat Rai : That is one of the reasons.

The Honourable Sir John Maynard (continued) : But it is a wrong one. That is the point. We have had three Deputy Inspectors-General for a very long time. It was proposed to make the number equal to the number of Commissioners, but for some reason, I think for reasons of economy, that was never done. The number three is a very old standing number and there has been no increase. I think that will take away the prejudice which may have been caused by the suggestion that we have increased the number of Deputy Inspectors-General.

Mr. Ganpat Rai : When was the number increased to three ?

The Honourable Sir John Maynard (continued) : I believe not during the last 20 years ; certainly not within the last 7 years.

Now, Sir, the next point is this that we are asked to make this change in spite of the fact that the Retrenchment Committee, or at all events the majority of the Retrenchment Committee, have investigated this matter and found that the retrenchment of the Deputy Inspector-General was undesirable. They examined the question with very great care unaffected by the prejudices with which the question of Police is apt to be surrounded. It must be remembered that the Police of the Panjab is a small army of nearly 20,000 men. It is not possible to conceive of any system under which one single Inspector-General can deal with all the details of all these 20,000 men direct. It is essential that there should be an intermediary between the Inspector-General and the Superintendent of Police. It is just now more essential than ever because a good number of Superintendents are very young officers or officers who have not been in the habit of doing work of this kind. Owing to the great depletion in our Police ranks, particularly in the higher ranks, there are more young men than ever, a large number of many junior, very inexperienced men who are dealing with districts and it is just now most undesirable that any reduction be made in the number of the Deputy Inspectors-General. The Deputy Inspector-General of Police is an authority who is responsible very largely for the work in connection with the organization and discipline of the force. To reduce the number of those engaged in this work would be a very serious blow to the efficiency of the organization of the Police force and would be at the present juncture a most injudicious and unreasonable thing to do. I hope the House will not be swayed by this unfortunate prejudice against the Police; and I trust they will not be swayed by those extraneous considerations but will give their vote in such a manner as to show that they recognise what they owe to the Police force.

Mr. Ganpat Rai: I move, Sir—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Mr. President: Grant under consideration. Amendment moved—

"That the grant be reduced by Rs. 26,138 with respect to the item of Rs. 26,138—Deputy Inspector-General."

The question is that that reduction be made.

The motion was lost.

Mr. Ganpat Rai: [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammahan)] (Urdu): Sir, my next amendment is that the grant be reduced by Rs. 1,26,720 with respect to the item of Rs. 1,26,720—Pay of Inspectors. Sir, a perusal of page 100 of the Detailed Budget Estimates shows that there are 138 Inspectors; 7 of them belong to the first grade, 23 to the second, 48 to the third and 55 to the fourth.

Now Sir, there is another amendment also for the reduction of Rs. 1,18,800 with respect to Inspectors. I submit, therefore, that these two items be taken together to save time.

Mr. President: Very well. You may move both the amendments as one.

Mr. Ganpat Rai (continued): Sir, with your permission, I move—

"That the grant be reduced by Rs. 2,45,520 with respect to the items of Rs. 1,26,720 and Rs. 1,18,800—Pay of Inspectors."

Sir, the object of the amendment is that the 35 Inspectors of the first and second grades be kept and made Deputy Superintendents and the office of the rest, i.e., 103 be abolished. In this connection I have been given to understand that Government is contemplating reduction of expenses up to the total salary of 20 Inspectors.

The Honourable Sir John Maynard [Finance Member]: No, Sir, not a pie.

Mr. Ganpat Rai (continued): Sir, it has been just said by the Honourable Sir John Maynard that not a single Inspector will be removed. In that case, Sir, I stick to my proposal for removing 103 Inspectors.

The fact is that there are 29 Court Inspectors. Eight Inspectors are posted to the Police lines, two work in Phillaur and one is kept for Simla. This makes a total of 40 Inspectors. Also if we make a liberal provision, even then, no more than 48 are needed. Sir, the real work of investigation of crimes is done by Sub-Inspectors and the Inspectors' merely interfere with the work of investigation and nothing else. We know that whenever there is a difference of opinion between the investigating Sub-Inspector and the supervising Inspector the failure of the case is a foregone conclusion.

I have up till now appeared in more than a thousand cases, and with the exception of a single instance, I have always found that Police has never succeeded in securing conviction in any case wherein investigation was carried on simultaneously by a Sub-Inspector and an Inspector. In such cases the evidence produced against the accused becomes so very inconsistent and full of discrepancies that the Magistrates are compelled in the long run to pass a verdict of 'not guilty'. My conclusion, therefore, is that a double staff always causes trouble. This aspect of the matter, I believe, will be dilated upon by my friend Sayad Muhammad Hussain. Is it not a fact, Sir, that crimes have not decreased as a result of the increase of Inspectors or the Circle Inspectors either? They have surely failed in reducing the number of crimes. Lastly, Sir, the Government have not given us any valid reasons for keeping on the increased number of Inspectors. Hence, there is no reason why any Inspector should be kept except Court Inspectors and a few Line Officers. The increase in the number of Inspectors has only helped in increasing crimes.

Mr. President: Grant under consideration. Amendment moved—

"That the grant be reduced by Rs. 2,45,520 with respect to the items of Rs. 1,26,720 and Rs. 1,18,800—Pay of Inspectors."

The question is that that reduction be made.

Chandhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammads), (Rural)] (Urdu): Sir, I agree with the substance of the speech of Mr. Ganpat Rai, but regret that I cannot find my way to support his amendment. Sir, we are well aware that a part of the money gained by the Police by mal-practices goes to the Inspectors. This means a loss to the people.

On the other hand, the grant voted by the Council is also paid out of the pockets of the people. Again ordinarily so many cases come up for hearing every day before different magistrates that it is physically impossible for one Court Inspector to conduct all of them personally. The usual practice is that these cases are distributed among the Naib Courts, who are generally very ordinary constables. It often happens that very important and strong challaned cases are spoilt through their ignorance and want of skill in conducting them properly. At the same time it is not far wrong to mention that these Naib Courts sometimes yield to certain temptation and by accepting bribes do not discharge their duties properly. For these reasons, Sir, I oppose the amendment and recommend that the number of Court Inspectors be increased.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, my experience tells me that by handing over the investigation of criminal cases to Inspectors after taking it away from Sub-Inspectors has resulted in a worse kind of investigation; for the Inspectors are also not above corruption. The nature of the cases is the same as ever. Hence the old method should be re-adopted. Sir, we know that the Government introduced the new system with the best of motives and therefore increased the expenditure, hoping that higher officers will not be corrupted, but things have remained the same. Even the Criminal Commission came to no conclusions on the matter. I, therefore, Sir, support the amendment and believe that one Inspector for each district is quite sufficient.

Diwan Bahadur Raja Narendra Nath [Panjab Landholders General] (Urdu): Sir, I beg to submit that if no action is intended to be taken on the recommendations of the Retrenchment Committee, then where was the use of appointing it? I therefore ask the House to accept the amendment, at least so far as the Retrenchment Committee itself has recommended in this behalf. I am sure that the reduction proposed by this amendment can easily be effected. Sir, this and other such amendments have been moved for the purpose of getting some sort of assurance from the Government that the recommendations of the Retrenchment Committee will be given effect to. Hence, I must support the amendment.

Malik Firoz Khan, Noon [Shabpur East—(Muhammadan), Rural]: Sir, I am afraid that I am not prepared to agree to the very drastic change that my friend wishes to bring about in a body of public servants on whom depends the peace and order of our province. He wishes to abolish the posts of, Sir, I believe, most, if not all, of the Inspectors in this department. The chief reason given is that they are corrupt. Well, Sir, I am not prepared to agree with him in that respect, and that for this reason that an Inspector of Police is by training, by service, by education and by other circumstances a far superior person to a Sub-Inspector of Police. There are many cases in which a Sub-Inspector of Police may have formed friendship with a particular person or body of persons and for their sake he may be particularly hard or severe to another. These are the sorts of cases in which a Inspector of Police can very usefully come in and have the investigation conducted on proper lines.

There is a very great need of an agency besides the Sub-Inspectors to control the activities of the department. That agency must be in the form of Inspectors of Police or it must be in the form of Deputy Superintendents of Police. If you are going to take away the Inspectors, you must increase the number of Deputy Superintendents. If you do that, I do not think you

[M. Firoz Khan, Noon.]

would be bringing about any saving in the general expenditure of the department. After reasonable consideration of the question, I do not think that the House can recommend the reduction proposed.

Mian Muhammad Shah Nawaz [(Lahore—(Muhammadan), Rural) (Urdu) : Sir, when the Honourable Finance Member said that not a single Inspector can be removed, I was very much pained. In his Budget speech he had told us that, so far as possible, the Government will act on the recommendations of the Retrenchment Committee, but now he refuses to remove even Circle Inspectors. This means that Retrenchment Committee's Report will remain a dead letter. In this Committee, Sir, we had cut down the expenses by only about 37 lakhs which is not a large sum. Moreover, Sir, in the matter of Circle Inspectors some Governments, for example that of Bombay and Bengal, have acted upon the recommendations of their Retrenchment Committees. Why then, does not the Punjab Government so act? Sir, putting aside the question of corruption, the Inspectors are only a supervising agency and no more.

I am not forgetful of the fact that sometimes it is certainly necessary that they should work as intermediaries between the Superintendents and the Sub-Inspectors to see that the latter are doing their work properly, but the overhead charges entailed by keeping so many Inspectors as we have now, are out of all proportion to their usefulness. Hence I again submit with all the emphasis at my command that their services need not be retained, at least of some of them. Sir, these people, as a matter of fact, merely waste time and needlessly interfere with the work of the Sub-Inspectors. Of course, it does occasionally happen that they fill a want by counteracting the covert acts of the Sub-Inspectors who, for the sake of illicit gains try to defeat the ends of justice, but this does not necessitate their retention in such large numbers.

Neither, Sir, it is the question of the Inspectors being educated people. What is most needed is the knowledge of local conditions. This I submit is possessed by the Sub-Inspectors alone who are on the spot. The Inspectors come from a distance and possess no such knowledge. How can his supervision then be deemed of any value?

Lastly, Sir, I beseech the Government not altogether to spurn the recommendations of the Retrenchment Committee, but to accept some of them at least. With these few observations I support the amendment.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), (Rural)] (Urdu) : Sir, a multiplicity of officials brings no good to the people. In this present case, the Sub-Inspectors and Head Constables do the real work, while absolutely no original work is done by the Inspectors. They serve as a mere post office between the Superintendents above and the Sub-Inspectors below. Still if the object is to spend money needlessly the Government may do so, by all means, whether by keeping unnecessary Inspectors or in any other way. The remedy for overwork lies not in increasing the number of Inspectors but in increasing the number of the Sub-Inspectors. It often happens that when Sub-Inspectors have to go away for investigation, they come back to their headquarters after several days of absence. I know, Sir, that this aspect of the question is not before the House at this moment but it may be taken as a suggestion, in connection with the reduction of the number of Inspectors. As for corruption, it was admitted before the Corruption Committee that Inspectors too are corrupt. Their

services, from that point of view, it should be said have only added to the burden of the people. Sir, it is only when three-quarters of the work of investigation is over that the Inspector himself puts in his appearance, and even for the rest of the work he proves of no avail. Lastly, I think that there is some sort of a scheme, now being contemplated by the Government, with reference to the reduction in the number of Inspectors, but it seems to me that as we on the opposite benches have, in the first instance, proposed the reduction, the Government is feeling shy in accepting it, but I recommend that if the Government have, after all, decided to do something in the matter, why not do it now to oblige us?

The Honourable Sir John Maynard (Finance Member): Sir, the

7 P. M.

honourable members on the opposite benches seem to have misunderstood my remark. What I said was that I would not reduce one rupee. I did not say that I would not reduce one Inspector. I may inform the House that a great change is going to be made or perhaps has already been made. The Circle Inspector as such is going to be or possibly at this moment has been abolished. I have often thought during the course of these debates that the honourable members would not have spoken as they did if they were aware of facts. In this instance I may say that the Inspector has ceased to be merely a supervising officer. The duties of the Inspector have altogether been changed. He is no longer what his name seems to imply. He has separate and definite duties. All this prejudice has been imported in this case by the assumption that the Inspector is merely a fifth wheel in the coach. I shall take the earliest opportunity to change their names. The work that is done by Inspectors is in the first place that of prosecutors. A Court Inspector does not inspect the court and does not inspect anything; he is merely a prosecutor. Then there are the instructors who work in the training schools. Then there are the investigators, that is, those who investigate cases entirely by themselves. They are employed not to duplicate but to work independently. There are a certain number of Inspectors who control traffic. And there are a certain number of Headquarters Inspectors who deal with miscellaneous matters of discipline. And there are certain so-called Inspectors in cantonments where there are many Europeans who perform special duties. These are the facts about the Inspectors and I trust that the House will realise that they are not merely to inspect others but they are people who are doing useful work. As I have said I shall at the earliest opportunity change their names. I trust that this House will reject the amendment.

Mr. President: Grant under consideration. Amendment moved—

"That the grant be reduced by Rs. 2,45,523 with respect to the items of Rs. 1,26,720 and Rs. 1,18,800, pay of Inspectors."

The question is that that reduction be made.

The Council then divided: Ayes 12, Noes 25.

AYES 12.

Lala Kesho Ram.
Sardar Dasaundha Singh.
Sardar Randhir Singh.
Mr. Moti Lal, Kaistha.
Sayad Muhammad Husain.
Chaudhri Kharak Singh.
Mian Muhammad Shah Nawaz.

Diwan Bahadur Raja Narendra Nath.
Mr. Ganpat Rai.
Mr. Manohar Lal.
Rai Bahadur Lala Sewak Ram.
Khan Bahadur Malik Muhammad Amin Khan.

NOES 25.

The Hon'ble Sir John Maynard.
 The Hon'ble Sardar Bahadur Sardar
 Sundar Singh, Majithia.
 The Hon'ble Khan Bahadur Mian
 Fazl-i-Husain.
 The Hon'ble Lala Harkishan Lal.
 Mr. D. J. Boyd.
 Mr. Miles Irving.
 Mr. N. H. Prenter.
 Mr. A. J. Gibson.
 Mr. A. Latifi.
 Mr. C. M. King.
 Mr. E. R. Abbott.
 Colonel R. Heard.

Mr. W. P. Sangster.
 Lieut.-Col. W. C. H. Forster.
 Mr. D. Milne.
 Mr. J. G. Beazley.
 Milak Firoz Khan, Noon.
 Lala Atma Ram.
 Pandit Daulat Ram, Kalra.
 Sardar Sahib Risaldar Dilbagh
 Singh.
 Sardar Bahadur Gopal Singh,
 Labana,
 Rana Muhammad Jamil Khan.
 Chaudhri Nabi Bakhsh.
 Lieutenant Sardar Ragbir Singh.
 Rai Sahib Chaudhri Raja Singh.

The motion was lost.

The Council then adjourned till 2 p.m. on Tuesday, the 20th of March 1923.

PUNJAB LEGISLATIVE COUNCIL

SEVENTH SESSION.

Tuesday, 20th March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

NON-ATTENDANCE AT COMMITTEE MEETINGS OF MEMBERS OF LYALLPUR MUNICIPAL COMMITTEE.

2419. **Rai Bahadur Lala Sewak Ram** : Will Government be pleased to enquire whether it is a fact that two of the members of Lyallpur Municipal Committee have not attended any meeting of the Committee for the last 14 years? Will Government be pleased to take necessary steps to remove this irregularity?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The allegation is correct as regards one member only.

(2) Yes.

CORRUPTION IN THE POLICE DEPARTMENT.

2420. **Mian Ahmad Yar Khan, Daultana** : Will the Government be pleased to state the action, if any, that has been taken by the Police Department to discourage corruption and encourage honesty?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

OFFER OF BRIBE TO KHAN SAHIB FAIZ-UL-HASAN SHAH.

2421. **Mian Ahmad Yar Khan, Daultana** : (a) Is it a fact that recently Khan Sahib Faiz-ul-Hasan Shah, Deputy Superintendent of Police, was offered a sum of Rs. 500 by a local zamindar of Multan District in connection with a case?

(b) Is it a fact that the above police officer got the money deposited in the Government coffers and started the case against the man?

(c) Is it a fact that the man has been convicted by Lala Kanwar Bhan, Extra Assistant Commissioner, for this offence?

(d) Will the Government be pleased to state the name of any other police officer who had refused such big sum of money so publicly in the last five years?

Has the Government appreciated the honesty and moral courage of Faiz-ul-Hasan Shah? If so, in what way?

The Honourable Sir John Maynard : (a), (b) and (c) Yes.

(d) No information is on record in regard to other instances of this kind.

In the present case, the course taken by Khan Sahib Faiz-ul-Hasan Shah was only his bare duty; and he would have laid himself open to disciplinary action had he failed to act as he did. Government deprecates the implied suggestion that elementary honesty calls for particular reward; and it does not propose to recognize in any special way action which it was the officer's duty to take.

REVERSION OF KHAN SAHIB S. FAIZ-UL-HASAN SHAH AND MULTAN RIOTS.

2422. Mian Ahmad Yar Khan, Daultana: Is the reversion of Khan Sahib S. Faiz-ul-Hasan Shah, Deputy Superintendent of Police, connected in any way with the last Multan riots? If so, in what way?

The Honourable Sir John Maynard: No.

CONFERENCE OF DEPUTY COMMISSIONERS.

2423. Sardar Sangat Singh: Is it a fact that a Conference of the Deputy Commissioners and other officials of the Province was held in the first week of February 1923? If so, is it a fact that the Indian Deputy Commissioners were not invited to it and even the Ministers and the Indian Executive Councillors were left out?

Mr. H. D. Craik: No such conference was held, so far as I am aware.

MUHARRAM CEREMONY AT MOZANG.

2424. Sayad Ghulam Muhammad Shah: Is it a fact that the *Shia* community of Mozang, Lahore, applied to the district authorities some time ago for permission to perform their religious ceremonies during the *Muharram* by a '*Zuljanah*' (horse) procession and that this permission has not been granted so far?

If it is so, will the Government move the authorities concerned to grant them the necessary permission before the next *Muharram*?

The Honourable Sir John Maynard: A report has been called for from local officers and an answer will be given in due course.

RIVER WATER UTILISED BY THE CANALS.

2425. Rai Bahadur Lala Sewak Ram: Will Government be pleased to state—

(a) how much flood water in the rivers of the Punjab excluding the Indus is utilised by the canals?

(b) how much is allowed to go waste?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: It is impossible to reply to the question in the form in which it is put. The flood water in the rivers of the Punjab varies from day to day.

Rai Bahadur Lala Sewak Ram: May I know whether any record is kept?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: I require notice of this question.

CONSOLIDATION OF HOLDINGS.

2426. Rai Bahadur Lala Sewak Ram : Has Government seen a paper read before the General Economic Conference by Mr. Calvert, I.C.S. ? If so, will Government be pleased to go into the question of consolidation of holdings in all villages of the Punjab ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Reply to the first part is yes.

As to the second part, Government has placed at the disposal of the Registrar, Co-operative Societies, a small staff which is working in Central Districts at the actual work of consolidation, while the Co-operative Staff is bringing the scheme to the notice of zamindars in all districts. The work cannot be pushed on until the people themselves are willing to give it a trial and in some districts it has not proved possible yet to get the owners of a whole village to agree to re-partition. It may be that more progress could be made if more staff were available, but under present circumstances it is difficult to find funds. Meanwhile propaganda is being carried on, and as more and more instances of successful consolidation can be brought to the notice of the people it is probable that they will become more willing to submit their lands to this process.

GUR-MAKING FACTORY IN THE PUNJAB.

2427. Rai Bahadur Lala Sewak Ram : Will Government be pleased to establish a *gur*-making factory at a suitable place in the Punjab on the lines of the Pioneer *Gur*-making Factory at Poona ?

The Honourable Lala Harkishan Lal : Inquiries will be made into the feasibility of the honourable member's suggestion; *gur* is already made on the Poona lines improved at Gurdaspur Experimental Farm.

DELTA OF WATER REQUIRED FOR MATURING EACH IRRIGATED CROP IN THE PUNJAB.

2428. Rai Bahadur Lala Sewak Ram : Will Government be pleased to issue a bulletin for the benefit of zamindars as to the delta of water required for maturing each irrigated crop in the Punjab ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : Crop irrigation observations were inaugurated in 1918 and completed in 1921. The results have been recorded in the form of statements, diagrams and plans. A proposal to have these results examined and analysed by an expert officer of the Agricultural Department is under consideration. If the proposal is carried out the results will be issued in the form of a report which will be published in due course.

CLOSING THE GOVERNMENT HIGH SCHOOL, AMBALA.

2429. Rai Sahib Lala Ganga Ram : Is it a fact (a) that the number of students in the Government High School, Ambala city, has been falling off year by year for the past several years ?

(b) that the Matric results in the last two years have been unsatisfactory ?

(c) If the answers to (a) and (b) are in the affirmative, will Government consider the desirability of closing the school entirely ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) The number of students has been almost stationary for a number of years.

(b) Not altogether — the percentage of 53 in 1921 is not satisfactory.

(c) The matter is already under consideration.

REVISING THE EXISTING GRANT-IN-AID RULES.

2430. Rai Sahib Lala Ganga Ram : Will Government be pleased to consider the advisability of revising the existing grant-in-aid rules to suit the present-day condition ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : The question of the revision of the existing grant-in-aid rules is already under consideration.

SUGGESTIONS TO LESSEN THE USE OF LIQUOR.

2431. Rai Sahib Lala Ganga Ram : Will the Government please accept the following suggestions to lessen the use of liquor :—

(a) That every year a certain number of shops should be curtailed ;

(b) That people should not be allowed to drink in liquor shops ;

(c) That liquor should not be sold to a person whose age is under eighteen years ;

(d) That its sale should be stopped on Indian religious festivals ;

(e) That the time of its sale should be fixed from 10 A.M. to 5 P.M. After that no liquor should be sold, except for drugs ?

The Honourable Lala Harkishan Lal : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

RECOMMENDATIONS OF THE COMMITTEE ON HONORARY MAGISTRATES.

2432. Mian Beli Ram : (a) Has Government accepted the recommendations contained in the report of the Committee on Honorary Magistrates ?

(b) If so, will Government be pleased to act up to the recommendations of this Committee while renewing the appointments of the existing Honorary Magistrates ?

Mr. D. J. Boyd : (a) The report is still under consideration.

(b) A reply would be premature at present.

REDUCING THE TERM OF OFFICE OF HONORARY MAGISTRATES.

2433. Mian Beli Ram : Will Government be pleased to reduce the term of office of existing Honorary Magistrates from 5 to 3 years ?

Mr. D. J. Boyd : The High Court has been consulted on the proposal mentioned in the question and a decision will be made after receipt of their opinion ?

**ACTION UPON THE RECOMMENDATIONS OF THE COMMITTEE ON HONORARY
MAGISTRATES.**

2434. Mian Beli Ram : Will Government issue instructions to local authorities, *viz.*, the Deputy Commissioners, Commissioners and District Judges, to act upon the rules and principles laid down in the report in all appointments and re-appointments ?

Mr. D. J. Boyd : The report is under consideration and instructions will be issued to the officers concerned to act upon such recommendations as may be finally approved.

CHOS IN THE HOSHIARPUR DISTRICT.

2435. Mian Beli Ram : (a) With reference to the answer to question No. 1843* given on the 11th of August 1922, will Government please state if they have received the final report of the Commissioner of the Jullundur Division regarding Shiwalik Range and Chos in the Hoshiarpur District ?

(b) If not, will Government issue urgent reminder and call for it by an early date ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The answer to the first part of the question is in the negative. As regards the second part, appropriate action has already been taken.

**CONVERTING SHAH NAHR INUNDATION CANAL INTO A PERENNIAL
CANAL.**

2436. Mian Beli Ram : Has Government received any report for converting the Shah Nahr from an inundation canal into a perennial canal from the Deputy Commissioner, Hoshiarpur ? If not, will Government call for one ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The Deputy Commissioner has been asked to report on the suggestion contained in the honourable member's previous question No. 1812† and his reply is still awaited.

IMPROVEMENT AND EXTENSION OF THE SHAH NAHR.

2437. Mian Beli Ram : Does Government intend to improve and extend the Shah Nahr Canal or cut another for the irrigation of lands in the Hoshiarpur and Jullundur Districts ?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : The Deputy Commissioner has been asked to report on the suggestions contained in the honourable member's previous question No. 1812† and his reply is still awaited.

*Vol. IV, page 381.

†Vol. IV, page 306.

CONTRACT OF THE PIROWAL PLANTATION SCHEME.

2438. Mian Ahmad Yar Khan, Daultana : (a) Is it a fact that the Forest Department gave a contract in connection with the Pirowal Plantation scheme to certain persons for clearing bushes, etc., from 16 *chaks* and making the land fit for *shisham* plantation? If so, did they fulfil the contract satisfactorily?

(b) Is it also a fact that the contract for the plantation of *shisham* in these *chaks* was first offered to and accepted by the men who had already carried out the previous contract satisfactorily, and that it was then taken away from them and offered to and accepted by a person holding the position of a ranger, who, on obtaining the contract, resigned Government service to take up the contract?

(c) If so, will Government please state the reasons for throwing over the men to whom the contract was first offered and giving it to a single individual?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia : It is presumed that by Pirowal Plantation the Khanewal Plantation is meant.

(a) Yes, the contracts were carried out on the whole satisfactorily. But the Forest Department had very great difficulty in regaining possession of its land when the period of the contracts expired.

(b) No contract was offered and accepted in the manner described. A contract with B. Jagat Singh, an ex-Forest Ranger, was executed by Government after he had resigned his post under Government.

(c) Government leased out the land for temporary cultivation, on condition that the lessee carried out the work of trenching and sowing *shisham*, to the person that they considered the most suitable and reliable.

HOUSE ALLOWANCE TO DRAFTSMEN.

2439. Chaudhri Ali Akbar : (a) Will Government be pleased to state if draftsmen also get the house allowance which is given to clerks and *Munshis* in Lyallpur, Rawalpindi, Sargodha, Lahore and Amritsar Districts?

(b) If the answer to the above is in the negative, will Government be pleased to state the reasons for the distinction?

(c) Will Government be pleased to state from what date they intend to grant the house allowance to draftsmen?

The Honourable Sir John Maynard : (a) No.

(b) The allowance was sanctioned only for clerks on certain scales of pay. Financial considerations precluded the extension of such allowances to other establishments.

(c) There is no present intention of extending the list of beneficiaries of the allowance in any direction.

**SUPERVISION OF THE MANAGEMENT OF THE STATE-AIDED
EUROPEAN SCHOOLS.**

2440. Khan Bahadur Malik Muhammad Amin Khan : (a) Has the Government any agency for supervising the management of the State-aided European Schools in the Punjab for ensuring the welfare of the pupils ?

(b) Does the Punjab Educational Code provide for the educational authorities to control and keep in proper limits the actions of the Principals of State-aided European Schools in the matter of management ?

(c) If not, will the Government be pleased to so amend the Code as to enable the Director of Public Instruction to interfere in cases of proved hardship to pupils ?

The Honourable Sir John Maynard : (a) Yes ; the Inspector of European Schools, acting within the rules contained in the Code of Regulations for European Schools in India and Burma.

(b) The Punjab Education Code does not apply to European Schools. The European Schools Code provides for a general supervision by the Inspector of such Schools.

(c) The proposed amendment of the Code does not appear to be necessary at present.

**PERSONS BOUND DOWN UNDER SECTION 110, CRIMINAL PROCEDURE
CODE, IN DERA GHAZI KHAN.**

2441. Sardar Jamal Khan : (a) Will the Government be pleased to state—

(a) how many persons have been bound down under section 110, Criminal Procedure Code, during the last two years in Dera Ghazi Khan District ?

(b) how many of those so bound down have been ordered to furnish security for an amount exceeding Rs. 500 ?

(c) how many of those so bound down are still in jail for having failed to furnish the security ?

(ii) Will the Government be pleased to state if it is a fact that ninety-five per cent. of the cases referred to in question (c) above were heard and decided miles away from the head-quarters of the district ?

(iii) Will the Government be pleased to state in how many of the cases referred to in question (c) above had the accused been represented by pleaders ?

(iv) Will the Government be pleased to consider the desirability of appointing a special judge to revise the orders passed in cases referred to in question (c) above ?

The Honourable Sir John Maynard : (i) (a) 1,805 persons were bound down under section 110, Criminal Procedure Code, during the year 1921 and 1922 in the Dera Ghazi Khan District.

(b) Of the persons so bound down 98 were ordered to furnish security for an amount exceeding Rs. 500.

(c) Of the persons so bound down, 130 are still in jail for having failed to furnish the security.

(ii) In paragraph 275 of Police Rules, Volume I, it is laid down that prosecution under section 110, Criminal Procedure Code, shall as far as possible be arranged to take place before a Magistrate in camp in the neighbourhood frequented by the persons so prosecuted. The Ilaka Magistrates heard the cases locally in Camp, as was necessary in the interests of justice in a district so lengthy as this. No statistics exist of the percentage of cases heard at headquarters, but the percentage must be small.

(iii) In 3 per cent. of the cases accused were represented by pleaders.

(iv) No.

SEEPAGE OF WATER FROM THE LOWER JHELUM CANAL.

2442. **Malik Firoz Khan, Noon:** (a) Will the Government be pleased to state if the Wan Miana people have made any claims for damage done to their lands and houses by seepage water from the Lower Jhelum Canal?

(b) Will Government be pleased to consider the advisability of granting land for temporary cultivation to those people who are idle owing to seepage having rendered their land unworkable; such grants to continue until such time as their own lands again become fit for cultivation?

(c) Will Government be further pleased to state what steps it is taking to cope with the seepage danger on the whole of the Lower Jhelum Canal?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia:

(a) The answer is in the affirmative.

(b) Government has no information as to any large area of land on the Lower Jhelum Canal having been rendered unfit for cultivation owing to seepage from the canal.

(c) The matter is being investigated, and where there is danger steps are being taken to prevent waterlogging by the timely construction of drains.

WATERLOGGING ON THE SHAHPUR BRANCH OF THE LOWER JHELUM CANAL.

2443. **Malik Firoz Khan, Noon:** (a) With reference to the answer to question No. 2091*, has Government taken into consideration or will it take into consideration the danger of the whole area commanded by the Shahpur Branch, if that branch is opened, becoming waterlogged; also the misery and claims for damage which such waterlogging would cause?

(b) Will Government kindly appoint an expert to make investigation as to how best this danger of waterlogging can be met?

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia :

(a) Government is of the opinion that there is much less danger from water-logging in the case of a controlled supply run in the Shahpur Branch during the Kharif, than there is in the case of numerous badly aligned inundation canals with uncontrolled supplies.

(b) The Irrigation Branch have all the necessary data for an examination of the problem at their disposal and Government considers the appointment of an expert unnecessary.

RECRUITMENT IN THE PUNJAB CIVIL SECRETARIAT OFFICES.

2444. Mr. Ganpat Rai : (a) Will the Government please state whether recruitment in the Punjab Civil Secretariat Offices is made on communal considerations or those of efficiency ?

(b) Is it a fact that the recent vacancy caused by the resignation of Mr. Gabbel has been filled up not on merit but communal considerations ?

(c) If the answer to (b) above is in the affirmative, does this mean that a vacancy caused by an official of a particular community will be filled up by one coming from the same community ?

Mr. H. D. Craik : (a) Recruitment to the Secretariat is made on grounds of efficiency.

(b) No.

(c) This does not arise.

COMMUNAL REPRESENTATION IN MINISTERIAL POSTS IN THE PUNJAB CIVIL SECRETARIAT OFFICES.

2445. Mr. Ganpat Rai : (a) Will the Government please state the total number of ministerial posts in the Punjab Civil Secretariat Offices and their distribution according to different communities, as they stood on the 1st January, 1922, and 1st January, 1923 ?

(b) The number of new entrants during the calendar year 1922 arranged in the same order ?

Mr. H. D. Craik : The statement is laid on the table.

(a) There were 126 clerks attached to the Punjab Civil Secretariat on the 1st January 1922. The distribution was as follows :—

Total.	Europeans and Anglo-Indians.	Indian Christians.	Hindus.	Sikhs.	Muhammadians.
126	16	4	48	11	47

On the 1st January 1923 the distribution under the above heads was :—

180	17	3	64	8	48
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(b) The number of new permanent entrants during the calendar year 1922 was 4, *viz.*, 1 Anglo-Indian, 2 Hindus and 1 Muhammadan.

PROPORTION OF SIKHS IN THE PUNJAB CIVIL SECRETARIAT OFFICES.

2446 Mr. Ganpat Rai : (a) Is it a fact that Mr. Joseph had fixed certain proportions of different communities in respect of recruitment in the Punjab Civil Secretariat Offices ?

(b) If so, what proportion was fixed for the Sikhs ?

(c) What proportion did the Sikhs actually hold on the 1st January, 1922, and 1st January, 1923, respectively ?

(d) If that was less than that fixed by Mr. Joseph what steps has the Government taken, or it now intends to take in order to make up the deficiency ?

Mr. H. D. Craik : (a) No.

(b) This does not arise.

(c) On the 1st of January 1922, 11 out of 126. On the 1st of January 1923, 8 out of 130.

(d) This does not arise.

EMPLOYMENT OF SIKHS IN THE PUNJAB CIVIL SECRETARIAT OFFICES.

2447. Mr. Ganpat Rai : Is it a fact that Sikh applicants have been refused employment in the office merely because they are Sikhs ?

Mr. H. D. Craik : No.

NUMBER OF GRADUATE INDIANS AND ANGLO-INDIANS IN THE ASSISTANT GRADE OF THE PUNJAB CIVIL SECRETARIAT.

2448. Mr. Ganpat Rai : (a) Will Government please state the number of graduate Indians and Anglo-Indians in the Assistant grade of the Punjab Civil Secretariat ?

(b) Is it a fact that only those Indians are eligible for direct admission in the Assistant grade who are graduates while there is no such restriction for Anglo-Indians ?

(c) If the answer to (b) is in the affirmative, will Government please state reasons for this discrimination ?

(d) If, however, the answer to (b) is in the negative, will Government please state how many non-graduate Indians and Anglo-Indians were taken direct in that grade during the calendar years 1921 and 1922, respectively ?

Mr. H. D. Craik : (a) Fifteen Indians. No Anglo-Indian.

(b) The rule used to be that only Indian graduates and Europeans and Anglo-Indians who had passed the High School or Senior Cambridge Local Examinations should be accepted in the Assistant's grade. The rule has, however, been recently relaxed and clerks who have done well in District or other headquarters offices or who have rendered distinguished services in the war are being recruited to the Assistant's grade.

(c) This does not arise.

(d) In 1921, 7 Indians and 3 Anglo-Indians. In 1922, one Indian and one Anglo-Indian.

DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

POLICE GRANT—(concluded).

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (non-Muhammadan) (Rural)] (Urdu) :

Sir, I beg to move—

“That the grant be reduced by Rs. 3,50,000 with respect to the item of Rs. 35,05,308—Foot Constables.”

Sir, the number of Foot Constables during 1922-23 was 14,761 and for the next year this has been increased to 15,777. The Budget shows that there was already an increase of 596 Foot Constables even last year. Also I have come to know that the figure for the next year is not correct, and that 606 Foot Constables have been wrongly added in the Budget figure of 15,777. I trust that the Government will rectify the mistake and will not take any undue advantage of it. Sir, it was remarked yesterday in the discussion of the item of pay of Inspectors, that even if the posts of Inspectors were abolished, there will not be any saving to the provincial funds, because the amount will not be returned to the public treasury. This I submit, Sir, is an act of sheer injustice. . . .

Mr. President: The honourable member should be moderate in his language.

Mr. Ganpat Rai : I beg your pardon, Sir—(continued in Urdu) : Sir, I wish it to be understood by the House that in every Police Station 10 per cent. of the Constables are engaged for private work for the officers. It is with this end in view that I have moved my amendment. I have often asked the Police officers to check this wastage of funds on nothing ; but they have always pleaded their inability to do so and have thought it to be irremediable. I hope, Sir, that in view of the general increase in the pay of the establishment and the mistake in the record my amendment which only aims at the reduction of Rs. 3,50,000 will be accepted by the Government. With these few words, Sir, I move my amendment and hope that the House will unanimously support it.

Mr. President : Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 3,50,000 with respect to the item of Rs. 35,05,308—Foot Constables.”

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance Member) : Sir, I rise to remove the suspicion which seems to be lurking in the mind of the honourable member. The honourable member and the House generally will recollect that last year we had, in consequence of the awkward situation, particularly in the Central Punjab, employed additional police. That has already been eliminated from the Budget. We are not budgetting for any additional police at all this year. As I have already explained, we have eliminated the additional police in the belief that the situation has improved. I desire to repeat what I have already said in the course of my budget speech that in the event of the re-appearance of any sort of trouble in the Province it will be necessary again to add to the numbers of the police. That is one point. Now I come to the second. . . .

[The Hon'ble Sir John Maynard.]

Last year a temporary arrangement was made for the employment of a certain number of men and officers, Head Constables and Sub Inspectors in order to bring the reserves up to their paper strength. The number of temporary Foot Constables that was added to the total strength last year for this purpose was exactly 606. That is the figure which my friend Mr. Ganpat Rai has been mentioning before the House to-day. The position is this : I agreed, in spite of the rather serious warnings from the Inspector-General of Police, to eliminate these 606 men from the present budget. That was done at a very late stage after the budget had been prepared. The difference of 606 to which the honourable member has alluded appears to be identically the item which I have eliminated, but which figures in the budget because the decision to remove it was taken so late.

I trust, Sir, that this has removed from the mind of the honourable member the suspicion to which I have alluded. He was under the impression that some trick was being played. In consequence of this alteration the net sum which it is possible to give up comes to Rs. 2,01,519. That sum I am prepared to give up but nothing more.

Mr. Ganpat Rai : Sir, in view of the remarks of the Finance Member I ask for leave to withdraw my amendment.

The amendment was by leave withdrawn.

The Honourable Sir John Maynard : Sir, I move—

" That the grant be reduced by Rs. 2,01,519 with respect to the item of Rs. 35,06,308—Foot Constables."

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 2,01,519 with respect to the item of Rs. 35,06,308—Foot Constables."

The question is that that reduction be made.

The motion was carried.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhammadan) (Rural)] : Sir, I beg to move—

" That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 3,96,076—Contingencies."

Sir, I do not intend to make a long speech in support of this amendment. I will only content myself with a few observations with regard to the proposed reduction. The item of contingencies consists of many small items, and if the Government will just try to meet the wishes of the House in the matter of reduction, I am sure it will not have any difficulty in reducing the huge amount of Rs. 3,96,076 by one lakh. I hope the House will accept the amendment.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 3,96,076—Contingencies."

The question is that that reduction be made.

The Honourable Sir John Maynard (Finance) : Member I note, Sir, that in this item of Rs. 3,96,076 there is included an allowance which has been given to the menial servants at Lahore. I am not quite sure whether the honourable member means that the menial servants who are engaged

in Lahore should be deprived of that allowance. It seems improbable that he means that, and I should like to point out that the menial servants should not be treated in a different fashion simply because they are employed by the Police Department, when servants in other departments get this allowance.

The next point is this, that this item of contract contingencies which it is proposed to reduce in this fashion includes the expenditure on postage stamps. Sir, it has been pointed out in discussing the contingencies in other departments that officials must post their letters, and if the postal charges are enhanced by the Post Office, they have no choice but to pay the enhanced postage. Therefore nothing can be gained by attempting to reduce this charge on stamps.

Another item which is included in this item of contract contingencies is the annual repairs of buildings. Sir, I have in the course of my long career had the misfortune to put up at certain police buildings in addition to those belonging to other departments. I have always noticed an air of poverty about those buildings which I did not observe in buildings belonging to other departments. I have discovered that an allowance of something like Rs. 5 per rest house is annually spent for maintenance. It is my belief that this item of maintenance of buildings is already cut down to a point at which there is great danger of officers being driven to improper practices in order to keep their buildings in proper condition at all. If a proper allowance is not made for the maintenance of these buildings, it is perfectly obvious that some one will be required to execute these repairs without receiving full payment for the work. I trust the House will not be prepared to endorse proceedings such as these.

Next, Sir, I come to the matter, which is also included in the contingencies, of hot and cold weather charges. Even the Police feel cold in winter and hot in summer, and they must not be deprived of those ordinary requisites which are admittedly necessary for all the servants of the Government.

Then we come to furniture, miscellaneous, etc. There again it is essential that the Police should be properly provided with what is absolutely necessary. I should like to draw the attention of the House to the fact that these contract contingencies have diminished actually since 1921-22. There is only an increase in consequence of that allowance to menial servants to which I referred to before.

The expenditure on service stamps amounts to a full half of the contract grant, i.e., mere posting of letters swallows up one-half of the total sum. I trust that the prejudice which has systematically fostered against this useful department will not cause the House to deprive it of the requisites necessary for carrying on the administration.

Mr. Ganpat Rai [Lahore and Ferozepore *ex-officio* Sheikhupura (Non-Muhammadan)] (Urdu): Sir, ever since the Police Budget came up for discussion before the House we have invariably been told in reply to our amendment that we are prejudiced against the Police Department because we ask for reduction in respect of certain grants. This, Sir, I venture to submit, is not the right way of looking at what we say. We are not at all prejudiced against this department, we are genuinely endeavouring to cut down the unnecessary expenditure so as to restore the financial equilibrium of our Province. With this end in view we are simply exposing the true facts.

[Mr. Ganpat Rai.]

I request the Government to try to ascertain the real state of affairs. It should find out what happens, when the Police officers conduct inquiries in villages. Sir, the Government should only find out whether the Police officers on duty pay any price for commodities which they obtain from the poor villagers.

The Honourable Sir John Maynard: I rise to a point of order, Sir, we are at present discussing the item of contingencies.

Mr. President: The honourable member is not relevant in his remarks. He should not refer to what the Police do for obtaining commodities.

Mr. Ganpat Rai (continued in Urdu): Very well, Sir, I will deal with it at some other time. I think that the proposed expenditure for the next year is higher than it was in 1921-22.

Sir, it has been said that a major portion of this item is spent on service labels which cost the treasury Rs. 1,50,000. I wish some means were devised to reduce this expenditure. It was only the other day that a Police officer told me that if the Frank system were followed, as it is done in other countries, a reduction of 70 or 75 thousands could be effected. I hope the Government will consider this proposal and take some prompt action. With these remarks I support the amendment.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,00,00 with respect to the item of Rs. 3,96,076—Contingencies."

The question is that that reduction be made.

The Council then divided: Ayes 18, Noes 27.

The motion was lost.

AYES—18.

Claudhri Ghulam Muhammad.
Rai Bahadur Lala Hari Chand.
Sayad Husain Shah.
Rana Muhammad Jamil Khan.
Mr. K. L. Rallia Ram.
Khan Sabib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Rai Sabib Misar Mela Ram.
Chaudhri Nabi Bakhsh.

Mr. Moti Lal, Kaistha.
Chandhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Chaudhri Kharak Singh.
Mr. Ganpat Rai.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amir Khan.

NOES—27.

The Honourable Sir John Maynard.
The Honourable Sardar Bahadur
Sardar Sundar Singh, Majithia.
The Honourable Khan Bahadur
Mian Fazl-i-Husain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. D. J. Boyd.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. J. Gibson.
Mr. A. Latif.
Mr. C. M. King.
Mr. E. R. Abbott.

Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.
Mr. J. G. Beazley.
Mr. Nawab Din, Murad.
Pandit Daulat Ram, Kalial.
Sardar Bahadur Gopal Singh, Labana.
Captain Sardar Gopal Singh.
Sayad Ghulam Muhammad Shah.
Maulvi Mubarram Ali, Chishti.
Mr. Manohar Lal.
Khan Bahadur Khawaja Yusuf Shah.
Dr. C. A. Owen.

The motion was lost.

Rai Bahadur Iala Sewak Ram [Multan Division—(Non-Muhammadan), Rural]: Sir, I beg to move—

“That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 2,18,260—Reclamation of Criminal Tribes.”

(Urdu: Sir, I do not mean to say anything against the Reclamation work, which I think to be very useful for the best interests of the Province. My amendment only wants to reduce the expenditure as far as possible. There are too many officers in this Department. One is the Deputy Commissioner who alone draws Rs. 32,000 annually, the other is a Revenue Assistant whose pay is votable and draws Rs. 6,917 annually. Then there is a General Assistant who draws Rs. 3,868 per annum. Again Rs. 7,600 are provided for their leave salary. This shows that this demand consists of many an extravagant provision, which can be safely reduced to the extent of Rs. 20,000. With these few words, I hope the Government will kindly accept my amendment.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 2,38,260—Reclamation of Criminal Tribes.”

The question is that that reduction be made.

The Honourable Sardar Bahadur Sardar Sundar Singh Majitha (Revenue Member) (Urdu): Sir, I understand that with a view to effect reduction the mover of the amendment particularly referred to these items in the provision, which in his opinion could easily be cut down to the extent of Rs. 20,000. He also referred to the unnecessarily excessive strength of the staff engaged in the work. I want to inform the House in this connection, that up till now a member of the I.C.S. with two assistants used to be in charge of the department, but now as he is going away on leave, the Government intends to put the Revenue Assistant, Sardar Hari Singh, who possesses good experience of the Department, in charge as Deputy Commissioner of Criminal Tribes. It is necessary for him to have two assistants as before. The staff has to supervise and inspect many settlements, some directly under Government and others under the management of philanthropic societies. The Chief Khalsa Diwan is managing two settlements, *Anjuman Himayat-i-Islam*, *Sanatan Dharam Sabha*, *Dev Ramaj*, and *Anjuman Ahwadiya Ishaat-i-Islam*, one each. All of these settlements are inspected by the Department. Then there is a big Government Reformatory at Amritsar with more than 900 inmates. There are a large number of persons in it, who have learned very useful arts and professions to enable them to earn their living and thus permanently wean them away from their bad habits. In addition to this there are settlements at Moghulpara, Chichawatni, and if all have to be looked after properly I submit that the Head of this Department cannot control it without the help of two assistants. Therefore, I do not think it is possible for the Government to reduce the item by Rs. 20,000. If the reduction were made, the efficiency of the work of the Department is bound to suffer. If after the departure of the present Deputy Commissioner there be any possibility of cutting down the expenditure I would do my utmost to do that; but anyhow I regret I cannot accept the amendment under the conditions stated above. With these few words, Sir, I oppose the amendment before the House.

Sardar Randhir Singh [Sialkot-cum-Gurdaspur (Sikh), Rural] (Urdu): Sir, up to the last moment I had intended to try to get the expenditure reduced to the minimum so as to avoid new taxation. But after hearing

[Sardar Randhir Singh.]

this explanation from the Honourable Revenue Member I feel that I cannot possibly support the amendment before the House. The Department is doing such a useful work that we should regard it as one of the beneficent departments. I personally know of three or four villages in the Sialkot District the inhabitants of which were given to committing thefts, robberies and other crimes; but the Reformatory established there by the Government has wonderfully improved the tone of morality of those villagers. They have absolutely given up their unlawful and nefarious trade and are now honest and industrious agriculturists. That immorality which was so prevalent in them has totally disappeared through the useful work of the Reformatory. It is immaterial as to whether the *Anjuman-i-Himayat-i-Islam* or Chief Khalsa Diwan or Salvation Army is responsible for this wonderful improvement. With these few words, Sir, I strongly oppose the amendment before the House.

Mr. D. J. Boyd (Home Secretary): Sir, there is one point that I should like to bring to the notice of this House and that is that the actual expenditure in the year 1921-22 was Rs. 3,48,000. The budgeted expenditure for the next year is only Rs. 2,70,000. There is thus a saving of Rs. 78,000 as compared with the previous year. That saving bears a very large proportion to the total expenditure. The fact that already a heavy retrenchment has been made ought to be taken into consideration.

There is one other point for consideration, which I should like to mention. Cutting down the Budget for criminal tribes must react very unfortunately upon the poor criminal tribesmen. They are miserable people. One set of these criminals who were restricted to one of our settlements was found to be in debt to the extent of Rs. 30,000. There are two alternatives, either to keep them in settlements, giving them a decent means of living, or if we are not prepared to do that, to allow them to go and loot the countryside. If the former alternative is to be chosen then the necessary funds must be provided.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 2,38,200—Reclamation of Criminal Tribes."

The question is that that reduction be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram [Multan Division, (Non-Muhammadan), Rural]: Sir, I beg to move—

"That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department."

This was moved yesterday and discussed.* I have nothing further to say.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department."

The question is that that reduction be made.

* Vide pages 1433—1435 of Volume IV.

The Honourable Sir John Maynard (Finance Member) : Sir, I said all that I had to say yesterday* and I am rather doubtful whether I should say it again. But it is possible that a certain number of members who were not present yesterday evening are present today and for the benefit of those members I may touch briefly some of the points to which I then drew attention. Sir, I pointed out to the House what very excellent and useful work this Criminal Investigation Department is doing and I cited particular cases. I am going to repeat my reference to those particular cases in order that those members who were not here yesterday may know the kind of work which this body of valuable officers is doing on behalf of the Province. . . .

Mr. Ganpat Rai : Sir, may I ask whether it is permissible to repeat to the House what was said yesterday?

Mr. President : Yes, the Honourable Member is quite in order.

The Honourable Sir John Maynard (continued) : Sir, the Criminal Investigation Department consists not of persons which this House believes it to consist of; it consists of men specially chosen for their honesty and for their capability, and when there is any particularly difficult case it is then that this department is called in to help. I am going to show you what the nature of the cases is in which they help and what the sort of help which they give to their neighbours.

In the first place I give the case of a dangerous gang of Pathans who visited the Punjab at the end of 1921 and committed a series of robberies and burglaries in the different parts of the Province. This gang baffled the ordinary Police. Therefore the Criminal Investigation Department was called upon to unravel the case. The result was that the Criminal Investigation Department was able to discover that this gang was responsible for no less than 37 different offences, and that its depredations extended to four different Provinces. That is the sort of thing which the ordinary Police of the district has a difficulty in ascertaining and it is necessary to have a body which can work in more than one local area. The result was that all but one member of this gang were arrested in consequence of the work done by the Criminal Investigation Department.

Another case was this. In January 1922, a gang of 11 men, some armed with revolvers and some with *chhavis*, raided the house of a certain person and stole property worth Rs. 30,000. They also wounded a chankidar with a revolver. The Criminal Investigation Department was called in to help the local Police and the result was that most of the accused concerned in this and other similar dacoities were arrested and a very large portion of the stolen property was recovered. Among other things which the Criminal Investigation Department was able to discover in this case was that a special band had been formed with the avowed object of raising funds for a revolutionary campaign by means of dacoity and robbery.

Then yet another case. Last summer certain offices were set on fire in Rawalpindi and an iron safe was stolen. The case was enveloped in mystery and it was difficult to find out the culprits. The Criminal Investigation Department was called for help. The result of the work done by that department was that the case was brought to a successful end. It was discovered

The Hon'ble Sir John Maynard.

that a dangerous gang of down country criminals had been actively engaged in depredating the civil station and was responsible for several cases of burglary and arson, and the result of that inquiry was that over 40 old burglaries were traced out. That is a remarkable piece of work recently done by the Criminal Investigation Department.

Then another case. This is a case of swindling. Two persons toured in a number of districts representing that they had safes and various articles of furniture to sell. Before long a man lodged a complaint against the firm at Rawalpindi. The Criminal Investigation Department took up the inquiry and brought out the fact that the so-called firm had cheated about 150 persons of money amounting to several thousands of rupees. That is an instance of the kind of work which these men do.

Here is another case in which the Criminal Investigation Department discovered a sepoy who was in possession of 13 bombs. The Criminal Investigation Department traced the origin of the bombs to a havaldar who had smuggled these bombs from Mesopotamia with the object of inflicting injuries upon his enemies.

There is another case of burglary committed in Simla. The Criminal Investigation Department took up the case and found out that the culprits were involved in 16 burglary cases.

Finally and this is the last of the incidents. There is the well known case of a dacoity in the Sialkot district. This case has a peculiar feature about it. It has a feature borrowed from European criminals which had been unknown in India except perhaps in Calcutta. This was the use of a motor car for the purpose of dacoity. This was a very ominous sign in the criminal history. The Criminal Investigation Department took up the case and succeeded in tracing out the culprits. The result of this successful detection is that there has been no further development of this kind of crime in this Province. That is the kind of work which these men are doing, and I trust that the House will recognise the valuable services rendered by them and will not accept this amendment.

Mr. Ganpat Rai [Lahore and Ferozepore and Sheikhupura, (Non-Muhammadian) Urdu]: Sir, none of the honourable members of the House has denied while discussing the Police Budget that the Criminal Investigation Department has detected some crimes. I admit that it has done some useful work, but I ask how many crimes have been committed and how many of them have been detected through the help of this Department. This is the real test to judge the efficiency of the working of the Department. We should not mix the question of the possibility of reduction in the establishment with the efficiency of the working of this branch. To lay so much emphasis on the ability, morality and honesty of the Criminal Investigation Department necessarily implies that the District Police is lacking in all these things. And yet we are not allowed to touch either branch for purposes of reduction. I am ready to give credit where it may be due; but I venture to assert before the House that there have also been many cases, in which the Criminal Investigation Department has failed to justify its existence. It is with a view to show the other side of the question that I wish to mention a recent case of dacoity accompanied with

murder, which was committed in village Thati in the Shahpur District. Some of the relatives of the victims have told me that the dacoits entered the house and killed a three year old child and then inflicted very serious injuries on another man, who succumbed to them after three or four days. Two Police Inspectors visited the place for making inquiries; but so far no trace has been found of the culprits. In addition to this, I have just read another sensational case in the 'Nation.'

Mr. President : The honourable member must not mention newspaper^s by name.

Mr. Ganpat Rai (continued in Urdu) : Some three or four men entered a house and caught hold of a woman.

Mr. Craik : Sir, I rise to a point of order. I think this has nothing whatever to do with the Criminal Investigation Department.

Mr. President : The honourable member has not shown that all this has anything to do with the Criminal Investigation Department. The honourable member must confine his remarks to the amendment before the Council.

Mr. Ganpat Rai (continued in Urdu) : Sir, I submit that if the Criminal Investigation Department does not render any prompt help in such cases it is then too late to bring the delinquents to justice.

Mr. President : You do not show how the C. I. D. can help till the case is made over to them.

Mr. Ganpat Rai : Then what is the C. I. D. for? Very well, Sir, I only want to submit that a reduction to the extent proposed by the honourable mover of the amendment should anyhow be made in any branch of the Police Department. With these few words, Sir, I beg to support the amendment before the House.

Mr. D J. Boyd (Home Secretary) : Sir, Mr. Ganpat Rai wanted to know how many cases had occurred in which there had been successful investigations. He also complained that two cases had come to his knowledge in which the C. I. D. have not secured the conviction of the culprits, or have not found out the persons responsible for the offence. I wish to remind the House through you, Sir, that the C. I. D. consists of a few superior officers and 58 constables. How can it be imagined that this small force can possibly investigate every serious case in the Punjab and how can Mr. Ganpat Rai lay at their door the responsibility for failures in every investigation?

Maulvi Muharram Ali Chishti [Lahore City, (Muhammadan), Urban] (Urdu) : Sir, with a view to avoid repetition of arguments which I used in my yesterday's speech about the C. I. D., I would only offer criticism to one or two new points raised by my honourable friend Mr. Ganpat Rai. I think that he has not perhaps quite understood what the Honourable the Finance Member said in his speech. The Honourable Finance Member by eulogising and appreciating the C. I. D. did not imply any reflection on the work of the District Police. As there are two classes of criminals so there are two classes of crimes too. There are (1) ordinary criminals whose activities are directed to a limited and local areas. The second are classes of gangs of dacoits, etc. whose activities extend over the whole province. It is for tracing and bringing to justice such gangs of criminals that the C. I. D., works, and the department.

[Maulvi Muharram Ali Chishti.]

has proved to be very useful in this respect. The officers in the district police who prove their high efficiency in the work of detection are promoted to the C. I. D. As I said yesterday during my inspection of this department, I was allowed to peruse some records and I can confidently assert before the House that the C. I. D., has been successful in bringing to light many a crime, which but for the efforts of this Department would have remained quite untraced.

Again, it has very often happened that certain innocent persons have been inculpated in some crimes. According to a legal maxim it is not so dangerous if a hundred guilty persons escape from justice as the conviction of a single innocent individual. Who in such cases, Sir, comes to the rescue of the innocent accused? It is this very department which explores the true facts and brings to justice those who are really responsible for the crime. It is therefore that I hope the House would realize the true utility of this Department.

Sir, there are people who are so hopelessly prejudiced against the C.I.D., that its very name to them is like a red rag to the bull. Their hatred of the Department is so intense that they would like to see the letters C. I. D. dropped from the Alphabet. This is nothing but narrow-mindedness. We should cultivate the habit of giving credit wherever it is due and appreciate the work of each department without prejudice and with an open mind.

With these few words, Sir, I oppose the amendment before the House.

Mian Ahmad Yar Khan Daultana. I move, Sir—

“That the question be now put.”

Mr. President: The question is—

“That the question be now put.”

The motion was carried.

Mr. President: Grant under consideration, amendment moved—

“That the grant be reduced by Rs. 50,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department.”

The question is that that reduction be made.

The motion was lost.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders, General] (Urdu): Sir, I beg to move—

“That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department.”

I have moved this amendment with the object of asking the Government to make necessary improvements in the Criminal Investigation Department. There is a general complaint against this Department. Its officers do not take proper care in the discharge of their duties since the way in which they make inquiries about a certain individual is so bad that it no longer remains secret inasmuch as the person concerned himself becomes conscious of it. Thus some persons are unnecessarily harassed. I should like to ask the Government to remove such defects from this Department so that it may prove more useful. With these remarks I move this amendment.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 3,04,000—Criminal Investigation Department.”

The question is that that reduction be made.

Mr. K. L. Ballia Ram (Representative of Indian Christians.) (Urdu) : Sir, as my learned friend Raja Sabib has said that we have got no intention to interfere with the work of this department I also wish to make it clear to the House that we are anxious to see the work done more efficiently and properly. The Criminal Investigation Department is a sort of necessary evil and we cannot do without it. If we can reform the evils and run the department on proper lines it will really prove very useful to both the Government as well as the people. There are numerous cases in which it has been seen that the Criminal Investigation Department people have made false reports. I will state one example. One of the retired gentlemen of the Educational Department happened to visit the Director of Public Instruction and found an opportunity of asking him the reason why his promotion had been stopped, before his retirement. In reply, the Director told him that some years back there was a report against him that he had gone to the railway station to receive some public leader. In fact he had gone to the railway station to receive a relative of his who also was coming by the same train. But some one made a wrong report without taking the trouble of making any investigation and thus did grave harm to that gentleman. The trouble is that inefficient persons of insignificant position are entrusted with such responsible duties. They think that their work is only to make reports against the person whom they are asked to watch; and if they do not find anything wrong with that person they invent stories and make false reports. I may give another similar instance in this connection. A Christian gentleman whom the All-India Christian Association had proposed for the Legislative Assembly.

Mr. President : I really think that this is not the time for long speeches. If the general opinion of the House is that the Criminal Investigation Department is an unnecessary department, they will vote in favour of the amendment. We have got pages and pages of the Budget which have yet to be dealt with, and there is very little time at our disposal. I do therefore think that these long speeches should be curtailed.

Mr. K. L. Ballia Ram : My object was to bring it to the notice of the Government that such and such were the complaints. I wanted to give them a full piece of advice. If the Government is not prepared to hear me, I have no intention of carrying on.

Mr. President : All I am asking you is to be quicker.

Mr. Ballia Ram (continued) : My object in supporting this amendment is that more attention should be paid to this department and such reforms should be introduced as may help to make it more useful.

The Honourable Sir John Maynard (Finance Member) : Sir, I do not for a moment shut my ears or eyes to what people are saying on this subject. I note what the honourable member or anybody else have got to say.

As regards the Secret Police it has been complained that they are not secret enough. I am not sure that it would be feasible to make their proceedings more secret than they are. As regards the particular case mentioned

[The Hon'ble Sir John Maynard.]
by my friend, Mr. Rallia Ram, I very much regret it. But I should like to say this that this matter of shadowing at the railway station to which I think he referred was not the work of the Criminal Investigation Department but that of the ordinary district police. As I said already the Criminal Investigation Department consists of only 58 constables and it is not possible for them to do this work. Therefore in the particular case referred to the error lay with the ordinary district police and not with the Criminal Investigation Department.

Mr. President : Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 1,000 with respect to the item of Rs. 3,04,000—
Criminal Investigation Department.

The question is that that reduction be made.

The motion was lost.

Mr. President : The question is—

"That a sum not exceeding Rs. 99,17,956 be granted to the Governor in Council and the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Police'."

The motion was carried.

SCIENTIFIC DEPARTMENTS GRANT.

The Honourable Lala Harkishan Lal (Minister for Agriculture) :
Sir, I beg to move—

"That a sum not exceeding Rs. 94,800 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Scientific Departments.'"

Mr. President : The question is—

"That a sum not exceeding Rs. 94,800 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Scientific Departments.'"

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

"That the grant for Scientific Departments be reduced by Rs. 3,000 in respect of 'Travelling Allowance.'"

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 91,800 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Scientific Departments.'"

The motion was carried.

GRANT FOR EDUCATION (EXCLUDING EUROPEAN EDUCATION).

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to move—

"That a sum not exceeding Rs. 98,03,000 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 1924, in respect of 'Education (excluding European Education).'"

Mr. President : The question is—

“ That a sum not exceeding Rs. 98,03,000 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 1924, in respect of ‘ Education (excluding European Education). ’ ”

Mr. Ganpat Rai : Sir, I understand that in the three department., Medical, Education and Public Health, the Honourable the Minister has agreed to a reduction of a lump sum of Rs.2 lakhs. If that is so, I and my friends are prepared to abstain from moving our amendments.

Mr. President : This, I presume, will not bind the other members who have got amendments of their own.

Mr. Ganpat Rai : I can speak for myself and for Chaudhri Kharak Singh and Lala Sewak Ram who is now absent. I do not see that there are any others who have got amendments to move.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education : Sir, it is now very nearly four o'clock and only two hours are left. So in order to avoid many speeches and to facilitate the work of the House I am prepared to make a reduction of 2 lakhs for all the three departments mentioned by my friend Mr. Ganpat Rai if all the amendments are withdrawn. If any member objects to this understanding then I will not be bound by it.

Mian Ahmad Yar Khan, Daultana : Sir, I think it will be better if you allow me to move my amendment first. The Honourable Minister's proposal to reduce a lump sum may be taken up afterwards.

Mr. President : I think it would be better to leave Mian Ahmad Yar Khan free to deal with his amendment.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I have no objection.

Mr. President : I take it that Mr. Ganpat Rai and his friends do not wish to move their amendments. Now that the road is open to Mian Ahmad Yar Khan to move his amendment. I would suggest that unless he regards the matter as of vital importance, he should not take up the time of the House.

Mian Ahmad Yar Khan, Daultana [Multan East (Muhammadan) Rural] : Sir, I will take very little time. My amendment does not aim at effecting any economy in the expenditure. I shall be very brief. Sir, I beg to move—

“ That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,43,000—Grants to University.”

(Urdu) : Sir, in moving this amendment I do not intend to pass a vote of censure against the University. I have a great respect for that *almamater* since it imparts education to our children and is responsible for the mental development of the Province. The present constitution of the University is so defective that it materially retards the progress of the Muslim community.

Sir, the report of the Calcutta University Commission has laid great stress upon the fact that special protection should be extended to educationally backward minorities.

Mr. Manohar Lal (Punjab University) : The honourable member has indicated that his amendment is not based on any motive of economy. That means that a full dress debate is desired to be raised on the subject of the University. I should like to ask whether this is the proper time to take up a matter like that. The honourable member may take a few minutes, but it will not be fair to other members to let the speech go unanswered. Large issues may be involved in it and it will take a good deal of time to discuss the matter adequately. It is a matter which can be discussed in other ways. For instance, it can be raised by way of a resolution later on.

Mian Ahmad Yar Khan, Daultana : Sir, I wish to say that the constitution is so defective.

Mr. President : I shall again appeal to the honourable member that he is only entitled to raise this question in order to discuss the actual rules and regulations framed by the Punjab Government and the question possibly whether the University abides by those regulations. He cannot in any way enter into a discussion of the internal working of the University or the actions of the Senate, the corporate body governing the University. It seems to me that I shall have to be very strict in keeping him to the point, and if he does keep to his point, I do not believe that he will gain anything. I will ask him as a matter of consideration for other members not to press his amendment. We have some more important business to go through and we have only one hour left in which to do it. It is important that he reconsiders this matter.

Mian Ahmad Yar Khan, Daultana : Sir, I will only make a few very general remarks. (continued in Urdu) : Sir, I only submit that the present constitution of the University is such that it practically leaves no room for the representation of minorities. There are very few Muhammadan and Sikh members on the Senate.

Mr. Manohar Lal : The University is governed by the Senate and the members are appointed to the extent of 60 or 75 per cent. by His Excellency the Chancellor.

Mian Ahmad Yar Khan, Daultana (continued) : Sir, I beg to say that the Fellows of the Punjab University are elected by the registered graduates.

Mr. President : Is this required by the rules ? Are you objecting to the regulations on the subject of election ? You should point out what specific regulations are objected to.

Mian Ahmad Yar Khan, Daultana (continued) : Sir, again there is a very limited number of Muhammadan Examiners. . . .

Mr. President : It is, I believe, within the absolute discretion of the University to decide whom they appoint for the purpose. All you can say is that the regulation allowing that latitude is defective and should be altered.

Diwan Bahadur Raja Narendra Nath : Sir, he has not pointed out the regulation.

Mr. President : Will you kindly refer to any regulation which governs that and say how you propose it to be altered.

Mian Ahmad Yar Khan, Daultana (continued): Sir, I simply want to draw your attention to the fact that there is hardly adequate representation of the Muhammadan and Sikh communities on the Senate.

Mr. President: I will not allow you to go into the facts. You must go into the regulations. The actual internal working of the University is in the hands of the corporate body and I am not going to have it discussed in this Council even on a budget debate.

Mian Ahmad Yar Khan, Daultana (continued): Sir, the University is financed from the provincial revenues and I think it is only fair to give an adequate representation to every community.

Mr. President: The honourable member must not discuss the point of order. That is my ruling. If he can point to any rules and regulations framed by Government which are in the hands of Government and not in the hands of the University, then I will listen to it. Otherwise I will call him out of order and ask him to resume his seat.

Diwan Bahadur Raja Narendra Nath: He has still failed to point out the regulations.

Mian Ahmad Yar Khan, Daultana (continued): Sir, with your permission I beg to assert here before the House that the present constitution of the University badly needs revision so as to ensure adequate representation of the Sikhs and the Muhammadans. The whole of the Province pays for the upkeep of the University and there seems to be no reason why all the communities should not get proportionate representation. Besides the question of revising this constitution I have also to request His Excellency the Governor to very kindly take into consideration the question of extending the scope of the principle of communal representation when nominating Fellows on the Senate.....

Mr. Manohar Lal: O. a point of order, is it open to us to discuss the nominations to the Senate of the University by His Excellency the Chancellor?

Mr. President: I think it is perfectly open to the honourable member to discuss the regulation laying down what should be the constitution of the University. That I understand he has tried to do.

Mian Ahmad Yar Khan, Daultana (continued): Sir, since the University is financed from the provincial revenues it should not be open to one community to monopolise it for itself.

Mr. President: I think the honourable member has made his point that a certain section of the population does not get as much representation or whatever he would like to call it in the internal affairs of the University as he would like to see. He can only say that such and such regulation should be changed. I cannot allow him to go on with the complaint that the internal working does not suit him.

Mian Ahmad Yar Khan, Daultana (continued): Sir, it might be argued on the other side that the Muhammadans are educationally backward and that they do not appreciate the higher education. Sir, even if it be admitted for the sake of argument.....

Mr. President: I must ask the honourable member to resume his seat because he would not obey my ruling.

Mr. President : Grant under consideration, amendment moved—

" That the grant be reduced by Rs. 1 with respect to the item of Rs. 248,000—
Grants to University. "

The question is that that reduction be made.

Syed Muhammad Hussain [Montgomery (Muhammadan), Rural] : Sir, I think Mr. Ahmad Yar Khan meant that the rules and regulations should be so altered that chance should be given to backward communities, who are in very great abundance in the Province, to get equal and sufficient representation on the University. The real question is that the Muhammadans and Sikhs should be represented in sufficient numbers. Consideration should be given to the backwardness of their education, consideration should be given to the size of their population in the Province; and keeping all these things in view, number should be fixed, and those people should be put in. This is after all a reformed Government now; and if even in the first instalment of the Reforms, fair chance is not given to all communities of being represented, I should be very much disappointed. I would appeal to the members to move along side by side and sink all their racial feelings, if they ever want to have home rule. These same things are occurring in other provinces. Brahmans are fighting against non-Brahmans. It is now in the interests of the Province that those people who have the monopoly of all the department, should say that they are going to give up the monopoly now and let those people who are backward take part in the administration,

Mr. President : I would not allow this. You can attack the rules and regulations, but cannot attack the internal working of the University.

Syed Muhammad Hussain (continued) : The Chair wants me to confine my remarks to the rules and regulations and not go into the details, and I must bow to his ruling. I would ask the Honourable Minister for Education, the Vice-Chancellor and the Director of Public Instruction to give the Muhammadans and the Sikhs equal share in the administration. One is a very strong majority, and the other is a very strong minority. The administration of the University ought not to be under the monopoly of one community who, fortunately for them, have monopolised all the seats there. I should ask them that the rules and regulations should be so changed that the Muhammadans and the Sikhs get a sufficient representation on the University. I think it is time for the Government to listen to our grievances, and that we should get ample chance of representation.

The Honourable Sir John Maynard (Finance Member) : Sir, as one connected with the University for some time and who has endeavoured during that time to meet some of the wishes just expressed, I should like to say a few words to the House. The position is this: I think it is probably well-known to everybody that the great majority of the nominations are made by the Chancellor of the University. A portion of the Senate, however, is elected by registered graduates and by faculties of the University.

As regards those which are nominated by the Chancellor, I must say that efforts have been made to do all that is possible to bring in all elements, but the possibilities are limited. When a vacancy occurs, in some cases it is inevitably necessary that the old incumbent should be re-appointed. There are also many cases in which it is necessary to find place for the University Professors or for some one who is interested in the matter of education and that leaves little opening for changes in the composition of the Senate.

As regards representation of different communities, I must assure the House that I keep a record myself of the names of the Muhammadans and Sikhs suggested to me in connection with the University. I trust that the honourable member will realise that it is not a matter which has been overlooked. It is a matter which has my very sympathetic consideration, and I think has also the very sympathetic consideration of His Excellency the Chancellor.

Mr. President : Grant under consideration, amendment moved :—

“That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,48,000—Grants to University.”

The question is that that reduction be made.

The Council then divided : Ayes 25, Noes 31.

AYES, 25.

Khan Muhammad A'dullah Khan.
Mian Ahmad Yar Khan, Daultana.
Malik Firoz Khan, Noon.
Chaudhri Ali Akbar.
Khan Sahib Pir Ali Haidar Shah.
Malik Karim Ullah Khan.
Sardar Balwant Singh.
Sardar Sahib Risaldar Dilbagh Singh.
Khan Bahadur Rai Wali Muhammad Khan.
Chandhri Ghulam Muhammad.
Sayad Ghulam Muhammad Shah.
Rana Muhammad Jamil Khan.
Khan Sahib Amir Khan.

Khan Bahadur Sayad Mehdi Shah.
Malik Najabat Khan.
Sardar Randhir Singh.
Chandhri Nabi Bakhsh.
Khan Bahadur Raja Muhammad Akbar Khan.
Chandhri Muhammad Hayat Khan.
Sayad Muhammad Hussain.
Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Maulvi Muharram Ali, Chishti.
Chandhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.

NOES, 31.

The Honourable Sir John Maynard.
The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia.
The Honourable Khan Bahadur Mian Fazl-i-Husain.
The Honourable Lala Harkishan Lal.
Mr. H. D. Craik.
Mr. Miles Irving.
Mr. N. H. Prenter.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. B. Abbott.
Colonel B. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. C. H. Forster.
Mr. D. Milne.
Mr. G. Anderson.

Mr. J. G. Beazley.
Lala Atma Ram.
Pandit Daulat Ram, Kalia.
Rai Bahadur Lala Hari Chand.
Mr. K. L. Rallia Ram.
Rai Sahib Misar Mela Ram.
Mr. Moti Lal, Kaistha.
Chandhri Kharak Singh.
Diwan Bahadur Raja Narendra Nath.
Rai Bahadur Lala Panna Lal.
Lieutenant Sardar Raghbir Singh.
Rai Sahib Chandhri Raja Singh.
Mr. Manohar Lal.
Sardar Sangat Singh.
Rai Bahadur Lala Sewak Ram.
Dr. C. A. Owen.

The amendment was lost.

The Honourable Khan Bahadur Mian Fazl-i-Husain : Sir, I beg to move—

“That the grant be reduced by Rs. 71,400.”

Mr. President : Grant under consideration. Amendment moved—

“ That the grant be reduced by Rs. 71,400.”

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

“ That a sum not exceeding Rs. 97,31,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of ‘ Education (excluding European Education). ’ ”

The motion was carried.

EUROPEAN EDUCATION GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

“ That a sum not exceeding Rs. 6,15,000 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 1924 in respect of ‘ European Education. ’ ”

The motion was carried.

MEDICAL GRANT.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to move—

“ That a sum not exceeding Rs. 28,38,000 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 1924 in respect of ‘ Medical. ’ ”

Mr. President : The question is—

“ That a sum not exceeding Rs. 28,38,000 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 1924 in respect of ‘ Medical. ’ ”

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

“ That the grant be reduced by Rs. 24,127 in respect of Travelling Allowance.”

The motion was carried.

Mr. Ganpat Rai : There is one point which I wish to bring to your notice. There is a certain item which should go out according to the convention. I do not know whether a formal amendment should be moved.

The Honourable Khan Bahadur Mian Fazl-i-Husain : Which item does the honourable member mean ?

Mr. Ganpat Rai : The item relating to Grain Compensation Allowance, Travelling Allowance, etc.

The Honourable Khan Bahadur Mian Fazl-i-Husain : Travelling allowance has been separately disposed of. As regards the Grain Compensation Allowance that is included in the lump sum reduction I am going to propose according to our convention. Sir, I beg to move—

“ That the grant be reduced by Rs. 1,18,002.”

The motion was carried.

Mr. President: The question is—

"That a sum not exceeding Rs. 28,95,872 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 1924 in respect of 'Medical.'"

The motion was carried.

PUBLIC HEALTH GRANT.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education): Sir, I beg to move—

"That a sum not exceeding Rs. 10,68,000 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 1924 in respect of 'Public Health.'"

Mr. President: The question is—

"That a sum not exceeding Rs. 10,68,000 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 1924 in respect of 'Public Health.'"

Mr. Miles Irving (Finance Secretary): Sir, I beg to move—

"That the grant be reduced by Rs. 20,025 in respect of Travelling Allowance."

The motion was carried.

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

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 3,43,000—Expenses in connection with Plague, Malaria and other Epidemics."

Sir, when I was leaving my village for Lahore my constituents entrusted me with two messages to be delivered to the Council. One was a complaint against the Police Department which I have delivered to Sir John Maynard and am sorry to add that no heed has been paid to that.

Mr. President: You must confine yourself to the matter in hand which is in connection with Plague, Malaria and other Epidemics. You are out of order in referring to any other discussion.

Sardar Randhir Singh: Sir, I am to draw the attention of the House to the negligence of the Plague Department. In March 1922 plague broke out in our district but the Plague Department did not take any necessary step to save the public from this dangerous epidemic. It was to the good luck of the people that the summer season set in and they got rid of it. But in September it again broke out and no precaution was taken by the Chief Plague Officer as usual. People were compelled to appeal to the Deputy Commissioner for help, who sent for some medical help. A few doctors were deputed by the Plague Department, who came to our town but instead of taking any preventive measures they began to waste their time on other things. When the number of deaths by this epidemic increased to a large extent the Plague Department began to realize the true situation and then hastened to send one Assistant Surgeon, who too did not prove to be of much use. I have moved this amendment only for the sake of passing a vote of censure against this Department.

Mr. President : Grant under consideration, amendment moved—

“ That the grant be reduced by Rs. 1 with respect to the item of Rs. 3,43,000—
Expenses in connection with Plague, Malaria and other epidemics.”

The question is that that reduction be made.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) (Urdu) : Sir, my friend Sardar Randhir Singh has called in question the Public Health grant on the ground that plague at Daska has not been well managed. I think he will excuse me if I say that my friend has to some extent made an exaggerated statement. There have been only 154 deaths in Daska up to the 3rd of March 1923, and I cannot say that all these deaths are due to plague only. Plague appeared in Daska on the 28th October and the staff then available was at once sent there. This consisted of one Assistant Surgeon, one Compounder and one Sub-Assistant Surgeon in charge of the dispensary at Daska.

On the 11th of December, one trained Sanitary Inspector was added to the staff and on the 21st of the same month one more Assistant Surgeon was sent there. On the 31st of December one Assistant Surgeon was dismissed by the orders of the Inspector-General of Civil Hospitals and he was replaced by another Assistant Surgeon on the 15th of January. The Chief Plague Medical Officer again visited the Sialkot District on the 17th of February. The report of the Public Health Department shows that the staff has succeeded in inoculating 2,690 people, which is almost a record for such a small area. These facts and figures are sufficient to show that the Public Health and the Medical Departments did whatever was in their power to put down the epidemic, and I do not see there is any justification for passing a vote of censure against them.

Perhaps Sardar Randhir Singh did not like that the medical staff thought it better to disinfect Sardar Sahib's house first and the houses of others afterwards, and I quite appreciate such a spirit on the part of Sardar Sahib.

Mr. President : Grant under consideration. Amendment moved.—

“ That the grant be reduced by Rs. 1 with respect to the item of Rs. 3,43,000—
Expenses in connection with Plague, Malaria and other epidemics.”

The question is that that reduction be made.

The motion was lost.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) : Sir, I beg to move—

“ That the grant for Public Health be further reduced by Rs. 10,600.”

Mr. President : Grant under consideration, amendment moved—

“ That the grant for Public Health be further reduced by Rs. 10,600.”

The question is that that reduction be made.

The motion was carried.

Mr. President : The question is—

“ That a sum not exceeding Rs. 10,37,375 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 1924, in respect of ‘Public Health.’ ”

The motion was carried.

AGRICULTURE GRANT.

The Honourable Lala Harkishan Lal: (Minister for Agriculture):
Sir, I beg to move—

“That a sum not exceeding Rs. 23,60,000 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 1924 in respect of ‘Agriculture.’”

Mr. President: The question is—

“That a sum not exceeding Rs. 23,60,000 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 1924 in respect of ‘Agriculture.’”

Mr. Miles Irving (Finance Secretary): Sir I beg to move—

“That the grant be reduced by Rs. 1,21,700 in respect of Travelling Allowance.”

The motion was carried.

Chaudhri Kharak Singh: Sir, I beg to move—

“That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 10,000—Reserve for Grain Compensation.”

The motion was carried.

Chaudhri Kharak Singh: Sir, I beg to move—

“That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 20,000—Reserve for Contract Contingencies.”

The motion was carried.

Mr. Ganpat Rai: I understand, Sir, that the Honourable Minister for Agriculture is prepared to reduce the total grant for Agriculture by a further amount of Rs. 10,000. If that is so, we will not move our other amendments.

The Honourable Lala Harkishan Lal (Minister for Agriculture):
Yes, Sir, I beg to move—

“That the total grant in respect of Agriculture be further reduced by Rs. 10,000.”

The motion was carried.

Mr. President: The question is—

“That a sum not exceeding Rs. 26,98,300 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of ‘Agriculture.’”

The motion was carried.

INDUSTRIES GRANT.

The Honourable Lala Harkishan Lal (Minister for Agriculture): Sir,
I beg to move—

“That a sum not exceeding Rs. 9,34,000 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 1924, in respect of Industries.”

Mr. President : The question is—

"That a sum not exceeding Rs. 9,34,000 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 1924, in respect of Industries."

Mr. Miles Irving (Finance Secretary) : Sir, I beg to move—

"That the grant for Industries be reduced by Rs. 14,175 in respect of Travelling Allowance."

The motion was carried.

Chaudhri Kharak Singh : I beg to move, Sir—

"That the grant be reduced by Rs. 7,000 with respect to the item of Rs. 7,000—Reserve for Grain Compensation Allowance."

The motion was carried.

Chaudhri Kharak Singh : I beg to move, Sir—

"That the grant be reduced by Rs. 6,000 with respect to the item of Rs. 6,000—Reserve for Contract Contingencies."

The motion was carried.

Mr. Ganpat Rai : Sir, the Honourable Minister for Agriculture has agreed to have his demand for Industries cut down by another Rs. 12,000 subject to the reservation that the discussion may take place on the British Industries Exhibition.

The Honourable Mr. Harkishan Lal : I have only agreed to a discussion on this, and not to the reduction.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura—(Non-Muhammadian)] : I beg to move, Sir—

"That the grant be reduced by Rs. 76,500 with respect to the item of Rs. 76,500—British Industries Exhibition."

The reason why I move this amendment is that the people are doubtful as to the utility of spending this large amount for the British Industries Exhibition to be held in 1924. Not only this, but they expect, and I believe rightly, that another sum of Rs. 2,00,000 will be spent next year and the Council will be asked to vote the amount. So that if we agree to this amount being passed, the result will be that we shall be bound to sanction another two lakhs next year.

Then about its utility. No list has been prepared so far to show how many traders or manufacturers are coming forward and asking that they should be allowed to take part in it. The money will be spent in the interests of the richer traders and manufacturers, those who are able to afford money. Then it will be said that a site will have to be found for these traders, etc. Why don't you arrange for the site through the High Commissioner for the traders and manufacturers at their expense? You have done nothing up to this time to stimulate the interest which a trader or manufacturer should take in this exhibition. You simply ask for a vote of this large sum this year and another large sum will be asked for next year. I think this amount is not justified, and I hope the House will not agree to it. You should first appoint canvassers to go about and induce traders and manufacturers to take part in the Exhibition.

Mr. President: Grant under consideration, amendment moved:—

"That the grant be reduced by Rs. 76,500 with respect to the item of Rs. 76,500—British Industries Exhibition."

The question is that that reduction be made.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu): Sir, I think that my friend, Mr. Ganpat Rai, has failed to form a correct opinion about the kind and magnitude of the Exhibition for which the present demand for grant is made. It is not intended to promote thereby the interests of the traders and manufacturers alone as the mover of the amendment seems to think. There will be exhibited in it all the natural products and food-grains of the British Empire. Accordingly the Punjab wheat and cotton, the manufactures and crafts of the Punjab and the natural products of the mines and forests of the Province will be exhibited. Agriculturists, miners and craftsmen; all of them, will take part in it. Sir, it is perhaps unknown to Mr. Ganpat Rai that our Province has made a great deal of progress in the methods of the cultivation. Also, we have much superior cotton seed now to that we formerly had. There are to-day three excellent grades of cotton. Egypt produces the first grade, America the second and the Punjab comes in third. It is, therefore, essential that the Empire and the world should know all about our cotton. I hope, therefore, that the honourable members will now acknowledge that our taking part in the Exhibition will greatly benefit the zamindars of the Province. Moreover, Sir, the Department of Agriculture is doing its best in this behalf.....

Mr. President: I must interrupt the Honourable Minister as it is 5 o'clock now. The discussion cannot continue further.

Mr. President: Grant under consideration, amendment moved—

"That the grant be reduced by Rs. 76,500 with respect to the item of Rs. 76,500—British Industries Exhibition."

The question is that that reduction be made.

The motion was lost.

Mr. President: I may explain again that I have now to put to the House everything before the House. None of the amendments that are still pending can be moved. It therefore rests entirely with the discretion and goodwill of the Government to reduce the items that will be placed before the House. This, however, they are doing in accordance with the conventions arrived at.

The question is—

"That a sum not exceeding Rs. 2,06,825 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 1924 in respect of Industries."

The motion was carried.

MISCELLANEOUS DEPARTMENTS GRANT.

The Honourable Lala Harkishan Lal: I beg to move—

"That a sum not exceeding Rs. 91,240 be granted to the Governor in Council and 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 1924 in respect of Miscellaneous Departments."

The motion was carried.

CIVIL WORKS (RESERVED) GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 98,000 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 1924 in respect of Civil Works (Reserved)."

The motion was carried.

Mr. Ganpat Rai: I claim a division, Sir.

Mr. President: That is a frivolous claim. Besides I have declared the motion married.

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Lala Harkishan Lal (Minister of Agriculture): Sir, I beg to move—

"That a sum not exceeding Rs. 90,57,675 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 1924 in respect of Civil Works (Transferred)."

Mr. President: The question is—

"That a sum not exceeding Rs. 90,57,675 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 1924 in respect of Civil Works (Transferred)."

Votes were taken by voices and the President expressed his opinion that the "Ayes" had it.

Sayad Muhammad Hussain: I claim a division as a protest.

Mr. President: You cannot claim a division as a protest. If you have any doubt as to the voting then you may call for a division.

Mr. Ganpat Rai: Would the President kindly take votes by "voices" again

President: Certainly.

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 39,86,000 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 1924 in respect of Superannuation Allowances and Pensions."

The motion was carried.

STATIONERY AND PRINTING GRANT.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 10, 18,500 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 1924 in respect of Stationery and Printing."

The motion was carried.

MISCELLANEOUS GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

“That a sum not exceeding Rs. 22,68,000 be granted to the Governor in Council and 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 1924, in respect of ‘Miscellaneous’.”

The motion was carried.

“ MISCELLANEOUS ADJUSTMENTS ” GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

“That a sum not exceeding Rs. 90,000 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 1924, in respect of “Miscellaneous Adjustments.”

The motion was carried.

GRANT FOR CIVIL CONTINGENCIES FUND.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

“That a sum not exceeding Rs. 1,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of “Civil Contingencies Fund.”

The motion was carried.

FOREST CAPITAL EXPENDITURE GRANT.

Mr. Miles Irving : Sir, I beg to move —

“That a sum not exceeding Rs. 54,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of ‘Forest Capital Expenditure’.”

The motion was carried.

IRRIGATION CAPITAL EXPENDITURE GRANT.

Mr. Miles Irving : Sir, I beg to move —

“That a sum not exceeding Rs. 1,72,79,750 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 1924, in respect of “Irrigation (Capital expenditure).”

The motion was carried.

GRANT FOR CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move —

“That a sum not exceeding Rs. 8,88,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending 31st of March 1924, in respect of ‘Capital Outlay on Industrial Development.’”

The motion was carried.

GRANT FOR HYDRO-ELECTRIC SCHEMES (CAPITAL EXPENDITURE).

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 68,700 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Hydro-Electric Schemes' (Capital expenditure)."

The motion was carried.

CIVIL WORKS (CAPITAL EXPENDITURE) GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 2,37,000 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 1924, in respect of 'Civil Works' (Capital Expenditure)."

The motion was carried.

PROVINCIAL LOANS AND ADVANCES (TRANSFERRED) GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 14,60,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1924 in respect of 'Provincial Loans and Advances (Transferred).'"

The motion was carried.

PROVINCIAL LOANS AND ADVANCES (RESERVED) GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 7,64,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Provincial Loans and Advances (Reserved).'"

The motion was carried.

REFUNDS (RESERVED) GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 2,86,325 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 1924, in respect of 'Refunds (Reserved).'"

The motion was carried.

REFUNDS (TRANSFERRED) GRANT.

Mr. Miles Irving (Financial Secretary) : Sir, I beg to move—

"That a sum not exceeding Rs. 3,083 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1924, in respect of 'Refunds (Transferred).'"

The motion was carried.

The Honourable Sir John Maynard (Finance Member): Sir, now that the Budget has been disposed of, I wish to express our grateful acknowledgment to those whom I may call our friends the enemy. We recognise that certain gentlemen have really given an immense deal of time and thought to scrutinising the Budget and have done their utmost to find out the best method of really economising in the interest of the Province. There are four or five of them and in particular I must mention Chaudhri Kharak Singh and Mr. Ganpat Rai. They have fought the 'good' fight and Mr. Ganpat Rai has remained faithful to the last as he went on saying 'No' to every item that was put to the vote.

Sir, we all of us have one object in view, that is to say, the faithful administration of the Province in the most economical manner possible and we recognise that those who have endeavoured to scrutinise and examine every item have helped us in our work. It is for that reason that we are genuinely grateful for the work these opponents of ours have done, and I must say that I have been greatly benefited.

Mr. Ganpat Rai [(Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan))]: Sir, please allow me to thank the Honourable Finance Member on behalf of myself and my friends 'Chaudhri Kharak Singh, Rai Bahadur Lala Sewak Ram, and Pir Muhammad Husain. Pir Muhammad Husain on account of the annual fair of his shrine could not be present and help us with his support, but I think my friends and I have only done in our humble way our humble duty and we do not deserve any compliments for doing so. But as the Honourable the Finance Member has been pleased to appreciate it, I return on behalf of myself and my friends our hearty thanks for appreciating our humble work.

THE PUNJAB LAND ACQUISITION (INDUSTRIAL) BILL.

The Honourable Lala Harkishan Lal (Minister for Agriculture): Sir, I want to announce to the Council that the report of the Drafting Committee on the Punjab Land Acquisition (Industrial) Bill is not quite ready, and therefore I propose to present it on the 22nd.

Mr. President: In the circumstances, I suggest that the date be put off to the 22nd.

This was agreed to.

The Council then adjourned till 11-30 o'clock on Wednesday, the 21st March 1923.

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PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Wednesday, the 21st March 1923.

THE Council met at the Council Chamber at half past eleven of the clock. Mr. President in the chair.

RESOLUTION *RE* APPOINTMENT OF A COMMITTEE TO CONSIDER WAYS AND MEANS OF INCREASING REVENUE.

Mr. President : The Council will now continue the discussion on the Government's resolution for the appointment of a committee to consider ways and means for increasing provincial revenues, which was postponed * on the 16th of November 1922.

Diwan Bahadur Raja Narendra Nath : Sir, is the Finance Member going to add to what he said before ?

Mr. President : He will be in order in replying. He has already spoken. He will only be in order in replying finally.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders, General] : Sir, I am sure that every one of us has feelings as regards the scheme of the Honourable the Finance Member but there are many of us who do not see eye to eye with him on the point which he has raised. The question which I raised at the last session as to the relation of this proposed Advisory Committee with the Standing Finance Committee has not been answered. In fact no attempt has been made to answer it. The Standing Finance Committee is an Advisory Committee appointed under a Standing Order which was framed in accordance with the provisions of the Government of India Act. I wish to know what course this Council will adopt if the recommendations of the Advisory Committee are not accepted by the Finance Committee. Will the recommendation of the Finance Committee prevail or that of the Advisory Committee ?

Then as to the constitution of the Advisory Committee which the Honourable the Finance Member proposes. The members of that Advisory Committee will be nominated by Government. A non-official majority is promised but whether it will be a bare majority or a fairly preponderant majority is not yet known. According to the announcement which was made by Government the members will not be elected by this House. Therefore I think that those members who owe their position purely to nomination will not command that degree of confidence which the selected members of the Finance Committee enjoy.

I see that the finances of the Province are in an unsatisfactory condition, but as I said in my speech during the general discussion of the Budget, the position is by no means alarming. At that time I expected that the pruning knife of the Council would be employed usefully and I find that my expectations have been realised. We do not know up to this time the total amount

[Diwan Bahadur Raja Narendra Nath.]

of cuts that have been made in the Budget, but I think they reduce materially the amount of deficit anticipated. I have reason to believe that the income has been slightly under-estimated and the expenditure somewhat over-estimated. I do not find fault with the cautious attitude of the Finance Department. It is perhaps right to frame a Budget in this spirit. But where we have got to consider what immediate steps we should take in order to equalise income and expenditure that cautious attitude is a material point. For these reasons I am constrained to oppose the appointment of the Advisory Committee such as is suggested by the Honourable the Finance Member.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadan), Rural] (Urdu): Sir, the question under discussion is that a committee be appointed to consider ways and means for increasing provincial revenues. I am strongly against the appointment of any such committee on the following grounds. The Government has already got sufficient means of income. The Honourable the Finance Member informed us the other day that there is a large quantity of forest timber which could not be disposed of for want of a favourable market. Sir, I hold that there is a great demand for timber and if this store be disposed of it will greatly help us in restoring our financial equilibrium. The other day Mr. Gibson informed this house that the Forest Department has got timber to the value of Rs. 225 crores. What is the use of keeping it in the forests and why does the Government not dispose it of? I am afraid it will simply deteriorate if it is not disposed of soon. Sir, here is a source of increasing our revenues and it ought to be utilized during this financial stringency.....

Mr. President: The honourable member can only refer to it in order to show that this committee is not necessary.

Chaudhri Ali Akbar (continued): Sir, I mean to object to the appointment of this committee on the ground that we have already got sufficient means to increase our revenues, and if they be utilized there is no need of levying fresh taxation. I am given to understand that by the appointment of this committee Government intends to enhance canal water rates.....

Mr. President: That does not seem to be relevant. The question is the appointment of a committee to consider ways and means.

Chaudhri Ali Akbar (continued): Sir, I am giving my reasons why I object to the appointment of this committee. I have already said that we have got such a large quantity of timber that by selling it we can realize over 200 crores. Even if we have an annual recurring deficit of 4 crores this amount will help us for 50 years and by that time I am sure our forests would have reproduced as much timber as was sold.

As for the canal water-rate it is impossible and at the same time inexpedient to enhance it further. I shall like to quote here a few figures about the Upper Bari Doab Canal. During the year 1891-92 the quantity of water which was supplied by this canal was 3,648 cusecs and the area irrigated by it was 22,098 acres. In 1910-11, 5,761 cusecs of water were supplied and 448,381 acres were irrigated. Again, in 1921-22, 5,412 cusecs of water were supplied through this canal and 689,019 acres of land were irrigated by it.....

Mr. President: How does the honourable member connect these remarks with the matter before the House? He has quoted a lot of statistics

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO CONSIDER WAYS 1483
AND MEANS OF INCREASING REVENUE.

about the Upper Bari Doab Canal. He must link these in some way with the matter under discussion before I can allow him to go on.

Chaudhri Ali Akbar (continued) : Sir, The Honourable Finance Member had also mentioned in his speech that Government intended to increase the canal water-rates. From the above figures I should like to submit that formerly one cusec of water irrigated 52 acres of land while at present the same quantity irrigates 136 acres. This shows that water-rate has already come to about three times what it was before.....

Mr. President : The honourable member must not discuss details which will come before the committee to consider ways and means of increasing the revenue, if that committee is ever appointed. He can only put forward these points very briefly, but he must not go into details.

Chaudhri Ali Akbar (continued) : Sir, again there is a large quantity of standing timber along the banks of our canals. That is also a very important source of our income if it be disposed of as well. With these few observations, I strongly protest against this resolution.

Sayad Muhammad Husain : Sir.....

Mr. President : Does the honourable member wish to move his amendment or speak on the general question.

Sayad Muhammad Husain : I wish to speak on the general question, Sir.

Mr. President : Then you will not be able to move your amendment. I think you had better wait. The mover of an amendment speaks to the main question and having done so cannot rise again to move an amendment.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan), Rural] (Urdu) : Sir, I want to discuss this resolution most dispassionately. I am sorry I cannot agree with the honourable mover of the resolution, for it is my honest conviction that the appointment of any such committee will not help us in any way. This resolution is quite uncalled for at the present stage. In order to restore the financial equilibrium Government intends to devise means whereby provincial revenues may be increased. It is said that there are only three possible ways for increasing them. The first is to levy a death duty, the other entertainment tax and the third is to enhance canal water-rates. I shall discuss them all one by one.....

Mr. President : Again I think this is rather irrelevant. The honourable member, it seems to me, is rather taking upon himself the functions of the committee which it is proposed to appoint. He starts his speech by saying that there are only three possible means of raising the revenue and having eliminated two, he now appears to be launching out into a long discussion and long arguments against the introduction of enhanced *abiana*. This, it seems to me, is hardly the function of this House. It should be left to the committee which it is proposed to appoint. As I just now said to Chaudhri Ali Akbar, the only way it can be relevant is if it can be shown that there are some other means of financing the province without going to the trouble of appointing a committee. The difficulty is that the province is faced with a deficit, and the committee is to find out ways and means of financing the province. The

[Mr. President.]

argument that this cannot be done except by one particular form of taxation seems to me to be outside the scope of our present discussion.

Mian Muhammad Shah Nawaz (continued): First of all I take the death duty. This is quite a novel thing and we do not find it in any other province. Moreover, it is objectionable from another point of view. Since the Hindu families in the Punjab follow Mitakshra Law they are joint and hence they never die. This will mean that the Hindus will not be subjected to this taxation. Hence it is highly objectionable on principles of taxation for Government to levy a duty whose incidence affects a few classes only and leaves others free. I am sure that Government will never embark on this objectionable policy.

Next comes the 'Entertainment tax' which is levied on theatres and cinemas which are not many in this province. It is thus useless to discuss this question.

Then comes the proposal of increasing the canal water-rates. I assert this with no fear of contradiction that the only purpose for which the appointment of this committee is being demanded is to enhance water-rates. Sir, I strongly object to anything calculated to saddle the Zamindar community with fresh burden. Government should not unnecessarily press hard upon this poor but law-abiding community. I should like to discuss the subject of increasing water-rates at full length and I hope the House will give me a patient hearing. I shall also quote certain facts and figures to which I specially invite the attention of the Honourable the Finance Member.....

Mr. President: That is a matter for the committee to consider. It is a faulty argument against the appointment of the committee to go into the details of various taxes. To say that one particular method of raising money is not suitable seems to have little bearing on the subject before the House. Rather it only makes the appointment of a committee all the more necessary.

Mian Muhammad Shah Nawaz (continued): Sir, I beg to submit that I had no intention of that sort. I have discussed death duty and entertainment tax and I have proved that these two are so very objectionable that they cannot help us in increasing our revenues. Next comes the question as to increasing water-rates and I understand that this will be the only "ways and means" for which Government asks for the appointment of a committee. I should request you, Sir, to allow me to discuss this subject.

As for retrenchment and contribution to the Central Government I have to submit that I shall discuss them later on. For the present I shall deal with the question of increasing water-rates. I hold that Government will simply be committing a gross blunder if it decides to embark on this policy. I fail to understand, Sir, why I am not allowed to discuss it since the resolution aims at the appointment of a committee which has to consider some ways and means for increasing Provincial revenues. Sir, I have disclosed the whole matter before the House. The only possible ways of increasing our revenues are death duty, entertainment tax, water-rates, and sale of crown waste lands, and the only ways of effecting some reduction in the existing expenditure are retrenchment and contribution to Government of India.

Sir, I shall discuss them later on. One of them which I like to discuss now...

Mr. President: The honourable member is entitled to discuss them only generally. He should not go into details.

Mian Muhammad Shah Nawaz (continued): Thank you, Sir, one of the possible ways of increasing the revenues is to enhance the canal water-rates.

When Government was going to dig out canals, it emphatically made it clear to the people that it had no intention whatsoever to levy any unnecessary taxes; by opening canals its object was to benefit the lands. This is quite evident from most of the official speeches then delivered. Sir, in spite of all such assurances what has happened? The following figures will show that Government has already derived a large percentage of profits through canals. The Lower Chenab Canal yields 42 per cent. profit, the Upper Bari, 17 per cent., the Lower Bari, 15 per cent., the Lower Jhelum 18 per cent., the Sirhind between 9 and 10 per cent. and the Sind Nai 17 per cent. The average profit from all these systems comes to about 12 per cent. We have always raised our voice against this profiteering. And yet Government intends to increase these rates still more. Sir, if a money-lender files a money suit in which he has charged more than 12 per cent. interest, equity steps in and the courts hold such rate to be very exorbitant and usurious. But Government would hardly think that it is practising the same usury in charging exorbitant water-rates. Sir, I have to make it clear to the House that a water-rate beyond maintenance charges is nothing short of undue taxation. This is the opinion of all the important authorities on the subject.

Water-rate is therefore a tax now and by increasing it Government intends to levy fresh taxation. While writing on political economy, Adam Smith says that in taxation a Government ought to consider also the capacity of the tax-payers, whether they will be able to bear the burden of the proposed tax. In this connection I should like to make it clear to the House that I have no sympathy whatsoever for big landlords and I feel no sympathy for myself even. But I am very much grieved when I look at the poor zamindars who, I am sure, will be crushed under the weight of any enhanced water-rate.

The Honourable Sir John Maynard: Sir, I rise to a point of order. The honourable member should not create misunderstandings among the zamindars by anticipating the decisions of the proposed committee.

Mian Muhammad Shah Nawaz (continued): Sir, I beg to submit that I have been in the Finance Committee and this subject was fully discussed with me there.

Mr. President: The honourable member should not disclose details of what was said in the Finance Committee, unless they are in the published report.

Mian Muhammad Shah Nawaz (continued): Sir, I have to submit that that report has been placed on the table and that Government has proposed therein to increase the canal water-rate. Sir, it is my honest belief that there does exist this proposal in the said report.

The Honourable Sir John Maynard: That is not the only proposal. There are other proposals to be considered.

Mian Muhammad Shah Nawaz (continued.): Sir, when this is being admitted that one of the proposals is to increase the water-rate I think I am perfectly entitled to show, without going into details, that it ought not to be increased.

Mr. President : You assume that the methods you have mentioned are the only possible methods of raising money. You then eliminate some of them, and attack the one left. I say that it is a faulty line of argument. The committee may be able to find other means.

Mian Muhammad Shah Nawaz (continued) : Sir, I admit that to increase water-rate is one of the proposals made by the Finance Committee, but I want to protest against it since any increase in the existing rates will tell very hard on the poor cultivators. Sir, at the same time I venture to ask what Government has so far given them in return. I can say without any fear of contradiction that it has not made any provision for imparting them education nor has it provided for them adequate facilities to discharge their debts. Sir, the poor zamindars are already groaning under their own heavy debts and even the Co-operative Credit Societies have not helped them materially. To crown all miseries, Government now intends to increase the water-rates.

Mr. President : The honourable member should connect his remarks in some way or another with the question of appointing a committee. That is all I want.

Mian Muhammad Shah Nawaz (continued) : Sir, very well, if my discussion over the question of water-rate irritates some of the honourable members, I leave it altogether. I only submit and it is my honest conviction, that if the canal water-rates were increased, it will affect most detrimentally the best interests of this Province. It will lead to serious agitation.

Mr. President : That has little bearing on the question whether this committee is necessary or not. You must confine your remarks to the question whether the committee is necessary or not.

Mian Muhammad Shah Nawaz (continued) : Sir, I abide by your ruling, I have always been very respectful towards the Chair. I only wanted to show the House that this measure will not at all help us to make up the deficit. How then can this huge deficit be made up, I will just now suggest the proper remedy for it. The appointment of a committee proposed by this resolution will not do. Sir, the remedy lies in two things. Firstly, by effecting drastic reduction in the existing expenditure and secondly, by seriously approaching the Government of India with a view to ask for a reduction by one crore in the provincial contribution. The House has clearly seen that during the discussion on voting of grants we had been earnestly entreating the Government to give effect to the recommendations of the Retrenchment Committee. Government has practically paid no heed to those recommendations, even those in the majority report have not been accepted. Sir, I should again inform this House that unless drastic reduction is carried out uniformly in all expenditure, there will be no end to the recurring deficits, however hard we might labour for increasing our revenues. Almost all other provinces have recognised this principle. Bengal has cut down its expenditure by 190 lakhs and other provinces are doing the same. I only ask Government to issue a general order to all heads of departments to effect at least 20 per cent. reduction. With great regret I have to mention that Government has not accepted even 37 lakhs reduction proposed by the Retrenchment Committee of our Province.

As for the question of contribution to the Imperial exchequer, I have to say that it was fixed at such a high figure by the Joint Committee due to

a misunderstanding. The Punjab is a very poor province and therefore I earnestly request the Government to make a very strong representation to the Central Government in order to secure special concession in this connection.

I shall say a few words in connection with another proposal, which also I hope can help us considerably. I mean to refer to the proceeds from the sale of Crown waste lands in Jhelum district. I see no valid reason why the Government of India should interfere with that merely because of the horse-breeding question. Sir, if the Crown waste lands of Jhelum alone be disposed of we can add more than four crores to our coffers. We also own about a million acres more in the Nili Bar Colony, out of which only three lakhs of acres can be disposed of in time to come. Sir, here are the real ways and means whereby we can increase our provincial revenues and not by imposing fresh taxation on the poor zamindars whose condition is already growing from bad to worse on account of general fall in prices of crops. With these observations, Sir, I strongly oppose the resolution.

Rai Bahadur Lala Hari Chand [West Punjab Towns (non-Muham-
madan) Urban] (Urdu) : Sir, in my opinion, this is not a suitable occasion for moving this resolution. The result of this will be that some misunderstanding will arise among the zamindars and that will increase the unrest in the Province. My learned friend Mian Shah Nawaz is quite to the point in his statement that the financial condition of the people is not very satisfactory and I think it will not be advisable to devise any measure calculated to throw new burden on them. We can raise money by the sale of land and thus meet our deficit. With these words I beg to oppose the resolution and request the Honourable Finance Member to withdraw it.

Rai Bahadur Lala Sewak Ram [Multan Division (non-Muhamma-
dan) (Rural)] (Urdu) : Sir, we find ourselves in a very awkward position to-day. We do not know what to state and what to avoid while making any speech on this resolution. Anyhow I wish to make it clear that I am not in favour of appointing any committee. There are already separate committees existing for each department. I see no reason why one more committee should be appointed. I think the Government intends to bind us by appointing a new committee so as to throw responsibility for new taxation on our shoulders. The Honourable Finance Member says : "The objects of the committee which I am now asking for are the investigation of the possible means of revenues." In my opinion it will not bring about good results. Any increase in *muamla* (land revenue) will create great agitation.....

The Honourable Sir John Maynard : Sir, the word '*muamla*' is a mistranslation of the word 'revenue', and is grossly misleading. The correct word is '*amdani*' (income).

Rai Bahadur Lala Sewak Ram (continued) : Sir, I am translating this from the Honourable the Finance Member's speech.....

Mr. President : You have not translated that word correctly. To those members who do not understand English, it will convey a very erroneous impression. You must make it quite clear that the object of the Finance Member is to increase the income of Government and not to increase the land revenue.

Rai Bahadur Lala Sewak Ram (continued): Sir, I understand that by increasing revenues Government intends to increase land revenue too. I think this is the exact translation of that sentence.

Mr. President: No, you must correct your mistranslation. You may take it from me that "revenue" in this connection means "income" and not "land revenue."

Rai Bahadur Lala Sewak Ram: I beg your pardon, Sir, I take back my words. Government intends to increase its income. Now what are the possible ways and means to increase it? I do not like to discuss them here, but I should like to ask the Government how long it will go on increasing it, without cutting down the existing expenditure. Government does not miss any opportunity of increasing the land revenue which it enhances after every twenty years. In the Lyallpur district alone land revenue has been increased 300 per cent.

Mr. President: You are attacking the settlement policy of increasing the land revenue once every twenty or thirty years. That is not the sense of 'amdani' that the Finance Member meant. That is not the object of this committee at all.

Rai Bahadur Lala Sewak Ram (continued): Sir, I want to inquire of the Honourable Finance Member which source of revenue he then refers to? Am I not allowed to discuss this point, Sir?

Mr. President: The honourable member is simply airing a grievance. He must connect it with this matter of ways and means.

Rai Bahadur Lala Sewak Ram (continued): Sir, I bow to your ruling if you do not allow me to discuss it. Again it has been said that our financial position is very bad. I shall like to know who made it such?

Mr. President: That has nothing to do with the matter of the necessity for a committee for ways and means. We are in a certain position. We are trying to get out of it. There is no reason to discuss under that head the question how we arrived at it and who is to blame.

Rai Bahadur Lala Sewak Ram (continued): Sir, the Honourable Finance Member has put forward another argument in favour of appointing a committee. He said that the pay of all Government servants has been increased and consequently our expenditure has also gone up, and that this committee will devise means for increasing the revenues. I wish that instead of increasing the revenues we should decrease our expenses. Moreover, these salaries were increased at a time when the prices of all the necessities of life had gone very high. Now these rates are coming to their normal position, and I think it will not be very difficult to revise their pay again and restore the status *quo-ante*. There is no justification in saying that our expenses have increased and so we must devise means of increasing our income. The best remedy for this is that we should cut short our expenses and observe greater economy.

Mr. Miles Irving (Secretary, Finance Department): Sir, I wish to remind the House in the first place of the vital distinction between revenue and capital. We have had two recommendations from members of this House by which this committee will be unnecessary. One is that we should consume our capital in the form of sale of timber in our forests; and the other is that we should consume our capital by the sale of lands. I can say

nothing about the disastrous consequences of consuming all our timber ; but even if either or both of these suggestions are adopted, they will not help the position, because money received from the sale of timber or of land must all be credited to the capital account. We have been and will continue to be faced with the fact that there was in the Budget which was presented a deficit of 93 lakhs. I have not been able to make a calculation of the retrenchments effected by this House, but I estimate them roughly at 25 lakhs. That means that we still have to face 68 lakhs. The honourable members speak vaguely of retrenchment, but when the budgets of Land Revenue, of Excise, of General Administration, of Law and Justice, and others, were before them, and were gone through item by item, this House found itself unable to make any such retrenchment. The honourable member who spoke before me suggested that a large cut should be made from the pay of the non-gazetted establishment. I should like to ask him why he did not propose it. No one is more anxious for retrenchment than the Finance Department. We welcome the assistance this House has given us in this respect. It has done us good service. It has perhaps done what we could not do ourselves. The House could have refused one item after another by way of retrenchment, but it did not do so because it is a House with sensible men. Therefore I put it to the House that we have got very near to the bone and the limits of retrenchment are coming very close to us indeed, and that we should now face the actualities of the position. We are faced with a deficit of 68 lakhs which we do not see any reasonable prospect of meeting except by increasing our revenue in some way or other.

Malik Firoz Khan, Noon [Shahpur Bast (Muhammadian) (Kural)] (Urdu) : Sir, I wish to make my position quite clear. I am personally against imposing fresh taxation. Before I put forward my arguments in support of my opinion I should like to say that it is very likely that some of the official members will think that we are opposing this resolution with a view to secure public sympathy in the coming elections. I beg to say that it is not a fact. We honestly think that the Province is not in a position to bear any more burden of new taxes. The Punjab is an agricultural province and most of the people are *agriculturists*. There are no big firms and factories running here with *big capitals*. If any new tax is levied it will affect the poor zamindars. We should study their position whether they are able to pay or not. There are two classes among the zamindars, landholders and tenants. If any tax is increased it will equally affect the interests of both classes, and I am afraid it will tell very hard upon the poor tenants.

Mr. President : What has this to do with the particular matter before the House ?

Malik Firoz Khan, Noon : It is desired to increase taxation in this country.

The Honourable Sir John Maynard : No, Sir, this is not the matter before the House.

Mr. President : The matter before the House is to appoint a committee to consider ways and means of increasing the revenue. That does not necessarily say there must be more taxation.

Malik Firoz Khan, Noon (continued) : Sir, the Government as well as we wish to see the revenue increased, but we ought to discuss what

[Malik Feroz Khan, Noon.]

are the proper ways of doing it. We have not got here any magic wand whereby we may transform some base metal into gold. We shall have to find means whereby the financial equilibrium may be restored. I was just now saying that new taxation will tell very hard upon the tenants

Mr. President : These details as to whether a particular tax falls half on the tenant and half on the landlord, etc., do not seem to be relevant.

Malik Feroz Khan, Noon : I will obey your ruling, Sir, and give up that argument and take up another.

Sir, there is one more point to which I shall briefly refer. The prices are going down every day. The crops therefore do not bring in as much now to the Zamindars as they used to do during the war-time. If prices of food-grains had not depreciated, we could easily have consented to the imposition of new taxes.

Even trade is in a very bad condition, and the business is quite dull all round.

The Honourable Financial Secretary has stated that the proceeds from the sale of standing timber will go to capital Revenue and should be spent on capital expenditure. But I have come to know that the Forest Department has got a huge store of timber worth about Rs. 20,00,000 and it is not being sold lest it should injure the interests of some timber merchants.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Mr. Gibson has gone to sell some of this timber.

Malik Feroz Khan, Noon : Thank you, Sir, you have anticipated what I was going to say. This is what I wanted to bring out. It is not a fair play to make the general public suffer for the interests of a few individuals. I am afraid if that store is not disposed of soon it will deteriorate. With these remarks I oppose the resolution.

Sayad Muhammad Husain [Montgomery (Muhammadan) (Rural)] (Urdu) : Sir, from what I have been able to gather of the tendency of the House I have come to the decision that I should not move my amendments and I beg to say that I do not move them. I am totally against the resolution under discussion. We have already got separate committees and I do not see any necessity for the appointment of an extra committee for this purpose. It has already been brought to the notice of the House that such a measure will give rise to many suspicious and doubts in the mind of the people. Sir, we should realize our responsibility and should not unnecessarily provoke the people to spread hatred and contempt for this Council. When such a learned man as Lala Sewak Ram has expressed a suspicion over this measure there is no wonder if the same attitude is adopted by the ignorant and illiterate zamindars. We must consider the condition of the people whether they are fit to bear the burden of additional taxes. Trade is in a very uncertain condition ; prices of wheat, etc., are going down, and one cannot say how low these prices may fall. If any new tax is levied, it will ruin the people. This is not a proper time for appointing any committee for this purpose. Whatever means we adopt for increasing the income they must affect the zamindars directly or indirectly. They are already groaning under the enhanced stamp duty and court-fees. The condition of the poor agricultur-

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ists is growing from bad to worse. I should like in this connection to quote here a passage from a speech of Mr. Gokhale. He says :—

“The Indian Agricultural producer is terribly handicapped, and his position is getting harder every day. In the first place, nowhere is the burden of taxes on the land in relation to produce so heavy as in this country, as may be seen from the following figures taken from Mulhall’s Dictionary :—

Country.	Percentage of taxes in relation to gross produce.
United Kingdom	8.3
France	4.8
Germany	3.0
Italy	7.0
Belgium	2.8
Holland	2.8

“Thus while elsewhere the total burden on land is well below 10 per cent., with us taking the land revenue alone, we see that assessment over most areas is 15 per cent., and in some portions as high as 20 per cent. of the gross produce—and this according to official estimates. . . . The yield of the soil has been steadily diminishing, except in irrigated tracts, being simply 8 to 9 bushels an acre, about the lowest yield in the world.”

Sir, this is the opinion of a very learned Indian patriot. We are already paying in the Punjab above 15 per cent. land revenue on the gross income. If water-rate is increased, it will press

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very hard on the sons of the soil.

As for the deficit I have to submit that we could have easily effected more reduction in our expenditure if we had been allowed two more days for discussing the grants. But I have to express regret that so many of our amendments lapsed on account of the guillotine. Again, Government has not accepted the recommendations of the Retrenchment Committee as embodied in the majority report, although they were exceedingly modest. Sir, instead of levying new taxation, I would urge upon the Government to effect more economy in existing expenditures. I would also recommend that Government should make a strong representation to the Secretary of State for India to effect a similar reduction in the non-voted grants. With these few words I strongly oppose the resolution.

Rai Bahadur Lala Panna Lal [North-East Towns (Non-Muhammadan) (Urban)] (Urdu) : Sir, as my honourable friends, who spoke before me, have already said much about the question under discussion, I would content myself with a few observations as regard the conditions prevailing in the Province.

Sir, it has been said by those who refused to work the Reforms, that the reformed constitution would only require the representatives of the people to cut the throats of their own people to provide the bureaucracy with funds. This is exactly what a great leader of that party only said yesterday. I as a co-operator do not believe that to be the real aim and object of the Reforms. But still this is the view of those who possess a large following in the country. Sir, only eight months remain of the present Council’s life, and if a Committee

[Rai Bahadur Lala Panna Lal.]

as proposed in the Resolution under discussion were appointed at this time, it will submit its report to the new Council, whose hands we have no right to bind with regard to any such important matter as the one before the House. The new Council will justly curse this Council for this unfortunate legacy. Therefore, Sir, I think it would have been much better had the resolution been brought forward before the new Council. Sir, I submit that the House would do well before taking any final decision about the matter under discussion, if it takes into consideration the condition in which most of the population of the province is passing its days. Much has been said about the condition of the Zamindar Community of the province. I therefore take the other two classes—petty traders and the middle class. As for the former, Sir, I wish to assure the House that new municipal taxes, Railway taxes, income-tax and other demands on their purses have made the position of these two classes of people simply miserable. These have been during the last few years reduced to sheer poverty and want. And if these conditions continue for three or four years more, I think that no less than 90 or 95 per cent. of the traders will have to be declared insolvents. Sir, now I take the middle class, which is rightly described to be the back-bone of a country. There are very few of them who are able to get on satisfactorily. Most of them have to content themselves with a bare pittance.

Sir, now there only remains the labour class, which has undoubtedly gained something in these days. Had some new tax been proposed for this class, that would have been perhaps fair (voices of No, no).

Sir, that too would have proved a burden upon the whole population, because they would have made us pay for that in the long run.

Then, Sir, now remains the question as to how to get money to make up the deficit. I have been told that instead of raising taxes and finding out new ways and means for it, the Government would have done better had it earnestly tried to give effect to the recommendations of the Retrenchment Committee. I have been given to understand that the total amount of pay of the non-gazetted officers comes up to Rs. 1,40,00,000. There is really a scope for considerable reduction. Let the number of Subordinate Judges and Doctors be reduced and there will be a saving. The Extra Assistant Commissioners' cadre has become abnormally large as compared with the amount of work they have to do. I think the Honourable the Finance Member and the House will agree with me when I say that the Subordinate Judges now have to do far less work than before. Sir, I submit that when the number is larger and the work is less than before, there is sufficient scope for reduction in this respect.

Malik Firoz Khan, Noon: I rise to a point of order. Are the proposals for retrenchment relevant to the proposals for the appointment of a Committee?

Mr. President: Certainly, they are.

Rai Bahadur Lala Panna Lal (continued in Urdu): Sir, I wish to draw the attention of the Government to the corruption which is prevailing in most of the departments. I know of some of the Cantonment Magistrates' clerks who retired after making two or three lakhs of rupees. . . .

Mr. President: This bringing in of details of a personal kind is very undesirable.

Rai Bahadur Lala Panna Lal (contd.): Sir, in the end, I would beg of the Government to seriously look to the conditions prevailing in the Province.

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Discontent is prevailing and agitation is increasing. Poverty, sheer poverty has taken hold of the whole province. The population has been reduced to misery. I want to know at this solemn hour as to what will be the effect of these conditions on the welfare of the Province. The Government has already lost the sympathies of one or two classes. Let not the time come when all may desert it. If nothing is done to lessen the burden of taxation, crime will be on the increase and the Government will have to face difficulties again.

Sir, under these circumstances, I wish the resolution under discussion be brought before the new Council. With these few words, Sir, I strongly oppose the resolution before the House, which I hope will unanimously be thrown out by it.

Lieutenant Sardar Raghubir Singh [Amritsar, (Sikh), (Rural)] (Urdu) : Sir, at this stage of the discussion, when most of my honourable friends have spoken on the resolution before the House, I do not intend to discuss it at full length. I only want the Government to act upon that homely truism which embodies the wisdom of ages in it and which says, 'cut your coat according to your cloth'. If the Government acts upon it, it will not have to face any financial difficulties. The Government wants to have everything quite up to date, but the province cannot afford that. The recommendations of the Retrenchment Committee have not been acted upon. Now, if the land revenue is increased, it will prove to be a hard hit on the poor Zamindars. Sir, the Government seems to be keen about finding new ways and means to increase income ; but it does not discharge its duty with regard to the report of the Retrenchment Committee. There is so much corruption in the Police and the Public Works Departments that if that money which is thus extracted out of the pockets of the population were to come to the Government coffers, I think it will prove to be sufficient to answer all the needs of the Province. Therefore, Sir, I solemnly request the Government to kindly put an end to the bribe curse which has practically ruined society. With these few observations, Sir, I oppose the resolution before the House.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I have followed the debate in the Council with great interest and I think that the proposal to appoint a committee of officials and non-officials to consider ways and means of increasing the revenue in order to restore equilibrium in the Provincial finances and to provide for essential developments is quite a reasonable and fair one. I hope the honourable members know it perfectly well that the powers of the Government are so wide in this respect, that it can do all it likes without consulting any body. But it is in pursuance of the policy of taking into confidence the representatives of the public in such important matters that it has given the House an opportunity, by bringing the Resolution before the Council, to discuss the question in all its aspects and then to ask some of the members to give help and advice to the Government as to the best ways for the realization of the aim in view. Sir, after hearing all the speeches of the non-official members, the impression that has been left upon me, is that the House on the whole feels the necessity of some step to be taken in that direction. None of the speakers has denied this need. Every one of them has according to his own opinion suggested different ways and means to meet the situation. Some of them have suggested that the trees along the banks of the Canals should be disposed of to raise money. Some have proposed that the Government should sell Crown waste lands in the Sargodha District, which they hope will fetch something like 4 crores of rupees to the Government Treasury.

[The Hon'ble Lala Harkishan Lal.]

Others have remarked that if the Remount Depôts are removed from the Province, the Government will effect a large saving in expenditure. In short, there have been put forward many a proposal before the House and I think we would do well to consider each one of them and to take up the best of all for the purpose in view. Sir, I submit, that it is for this very end that the resolution before the House asks for the appointment of a Committee consisting of official and non-official members of the House. Therefore I earnestly ask the House not to miss this opportunity of taking counsel together. The need is urgent and it should not oppose the formation of any such Committee. Sir, some of my honourable friends think that if the Government just takes a little pains to reduce the expenditure, it can very easily balance the budget. I dissent from this view. It may be partially true; but it cannot possibly bring about any such improvement as to balance the budget. Unfortunately there is no limit to the responsibilities of a Government and if some standard could be established as to that, it would have been quite possible to say what a Government should do and what it should not. It has been remarked by a certain honourable member that to spend so much upon roads is quite unnecessary under these circumstances. But I think that perhaps my honourable friend has quite forgotten all about the recommendations of the Communications Board. Some of my honourable friends have personally come to me with pressing requests to see that certain roads were constructed during my period of office. Now what can the Government do under these circumstances. Sir, I would like to tell the House that ever since the time I accepted the office, I have felt that I cannot accomplish a part of what I wanted to do during my term of office. This is simply because there is no money to finance those schemes which I have got in my head for the development of the Province. When I had not joined hands with the Government I too used to complain of the official indifference towards the beneficent departments.

Mian Muhammad Shah Nawaz: Sir, Is this all relevant to the question before the Council.

Mr. President: Yes.

The Honourable Lala Harkishan Lal (continued): Sir, I used to complain very bitterly of the Government's indifference towards the Technical, Industrial and Agricultural development of the Province. But now that I am a member of it I quite clearly see how limited the scope is for such development under the present financial circumstances. Sir, let it be understood by the House that if it wants to limit the activities of the Education, the Veterinary, the Co-operative Credit Societies and the Public Works Departments there may be some chance of our balancing the budget by cutting down the present expenditure; but if it thinks that further extension of the activities of the departments is necessary for the good of the people, it will have to find new ways and means to get money to provide for them in order to bring about the essential improvements.

Sir, I will only say a few words more and then resume my seat. There was only recently a general cry in the Press as well as on the platform that the Government should give the sons of the soil their legitimate share in the administration of the country and that the pay of the non-gazetted officers should be raised in view of the higher pay of the members of the Imperial Services. It is by a curious chance that both the demands have been accepted by the Government at one and the same time. Now the non-gazetted officers get as much as Rs. 1,40,00,000 a year while the members

of the Imperial Services only get Rs. 25,00,000. I ask will it be wise now to withdraw the increment given in response to the universal public demand to the non-gazetted officers? I have carefully thought over this question, and I have come to the conclusion, that if the non-gazetted officers are ever to non-co-operate with us it will be the moment when the Government tries to touch the question of their pay in this spirit. Sir, I wish to say before the Council that to withdraw the increments given to the public servants and to reduce their pay will be simply unwise. Let us not alienate the sympathies of these public servants by any such rash suggestions. That will make the administration very difficult. Let the House remember that contented servants are and will always remain an asset of strength to every Government.

Sir, then there are some who think that by reducing the strength of the Public Works Department the immediate aim of the Government can be realized. I wish to tell the House that I am personally a great believer in retrenchment, and there are very few who have more faith in it than myself but I am sorry to say that there is very little possibility of our gaining the object by taking such a step as that. Moreover, this is one of those few departments which more than pay their expense.

Sir, I think that the Public Works Department has given valuable property to the Government. Let the honourable members think what will happen if this department were to suspend further development. Will it not cause serious trouble? I am sure, it will. This shows, that we cannot possibly touch the Public Works Department too. Sir, after these few observations, I would like to ask the House to decide whether the Province stands in need of further development in respect of Education, Industries, Co-operative Credit Societies, Agriculture, Veterinary Departments or not? If it thinks that it does, some such committee must be appointed to find ways and means of increasing the revenue to balance the budget and to provide for essential development. Let the House realise perfectly well that no salvation is possible without it.

With these brief remarks Sir, I lend my support to the Resolution before the House, and trust that it will not be thrown out lightly.

(At this stage the Council adjourned for lunch till two o'clock.)

The Council re-assembled at the Council Chamber at two of the clock.

2 P.M.

Mr. President in the Chair.

Mian Muhammad Shah Nawaz: Sir, I beg to move—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

The Honourable Sir John Maynard (Finance Member): Sir, in the first place I should like to say a few words about the scope of this proposed committee with regard to which there seems to be a good deal of misunderstanding. I would say, Sir, that the object of this committee is to consider

[The Honourable Sir John Maynard.]

the increased revenue; that means to say, the method of increasing the revenues, that is to say, the income of the Province. Some members have translated the word "revenue" as *nuamala*. That is a misconception. It is not a committee for the purpose of increasing the land revenue. Then I draw attention to this that the word income or revenue includes the possibilities of increasing the resources otherwise than by taxation. I am not going to deceive the House on this subject. My own conviction is that it is only within very narrow limits that it is possible to increase revenue without increasing taxation. But the appointment of a committee of this kind may have the effect of drawing attention to certain methods by which increase of revenue apart from taxation is possible.

Certain members have actually drawn the attention of this House to directions in which it is possible to increase the income without increasing taxation. Those are just the sort of things which a committee of this kind would be likely to inquire into.

Now, can any one think of a more reasonable thing than that the Government which finds itself in an awkward position, which finds that its banker has said "we will not finance your deficit any longer," which finds that drastic steps of some kind are necessary in order to balance the income and expenditure should say, "we do not propose to deal with this matter by ourselves, but we prefer to take into our confidence our Council in our endeavour to arrive at a solution in which the members of this Council will co-operate themselves"? I ask the House whether this is not in itself a very good reason for Government to propose a committee. It is possible, and certain members pointed it out, for Government to take the responsibility upon their shoulders without consulting the House. But in my judgment it would be in the true spirit of the new constitution to consult the House in such matters. We therefore ask the House to recommend the appointment of a committee which will consider ways and means of increasing the income of the province.

Now, there are one or two points I have to answer in this connection. It was asked by Raja Sahib, "why should the House ask the Government to appoint a committee? Why should not the members be elected by this House?" Sir, there was an amendment proposed to be moved to this Resolution which proposed that the members of the committee should be elected and not nominated by the Government. But that amendment has been withdrawn. If that amendment had not been withdrawn, if it had been proposed, I should have accepted it. I take it that it was withdrawn on the advice of certain members who saw that if the House accepted the proposal of electing the members then the House would be committed to the necessity of accepting the recommendations of that Committee. To withdraw this amendment, which I should have been glad to accept, was therefore a piece of tactics. Now, tactics are good in their own way, but if tactics are followed with the object apparently of evading responsibility, of shirking a duty in which the Government wishes to associate the House, that itself, I submit, however clever the tactics may be, is not worthy of the dignity of this House. It is not dignified to endeavour to evade responsibility. I can quite understand the desire that the members feel that they should not be charged by their constituencies with having taken a share in the possible additions to the burdens of the people. That is an easy thing to understand, but I cannot think that it shows a very high sense of duty that they should take to this method of evading their responsibility in the matter.

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO CONSIDER WAYS 1497
AND MEANS OF INCREASING REVENUE.

Then, Sir, there is another criticism regarding the constitution of this committee. It was asked "why should not the Finance Committee of this House undertake this duty?" As to that I must say that the possibility was considered, but there are two reasons for not adopting that course. In the first place, honourable members are aware that the proceedings of the Standing Finance Committee are confidential, and it is only their conclusions which are published. One great object which the Government have in view is to educate everybody to see exactly what has been put forward and for what reasons. This object cannot be gained as the proceedings of the Finance Committee are confidential.

There is another reason also. The Standing Finance Committee is not constituted for the purpose of dealing with the whole range or method of raising revenue. It is for the purpose of reviewing expenditure. But that difficulty can be got over and as a fact Government will have recourse to it if this House declines to appoint a committee.

Now, I am going to ask the House to consider briefly the facts of the situation. I am not going through those particulars which I went through in my speech of last November. I am not going into all the figures to show how this great increase in our expenditure has taken place. I will only ask you to remember that this increased expenditure is not due, as some members had occasion to suggest, to the extravagance of any individual or of the Government, but is due to certain changes in the value of money which compelled us to raise our payments involving us in an altogether new financial situation.

There are certain new facts of which I wish to remind you. We have cut out of our budget a great portion of expenditure on development. We reduced a sum of 67 lakhs between the time the budget left the Finance Committee and the time it was laid before this House. In the course of the discussion of the budget also we have reduced the amount by something like 25 lakhs more. In spite of these reductions we find that there is still a deficit of approximately 68 lakhs and this in a normal year. Sir, I am perfectly aware that there are certain gentlemen like my friend Raja Narendra Nath, who say, "there is nothing really so serious as the Finance Member says. The Finance Member has overestimated the expenditure and underestimated the revenues." Sir, the situation is actually as bad as our figures indicate. These figures give in a way too favourable a picture of facts. It is too favourable, because we have only arrived at this amount by postponing necessary development. These are not final abandonments of expenditure. They are only postponements. Therefore these figures with which you are familiar by this time, having gone through all the details during the last few days, instead of giving you too unfavourable a picture of the actual facts gives you too favourable a picture of them.

Then, Sir, there is another fact which I do not think has been fully appreciated by the speakers on the other side, and that is that in accordance with the warnings which I gave to the House last November, "our banker has refused to see us any further through our difficulties. Our banker, the

[The Hon'ble Sir John Maynard.]

Government of India has said to us, we " will not finance your deficit any longer." Therefore it is no longer a question of temporary expedients. We have to face the fact and we must find means of making the two sides of our budget even. Some people fancy, they still continue to fancy, that we have not been sufficiently importunate to the Government of India to induce them to forego a portion of the provincial contribution. I cannot go through the whole history of provincial contribution. I have already discussed it in my Budget speech sufficiently. I have explained to the House how we approached the Government of India on the matter of provincial contributions. Even supposing that there was otherwise a good chance of our getting this provincial contribution remitted or reduced, the honourable members must have seen from the papers, from the telegrams of the last few days what the condition of the Government of India finances is. They must have seen that the Government of India have been unable to balance their budget without the aid of certain taxation, and the Assembly has declined to accept the proposals for additional taxation. Therefore at the present moment the Government of India so far from being in the position of helping provincial finance, are actually in the position of having a deficit of their own.

Thus we are faced with a deficit, with the refusal by our banker to continue to finance us and with no possibility of obtaining a remission of our contribution. How are we to deal with such a situation? There are some people who think it sufficient to say.....

Mr. President: Your time is nearly up.

The Honourable Sir John Maynard. Very well, Sir, I will put the matter briefly. They say, it is you who are to blame for this situation. I trust that certain members, at all events some members of this House, have been able to understand that the fault lies with the change in the value of money, with the necessity of raising salaries due to the rise in price of commodities, and with certain changes that have taken place in our excise revenue. I have already on several occasions given details of the changes which have produced the actual financial situation. It is not therefore enough for the honourable members to attribute the fault to us. We are faced by misfortune and we have to find a way out, and we want the House to help us in finding the way out. That is our position.

Sir, I will be very brief. I am sorry I cannot say more. Some members referred to the question of retrenchment. I may say that all the Ministers and Members intend to go through each department to see what retrenchments can be made, but the recommendations of the Retrenchment Committee are such that we cannot give effect to them immediately. The truth is that we must face grim facts. We hope the House will help us. If the House will not help us, then of course the Government can and will bear upon its broad shoulders the whole burden of these responsibilities and deal with the necessity of taxation itself.

Mr. President: The resolution before the council runs—

" That this Council recommends to the Government to appoint a committee of officials and non-officials to consider ways and means of increasing the revenues in order to restore equilibrium in the Provincial finances and to provide for essential developments.

The question is that that resolution be adopted.

The motion was lost.

RESOLUTION RE-DIVERSION OF THE SUTLEJ VALLEY RAILWAY LINE BETWEEN 1499
PAKPATTAN AND MAILSI.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir,
I beg to move—

"That this Council do recommend to the Local Government that it should undertake to pay the cost, not exceeding Rs. 23 lakhs, of a diversion of the Sutlej Valley Railway line between the stations of Pakpattan and Mailsi required in the interests of the development of the Nili Bar Colony."

Sir, members of this House know more about the Sutlej Valley Scheme and the Nili Bar than the mover of the resolution. Several of the members of this House are very deeply interested in the development of the Nili Bar area and several members are professional experts in matters concerning irrigation developments. I will only give a few figures to show what the position with regard to this railway is and what the Government proposes to do. Before the War, there was a line called the Sutlej Valley Railway running from Pakpattan southwards. That line was dismantled in the interests of military requirements; and the Government of India deposited its value so that after the war the line may be relaid at the expense of the Government of India on its old alignment. The time has now arrived when this line is actually being laid. The proprietor of this line is a company which receives an average amount of interest as if the line had been running and wants the Government to relay the line as it was originally laid. But those interested in the development of the Nili Bar have considered the matter, and they think that if the line is extended a few miles to the north and a few miles are added to this line, the necessity of building another line or a system of tramways would be avoided. Those who have estimated and gone into the matter of a parallel line tell us that it would cost in the neighbourhood of two crores of rupees to lay down a parallel line and if it is not to be a broad gauge line but a tramway system, a bit smaller sum of money would be required, but that also would be much more than the Rs. 23 lakhs now asked for. The matter was put before a committee meeting of the Communications Board at which all parties interested and also the experts were represented, e.g., Mr. Hadow of the North-Western Railway, Mr. Foy, Chief Engineer, Construction, Mr. Mitchell, Mr. Phillip, Sir Ganga Ram and others. They went through the *pros* and *cons* of the various alternative schemes and they found that economically this was the soundest and best idea that they could put forward before the Government, and the idea is this that the Government of the Punjab contribute, as at present estimated, 23 lakhs of rupees made up of two parts, one representing capital expense of the excess and modified alignment and the second representing interest for the time that the diversion will take to build. The excess alignment will cost about 18 lakhs and the interest while that excess alignment is being built about 5 lakhs, altogether about 23 lakhs. I need not detain the House very long on reminding them of the Nili Bar Scheme and what it is likely to accomplish. It is estimated, as it was incidentally remarked by a speaker in the other debate, that about one million acres of land would be brought under perennial cultivation and out of the Government-owned land about 500,000 acres would be available for sale. It is estimated that cultivators to the tune of 4 lakhs of people will be settled on these new areas and it is also estimated that the canal would give as much as 25 per cent. or over 20 per cent. of income on the outlay on the canal and about 12 crores of rupees will be made out of the sale of the land as it is.

Sir, an undertaking of this kind naturally requires considerable outlay in the matter of communications. Transport of goods, or rather the produce

[The Hon'ble Lala Harkishan Lal.]

which will be enormous could not be effectively handled except by a railway or by a system of tramways. As I have said before if we wait and let the Sutlej Valley line be built on its own alignment apart from the question of cost there would be a considerable waste of time before we achieve the result that we aim at. In order to save money and in order to facilitate transport as soon as the colony is ready it is proposed to ask the Government of India to enter into correspondence with the Southern Punjab Railway Company, who are the owners of the old line, to induce them to change the alignment and make a diversion. It is assumed that the Southern Punjab Railway would not be in a position to find money for this diversion and very likely they will tell the Punjab Government: "We do not care whether you handle the produce as conveniently as you propose, as we have got a line which has been paying us money." The Government of India also may not be inclined to contribute anything because they are not directly benefitted. There is a remote chance, when the Government of India after some years under the ordinary rules repurchase the railways from private companies, of the Government contributing for the diversion of the line. But that is a matter which will form the subject of correspondence between the Government of India and the Punjab Government. Meanwhile if we were to wait for the negotiations and final settlements that would mean that we shall have to pay a much larger sum by way of interest to the Southern Punjab Railway. Therefore the matter is an urgent and important one in the interest of economy and I submit it to the House to be pleased to authorise the Local Government to act as suggested in this resolution.

Mr. President: The resolution proposed runs:—

"That this Council do recommend to the Local Government that it should undertake to pay the cost, not exceeding Rs. 23 lakhs, of a diversion of the Sutlej Valley Railway line between the stations of Pakpattan and Mailsi required in the interests of the development of the Nili Bar Colony."

The question is that that resolution be adopted.

Sayad Muhammad Husain [Montgomery—Muhammadan (Rural)]
(Urdu): Sir, the question before the House is very important and therefore I think it is necessary for my honourable friends to take all its *pros* and *cons* into consideration before they make up their mind one way or the other.

Sir, I was present at the meeting of the Communications Board when this question was discussed. I am therefore in a position to throw some light upon it. The circumstances are these. The railway line up to Pakpattan is quite ready and now they want to extend it to Mailsi. Now the Government wants the proposed diversion in the interests of the development of the Nili Bar Colony. The Government will gain by it. The prices of the Crown waste lands will rise and the public will get facilities for transport purposes. The diversion will cost us Rs. 23 lakhs. I ask my honourable friend, Mr. Abbott, to let the Council know as to what the Government expects from the rise in the prices of land.

Sir, then there is a proposal for the construction of tramway. The committee was quite divided on this and no unanimous decision could be arrived at. I hold that the public will prefer railway to tramway for transport purposes. But those who support the alternative of constructing a tramway assert that if it were made it will become the exclusive property of the Province. I would request my honourable friend, Mr. Abbott, to enlighten the Council as to the cost of constructing such a tramway.

RESOLUTION RE DIVERSION OF THE SUTLEJ VALLEY RAILWAY LINE BETWEEN 1601
PAKPATTAN AND MAILSI.

Sir, I claim to have clearly put both the alternatives before the House and hope—that it will carefully take into consideration the different aspects of the proposals before giving its verdict.

I do not wish to oppose the resolution before the House. I heartily desire the advancement of the interests of the Nili Bar Colony.

But I have not yet quite definitely made up my mind as to which of the proposals would best serve our purpose. Anyhow the House would do well to remember the warning given by my honourable friend, Lala Harkishan Lal, that if no such facilities are provided for the development of the Nili Bar Colony, the interests of the Province will seriously suffer. I hope that my honourable friend, Mr. Abbott, will help the House in forming an opinion about the matter under discussion, by clearing many of the doubtful points referred to in my speech.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders—General (Urdu)]: Sir, although I am not a member of the Communication^s Board where this question was raised, but after hearing the speeches which have been delivered to-day, I am bound to admit that we cannot very well disagree with the Government's proposal. We cannot be certain of the result of the experiment of the tramway which is proposed to be constructed in the area which it is proposed to serve by the diversions. The Government's scheme, Sir, will, I think be beneficial in three ways. Firstly the price of the Crown waste lands will rise to the immense benefit of the Provincial Exchequer.

Secondly, the price of land reserved for mandis will go up. Thirdly, it will also add to the material wealth of the Nili Bar. No colonisation scheme can be a success without a railway. We should not lose sight of the fact that if we have to construct a railway line an expenditure of Rs. one crore will be involved. If in course of time we find that we can safely launch on the experiment of constructing tramways it may be constructed for the tract where the old line existed.

Mian Ahmad Yar Khan Daultana [Multan East (Muhammadan), Rural] (Urdu): Sir, I know the locality. There is land on both sides of the present railway line and also to the south of it. We need not give Rs. 25 lakhs to the Southern Punjab Railway Company since no benefit is likely to accrue from it, while the construction of a tramway will mean that there will be an addition to our property which will be an asset to us. At present, Sir, the railway is in existence between Kasur and Pakpattan and the railway authorities are bound to extend it to Lodhran in the near future, while the construction of the Sutlej Valley Railway Diversion will take at least three or four years. Again, Sir, the tramway, if it is decided to construct one, will be completed before this period. All things considered, I think that the Council will be well-advised to ponder over the whole question before arriving at a decision.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu): Sir, I oppose the motion. Its result will be that the people of one area will be ruined. I do not think it just to benefit one set of people belonging to a certain area at the expense of another set belonging to another area. It is a pity that those people who have so long enjoyed the benefits of a railway should now be deprived of that enjoyment. If we want to make the Nili Bar Colony prosperous, we should make some arrangements other than dismantling the already existing railway line and diverting it to the Nili Bar.

[Rai Bahadur Lala Sewak Ram.]

After making great efforts we had succeeded in having a railway line constructed up to Pakpattan, but now it is sought to undo all our work. This is, I think, nothing short of "zoolam."

The prosperity of the land depends on the existing railway line. If this is removed the value of the land will fall from Rs. 10 to Rs. 2. There are a large number of big Muhammadan zamindars all of whom will go to the wall if the railway line in question is dismantled. The fact is, Sir, that the railway line, in *Nili Bar* Colony, though it will prove of immense use to the colony, need not interfere with the present alignment. The Railway authorities will in their own interests construct a railway line in the *Nili Bar* Colony. It is only a question of time and it is bound to be constructed. Moreover, Sir, I question the wisdom of handing over the sum of Rs. 23 lakhs to the Sutlej Valley Railway, particularly when the Province is in the throes of bankruptcy. I, therefore, submit that the proposal to construct a tramway for the *Nili Bar* is in every way superior to the one proposed by the Government. Lastly, Sir, I fear that all this is being done for the convenience of the Irrigation Department so that it may be able to complete its work speedily, and no attention is paid to the fact that the Government proposal will simply ruin the big landlords of Multan.

Mr. Ganpat Rai [Lahore and Ferozepore and Sheikhupura (Non-Muhammadan)] (Urdu): Sir, some of the honourable members of this Council and I have made strenuous efforts to cut down expenditure as far as possible and you can very well imagine that I should be the last person to advocate the needless expenditure of a single rupee, not to speak of an immense sum of Rs. 23 lakhs, for paying the cost of a diversion of the Sutlej Valley Railway. But the question is this, is this expenditure likely to bring in something? I submit, that it will. I have seen the locality through which the diversion will pass and I am strongly of opinion that it will be very profitable to construct a railway line in the locality. Sir, it has been said that the diversion is meant solely for the convenience of the Irrigation Department. It is incorrect. I had an interview with Mr. Sangster who showed me the maps of the diversion and I am satisfied that the convenience of the Irrigation Department is not the only reason for the diversion.

Mr. President: Do not tell us what Mr. Sangster told you in private.

Mr. Ganpat Rai (continued): Sir, after considering the matter carefully and examining the papers and maps regarding it, I have come to the conclusion that not a single pice out of the Rs. 23 lakhs will be wasted rather it will bring in millions of money.

Rai Bahadur Lala Sewak Ram has objected to the scheme under consideration on the ground that it will deprive the people living in the neighbourhood of the existing railway line of many benefits. But I ask, Sir, is it politic to seek to keep intact the vested interests of a few people or to work for the good of the majority, especially when the latter course would add to the annual income of the Government? Hence I disagree with Lala Sewak Ram that the sum of Rs. 23 lakhs will be wasted. As for his assertion that if we keep quiet, the railway line in question will be constructed by the Railway Department, I find no reason for such an expectation. Neither the Southern Punjab Railway Company nor any other Railway will do so. The balance sheet of the Southern Punjab Railway and the value of its shares

clearly indicate that this company will not have the Courage to spend Rs. 2 crores. Sir, I therefore, say that the removal of the existing railway line from its present site to a place where it is more urgently needed will prove more profitable than keeping it where it was. It has been said that the proposed diversion will increase the value of Crown waste lands to Rs. twelve crores. At the rate of 6 per cent. profit, this sum alone will greatly benefit the provincial exchequer. Hence it would be absurd to call the payment of the cost of the Sutlej Valley Railway diversion to the tune of Rs. 23 lakhs as money wasted. Moreover, Sir, we are not giving this money to the Railway for its own benefit but for our own. The Railway has not applied for it, we are giving it to ourselves. Another reason also justifies us in incurring this expense for it will be charged to Capital Expenditure. Had it been otherwise, I would have been the last person to recommend its expenditure. Lastly, Sir, if the diversion is objected to, with the desire to retain the existing line for the sake of facilities in the matter of canvassing for the coming elections, it is another matter. I heartily support the resolution.

The Honourable Sir John Maynard (Finance Member): Sir, I only want to say one word as the person responsible for the finances of this province. There are 800,000 acres of private land which are likely to be sold, and this diversion will add from 50 to 100 rupees per acre to the value of the land. Even if we take at the lower figure of Rs. 50 per acre, the increased value, by the diversion of this railway, would be 150 lakhs of rupees and that is what we shall get in return for this outlay of 23 lakhs.

Mian Muhammad Shah Nawaz [Lahore (Mohammadan) Rural] (Urdu): Sir, I want to say a few words on the resolution. I have just seen the map. The present railway line runs between the stations of Pakpattan and Mailai, and there are five or six important stations on the line. Near by is the Mehdi Shah canal, and an inundation canal goes to Luddan. If the present line is removed and made to pass through *Nili Bar*, there is no doubt that it will bring great prosperity to the *Nili Bar* Colony and the value of the Crown lands will rise, but the change will prove detrimental to the interests of the people possessing land in the neighbourhood of the existing line who are sure to raise a hue and cry. It is, therefore, incumbent upon the Government that something should be done for the people about 80,000 acres of whose land will be adversely affected by the change.

Mr. E. R. Abbott (Financial Commissioner, Development): Sir, I wish, with your permission, to speak a few words from the colonization aspect of the scheme. I am very grateful to the members who have spoken who with one exception have approached this subject with a very open mind and a sincere desire to see where the Government gains. This one member has differed from his distinguished father, who himself advised us to adopt the recommendation which is the subject of the resolution before the House.

It is a common place of colonization that the better the communications to the portion of land which you wish to sell, the higher the price that it will fetch. The Lower Sutlej Scheme depends for its finances very largely on the amount of money which Government will obtain from the sale of the Government land which will receive irrigation from the project; and in this connection I wish to say that the owners of land on the old inundation canals are not being asked to pay a single pie towards the capital

[Mr. E. R. Abbott.]

cost of the canal which in any case will transform their inundation canals into what are called controlled seasonal channels. That in itself is an enormous advantage for which they are not going to be asked to pay one single pie. I am particularly grateful to the member for the Rural Muhammadan Constituency of the Multan District, who himself owns land in that part of the country, for the studiously moderate way in which he voiced his own personal disinclination to this scheme. He has stated that there is, as a matter of fact, certain Government land between the present railway and the river. That is perfectly true, Sir, but as against the 40 miles of line through land owned by Government which will receive perennial irrigation in the area through which the proposed alignment will go, this Government land on the present alignment is very small and will only receive at the best controlled Kharif Irrigation. That is to say, that the amount of extra money gained by leaving the railway where it is is immeasurably less than the amount of extra money we will get by selling the land on the new alignment. I began by saying that the better the communications, the higher the price that Government—or in fact anybody—will get for its land, and the scheme depends for its finances on the good price that will be obtained from land which will come under irrigation. That is to say, we are actually committed to some scheme of improved communications in the *Nili Bar*. The original scheme contemplated an expenditure of not less than 2 crores on communications thought desirable to enable Government to achieve the increase in the price of land which would enable the cost of the canal to be financed. That has become in the process of time an absolutely impossible scheme. The Punjab Government cannot afford to put down two crores or even one crore on extra communications. The various schemes to enable Government to attain high prices for its land are three: one is the scheme of a railway between the present Multan and the present Pakpattan line. That is now absolutely out of the question. The Government of India will not agree to such a central line.

The second scheme is a system of tramways, and Lala Sewak Ram has asked us "Why don't you embark on a system of tramways out of which you will be able to get a return on your money."

Either Mr. Ganpat Rai or Raja Sahib demolished this argument by saying "we have been trying for the last three years to start tramways in the province and after three years we are no nearer than we were three years ago." The tramways will have to be run by a tramway department of this Government, meaning extra officers, extra secretariat, etc. No one at the present moment knows whether an agricultural tramway will be a success. Fortunately about three months ago it occurred to us that there was a possible alternative. We are indebted to Mr. Mitchell, the Road Engineer, for this. He suggested that with an extraordinarily small expense we can get the communications we desire. It is unfortunate that when the Pakpattan line was aligned it was thought by the promoters inconvenient to take it through the Bar because it would have very limited traffic from the Bar stations. What Mr. Mitchell now proposed was an alignment which must at some time or other have been present to the minds of the promoters of the Sutlej Valley Railway. We are now asking you to support the Government in entering into negotiations with the Railway Board and the Southern Punjab Railway to obtain an alignment which is only four miles longer than the present alignment, and which will give Government practically

all the improved communications, which will enable it to obtain the higher rates for land, which are absolutely necessary to enable this colony to be financed without loss and without cost to the Punjab. As a matter of fact on the present alignment there are very few villages and towns. Between Pakpattan and Mailsi there are actually no towns. There is a very small place named Kabula and that is of very little importance.

It is no doubt true that the people on the old alignment will have some cause for complaint. My answer to that however is that the loss of their railway is made good by the improved irrigation of their lands and that therefore both being effects of the same cause they have in equity no cause for complaint. Our justification is that we are making the canal financially successful at an extraordinarily small cost to the Punjab Government. We are asking you to support the Government in these negotiations for a scheme which is after most mature deliberation of the members of the Government concerned found to be the cheapest way in which the Punjab Government can achieve its object which has been mentioned to you. For the information of the House I may say that at some future time it may be possible to build a tramway from Luddan to Yatamain which will serve the villages which are now served by the present alignment of the railway and also the Government land in the lower part of the Bar.

Mr. C. M. King : Sir, I beg to move—

"That the question be now put."

Mr. President : The question is—

"That the question be now put."

The motion was carried.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I want to say a few words at this stage of the discussion. For the information of those who advocate the construction of a tramway, I must say that it will take three years and the estimated cost will amount to one crore and 65 lakhs. If we undertake this scheme, we shall have to raise a loan on which we shall have to pay no less than 27 lakhs by way of interest during construction I have calculated this amount of interest not for the full three years since I do not mean to raise the whole loan in the very beginning, but I have divided it into three equal instalments, one to be raised each year and the interest charges to be calculated accordingly. On the other hand, the proposed diversion will cost us Rs. 23 lakhs only. It is thus quite evident that the present scheme will prove the cheapest. As for the other suggestion that we may construct our own railway instead of paying the cost of the diversion, we shall have to incur an expenditure of two crores and ten lakhs and if we borrowed this capital we shall have to pay Rs. 36 lakhs by way of interest before the railway is completed. The House should, therefore, realize that the scheme proposed by the Government is the cheapest of all. Also it should not be expected that the income from tramway will exceed the interest charges on the sum spent on it. Again some people think that by opening small local or feeder tramways we can complete the communications. But they do not realize another fact that along with these we shall have to provide for them separate workshops as we have to do in the case of railways.

It was after mature deliberation and after consulting such experts as Mr. Hadow, Sir Ganga Ram and Mr. Philip that I decided to have recourse to the scheme which has been presented to-day for the consideration of the Council. Lastly Sir, when our committee had settled the matter.

[The Hon'ble Lala Harkishen Lal.]

I asked Sir Ganga Ram if he would be willing to swallow this pill on which he replied that it was too small for him.

Mr. President: The question is—

"That this Council do recommend to the Local Government that it should undertake to pay the cost, not exceeding Rs. 25 lakhs, of a diversion of the Sutlej Valley Railway line between the stations of Pakpattan and Mailai required in the interests of the development of the *Nili Bar Colony*."

The motion was carried.

ANNOUNCEMENT FROM THE CHAIR.

LEAVE TO WITHDRAW A MOTION.

Mr. President: Members will recollect that I asked them to let me have their opinions regarding the procedure on the subject of leave to withdraw a motion. The opinions that have actually reached me are nine. Of those four members are in favour of the President's original proposal and five in favour of the second proposal that if one member rises and objects to the grant of leave to withdraw, the President should always ask the other members holding the same view to rise in their places. If the number of those who hold such a view is very small, then leave should be considered to have been granted. Some five members are in favour of percentages varying from 20 to 33 of the number of members present in the House. I think the object we have got to keep in view is that when a matter has once been submitted to the judgment of the House, it should not be withdrawn against the wishes of a reasonable number of members, while on the other hand one member should not without adequate reason be able to obstruct. In deference to the views of the majority of those who have given their opinion, and also because I think it preferable that the President should not have to decide whether an objection raised by one member appears reasonable or not, I discard my original proposal. However I think a fixed number of objectors is preferable to a percentage and that the support of ten members however strong the House may be is sufficient to indicate that there is some adequate reason for opposition to withdrawal, and that such opposition in view of the protection of minorities should prevail. I therefore decide that if one or more dissentient voices are raised, the President will call on those who object to withdrawal to stand in their places. If ten or more members so rise, leave will be considered to have been refused. That rule will hold good whatever may be the strength of the House.

ELECTIONS FOR STANDING COMMITTEES.

Mr. President: Before the Council adjourns, I would like to remind the members that the elections of standing Committees are to be held to-morrow at 2 p. m. Only the non-official members will partake in the elections and therefore the official members need not be present at that hour. Voting papers for all the Committees will be distributed at 2 p. m. as soon as the Council meets. When the voting papers are handed in to the Secretary

the division bells will be rung which will be an indication to the official members that it is time for ordinary business to commence. This will probably be round about 2.30.

The Council then adjourned till 2 p. m. on Thursday, the 22nd March 1923.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Thursday, the 22nd March, 1923.

THE Council met at the Council Chamber at two of the Clock. Mr. President in the chair.

ELECTION OF MEMBERS FOR STANDING COMMITTEES AND PUBLIC ACCOUNTS COMMITTEE.

Mr. President : I have to announce to the Council that the number of nominations received for the Public Accounts Committee is equal to the number of vacancies to be filled. I therefore declare the following six candidates so nominated to be duly elected members of the Public Accounts Committee :—

- | | |
|--------------------------------|---------------------------|
| 1. Pandit Daulat Ram, Kalia. | 4. Chaudhri Kharak Singh. |
| 2. Mr. Ganpat Rai. | 5. Mr. Nawab Din, Murad. |
| 3. Sayad Ghulam Muhammad Shah. | 6. Mr. K. L. Rallia Ram. |

The number of candidates nominated in the case of the twelve Standing Committees exceeds the number of vacancies to be filled, the Council will therefore proceed to an election.

There will now be distributed to members twelve voting papers, one of each Committee. The name of the Committee is written at the top of each paper which also contains the names of the candidates for that Committee. Members should take each paper in turn and then put opposite to the name in the empty column the numbers of their choice, the first choice first, the second second, the third third, the fourth fourth and so on, until the names are exhausted. It is not, however, necessary to write anything against every name if a member does not so wish. Each paper should be treated separately. If any member wishes to ask any questions, I shall be glad to answer them or the Secretary will do so.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education): May I interrupt you for a minute, Sir. I understand that a member of the Public Accounts Committee cannot serve on the Finance Committee at the same time. But if a member is returned for both these committees, will he have the option of making his choice between the two.

Mr. President : The intention is that if a member is declared to be elected to the Public Accounts Committee and if he is elected subsequently to the Finance Committee, he can resign his membership on the Public Accounts Committee if he wishes to. In fact, he can elect to serve on either of the two committees.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education): Can he stand for election when he is already declared to be a member of the Public Accounts Committee? My submission was that he could not stand having already been declared as elected for the Public Accounts Committee.

Mr. President : I think he can stand. The position is that merely standing for election to a certain committee does not make a man member of a committee until he is declared elected. Even though I declare a member elected to the Public Accounts Committee, still he is eligible to stand for the Finance Committee. Then before I declare him elected for the Finance Committee, I shall call upon him either to resign his membership on the Public Accounts Committee or to withdraw from the Finance Committee.

The Honourable Khan Bahadur Mian Fazl-i-Husain : Sir, the ballot papers which have been placed in our hand, do not indicate the number of members to be elected for each standing committee. Will it be possible for us to fill in these voting papers without knowing the number of vacancies.

Mr. President : I do not think it helps much to know the number of seats while filling up the voting papers because members can put their choices against as many names as they wish. However, the numbers to be elected are :—

Finance	...	8	Local Self-Government	...	6
Canals	...	8	Public Health	...	6
Jails	...	5	Agriculture	...	5
Industries	...	5	Education	...	8
Co-operative Societies	...	5	Land Revenue	...	7
Excise	...	5	Police	...	4

(The members then handed in their voting papers.)

Mr. President : When the result of the ballot is known it will be communicated to members.

THE REPEALING (PUNJAB LOANS LIMITATION) BILL.

Pir Akbar Ali [Ferozepore (Muhammadan) Rural] : Sir, I move—

"That the Repealing (Punjab Loans Limitation) Bill as reported by the Select Committee be taken into consideration."

Mr. President : The question is—

"That the Repealing (Punjab Loans Limitation) Bill as reported by the Select Committee be taken into consideration."

The motion was carried.

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

The question is—

"That clause 1 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clauses 2 to 4 stand part of the Bill."

The motion was carried.

Mr. President : Clause 5.

Lala Atma Ram [South-East Towns (Non-Muhammadan) Urban] (Urdu) : Sir, I beg to move—

"Clause 5, line 1, substitute 'two years' for 'one year'."

Sir, I would like to submit at the very outset that my honourable friend Pir Akbar Ali has done a great disservice to the debtors by bringing forward this Bill before the House. The period of grace allowed in clause 5 is too short, and I think that even if it is extended to two years, the debtors' interests are bound to suffer, when the Bill is placed on the statute book. The Select Committee has not, in my opinion, sufficiently appreciated the difficulties of the creditors' while allowing only one year as grace period.

Sir, the harvests and business have been very bad during the last two years and consequently many creditors have not means enough to readily file suits, within one year on the passage of this Bill, with a view to realize their outstanding debts. Their inability becomes still more cogent when we know at the same time that court-fee charges have been increased by 50 per cent. This is very unfair. Moreover, there are those who live outside the Punjab and it is just possible that they may not come to know of the change of law and so they are likely to suffer. The House should also take into consideration the case of ignorant villagers, who live very far from the towns, and seldom know of such changes of law in time. Sir, it is on these grounds, which are upon justice and equity, that I have asked for the extension of the grace period from one to two years. I trust that the House will realize the justice of my request and unanimously accept the amendment before it.

Mr. President: Clause under consideration, amendment moved—

"Clause 5, line 1, *substitute 'two years' for 'one year.'*"

The question is that that amendment be made.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] (Urdu): Sir, I rise to lend my heartiest support to the amendment before the House. The amendment is a very reasonable one and does not aim at any radical change in the Bill. I think it will not be too much to extend the period of grace from one to two years, especially when the creditor and debtor have already enjoyed 6 years' time limit under the present law. I trust that my honourable friend Pir Akbar Ali will very gladly accept it.

Diwan Bahadur Raja Narendra Nath [Punjab (Landholders) (General)]: Sir, I support the amendment which has been moved by my friend Lala Atma Ram. On considering the matter further I am of opinion that I, in fact, understated the case in asking for two years' grace while writing my minute of dissent to the report of the Select Committee. I should have asked for three years' grace. However, as matters stand, the matter of three years cannot be taken up by the Council.

There is a legal maxim that no one is supposed to be ignorant of the law; but as a matter of fact every one beyond a limited circle, is ignorant of the law. (Hear, hear.) Therefore any sudden change of this character will take them unawares and a large number of people will suffer. I am very glad this amendment has been supported by my friend Malik Firoz Khan, who represents the Zamindars as well. I am myself neither a borrower nor a lender, but I think that a sudden change in the law of limitation will be detrimental to the interests of the people, who reside in villages. People in the villages are ignorant of the language in which our law is expressed. The south-west people are acquainted only with Hindi and

[D. B. Raja Narendra Nath.]

Landas, and any change of law is not notified to them in Hindi or *Landas*. Therefore I give my support to the amendment; and I hope the honourable member (Pir Akbar Ali) will accept the amendment.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadian), Urban]—(Urdu): Sir, I have already appended a note of dissent to the report of the Select Committee in respect of this clause and I rise heartily to support the amendment moved by my honourable friend Lala Atma Ram. The period of grace allowed in clause 5 is so short that it will equally go against the interests of both the creditors and debtors. I know it from my personal experience that the zamindars generally put off the payment of the debts till good harvests. Now if they were to be made to pay all the debts in one year as the Bill before the House provides they will have to face serious difficulties in doing so. With these few words, Sir, I again lend my support to the amendment and hope that the honourable mover of the Bill will kindly accept it.

Chandhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadian) Rural] (Urdu): Sir, so far as the amendment before the House is concerned, I gladly support it; but I have to submit that my honourable friend Pir Akbar Ali has never satisfied me as to the necessity of this Bill. I can not understand as to how the reduction of the limitation period from six years to three years will help the debtors. As, however, the amendment will certainly help the debtors by giving them two years to arrange for the payment of their debts, I heartily support it.

Sardar Randhir Singh, Kalaswala [Sialkot-cum-Gurdaspur (Sikh), Rural] (Urdu): Sir, while heartily supporting the amendment I invite the attention of this House to two important points in this connection. The change of law will affect the Co-operative Credit Societies dealings too, and the Co-operative Banks shall have to change the terms of their loan system in the spirit of the proposed law. For this, Sir, I submit that the period of one year is too short and it is therefore necessary to grant at least two years' grace with a view to save the Societies from any loss. I think the Central Banks will in two years be able to accommodate themselves to this change of law. Then, Sir, I wish to make it clear to the House that the zamindars generally depend upon harvests for the payment of debts; if unfortunately some harvest fails poor debtors, on account of their inability to pay it within the limitation period, will be dragged before the Courts to add to their misery. Therefore it is only fair to allow them at least two years to clear up the debts in time and thus be spared from being proceeded against in the Court. With these brief remarks, Sir, I lend my heartiest support to the amendment, which I hope will be accepted by the honourable mover of the Bill.

Pir Akbar Ali: Sir I accept the amendment.

Mr. President: Clause under consideration amendment moved —

" Clause 5, line 1, substitute 'two years' for 'one year'."

The question is that that amendment be made.

The motion was carried.

Mr. President: The question is —

" That clause 5 as amended stand part of the Bill "

The motion was adopted.

Mr. President: The question is—

"That this be the preamble to the Bill".

The motion was carried.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural]: Sir, I beg to move—

"That the Repealing (Punjab Loans Limitation) Bill as amended be passed".

Mr. President: The question is—

"That the Repealing (Punjab Loans Limitation) Bill as amended be passed".

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu). Sir, in spite of the fact that the House has been passing the Bill clause by clause, I beg leave to say a few words about it before the Bill becomes a law. Sir, I have ascertained the views of the zamindars of my constituency and have come to the conclusion that the Bill will go against their interests and add to their burden. Some of them complain bitterly against it and think that it is bound to injure them materially. Sir, I can confidently say that if my honourable friends will refer to the circumstances under which the Punjab Loans Limitation Bill of 1904 was passed, they will realize after reading the speeches of responsible officers of the eminence and authority of Sir James Douie and Sir Charles Rivaz and other high Revenue and Judicial officers that even the limitation period of 3 years was then considered to be harmful to the interests of the zamindars. I know of no such radical change during the last 20 years in the condition of the zamindars, which may justify the changes aimed at by the proposed Bill in the present law. I quite agree with my honourable friend Chaudhri Ali Akbar that the mover of the Bill has not so far made any convincing case for the introduction of the proposed measure. Most of the people have bluntly remarked that perhaps the Government through the enhanced court-fee rates wants to fill up its coffers by patronising litigation through such a measure as the one before the House. I do not know how far that will prove true; but I regret I shall have to believe it in the absence of some better explanation as to the justification for this Bill.

It has been remarked that the proposed Bill has been introduced in the interests of the zamindars. But I am sorry that in the face of the opinions of such well informed Revenue and Judicial officers I cannot believe that it will serve its purpose. I do not think that the zamindars have during the last 20 years become so rich that they want to clear up their debts all at once. It was only the other day that Mr. Calvert told us that the total debts of the zamindar community of the Province amounted to Rs. 60 crores, and that the community was financially very weak. I wonder to see such a measure before the House after this painfully eloquent testimony to the material condition of the zamindars. Sir, I want to submit it before the House that the poor zamindars do not want this measure. They think that it will increase their burden and will make them pay their debts with compound interest after three years. They say that their representatives will fail in their duty towards them, if they do not raise their voice against this measure. I therefore solemnly appeal to the honourable members to take all this into their serious consideration before they give their final verdict on the Bill. With your permission, Sir, I would like to read a few extracts from the speech of His Honour Sir Charles Rivaz, the then Lieutenant-

[Mr. Ganpat Rai.]

Governor of the Punjab, on the Punjab Loans Limitation Bill of 1904.
He said :—

"The wisdom of shortening the term of limitation for suits relating to the ordinary money transactions between *zamindars* and money-lenders has been constantly called in question by many of the most experienced officers, both Revenue and Judicial, in this Province ever since the change in the former law was made in 1886. Speaking of my own experience, I can say that this question has forced itself on my attention during pretty well my whole time of service in this Province, and my feeling has always been that the reduced period of three years has operated detrimentally to the agriculturist in his dealings with the money-lender, and has been regarded in this light by the agricultural classes generally. In this view I am confirmed by the opinions which we have received on the present Bill, for I think there can be no doubt that the weight of opinion is decidedly in support of the proposed measure, and that it is also shown that the *samindars* themselves are, as a body, largely favourable towards it."

Sir, I do not think I need say anything more after this. I would, in the end again, like to appeal to the House to bear in mind the interests of poor *zamindars* when deciding the fate of the Bill under discussion. If the Bill is passed to the detriment of *zamindars*, they will not blame the Government for this; but remember the whole blame will be laid at the door of the non-official members. With these few words, Sir, I strongly oppose the motion before the House.

Syed Muhammad Husain [Montgomery, (Muhammadan) Rural] (Urdu): Sir, I venture to think that the arguments advanced by my honourable and learned friend Mr. Ganpat Rai may be partially true in the case of the money-lending class, but they are absolutely wrong from the *zamindars'* point of view. The ordinary *zamindar*-debtors have generally the pernicious habit of sleeping over their debts and they surely need such a reminder as the one provided for in the Bill. Sir, I submit that the shorter the period of limitation, the better it will be for them and for their families. The six years' limitation only helps in making them more oblivious of the demands against them. And the debts also remain increasing during this time. Most of the *sahukars* generally charge compound interest in such cases and after so many years, the Sub-Judges simply act as *Sahukars'* agents in giving decrees. It becomes very difficult for the courts to decide as to the justice of a claim or of a defence in money suits. Long limitation only means the extension of the scope for committing fraud and forgery. The proposed measure aims at remedying these evils. Even after decree has been obtained and the attachment has been made, the poor *zamindar* will be better off than when he will be incurring compound interest, which but for the Punjab Alienation of Land Act, would have sounded the death knell of the *Zamindar* community by transferring their lands to non-agriculturist money-lenders in execution of the decrees.

Sir, the proposed measure will certainly make the debtor more alert and careful about his liabilities, and he will thus be made to husband his resources to pay the debts at the earliest possible opportunity. This, Sir, I submit is no ordinary gain. It will surely help to put an end to the agricultural indebtedness and save the *Zamindar* community from ruin.

With these few words, Sir, I earnestly request my honourable friend, Mr. Ganpat Rai who, despite being so bound in his sympathies for the *zamindars*, has made a speech in support of their worst enemies, to withdraw his opposition to such a useful measure.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] (Urdu) : Sir I do not think that much has been left for me to say after the speech of my honourable friend Mr. Ganpat Rai; and I will therefore only make a few observations with regard to the points raised by my honourable friend Syed Muhammad Husain. The arguments given by Sir Charles Rivaz against reducing the period of limitation are very cogent, and my honourable friend Syed Muhammad Husain has not tried in the least to rebut them. Sir, to say that *Sahukars* generally charge compound interest in such cases is quite untrue. I can confidently assert from my personal experience as an Honorary Civil Judge, that it is done in very few cases and that too is generally disallowed. At least this is what I personally do. Sir, extension of limitation is always for the benefit of the debtor. It takes the zamindars two or three years to earn something out of the investment made by borrowing money. To ask him to repay the debt after three years when he has just begun to earn his livelihood will be simply unfair and unjust.

Such demands are sure to ruin the peasantry. Six years' limitation is only reasonable. It helps the debtor to pay his liabilities without putting him to serious difficulties. With these few observations, Sir, I oppose the motion, and trust that the honourable mover will withdraw his Bill.

Mian Ahmad Yar Khan, Daultana [Multan East—(Muhammadan) Rural] (Urdu) : Sir, I am at a loss to understand why our friend, Mr. Ganpat Rai, who professes full sympathy for zamindars has opposed this Bill. In my humble opinion this Bill is equally useful for zamindars as well for capitalists. The former will not forget their liabilities while the latter will not have to wait for a long period of six years. A good Government always helps the people in useful and good matters and discourages them in matters harmful to them. I heartily lend my support to this Bill, which I hope will eradicate the evil of borrowing money from others.

Mian Muhammad Shah Nawaz [Lahore (Muhammadan) Rural] (Urdu) : Sir, as a practising lawyer and as a zamindar, I deem it my duty to say a few words on the Bill under discussion. I will try to throw some light on the merits and demerits of this Bill. I have noticed that the representatives of zamindars in this House are divided in opinion. Some are against the Bill and some in favour. Even as early as in 1904, this question of time limit arose and there was a difference of opinion. My revered uncle, the late Mian Shah Din, was in favour of reducing the time limit to three years. One of the chief arguments advanced in favour of this was that while all the other provinces like Bengal, United Provinces and North-West Frontier Provinces have a time limit of three years why should the Punjab be made an exception? But the majority along with His Honour the then Lieutenant-Governor were in favour of six years' limitation at the time the Act of 1904 was passed by the Punjab Legislative Council. A few days back I put this question before some of the members of the Bar Association and found a good deal of difference of opinion even there. No doubt this question is very important but at the same time it requires a good deal of consideration. Though I am a zamindar myself, I have got no personal experience of lending or borrowing and so cannot give any definite opinion in this respect. I only request my friends in the House to think twice before voting on this Bill.

Sardar Randhir Singh [Sialkot—(Sikh), Rural] (Urdu) : Sir, my friend Mr. Ganpat Rai says that he has consulted

[Sardar Randhir Singh.]

many zamindars and has come to know that they find the time limit of six years more useful than the one proposed by this Bill. But I beg to differ with him. An argument has been advanced that if the time limit is shortened the creditor will add the interest to the principal and compel the debtor to acknowledge his liability and thus renew the limitation. Sir, I think that will not be the case. The Usurious Loans Act of 1918 has already invested the courts with full power to deal with such unscrupulous conduct. Generally the *Shahukars* charge interest at 25 per cent. per annum which means that the interest on Rs. 100 exceeds the principal by Rs. 50 after six years. If the time limit will be three years the interest for this period will be 75 and the borrower will have to pay Rs. 175 instead of Rs. 250 because no interest can be charged after the court has decreed the claim. Again the zamindars often discharge their debts by supplying the money-lenders with grain and wheat. The period of limitation in this case is different from that of a suit for payment of money lent, but our experience shows that the money-lenders always enter it in their *bahis* as part-payment in cash. This Bill, if passed, will make the time limit the same for both the cases.

Zamindars are very fond of incurring debts, but are very slow in discharging them. If the time limit is shortened it will be to the advantage of money-lending class also. With these remarks I beg to support the Bill.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan) (Urban)] (Urdu) : Sir, I have great sympathy with this Bill for the reason that it is the first Bill moved by a non-official member and my desire is to see it passed otherwise I do not find any other reason to induce me to support it. One of the arguments advanced in support of this Bill is that the *Shahukars* cause much trouble to the zamindars, but I am not going to condemn this class. They are a very important part of our society, and we cannot do away with them. Had there been some provision in the Bill by which we could stop the zamindar from borrowing money I would have most gladly supported it. When a zamindar is in need of money, he agrees to all the conditions put before him by the lender. If by the help of this Bill we could render all the agreements between zamindars and the lenders null and void, we would have lent our support to it. This Bill does not afford any provision of this kind, so I do not think any material good will come out of it. Although the honourable mover is himself a lawyer he has not realized one important fact that there exist many ways of renewing the period of limitation in favour of creditors. First of all there is the acknowledgment clause in the Limitation Act whereby if the debtor acknowledges his liability before the actual expiry of the period of limitation, the limitation period starts afresh. Again there are many devices whereby the creditor can put off the arising of a cause of action to an indefinite time. Thus it is wrong to allege that the Bill will in any way help the debtors. I am sorry to note that when there is difference of opinion over any matter in the House my friends make it a party question and unnecessarily appeal to the sentiments of rural members. There should not be any party feeling among us ; we do not represent any one particular sect or community, rather our duty is to help all the classes without any distinction of caste or creed.

Malik Firoz Khan, Noon : I move, Sir—

" That the question be now put."

Mr. President : This is a very important matter and there are some members who still wish to speak.

Rai Sahib Lala Thakar Das [North-West Towns (non-Muhammadan) (Urban)] (Urdu) : Sir, the point under discussion is that the period of limitation for loans in the Punjab be reduced to three years. Sir, this question came before the Punjab Legislative Council in 1904 which decided to extend the period to six years ; I do not understand why the honourable mover and his friends are now striving to reduce it to three years again. I do not see he has made out a strong case in favour of this Bill. To our great misfortune it has become a matter of habit with most of the members here that if the opinion of the House is divided over any question, communal considerations invariably influence them. Although I am personally against the Bill, I ask my brother in faith to remain neutral at the time of voting.

Dewan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu) : Sir, the question under discussion is that the time limit be changed. My friend Mr. Ganpat Rai has quoted a passage from a speech of Sir Charles Rivaz in support of his arguments. Sir Charles Rivaz was one of the prominent persons who was responsible for the passage of the Alienation of Land Act, and in my humble opinion his opinion should not be treated so very lightly. I quite agree with my friend Rai Sahib Lala Thakar Das that we should remain aloof, and let our zamindar friends pass this Bill on their own responsibility. In my opinion this Bill will do them no good, I therefore oppose it.

Chaudhri Ali Akbar [Kangra-cum-Gurdaspur (Muhammadan) (Rural)] (Urdu) : Sir, I have been consulting the zamindars on this question for more than six months because I wanted to decide for myself if I could support my friend the mover of this Bill. I have after all come to the conclusion that this Bill will do neither good nor any harm to the zamindars. There are three classes among zamindars, the rich, the middle class and the poor. The rich zamindars do not stand in need of loan so it is a matter of indifference to them whether the time limit is six years or three years. The middle class of course will suffer to some extent if the time limit is made shorter since at the expiry of three years the creditor might either drag the debtor to the court or call upon him to execute another bond in respect of the amount due. In that case the creditor will thenceforward charge him compound interest and the debtor will have also to pay the stamp duty of the new bond. Only the poor class of zamindars will gain a little. But for these who borrow without intention to pay the loan back the longer or shorter period of limitation does not matter. In reducing period of limitation to three years I do not see any good for the zamindars, rather I think it will add to their difficulties. It may do some good to lawyers since the Bill when placed on the Statute Book will bring them some work.

Chaudhri Kharak Singh [Amritsar-cum-Gurdaspur (Rural)] (Urdu) : Sir, it is being said that the Bill under discussion is for the benefit of zamindars, and unfortunately I being a zamindar am going to oppose it. No solid arguments have been advanced in support of this Bill. My friend Sayad Muhammad Hussain has said that the creditor will compel his debtor to pay back the money lent, and thus the interest charges will decrease, but I do not think this will be the case. New bonds will be executed and the interest will be added to the principal.

[Ch. Kharak Singh.]

I would there were some provisions in this Bill to fetter the liberty of those who are addicted to reckless borrowing. In that case I would have most gladly supported the Bill. As a matter of fact, we should bring about some reform in our own society and dissuade people from incurring debts without necessity. There are three classes of borrowers. The first class of people are those who borrow on account of some pressing needs and pay back as soon as funds become available. For them this Bill is a dead letter. Secondly, those who borrow with a *bona fide* intention, but on account of some reason or other are unable to pay back; for this class of people the longer period is useful. For the third class of borrowers who borrow and *mala fide* do not intend to pay back, although they are solvent, longer or shorter period of limitation is immaterial. Under these circumstances I think this Bill will not prove of any use, and so I beg to oppose it.

Pir Akbar Ali [Ferozepore (Muhammadian) (Rural)] (Urdu): Sir, I have noticed that the Opposition has always been making use of their sympathy for the cause of the rural members as an excuse for opposing any measure which they do not like. In the present case also those who have opposed this Bill have roused the feelings of the zamindar community with a view to elicit their support. And this is because we have got the rural members in a majority.

I should like to make it clear that by the passage of this Bill the Council will be rendering a great service to the whole province. My friend Mr. Ganpat Rai has referred to the year 1904 when this Bill was first introduced. I may say that most prominent men were against the Bill. Among the Indian members who at that time opposed the Bill the late Mian Shah Din and Mr. Madan Gopal were prominent. Even the mover of the Bill Sir Lewis Tapper was of opinion that a longer period of limitation will do great harm to zamindars.

This is what he said at the time :—

“The longer the term the more difficult it is for them to prove fraud or want of consideration; interest mounts up till the burden becomes impossible; and the *bania* sees the accumulation with glee because it will enable him in the end to acquire the land.”

Sir, the main reasons why I have introduced the Bill are—

- (1) In all other provinces of India the period of limitation for this class of suits is three years. Why should the Punjab be an exception to this broad principle;
- (2) The Punjabi agriculturist is addicted to the bad habit of reckless borrowing and then sleeping over his debts. The Alienation of Land Act had to be enforced in order to save his landed property from passing into the hands of money-lenders. Hence a shorter period of limitation will better serve the purpose of safeguarding his interests.
- (3) Since 1904 the indebtedness of the rural community has been ever increasing and the interest charges have been so very rapidly multiplying that I am afraid unless proper measures are taken it will become very difficult to rescue them from the clutches of the money-lenders.

- (4) Unless a zamindar debtor is compelled to pay his debts he is not willing to discharge his liabilities even if he has got funds to do so. He is more inclined towards squandering his money on prostitutes and marriages than on paying his creditors.

It is for these reasons, Sir, that I have proposed to shorten the period of limitation to three years. I have done so with a view to put a stop to the accumulation of interest on debts. The shorter period of limitation will compel the creditor to settle up accounts with the debtor which will mean a lesser burden of interest on the debtor. As to the legal costs the period of Shortening of limitation will not harm the debtor or the creditor. If a creditor is going to sue his debtor in court he will have to pay rather less charges than before, and also the costs of a suit to be decreed against a debtor will be comparatively less than before. The Bill therefore will prove useful both for the creditor as well as the debtor. Some of my friends have asked me how the circumstances have so changed since 1904 as to necessitate the introduction of this Bill. I have to submit in reply that even in 1904 it was not agreed on all hands that the period should be fixed at six years. The late Justice Shah Din, Mr. Anderson and Lala Madan Gopal raised their unanimous voice against it. In the end, Sir, I have to submit that it is my honest conviction that this piece of legislation will prove of immense use to this Province.

Mr. President : The question is :—

"That the repealing (Punjab Loans Limitation) Bill as amended be passed."

The Council then divided : Ayes 89, Noes 4.

The motion was carried.

AYES—89.

The Hon'ble Khan Bahadur Mian
Fazl-i-Husain.
Mr. H. D. Craik.
Mr. Miles Irving.
Mr. A. Latifi.
Mr. C. M. King.
Mr. E. R. Abbott.
Colonel R. Heard.
Mr. W. P. Sangster.
Lieut.-Col. W. C. H. Forster.
Mr. D. Milne.
Mr. J. G. Beazley.
Khan Muhammad Abdullah Khan.
Mr. Nawab Din, Murad.
Mian Ahmad Yar Khan, Paultana.
Malik Firoz Khan, Noon.
Pir Akbar Ali.
Khan Sahib Pir Ali Haidar Shah.
Chaudhri Ata Ullah Khan.
Khan Bahadur Rai Wali Muhammad Khan.
Chaudhri Ghasi Ram.
Sardar Bahadur Gopal Singh,
Labana.

Chaudhri Ghulam Muhammad.
Sayad Ghulam Muhammad Shah.
Sardar Jamal Khan.
Sardar Kartar Singh.
Rana Muhammad Jamil Khan.
Khan Sahib Amir Khan.
Khan Bahadur Sayad Mehdi Shah.
Sardar Randhir Singh.
Chaudhri Nabi Bakhsh.
Chaudhri Muhammad Hayat Khan.
Sayad Muhammad Husain.
Sayad Muhammad Raza Shah.
Khan Muhammad Saif Ullah Khan.
Nawabzada Muhammad Irshad Ali Khan.
Khan Bahadur Khawaja Yusuf Shah.
Chaudhri Shafi Ali Khan.
Khan Bahadur Malik Muhammad Amin Khan.
Mr. W. R. Macpherson.

NOES—4.

Mr. Moti Lal Kaistha.
Chaudhri Kharak Singh.

Maulvi Muharram Ali, Chishti.
Rai Bahadur Lala Sewak Ram.

The motion was carried.

Mr. President: I have allowed this long discussion on the principle of the Bill at this stage partly because there was a very thin House at the time when the Bill was referred to a Select Committee and partly because the House has not yet established or realised the principle that both agreeing to take a Bill into consideration and reference to a Select Committee imply that the House approves the principle embodied in the Bill.

I hope the House will come to realise this and not consent to take a Bill into consideration or to send it to a Select Committee without full consideration. The proper time for discussion of the principle is the second stage immediately after introduction. The final stage of passing a Bill only gives a chance of reconsideration, and according to our high authority only provides a chance for reconsidering whether the Bill as approved clause by clause does not transgress or go beyond the principles which the House intended to accept at an earlier stage.

I hope the House will bear these remarks in mind.

The Council then adjourned till 2 p. m. on Friday, the 23rd March 1923.

PUNJAB LEGISLATIVE COUNCIL.

SEVENTH SESSION.

Friday, 23rd March 1923.

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

QUESTIONS AND ANSWERS.

RESULTS OF THE LAWRENCE SCHOOL CANDIDATES AT THE LAST EUROPEAN SCHOOLS EXAMINATIONS.

2449. Dr. C. A. Owen: Will Government be pleased to state the reasons for the deplorable results of the Lawrence School candidates at the last European Schools Examinations, and the steps it proposes to take to remedy matters?

The Honourable Sir John Maynard: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

TRANSFER OF THE GOVERNMENT TRAINING CLASS, SANAWAR, TO GHORAGALLI.

2450. Dr. C. A. Owen: Is it a fact that the transfer of the Government Training Class from Sanawar to Ghoragalli is under consideration? If so, will Government be pleased (a) to state how the case stands; and (b) to consult the representatives of the community concerned before final orders are passed in the case?

The Honourable Sir John Maynard—

(1) Yes.

(2) (a) The matter is still under discussion with the Government of India.

(b) Government will be pleased to receive the views of the representatives of the community should they be forwarded.

GRANTS-IN-AID TO SCHOOLS IN THE RAWALPINDI DIVISION.

2451. Khan Muhammad Saifullah Khan: Will the Government please lay on the table a statement showing the following information:—

- (a) Population (according to religion) of each district in the Rawalpindi Division?
- (b) Number of High Schools of each community in the Division, receiving grants-in-aid from the Government and the total of each grant in 1921-22?
- (c) Number of children (of each community) of school-going age in each district?
- (d) Percentage of the above number of children of each community receiving some kind of instruction in each district?
- (e) Number of Inspecting Officers, Headmasters, and teachers of each community in the Division?

The Honourable Khan Bahadur Mian Fazl-i-Husain : Necessary information is being collected and will be communicated to the member when ready.

**CONDUCT OF KHAN SAHIB SAYAD FAIZ-UL-HASSAN SHAH, DEPUTY
SUPERINTENDENT OF POLICE.**

2452. Mian Ahmad Yar Khan, Daultana : (a) With reference to the answer to question No. 351, is it a fact that the conduct of Khan Sahib Sayad Faiz-ul-Hassan Shah, Deputy Superintendent of Police, in connection with the Punjab disturbances was fully approved by Government ?

(b) Is it also a fact that he was promoted to Deputy Superintendentship of Police for the good work he rendered as City Inspector, Rawalpindi ?

(c) If the answers to (a) and (b) are in the affirmative, will the Government be pleased to say that his recent reversion is not connected in any way with his stay at Gujrat or Rawalpindi ?

The Honourable Sir John Maynard : (a) Yes.

(b) He was promoted on trial in a temporary vacancy.

(c) He has now reverted from the post of Temporary Deputy Superintendent of Police to that of Officiating Deputy Superintendent of Police to make way for officers considered after careful observation to be more efficient.

PUNISHING POLICE OFFICERS FOR MISCONDUCT AND BAD REPUTATION.

2453. Mian Ahmad Yar Khan, Daultana : (a) Has the Inspector-General of Police departmentally punished certain police officers for their bad reputation in the absence of concrete proof of misconduct and without giving any chance of defending ?

(b) If so, will the Honourable the Finance Member be pleased to consult the Police Standing Committee in the matter or scrutinize the cases himself ?

(c) If he concurs with the Inspector-General, will he be pleased to direct that the services of such officers be dispensed with or at least remove them from the district duties ?

The Honourable Sir John Maynard : (a) The action by the Inspector-General was as follows :—

The Character Rolls and Personal Files of all officers in the police department in the province were scrutinised and action was taken against all whose records contained 3 entries imputing corruption.

Those officers who had completed, or were about to complete, their service for pension and whose misdeeds had not been too glaring were invited to take their pensions at once, with leave, if necessary, to complete their service for pension. Some were told expressly that if they did not retire they would be placed on trial before a Committee of Enquiry. All the officers so invited retired.

Certain others whose careers had not been as bad were informed of the contents of their records and warned severely. Those whose records were

really bad were produced before Committees of Enquiry. On the recommendations of these Committees the Inspector-General passed orders of acquittal or dismissal. All of those produced before the Committees were allowed to defend themselves.

(b) These punishments were awarded by the Inspector-General under the authority of section 7 of the Police Act and of Police Rules 17-31 to 17-35 made thereunder. Rule 17-36 provides for an appeal to the Local Government. This provision is sufficient safeguard of the interests of those who have suffered punishment.

(c) Government does not consider further action necessary.

INTRODUCTION OF EDUCATION AS A PROFESSIONAL AND THEORETICAL SUBJECT IN THE B.A. COURSE IN THE PUNJAB UNIVERSITY.

2454. **Mian Ahmad Yar Khan, Daultana :** (a) Will Government be pleased to state whether it is a fact that the Punjab University has applied for the sanction of Government to a new regulation introducing education as a professional and theoretical subject in the B.A. course? Will Government be pleased to ascertain, before according their sanction to the new regulation, how far the decision was unanimous—

- (a) in the Syndicate, and
- (b) in the Senate?

The Honourable Khan Bahadur Mian Fazl-i-Husain—

(a) Yes.

(b) The proposal was carried in the Senate by 18 votes to 17. It is not known how far the Syndicate was unanimous.

PROPOSALS TO INVEST THE ROAD ENGINEER AND SECRETARY, COMMUNICATIONS BOARD, WITH POWERS OF A SUPERINTENDING ENGINEER.

2455. **Rai Sahib Lala Thakar Das :** (a) Will the Government be pleased to state whether proposals to invest the Road Engineer and Secretary, Communications Board, with powers of a Superintending Engineer are under consideration?

(b) Have the Government received any evidences of dissatisfaction created in the Buildings and Roads Branch of the Public Works Department by the appointment of a comparatively junior officer to the post of Road Engineer and Secretary to the Communications Board?

(c) Will the Government be pleased to state what justification there is for giving the officer an additional allowance of Rs. 200 per mensem? Is his work in his dual capacity more arduous or responsible than that of an Executive Engineer in charge of a Division, say at Lahore?

(d) Will the Government be pleased to give an assurance that the powers and rank of a Superintending Engineer will not be given to the officer holding the combined post of Secretary to the Communications Board and Road Engineer without considering the claims of officers senior to him in the Department?

The Honourable Lala Harkishan Lal—

(a) The answer is in the negative.

(b) The answer is in the negative.

(c) The allowance of Rs. 200 in question is given to the Road Engineer for carrying on the duties of Secretary to the Communications Board. These duties were formerly performed by the Under-Secretary in this Secretariat, but due to the expansion of the functions of the Provincial Communications Board, the Under-Secretary is unable to carry out these duties in addition to his own. The answer to the second part of question is in the affirmative.

(d) The assurance is given.

COMMUNAL REPRESENTATION IN GIDDAR BABA NOTIFIED AREA, FEROZEPUR DISTRICT.

2456. Pir Akbar Ali : Will Government kindly state if it is a fact that there is no *Muslim* member in the Giddar Baha Notified Area, Ferozepore District?

If the answer be in the affirmative, will Government kindly consider the advisability of appointing *Muslim* members in the said notified area according to the strength of their population?

The Honourable Khan Bahadur Mian Fazl-i-Husain—

Yes.

The matter is under consideration.

PUNITIVE POLICE POST IN VILLAGE SARANWAN, FEROZEPUR DISTRICT.

2457. Pir Akbar Ali : Will Government kindly state—

(a) Whether a punitive police post has been imposed in village Saranwan, Ferozepore District?

(b) If so, for what misbehaviour of the inhabitants of the said village?

(c) Were the offences in consequence of which the post was imposed ascribed to certain persons, with the result that they were sent up for trial?

(d) If so, will Government kindly consider the advisability of exempting those persons not suspected of having taken part in the offences for which the punitive police post was imposed from paying the costs of the said punitive police post?

The Honourable Sir John Maynard : (a) A combined punitive police post has been located on Saranwan along with seven other villages.

(b) The post was located because the villagers had made cuts in canal distributaries no less than 28 times during a period of five months. They had thus brought great hardship on cultivators farther down who were dependent on canal water and were deprived of their supply.

(c) The cases were reported by the Canal authorities to the Police who could not trace the offenders.

(d) It is open to local authorities to recommend, in this as in other cases of the kind, exemptions if they deem such justified. In the present case, the offences were of two classes, cutting the banks and concealing evidence. The villagers, as a whole, who also gained by the extra supply of water, were concerned in the concealment of evidence.

FINANCIAL AID TO PROVINCIAL INDUSTRIES.

2458. Rai Sahib Lala Ganga Ram : Will Government please ascertain and state—

(a) whether it is a fact that the Government of the United Provinces in the Industries Department rendered last year substantial financial aid to the Ojhiani Cotton Mills, Lucknow Flour Mills and Bahjoi Glass Works ?

(b) If so, will the Government be pleased to inform this Council if it is prepared to similarly help provincial industries by making a suitable provision in the budget ?

The Honourable Lala Harkishan Lal : (a) It is unnecessary to make any inquiry because (b) an item of Rs. 1,50,000 has been included for the purpose, which the honourable member has in view, in demand No. 34 to be presented to the Council for Provincial loans (transferred). This sum cannot be increased under present financial conditions.

APPOINTMENT OF SPECIAL PUBLIC PROSECUTORS IN FERROZPORE.

2459. Sardar Randhir Singh : (a) Will the Government kindly state—

(a) what amount of money has been spent during the period from September 1921 to the end of January 1923 on special Public Prosecutors in Ferrozpore ;

(b) at what monthly pay each Public Prosecutor was so appointed ;

(c) stating also the duration of the period for which they had to work each day ; and

(d) their yearly income immediately preceding this appointment as special Public Prosecutor estimated by the income-tax they were paying ?

(is) Will Government kindly state the considerations which prevail at the selection of the special Public Prosecutors ?

(iii) Will Government kindly state why important cases are handed over to special Public Prosecutors instead of their being conducted by the permanent Public Prosecutors ?

Will Government be pleased to make enquiries from the permanent Public Prosecutors whether they feel aggrieved at this procedure ?

The Honourable Sir John Maynard : (a) Rs. 8,307-12-0.

(b) (i) Pandit Daulat Ram Kalia was paid Rs. 1,200 for conducting three cases under section 409, Indian Penal Code.

(ii) Lala Durga Pershad was paid at the rate of Rs. 1,500 per mensem in the Committing Magistrate's Court and at the rate of Rs. 2,000 per mensem in the Sessions Court and Rs. 100 per diem in the High Court and Rs. 1,000 for preparation.

(c) Time of each hearing was not supplied by these legal practitioners as they were getting consolidated pay.

(d) (i) The Local Government has no information.

(ii) Generally the Deputy Commissioner recommends the appointment of an Advocate whom he thinks fit for the work, and the Legal Remembrancer if he agrees endorses the recommendation, the final appointment being in the hands of the Government. The Legal Remembrancer does his best to get Advocates appointed who are fully qualified to be special Prosecutors and has asked the Deputy Commissioners to assist him.

(iii) The permanent Public Prosecutor ordinarily conducts Crown cases, but when an exceptionally long case has to be tried it is necessary to engage another Advocate in order that the permanent Public Prosecutor may perform the ordinary duties of his office. Under the new scheme of fixed salaries and no case fees the engaging of outside assistance will relieve the permanent Public Prosecutors considerably, and it will be necessary for Government to take special precautions against the consequent tendency to propose the appointment of Special Prosecutors.

PORTRAIT OF PROFESSOR RUCHI RAM SAHNI.

2460. Rai Bahadur Lala Sewak Ram : (i) Is it a fact—

- (a) that Professor Ruchi Ram Sahni has served the Government College, Lahore, for over 30 years ;
- (b) that his portrait was hung in the College Hall by a subscription raised by his colleagues and pupils ;
- (c) that this portrait has now been removed by the Principal of that College ?

(ii) What steps does Government propose to take in the matter ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (i) (a), (b) and (c) Yes.

(ii) The matter is being enquired into.

PROPORTION OF HINDU AND MUHAMMADAN VOTERS IN THE KAMALIA MUNICIPALITY.

2461. Rai Bahadur Lala Sewak Ram : Will Government be pleased to state—

- (a) the proportion of Hindu and Muhammadan voters in the Kamalia Municipality, District Montgomery ;
- (b) what proportion of seats do Government now propose to allot to each community ?

The Honourable Khan Bahadur Mian Fazl-i-Husain :—

- (a) Fifty-seven to 43.
- (b) The recommendations of local officers are awaited.

RESIDENCES FOR EXTRA ASSISTANT COMMISSIONERS POSTED TO LAHORE.

2462. Sardar Sangat Singh : (a) Will Government be pleased to ascertain from the Deputy Commissioner of Lahore and state how many Extra Assistant Commissioners were posted to the Lahore District during the last twelve months on transfer to this place, and whether they were able to obtain residences on their arrival here on suitable rentals?

(b) If these officers are in a number of cases unable to obtain houses for a considerable period after their posting to Lahore, will Government consider the advisability of permanently acquiring houses on rent for the Extra Assistant Commissioners at Lahore so that in the event of transfers the in-coming officers may have residences available for them?

Mr. H. D. Craik : (a) Government does not think any useful purpose would be served by making the enquiry suggested. It is aware that houses in Lahore are difficult to obtain and expensive.

(b) The suggestion will be considered.

SUBEDAR AMAR SINGH, JATHEDAR OF THE MILITARY JATHA.

2463. Captain Sardar Gopal Singh : With reference to the answer given to my question No. 2196* on the 28th of February 1923, will Government please state—

(a) if any policeman was hurt by the "rebellious mob" of prisoners at the time Subedar Amar Singh was hit?

(b) whether the jaw bone of Subedar Amar Singh was broken or not?

(c) if so, how many days was the Subedar kept in hospital, how was it managed to feed him and what food was given to him?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SUSPENSION OF ASSISTANT SURGEON OF BHERA.

2464. Diwan Bahadur Raja Narendra Nath : Will the Honourable Minister for Education be pleased to state—

(a) whether the Assistant Surgeon of Bhera has been suspended. If so, for what fault?

(b) whether it is a fact that the orders of suspension were given by the Inspector-General of Civil Hospitals in contravention of the provisions of paragraph 33 of the Medical Manual which empowers only Local Government to pass such orders against Assistant Surgeons?

The Honourable Khan Bahadur Mian Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

2465. Not put.

AMBALA DISTRICT BOARD ELECTIONS.

2466. Rai Sahib Lala Ganga Ram : (a) Is it a fact that the Ambala District Board Elections were due to be held in February last, and that preparations had been completed for the same and that elections in two tahsils had actually been completed when the elections were postponed *sine die*. If so, who was responsible for such a late postponement, and what are the reasons for the same ?

(b) Will Government be pleased to consider the advisability of compensating such of the candidates and voters as may have been put to any loss due to the postponement of election ?

(c) Will the Government please state under what rules and authorities the postponement has been made and what is its legal effect on the elections duly completed ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

COMMUNAL REPRESENTATION IN THE AMBALA MUNICIPALITY.

2467. Rai Sahib Lala Ganga Ram : (a) Is it a fact that the constitution of Ambala City Municipality has recently been changed ? If so, why, and on what considerations ?

(b) Is it a fact that the existing constitution of the municipality was decided by the Local Government after considering all the local aspects only so late as in 1920. If so, will the Government state the reasons why it has become necessary to change it so soon ?

(c) Is it a fact that the Ambala City Municipality passed a resolution opposing the introduction of the proposed constitution. If so, why has the Government considered it advisable to force that constitution on that body against its wishes ?

(d) Will the Government please state what amount of the various municipal taxes are paid by the Hindus and Muhammadans of Ambala City, and has that fact been considered while forming the proposed constitution ? If not, will it consider that factor now and give the Hindu public their rightful share in the municipality on that basis ?

(e) Is it a fact that no provision has been made for the due representation of the Sikhs in Ambala City Municipality ?

(f) Is it a fact that the Ambala City Municipality passed a resolution in 1920 and again in 1922 to the effect that one seat on the municipality be reserved for the Sikhs, and that the present Commissioner of the Ambala Division and the Commissioner of the same Division in 1920 recommended that one seat by election be reserved on the municipality for the Sikhs. If so, why has the Government not been pleased to act up to the suggestion ?

Will it consider the question now and make adequate arrangements for the representation of Sikhs ?

The Honourable Khan Bahadur Mian Fazl-i-Husain : (a) and (b) It is a fact that the constitution of the Ambala Municipal Committee was revised in 1920. Its further revision is part of the general reconstitution of all the municipal committees in the Punjab with a view to the enlarge-

ment of the elective element and the adjustment of the claims of various communities on fixed principles of general application.

(c) It is a fact that the Ambala Municipal Committee by a majority passed a resolution opposing the proposed constitution. This resolution was duly considered; but the constitution has been revised in the general interests of the inhabitants of Ambala City.

(d) No records are available as to the amount of the various municipal taxes paid by the Hindus and Muhammadans of Ambala City, nor has the fact been considered in the framing of the municipal constitution. The bulk of the income of the Ambala Municipality is derived from the terminal tax of which the ultimate incidence is on the consumer. Government regret their inability to reconsider their orders as in their view the honourable member's suggestion is neither practicable nor consistent with democratic principles.

(e) It is incorrect to say that no provision has been made for the due representation of Sikhs on the Committee. Hindus and Sikhs together have been given a somewhat larger representation than is their due on the average of their population and voting strength.

(f) Government are not aware of any resolutions of the Ambala Municipal Committee on the subject in 1920 and 1922. There was one such resolution in 1918. As for the recommendations of the Commissioner it is against the usual practice to disclose the views of individual officers in such cases.

HUNGER-STRIKE OF GURU-KA-BAGH PRISONERS IN MULTAN JAIL.

2468. **Sardar Sangat Singh :** Is it a fact that the Guru-ka-Bagh prisoners were severely beaten on the 16th of February, 1923, in Multan Jail in the presence of the Deputy Commissioner and the Superintendent of Police, and about 40 of them are locked up in solitary cells with fetters on? Are they on hunger-strike since then? If not, how long did they remain on hunger-strike?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

GIANI SHER SINGH.

2469. **Sardar Sangat Singh :** Is it a fact that Giani Sher Singh, who is said to have been sentenced to simple imprisonment, is being kept locked up in a solitary cell in Ferozepore Jail since the 4th October, 1922, for shouting 'Sat Sri Akal' at the conclusion of his daily prayer? Has the attention of the Government been drawn to the resolution passed unanimously at a general meeting of the Shromani Gurdwara Parbandhak Committee on the 9th January, 1923, in which this action of the Government was condemned? Will the Government issue orders that the restrictions imposed upon Giani Sher Singh-Ji be removed? Will Government issue orders to remove the bar upon the shouting of 'Sat Sri Akal' after the morning and evening prayers by the Sikh prisoners?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ILLNESS OF SARDAR GOPAL SINGH, AN EXECUTIVE MEMBER OF THE SHROMANI GURDWARA PARBANDHAK COMMITTEE IN LYALLPUR JAIL.

2470. Sardar Sangat Singh : Is it a fact that Sardar Gopal Singh, an executive member of the Shromani Gurdwara Parbandhak Committee, is lying seriously ill in Lyallpur Jail? Is it a fact that he has lost about 33 lbs. in weight in 3 months? If so, will Government be pleased to make arrangements for his proper treatment or consider the advisability of releasing him?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

POST OF PERSONAL ASSISTANT TO THE DEPUTY COMMISSIONER, LAHORE.

2471. Mian Ahmad Yar Khan Daultana : Is it a fact that the post of Personal Assistant to the Deputy Commissioner, Lahore, has been in existence for a large number of years, and members of the Hindu and Sikh communities have held it?

(b) If so, will the Government be pleased to consider the advisability of appointing a *Muslim* Personal Assistant at the earliest opportunity?

Mr. H. D. Craik : (a) The post of Personal Assistant to the Deputy Commissioner, Lahore, has been held by European Members of the Civil Service practically continuously until the present incumbent was appointed to it about two years ago.

(b) There is no intention of removing the present incumbent, who has given complete satisfaction, from the appointment.

PROCESSION IN CELEBRATION OF THE CENTENARY OF SWAMI DAYA NAND, SARASWATI, AT SIMLA.

2472. Diwan Bahadur Raja Narendra Nath : (a) Will the Government be pleased to state—

(a) if it is a fact that the Arya Samajees at Simla intimated, on 5th February, 1923, to the District Magistrate their intention of taking out a procession on 14th February, 1923, in celebration of the centenary of Swami Daya Nand, Saraswati, the founder of the Arya Samaj;

(b) if it is a fact that no order prohibiting the procession was communicated to the Samaj till the 14th February, when the procession had actually started and gone some distance, and it was then that the Sub-Inspector, Police, ordered it to disperse;

(c) if it is a fact that the authorities did not allow the procession on the ground that it was an innovation, when the centenary could not from its nature be a recurring event?

(ii) If the above facts be correct, will the Government be pleased to state—

- (a) what were the reasons for the silence of the local authorities till the last hour and when sufficient notice had been given ;
- (b) under what provision of the law the local authorities could prohibit and disperse a purely religious procession, passing through an Indian Bazar at Simla, and at a time when there was no fear of blocking the street ?

(iii) Will the Government be pleased to state if it proposes to warn the officers concerned, and, with a view to avoid troubles in future, to issue instructions, so that no such religious function be interfered with by the local authorities ?

The Honourable Sir John Maynard : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PROCEDURE REGARDING SUPPLEMENTARY QUESTIONS.

Mr. Ganpat Rai : Sir, I wish to raise a point of order. In connection with question No. 2460,* the answer to which is not printed up in the questions and answers distributed to us, but I understand is ready now, the honourable member in whose name the question stands has asked for the answer to be laid upon the table. In such a case we are at a disadvantage in putting supplementary questions. Is it possible that the answer in question be read out.

Mr. President : Ordinarily the answer is read out only when the member in whose name it stands requests that this be done. Rule 19 and Instruction No. 3 also provide for an answer being read under other circumstances, but a member other than the member who put the question has no power to get the answer read out.

QUESTIONS NOT PUT BY MEMBERS.

Mr. Ganpat Rai : In connection with question No. 2465,† which Raja Narendra Nath does not propose to put, I should like to know, Sir, whether a member has the right to withdraw at the meeting a question which he has already put. If this is allowed it will inconvenience many others who do not send separate notice of that question to avoid repetition, but who wish to know the answer to that question. If the members are to be allowed to withdraw question in this manner then other members should be allowed to put the questions at the same meeting without being asked for notice.

Mr. President : The rule governing the point is Standing Order 19. It is only at the request of the member to whom the question is addressed that I can direct that the answer to a question (which is not put) to be given on the ground of public interest. If a member in whose name a question stands elects not to put it, no other member is entitled to put it in his place.

*Vol. IV, page 1524.

†Vol. III page 1525.

NON-OFFICIAL RESOLUTIONS.

RESOLUTION RE INCREASING THE REPRESENTATION OF THE KANGRA
NON-MUHAMMADAN CONSTITUENCY IN THE PUNJAB LEGISLATIVE
COUNCIL—concluded.

Mr. President : The Council will now proceed to continue the discussion of the Resolution of Mr. Moti Lal Kaistha. The Resolution runs as follows :—

" That this Council recommends to the Government to recommend that the Punjab Legislative Council Electoral Rules be so amended as to enable the Kangra non-Muhammadan (Rajal) Constituency to elect two members for the Punjab Legislative Council."

The question is that that resolution be adopted.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) : Sir, I am in very great sympathy with my friend, because he has had to travel over a large area of hills and valleys, but I am afraid that he has not given me any indication as to what he really wants me to do. His idea is that two members may be allowed for the non-Muhammadan constituency of Kangra, which I presume he represents, by an addition of one more member. But it is not clear whether he means that the total strength of the Council should be increased so as to give the additional representation or whether he wants a redistribution of seats amongst the constituencies so as to give Kangra one more member. The resolution, therefore, as worded by him is not quite clear to me. If his idea is that there should be a rearrangement of the non-Muhammadan constituencies he has not given me any indication as to the constituency from which we must take one seat so as to give it to his constituency. The effect of the resolution, if it is accepted, will be a change in the constituencies of the Legislative Council.

The constituency which he represents has got 9,575 electors. If his idea is that the number is too large and that his constituency should have two members, what will he do in the case of South Rohtak, which has got 11,585 electors, Gurgach which has got 11,919, Lahore and Rawalpindi constituencies which have got about 18,984 and 10,455 electors?

Again if the number of members for this constituency is increased by one, then surely other constituencies will come forward with the same claim and they will have just cause for complaint if their request is not granted. Sir, the strength of the Council has been fixed under the Act at 83. But the Government of India, when the constitution came into force, increased the number to 93. Any change that is to be made in this strength requires, if I am not wrong, the sanction of the Secretary of State and perhaps of the House of Commons. Any change in the constitution of this Council rests on a change of the Act, and it will take place only after the commission, which is to inquire into the different stages of legislative procedure in this country and which has to be appointed after ten years, has looked into the question and reported. As I have already said the present Council consists of 93 members. Out of them 71 are elected, 14 are officials nominated and 8 non-officials nominated. Of the elected members 21 are non-Muhammadans, 18 are Sikhs, 34 Muhammadans and 3 others. There are 71 constituencies and we have one member representing each. If the honorable member's (Mr. Moti Lal, Kaistha) idea is to add to the general strength of the Council as a whole I am afraid that will not be possible because it will affect the balance of representation of the different communities in this Council. It will also

affect, so to speak, the Congress-League compact which was come to at Lucknow. There is already a complaint from the Sikh members that they were no party to that compact, and that their representation is inadequate. Still if the compact is to be upset then surely the Muhammadan representatives of this Council will have a just cause of complaint. These are the difficulties which stand in the way of my accepting the motion, and as my friend has not pointed out the constituency from which one representative should be taken and given to this constituency, I regret I am not able to accept his resolution, and have to oppose it.

Mr. Ganpat Rai (Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan)]: Sir, after hearing the Honourable Revenue Member, I may explain that, so far as I have been able to understand my honourable friend the mover of this resolution, he wants that his district should have another additional member. The reason which he gave and which I have been able to follow is that this district of Kangra comprising as it does the beautiful countries of Kulu, Lahaul and Spiti, and having regard to the happy connection of some of our distinguished officers such as Sir James Lyall and others with this district makes it a very important district.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia: Sir, Lahaul and Spiti are outside the scope of Reforms.

Mr. Ganpat Rai (continued): I confine myself to the happy valley of Kulu. My honourable friend the mover asks for an additional member on account of its peculiar history and the beauty of the valley and of the war record of the district. The honourable the revenue member has stated that it is practically impossible to give another member to this constituency, but as I have said if that is the difficulty, it may be overcome by nominating a member of that district in addition to an elected member. I think if an assurance is given to my honourable friend, Mr. Moti Lal, Kaistha, that the claims of his district will be considered at the time of nomination he will have no objection in withdrawing his resolution. With these remarks I resume my seat.

Mr. President: Does the honourable member wish to withdraw?

Mr. Moti Lal, Kaistha: If the honourable member gives me an assurance that another member.....

Mr. President: A withdrawal cannot be conditional. It must be purely unconditional. Simply confine yourself to the statement that you wish to ask for leave of the House to withdraw. You must not make conditions.

Mr. Moti Lal, Kaistha [Kangra (Non-Muhammadan), Rural]: Sir, I do not see my way to withdraw my resolution. Sir, the honourable member has told us that there are two difficulties in the way of my request being granted. The first difficulty he mentioned was that the present constitution does not allow it. He said that we will have to obtain the sanction of the Secretary of State and probably of the Parliament. The second difficulty he mentioned was that the redistribution of seats cannot be effected.

Sir, in moving my resolution I have advanced solid and substantial grounds. One of these points was that Kulu being situated at a great distance from Kangra, Government felt the necessity of constituting a Sub-Division in Kulu. The work could not be accomplished to the satisfaction

[Mr. Moti Lal, Kaistha.]

of the Government and for that reason Kulu was made a Sub-Division. For the same reason, I ask the House to consider whether it is possible for me to traverse an area of 15,000 square miles. How can I be expected to see to the grievances of all the people and to meet their wishes? It is a plain question which I have mooted in this House today. If the Government found it a matter of necessity to constitute a Sub Division at Kulu, how can one member alone be expected to do the whole work during the course of three years. It is physically impossible on account of the distance.

Take the languages. I have recapitulated already that language is a great bar in our way.....

Mr. President: The honourable member is repeating the arguments which he adduced in introducing his resolution; at the present stage he is only entitled to reply to the arguments which have been put forward against him. He is not entitled to introduce fresh arguments or to repeat arguments which have been already advanced by him.

Mr. Moti Lal, Kaistha: There is a special argument in favour of this motion and that is that of war record. If the honourable members study the war record they will see that the Kangra war record stands third in the Punjab, and I draw the attention of this House to the speech made in 1919 by Sir Michael O'Dwyer....

Mr. President: The honourable member can only make a reply to the arguments of the Honourable Member for Revenue.

Mr. Moti Lal, Kaistha: I am replying to the arguments by making certain quotations.

Mr. President: You must not argue with the chair. If you do, I will have to ask you to resume your seat.

Mr. Moti Lal Kaistha: Sir, I have advanced all my arguments when moving my resolution, but they have not been replied to. I expected the Honourable Member to say why the question of area should not be taken into consideration and for that reason I am repeating some of the remarks which I originally made in my speech, but as the ruling of the President is that I cannot go over the same ground, my only point will be that out of the 8 nominated seats one seat may be given to my constituency. At the time when seats were distributed the soldiers were not given any right of vote, but later on the Secretary of State communicated his orders and hence the addition of 5,000 soldier voters in the Kangra district. That is the point to which I draw the attention of the honourable House because it is the most important point. If it does not lie within the province of this House to give Kangra a nominated member, then my submission is that recommendations may be made to the Parliament. With these words I will resume my seat.

Mr. President: The Resolution before the Council runs :

"That this Council recommends to the Government to recommend that the Punjab Legislative Council Electoral Rules be so amended as to enable the Kangra non-Muhammadan (Rural) constituency to elect two members for the Punjab Legislative Council."

The question is that that resolution be adopted.

The motion was lost.

RESOLUTION RE FACILITIES FOR MUHAMMADAN GOVERNMENT SERVANTS 1538
TO OFFER PRAYERS.

RESOLUTION RE. FACILITIES FOR MUHAMMADAN GOVERNMENT SERVANTS TO
OFFER PRAYERS.

Maulvi Muharram Ali, Chishti [Lahore City (Muhammadan), Urban]
(Urdu): Sir, I beg to move—

“That this Council recommends to the Government that it may be pleased to issue orders to all the departments under its control that all Muhammadan Government servants, whatever their rank, who may be anxious to offer such fixed prayers as fall during the hours of duty and also their Juma (Friday) prayer, be allowed sufficient time for performing these duties, and that in case of press of official work they may be given the alternative of making up the time so spent in prayer by overtime.”

Sir, the object of this resolution is that Muhammadan Government servants should be given facilities to discharge their first and foremost religious duty. I am well aware that the principle underlying this resolution has long ago been accepted by the Government, and that a circular also has been issued by the Government to all Heads of Departments in this connection. But, Sir, this circular has not been acted upon. Moreover, there have been certain obstacles in the way of bringing it into effect. I need not dilate upon them except to point out that such circulars are often thrown into some waste paper almirah. What I want now is, that the Government may be pleased to give us an assurance that this circular will be given the status of a standing order. In that case, I will have nothing further to say about the matter.

Mr. President: The resolution proposed runs—

“That this Council recommends to the Government that it may be pleased to issue orders to all the departments under its control that all Muhammadan Government servants, whatever their rank, who may be anxious to offer such fixed prayers as fall during the hours of duty and also their Juma (Friday) prayer, be allowed sufficient time for performing these duties, and that in case of press of official work they may be given the alternative of making up the time so spent in prayer by overtime.”

The question is that that resolution be adopted.

Sayad Muhammad Husain: [Montgomery (Muhammadan), Rural] Sir, the Juma and other prayers are religious obligations for every Muhammadan. If a Mussalman does not say his prayers on account of his own negligence, it is a sin. But if he does not pray through some fear of his superior officers, it is apostacy. A Mussalman cannot desist from prayers. If he does not say his prayers through some fear of his officers under whom he is working, it is the duty of Government to remove that fear. The policy of Government has been from the very beginning to interfere as little as possible in this matter, and to give all sorts of facilities for the offering of prayers. I ask Government, I submit most humbly, that every facility should be provided to the Mussalmans who wish to say their prayers, and officers should see that the Mussalmans who wish to say their prayers which fall within the official duty hours, should be permitted to do so. By doing this, the Government will be only repeating their assurance which they have already given that the religious liberty of anybody will not be interfered with. With these words I strongly support the resolution.

Rai Bahadur Lala Hari Chand [West Punjab Towns (Non-Muhammadan), Urban] (Urdu): Sir, I have only this much to say that this is a very necessary resolution. No honourable member, I know, will have to say anything against it. Moreover, Sir, the resolution ought to be all the more

[R. B. Hari Chand.]

acceptable because it provides for working overtime if there is press of office work. Thus it seems to me that officers will experience no trouble, nor time will be wasted. Sir, I support the resolution, and pray that the question be now put.

Mr. H. D. Craik (Chief Secretary) Sir, the honourable member who last spoke is perfectly right, at any rate so far as I am concerned. I have no intention of opposing this resolution. The only difficulty that I feel is that my friend Maulvi Muharram Ali, Chishti, suggests to Government that it should do a thing which it is already doing. If he likes me to do it over again, I am quite prepared to do that. But as I have said this has already been done, and there does not appear to me to be any necessity of doing it again. This was done very nearly ten years ago. Perhaps the House will be interested to hear the orders on the subject. In a letter, dated the 8th of July 1913, the Chief Secretary to Government wrote as follows to all the Heads of Departments, Commissioners and Deputy Commissioners in the Punjab :—

"In the official answer to a question in the Provincial Legislative Council on the 14th December 1912, it was stated that Government understood that facilities are usually given in public offices in the Punjab to Muhammadan employes to say their prescribed prayers and also the public Friday prayers when they particularly desire to do so and when the state of public business permit. An assurance was also given that the advisability of issuing general orders on the subject would be further considered.

"2. The Lieutenant-Governor, while aware that the grant of this concession has always been customary in the Punjab with its preponderating Muhammadan element in the population has after consideration come to the conclusion that it is desirable to place the matter on a more definite basis than has hitherto been the case. His Honour is accordingly pleased to direct that leave of absence should be given on Fridays to such Muhammadan employes of Government who ask for it for a sufficient period to enable them to attend the Juma prayers, provided that the time so spent is made up, if necessary, outside the ordinary office hours, on the same or other days of the week."

That seems to me to be exactly what the honourable member asked to be done in this Resolution. If the honourable member thinks that these orders are not being observed,—I confess no such case has come to my knowledge—then fresh instructions can issue. But if he has reason to think that some one has been prevented from saying prayers, I shall be very glad to make enquiries. If again, he likes the attention of all the officers drawn by a fresh circular, I shall be very glad to do that; and I trust that in view of this assurance, he will be prepared to withdraw his resolution.

Mr. Ganpat Rai : Sir, I want to ask through you what about those Muhammadans who do not say their Juma prayers, but still want holiday for that.

Mr. H. D. Craik : I am sorry I do not understand to what class of officials the honourable member refers.

Maulvi Muharram Ali, Chishti : Sir I am not unacquainted with the existence of the circular as the honourable Mr. H. D. Craik seems to think. He has not paid attention to an aspect of the matter which I particularly wish to bring to the notice of the House. My point is that the circular

is not fully acted upon. It should be made a standing order to make it thoroughly effective. If the Government have the full sympathy for it, which it deserves, then I do not think there can be any obstacle in the way of making it a standing order. I am quite willing to withdraw my resolution as desired by my honourable friend Mr. Craik, if I am given an assurance on behalf of the Government that the circular will be made a standing order.

Mr. H. D. Craik : I do not think we have got any standing orders. There are Punjab Government Consolidated Circulars, and probably this is already included in them. But if it is not, I can assure the honourable member that this will be done.

Maulvi Muharram Ali, Chishti : On the assurance, Sir, that this will be incorporated in the Punjab Government Consolidated Circulars, I ask for leave to withdraw my resolution.

The resolution was by leave withdrawn.

RESOLUTION RE CONDUCT OF POLICE AT GURU-KA-BAGH.

Mr. K. L. Rallia Ram. (Representative of Indian Christians) : Sir, with your permission, I shall read the Resolution which stands in my name :

"That this Council recommends to the Government to appoint a committee to enquire into the alleged behaviour of the Police towards Akalis in the Guru-ka-Bagh affair, and to make such recommendations generally as will contribute to the efficiency and integrity of the Police."

Sir, my Resolution falls into two parts. The first relates to an episode which has come to a close; and I do not think any good will come of raking up old memories. So I do not wish to press the first part of my Resolution, but I do want to move the second part. If any honourable member wishes to move an amendment deleting the first part, and I understand that there is one honourable member who proposes to do so, I shall be very glad to accept that amendment.

Mr. President : I think you had better define your two parts.

Mr. K. L. Rallia Ram : Sir, my Resolution is in two parts, the first is : that this Council recommends to the Government to appoint a committee to enquire into the alleged behaviour of the Police towards Akalis in the Guru-ka-Bagh affair, and the second is, to make such recommendations generally as will contribute to the efficiency and integrity of the Police.

Mr. President. The resolution proposed runs as follows :—

"That this Council recommends to the Government to appoint a committee to enquire into the alleged behaviour of the Police towards Akalis in the Guru-ka-Bagh affair and to make such recommendations generally as will contribute to the efficiency and integrity of the Police."

The question is that that Resolution be adopted.

Mr. H. D. Craik (Chief Secretary) : Sir, am I in order in moving an amendment to this Resolution.

Mr. President : Yes.

Mr. H. D. Craik. Then I beg, Sir, to move—

"That the words "to enquire into the alleged behaviour of the Police towards Akalis in the Guru-ka-Bagh affair, and "be omitted."

[Mr. H. D. Craik.]

I really do not know that it is necessary for me to advance any arguments for this amendment, which my friend Mr. Rallia Ram has said he is agreeable to accept.

Mr. Ganpat Rai : I object to this amendment, Sir.

Mr. President . It is within the discretion of the President to uphold the objection or to allow the amendment to be moved. For the reason which has already been stated by the mover of the Resolution, *viz.*, that the episode is an old one, and especially when he does not wish to press for it, I think it is reasonable for me to permit the amendment to be moved.

Mr. H. D. Craik : Sir, I should explain that I had no intention of showing discourtesy to the House in moving this amendment. I took some trouble yesterday to try and find out if my friend was going to move his Resolution. It was only this morning that I found that he did intend to move it, and I then informed Mr. Rallia Ram of my intention of moving this amendment. So at any rate it is not taking the honourable mover by surprise.

Sir, the grounds on which this House is being asked to delete from this Resolution all reference to the Guru-ka-Bagh are several in number. There is in the first place the consideration that an enquiry of the general nature contemplated by the Resolution as originally framed would take much time and mean considerable expense. Apart from that, Sir, there is even an more important consideration, and that is that I doubt very much whether such an enquiry at the present moment is practicable at all. The great majority of the Police who were employed during the Guru-ka-Bagh incident have now been disbanded. I doubt very much whether it will be possible to trace them. I have no doubt whatever that any committee appointed by this House or by Government would have no legal power to compel their attendance or to compel them to answer their questions. That seems to me to be a consideration which the House should bear in mind.

Then again, some of the specific happenings of this incident have already been made the subject of formal enquiry and in some cases of a regular judicial trial. No committee of enquiry appointed by the Executive Government can go behind the findings of the courts in those matters. Some of those matters which I referred to, excited more comment at the time than any others. I have no desire to specify them in detail because my object in moving this amendment is that the memories of that unhappy incident should as far as possible be buried in oblivion.

There is another argument which I would like the House to consider. We have had in the past several of these committees of enquiry into alleged cases of various kinds. There has been one committee for this very incident. The committee appointed by the Congress made an elaborate enquiry and examined a large number of witnesses. That committee, Sir, has not produced any report at all. I do not know why. I am glad that the report did not come out at all because it is better that memories of the incident should not be kept alive. I would again ask the House to cast its mind back three years and to remember the unhappy Hunter Committee which perambulated the whole of India from Bombay to the Punjab for months

and produced a stupendous report with seven massive volumes of evidence. What did it amount to after all? Was not its effect merely a revival of bitter memories of class hatred? And the intensification of those unhappy feelings which had marked the early months of 1919? I defy any member of this House to point to one happy result which came out of the Hunter Committee. I want to avoid repeating even on a small scale a mistake of that description.

I hope all members of this House, at any rate the few who are here, will agree with me that it is better to accept the suggestion, as the honourable mover of this Resolution himself has done. I only intervene in order to give him my support in his desire that memories of that unhappy time should die out as quickly as possible. What we want now is to establish better relations between the different communities and especially between the Police and the people. Surely the best way of doing this is not to appoint a committee to enquire into old allegations of misconduct and oppression. The best way is, I think, to accept the suggestion of the honourable mover and to appoint a committee to make suggestions that would contribute to the efficiency and integrity of the Police and thereby establish better relations between them and the people with whom they have to deal.

Mr. President: Resolution under consideration, amendment moved—

"That the words 'to enquire into the alleged behaviour of the Police toward Akalis in the Guru-ka-Bagh affair, and' be omitted."

The question is that that amendment be made.

Dewan Bahadur Raja Narendra Nath: Sir, I rise on a point of order. This amendment alters the purport of the Resolution. If the honourable mover of the Resolution accepts the amendment he had better withdraw his Resolution, because the amendment nullifies the Resolution altogether. If the committee is not to enquire into the behaviour of the Police at the Guru-ka-Bagh no useful purpose will be served by the wider scope of the enquiry.

Mr. President: The Resolution as stated by the mover can be divided into two distinct parts. One is to enquire into certain alleged behaviour of the Police and the other is to make such recommendations as will contribute to the efficiency and integrity of the Police. It is quite in order to suggest an amendment that one of those portions be omitted. It does not negative the entire Resolution. In fact amendment is the only way the Resolution can be altered in the sense desired if it is to be altered at all as suggested by the mover.

Diwan Bahadur Raja Narendra Nath: I bow to your ruling, Sir.

Lala Keshe Ram: I should like one point made clear. There is another Resolution below in the name of Sardar Sangat Singh on the same subject. Will that be taken up or not if this amendment is discussed.

Mr. President: I do not think I can answer this hypothetical question at present.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural] (Urdu): Sir, I believe, I may safely lay claim to the fact that I am one of those men who are ever ready to reconcile warring parties. Hence my rising to oppose the amendment should not be taken, in respect of the matter under consideration, to indicate my unwillingness to help in letting bygones be bygones. On the other hand, Sir, I am convinced that the rejection of the amendment and the adoption of the Resolution will smooth the way to a better understanding between the Government and the people and the removal of bitterness. An outward peace while hearts are bitter will do no good. So long as the fire of anger and enmity is not altogether extinguished, there is always a danger from the smouldering fire which may at any time burst out into flames.

Sir, it has been said that there should be peace and good-will between the Government and the people, and that all differences and misunderstandings should be sunk into the sea of oblivion. I too acknowledge that such a peace is absolutely essential. But, what I desire is that hatred and disruption should be uprooted. This can only be done if an open enquiry is held and excesses and illegalities admitted by whomsoever they might have been committed. Let us condemn the highhandedness of those who took the law into their own hands and make reparations where needed. Such a course alone will gradually help in healing the wounds, for time is a great healer.

As for the desirability of appointing a committee to enquire into the alleged behaviour of the Police towards Akalis in the Guru-ka-Bagh affair I ask, is it possible that people will forget those happenings? I submit no, and therefore, Sir, affirm that it is only after a complete investigation that the people will be satisfied and their grievances removed. At present, however, people are talking about and showing to each other printed lists of the names of injured and specifications of wounds of those who had received injuries at the hands of the Police on account of the latter's *danda-bazi*. These lists do not contain the names of those who were arrested and tried. Their number is altogether apart from those wounded and not arrested. I will touch on the cases of these later. At present I must only say that I have had occasion to see many a friend of the Akalis, and have found that their hearts are full of bitterness, sorrow and anger. And I know that bitterness can only be removed when people come to know for certain who is to blame. Hence I insist on the appointment of a committee. Its findings will not only help us in fixing the blame upon those who were in the wrong, but will also point the way to devise a remedy. This last may conceivably be just an offering of apology to those who have been hurt and aggrieved by the aggressors. Still, it will provide for some sort of satisfaction at least. It will do good.

I may also add, Sir, that we have not as yet seen the last of the various accounts and descriptions of what happened in the Guru-ka-Bagh affair. People are still undergoing imprisonment. The Press is still publishing accounts of how Guru-ka-Bagh prisoners are faring. I ask, Sir, will the amendment to the Resolution put a stop to all this? I submit, no. Hence it is for us to reconsider the matter seriously. It has been said that such committees, e.g., the Hunter Committee, could serve and have served no useful purpose, but I am of the opinion, that though the Hunter Committee's Report was based on a one-sided version yet it did this much good at least

that the people were made acquainted with the fact which the Government had also acknowledged, that certain oppressions and excesses had really been committed by the Martial Law and other authorities. I very well remember, Sir, that in the days of Martial Law an Indian, even if he was a High Court Judge, was not allowed to come out of his house after the curfew, and others who bore an English name, whether they were Indian or not, were free to move about. The Hunter Committee brings to my imagination the days of Martial Law. When I think of them, the fire within my heart bursts into flames, and looking back to the humiliations we suffered. I pray to God I had not been alive in those days when such a treatment was meted out to us.

Sir, another point that I wish to bring to the notice of the House is that, only the other day we passed a Resolution recommending to the Government to release the Guru-ka-Bagh prisoners. If we had known to-day that that recommendation of ours had been accepted by the Government, I would have asked my honourable friend Mr. K. L. Ballia Ram not to move his Resolution. But, as we do not know what action on it is contemplated by the Government, we have considered it necessary to move for a committee to be appointed, and in this way to try to heal the wounds of the people. Sir, the people will always remember the happenings of Guru-ka-Bagh with those of the Martial Law days of 1919. We had better tell them plainly who was to blame. Frankness on the part of the Government will induce them to begin to repose confidence in the Government. Lastly, Sir, the argument of the honourable mover of the amendment that most of the policemen who took part in the Guru-ka-Bagh affair have been disbanded, is untenable. It only means the screening of these people. It is not just, and even if the temporary policemen have been disbanded, there are still those officers who are responsible for the happenings of Guru-ka-Bagh. I again ask, Sir, if this attitude on part of the Government will help matters and remove bitterness from the people's hearts? I must answer, no. With these words, Sir, I oppose the amendment.

Pandit Daulat Ram Kalia [East and West Central Towns (Non-Muhammadian) Urban] (Urdu) : Sir, during this week a Resolution moved by the Government for the appointment of a committee to consider ways and means for increasing the provincial revenues has been rejected by this House. Now if the Resolution moved by Mr. Ballia Ram is adopted, it will involve some expenditure to defray the expenses of the proposed committee. Sir, it is a gross injustice that Government is now called upon to provide funds for this purpose, whereas when it asked this House to appoint a committee for considering ways and means to raise revenues the non-official members unanimously rejected the proposal. This is most unfair, and hence I oppose this Resolution. Sir, in my humble opinion appointment of such a committee at this stage is quite unnecessary. The Government appointed a Deputy Inspector-General of Police at that time to hear complaints regarding any excess perpetrated by the Police officers and to punish those who were responsible for such an excess. I know that in certain cases he actually punished those who indulged in excesses or transgressed the proper limits of law. I think this more than sufficient and I do not see any reason why another committee should now be appointed. Moreover, as the Chief Secretary has said, the appointment of such a committee will renew the old and forgotten things, and the Press will once more make a fuss about it. The object of the honourable mover of this Resolution will not be fulfilled, rather it will create more unrest among the people, I therefore beg to oppose the Resolution.

Rai Bahadur Lala Hari Chand : Sir, I would like to ask the honourable mover of the Resolution whether he accepts the amendment or not. If he accepts the amendment, then we will see what arguments we have to advance.

Mr. K. L. Ballia Ram : I accept the amendment.

Rai Bahadur Lala Sewak Ram : [Multan Division (Non-Muhammadan), Rural] : Am I to speak to the amendment this time ?

Mr. President : You have to discuss the advisability of retaining the words which it is proposed to omit. Assume that a committee of some kind will be appointed and then discuss whether these words should be omitted or retained.

Rai Bahadur Lala Sewak Ram : Sir, I am sorry I cannot support the amendment. It seems to be quite meaningless. I beg to oppose the amendment very strongly.

Pandit Daulat Ram, Kalia : I move, Sir—

“ That the question be now put ”.

Mr. President : The question is—

“ That the question be now put. ”

The motion was carried.

Mr. President : The original Resolution ran as follows :—

“ That this Council recommends to the Government to appoint a committee to inquire into the alleged behaviour of the Police towards Akalis in the Gura-ka-Bagh affair, and to make such recommendations generally as will contribute to the efficiency and integrity of the Police. ”

To this an amendment has been moved—

“ That the words ‘ to enquire into the alleged behaviour of the Police towards Akalis in the Gura-ka-Bagh affair and, ’ be omitted. ”

The question is that that amendment be made.

The amendment was carried.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu) : Sir, I will say only a few words. The Resolution in its amended form is so very vague that there will be no end to the scope of enquiry to be made by the committee proposed to be appointed. I am at a loss to understand what sort of recommendations will be made by the committee which will contribute to the efficiency and integrity of the Police. Books after books can be written on this subject, and still it will require more. On these grounds I have to oppose the Resolution.

Mr. President : Does anybody else wish to speak to the Resolution ?

The Honourable Sir John Maynard : I think the mover has not had an opportunity of putting his case before the House.

Mr. President : He has had the opportunity.

Mr. K. L. Ballia Ram : I did not get any opportunity.

Mr. President : I think there is a misunderstanding. You moved your Resolution, and I was surprised at the brevity of your remarks.

Mr. K. L. Ballia Ram : I simply said that my Resolution was divided into two parts, and that one of those two parts I was prepared to delete.

Mr. President : In the circumstances I allow you to speak. There has been some misunderstanding.

Mr. K. L. Rallia Ram : I am afraid, Sir, my resolution was not properly understood by the House. It was divided definitely into two parts. The first part was only incidental. When I sent this resolution to the Council, this affair of the Guru-ka-Bagh also happened, and I included it as a particular incident. I had in my mind only a general inquiry. There is no department which is more connected with the administration than the Police. If it is an evil, it is a necessary one. Every Government must have always an effective and trained agency at its disposal to help in the administration of justice. History tells us that this department has been in existence from time immemorial; in every age, in every clime, in every domain, the existence of such a department was considered almost imperative and necessary. I also admit, before I go on, that there has been of late very great improvement in the general character and tone of the department which has been specially noticed—in big cities like Lahore and Amritsar and other places. That shows that the Government is fully alive to the needs of improvement and has achieved a measure of success in this direction; yet I do maintain, Sir, that there is a lot of room for improvement still. I also admit that a good deal of criticism which is levelled against this department is due to prejudice, and any department which has to do anything with crimes and deal with the people in that way can hardly be popular with them. Yet most of the complaints which are made against this department are based upon facts. It is true that a survey of the history of the working of the Police in this country compares very unfavourably with the state of affairs in foreign countries. Under the present circumstances and at the present stage of our civilization, we cannot expect our Police to come up to that standard, yet a good deal can be done to improve it. In the various departments, people are affected by their environments and by the nature of their work. There are three departments; or three vocations I should say, in this country where people are very much affected by their environments, that is to say, the very nature of the profession affects the character of those who follow it. The first is—I do not wish to cast any aspersion—the legal profession. Pleaders as a rule—with all my respect for them and their culture and enlightenment—are affected very much by the nature of their work. Their principles are affected by it.

The second is the Police Department. You find as a rule that the officers of the Police Department are affected by the very nature of the work which they have to do—perhaps on account of the unlimited powers that they enjoy, or the income they have. It is very difficult to give reasons.

The third class—of course I am not right to draw this comparison—is that of the drivers of tongas and hackney carriages. These people are also very much affected by the profession which they follow.

The Police Department in the eyes of the public is very corrupt. To say that all are corrupt is not right, but there is no department where bribery and corruption are so rampant as in this department. This is one of the reasons which makes some of the people sore against the Government because they attribute their actions to the Government. I maintain, Sir, and I have no hesitation in saying without fear of contradiction that I do believe that the British officers, as a rule, are very honest, are hardworkers.....

Mr. President : Does this include the Police officers as well ?

Mr. K. L. Rallia Ram (continued): I include the Police officers as well. The high Police officials I believe to be very honest. But there is one defect which is found in other departments as well, that while the officers themselves are honest, they make no serious effort to stop corruption and bribery which to their knowledge exists under them. That is due to many causes. As a rule, Englishmen, especially in this country, are placed in a very difficult position. It is very difficult for them to get at the true position and to believe it. Then they always think that they have to take work out of their subordinates, and the work of the Government must go on. If these people take bribes, they take them from their own brothers. Just to illustrate my point, I will give one instance. Once I brought this point to the notice of a Deputy Commissioner who was very keen about it. He said "well, can you find me an honest man? If I remove such and such a man, his successor will perhaps do worse. The work of Government must go on." That is the attitude of some.

There is another side also to this picture that wherever an officer—whether he be Police officer or any other—is honest and is anxious to purge out all these evils, he makes his subordinates believe that he will not countenance any dishonesty. He achieves a good deal of success. I will just quote an instance of an honourable member who is present to-day to illustrate my point. Mr. King was Deputy Commissioner at Amritsar, and I happened to go there very often because I belong to that place. On going there I found that the tone of officials, Police and others, had changed altogether. It was so remarkable that everybody noticed it. He was so vigilant that people used to think that he would be anywhere at any time. One day a clerk in an office was reading a newspaper which was perhaps seditious. After reading a little, he at once pocketed it. I asked him why he had done that. He replied, "Who knows, Mr. King might turn up just now." He generally used to pay surprise visits to all places. That was the impression which he created by working hard that he would not countenance dishonesty. Now that is a great thing.

It is not enough for officers to be honest themselves. To countenance dishonesty and corruption is bad, in fact, if I am allowed to use a stronger word, it is sinful. As I said before the officers as a rule when placed in high and responsible positions generally get into that frame of mind that they must get the work done and so do not insist on stopping this corruption and bribery which are very deeprooted. Especially is this the case in districts far off from Lahore. Again, as I said before, the Police Department have many opportunities for this practice. It has unlimited powers. I do not mean to say that the bribe-taker alone is bad, it is also the giver of bribes who is to blame. Sometimes it is the giver who is more to blame, because he tempts the taker. I can talk more in detail on this subject, but that is not the scope of our discussion at present.

I do not want to make a destructive criticism, but only to offer a constructive one. My criticisms are intended to chalk out the lines for the committee to proceed on those lines. The Police have got a very good school at Phillaur. I have not gone there myself, but I have seen that people coming from there are well disciplined. But it seems to me that they do not get enough moral and religious training. I think they should be given some moral and religious training so that when they take up office they may feel that they are public servants. That is what they are lacking in. They think that they are the rulers. They

do not realise like the Policemen in England that they are public servants and that their chief duty is to help the people and not to persecute and harass them and assert their authority unnecessarily. I have no complaint against the Police in Lahore, rather I have an admiration for them because the Police behave very properly and their way of regulating the traffic on the Mall is very surprising. In outlying areas, however, we do not have effective supervision and consequently the work of the Police is not satisfactory. Ever since the introduction of motor cars supervision has become more slack, because the officers used to go on horseback before and so used to stay in villages or in dāk bungalows for some time and hear complaints from the people. But since the advent of motor cars, whenever they go to a village they stay there only for a few hours for a little *shikar* and go back immediately. What I want to impress is that these officers should be asked to mix with the people and hear their grievances.

Another difficulty in this connection is that it is very hard for the people to bring any complaint against the Police. Because any complaint made against the Police has to be investigated by the Police. There is no department outside the Police to deal with such complaints. If you have any complaint against a Police constable, or for the matter of that against any Police officer for misbehaviour or misconduct, you have to write to the Police. Generally the Police attach a premium to the statements of men of their own profession rather than to that of an outsider whatever may be his position. I shall just give a typical case to illustrate my point. Just three or four months ago at about 10 o'clock in the night I heard the screaming of a woman near my house. I immediately ran to the road and there I found a woman who was being assaulted by a Police constable who was without his uniform. I immediately got hold of him, sent for a Sergeant and reported the whole case to him. He kindly wrote down my statement. Afterwards I heard nothing about the case. I can point out several such cases, but I do not want to waste the time of the Council by such narrations. I simply wish to explain that it is useless to bring a complaint against a Police officer because nothing would come out of it inasmuch as the complaint has to be investigated by another Police officer.

I next come to another branch of the Police Department, the Criminal Investigation Department. Of course I admit the necessity of this branch of the Police service. I recognise that it has to do very important functions. But there is an impression (and I think a well-founded one) that the department is not an efficient one, that the men employed are not high principled men, they write reports against people which as a rule are accepted without verification and without the persons accused being given a chance to explain their case. A number of people have suffered in that way. In one case the Criminal Investigation Department concocted a case against a person who was a little nervous. One day he asked his daughter to read some passages from the scripture in order to console himself. She was reading the Psalm. 'If God be with us nobody can be against us.' The man in his nervousness got up and exclaimed 'the Criminal Investigation Department, if they are against us nobody can be with us.' Of course the man was very excited, but I quote the instance to show the awe which the people have for that department. This shows the great importance of Government employing men of high character in whom they can repose entire confidence. I must say in fairness to Government that there is nowadays an effort made in this direction. But there is still a good deal of scope for improvement.

[Mr. K. L. Ballia Ram.]

I recognise that it is impossible absolutely to eradicate all evils in this or any other department of Government. But it is possible to minimise them and I must say that in the Police Department only spasmodic efforts have been made to improve the general tone and character of the Police and to bring it to very high level of efficiency. If a committee of the nature suggested in this resolution is appointed and they have a comprehensive survey of the whole department and offer constructive measures which would contribute to the integrity and efficiency of administration, that would help us to patch up the differences between the Government and the people and would take us a long way towards the goal of responsible Government. In conclusion, I thank the House for having given me an attentive hearing.

4 P.M.

The Honourable Sir John Maynard (Finance Member) : Sir, I had occasion a few days ago to recognise the benefit which I thought the Finance Department might possibly have obtained owing to the valuable criticisms in this Council. Even the Council, judging by the improvement which has already been effected during the two years of its life, was, to start with, susceptible of improvement. That being so, that is to say as all of us, including myself, are susceptible of improvement, I think this very admirable department of Police may quite frankly be admitted to be susceptible of improvement too. Sir, I have on several occasions lately figured as the champion of the Police, but that does not mean that I close my eyes to its defects. The Police like every other human institution is susceptible of improvement and we desire to improve it.

Let us consider for one moment what are the elements which make up the character of a force such as this Police force of ours. In the first place it consists of raw human material which we find in the Punjab village. That raw human material it is not within the power of any of us to change. We find it brave, loyal and patient, but with those virtues there is also a certain narrowness of outlook on life due to the conditions of rural existence and there is also some lack perhaps of moral backbone. Such is our raw material. Neither the members of this Council nor the Government can change it. We recognise in it great virtues; we recognise in it also considerable faults.

The next element which goes to the making of the Police Force is the kind of inducement which the Government is able to offer to people to come forward to enlist in it. I mean the pay and other inducements which we can give. Members of this House are well aware that here there are limitations to our capabilities. We cannot change the kind of inducement which we offer in any substantial manner, because financial conditions prohibit our attempting a higher standard. Here then is the second element, in the character of our Police force, the kind of inducement which we are able to offer to men to join.

Next comes, and herein lies the responsibility of Government, the kind of organisation and the kind of discipline which we establish. That is where the responsibility of Government comes in. In so far as we fail by reason of defects in the discipline or of defects in the organisation, in so far as that goes, the Government can be fairly held responsible.

There is yet one other element and here comes in something for which the Government is not responsible. The fourth element in the character of the Police force is the character of the public with which the Police force

deals. If the public is ready to make use of the faults of the men who are in the Police force, then it is the public which is responsible for the evils which its own defects and faults have brought upon it. I ask the House to realise how much depends upon the character of the public. If the public becomes a tempter, its servants will sometimes fall.

Now, Sir, I have said that it is the Government which is responsible for the organisation and for the discipline and the supervision of our Police force. Mr. Rallia Ram. I think from his experience of the Municipal office, is aware that corruption is far worse there than in any Government office. Mr. Rallia Ram may be termed an expert on the question of corruption. Therefore one must attach a very great importance to all that he has said on that subject. He has told us that we fail, because when there is a grievance against a Police officer, it is only possible to have recourse to a Police officer to lodge a complaint against him. As to that I have two things to say. One is that this is not a complete statement of facts. There are also the courts and the courts are the proper machinery for adjudicating on complaints against the Police as against any other person. It is when, owing to the unfortunate action of politicians, men cease to have recourse to the Courts, which have been created for this purpose, that we get such an acute situation as we have for some time past had in this province. The courts have been created for the purpose of doing justice not only between members of the public, but between the Police and the administrator and the public. If those who have reason to complain will go to the courts, and if they do not get justice there if they will go to the higher court, then this particular complaint will cease to exist.

But it is not only the courts which are to be looked to for redress against misconduct on the part of the Police. Though my friend, Mr. Rallia Ram, and I fancy perhaps many members of this House are not aware of the fact, most stringent measures have been taken by the present Inspector-General of Police for dealing with this evil of corruption. Only to-day I answered a question* in which I gave particulars of the action which had been taken in the Police Department on the report of the Corruption Commission. I fear that members of this House did not notice that answer or perhaps some of them have forgotten it. The facts are these: that this matter of corruption has been taken up by the present Inspector-General of Police with a zeal which is greater than that shown so far by any other head of a department. (Hear, Hear.) A good many corrupt members of the Police force have been tried and prosecuted by commissions constituted for this purpose and having been shown to have earned a reputation for systematic corruption they have been removed from the service. That action has been taken and taken in a considerable number of cases during the last six or eight months. Not only has the present Inspector-General of Police taken this action against corrupt Police officers, but he has given a direct encouragement to integrity by the manner in which he has given promotion when vacancies have occurred in the higher ranks. Quite recently a very large number of promotions had to be made on account of vacancies in the rank of Deputy Superintendent of Police. I happened myself to see the proposals and had to take note of the number of men who had been passed over in making these promotions. Great care was taken to eliminate every one who was either corrupt or inefficient and those promotions went down a very long way in the list of Inspectors. I think I may say that certainly the effect of those promotions given to honest and effi-

*Vide question No. 2453 on page 1520 ante.

[The Hon'ble Sir John Maynard.]

cient men and of those supersessions of men who were either corrupt or inefficient must be a very considerable raising of the standard of the character of the force as a whole. Such, Sir, are the steps which the Inspector-General of Police is already taking in order to improve the efficiency and the integrity of the Police. But I do not for one moment question that it is quite possible for something more to be done or that an improvement may be achieved by the co-operation of this House. And therefore without casting any reflection upon the Police as a whole, whose character in my opinion stands as high as the character of any men drawn from the sources from which they are drawn and subjected to the temptations offered by the public, I am quite prepared to accept the proposal for the appointment of a committee to inquire into the methods of improving their efficiency and integrity. And in order that there may be no misunderstanding, I may at once say that it is the intention of Government that this committee shall consist of a majority of non-official members of this House.

Mr. K. L. Ballia Ram: Sir, I want to submit that I find that the sense of the House is against this resolution. If they do not want it, I do not press it on them. In these circumstances, I ask for leave to withdraw.

The resolution was by leave withdrawn.

RESOLUTION RE INCREASING THE NUMBER OF MUHARRAM HOLIDAYS.

Sayad Ghulam Muhammad Shah [Shabpur East—Muhammadan (Rural)] [Urdu]: Sir, I beg to move—

"That this Council recommends to the Government that the number of 'Muharram' holidays be increased from 3 to 10 days, i. e., from the 1st to the 10th of 'Muharram,' both inclusive."

Sir, I have moved this resolution with a view to afford necessary facilities to those Muhammadan employees who are in Government service. The month of Muharram is the first month of the Muhammadan era and their Hijri year begins with this month. Moreover, these 10 days are regarded as most sacred among the Muhammadans in memory of our Sayad-ul-Shohda, the martyrs of Karbla, who gave their life for the sake of Islam. All Muhammadans respect those martyrs and mourning meetings are held during these ten days in memory of these martyrs. All Muhammadans in general and those belonging to the Shiah sect in particular must attend these meetings. I need not go into details. I only wish to point out to the House that three holidays in Muharram are not sufficient and hence Government employees cannot properly observe the religious sanctity of these ten days. Those who are in service outside their native place usually hasten back on the 10th Muharram, which is the most sacred day, in order to resume their office duties the next morning. With these considerations in view I shall request my Hindu, Muhammadan and Sikh friends in the House to support me and I hope that Government will also accept the resolution.

Mr. President: The resolution proposed runs as follows—

"That this Council recommends to the Government that the number of 'Muharram' holidays be increased from 3 to 10 days, i. e., from the 1st to the 10th of Muharram, both inclusive."

The question is that that resolution be adopted.

Khan Bahadur Khwaja Yusuf Shah: Are these holidays to be civil holidays or general holidays?

Mr. President : A question has been asked as to whether these are to be civil holidays only or general.

Syed Ghulam Muhammad Shah : These are general holidays, Sir.

Lala Atma Ram [South-East Towns (non-Muhammadan), Urban] (Urdu) : Sir I beg to move the amendment standing in my name :—

"Substitute the figure '5' for the figure '10' and the word '6th' for the word '1st.'"

I wish to make it clear to the House that in moving this amendment I have no idea of saying anything against Islam. I should rather be the first person to be very glad if the proposed number of holidays were granted. But having in view the report of the Retrenchment Committee, which recommends reduction in the number of holidays, I am of the opinion that ten holidays will not be granted; hence I have proposed five holidays instead of ten.

Syed Ghulam Muhammad Shah : I think I might explain at once that I am prepared to accept this amendment.

Mr. President : The original resolution runs as follows :—

"That this Council recommends to the Government that the number of 'Muharram' holidays be increased from 3 to 10 days, i.e., from the 1st to the 10th of 'Muharram', both inclusive."

To which an amendment has been proposed—

"Substitute the figure '5' for the figure '10' and the word '6th' for the word '1st.'"

The question is that that amendment be made.

The motion was carried.

Maulvi Muharram Ali Chishti [Lahore City (Muhammadan) Urban] (Urdu) : Sir, I am very glad to see that my friend Sayad Ghulam Muhammad Shah, has moved a resolution which aims at removing a longstanding grievance of the Muhammadans. Our Hindu brothers know fully well that the Muharram days are very sacred for the Muhammadans and I need not dilate on the necessity of increasing the number of holidays for the purpose.

I at the same time realize the difficulty of the Government in this matter and the report of the Retrenchment Committee also recognises the difficulty. I shall, however, impress upon my Christian friends the necessity of our demand by telling them that these Muharram days are as sacred for Muhammadans as the Christmas and the Easter days are for Christians. Our Government is very liberal in religious matters and I hope the House will accept this resolution which is based upon purely religious grounds. I would have requested the Government to accept the original resolution but as the amendment has now been accepted by the mover I beg to support it in its amended form.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, Muharram days are very sacred for the Muhammadans. These are to commemorate the martyrdom of those martyrs who sacrificed their lives for the sake of their religion. If the condition of our Provincial Finances was favourable and if we had not to face a huge deficit I would have asked the honourable mover to press for the original resolution. It is my keen desire to see all the Muhammadans observing religious formalities during these days wholeheartedly. I, therefore, am in favour of increasing the number of Muharram holidays and request the Government to accept the resolution.

Mr. H. D. Craik (Chief Secretary) : Sir, it is with very great diffidence that I rise to express any opinion on this resolution at all. It is with very great reluctance that I feel compelled to oppose it. I recognize that in these matters the honourable mover speaks with the greatest authority, being the head of a great and historic shrine and one of the most respected religious leaders of his own community. It is, therefore, I say, with great diffidence that I trespass on these matters. But, Sir, I feel bound in duty to point out that the practice of years in this province has been to allow three holidays only for Muharram, on the 8th, 9th and 10th days. The practice of this province is exactly the same, according to my information, as that of the neighbouring provinces, both on the North and on the South, the North-West Frontier Province and the United Provinces. In Bombay and Assam, the only two other provinces regarding which I have information, the number of holidays, I think, is only two, that is, one less than in this province. Though I should be the last to object to any concession which would allow the members of any particular community to follow the practices of that religion, I must point out that the tendency nowadays, and I think on the whole a correct tendency, is to reduce rather than to increase the number of holidays. The question was touched on in the Retrenchment Committee Report. The majority stated that they were of opinion that some saving of money might be effected by restricting the number of holidays in the civil courts to the general holidays allotted for public offices, that is, to holidays notified as such under the Negotiable Instruments Act. They also suggested that civil judicial officers should have no vacation. The minority in their lighthearted and optimistic way estimated the saving at 2 lakhs of rupees annually. I sympathise with the honourable member for Montgomery in the difficult position in which he finds himself today. As a religious leader, he naturally wishes to increase the number of holidays for his followers, but let him remember that only a few months ago he was an ardent advocate of reduction.

Sir, calculations have been made of the number of holidays which Government servants are in a position to enjoy in the course of a year. There are 52 Sundays in the year, and 34 holidays under the Negotiable Instruments Act. There are on an average 7 local holidays for each district and in many Government offices the last Saturday of each month is a holiday. That adds 12 to the number of holidays. In addition we may assume that each clerk has ten days' casual leave at least in the year. Thus the total number of holidays that a clerk can enjoy is 115, that is to say, the number of working days in the year is only 250. There is a distinct loss of efficiency and no doubt there is a pecuniary loss to Government on account of these holidays. I think it is our duty in these days of strict economy, if not to reduce the number of holidays, at least not to do anything which would increase it. I therefore, Sir, feel constrained to oppose this resolution.

Sayad Ghulam Muhammad Shah [Shahpur East (Muhammadan), Buxal] (Urdu) : Sir, I do not see any necessity of making a very long speech in reply to the arguments advanced against my resolution. Only the Government member has opposed me and I do not think I shall have to take a long time to refute his objections. The chief argument that has been advanced against this resolution is that there are only three Muharram holidays in

other provinces and that Punjab therefore should not in this respect be an exception. In reply to this I have to submit that so far as my information goes the United Provinces Government has sanctioned 4 holidays during the first ten days of Muharram and one more at the time of "*Chahablam*;" thus the total comes to five. I am not unaware of the fact that the Punjab enjoys more holidays than other provinces but I wish to make it clear that it is not so in the case of the Muharram days. Other holidays have got nothing to do with the Muharram holidays. When the Government of our neighbouring province is allowing 5 holidays, I do not think our demand for an equal number of holidays is unjustified. I hope the House will accept the resolution and the Government will also grant us our just demand.

Rai Bahadur Lala Sewak Ram : Sir, I move -

"That the question be now put."

Mr. President : The question is— ♦

"That the question be now put."

The motion was carried.

Mr. President : The question is :—

"That this Council recommends to Government that the number of 'Muharram' holidays be increased from three to five days, i.e., from the 6th to the 10th of 'Maharram,' both inclusive."

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION RE. POLICE CONDUCT AT GURU KA BAGH.

Sardar Sangat Singh : [Lahore (Sikh) Rural] : Sir, with your permission I beg to move.....

Mr. President : I am afraid I must rule the honourable member out of order. This resolution* inevitably raises again a question which has already been just decided. Under Standing Order 32, the resolution cannot be moved.

RESOLUTION RE FIRST CLASS TRAVELLING ALLOWANCE FOR P. C. S. OFFICERS.

Sardar Kartar Singh [Perozepore (Sikh), Rural] : Sir, I do not move the resolution† standing in my name.

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

*"That this Council recommends to the Local Government to appoint a committee consisting of six non-official members of this Council to enquire into and report on any excesses perpetrated by the police and civil officers in the name of law and order in dealing with the Guru-ka-Bagh situation."

†"That this Council recommends to the Government that all members of the Provincial Civil Service be allowed first class travelling allowance."

RESOLUTION RE OVERLAPPING AMONGST THE PUBLIC WORKS DEPARTMENT,
BUILDINGS AND ROADS, IRRIGATION AND
DISTRICT BOARDS.

Mr. Ganpat Rai: [Lahore and Ferozepore-cum-Sheikhupura (non-Lahammadan)], Sir, I beg to move—

“That this Council recommends to the Government to appoint a committee of official experts with majority of non-official members of the Legislative Council under the presidency of the Hon'ble Minister for Agriculture, Punjab, to examine how far overlapping exists amongst the departments of Public Works Department, Roads and Buildings, Irrigation and District Boards, and how far the recommendations of the Sly Committee report, appointed by the Government of India for the same purpose, can be given effect to in this province.”

(Urdu): Sir, Sardar Kartar Singh has just now told us that he will not move his resolution on recommending first class travelling allowance for all members of the Provincial Service, for the reason that if accepted it will increase provincial expenditure. The object aimed at by my resolution is also the same. Sir, there are three Government Departments in the Province, i.e., the Public Works Department, the Irrigation Department and the District Boards, which, in regard to certain buildings and roads, do the same work separately each for itself. In this matter, Sir, although I really hold a different opinion, I am recommending the appointment of a committee, in order to give the Government full opportunity to do the needful. In November 1907, the Sly Committee was appointed by the Government of India. The recommendations of the majority of the Committee have not been acted upon by this wretched province, notwithstanding that the report was published so far back as 1918, and the other provinces are surely acting on them. It seems curious, Sir, that our Government have only acted on the minority report of one, i.e., of Sir Ganga Ram. Hence our inaction. We also went so far as not to take any action even after a committee appointed by our own province had reported that the majority report of the Sly Committee was worthy of our consideration and ought to be acted upon. The point at issue, however, Sir, is to decide whether or not there is overlapping in the work done by these three departments. Is it not a fact that two or all of these three departments, sometimes, do the same work simultaneously and separately? I submit, yes. Why then is no attention paid to this state of affairs? Whatever the answer to this question may be, I am not without hope. I know that now that the Public Works Department has been put under the control of the Hon'ble Minister for Agriculture something will be done. I must, however, submit that if nothing is done even now the people will blame our own Minister for incurring needless expenditure. Sir, another point to be noted in this respect is that the experiment of doing away with this overlapping has been successfully done by such provincial Governments as those of the United Provinces and Madras.

This means that the matter has already passed the stage of experiment. Hence I pray that this House be pleased to recommend to the Government to appoint a committee for this purpose. But, I must also add that this committee may not take 10 years in coming to a decision or for the Government to act on its recommendations. We have already had this sort of delay and I request that it may not be repeated. The province may not be overburdened beyond reclamation owing to delay. Sir, I entertain full hope that Government will appoint the proposed committee. I do not know how much time such a committee, if appointed will take in coming to a

**RESOLUTION RE OVERLAPPING AMONGST THE DEPARTMENTS OF PUBLIC 1551
WORKS, AND BUILDINGS AND ROADS IRRIGATION AND
DISTRICT BOARDS.**

decision. Hence I have not proposed to impose a time limit for submitting its report. This much, however, I must say that the Committee should make its report in three months' time, i.e. by the time the Council next meets. Lastly, Sir, if the Government refuses to appoint a Committee, we will assert that they do not care to stop needless expenditure.

The Deputy President : The resolution moved runs—

“ That this Council recommends to the Government to appoint a Committee of official experts with a majority of non-official members of the Legislative Council under the presidency of the Hon'ble Minister for Agriculture, Punjab, to examine how far overlapping exists amongst the departments of Public Works Department, Roads and Buildings, Irrigation and District Boards and how far the recommendations of the Sly Committee report appointed by the Government of India for the same purpose, can be given effect to in this province. ”

The question is that that resolution be adopted.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, before the debate proceeds any further I wish to make clear the Government's position. The report of the Sly Committee has been referred to. In this respect I have to say that so far as the Public Works Department goes, I have already made full investigations. The case of the District Boards and that of the Canal Department has yet to be enquired into. However, the Honourable the Finance Member has decided that after the present session of the Council is over, we the four Executive Members and Ministers should go fully into the matter. I will therefore submit that the appointment of this Committee will only interfere with our deliberations and I therefore recommend patience. The Province has been patient over the matter, for years together. Surely the House will give us an opportunity to do what we can. If, even after our labours the Council is not satisfied, a Committee may be recommended to be appointed by the Government. With these words, Sir, I request the honourable mover to withdraw his resolution.

Sayad Muhammad Hussain [Montgomery (Non-Muhammadan). Rural] (Urdu) : Sir, I rise to lend my heartiest support to the resolution moved by my honourable friend Mr. Ganpat Rai. As the resolution aims at the reduction of expenditure to the extent of Rs. 40 lakhs a year, I think the Government stands to gain everything by it. Sir, I submit that the resolution has now become more urgent in view of the Government having moved a resolution regarding the appointment of a Committee to find ways and means to increase the revenue. If the Government had withdrawn the latter, my honourable friend Mr. Ganpat Rai would not have minded withdrawing his resolution. Sir, I wish to remind the House of the fact that the resolution is happily framed in the true spirit of the recommendations of the Sly Committee, which, with the single exception of Sir Ganga Ram, unanimously recommended to the Government of India to do away with overlapping in different departments. The Punjab is far worse off in this respect than any other Province. Sir, the Public Works Department is the direct cause of huge wastage. In some cases the same work is done by as many as three departments. The public opinion is strongly for its abolition. The resolution under discussion does not aim at any such thing. It proposes the appointment of a Committee under the chairmanship of the Honourable the

Minister for Agriculture himself. The proposed Committee will surely convince him of the fact that the complaint of wastage embodied in the resolution is quite justified. The Committee will also help the Honourable the Finance Member to find new ways and means to restore equilibrium in the Provincial finances. Sir, it is simply with a view to check wastage that we are pressing the resolution for the acceptance of the Government. The Province is sure to gain by it. I am confident that the House seriously resents any wastage of the public funds during this condition of the Provincial finances. Then why object to the appointment of a Committee for the purposes in view? Let not the Government oppose the formation of any such Committee, because if it does so, it will be said that the Government does not pay any heed to the non-official suggestion for restoring equilibrium in the Budget. If the resolution is not accepted, I do not think that we can go on providing unlimited funds to the Government. We do not possess an Allah Din's lamp

The Honourable Sir John Maynard: May I ask the honourable member to speak a bit slowly. I cannot follow him; he is speaking so fast.

Sayad Muhammad Hussain (continued): Sir, I only said that the Council has got no magic wand to produce unbounded wealth to finance the administration. Let not the Government miss the opportunity offered by the resolution. It will serve both the purposes of cutting down the expenditure and balancing the budget. If the resolution is rejected, it will be said that the Government is not very keen to act upon the recommendations of the Retrenchment Committee, and it is also indifferent towards the non-official suggestions to gain the end which both the Government and all of us have in view. With these few words, Sir, I strongly support the resolution before the House and trust that it will be accepted by the Government.

Rai Bahadur Lala Panna Lal [North East Towns (Non-Muhammadan), Urban] (Urdu): Sir, while heartily supporting the resolution before the House, I wish to draw the attention of the House to the fact that the United Provinces, the Bengal and other Provincial Governments have already successfully realised the objects aimed at by this resolution. The recommendations of the Government of India are quite clear on this point. I do not see any reason why the Local Government should lag behind in this matter. Sir, let there be no misunderstanding as to our appreciating the good work of the Public Works Department. It is only with a view to stop wastage that we want the change proposed in the resolution. The work of the three P. W. D. circles in the Punjab can be carried on by a reduced establishment. I hope the House will unanimously accept the resolution.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhpura (Non-Muhammadan), Rural] (Urdu): Sir, I quite fail to see any reason as to why the Government should hesitate to accept the resolution before the House. Even if that be admitted that the question is already under the consideration of the Government, I know of no harm which will be done to the Government by its acceptance. If the matter were postponed at this time, it will only come before the next Council and in the meantime provincial funds will have to be provided for the wastage of Rs. 3 crores. Let us therefore take the question up in right earnest. It will certainly help us in balancing the budget. If the Government does not want to proceed with the resolution immediately, it can appoint some such later date which may be suitable to it. But, Sir, to postpone it indefinitely will be sheer recklessness during this financial stringency.

**RESOLUTION RE OVERLAPPING AMONGST THE DEPARTMENTS OF PUBLIC
WORKS AND BUILDINGS AND ROADS, IRRIGATION AND
DISTRICT BOARDS. 1553**

With these few words, Sir, I again request the House to kindly accept my resolution.

The Honourable Lala Harkishan Lal (Minister for Agriculture) (Urdu) : Sir, I have come to the conclusion that one who sits on the official benches must be prepared to put up with the charges of unnecessary postponement, clever moves and bamboozling. Now while I intend to do just what the House wants, I am being accused of postponing the matter. I wish to assure the House, that the procedure proposed in the resolution is a very long one and it will not so soon serve its purpose as its mover thinks it will do. If the House thinks that it can achieve its object sooner by the acceptance of the resolution than by following my suggestion, I have no objection in accepting it. But I want to make it clear to the House, that if, as is proposed in the resolution I am to act as the Chairman of the Committee, I cannot bind myself by giving any promise to bring about a reduction to the tune of Rs. 40 lakhs. If the House insists upon that, I shall have to thankfully decline this honour. Sir, it has been remarked that the present working of the Public Works Department is defective and the other provinces have set it right by acting upon the recommendations of the Sly Committee. I would request the House in this connection to kindly bear in mind that even the United Provinces Government, which took the lead in this matter, has not up till now been able to solve the difficulty as to the disposal of the services of the Engineering Establishment. The District Boards are, of course, making use of the services of some of them, but there are a large number of them, whom they do not know what to do with. If the resolution were accepted, the same difficulties will present themselves here and thus the resolution will not gain its object. I cannot express any definite opinion at this moment as to what we should do; but I assure the honourable mover of the resolution that as the matter is coming up for consideration before the Government, he would do well not to press his resolution any further.

With these few words, Sir, I oppose the resolution before the House.

The Deputy President : The resolution moved runs :—

“That this Council recommends to the Government to appoint a committee of official experts with a majority of non-official members of the Legislative Council under the presidency of the Honourable Minister for Agriculture, Punjab, to examine how far overlapping exists amongst the departments of Public Works Department, Roads and Buildings, Irrigation and District Boards and how far the recommendations of the Sly Committee report appointed by the Government of India for the same purpose, can be given effect to in this Province.”

The question is that that resolution be adopted.

The motion was carried.

(At this stage Mr. President resumed the chair).

**RESOLUTION RE ENLARGING THE FRANCHISE OF THE PUNJAB LEGISLATIVE
COUNCIL.**

Mr. Moti Lal Kaistha [Kangra (Non-Muhammadan), Rural] : Sir, the resolution I propose to move runs as follows :—

“That this Council recommends to the Government that the Punjab Legislative Council Electoral Rules be so amended as to render persons paying Rs. 5 land revenue and those who have passed the matriculation examination of any University in India, qualified for registration on the electoral

roll of persons who are entitled to vote in the elections held for the Punjab Council."

Sir, my object in bringing this resolution before the House is that a great number of taxpayers who are now without representation should be allowed representation and be thus permitted to take a larger share in the administration of their own country. (Hear, hear). When I asked for an additional seat for the Kangra district I was told that it was not within the powers of this Government to increase the number of seats and that it rested with the Parliament and the Secretary of State. Here now I am raising the question namely when persons paying Rs. 25 are entitled to vote, why should not those who pay Rs. 20 be also entitled to vote? We cannot explain the secrets of Government. The poor masses put that question and I am not able to answer them. In order to learn the secrets of Government in this matter and to explain the reasons to the masses who are situated far off from the civilised world I have brought this resolution. I go one step further and say extend the privilege to those who pay Rs. 5, for no taxation without representation is the rule.

Sir, in the Madras Presidency the qualification for voting is Rs. 10; here on the other hand it is Rs. 25. (Cries of shame!) Further in this Province we have a greater number of agriculturists who cultivate with their own hands (Laughter and cheers). Take the other Provinces. In Bombay the qualification is Rs. 15; in Bengal and the Central Provinces it is less. Is it not the proper time Sir, that the people of this Province should be allowed a greater share in the administration of their own country? There is another reason why this qualification should be reduced and that is that the people of the Punjab have done much in the great war in all centres. Sir, those gentlemen (pointing to Malik Feroz Khan, Noon) who represent the landed proprietors, the aristocrats (aristocrats I call them) they will have to repent some time if they do not yield to the demands of the masses. They are opposing every proposition propounded in this House for the benefit of the masses.

Sir, the political rights are not the inheritance of one person or one body of persons. Every person is born free and with political rights (Hear, hear). With these words, Sir, I move that the limit of Rs. 25 be reduced to Rs. 5 and I hope this House will accept it. (Loud cheers.)

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (Revenue Member) (Urdu): Sir, I must admit that the earnestness, zeal and warmth which my honourable friend Mr. Moti Lal Kaistha has displayed in moving his resolution fully deserve that the resolution be not rejected; but I regret to say that there are certain facts which I feel it my duty to bring to the notice of the House and are necessary for the discussion of such a resolution. Sir, so far as franchise is concerned the electoral rules lay down that every person shall be entitled to have his name registered on the electoral roll of a constituency who has the qualifications prescribed for an elector of that constituency and who is not subject to any of the disqualifications, amongst which is one that he is not less than 21 years of age.

Although the honourable mover of the resolution has not said anything about the portion his resolution dealing about Matriculates still as it forms part of his motion, I wish to bring it to the House that the age limit of 15 for those appearing in the Matriculation Examination has now been abolished by the Punjab University and thus it has become possible

for one to pass the examination even when he is below 15. It would be pertinent to ask my honourable friend if it is his wish to extend the franchise even to those who are not yet 15 years of age

Mr. Moti Lal Kaistha : Sir, with your permission I beg to withdraw that portion of my resolution which relates to the Matriculation Examination.

Mr. President : The honourable member cannot withdraw a portion of his resolution. He can withdraw his resolution *in toto* or not at all.

The Honourable Sardar Bahadur Sardar Sundar Singh, Majithia (continued in Urdu): Sir, in the constituencies of the Punjab University the persons whose names could be registered on the electoral rolls must be graduates of not less than seven years' standing. I may remark that if this limitation is laid down in the case of graduates then how could a Matriculate who has passed his examination this year could reasonably be allowed to have his name registered, merely on his becoming a Matriculate, and this will be the effect if my friend's proposal is accepted.

Sir, now I pass on to the proposal to permit persons paying Rs. 5 as land revenue to become qualified as electors. The Resolution aims at changing the rule which lays down that the person who pays Rs. 25 as land revenue shall have the right of voting. The House should remember that there are three different constituencies, the Rural, the Urban and the special ones. The wording of the Resolution does not make it clear as to the constituency, in which the proposed change is wanted to be introduced. I therefore think that the Resolution as such, is defective in this respect, and I need not say anything more on this point except by remarking that even the Punjab Provincial Congress Committee recommended the extension of the franchise to tenants and land-holders who pay Rs. 20 or 25, respectively, as land rent or land revenue.

If the Resolution is accepted, the electorate will grow so large as to make polling to some extent difficult. Sir, my honourable friend on my right has also told me that the increase in the election expenses is another consideration in the matter. The budget allotment under this head is Rs. 3,25,000, and however much I tried to cut it down I was not able to do so. The cost of paper alone for printing of electoral rolls is estimated somewhat above Rs. 20,000. I am afraid I shall have to come before the House for a further grant. If the proposal to extend franchise is accepted by the House, the election expenses will go up higher still.

Sir, with these few words, I regret I have the unpleasant duty of opposing the Resolution, which personally has my sympathies. I ardently wish the coming of the time when there will be no such conditions and the people will enjoy manhood suffrage; but I am sorry that the time is not yet ripe for it.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders, (General)] (Urdu): Sir, while heartily sympathising with the aim of the Resolution before the House, I regret I cannot support it in the present circumstances. We ought to proceed cautiously with the extension of democratic institutions. Everything must be tested at every step before we proceed further. The reformed Councils have only been in existence for the last two years, and I do not think it will be wise to further extend the franchise just now. Franchise has to do with many a thing, and I am of the opinion that the question of any such extension should only be discussed after the statutory period of 10 years.

The Honourable Khan Bahadur Mian Fazl-i-Husain : (No, no).

Diwan Bahadur Raja Narendra Nath (continued) : Sir, I submit that sufficient experience can only be gained after two or three elections. Moreover, though I am proud of being a Punjabee, yet I regret I cannot but admit the fact before the House that the Province as compared with Bombay, Madras and the United Provinces is educationally and politically backward. (*A voice—No, No.* You may say, no. Still it is a fact. It cannot be denied. Sir, I am trying to avoid making any reference to the real cause of our backwardness, as I do not know how the House would have received any remarks which would have hit the nail right on the head. Therefore, Sir, I only submit that to further extend the franchise at this stage will be quite unsafe. The Resolution before the House commands my real sympathy and I look forward to the day when the country will have manhood suffrage, but I cannot ignore the fact that for solid and sure progress we shall have to proceed slowly, as every uncertain step is bound to retard our progress. Therefore, Sir, I submit that real statesmanship requires that we should wait for it for some time more. With these few words, Sir, I regretfully oppose the resolution before the House.

Mr. Ganpat Rai [Lahore and Ferozepore-cum-Sheikhpura (non-Muhammadian), Rural] (Urdu : Sir, the speeches of my honourable friends, the Revenue Member and the Raja Sahib have brought me to my feet, otherwise I had no mind to make any remarks at this time. I know that it is very difficult to get any support for a proposal aiming at any such extension of franchise from the Government benches, but I am pained to learn that my honourable friend the Raja Sahib still retains bureaucratic sympathies with the Government. This is perhaps due to his old habits and to his taking to politics very late.

Sir, it has never been demanded that franchise be extended to 15 years old Matriculates, but only to those who have attained the required age of 21 years. As regards the Revenue Member's fears of the increase in the election expenditure, if the Resolution were accepted, I can assure him that this is not very commendable economy. Whenever the Government wants to practise economy, it always does so in matters touching the welfare of the public. The Council set a noble example of economy by giving up the idea of a Simla Session ; but you have nothing of the sort to your credit.

Mr. President : The honourable member is not addressing the chair.

Mr. Ganpat Rai (continued) : I therefore request the Government not to reject the Resolution on that consideration. I can promise it another 3½ lakhs, if that be the only difficulty in the way of its accepting the resolution. Let the Government have my word for it, and I assure the House that even if I have to raise subscriptions, I will do so with all my heart.

Sir, I wonder to see the honourable the Revenue Member quoting the Punjab Provincial Congress Committee in his support. This is done when it serves the purpose of the Government. But in matters in which the Congress Committee disagrees with the Government, you pay no heed to its recommendations.

The Honourable Sir John Maynard : I think I must point out that the honourable member is not addressing the chair.

Mr. President : I have to ask the honourable member once more to address the chair ; and if he does not do that, I am sorry I shall have to ask him to resume his seat.

Mr. Ganpat Rai (continued in Urdu) : Sir, I only mean to say that the Government should act upon the Congress Committee's recommendations in those matters too in which it differs from that body. My honourable friend the Raja Sahib is not right in saying that the revision should take place after 10 years. The Resolution before the House does not ask for universal suffrage or some such other thing. The demand is very modest, and I wonder why he should insist upon its rejection. Had the Resolution aimed at bringing about some radical change in the reformed constitution, the Raja Sahib's advice for caution would have been quite right. The demand embodied in the Resolution is universal. Probably, Sir, Raja Sahib only wants the franchise to be kept reserved for rich people and not for the poor who are at present not in the Council.

Mr. President : You must not ascribe motives to the honourable member.

Mr. Ganpat Rai (continued) : With these few words, Sir, I strongly support the Resolution before the House.

The Honourable Khan Bahadur Mian Fazl-i-Husain (Minister for Education) (Urdu) : Sir, the question before the House is of the utmost importance, and I do not think that the House has discussed during the last few days a more important matter than the one we are discussing now. The House will realise that the progress of society and the political advancement of the country depend upon the question of franchise. The Councils of the present days are performing the duties of the kings of the olden days. When in these days of constitutional Government, the power vests in the legislature it is only necessary that the members of these bodies should in the truest sense of the word be representatives of the people. They should be persons having the support of thousands, nay lakhs, of their countrymen behind them. The representatives who get into Councils through some chance after receiving a few votes in their favour are not the true representatives of the constituents. Therefore, I submit, Sir, that the question of franchise is one of the most important matters in settling the constitution of a country.

Sir, when the question of the qualifications of voters was discussed in the Reforms Committee, I as the non-official chairman of that committee noticed that there were great divergence of opinion on this subject. A certain member remarked that to deprive a person of the right of vote simply on the ground that he had not inherited the necessary amount of property from his parents to get franchise was simply outrageous to all notions of justice and equity. I was greatly impressed by this reasoning. And then another said that when a woman owned lands paying say Rs. 500 yearly as land revenue to the Government, how could the Government in fairness deprive her of the right it was conferring upon other landlords. This too left a great impression upon my mind

Mr. Ganpat Rai : Are we discussing the question of the sex franchise here, Sir ?

The Honourable Khan Bahadur Mian Fazl-i-Husain (continued in Urdu) : I want to show how important the question of franchise is. I submit that every citizen, poor or rich, has the right to take part in the government of his country. No one should deprive a poor citizen of this right, which is his, his birth right. Sir, I earnestly submit that the franchise should be so granted that all classes of the population of a country, rural or urban, may equally take part in its government. (Hear, hear.) The interests of the poor should not be left at the mercy of the rich, and the poor classes of the urban population must not be made to be governed by the rural landlords or *vice versa*. If the Resolution before the House is accepted in its present form, I submit that the interests of poor urban classes will surely suffer.

I say, Sir, with all the emphasis at my command, that when the Council is to legislate for the whole Province, it will be unjust to say that certain classes should get the right of representation, while others go quite unrepresented. I hope the House is quite aware of the fact that I too like my honourable friend Raja Sahib have the privilege to be a representative of the landlords of the Province ; but still I cannot agree with him, when he asks the House to wait for a revision of the constitution till the expiry of the 10 years' statutory period. If the principle proposed in the Resolution is fundamentally right, there is no reason why we should not immediately act upon it but if it is defective at this moment, I do not think that 10 years hence its fundamental defects will disappear. I submit, Sir, that it is in this light that the House should discuss the question before it. But before I proceed further, I would like to say that.....

Mr. President : I am sorry to stop the Honourable Minister. It is now six o'clock and I cannot allow the discussion any longer.

THE PUNJAB LAND ACQUISITION (INDUSTRIAL) BILL.

The Honourable Lala Harkishan Lal (Minister for Agriculture) : Sir, I beg to present the report of the Drafting Committee on the Punjab Land Acquisition (Industrial) Bill.

Malik Firoz Khan, Noon : Sir, I understood, the Honourable Minister was not to move this Bill until after this session.

The Honourable Lala Harkishan Lal : I have not moved a motion. I have simply presented the report of the Drafting Committee.

Mr. President : I forgot to give the Honourable Minister an opportunity to present the report yesterday. I hope the House agrees that it may be presented to-day instead. *Cries of "yes."*

ANNOUNCEMENT FROM THE CHAIR.

RESULTS OF ELECTIONS TO STANDING COMMITTEES.

Mr. President : The results of elections to Standing Committees are not yet complete. They will be communicated to the members later.

The Council then adjourned *sine die*.

NOTE.—By an order of His Excellency the Governor, dated the 26th March 1923, the Council was prorogued unto a date to be hereafter fixed.

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